Recorded in Clay County, Missouri

Recording Date/Time: 07/01/2025 at 03:11:25 PM

Book: 9965 Page: 83

Instr #: **2025016115**
Pages: **16**
Fee: **$66.00**

Electronically Recorded
CITY OF KANSAS CITY, MO - CLERKS OFF...

Sandra Brock
Recorder of Deeds

RECORDER OF DEEDS CERTIFICATE
CLAY COUNTY, MISSOURI

EXEMPT DOCUMENT

This document has been recorded under exempt status pursuant to RSMO 59.310.4 and this certificate has been added to your document in compliance with the laws of the State of Missouri.

Sandra Brock
Recorder of Deeds
Clay County Courthouse
Liberty, MO 64068

THIS PAGE HAS BEEN ADDED AS THE FIRST PAGE OF YOUR DOCUMENT–DO NOT REMOVE THIS PAGE

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

DATE OF DOCUMENT: June 26, 2025

DOCUMENT TITLE: Vacation Ordinance 250499

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

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

LEGAL DESCRIPTION:
See Page(s) 1, 2 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 1st day of July, 2025

Marilyn Sanders
City Clerk

By Marilyn Sanders City Clerk

SEAL OF KANSAS CITY INCORPORATED 1850 MISSOURI

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. 250499

Vacating an approximately 15,500 square-foot section of right-of-way in District R-1.5 generally located south of the intersection of N.E. Barry Road and N. Cleveland Avenue; and directing the City Clerk to record certain documents. (CD-ROW-2025-00007)

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 4th day of February, 2025, a petition was filed with the City Clerk of Kansas City by Patricia Jensen for the vacation of a tract of land being located in the Northeast Quarter of the Southeast Quarter of Section 7, Township 51N, Range 32W, Kansas City, Clay County, Missouri, being more particularly described as follows: Commencing at the Northeast Corner of the Southeast Quarter of said Section 7, thence North 89°15'57" West, a distance of 1285.00 feet to the Point Beginning; thence North 0° 34' 10" East, a distance of 7.18 feet; thence North 88° 57' 07" West, a distance of 58.67 feet; thence South 0° 34' 10" West, a distance of 249.07 feet; thence along a curve to the left having an initial tangent bearing of South 60° 13' 39" East and a radius of 1054.93 feet, an arc distance of 66.60; thence North 0° 34' 10" East, a distance of 272.03 feet to the Point of Beginning, Containing 15,583.42 Square Feet More or Less, 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 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.

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.

250499 SUB

Section 4. That a tract of land being located in the Northeast Quarter of the Southeast Quarter of Section 7, Township 51N, Range 32W, Kansas City, Clay County, Missouri, being more particularly described as follows: Commencing at the Northeast Corner of the Southeast Quarter of said Section 7, thence North 89°15'57" West, a distance of 1285.00 feet to the Point Beginning; thence North 0° 34' 10" East, a distance of 7.18 feet; thence North 88° 57' 07" West, a distance of 58.67 feet; thence South 0° 34' 10" West, a distance of 249.07 feet; thence along a curve to the left having an initial tangent bearing of South 60° 13' 39" East and a radius of 1054.93 feet, an arc distance of 66.60; thence North 0° 34' 10" East, a distance of 272.03 feet to the Point of Beginning, Containing 15,583.42 Square Feet More or Less be and the same is hereby vacated, and subject to the following conditions:

1. That the applicant allow AT&T 30-60 days to issue the project to retire cables in the vacated right-of-way.

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 the Water Services Department.

4. That the applicant shall retain utility easements and protect facilities required by Spectrum Charter.

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.

Authenticated as Passed

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

JUN 26 2025

Date Passed

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

Approved by the City Plan Commission

Sara Copeland
Secretary

STATE OF MISSOURI)
) ss.
COUNTY OF Jackson)

On the 1st day of July, 2025, 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 Jan 23, 2028.

