



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
City Planning & Development Department
www.kcmo.gov/cpc

September 4, 2024

Project Name
Berkley Plaza Vacation

Docket #11

Request
CD-ROW-2022-00041
Vacation of Public Right of Way

Applicant
Marty Isabell
Taliaferro & Brown

Owner
Port Authority of Kansas City

Location Berkley Plaza between Riverfront Drive and Berkley Parkway
Area About 68,000 SF
Zoning MPD
Council District 4th
County Jackson
School District Kansas City

Surrounding Land Uses
North: Berkley Park, Zoned MPD
South: Berkley Parkway, Zoned MPD
East: Hotel (Open Soon), Zoned MPD
West: Union Apartments, Zoned MPD

Land Use Plan
The Greater Downtown Area Plan recommends Downtown Mixed-Use uses for the subject property.

Major Street Plan
The City's Major Street Plan does not identify Berkley Plaza at this location.

APPROVAL PROCESS



PROJECT TIMELINE

The application for the subject request was filed on November 17, 2022. Scheduling deviations from the original cycle have occurred due to the amount of time it takes to organize utility companies and obtain consent.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification is not required for Vacations of Public Right of Way therefore notice is not sent.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 does not apply to this request.

EXISTING CONDITIONS

The proposed vacation pertains to an improved street located between East Riverfront Road and Berkley Parkway within the Berkley Riverfront Development. This street does not serve as the primary access point to any parcel but does provide access to existing retail storefronts and office space. The street is improved with two lanes separated by a wide landscaped median and angled on-street parking. There is no regulated stream adjacent to this right-of-way.

SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of a vacation of public right of way in District MPD (Master Planned Development) of about 68,000 SF generally located on Berkley Plaza between East Riverfront Drive and Berkley Parkway.

CONTROLLING CASE

There is no controlling case that pertains to the vacation of this street.

PROFESSIONAL STAFF RECOMMENDATION

Docket #10 Recommendation: **Approval Subject to Conditions**

VACATION REVIEW

The street proposed for vacation is an improved roadway connecting Berkley Parkway to East Riverfront Drive, situated within the Berkley Riverfront Master Planned Development.

The public right-of-way currently houses both public and private utilities. Public utilities include Water Services and Public Works Street Lights. The applicant is required to retain and protect the Water Services infrastructure, while Public Works mandates the removal and return of the streetlights within the right-of-way to the City, at the applicant's expense.

Private utilities present include Evergy, Spire, and AT&T, all of which require the protection of their facilities and the retention of an easement for ongoing access and maintenance.

SPECIFIC REVIEW CRITERIA

Street, Alley or Plat Vacations

In order to determine that no private rights will be unreasonably injured or endangered by the vacation and the public will suffer no unreasonable loss or inconvenience, the City Planning and Development Director, City Plan Commission, and City Council must consider at least the following factors:

88-560-10-A. All property owners adjacent to the right-of-way shall have legal access to another public right-of-way. Such access shall be physically feasible and shall not result in an unreasonable burden or unsafe conditions on the alternate right-of-way.

All adjacent property owners will retain legal access to public right-of-way.

88-560-10-B. The retention of the public right-of-way or subdivision serves no current purposes and no future useful public purpose is anticipated.

The street in question does not serve any current or future public purpose other than general connectivity.

88-560-10-C. The vacation will not result in a violation of 88-405.

The vacation will not result in any lots in violation of 88-405.

88-560-10-D. The vacation shall not disrupt the constructed street network or reduce existing physical connectivity.

The vacation will not disrupt any street network and will not have a small impact on the physical connectivity.

88-560-10-E. The vacation shall not result in a dead-end street or alley.

The proposed vacation will not result in a dead-end street or alley, as the entirety of the street is proposed for vacation.

88-560-10-F. The vacation shall not result in street traffic being routed through an alley.

No traffic will be routed through an alley as a result of this vacation.

88-560-10-G. The vacation shall not vacate half the width of a street or alley.

This vacation will not vacate half the width of any street or alley.

88-560-10-H. The right-of-way to be vacated is not on the Major Street Plan.

The area being vacated is not on the Major Street Plan.

ATTACHMENTS

1. Conditions Report
2. Applicants Submittal
 - a. Exhibit
 - b. Legal Description
 - c. Petition to Vacate
 - d. Consent to Vacate
 - e. Utility Comment Sheets

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **Approval Subject to Conditions** as stated in the conditions report.

