

ORDINANCE NO. 140166

Vacating a portion of N.E. 108th Street west of N. Hardesty Avenue, Kansas City, Clay County, Missouri, and directing the City Clerk to record certain documents. (1681-V)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Council of Kansas City does hereby find and declare that on the 13th day of November, 2013, a petition was filed with the City Clerk of Kansas City by Hunt Midwest Real Estate Development, Inc., for the vacation of a portion of N.E. 108th Street, west of N. Hardesty Avenue, being all that part of the public right of way for N.E. 108th Street being more particularly described as follows: Commencing at the Southeast corner of the Northeast Quarter of Section 29; thence North 89 degrees 41 minutes 58 seconds West, along the North line of the Southeast Quarter of Section 29, a distance of 1379.83 feet to the true point of beginning of the tract of land to be herein described; thence departing said North line, South 00 degrees 18 minutes 02 seconds East, a distance of 25.00 feet to a point on the South line of N.E. 108th Street as it now exists; thence North 89 degrees 41 minutes 58 seconds West, along said South line, a distance of 355.97 feet; thence departing said South line, North 2 degrees 05 minutes 41 seconds West, a distance of 50.04 feet to a point on the North line of N.E. 108th Street as it now exists; thence South 89 degrees 41 minutes 58 seconds East, along said North line, a distance of 358.06 feet; thence departing said North line, South 00 degrees 18 minutes 02 seconds East, a distance of 25.00 feet to the point of beginning containing 17,850.79 square feet or 0.410 acres, more or less, and all utility easements over, under, across and along said street, all in Section 29, Township 52 North, Range 32 West, Kansas City, Clay County, Missouri, giving the distinct description of the street to be vacated, and also the names of the persons and corporations owning or claiming to own the property fronting thereon, and that due notice of the pendency of said petition has been given in the newspaper doing the city printing, 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 street 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.

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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 a portion of N.E. 108th Street, west of N. Hardesty Avenue, being all that part of the public right of way for N.E. 108th Street being more particularly described as follows: Commencing at the Southeast corner of the Northeast Quarter of Section 29; thence North 89 degrees 41 minutes 58 seconds West, along the North line of the Southeast Quarter of Section 29, a distance of 1379.83 feet to the true point of beginning of the tract of land to be herein described; thence departing said North line, South 00 degrees 18 minutes 02 seconds East, a distance of 25.00 feet to a point on the South line of N.E. 108th Street as it now exists; thence North 89 degrees 41 minutes 58 seconds West, along said South line, a distance of 355.97 feet; thence departing said South line, North 2 degrees 05 minutes 41 seconds West, a distance of 50.04 feet to a point on the North line of N.E. 108th Street as it now exists; thence South 89 degrees 41 minutes 58 seconds East, along said North line, a distance of 358.06 feet; thence departing said North line, South 00 degrees 18 minutes 02 seconds East, a distance of 25.00 feet to the point of beginning containing 17,850.79 square feet or 0.410 acres, more or less, and all utility easements over, under, across and along said street, all in Section 29, Township 52 North, Range 32 West, Kansas City, Clay County, Missouri, be and the same is hereby vacated.

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 Clay 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 and legality:

  
M. Margaret Sheahan Moran  
Assistant City Attorney



Authenticated as Passed

  
Sly James, Mayor

  
Marilyn Sanders, City Clerk

MAR 06 2014

Date Passed

Approved by the City Plan Commission  
*Diane Binckley*  
Diane Binckley, Secretary

STATE OF MISSOURI )  
  ) ss.  
COUNTY OF Spokane

On the 6<sup>th</sup> day of March, 2014, before me, a Notary Public in and for said County, personally appeared Marilyn Sanders 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\_\_.

*Brittiney Lacy*  
\_\_\_\_\_  
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