

ORDINANCE NO. 19-08

AN ORDINANCE APPROVING THE DESCRIPTION AND SURVEY OF LANDS NECESSARY FOR THE PURPOSE OF LAYING, CONSTRUCTING, RECONSTRUCTING, INSPECTING, MAINTAINING, ALTERING, REPAIRING, REPLACING, RELOCATING, ADDING TO, AND REMOVING A SANITARY SEWER LINE AND/OR ITS APPURTENANCES FOR THE LAKEVIEW AVENUE SANITARY SEWER IMPROVEMENTS PROJECT, PN 1-C-024-18, DESIGNATED IN RESOLUTION NO. 19-1015, PASSED AND APPROVED BY THE GOVERNING BODY ON FEBRUARY 5, 2019.

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

SECTION ONE: The description and survey of lands necessary to acquire permanent utility easements, permanent sanitary sewer easements, and temporary construction easements for the purpose of laying, constructing, reconstructing, inspecting, maintaining, altering, repairing, replacing, relocating, adding to, and removing a sanitary sewer line and/or its appurtenances for the Lakeview Avenue Sanitary Sewer Improvements Project, PN 1-C-024-18, as prepared by the City Engineer or designee and filed with the City Clerk pursuant to Resolution No. 19-1015, adopted by the Governing Body of the City of Olathe, Kansas, on February 5, 2019, is hereby approved.

SECTION TWO: The action of the Governing Body of the City of Olathe, Kansas, in acquiring permanent utility easements, permanent sanitary sewer easements, and temporary construction easements for the purpose of laying, constructing, reconstructing, inspecting, maintaining, altering, repairing, replacing, relocating, adding to, and removing a sanitary sewer line and/or its appurtenances for the Lakeview Avenue Sanitary Sewer Improvements Project has been declared necessary by the Governing Body.

SECTION THREE: The acquisition of permanent utility easements, permanent sanitary sewer easements, and temporary construction easements for the purpose of laying, constructing, reconstructing, inspecting, maintaining, altering, repairing, replacing, relocating, adding to, and removing a sanitary sewer line and/or its appurtenances for the Lakeview Avenue Sanitary Sewer Improvements Project is all in accordance with and under the provisions of Chapter 26 of the Kansas Statutes Annotated.

SECTION FOUR: That there is hereby declared to be public necessity to acquire by Eminent Domain Proceedings for the purpose of laying, constructing, reconstructing, inspecting, maintaining, altering, repairing, replacing, relocating, adding to, and removing a sanitary sewer line and/or its appurtenances for the Lakeview Avenue Sanitary Sewer Improvements Project the land hereinafter described:

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 1

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 16.2500% interest;
and
RAF Wagon 3, LLC, an Oregon Limited
Liability Company, as to an
undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 5.4167% interest;
and
PC Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 10.8333% interest;
and
WI Olathe Portfolio, LLC, a Kansas
Limited Liability Company, as to
an undivided 56.6667% interest,
as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

503 S. Central
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0005

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility
Companies
Unknown Easement Holders

PERMANENT SANITARY SEWER EASEMENT DESCRIPTION:

All that part of Lot 5 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1
to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

Commencing at the southwest corner of said Lot 5; thence N02°09'01"W, along the west line thereof, 7.50 feet to the Point of Beginning; thence continue N02°09'01"W, 2.50 feet; thence departing said west line, N87°50'59"E, 25.00 feet; thence S02°09'01"E, 2.50 feet to the north line of an existing utility easement; thence S87°50'59"W, along said north line, 25.00 feet to the Point of Beginning.

Containing in all, 63 square feet, more or less.

TOTAL PERMANENT SANITARY SEWER EASEMENT AREA: 63 square feet, more or less

TEMPORARY CONSTRUCTION EASEMENT (1) DESCRIPTION:

All that part of Lot 5 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

Commencing at the southwest corner of said Lot 5; thence N02°09'01"W, along the west line thereof, 10.00 feet to the Point of Beginning; thence continue N02°09'01"W, 25.00 feet; thence departing said west line, N87°50'59"E, 25.00 feet; thence S02°09'01"E, 25.00 feet; thence S87°50'59"W, 25.00 feet to the Point of Beginning.

Containing in all, 625 square feet, more or less.