Respectfully Submitted,



Matthew Barnes
Lead Planner



Plan Conditions

Report Date: August 29, 2024

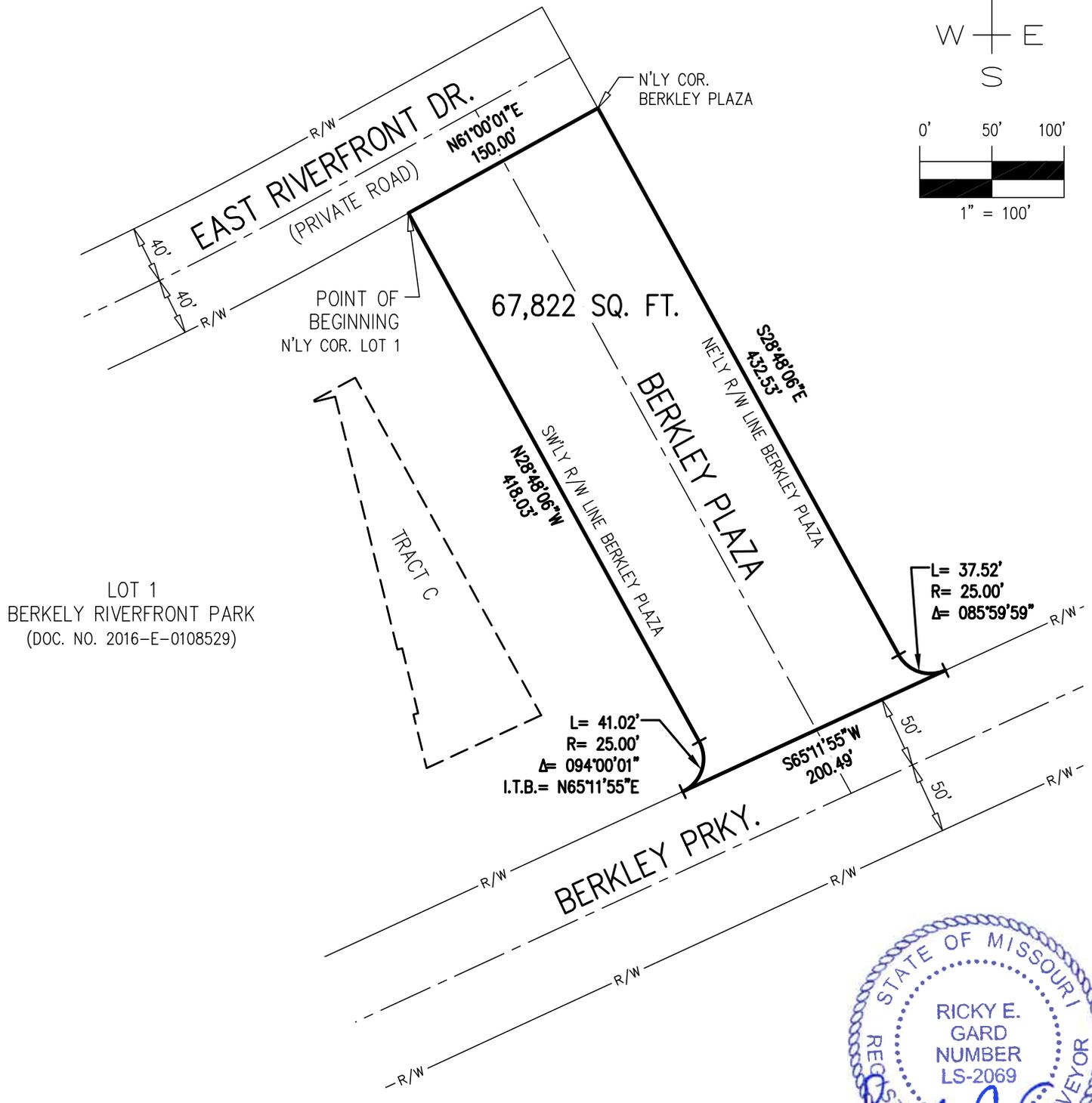
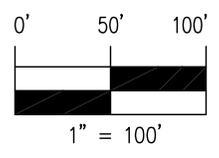
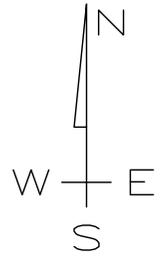
Case Number: CD-ROW-2022-00041

Project: Berkley Plaza Vacation

Condition(s) by City Planning and Development Department. Contact Matthew Barnes at (816) 513-8817 / matthew.barnes@kcmo.org with questions.

