

ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI

10/14/2022 3:58 PM

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INSTRUMENT NUMBER

2022E0094714



**CITY OF KANSAS CITY, MISSOURI
CERTIFICATE OF THE CITY CLERK
DOCUMENT TO BE RECORDED
WITH JACKSON COUNTY**

DATE OF DOCUMENT: October 6, 2022

DOCUMENT TITLE: Vacation 220801

Grantor(s): City of Kansas City, MO
Name &
Address:


Grantee(s): City of Kansas City, MO
Name &
Address: 414 E 12th Street
Kansas City, MO 64106

LEGAL DESCRIPTION:
See Page(s) 1 of Exhibit _____ of the subject document.

The above appears in records and is on file in the Office of the City Clerk, 25th Floor, City Hall, and Kansas City, Missouri. I hereby, certify that this is a true and correct copy of the above ordinance.

IN TESTIMONY WHEREOF, I have set my hand affixed the seal of the City on the 14th day of October 2022.

Marilyn Sanders
City Clerk

By Marilyn Sanders  City Clerk

**Return all Recorded Originals To:
OFFICE OF THE CITY CLERK, 414 E. 12th Street, 25th Floor, Kansas City, Missouri 64106**

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 220801

Vacating a 267-foot-long alley in M1-5 zoning between 17th and 18th Streets and Central and Wyandotte Streets on about 0.92 acres generally located to the west of 220 W. 18th Street; and directing the City Clerk to record certain documents. (CD-ROW-2022-00006).

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 16th day of February, 2022, a petition was filed with the City Clerk of Kansas City by Brad Johnson for the vacation of the first north-south alley east of Central Street from the south right-of-way line of Seventeenth Street to the north right-of-way line of Eighteenth Street and adjacent to Lots 1 to 11, in Block 3, Goodrich Addition, and Lots 1 and 2, of a Replat OF Lots 12 - 15 and Lots 27 - 30, Block 3, Goodrich Addition, both being subdivisions of land in Kansas City, Jackson County, Missouri, said alley being 14.5 feet wide and 267 feet long per the Plat of Goodrich Addition, 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 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 alley to be vacated is for purposes of making possible the redevelopment of (a) the iconic film row buildings located at 214 W 18th and 220 W 18th as office space; and (b) the existing surface parking facilities located on 17th Street to the west of the easterly alleyway.

Section 5. That there is a second alleyway to the east in the same block that is to be preserved and maintained for public use.

220801

Section 6. That the first north-south alley east of Central Street from the south right-of-way line of Seventeenth Street to the north right-of-way line of Eighteenth Street and adjacent to Lots 1 to 11, in Block 3, Goodrich Addition, and Lots 1 and 2, of a Replat OF Lots 12 - 15 and Lots 27 - 30, Block 3, Goodrich Addition, both being subdivisions of land in Kansas City, Jackson County, Missouri, said alley being 14.5 feet wide and 267 feet long per the Plat of Goodrich Addition, be and the same is hereby vacated, subject to the following conditions:

- (a) Should the applicant relocate the Evergy's facilities, service shall be re-established for streetlighting facilities currently receiving power from UFLID #220670 at the cost of the applicant.
- (b) The applicant shall retain all utility easements and protect facilities required by AT&T or relocate the facilities at the cost of the applicant.
- (c) The applicant shall retain all utility easements and protect facilities required by Evergy or relocate the facilities at the cost of the applicant.
- (d) The applicant shall relocate facilities owned by Spectrum Charter or relocate the facilities at the cost of the applicant.

Section 7. 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 8. All Ordinances or parts of Ordinances in conflict with this Ordinance are, in so much as they conflict with this Ordinance, hereby repealed.



Authenticated as Passed

[Signature]
Quinton Lucas, Mayor

[Signature]
Marilyn Sanders, City Clerk

OCT 08 2022

Date Passed

Approved as to form and legality:

[Signature]
Sarah Baxter
Assistant City Attorney

Approved by the City Plan Commission

[Signature]
Secretary

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

On the 14 day of October, 2022 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.