TEMPORARY CONSTRUCTION EASEMENT (2) DESCRIPTION:

All that part of Lot 5 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

Commencing at the southwest corner of said Lot 5; thence N87°50'59"E, along the south line thereof, 25.00 feet; thence departing said south line, N02°09'01"W, 7.50 feet to the Point of Beginning; thence continue N02°09'01"W, 1.50 feet; thence N87°50'59"E, 36.95 feet; thence N02°09'01"W, 8.50 feet; thence N87°50'59"E, 28.05 feet to the east line of said Lot 5; thence S02°09'01"E, along said east line, 10.00 feet to the north line of an existing utility easement; thence S87°50'59"W, along said north line, 65.00 feet to the Point of Beginning.

Containing in all, 336 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT (1) AREA: 625 square feet, more or less

TOTAL TEMPORARY CONSTRUCTION EASEMENT (2) AREA: 336 square feet, more or less

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 2

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 16.2500% interest; and
RAF Wagon 3, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 5.4167% interest; and
PC Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
WI Olathe Portfolio, LLC, a Kansas Limited Liability Company, as to an undivided 56.6667% interest, as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

513 S. Central Street
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0006

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility Companies
Unknown Easement Holders

PERMANENT UTILITY EASEMENT DESCRIPTION:

All that part of Lot 6 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the South five (5) feet of the North twelve and one half (12.5) feet of said Lot 6.

Containing in all, 450 square feet, more or less.

TOTAL PERMANENT UTILITY EASEMENT AREA: 450 square feet, more or less

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

All that part of Lot 6 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

Commencing at the northeast corner of said Lot 6; thence S02°09'01"E along the east line thereof, 12.50 feet to the Point of Beginning; thence continue S02°09'01"E, 10.00 feet; thence departing said east line, S87°50'59"W 26.64 feet; thence N02°09'01"W, 5.00 feet; thence S87°50'59"W, 63.36 feet to the west line of said Lot 6; thence N02°09'01"W, along said west line, 5.00 feet; thence departing said west line, N87°50'59"E, 90.00 feet to the Point of Beginning.

Containing in all, 583 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA: 583 square feet, more or less

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 3

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 16.2500% interest;
and
RAF Wagon 3, LLC, an Oregon Limited
Liability Company, as to an
undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 5.4167% interest;
and
PC Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 10.8333% interest;
and
WI Olathe Portfolio, LLC, a Kansas
Limited Liability Company, as to
an undivided 56.6667% interest,
as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

1317 E. Lakeview Avenue
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0004

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility
Companies
Unknown Easement Holders

PERMANENT SANITARY SEWER EASEMENT DESCRIPTION:

All that part of Lot 4 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1
to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the North two and one half (2.5) feet of the South ten (10) feet of said Lot 4.

Containing in all, 200 square feet, more or less.

TOTAL PERMANENT SANITARY SEWER EASEMENT AREA: 200 square feet,
more or less

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

All that part of Lot 4 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the North twenty-five (25) feet of the South thirty-five (35) feet of said Lot 4.

Containing in all, 2,000 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA: 2,000 square feet,
more or less

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 4

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 16.2500% interest; and
RAF Wagon 3, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 5.4167% interest; and
PC Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
WI Olathe Portfolio, LLC, a Kansas Limited Liability Company, as to an undivided 56.6667% interest, as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

1316 E. Wabash Avenue
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0007

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility Companies
Unknown Easement Holders

PERMANENT UTILITY EASEMENT DESCRIPTION:

All that part of Lot 7 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the South five (5) feet of the North twelve and one half (12.5) feet of said Lot 7.

Containing in all, 400 square feet, more or less.

TOTAL PERMANENT UTILITY EASEMENT AREA: 400 square feet, more or less

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

All that part of Lot 7 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the South five (5) feet of the North seventeen and one half (17.5) feet of said Lot 7.

Containing in all, 400 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA: 400 square feet, more or less

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 5

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 16.2500% interest;
and
RAF Wagon 3, LLC, an Oregon Limited
Liability Company, as to an
undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 5.4167% interest;
and
PC Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 10.8333% interest;
and
WI Olathe Portfolio, LLC, a Kansas
Limited Liability Company, as to
an undivided 56.6667% interest,
as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

1311 E. Lakeview Avenue
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0003

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility
Companies
Unknown Easement Holders

PERMANENT SANITARY SEWER EASEMENT DESCRIPTION:

All that part of Lot 3 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1
to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the North two and one half (2.5) feet of the South ten (10) feet of said Lot 3.

