



Planning Division

STAFF REPORT**Planning Commission Meeting: October 28, 2019**

Application:	<u>VAC19-0004</u> Vacate an Existing Utility Easement at Central Elementary School
Location:	305 E. Cedar Street
Owner/Applicant:	Olathe Unified School District #233
Engineer:	David Wood, Kaw Valley Engineering, Inc.
Staff Contact:	Andrea Fair, Planning Intern

1. Comments:

This is a request to vacate an existing, 12-foot-wide, utility easement at 305 E Cedar Street. The Olathe School District is working to relocate surface utilities in order to provide additional play area for students at Central Elementary School. This easement was recorded on the Millbrooke Plat in 1959.

2. Public Notice:

The applicant mailed the required public notification letters to surrounding properties within 200 feet per *Unified Development Ordinance (UDO)* requirements. Staff has not received any concerns or feedback regarding the proposed vacation of public easements.

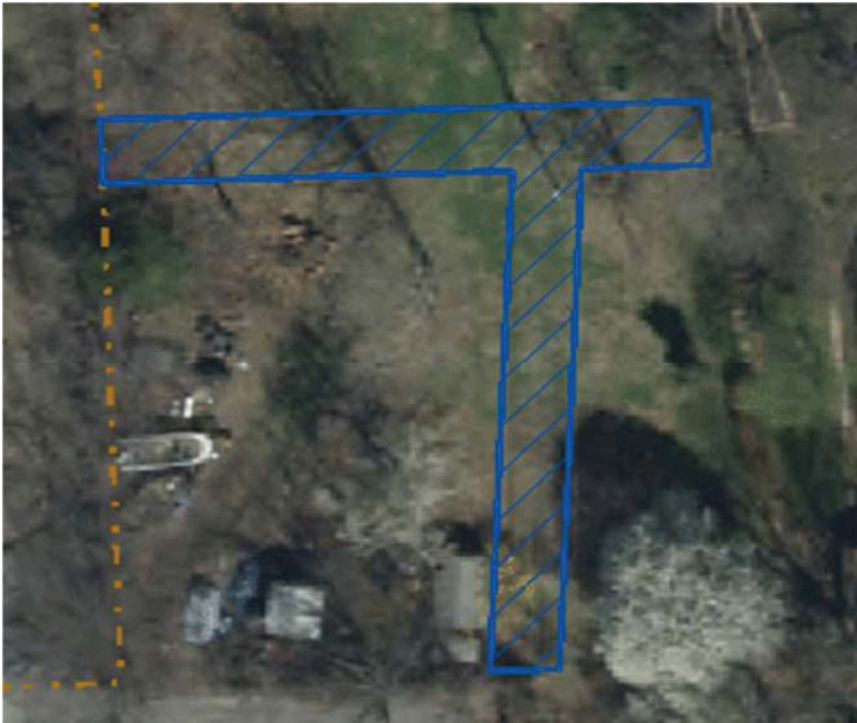
The applicant has also provided the required utility sign-off letters to verify there are no conflicts with private utility providers.

3. Utilities:

The site is located within the City of Olathe water and sewer service area. The Public Works Department has reviewed the exhibits for the proposed easement vacation and recommends approval as proposed.

4. Streets/Right-of-Way:

The site has access to East Cedar Street. There are no proposed changes to the access drives to public streets with this vacation.



