



File #: 220655

ORDINANCE NO. 220655

Vacating two north-south alleys generally located between Highland Avenue and Woodland Avenue, between E 24th Street and E 24th Terrace, and E 24th Terrace and E 25th Street respectively, with the first alley vacation to the north being in the Mount Evanston Plat and the second alley vacation to the south being in the Cowherds Vine Addition Plat; and directing the City Clerk to record certain documents. (CD-ROW-2021-00039)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that on the 21st day of October, 2021, a petition was filed with the City Clerk of Kansas City by Taliaferro & Browne, Inc., for the vacation of the north-south alley between 24th Street and 24th Terrace, lying between Highland Avenue and Woodland Avenue; together with the north-south alley between 24th Terrace and 25th Street, lying between Highland Avenue and Woodland Avenue, giving the distinct description of the alleys to be vacated, and also the names of the persons and corporations owning or claiming to own the property fronting thereon, and that the consent of the persons and corporations owning or claiming to own three-fourths of the front feet of the property immediately adjoining said alleys has been obtained in writing, that said consent has been acknowledged as deeds are acknowledged, and was duly filed with the petition for such vacation in the City Clerk's Office.

Section 2. That the Council finds that the City Plan Commission has duly endorsed its approval of this Ordinance hereon.

Section 3. That the Council finds that no private rights will be unreasonably injured or endangered by this vacation and that the public will suffer no unreasonable loss or inconvenience thereby.

Section 4. That the north-south alley between 24th Street and 24th Terrace, lying between Highland Avenue and Woodland Avenue; together with the north-south alley between 24th Terrace and 25th Street, lying between Highland Avenue and Woodland Avenue, be and the same is hereby vacated. However, the City of Kansas City reserves an easement and the right to locate, construct and maintain (or to authorize any franchised utility to locate, construct and maintain) conduits, water, gas and sewer pipes, poles and wire, or any of them over, under, along and across the above-described property. The City of Kansas City shall have at all times the right to go upon the above-described property to construct, maintain and repair the same; and nothing in this vacation action shall be construed so as to grant any right to use the above-described property in any manner as would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses, and specifically, there shall not be built thereon or thereover any structure (except driveways, paved areas, grass, shrubs and fences) without first securing the written approval of the Director of Public Works, subject to the following conditions:

1. The developer shall retain utility easement and protect facilities for Evergy.
2. The developer shall retain utility easement and protect facilities for AT&T or have the cable moved at their own expense.
3. The developer shall relocate facilities for Charter.
4. The developer shall retain utility easement and protect facilities for Kansas City, Missouri Water Services Department.
5. The developer shall retain a utility easement and protect facilities for, or return utilities to Kansas City, Missouri Public Works Department, as long as the vacancy does not impact other streetlights.

Section 5. That the City Clerk of Kansas City, Missouri, be and she is hereby authorized and directed to acknowledge this ordinance as deeds are acknowledged, and to cause this ordinance and the consent of property owners hereinbefore referred to, to be filed for record in the Recorder's Office in Jackson County, Missouri.

Section 6. All Ordinances or parts of Ordinances in conflict with this Ordinance are, in so much as they conflict with this Ordinance, hereby repealed.

In Testimony Whereof, I hereunto set my hand and affix the seal of said office at Kansas City, Missouri, this day and year last aforesaid.

Recorder

By _____
Deputy