1. That the applicant shall relocate facilities if found to be in conflict at the owners expense as required by AT&T.
2. That the applicant shall retain all utility easements and protect facilities required by Evergy.
3. That the applicant shall retain all utility easements and protect facilities required by Spire.
4. That the applicant shall retain all utility easements and protect facilities required by Kansas City Water Services.
5. That the applicant remove all streetlight poles between East Riverfront Drive and Berkley Parkway (SBC5055, SBC5056, SBC5057, SBC5058, SBC5059, SBC5060, SBC5061, and SBC5062. Controller ID SBC9001.) and return the streetlights to Public Works in coordination with Public Works Streetlighting at the applicant's cost.

EXHIBIT B

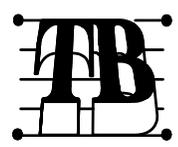


LOT 1
BERKLEY RIVERFRONT PARK
(DOC. NO. 2016-E-0108529)



MAY 23, 2022

BERKLEY PLAZA
BERKLEY RIVERFRONT PARK
KANSAS CITY, JACKSON COUNTY, MISSOURI
RIGHT-OF-WAY VACATION



TALIAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
1020 EAST 8TH ST., KANSAS CITY, MO, 64106
PH: (816) 283-3456 FAX: (816) 283-0841

DRAWN: VAH
CHECKED: REG

DATE: 05/23/2022

S:\NETJOB\90-3194-026\DWG (WORKING)\01 - EASEMENTS
90-3194V-EA26.DWG, Berkley Plaza Vacation, EXHIBIT B

1000 BERKLEY PRKY.

EXHIBIT A

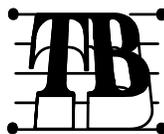
DESCRIPTION RIGHT-OF-WAY VACATION:

ALL THAT PART OF THE RIGHT-OF-WAY OF BERKLEY PLAZA ESTABLISHED BY THE PLAT OF BERKLEY RIVERFRONT PARK, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHERLY CORNER OF LOT 1 IN SAID SUBDIVISION; THENCE N61°00'01"E, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID BERKLEY PLAZA, 150.00 FEET TO THE NORTHERLY CORNER THEREOF; THENCE S28°48'06"E, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID ROAD, 432.53 FEET TO A POINT OF CURVATURE; THENCE IN A SOUTHEASTERLY DIRECTION, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 085°59'59", AN ARC DISTANCE OF 37.52 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BERKLEY PARKWAY; THENCE S65°11'55"W, PARALLEL WITH THE CENTERLINE OF SAID ROAD, 50 FEET FROM THE CENTERLINE THEREOF, 200.49 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID BERKLEY PLAZA; THENCE NORTHEASTERLY, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT WITH AN INITIAL TANGENT BEARING OF N65°11'55"E, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 094°00'01", AND ARC DISTANCE OF 41.02 FEET TO A POINT OF TANGENCY; THENCE N28°48'06"W, CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, 418.03 FEET TO THE POINT OF BEGINNING, CONTAINING 67,822 SQUARE FEET, MORE OR LESS.



MAY 23, 2022

BERKLEY PLAZA
BERKLEY RIVERFRONT PARK
KANSAS CITY, JACKSON COUNTY, MISSOURI
RIGHT-OF-WAY VACATION



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90-3194V-EA26.DWG, Berkley Plaza Vacation, EXHIBIT A

1000 BERKLEY PRKY.



PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

Case No. CD-ROW-2022-00041

To the Honorable Council of Kansas City, Missouri:

The undersigned, being an owner of real estate fronting and abutting on the portion of the area hereinafter described, for the vacation of which this petition is filed, does hereby petition the Council of Kansas City to pass an ordinance vacating:

ALL OF THE RIGHT-OF-WAY OF BERKLEY PLAZA, SOUTH OF EAST RIVERFRONT DRIVE AND NORTH OF BERKLEY PARKWAY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE RIGHT-OF-WAY OF BERKELY PLAZA ESTABLISHED BY THE PLAT OF BERKLEY RIVERFRONT PARK, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHERLY CORNER OF LOT 1 IN SAID SUBDIVISION; THENCE N61°00'01"E, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID BERKLEY PLAZA, 150.00 FEET TO THE NORTHERLY CORNER THEREOF; THENCE S28°48'06"E, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID ROAD, 432.53 FEET TO A POINT OF CURVATURE; THENCE IN A SOUTHEASTERLY DIRECTION, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 085°59'59", AN ARC DISTANCE OF 37.52 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BERKLEY PARKWAY; THENCE S65°11'55"W, PARALLEL WITH THE CENTERLINE OF SAID ROAD, 50 FEET FROM THE CENTERLINE THEREOF, 200.49 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID BERKLEY PLAZA; THENCE NORTHEASTERLY, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT WITH AN INITIAL TANGENT BEARING OF N65°11'55"E, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 094°00'01", AND ARC DISTANCE OF 41.02 FEET TO A POINT OF TANGENCY; THENCE N28°48'06"W, CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, 418.03 FEET TO THE POINT OF BEGINNING, CONTAINING 67,822 SQUARE FEET, MORE OR LESS.