MONICA SANDERS
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: Jan. 23, 2028
Commission # 20228246

Monica Sanders
Notary Public within and for
County, Missouri

IN RECORDER'S OFFICE

STATE OF MISSOURI)
) ss.
COUNTY OF _____)

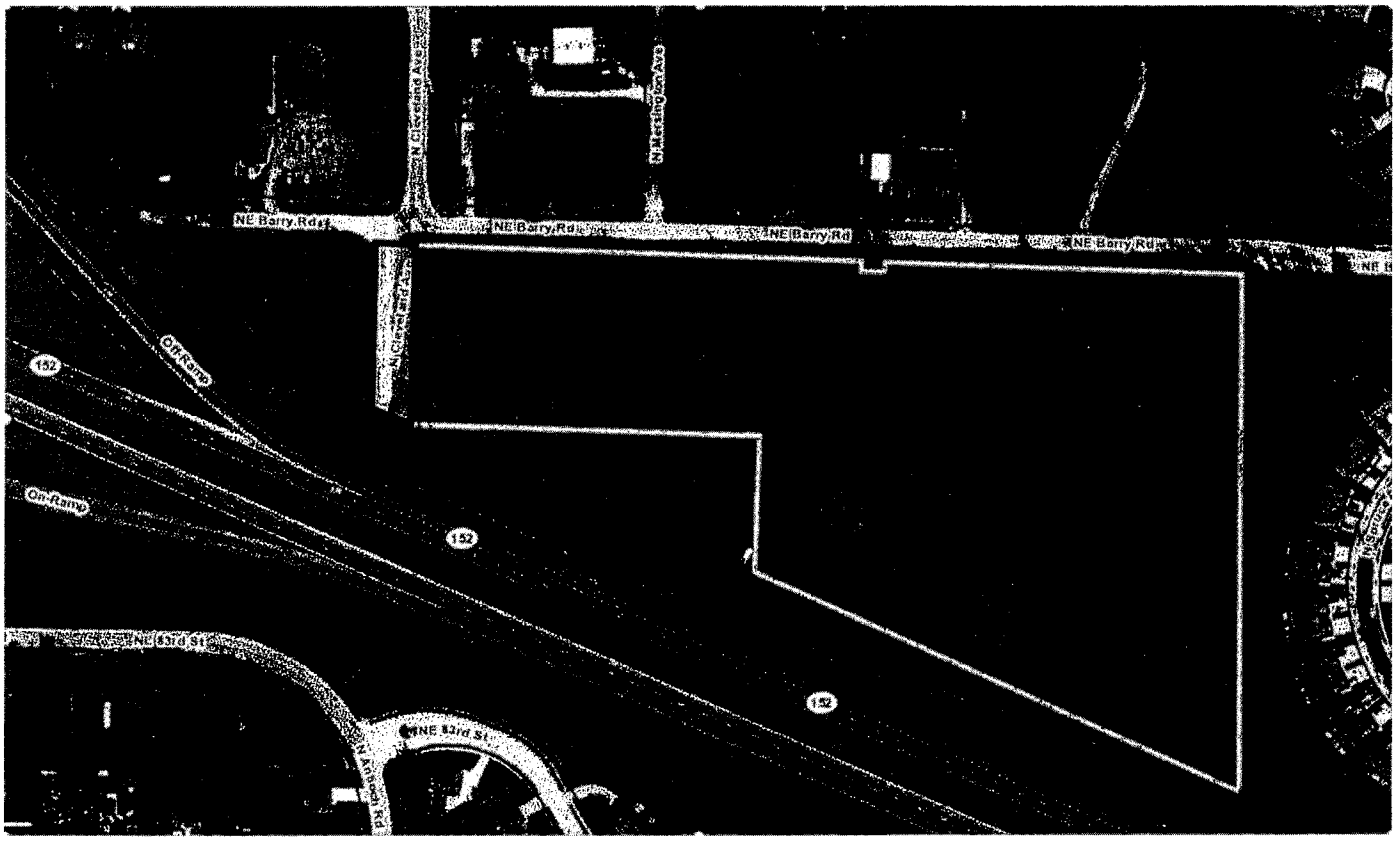
I, the undersigned, Recorder of Deeds within and for the County aforesaid, do hereby certify that the foregoing instrument of writing was on the _____ day of _____, A.D. 20____, at _____ o'clock _____ minutes M., duly filed for record in this office, and with certificate of acknowledgment thereon endorsed, 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