Containing in all, 200 square feet, more or less.

TOTAL PERMANENT SANITARY SEWER EASEMENT AREA: 200 square feet,
more or less

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

All that part of Lot 3 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the North twenty-five (25) feet of the South thirty-five (35) feet of said Lot 3.

Containing in all, 2,000 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA: 2,000 square feet,
more or less

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 6

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 16.2500% interest; and
RAF Wagon 3, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 5.4167% interest; and
PC Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
WI Olathe Portfolio, LLC, a Kansas Limited Liability Company, as to an undivided 56.6667% interest, as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

1310 E. Wabash Avenue
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0008

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility Companies
Unknown Easement Holders

PERMANENT UTILITY EASEMENT DESCRIPTION:

All that part of Lot 8 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the South five (5) feet of the North twelve and one half (12.5) feet of said Lot 8.

Containing in all, 400 square feet, more or less.

TOTAL PERMANENT UTILITY EASEMENT AREA: 400 square feet, more or less

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

All that part of Lot 8 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the South five (5) feet of the North seventeen and one half (17.5) feet of said Lot 8.

Containing in all, 400 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA: 400 square feet, more or less

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 7

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 16.2500% interest; and
RAF Wagon 3, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 5.4167% interest; and
PC Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
WI Olathe Portfolio, LLC, a Kansas Limited Liability Company, as to an undivided 56.6667% interest, as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

1305 E. Lakeview Avenue
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0002

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility Companies
Unknown Easement Holders

PERMANENT SANITARY SEWER EASEMENT DESCRIPTION:

All that part of Lot 2 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the North two and one half (2.5) feet of the South ten (10) feet of said Lot 2.

Containing in all, 200 square feet, more or less.

TOTAL PERMANENT SANITARY SEWER EASEMENT AREA: 200 square feet,
more or less

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

All that part of Lot 2 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the North twenty-five (25) feet of the South thirty-five (35) feet of said Lot 2.

Containing in all, 2,000 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA: 2,000 square feet,
more or less

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 8

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 16.2500% interest;
and
RAF Wagon 3, LLC, an Oregon Limited
Liability Company, as to an
undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 5.4167% interest;
and
PC Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 10.8333% interest;
and
WI Olathe Portfolio, LLC, a Kansas
Limited Liability Company, as to
an undivided 56.6667% interest,
as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

1304 E. Wabash Avenue
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0009

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility
Companies
Unknown Easement Holders

PERMANENT UTILITY EASEMENT DESCRIPTION:

All that part of Lot 9 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1
to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the South five (5) feet of the North twelve and one half (12.5) feet of said Lot 9.

Containing in all, 400 square feet, more or less.

TOTAL PERMANENT UTILITY EASEMENT AREA: 400 square feet, more or less

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

All that part of Lot 9 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

All of the South five (5) feet of the North seventeen and one half (17.5) feet of said Lot 9.

Containing in all, 400 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA: 400 square feet, more or less

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 9

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 16.2500% interest; and
RAF Wagon 3, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 5.4167% interest; and
PC Olathe Portfolio, LLC, an Oregon Limited Liability Company, as to an undivided 10.8333% interest; and
WI Olathe Portfolio, LLC, a Kansas Limited Liability Company, as to an undivided 56.6667% interest, as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

502 S. Ridgeview Road
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0001

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility Companies
Unknown Easement Holders

PERMANENT SANITARY SEWER EASEMENT DESCRIPTION:

All that part of Lot 1 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

Commencing at the southwest corner of said Lot 1; thence N02°05'01"W, along the west line thereof, 7.50 feet to the Point of Beginning; thence continue N02°05'01"W along said west line, 2.50 feet; thence departing said west line, N87°50'59"E, 94.95 feet to the east line of said Lot 1; thence S02°09'01"E, along said east line, 2.50 feet to the north line of an existing utility easement; thence S87°50'59"W, along said north line, 94.95 feet to the Point of Beginning.

Containing in all, 237 square feet, more or less.

