AN ORDINANCE REPEALING RESOLUTION NO. 08-1071 ORDINANCE NO. 09-02, AND ORDINANCE NO. 09-33, RELATED TO THE CONSTRUCTION OF CEDAR CREEK PARKWAY, PROJECT NO. 3-B-075-08 AND 5-B-048-08 AND THE LEVY OF ASSESSMENTS RELATED THERETO.

WHEREAS, the Governing Body of the City of Olathe, Kansas, following the filing of a petition with the City Clerk on December 16, 2008, adopted Resolution No. 08-1071 authorizing the construction of certain improvements; and

WHEREAS, the Governing Body did on January 6, 2009 pursuant to K.S.A. 12-6a09(c), adopt Ordinance No. 09-02 levying the maximum amount of assessment for each lot, piece or parcel of land deemed to be benefited; and

WHEREAS, after receipt of an amended petition and waiver of rights, the Governing Body on July 7, 2009, adopted Ordinance No. 09-33 amending the terms of Resolution No. 08-1071 and Ordinance No. 09-02; and

WHEREAS, the Governing Body does hereby find and determine that it is necessary and advisable to repeal Resolution 08-1071, Ordinance No. 09-02 and Ordinance No. 09-33.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: Resolution 08-1071, Ordinance No. 09-02 and Ordinance No. 09-33 are hereby repealed and shall be of no further force or effect, and the property described below shall no longer be liable for special assessments as set forth in Resolution 08-1071, Ordinance No. 09-02 and Ordinance No. 09-33:

COMMENCING at the Northwest corner of the Northeast One-Quarter of said Section 17; thence North 87 degrees 45 minutes 51 seconds East along the North line of said Northeast One-Quarter a distance of 240.00 feet to the POINT OF BEGINNING; thence South 51 degrees 47 minutes 58 seconds East a distance of 1806.95 feet to a point; thence South 01 degree 51 minutes 59 seconds East a distance of 1484.07 feet to a point; thence South 01 degree 44 minutes 48 seconds East a distance of 216.71 feet to a point; thence South 88 degrees 15 minutes 12 seconds West a distance of 1739.65 feet to a point; thence North 58 degrees 24 minutes 12 seconds West a distance of 146.59 feet to a point; thence South 89 degrees 03 minutes 14 seconds West a distance of 1627.00 feet to a point; thence North 31 degrees 28 minutes 54 seconds East a distance of 2407.77 feet to a point; thence North 44 degrees 39 minutes 53 seconds East a distance of 1078.49 feet to the POINT OF BEGINNING and containing 147.3272 acres more or less, except that part in road right-of-way.

SECTION TWO: This Ordinance shall take effect and be in force from and after (1) the effective date of an Ordinance levying special assessments against that certain improvement district as described in Resolution No. _________ of the City, and (2) publication of this Ordinance as provided by law.
SECTION THREE: A certified copy of this Ordinance shall be filed by the City Clerk with the Department of Records and Tax Administration of Johnson County, Kansas.

PASSED by the Council this 176th day of December, 2019.

SIGNED by the Mayor this 176th day of December, 2019.

Michael Copeland, Mayor

ATTEST:

Emily K. Vincent, City Clerk