



# City of Olathe

## COUNCIL AGENDA ITEM

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**MEETING DATE:** 1/7/2020

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**DEPARTMENT:** Legal

**STAFF CONTACT:** Ron Shaver and Chris Grunewald

**SUBJECT:** Access swap with Kansas Department of Transportation on Lone Elm Road south of Old 56 Highway

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**ITEM DESCRIPTION:**

Consideration of approval of access swap with Kansas Department of Transportation to eliminate old access and authorize existing access on east side of Lone Elm Road approximately 600 feet south Old 56 Highway.

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**SUMMARY:**

The Kansas Department of Transportation has proposed to the City of Olathe an access swap to recognize an existing access drive to Lone Elm Road and eliminate an earlier access authorization which was removed as part of the warehouse development at the southeast corner of Lone Elm Road and Old 56 Highway.

The current owner of the warehouse development (The Opus Group) is completing a sale of the property and discovered an old access restriction on Lone Elm Road originally put in place by KDOT. The new City-approved access from the warehouse property to Lone Elm Road does not match up with an earlier KDOT-approved access drive, which served an old building which has since been demolished.

KDOT proposed a solution to the situation with an access swap (See Attachment A). In return for the City giving up the pre-existing 40-foot access which served an old building and driveway on the property which are both now gone, then KDOT will grant to the City authority for the new existing 65-foot access which serves the warehouse development.

KDOT has already executed a quit claim deed to the City of Olathe authorizing the existing access to Lone Elm Road, and that has been recorded at the County. Attachment B is a proposed quit claim deed from the City to KDOT eliminating the old and unneeded 40-foot access point. Staff recommends that the City Council approve the quit claim deed and authorize the Mayor to execute the quit claim deed and any other required documents to complete the access swap with KDOT.

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**FINANCIAL IMPACT:**

None.

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**ACTION NEEDED:**

Approval of quitclaim deed to Kansas Department of Transportation for unneeded access on Lone Elm Road, and authorization for Mayor to execute the required documents.

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**ATTACHMENT(S):**

A: Letter from Kansas Department of Transportation

B: Quit Claim Deed of Controlled Access