Vicinity Map –



PLAN REVIEW

The street proposed to be vacated is an improved section of public right-of-way that currently dead-ends approximately 260 feet south of Northeast Barry Road and North Cleveland Avenue. The proposed 17,000 square foot vacation of right-of-way was proposed during the development plan process. Ordinance No. 250276 proposes to demolish the road and create a new road that will continue to the southeast and eventually end. There is an additional application that will vacate Northeast Barry Road east of North Cleveland Avenue to the west.

There are public and private utilities located within the right-of-way. Water Services has a water main on the west side of North Cleveland Avenue. The Water Services Department is requiring the applicant retain an easement or have the utilities relocated. Evergy and Spectrum Charter also have utilities located in the right-of-way which will require an easement be retained or the utilities be relocated. AT&T has utilities in the right-of-way, but have agreed to relocate them, if the applicant will allow 30-60 days to retire the existing cable in place.

KANSAS CITY
Planning & Dev

Plan Conditions

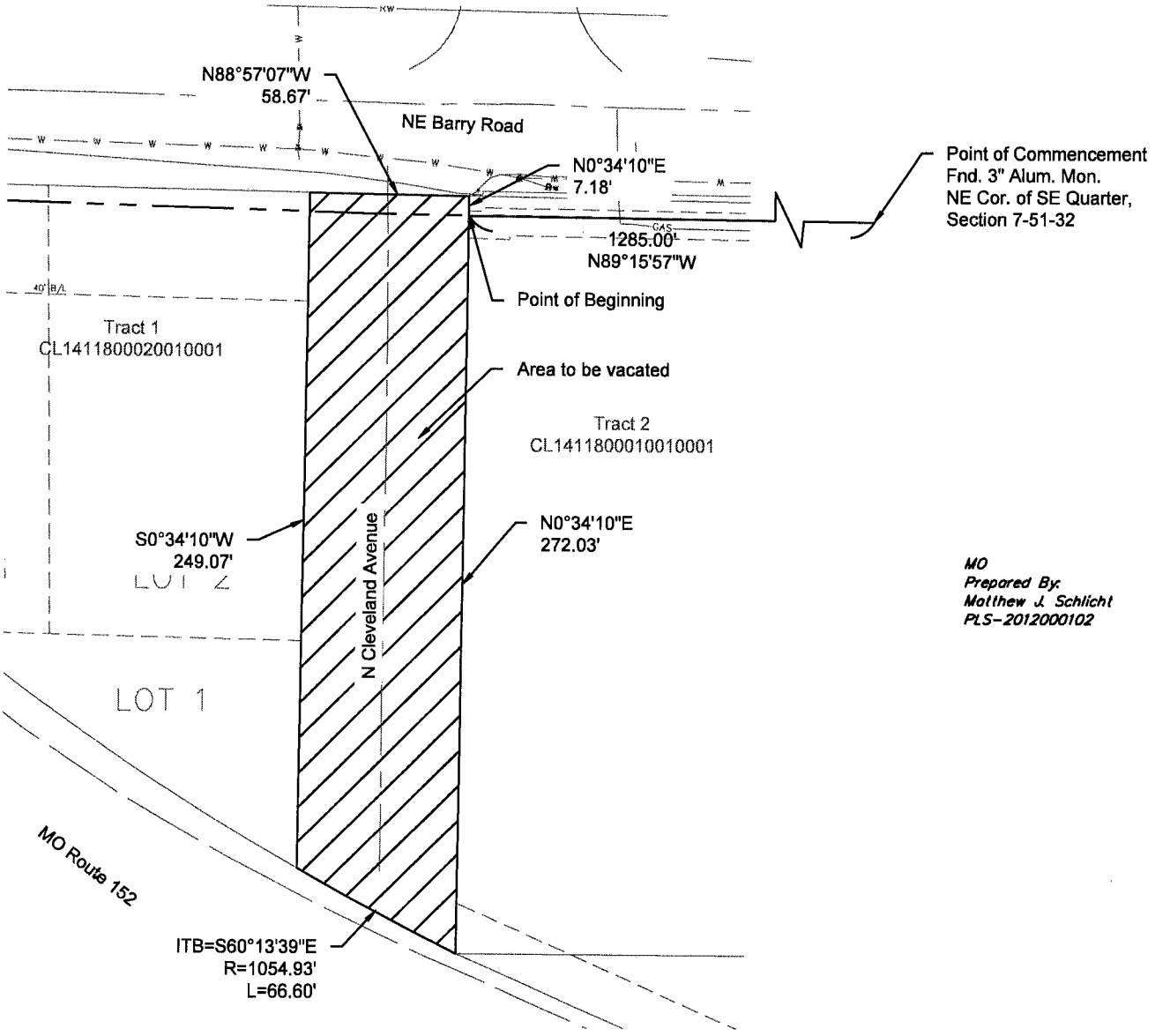
Report Date: May 29, 2025

Case Number: CD-ROW-2025-00007

Project: Monarch Townhomes Vacation - North Cleveland Avenue

Condition(s) by City Planning and Development Department. Contact Justin Smith at (816) 513-8823 / justin.smith@kcmo.org with questions.

1. That the applicant shall retain all utility easements and protect facilities required by Spectrum Charter.
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 Water Services.
4. That the applicant allow AT&T 30-60 days to issue project to retire cable in place containing 0 workers.



MO
Prepared By:
Matthew J. Schlicht
PLS-2012000102

Description

A tract of land being located in the Northeast Quarter of the Southeast Quarter of Section 7, Township 51N, Range 32W, Kansas City, Clay County, Missouri, being more particularly described as follows:

Commencing at the Northeast Corner of the Southeast Quarter of said Section 7, thence North 89°15'57" West, a distance of 1285.00 feet to the Point Beginning; thence North 0° 34' 10" East, a distance of 7.18 feet; thence North 88° 57' 07" West, a distance of 58.67 feet; thence South 0° 34' 10" West, a distance of 249.07 feet; thence along a curve to the left having an initial tangent bearing of South 60° 13' 39" East and a radius of 1054.93 feet, an arc distance of 66.60; thence North 0° 34' 10" East, a distance of 272.03 feet to the Point of Beginning.
Containing 15,583.42 Square Feet More or Less.

ROW Vacation Exhibit

ROW Vacation

SHEET 1 OF 1

DATE: 1/31/2025
PROJECT NUMBER: Barry and Cleveland
REV. TO DWG.: N/A
SCALE: 1"=60'

ROW Vacation Exhibit

Barry and Cleveland

N Cleveland Avenue
Kansas City, Clay County, Missouri

ENGINEERING SOLUTIONS
ENGINEERING & SURVEYING
50 SE 30TH STREET
LEE'S SUMMIT, MO 64082
P:(816) 623-9888 F:(816)623-9849

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. CD-ROW-2025-00007

In the matter of the vacation of:

Cleveland Avenue described as follows:

A tract of land being located in the Northeast Quarter of the Southeast Quarter of Section 7, Township 51N, Range 32W, Kansas City, Clay County, Missouri, being more particularly described as follows:

Commencing at the Northeast Corner of the Southeast Quarter of said Section 7, thence North 89°15'57" West, a distance of 1285.00 feet to the Point Beginning; thence North 0° 34' 10" East, a distance of 7.18 feet; thence North 88° 57' 07" West, a distance of 58.67 feet; thence South 0° 34' 10" West, a distance of 249.07 feet; thence along a curve to the left having an initial tangent bearing of South 60° 13' 39" East and a radius of 1054.93 feet, an arc distance of 66.60; thence North 0° 34' 10" East, a distance of 272.03 feet to the Point of Beginning.