SEE ATTACHED SHEETS: EXHIBIT A & B

The undersigned petitioner agrees in consideration of the vacation that if, because of said vacation, any public improvements are to be made, or repaired, or made or repaired by the City on any street, avenue, alley, thoroughfare or public property intersected by the area to be vacated, the cost of such improvements or repairs shall be paid by the undersigned petitioner upon demand from the City.

Filed _____, 20____

City Clerk by _____
Deputy



PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

Following are the names of the property owners owning or claiming to own all the property abutting said area proposed to be vacated:

Owner's name	Legal description of property	Residence of owner
The Port Authority of Kansas City Missouri	Berkley Riverfront Park, Lot 1	110 Berkley Plaza Kansas City, Mo 64120
The Port Authority of Kansas City Missouri	See attached Exhibit C	110 Berkley Plaza Kansas City, Mo 64120

(attach additional sheets if required)



PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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IN TESTIMONY WHEREOF, THE PORT AUTHORITY OF KANSAS CITY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI CAUSED THIS INSTRUMENT TO BE EXECUTED THIS 8th DAY OF JULY 2024.

THE PORT AUTHORITY OF KANSAS CITY, MISSOURI
A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI

PETITIONER:

JON D STEPHENS PRESIDENT & CEO

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

BE IT REMEMBERED THAT ON THIS 8th DAY OF JULY, 2024, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, CAME JON D STEPHENS, TO ME KNOWN PERSONALLY, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT & CEO OF THE PORT AUTHORITY OF KANSAS CITY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI, AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID POLITICAL SUBDIVISION BY AUTHORITY OF ITS BOARD OF COMMISSIONERS, AND SAID JON D STEPHENS ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID POLITICAL SUBDIVISION. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE THE DAY AND YEAR LAST ABOVE WRITTEN.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID JACKSON COUNTY, MISSOURI, THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: August 14, 2026



Jolene M. Mead
NOTARY PUBLIC



PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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Owner's name	Legal description of property	Residence of owner
The Port Authority of Kansas City Missouri	Berkley Riverfront Park, Lot 1	110 Berkley Plaza Kansas City, Mo 64120
The Port Authority of Kansas City Missouri	See attached Exhibit C	110 Berkley Plaza Kansas City, Mo 64120

(attach additional sheets if required)

EXHIBIT A

DESCRIPTION RIGHT-OF-WAY VACATION:

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MAY 23, 2022

BERKLEY PLAZA
BERKLEY RIVERFRONT PARK
KANSAS CITY, JACKSON COUNTY, MISSOURI
RIGHT-OF-WAY VACATION



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1020 EAST 8TH ST., KANSAS CITY, MO, 64106
PH: (816) 283-3456 FAX: (816) 283-0841