CITY PLAN COMMISSION STAFF REPORT

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

September 6, 2022

Project Name
 220 W 18th Street - Alley Vacation

Docket #11 **Request**
 CD-ROW-2022-00006
 Vacation (Alley)

Applicant
 Brad Johnson

Owner
 Kansas City, Missouri (Right of Way)

Location East of 220 W 18th St.
Area About 0.055 acres
Zoning M1-5
Council District 4th
County Jackson
School District KCMO 110

Surrounding Land Uses
North: Parking, zoned M1-5
South: Commercial, zoned M1-5
East: Commercial, zoned M1-5
West: Vacant, zoned M1-5

Major Street Plan
 W 18th Street is identified as a Activity Street/Corridor on the City's Major Street Plan in this location.

Land Use Plan
 The Greater Downtown Area Plan recommends Downtown Mixed Use for this location.

APPROVAL PROCESS



PROJECT TIMELINE

The application for the subject request was ready to be docketed on July 27, 2022. Scheduling deviations from 2022 Cycle P have not occurred.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

The Crossroads Community Association was notified of this request.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 does apply to this request. The applicant hosted a meeting on July 22, 2022. A summary of the meeting is attached to the staff report.

EXISTING CONDITIONS

The alley that is proposed to be vacated is in the crossroads district and sits between the former MGM building and a parking lot on the west and the former Columbia Pictures building to the east. It is approximately 14.5 feet wide and 167 feet long and paved with asphalt.

SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of a vacation of the western alley on the block bounded by W 17th street, W 18th street, Central street, and Wyandotte street.

CONTROLLING + RELATED CASES

There is no relevant case history at the subject site.

PROFESSIONAL STAFF RECOMMENDATION

Docket #11 Approval Subject to Conditions

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.

This right of way vacation is for the western alley on the block bounded by W 17th street, W 18th street, Central street, and Wyandotte street. 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.

While many of the blocks in the area bounded by Broadway Blvd, W 17th street, Baltimore Ave, and W 20th street have two north-south alleyways, it is not uncommon for one or both to be vacated. The alley in question does not serve any current or future public purpose other than general alley-connectivity.

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

The vacation will not be 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 but will 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 alley 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