Containing 15,583.42 Square Feet More or Less. (See attached)

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

{32601 / 73478; 1041479. }

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-2025-00007**

Owner's name	Legal description of property
Property Reserve, Inc. (print) By: [signature] Name: Tyler L. Buswell Title: Vice President Corporate seal above	Part of the east ½ of the southeast quarter of Sec 7, 51, 32; Beginning at the east line of Barry Road west 1290 feet, thence south 280 feet, thence east 507.78 feet, thence south 237 feet.

(additional sheets attached as required)

STATE OF UT)
) ss.
COUNTY OF Salt Lake)

On this 18 day of Feb., 2025, before me, appeared Tyler L. Buswell, to me personally known, who being by me personally sworn, did say that he/she is the V.P. of Property Reserve, Inc., a corporation, ~~and that the seal affixed to the foregoing instrument is the corporate seal of said corporation,~~ and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Tyler L Buswell acknowledged said instrument to be the free act and deed of said corporation.

Subscribed and sworn to before me on this 18 day of Feb., 2025.

MARILYN F. NIELSON
Notary Public State of Utah
My Commission Expires on:
August 09, 2025
Comm. Number: 718951

Notary Public In and for Said County and State

[signature]
Notary Public

(32601/73478; 1041479.)

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. CD-ROW-2025-00007**

Owner's name	Legal description of property
PC Homes, LLC By: _____ Brian J. Mertz	Leejan Heights, Lots 1-4

(additional sheets attached as required)

STATE OF MO)
) ss.
COUNTY OF Platte)

On this 20th day of Feb, 2025, before me, a Notary Public in and for said state, personally appeared Brian J. Mertz, who being by me duly sworn did say that he/she is the managing member of PC Homes, 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 20th day of Feb., 2025.

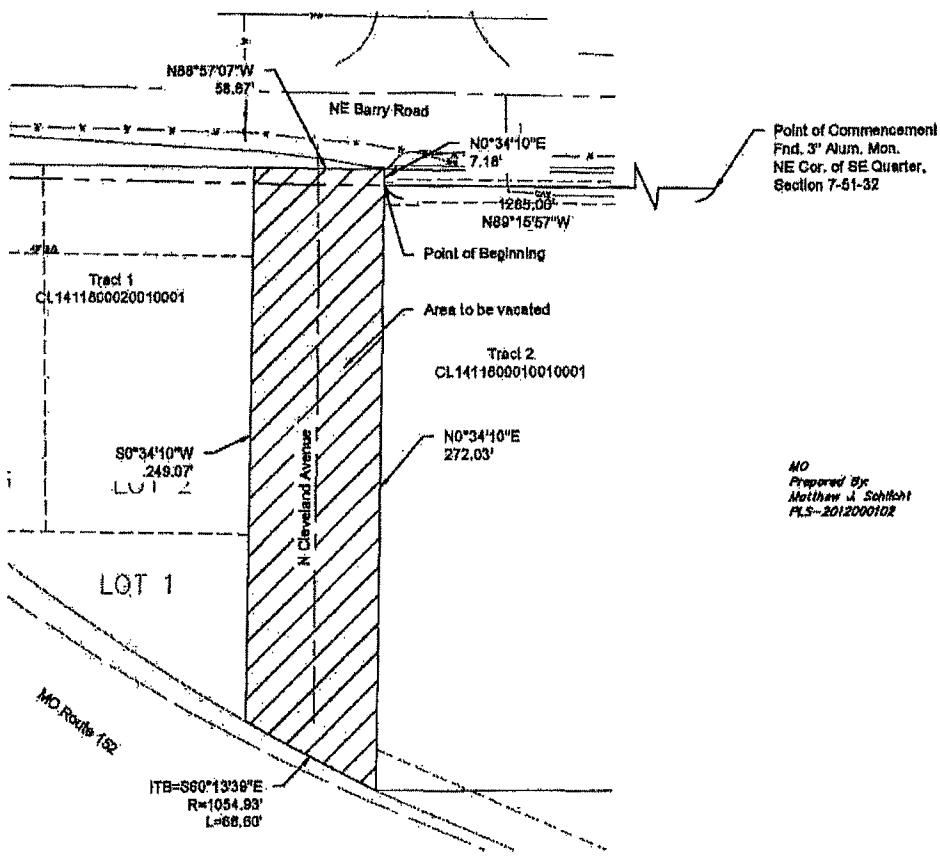
Notary Public in and for Said County and State