TOTAL PERMANENT SANITARY SEWER EASEMENT AREA: 237 square feet, more or less

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

All that part of Lot 1 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

Commencing at the southwest corner of said Lot 1; thence N02°05'01"W, along the west line thereof, 10.00 feet to the Point of Beginning; thence continue N02°05'01"W along said west line, 7.50 feet; thence departing said west line, N87°50'59"E, 70.94 feet; thence N02°09'01"W, 17.50 feet; thence N87°50'59"E, 24.00 feet to the east line of said Lot 1; thence S02°09'01"E, along said east line, 25.00 feet; thence departing said east line, S87°50'59"W, 94.95 feet to the Point of Beginning.

Containing in all, 1,132 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA: 1,132 square feet, more or less

LAKEVIEW AVENUE SANITARY SEWER – TRACT NO. 24

OWNERSHIP:

GVG Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 16.2500% interest;
and
RAF Wagon 3, LLC, an Oregon Limited
Liability Company, as to an
undivided 10.8333% interest; and
JACA Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 5.4167% interest;
and
PC Olathe Portfolio, LLC, an Oregon
Limited Liability Company, as to
an undivided 10.8333% interest;
and
WI Olathe Portfolio, LLC, a Kansas
Limited Liability Company, as to
an undivided 56.6667% interest,
as Tenants in Common

PARTIES IN POSSESSION:

Unknown Tenants

SITUS ADDRESS:

508 S. Ridgeview Road
Olathe, KS 66061

JOHNSON COUNTY PARCEL ID NUMBER: DP63000002 0010

LIENHOLDER:

Fannie Mae

EASEMENT HOLDER:

City of Olathe, Kansas & all Public Utility
Companies
Unknown Easement Holders

PERMANENT UTILITY EASEMENT DESCRIPTION:

All that part of Lot 10 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1
to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

Commencing at the northwest corner of said Lot 10; thence S02°05'01"E, along the west line thereof, 7.50 feet to the Point of Beginning; thence continue S02°05'01"E, 27.62 feet; thence departing said west line, N87°54'59"E, 10.94 feet; thence N33°47'23"E, 27.95 feet; thence N87°50'59"E, 67.66 feet to the east line of said Lot 10; thence N02°09'01"W, along said east line, 5.00 feet, to the south line of an existing utility easement; thence departing said east line, S87°50'59"W, 94.95 feet to the Point of Beginning.

Containing in all, 908 square feet, more or less.

TOTAL PERMANENT UTILITY EASEMENT AREA: 908 square feet, more or less

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

All that part of Lot 10 of Block 2, Ridgeview Addition to the City of Olathe Blocks 1 to 4 Inclusive, Johnson County, Kansas, more particularly described as follows:

Commencing at the northwest corner of said Lot 10; thence S02°05'01"E, along the west line thereof, 35.12 feet to the Point of Beginning; thence departing said west line, N87°54'59"E, 10.94 feet; N33°47'23"E, 27.95 feet; thence N87°50'59"E, 67.66 feet to the east line of Lot 10; thence S02°09'01"E, along said east line, 5.00 feet; thence departing said east line, S87°50'59"W, 65.11 feet; thence S33°47'23"W, 27.95 feet; thence S87°54'59"W, 13.49 feet to the west line of said Lot 10; thence N02°05'01"W, along said west line, 5.00 feet to the Point of Beginning.

Containing in all, 533 square feet, more or less.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA: 533 square feet, more or less

SECTION FIVE: The City Attorney for the City of Olathe, Kansas, is hereby directed, authorized and instructed to make proper application to a Judge of the District Court of Johnson County, Kansas, for the acquisition of permanent utility easements, permanent sanitary sewer easements and temporary construction easements for the purpose of laying, constructing, reconstructing, inspecting, maintaining, altering, repairing, replacing, relocating, adding to, and removing a sanitary sewer line and/or its appurtenances for the Lakeview Avenue Sanitary Sewer Improvements Project, praying for condemnation thereof and the appointment of three disinterested residents of the county to assess, determine the damages and compensation resulting from such condemnation and for such other proceedings as may be required by law.

SECTION SIX: This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

PASSED by the Governing Body this 5th day of March, 2019.

SIGNED by the Mayor this 5th day of March, 2019.

Michael E. Copeland
Mayor

ATTEST:

Emily K. Vincent
City Clerk

(SEAL)

APPROVED AS TO FORM:

Ronald R. Shaver
City Attorney

Publish one time and return one Proof of Publication to the City Clerk, one to Public Works, and one to the City Attorney.