ORDINANCE NO. 19-54

AN ORDINANCE VACATING A SANITARY EASEMENT LOCATED IN OLATHE COVENANT CHURCH A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

WHEREAS, Olathe SLP LLC, does petition the City Council of the City of Olathe, Kansas, for the vacating of a certain utility easement below described:

A PLATTED 7.5 FOOT UTILITY EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

ALL OF THE EAST 7.5 FEET OF LOT 1, OLATHE COVENANT CHURCH, A SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, RECORDED IN BOOK 54 AT PAGE 43.

AND ALSO:

PART OF AN 8 FOOT UTILITY EASEMENT IN THE SE 1/4 OF THE SE 1/4 OF SECTION 5, T 14S, R 24E, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, RECORDED IN BOOK 1466 AT PAGE 364, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

ALL OF THE WEST 8.0 FEET OF THE SOUTH 480.0 OF THE SAID SE 1/4 OF THE SE 1/4 OF SECTION 5, T 14S, R 24E.

(hereinafter called “property”); and

WHEREAS, A petition for vacation (VAC19-0003) was filed with the City of Olathe, Kansas, on the 24th day of June 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 12th day of August 2019; and

WHEREAS, said Planning Commission has recommended that such utility 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 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 sanitary easement granted to the City of Olathe, Kansas, by a plat of Benton House of Olathe, a subdivision in the City of Olathe, Johnson County, Kansas, is hereby vacated:

A PLATTED 7.5 FOOT UTILITY EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

ALL OF THE EAST 7.5 FEET OF LOT 1, OLATHE COVENANT CHURCH, A SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, RECORDED IN BOOK 54 AT PAGE 43.

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ALL OF THE WEST 8.0 FEET OF THE SOUTH 480.0 OF THE SAID SE 1/4 OF THE SE 1/4 OF SECTION 5, T 14S, R 24E.

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 17th day of September 2019.

SIGNED by the Mayor this 17th day of September 2019.

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

(Seal)

APPROVED AS TO FORM:

[Signature]
City Attorney