

ORDINANCE NO. 20-01

AN ORDINANCE VACATING A WATERLINE EASEMENT LOCATED on 20333 WEST 151ST STREET IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

WHEREAS, Olathe Medical Center, Inc., does petition the City Council of the City of Olathe, Kansas, for the vacating of a certain waterline easement below described:

Beginning at Point "C" on the center line of a 15' Permanent Waterline Easement filed at the Register of Deeds Office, Johnson County, Kansas in Book 201209, Page 001174; thence North 88 degrees 49 minutes 28 seconds East a distance of 337.11 feet to a point hereby designed as Point "E"; thence continuing North 88 degrees 49 minutes 28 seconds East a distance of 7.72 feet to a point; thence North 43 degrees 49 minutes 28 seconds East a distance of 71.56 feet to the; thence North 1degree 27 minutes 44 seconds West a distance of 64.97 feet to TRUE POINT OF BEGINNING of vacated easement; thence continuing North 1degree 27 minutes 44 seconds West a distance of 169.64 feet to a point; thence North 86 degrees 20 minutes 35 seconds East a distance of 23.54 feet to the POINT OF TERMINUS of vacated easement.

(hereinafter called "property"); and

WHEREAS, A petition for vacation (VAC19-0005) was filed with the City of Olathe, Kansas, on the 15th day of October 2019; and

WHEREAS, proper notice of such vacation petition was given pursuant to K.S.A. 12-504 and Section 18.40.190 of the Unified Development Ordinance; and

WHEREAS, a public hearing on such petition was held before the Planning Commission of the City of Olathe, Kansas, on the 9th day of December 2019; and

WHEREAS, said Planning Commission has recommended that such waterline easement vacation petition be approved; and

WHEREAS, the petitioner states that he is the owner of record of the property; and

WHEREAS, the City Council has determined that the waterline easement 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 should be granted

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

SECTION ONE: That the following described waterline easement granted to the City of Olathe, Kansas, by a plat of Olathe Medical Center a subdivision in the City of Olathe, Johnson County, Kansas, is hereby vacated:

Beginning at Point "C" on the center line of a 15' Permanent Waterline Easement filed at the Register of Deeds Office, Johnson County, Kansas in Book 201209, Page 001174; thence North 88 degrees 49 minutes 28 seconds East a distance of 337.11 feet to a point hereby designed as Point "E"; thence continuing North 88 degrees 49

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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 City Council this 7th day of January 2020.

SIGNED by the Mayor this 7th day of January 2020.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney