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**File #: 240035**

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ORDINANCE NO. 240035

Vacating a portion of the public right-of-way in District MPD (Master Planned Development) of about 89 feet generally located west of Mulberry Street between Union Avenue and St. Louis Avenue, and directing the City Clerk to record certain documents. (CD-ROW-2023-00015)

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 19<sup>th</sup> day of December, 2023, a petition was filed with the City Clerk of Kansas City by West Bottoms- Propco Master LLC for the vacation of an alley located west of Mulberry Street between Union Avenue and St. Louis Avenue, being described as follows: Commencing At The Southeast Corner Of The Northwest Quarter Of Section 6, Township 49 N, Range 33 W; Thence N 01°-55'-34" E Along The East Line Of The NW ¼ Of Said Section, A Distance Of 880.32 Feet; Thence N 88°-04'-26" W, A Distance 646.64 Feet To The Point Of Beginning; Thence S 02°-02'-21" W, A Distance 10.00 Feet; Thence N 87°-47'-31" W, A Distance Of 88.89 Feet; Thence N 61°-11'-45" E, A Distance Of 19.41 Feet; Thence S 87°-47'-0" E, A Distance Of 72.22 Feet To The Point Of Beginning. Containing 805.55 Square Feet Of Land More Or Less, giving the distinct description of the public right-of-way 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 public right-of-way 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.

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County, personally appeared \_\_\_\_\_ to me known to be the City Clerk of Kansas City, Missouri, in the above and foregoing ordinance mentioned, and acknowledged the said ordinance to be the act and deed of said Kansas City, duly passed by the Council of said City, and became effective as herein stated.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in Kansas City, Missouri, the day and year first above written.

My term expires \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public within and for  
County, Missouri

IN RECORDER'S OFFICE

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

I, the undersigned, Recorder of Deeds within and for the County aforesaid, do hereby certify that the foregoing instrument of writing was on the \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ minutes M., duly filed for record in this office, and with certificate of acknowledgment thereon endorsed, is recorded in the records of this office in Book \_\_\_\_\_, at page \_\_\_\_\_.

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

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 portion of public right-of-way located west of Santa Fe Street between Union Avenue and St Louis Avenue, being described as follows: Commencing At The Southeast Corner Of The Northwest Quarter Of Section 6, Township 49 N, Range 33 W; Thence N 01°-55'-34" E Along The East Line Of The NW ¼ Of Said Section, A Distance Of 880.32 Feet; Thence N 88°-04'-26" W, A Distance 646.64 Feet To The Point Of Beginning; Thence S 02°-02'-21" W, A Distance 10.00 Feet; Thence N 87°-47'-31" W, A Distance Of 88.89 Feet; Thence N 61°-11'-45" E, A Distance Of 19.41 Feet; Thence S 87°-47'-0" E, A Distance Of 72.22 Feet To The Point Of Beginning. Containing 805.55 Square Feet Of Land More Or Less, be and the same is hereby vacated and subject to the following condition:

- A. That Spectrum Charter has facilities or interest within the right-of-way and will waive objections to the vacation subject to the applicant retaining a utility easement and protecting facilities.

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.

Approved as to form:



Sarah Baxter  
Senior Associate City Attorney

Approved by the City Plan Commission

Secretary



Authenticated as Passed



Quinton Lucas, Mayor



Marilyn Sanders, City Clerk

JAN 25 2024

Date Passed