PROFESSIONAL STAFF RECOMMENDATION

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

Respectfully Submitted,



Jared Clements, AICP



Plan Conditions

Report Date: August 10, 2022

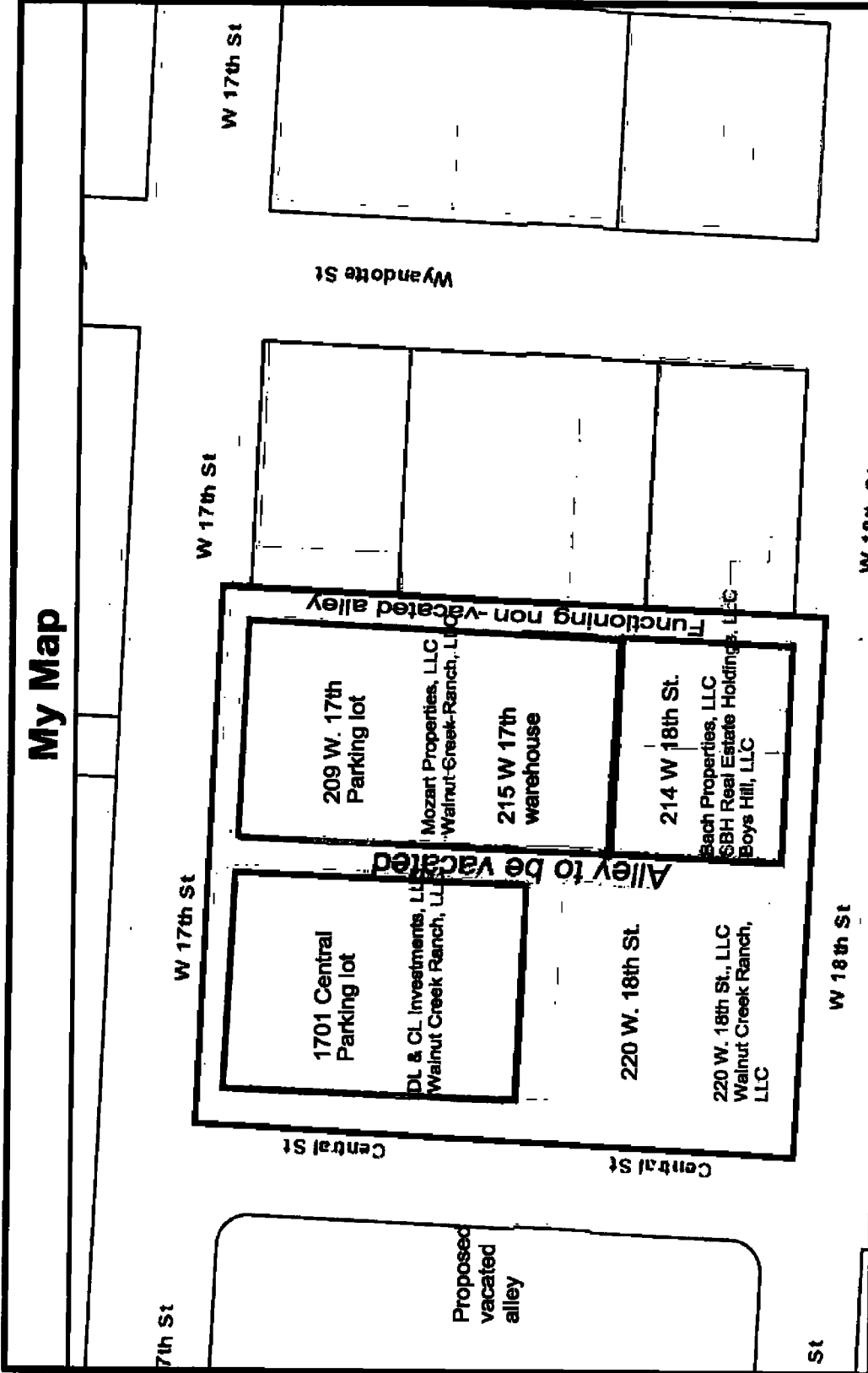
Case Number: CD-ROW-2022-00006

Project:

Condition(s) by City Planning and Development Department. Contact Jared Clements at (816) 513-8826 / jared.clements@kcmo.org with questions.

1. The applicant shall retain all utility easements and protect facilities required by the AT&T.
2. The applicant shall retain all utility easements and protect facilities required by the Evergy, or relocate the facilities at the cost of the applicant.
3. Should the applicant relocate the Evergy's facilities, service shall be re-established for streetlighting facilities currently receiving power from UFLID #220670 at the cost of the applicant.
4. The applicant shall relocate facilities owned by Spectrum Charter.

My Map



Printed Date: 11/17/2021

While the City of Kansas City, Missouri makes every effort to maintain and distribute accurate information, no warranties and/or representations of any kind are made regarding information, data or services provided. In no event shall the City of Kansas City, MO, be liable in any way to the users of this data. Users of this data shall hold the City of Kansas City, MO harmless in all matters and accounts arising from the use and/or accuracy of this data. © 2021 City of Kansas City, Missouri.

