

ORDINANCE NO. VAC-3283

VACATION NO. 2019-00007

AN ORDINANCE VACATING A DRAINAGE EASEMENT IN THE VICINITY OF 4081 INDIAN CREEK PARKWAY, IN THE CITY OF OVERLAND PARK, JOHNSON COUNTY, KANSAS.

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

Section 1. Pursuant to the provisions of OPMC Section 18.470.030, K.S.A. 13-443 and K.S.A. 12-512a, the Governing Body of the City of Overland Park, Kansas, for good cause and by its own application does hereby vacate the following drainage easement to-wit:

Legal Description:

A TRACT OF LAND 15 FEET IN WIDTH ACROSS A PART OF THE SE ¼ OF SECTION 9, TOWNSHIP 13, RANGE 25, IN THE CITY OF OVERLAND PARK, JOHNSON COUNTY, KANSAS LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SOUTHEAST CORNER OF TRACT “B”, MISSION FARMS WEST, A SUBDIVISION OF LAND IN THE CITY OF OVERLAND PARK, JOHNSON COUNTY, KANSAS; THENCE N2°57’13”E, ALONG THE EAST LINE OF SAID TRACT “B”, A DISTANCE OF 32.60 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT; THENCE N88°05’02”E, A DISTANCE OF 48.37 FEET; THENCE N33°13’52”E, A DISTANCE OF 315.24 FEET; THENCE N41°13’34”E, A DISTANCE OF 115.74 FEET; THENCE S68°27’30”E, A DISTANCE OF 17.09 FEET, TO A POINT OF TERMINATION ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INDIAN CREEK PARKWAY, AS NOW ESTABLISHED.

THE EXTERIOR LIMITS OF THE ABOVE DESCRIBED EASEMENT SHALL EXTEND AND TERMINATE ON THE EASTERLY LINE OF SAID TRACT “B” AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID INDIAN CREEK PARKWAY.

Section 2. Stipulations and Conditions. The vacation granted in Section 1 of this ordinance is hereby contingent upon the performance and observance of the following regulations, stipulations, conditions, and restriction, to-wit:

None.

Section 3. The City Clerk shall cause this ordinance to be duly published and file a certified true and correct copy in the office of the Johnson County Clerk to enter the same in the transfer records and directing the Records and Tax Administration to record the same in the deed records of Johnson County, Kansas.

VACATION ORDINANCE NO. 3283

Section 4. This ordinance shall take effect and be in force as of the date of its passage, approval and publication as provided by law.

PASSED by the City Council this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

CITY OF OVERLAND PARK, KANSAS

By: (s) Carl Gerlach _____
Carl Gerlach
Mayor

(SEAL)

ATTEST:

APPROVED AS TO FORM:

By: (s) Elizabeth Kelley _____
Elizabeth Kelley
City Clerk

By: (s) Stephen B. Horner _____
Stephen B. Horner
Senior Assistant City Attorney