



240697  
Kansas City

414 E. 12th Street  
Kansas City, MO  
64106

Legislation Text

---

File #: TMP-4596

240697

---

ORDINANCE NO. TMP-4596

Approving a vacation of public right of way of 1622.60 feet in District UR generally located on the west side of Santa Fe Street between West 11th Street and Union Avenue conditional upon the maintenance of a Public Access Easement; authorizing the City Manager to accept a Public Access Easement; and directing the City Clerk to record certain documents (CD-ROW-2023-00007)

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 10<sup>th</sup> day of November 2023, a petition was filed with the Clerk of Kansas City by Stephen Brefo of SK Design Group, Inc., for the vacation of an alley located in the Northwest ¼ of Section 6, Township 49 N, Range 33 W in the City of Kansas City, Jackson County, Missouri, described as: 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 557.93 feet; thence N 87°-51'-17" W, a distance 202.62 feet to the Point of Beginning; thence S 02°-08'-43" W, a distance 10.00 feet; thence along the North property line of Block 43 Turner & Co's Addition described below, N 87°-54'-01" W, a distance of 162.26 feet; thence N 02°-05'-59" E, a distance of 10.00 feet to the South property line of tract "ms-1"; thence S 87°-54'-01" E along the South Property line of tract "ms-1" described below, a distance of 162.26 feet to the Point of Beginning. Containing 1622.60 square feet of land more or less; giving the distinct description of the alley 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 alley 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 on April 16, 2024, the City Plan Commission duly endorsed its approval of this Ordinance hereon.

Section 3. That the Council finds 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 all that part of the alley located in the Northwest  $\frac{1}{4}$  of Section 6, Township 49 N, Range 33 W in the City of Kansas City, Jackson County, Missouri, described as: 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  $\frac{1}{4}$  of said section, a distance of 557.93 feet; thence N 87°-51'-17" W, a distance 202.62 feet to the Point of Beginning; thence S 02°-08'-43" W, a distance 10.00 feet; thence along the North property line of Block 43 Turner & Co's Addition described below, N 87°-54'-01" W, a distance of 162.26 feet; thence N 02°-05'-59" E, a distance of 10.00 feet to the South property line of tract "ms-1"; thence S 87°-54'-01" E along the South Property line of tract "ms-1" described below, a distance of 162.26 feet to the Point of Beginning. Containing 1622.60 square feet of land more or less and the same is hereby vacated, and subject to the following conditions:

1. That the applicant shall retain all utility easements and protect facilities required by Everygy.
2. That the applicant shall retain all utility easements and protecting facilities required by Spectrum Charter.
3. That the applicant shall convey to the City a Public Access Easement over the vacated area and maintain the same. If at any time the Public Access Easement is violated, terminated, or abandoned, this Ordinance shall become null and void, and the vacated alley shall return to a public right of way that is ten feet wide and constructed to City standards.

Section 5. That the City Manager is authorized to accept the Public Access Easement, attached hereto in substantial form.

Section 6. That the City Clerk 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 7. All Ordinances or parts of Ordinances in conflict with this Ordinance are, in so much as they conflict with this Ordinance, hereby repealed.



240697

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 L. Sanders, Mayor

  
\_\_\_\_\_  
Marilyn Sanders, City Clerk

**AUG 15 2024**

Date Passed