

ORDINANCE NO. 20-13

AN ORDINANCE APPROVING THE DESCRIPTION AND SURVEY OF LANDS NECESSARY FOR COMPLETING THE 119TH AND RENNER PROPERTY ACQUISITION AND DEMOLITION PROJECT, PN 7-C-007-20, AND PROCEEDING TO ACQUIRE CERTAIN REAL PROPERTY AS AUTHORIZED IN RESOLUTION NO. 20-1028, PASSED AND APPROVED BY THE GOVERNING BODY ON MAY 5, 2020.

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

SECTION ONE: The description and survey of lands necessary to acquire fee simple title for completing the 119th and Renner Property Acquisition and Demolition Project, PN 7-C-007-20 as prepared by the City Engineer or designee and filed with the City Clerk pursuant to Resolution No. 20-1033, adopted by the Governing Body of the City of Olathe, Kansas, on May 5, 2020, is hereby approved.

SECTION TWO: The action of the Governing Body of the City of Olathe, Kansas, in acquiring fee simple title for completing the 119th and Renner Property Acquisition and Demolition Project, PN 7-C-007-20 has been declared necessary by the Governing Body.

SECTION THREE: The acquisition of fee simple title for completing the 119th and Renner Property Acquisition and Demolition Project, PN 7-C-007-20 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 completing the 119th and Renner Property Acquisition and Demolition Project, PN 7-C-007-20 the land hereinafter described:

119TH AND RENNER PROPERTY ACQUISITION & DEMOLITION – TRACT NO. 5A

OWNERSHIP: Comanche Associates, LLC

PARTIES IN POSSESSION: Comanche Associates, LLC

SITUS ADDRESS: Not Available

JOHNSON COUNTY PARCEL ID NUMBER: DP29300000 0010A

LIENHOLDER: Bank of Blue Valley

EASEMENT HOLDER: City of Olathe and All Public Utility Companies
Kansas City Power & Light Company
Rural Water District No. 4, Johnson County, Kansas

PROPERTY DESCRIPTION:

All that part of Lot 10 of HALL'S ACRES, a subdivision in the City of Olathe, filed in Book 7, at Page 24 in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 17, Township 13 South, Range 24 East of the 6th Principal Meridian, in the City of Olathe, Johnson County, Kansas, and more particularly described as follows:

The East 131.3 feet of Lot 10 of HALL'S ACRES, a subdivision in Johnson County, Kansas, according to the said recorded plat thereof.

Subject to easements, restrictions, reservations, covenants and contracts of record.

Lot 10 parcel contains 210,974 square feet or 4.843 acres, more or less.

Lot 10, the East 131.3 feet, 43,000 square feet or 0.987 acres, more or less.

119TH AND RENNER PROPERTY ACQUISITION & DEMOLITION – TRACT NO. 6

OWNERSHIP:	Comanche Associates, LLC
PARTIES IN POSSESSION:	Comanche Associates, LLC, and all other easement holders of record and parties in possession
SITUS ADDRESS:	16480 W. 119th Street Olathe, Kansas 66062
JOHNSON COUNTY PARCEL ID NUMBER:	DP29300000 0008
LIENHOLDER:	Unknown
EASEMENT HOLDER:	City of Olathe and All Public Utility Companies Kansas City Power & Light Company Union Gas System, Inc.

PROPERTY DESCRIPTION:

All of Lot 8 in HALL'S ACRES, a subdivision of land in the City of Olathe, Kansas known as 16480 West 118th Street, Olathe, Kansas.

119TH AND RENNER PROPERTY ACQUISITION & DEMOLITION – TRACT NO. 6A

OWNERSHIP:	Comanche Associates, LLC
PARTIES IN POSSESSION:	Comanche Associates, LLC and all other easement holders of record and parties in possession
SITUS ADDRESS:	11880 S. Conley Street Olathe, Kansas 66062
JOHNSON COUNTY PARCEL ID NUMBER:	DP29300000 0007B
LIENHOLDER:	Unknown
EASEMENT HOLDER:	City of Olathe and All Public Utility Companies Kansas City Power & Light Company

PROPERTY DESCRIPTION:

The South 67 feet of Lot 7 except the East 10 feet thereof in HALL'S ACRES, a subdivision of land located in Olathe, Johnson County, Kansas, according to the recorded plat thereof.

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 fee simple title for completing the 119th and Renner Property Acquisition and Demolition 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 May, 2020.

SIGNED by the Mayor this 5th day of May, 2020.

Michael E. Copeland
Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

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.