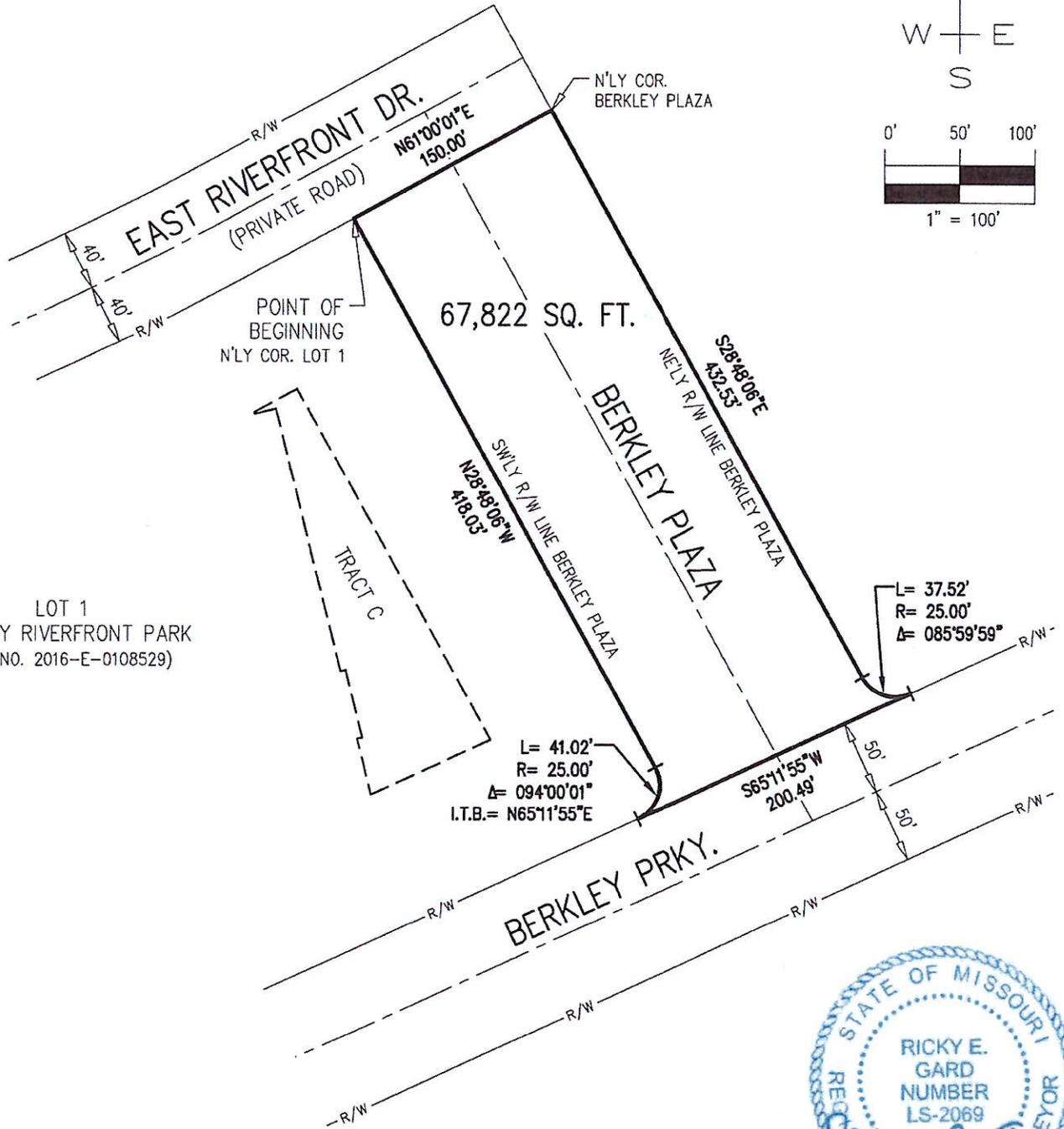
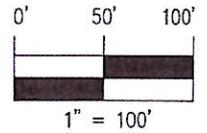
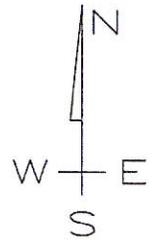
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DATE: 05/23/2022

S:\NETJOB\90-3194-026\DWG (WORKING)\01 - EASEMENTS
90-3194V-EA26.DWG, Berkley Plaza Vacation, EXHIBIT A

1000 BERKLEY PRKY.

EXHIBIT B



LOT 1
BERKLEY RIVERFRONT PARK
(DOC. NO. 2016-E-0108529)



MAY 23, 2022

BERKLEY PLAZA
BERKLEY RIVERFRONT PARK
KANSAS CITY, JACKSON COUNTY, MISSOURI
RIGHT-OF-WAY VACATION

DRAWN: VAH
CHECKED: REG

DATE: 05/23/2022

TB

TALIAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
1020 EAST 8TH ST., KANSAS CITY, MO, 64106
PH: (816) 283-3466 FAX: (816) 283-0341

S:\NETJOB\90-3194-026\DWG (WORKING)\01 - EASEMENTS
90-3194V-EA26.DWG, Berkley Plaza Vacation, EXHIBIT B

1000 BERKLEY PRKY.

EXHIBIT C

PROPERTY DESCRIPTION:

ALL THAT PART OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 32, TOWNSHIP 50 NORTH, RANGE 33 WEST, KANSAS CITY, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEASTERLY CORNER OF TRACT E, BERKLEY RIVERFRONT PARK, A SUBDIVISION IN SAID CITY, COUNTY AND STATE; THENCE N61°00'01"E, 243.01 FEET; THENCE N58°32'38"E, 86.18 FEET; THENCE S33°01'55"E, 80.03 FEET; THENCE S28°48'06"E, 460.98 FEET TO A POINT OF CURVATURE; THENCE IN A SOUTHEASTERLY DIRECTION, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 085°59'59", AN ARC DISTANCE OF 37.52 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BERKLEY PARKWAY (50.00 FEET FROM THE CENTERLINE THEREOF); THENCE S65°11'55"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 335.82 FEET TO A POINT OF CURVATURE; THENCE IN A NORTHWESTERLY DIRECTION, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 085°59'59", AN ARC DISTANCE OF 37.52 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF BERKELY PLAZA (75.00 FEET FROM THE CENTERLINE THEREOF); THENCE N28°48'06"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 512.53 FEET TO THE POINT OF BEGINNING, CONTAINING 4.21 ACRES, MORE OR LESS.