Libby Knotts
Notary Public

My Commission Expires:

LIBBY KNOTTS
Notary Public-Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires Jan. 18, 2026
Commission # 18597347

(32601 / 73478; 1041479.)



Description

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Commencing at the Northeast Corner of the Southeast Quarter of said Section 7, thence North 89°15'57" West, a distance of 1265.00 feet to the Point Beginning; thence North 0° 34' 10" East, a distance of 7.18 feet; thence North 88° 57' 07" West, a distance of 58.67 feet; thence South 0° 34' 10" West, a distance of 249.07 feet; thence along a curve to the left having an initial tangent bearing of South 60° 13' 39" East and a radius of 1054.93 feet, an arc distance of 66.60; thence North 0° 34' 10" East, a distance of 272.03 feet to the Point of Beginning,
Containing 15,583.42 Square Feet More or Less.

ROW Vacation Exhibit **ROW Vacation** SHEET 1 OF 1	DATE 1/31/2025 PROJECT NUMBER: Barry and Cleveland REV. TO DWG.: N/A SCALE: 1"=60'	*ROW Vacation Exhibit* **Barry and Cleveland** N Cleveland Avenue Kansas City, Clay County, Missouri

ENGINEERING SOLUTIONS
ENGINEERING & SURVEYING
10 SE 30TH STREET
LEE'S SUMMIT, MO 64082
P:(816) 623-9888 F:(816)623-9889

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-2025-00007

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:

Cleveland Avenue described as follows:

A tract of land being located in the Northeast Quarter of the Southeast Quarter of Section 7, Township 51N, Range 32W, Kansas City, Clay County, Missouri, being more particularly described as follows:

Commencing at the Northeast Corner of the Southeast Quarter of said Section 7, thence North 89°15'57" West, a distance of 1285.00 feet to the Point Beginning; thence North 0° 34' 10" East, a distance of 7.18 feet; thence North 88° 57' 07" West, a distance of 58.67 feet; thence South 0° 34' 10" West, a distance of 249.07 feet; thence along a curve to the left having an initial tangent bearing of South 60° 13' 39" East and a radius of 1054.93 feet, an arc distance of 66.60; thence North 0° 34' 10" East, a distance of 272.03 feet to the Point of Beginning.

Containing 15,583.42 Square Feet More or Less. (See attached)

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____

_____ by _____
City Clerk 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
PC Homes, LLC	Leejan Heights, Lots 1-4	7607 NW John Anders Road Kansas City, MO 64152

(attach additional sheets if required)

PC HOMES, LLC

Brian J. Mertz, Petitioner

STATE OF MO)
) ss.
COUNTY OF Platte)

On this 20th day of Feb. in the year 2025, before me, a Notary Public in and for said state, personally appeared Brian J. Mertz, known to me to be the person who executed the within instrument and acknowledged to me that he executed the same for the purposes therein stated, and that he knows personally that the persons named on the above and foregoing petition are the persons owning or claiming to own the property set opposite their names, and that they own or claim to own all the property abutting said area to be vacated.

