



File #: 240155

ORDINANCE NO. 240155

Amending Ordinance No. 230031 by repealing Section 4 of the Ordinance which provided for an easement in favor of the City of Kansas City with respect to a vacated 7-foot wide and 116-foot long strip of unimproved right-of-way containing about 0.02 acres generally located just south of 100 E. 20th Street; and directing the City Clerk to record certain documents.

WHEREAS, Kansas City, Missouri, by Ordinance No. 230031 approved January 19, 2023, vacated a 7-foot wide and 116-foot long strip of unimproved right-of-way containing about 0.02 acres generally located just south of 100 E. 20th Street; and

WHEREAS, Ordinance No. 230031 reserved to the City of Kansas City certain easement rights and prohibited, among other things, the construction of any structure on the vacated right-of-way without first securing the written approval of the Director of Public Works; and

WHEREAS, it is now understood that the retained easement rights and prohibition on construction of any structure within the vacated right-of-way was enacted in error; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Ordinance No. 230031, passed January 19, 2023, is hereby amended by repealing Section 4 in its entirety and, in lieu thereof, replacing it with the following:

That a portion of right-of-way for East 20th Street, as now established, in Section 8 Township 49 North, Range 33 West of the 5th Principal Meridian in Kansas City, Jackson County, Missouri being bounded and described by or under the direct supervision of Jason S. Roudebush, P.L.S. 2002014092 as follows: Beginning at the southeast corner of Lot 515, Block 38, McGee's Addition, a subdivision of land in said Kansas City, recorded in Book 1 at Page 36 in the Jackson County Recorder of Deeds Office; thence South 02°08'19" West, 7.25 feet; thence North 87°17'55" West, 115.98 feet to a point on the existing east right-of-way line of Walnut Street as now established; thence North 02°04'32" East on said existing east right-of-way line, 7.25 feet to the southwest corner of said Lot 515 also being a point on the existing north right-of-way line of said East 20th Street as now established; thence leaving said existing east right-of-way line, South 87°17'55" East on the south line of said Lot 515 and said existing north right-of-way line, 115.99 feet to the point of beginning. Containing 841 square feet or 0.02 acres, more or less, be and the same is hereby vacated, subject to the following conditions:

1. The applicant shall retain all utility easements and protect facilities required by AT&T, or relocate the facilities at the cost of the applicant.
2. Applicant shall relocate street lighting facilities managed by Public Works at the cost of the applicant. Preliminary relocation plans shall be sent to Development Services prior to ordinance request.

Section 2. That the City of Kansas City, Missouri, hereby releases all easement rights granted to the City of Kansas City, Missouri, pursuant to Ordinance No. 230031.

Section 3. That all other sections and conditions of Ordinance No. 230031 not repealed shall remain in full force and effect.

Section 4. 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 to be filed for record in the Recorder's Office in Jackson County, Missouri.

Section 5. 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

STATE OF MISSOURI)
)
COUNTY OF JACKSON)

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 Jackson County,
Missouri

IN RECORDER'S OFFICE

STATE OF MISSOURI)
)
COUNTY OF JACKSON)

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 _____, 2024, 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



Authenticated as Passed



Quinton Zacks, Mayor

Marilyn Sanders, City Clerk

FEB 08 2024

Date Passed