PART OF THE NORTHEAST QUARTER OF
FRACTIONAL SEC.32-TWP.50-RNG.33
KANSAS CITY, JACKSON COUNTY, MO.



TALIAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
1020 EAST 8TH ST., KANSAS CITY, MO, 64106
PH: (816) 283-3456 FAX: (816) 283-0841

DRAWN: XXX
CHECKED: XXX

DATE: 06/21/2024

S:\NETJOB\90-3194-026\DWG (WORKING)\01 - EASEMENTS
90-3194V-EA26.DWG, Berkley 3rd Plat Desc, EXHIBIT A



CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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Case No. CD-ROW-2022-00041

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Know all men by these presents: That the undersigned, being owners of the real estate described below set opposite our names respectively and immediately adjoining the area for the vacation of which a petition has been filed, do as such abutting owners hereby consent that said area may be vacated in manner and form, as set out in said petition. We severally own the property set opposite our names printed and signed below.

Filed _____, 20____

City Clerk by _____
Deputy

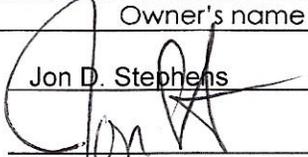
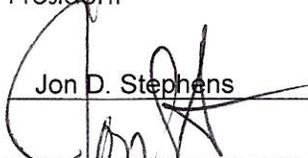


CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

CONSENT OF CORPORATIONS

Case No. CD-ROW-2022-00041

Owner's name	Legal description of property	
Jon D. Stephens (print)  (sign) President	Berkley Riverfront Park, Lot 1	
Jon D. Stephens (print)  (sign) Secretary (if no corporate seal) (Notarized)		
 Corporate seal above		
(additional sheets attached as required)		

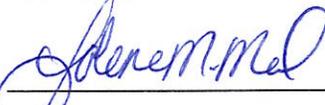
STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

BE IT REMEMBERED THAT ON THIS 9th DAY OF July, 2024, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, CAME JON D STEPHENS, TO ME KNOWN PERSONALLY, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT & CEO OF THE PORT AUTHORITY OF KANSAS CITY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI, AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID POLITICAL SUBDIVISION BY AUTHORITY OF ITS BOARD OF COMMISSIONERS, AND SAID JON D STEPHENS ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID POLITICAL SUBDIVISION. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE THE DAY AND YEAR LAST ABOVE WRITTEN.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID JACKSON COUNTY, MISSOURI, THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES:
August 14, 2026





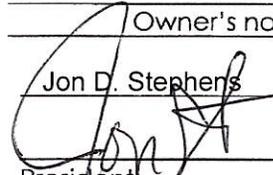
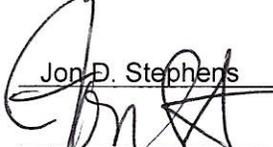


CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

CONSENT OF CORPORATIONS

Case No. CD-ROW-2022-00041

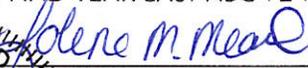
Owner's name	Legal description of property
Jon D. Stephens (print)  (sign) President	See attached Exhibit C
Jon D. Stephens (print)  (sign)	
(if no corporate seal) (also to be notarized)  Corporate seal above	

(additional sheets attached as required)

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

BE IT REMEMBERED THAT ON THIS 9th DAY OF July, 2024, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, CAME JON D STEPHENS, TO ME KNOWN PERSONALLY, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT & CEO OF THE PORT AUTHORITY OF KANSAS CITY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI, AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID POLITICAL SUBDIVISION BY AUTHORITY OF ITS BOARD OF COMMISSIONERS, AND SAID JON D STEPHENS ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID POLITICAL SUBDIVISION. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE THE DAY AND YEAR LAST ABOVE WRITTEN.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID JACKSON COUNTY, MISSOURI, THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: August 14, 2026 

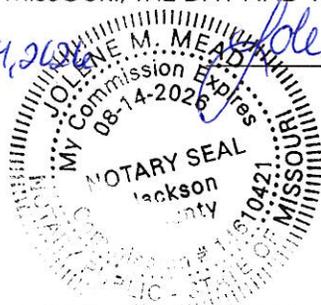
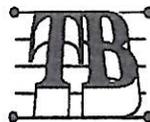