Subscribed and sworn to before me on this 20th day of Feb, 2025.

Notary Public in and for Said County and State

Notary Public

My Commission Expires:

LIBBY KNOTTS
Notary Public-Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires Jan. 18, 2026
Commission # 18597347

{32601 / 73478; 1041475. }

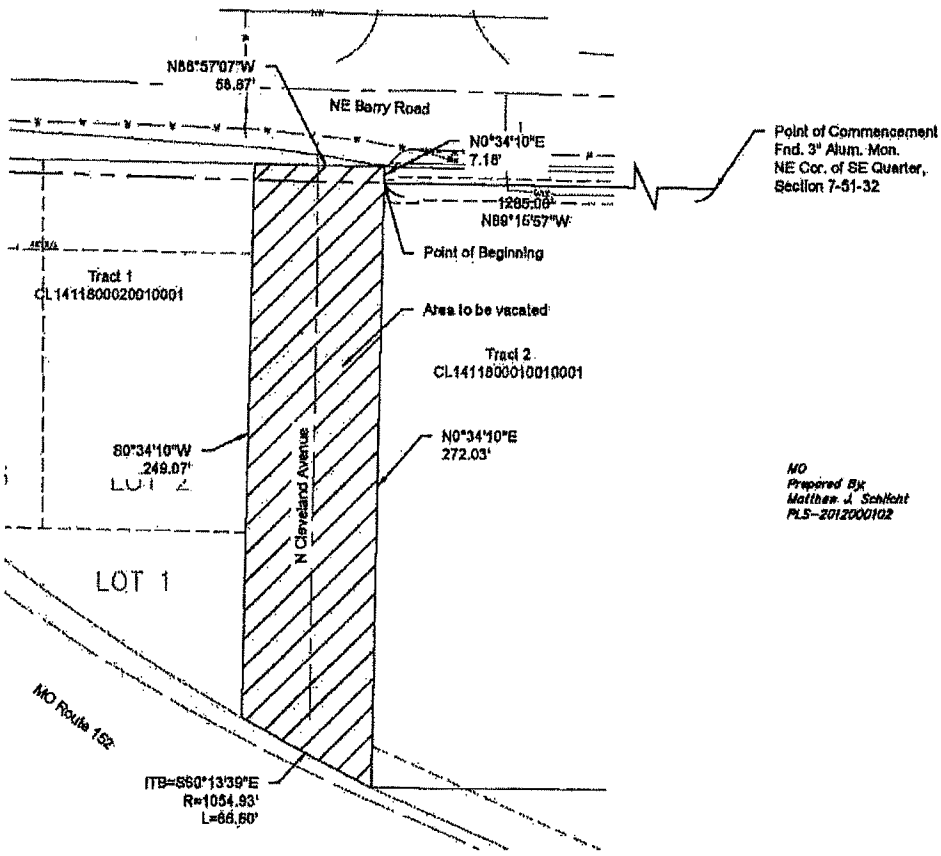
PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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-2025-00007

Owner's name	Legal description of property	Residence of owner
Property Reserve, Inc.	Part of the east ½ of the southeast quarter of Sec 7, 51, 32; Beginning at the east line of Barry Road west 1290 feet, thence south 280 feet, thence east 507.78 feet, thence south 237 feet.	P.O. Box 511196 Salt Lake City, UT 84151

(attach additional sheets if required)



Description

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Containing 15,583.42 Square Feet More or Less.

ROW Vacation Exhibit ROW Vacation SHEET 1 OF 1	DATE: 1/31/2025 PROJECT NUMBER: Barry and Cleveland REV. TO DWG.: N/A SCALE: 1"=60'	*ROW Vacation Exhibit* **Barry and Cleveland** N Cleveland Avenue Kansas City, Clay County, Missouri	ENGINEERING SOLUTIONS ENGINEERING & SURVEYING [illegible]

{32601 / 73478; 1041475. }