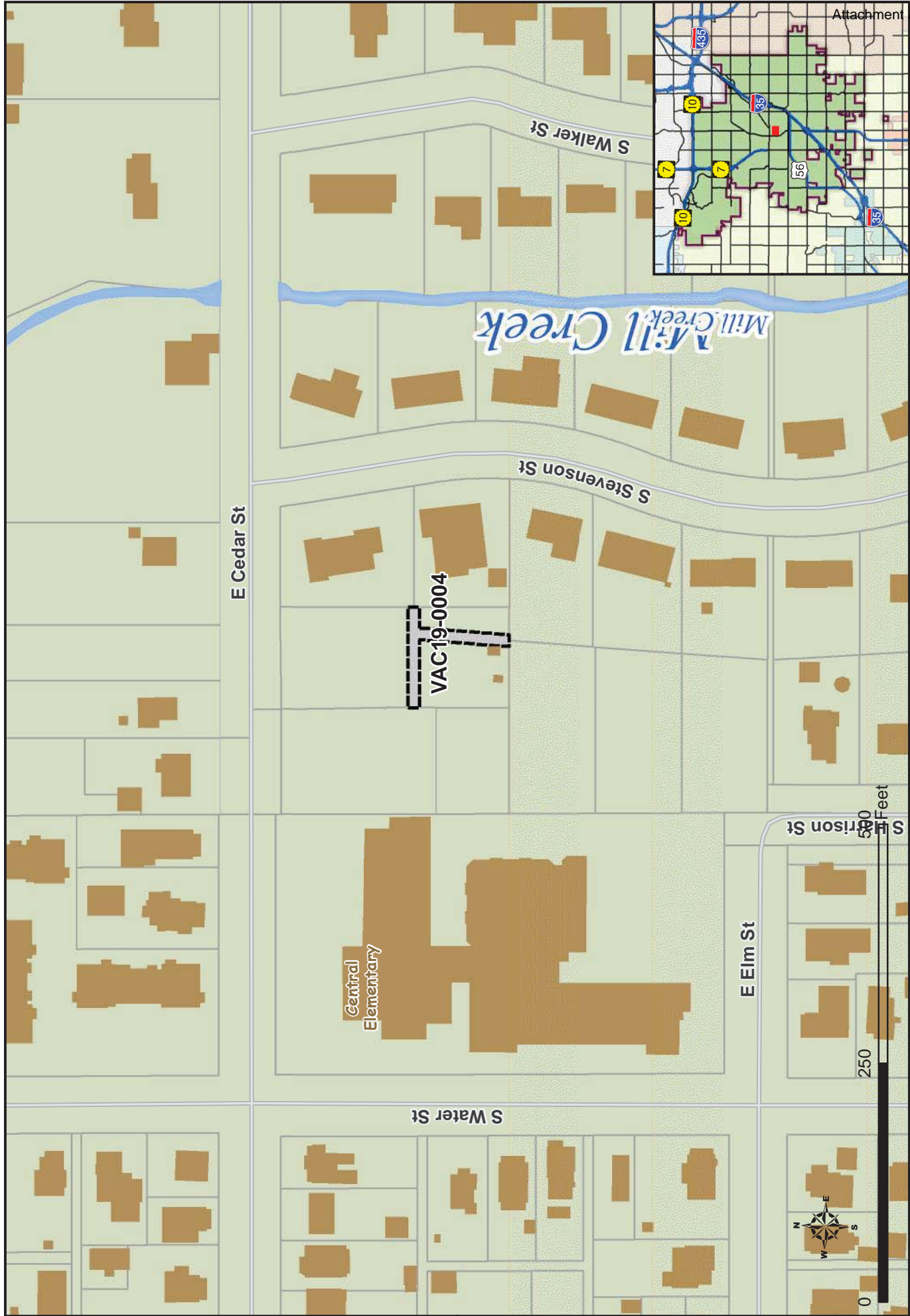
Site Aerial



View looking south from East Cedar Street

5. **Staff Recommendation:**

Staff recommends approval of VAC19-0004 as proposed.



Attachment A



VACATE UTILITY EASEMENT - CENTRAL ELEMENTARY SCHOOL VAC19-0004

DESCRIPTION:

A 12 FOOT WIDE UTILITY EASEMENT BEING VACATED AND LOCATED ACROSS A PORTION OF LOT 1 AND LOT 3, MILLBROOKE, A SUBDIVISION IN THE CITY OF OLATHE, AS FILED IN BOOK 21 AT PAGE 61 RECORDED IN THE REGISTER OF DEEDS OFFICE, ALL IN JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY KENNETH J. DEDRICK, PS-1067 ON THIS 9TH DAY OF JULY, 2019 AS FOLLOWS:

ALL THAT PART OF A PLATTED 12 FOOT WIDE UTILITY EASEMENT AS BEING LOCATED IN SAID LOT 1 AND SAID LOT 3 OF MILLBROOKE.

THE DATA USED TO CREATE THIS DESCRIPTION WAS GATHERED BY FIELD SURVEY ON MAY 23, 2019.

CONTAINS 2,395 SQUARE FEET OR 0.055 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATION:

I, KENNETH J. DEDRICK, BEING A DULY REGISTERED AND LICENSED LAND SURVEYOR IN THE STATE OF KANSAS, HEREBY CERTIFY THAT THIS REAL PROPERTY DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE.



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KAW VALLEY ENGINEERING

EXHIBIT "A"
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UTILITY EASEMENT VACATION
OLATHE, KANSAS
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