EXHIBIT C

PROPERTY DESCRIPTION:

ALL THAT PART OF THE NORTHEAST QUARTER OF FRACTIONAL SECTION 32, TOWNSHIP 50 NORTH, RANGE 33 WEST, KANSAS CITY, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEASTERLY CORNER OF TRACT E, BERKLEY RIVERFRONT PARK, A SUBDIVISION IN SAID CITY, COUNTY AND STATE; THENCE N61°00'01"E, 243.01 FEET; THENCE N58°32'38"E, 86.18 FEET; THENCE S33°01'55"E, 80.03 FEET; THENCE S28°48'06"E, 460.98 FEET TO A POINT OF CURVATURE; THENCE IN A SOUTHEASTERLY DIRECTION, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 085°59'59", AN ARC DISTANCE OF 37.52 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BERKLEY PARKWAY (50.00 FEET FROM THE CENTERLINE THEREOF); THENCE S65°11'55"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 335.82 FEET TO A POINT OF CURVATURE; THENCE IN A NORTHWESTERLY DIRECTION, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 085°59'59", AN ARC DISTANCE OF 37.52 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF BERKELY PLAZA (75.00 FEET FROM THE CENTERLINE THEREOF); THENCE N28°48'06"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 512.53 FEET TO THE POINT OF BEGINNING, CONTAINING 4.21 ACRES, MORE OR LESS.

PART OF THE NORTHEAST QUARTER OF
FRACTIONAL SEC.32-TWP.50-RNG.33
KANSAS CITY, JACKSON COUNTY, MO.



TALIAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
1020 EAST 6TH ST., KANSAS CITY, MO, 64106
PH: (816) 263-3466 FAX: (816) 263-0941

DRAWN: XXX
CHECKED: XXX

DATE: 06/21/2024

S:\NETJOB\90-3194-026\DWG (WORKING)\01 - EASEMENTS
90-3194V-EA26.DWG, Berkley 3rd Plat Desc, EXHIBIT A



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

CASE NO. CD-ROW-2022-00041

UTILITY CO. AT&T

Be it known that The Port Authority of Kansas City Missouri, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:
ALL OF THE RIGHT-OF-WAY OF BERKLEY PLAZA, SOUTH OF EAST RIVERFRONT DRIVE AND NORTH OF BERKLEY PARKWAY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE RIGHT-OF-WAY OF BERKLEY PLAZA ESTABLISHED BY THE PLAT OF BERKLEY RIVERFRONT PARK, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHERLY CORNER OF LOT 1 IN SAID SUBDIVISION; THENCE N61°00'01"E, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID BERKLEY PLAZA, 150.00 FEET TO THE NORTHERLY CORNER THEREOF; THENCE S28°48'06"E, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID ROAD, 432.53 FEET TO A POINT OF CURVATURE; THENCE IN A SOUTHEASTERLY DIRECTION, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 085°59'59", AN ARC DISTANCE OF 37.52 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BERKLEY PARKWAY; THENCE S65°11'55"W, PARALLEL WITH THE CENTERLINE OF SAID ROAD, 50 FEET FROM THE CENTERLINE THEREOF, 200.49 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID BERKLEY PLAZA; THENCE NORTHEASTERLY, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT WITH AN INITIAL TANGENT BEARING OF N65°11'55"E, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 094°00'01", AND ARC DISTANCE OF 41.02 FEET TO A POINT OF TANGENCY; THENCE N28°48'06"W, CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, 418.03 FEET TO THE POINT OF BEGINNING, CONTAINING 67,822 SQUARE FEET, MORE OR LESS.

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate the Berkley Plaza Right-of-way and allow it to be a private drive with all utility rights remaining.

1. Our utility/agency has facilities or interest within this right of way:

- Yes (proceed to #2) No (form complete)

2. Our utility/agency:

- has no objections
 objects to the vacation and will not waive objection under any conditions (describe below)
 will waive objections subject to the following conditions (describe below)
 Retain utility easement and protect facilities
 Relocate facilities
 Other: if any att facilities are found to be in conflict relocation will be at owners expense

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Jeremy Watson

6/26/24

Authorized Representative

Date

Return this form to:

Ryan Hunt

Applicant Name

816-506-3488

Phone

1020 E. 8th Street, Kansas City, Mo 64106

Address

rhunt@tb-engr.com

Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

CASE NO. **CD-ROW-2022-00041**

UTILITY CO. Evergy

Be it known that The Port Authority of Kansas City Missouri, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:
ALL OF THE RIGHT-OF-WAY OF BERKLEY PLAZA, SOUTH OF EAST RIVERFRONT DRIVE AND NORTH OF BERKLEY PARKWAY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate the Berkley Plaza Right-of-way and allow it to be a private drive with all utility rights remaining.

