

ORDINANCE NO. 26-22

AN ORDINANCE AMENDING ORDINANCE 14-47, AN ORDINANCE VACATING A PORTION OF ALCAN STREET AND 120TH STREET RIGHT OF WAY.

WHEREAS, the Governing Body of the City of Olathe approved Ordinance 14-47 on the 5th day of August 2014; and

WHEREAS, Maecommon, L.L.C., does petition the Governing Body of the City of Olathe, Kansas, for the vacating portions of right-of-way described below:

Parts of Alcan Street and 120th Street Right-of-Ways as depicted on Ethiopian Christian Fellowship Church, a subdivision in the City of Olathe, Johnson County, Kansas, and being more particularly described as follows:

BEGINNING at the Southeast corner of said Ethiopian Christian Fellowship Church; thence South 88°38'57" West, along the South line of said Ethiopian Christian Fellowship Church, a distance of 466.69 feet to the Southwest corner thereof; thence North 01°16'24" West, along the West line of said Ethiopian Christian Fellowship Church a distance of 100.23 feet, to a point on the Southeasterly Right-of-Way line of Alcan Street, as established with Olathe Commons, a subdivision in the City of Olathe, Johnson County, Kansas, said point also being on a non-tangent curve; thence Northeasterly, along the Northeasterly prolongation of the Southeasterly Right-of-Way line of said Alcan Street, and along a curve to the left, whose initial tangent bearing is North 24°07'56" East, having a radius of 265.00 feet, and a central angle of 21°27'47", a distance of 99.27 feet to a point on the East Right-of-Way line of Alcan Street, as established with said Ethiopian Christian Fellowship Church; thence South 01°16'24" East, along the East Right-of-Way line of said Alcan Street, a distance of 183.38 feet to the point of intersection of the East Right-of-Way line of said Alcan Street and the North Right-of-Way line of 120th Street as established with said Ethiopian Christian Fellowship Church; thence North 88°43'36" East, along the North Right-of-Way line of said 120th Street, a distance of 441.69 feet to a point on the East line of said Ethiopian Christian Fellowship Church; thence South 01°16'24" East, along the East line of said Ethiopian Christian Fellowship Church, a distance of 11.69 feet to the POINT OF BEGINNING, containing 8,688 square feet or 0.1994 acres, more or less.

Parts of the Northwest Quarter of Section 21, Township 13 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, also being part of Lots 1 and 2, and Tract C, Olathe Commons First Plat, a subdivision in the City of Olathe, Johnson County, Kansas, and being a portion of the Right-of-Way dedicated in Document Number 3593852, recorded in Book 8792 at Page 723 of the Johnson County, Kansas records, and being more particularly described as follows:

COMMENCING at the Northeast corner of the Northwest Quarter of Section 21, Township 13 South, Range 24 East; thence South 01°16'24" East, along the East line of the Northwest Quarter of said Section 21-13-24, a distance of 466.69 feet to the Southeast corner of Lot 1, Ethiopian Christian Fellowship Church, a subdivision in the City of Olathe, Johnson County, Kansas, said point also being the Northeast corner of

said Tract C, said point also being the POINT OF BEGINNING; thence South 01°16'24" East, along the East line of said Tract C, a distance of 38.31 feet; thence South 88°38'57" West, departing the East line of said Tract C, a distance of 501.69 feet; thence North 01°16'24" West, a distance of 83.59 feet, to a point on the Southeasterly Right-of-Way line of Alcan Street, as established in said Olathe Commons First Plat, said point also being on a non-tangent curve, said point hereinafter referred to as Point "A"; thence Northeasterly, along the Southeasterly Right-of-Way line of said Alcan Street, and along a curve to the left, whose initial tangent bearing is North 38°15'48" East, having a radius of 265.00 feet, and a central angle of 14°07'52", a distance of 65.36 feet, to a point on the Northerly line of said Lot 2, said point also being on the West line of said Ethiopian Christian Fellowship Church; thence South 01°16'24" East, along the Northerly line of said Lot 2, and along the West line of said Ethiopian Christian Fellowship Church, a distance of 100.23 feet, to the Southwest corner of said Ethiopian Christian Fellowship Church; thence North 88°38'57" East, continuing along the Northerly line of said Lot 2, and along the North line of said Tract C, and along the South line of said Ethiopian Christian Fellowship Church, a distance of 466.69 feet to the POINT OF BEGINNING, containing 21,680 square feet or 0.4977 acres, more or less.

AND ALSO:

COMMENCING at aforementioned Point "A"; thence North 01°16'24" West, a distance of 152.67 feet to a point on the Northwesterly Right-of-Way line of said Alcan Street, said point also being the POINT OF BEGINNING; thence North 01°16'24" West, a distance of 208.75 feet, to a point on the South Right-of-Way line of 119th Street, as described in said Olathe Commons First Plat; thence North 88°38'57" East, along then South Right-of-Way line of said 119th Street, a distance of 0.05 feet to a point on the West Right-of-Way line of said Alcan Street; thence South 01°26'41" East, departing the South Right-of-Way line of said 119th Street, and along the West Right-of-Way line of said Alcan Street, a distance of 192.11 feet, to a point of curvature; thence Southerly and Southwesterly, continuing along the West Right-of-Way line of said Alcan Street, and along a curve to the right, having a radius of 205.00 feet, and a central angle of 04°39'14", a distance of 16.65 feet to the POINT OF BEGINNING, containing 72 square feet or 0.0017 acres, more or less.

The above described portions of Right-of-Way being vacated contain an aggregate area of 21,752 square feet or 0.4994 acres, more or less.