First North-South alley East of Central Street from the South Right-of-Way line of Seventeenth Street to the North Right-of-Way line of Eighteenth Street and adjacent to Lots 1 to 11, in Block 3, GOODRICH ADDITION, and Lots 1 and 2, of a REPLAT OF LOTS 12 - 15 AND LOTS 27 - 30, BLOCK 3, GOODRICH ADDITION, both being subdivisions of land in Kansas City, Jackson County, Missouri, said alley being 14.5 feet wide and 167 feet long per the Plat of GOODRICH ADDITION.



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

Case No.

In the matter of the vacation of:

The first North-South alley East of Central Street from the South Right-of-Way line of Seventeenth Street to the North Right-of-Way line of Eighteenth Street and adjacent to Lots 1 to 11, in Block 3, GOODRICH ADDITION, and Lots 1 and 2, of a REPLAT OF LOTS 12 - 15 AND LOTS 27 - 30, BLOCK 3, GOODRICH ADDITION, both being subdivisions of land in Kansas City, Jackson County, Missouri, said alley being 14.5 feet wide and 167 feet long per the Plat of GOODRICH ADDITION.

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__	
_____	by _____
City Clerk	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 LIMITED LIABILITY COMPANIES

Case No.

Table with 2 columns: Owner's name, Legal description of property. Rows include DL & CI Investments LLC, 220 W 18th Street LLC, Bach Properties LLC, and Mozart Properties LLC.

(additional sheets attached as required)

220 W. 18th Street LLC, Petitioner

By: [Signature]
Name: Peter T. Lack
Title: Manager

STATE OF Kansas)
COUNTY OF Johnson) ss.

On this 27 day of April, 2022 before me, a Notary Public in and for said state, personally appeared Peter T. Lack, who being by me duly sworn did say that he/she is the managing member of 220 W 18th Street LLC, a Missouri limited liability company, and that the within instrument was signed and sealed in behalf of said limited liability company by authority of its members, and acknowledged said instrument to be the free act and deed of said limited liability company for the purposes therein stated.

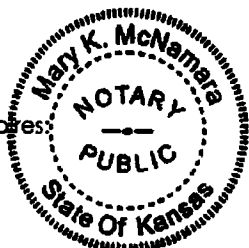
Subscribed and sworn to before me on this 27 day of April, 2022

Notary Public in and for Said County and State

[Signature]
Notary Public

My Commission Expires:

12/29/2024





CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
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Mozart Properties LLC

By: Shirley Bush Helberg
Name: Shirley Bush Helberg
Title: Manager

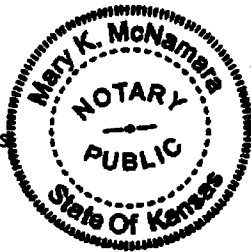
STATE OF Kansas)
) ss.
COUNTY OF Johnson)

On this 27 day of April, 2022 before me, a Notary Public in and for said state, personally appeared Shirley Bush Helberg who being by me duly sworn did say that he/she is the managing member of Mozart Properties LLC a Missouri limited liability company, and that the within instrument was signed and sealed in behalf of said limited liability company by authority of its members, and acknowledged said instrument to be the free act and deed of said limited liability company for the purposes therein stated.

Subscribed and sworn to before me on this 27 day of April, 2022

Notary Public in and for Said County and State

Mary K. McNamara
Notary Public



My Commission Expires
12/29/2024



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

DL & CI Investments LLC

By: [Signature]
Name: Shirley Bush Helberg
Title: Manager

STATE OF Kansas)
COUNTY OF Johnson) ss.

On this 27 day of April, 2022, before me, a Notary Public in and for said state, personally appeared Shirley Bush Helberg who being by me duly sworn did say that he/she is the managing member of DL & CI Investments LLC, Missouri, limited liability company, and that the within instrument was signed and sealed in behalf of said limited liability company by authority of its members, and acknowledged said instrument to be the free act and deed of said limited liability company for the purposes therein stated.

Subscribed and sworn to before me on this 27 day of April, 2022

Notary Public in and for Said County and State

[Signature]
Notary Public

My Commission Expires
12/29/2024