1. Our utility/agency has facilities or interest within this right of way:

- Yes (proceed to #2) No (form complete)

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- has no objections
 objects to the vacation and will not waive objection under any conditions (describe below)
 will waive objections subject to the following conditions (describe below)
 Retain utility easement and protect facilities
 Relocate facilities
 Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Joey White

Authorized Representative

7-31-2024

Date

Return this form to:

Ryan Hunt
Applicant Name

816-506-3488
Phone

1020 E. 8th Street, Kansas City, Mo 64106
Address

rhunt@tb-engr.com
Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
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CASE NO. CD-ROW-2022-00041

UTILITY CO. KCMO Water Services Dept.

Be it known that The Port Authority of Kansas City Missouri, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:
ALL OF THE RIGHT-OF-WAY OF BERKLEY PLAZA, SOUTH OF EAST RIVERFRONT DRIVE AND NORTH OF BERKLEY PARKWAY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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for the following purpose: Port KC intends to have the City vacate the Berkley Plaza Right-of-way and allow it to be a private drive with all utility rights remaining.

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 will waive objections subject to the following conditions (describe below)
 Retain utility easement and protect facilities
 Relocate facilities
 Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Authorized Representative

08/05/2024
Date

Return this form to:

Ryan Hunt
Applicant Name

816-506-3488
Phone

1020 E. 8th Street, Kansas City, Mo 64106
Address

rhunt@tb-engr.com
Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

CASE NO. CD-ROW-2022-00041

UTILITY CO. KCMO Public Works Dept.

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- No (form complete)

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- objects to the vacation and will not waive objection under any conditions (describe below)
- will waive objections subject to the following conditions (describe below)
 - Retain utility easement and protect facilities
 - Relocate facilities
 - Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Sam Akula, KCMO, Public Works Dept.

6/28/2024

Authorized Representative

Date

Return this form to:

Ryan Hunt

Applicant Name

816-506-3488

Phone

1020 E. 8th Street, Kansas City, Mo 64106

Address

rhunt@tb-engr.com

Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. **CD-ROW-2022-00041**

UTILITY CO. Spire

Be it known that The Port Authority of Kansas City Missouri, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:
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2. Our utility/agency:

- has no objections
 objects to the vacation and will not waive objection under any conditions (describe below)
 will waive objections subject to the following conditions (describe below)
 Retain utility easement and protect facilities
 Relocate facilities
 Other: _____

SPIRE IS REQUESTING A COPY OF ORDINANCE WHEN AND IF PASSED.

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Johnny Strauss - Right of Way Representative for Spire

John L. Strauss

7/8/2024

Authorized Representative

Date

Return this form to:

Ryan Hunt

Applicant Name

816-506-3488

Phone

1020 E. 8th Street, Kansas City, Mo 64106

Address

rhunt@tb-engr.com

Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
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CASE NO. CD-ROW-2022-00041

UTILITY CO. KCMO Public Works Dept.-Street Lighting Services

Be it known that The Port Authority of Kansas City Missouri, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:
ALL OF THE RIGHT-OF-WAY OF BERKLEY PLAZA, SOUTH OF EAST RIVERFRONT DRIVE AND NORTH OF BERKLEY PARKWAY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SEE ATTACHED SHEETS: EXHIBIT A & B

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1. **Our utility/agency has facilities or interest within this right of way:**

- Yes (proceed to #2) No (form complete)

2. **Our utility/agency:**

- has no objections
 objects to the vacation and will not waive objection under any conditions (describe below)
 will waive objections subject to the following conditions (describe below)
 Retain utility easement and protect facilities
 Relocate facilities
 Other: _____

We have eight street light in the area you're wishing us to vacate on Berkley Plaza . between E. Riverfront Dr and Berkley Pkwy. Pole NO#'s (SBC5055, SBC5056, SBC5057, SBC5058, SBC5059, SBC5060, SBC5061, and SBC5062). Controller ID SBC9001.

Upon approval of your street vacation request, the street lighting equipment must be return to the city. Any streetlight work/relocations/removals will be a cost to the project.

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Joseph Newton

06/26/2024

Authorized Representative

Date

Return this form to:

Ryan Hunt
Applicant Name

816-506-3488
Phone

1020 E. 8th Street, Kansas City, Mo 64106
Address

rhunt@tb-engr.com
Email