WHEREAS, A petition for vacation (VAC-14-002) was filed with the City of Olathe, Kansas, on the 30th day of May 2014; and

WHEREAS, proper notice of such vacation petition was given pursuant to K.S.A. 12-506 and Section 18.12.070 and 18.12.080 of the Olathe Municipal Code; and

WHEREAS, a public hearing on such petition was held before the Planning Commission of the City of Olathe, Kansas, on the 14th day of August 2014; and

WHEREAS, said Planning Commission has recommended that such right-of-way vacation petition be approved; and

WHEREAS, the Governing Body has determined that the right-of-way is not needed by the city; no private rights will be injured or endangered by the vacation; the public will suffer no loss or inconvenience thereby; and that in justice to the applicant the petition is granted.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: That the following described right-of-way granted to the City of Olathe, Kansas, is hereby vacated:

BEGINNING at the Southeast corner of said Ethiopian Christian Fellowship Church; thence South 88°38'57" West, along the South line of said Ethiopian Christian Fellowship Church, a distance of 466.69 feet to the Southwest corner thereof; thence North 01°16'24" West, along the West line of said Ethiopian Christian Fellowship Church a distance of 100.23 feet, to a point on the Southeasterly Right-of-Way line of Alcan Street, as established with Olathe Commons, a subdivision in the City of Olathe, Johnson County, Kansas, said point also being on a non-tangent curve; thence Northeasterly, along the Northeasterly prolongation of the Southeasterly Right-of-Way line of said Alcan Street, and along a curve to the left, whose initial tangent bearing is North 24°07'56" East, having a radius of 265.00 feet, and a central angle of 21°27'47", a distance of 99.27 feet to a point on the East Right-of-Way line of Alcan Street, as established with said Ethiopian Christian Fellowship Church; thence South 01°16'24" East, along the East Right-of-Way line of said Alcan Street, a distance of 183.38 feet to the point of intersection of the East Right-of-Way line of said Alcan Street and the North Right-of-Way line of 120th Street as established with said Ethiopian Christian Fellowship Church; thence North 88°43'36" East, along the North Right-of-Way line of said 120th Street, a distance of 441.69 feet to a point on the East line of said Ethiopian Christian Fellowship Church; thence South 01°16'24" East, along the East line of said Ethiopian Christian Fellowship Church, a distance of 11.69 feet to the POINT OF BEGINNING, containing 8,688 square feet or 0.1994 acres, more or less.

Parts of the Northwest Quarter of Section 21, Township 13 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, also being part of Lots 1 and 2, and Tract C, Olathe Commons First Plat, a subdivision in the City of Olathe, Johnson County, Kansas, and being a portion of the Right-of-Way dedicated in Document Number 3593852, recorded in Book 8792 at Page 723 of the Johnson County, Kansas records, and being more particularly described as follows:

COMMENCING at the Northeast corner of the Northwest Quarter of Section 21, Township 13 South, Range 24 East; thence South 01°16'24" East, along the East line of the Northwest Quarter of said Section 21-13-24, a distance of 466.69 feet to the Southeast corner of Lot 1, Ethiopian Christian Fellowship Church, a subdivision in the City of Olathe, Johnson County, Kansas, said point also being the Northeast corner of said Tract C, said point also being the POINT OF BEGINNING; thence South 01°16'24" East, along the East line of said Tract C, a distance of 38.31 feet; thence South 88°38'57" West, departing the East line of said Tract C, a distance of 501.69 feet; thence North 01°16'24" West, a distance of 83.59 feet, to a point on the Southeasterly Right-of-Way line of Alcan Street, as established in said Olathe Commons First Plat, said point also being on a non-tangent curve, said point hereinafter referred to as Point "A"; thence Northeasterly, along the Southeasterly Right-of-Way line of said Alcan Street, and along

a curve to the left, whose initial tangent bearing is North 38°15'48" East, having a radius of 265.00 feet, and a central angle of 14°07'52", a distance of 65.36 feet, to a point on the Northerly line of said Lot 2, said point also being on the West line of said Ethiopian Christian Fellowship Church; thence South 01°16'24" East, along the Northerly line of said Lot 2, and along the West line of said Ethiopian Christian Fellowship Church, a distance of 100.23 feet, to the Southwest corner of said Ethiopian Christian Fellowship Church; thence North 88°38'57" East, continuing along the Northerly line of said Lot 2, and along the North line of said Tract C, and along the South line of said Ethiopian Christian Fellowship Church, a distance of 466.69 feet to the POINT OF BEGINNING, containing 21,680 square feet or 0.4977 acres, more or less.

AND ALSO:

COMMENCING at aforementioned Point "A"; thence North 01°16'24" West, a distance of 152.67 feet to a point on the Northwesterly Right-of-Way line of said Alcan Street, said point also being the POINT OF BEGINNING; thence North 01°16'24" West, a distance of 208.75 feet, to a point on the South Right-of-Way line of 119th Street, as described in said Olathe Commons First Plat; thence North 88°38'57" East, along then South Right-of-Way line of said 119th Street, a distance of 0.05 feet to a point on the West Right-of-Way line of said Alcan Street; thence South 01°26'41" East, departing the South Right-of-Way line of said 119th Street, and along the West Right-of-Way line of said Alcan Street, a distance of 192.11 feet, to a point of curvature; thence Southerly and Southwesterly, continuing along the West Right-of-Way line of said Alcan Street, and along a curve to the right, having a radius of 205.00 feet, and a central angle of 04°39'14", a distance of 16.65 feet to the POINT OF BEGINNING, containing 72 square feet or 0.0017 acres, more or less.

SECTION TWO: That the City Clerk is hereby directed to file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

SECTION THREE: That this Ordinance shall take effect from and after its passage and publication as provided by law.

PASSED by the Council this 19th day of May 2026.

SIGNED by the Mayor this 19th day of May 2026.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney