ORDINANCE NO. VAC-3404

VACATION NO. 2023-00001

AN ORDINANCE VACATING A RIGHT-OF-WAY IN THE 7835 WEST 151ST STREET, 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 Right-of-Way to-wit:

Legal Description:

All that part of the Northwest Quarter of Section 7, Township 14 South, Range 25 East, in the City of Overland Park, Johnson County, Kansas more particularly described as follows:

(the basis of bearing for this description is 151st and Lowell Shopping Center First Plat and has been prepared by Samuel J. DePriest KS PS 1351 or under my direct supervision, February 6, 2023) commencing at the northwest corner of said Section 7, thence North 87 degrees 45 minutes 57 seconds East, with the north line of said Section 7, a distance of 2114.47 feet; thence South 02 degrees 19 minutes 03 seconds East, a distance of 114.50 feet to the intersection of the south right-of-way of W. 151st Street and the west right-of-way line of Lowell Avenue, as dedicated in Plat Book 38 at page 23, said point being the point of beginning; thence South 81 degrees 05 minutes 07 seconds East, with the south right-of-way line of W. 151st Street, a distance of 61.17 feet to the intersection of the south right-of-way line of W. 151st Street and the east right-of-way line of Lowell Avenue, as dedicated in Plat Book 38 at page 23; thence South 02 degrees 19 minutes 03 seconds East, with the east right-of-way line of Lowell Avenue, a distance of 400.00 feet; thence South 68 degrees 23 minutes 57 seconds West, a distance of 40.70 feet to a point on the easterly right-of-way line of Lowell Avenue as dedicated in 4761 at page 821; thence with said easterly right-of-way line of Lowell Avenue on a curve to the left having a radius of 470.00 feet, a central angle of 05 degrees 25 minutes 55 seconds, with an initial tangent bearing of North 28 degrees 35 minutes 11 seconds West, an arc distance of 44.56 feet to a point on the west right-of-way line of Lowell Avenue, as dedicated in Plat Book 38 at page 23; thence North 02 degrees 19 minutes 03 seconds West, with the west right-of-way line of Lowell Avenue as dedicated in said Plat Book 38 at page 23, a distance of 386.40 feet to the point of beginning. The above described tract contains 24,468 square feet, or 0.56 acres.

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:
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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.

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 1st day of May, 2023.

APPROVED by the Mayor this 1st day of May, 2023.

CITY OF OVERLAND PARK, KANSAS

By: (s) Curt Skoog
Curt Skoog
Mayor

(SEAL)

ATTEST: APPROVED AS TO FORM:

By: (s) Elizabeth Kelley Elizabeth Kelley City Clerk
By: (s) Trevor Stiles Trevor L. Stiles Senior Assistant City Attorney