



Legislation Details (With Text)

File #: 240080 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 1/18/2024 **In control:** Council
On agenda: 2/1/2024 **Final action:** 2/1/2024
Title: Sponsor: Director of City Planning and Development Department

Vacating an approximately 323-foot-long alley in DX-10 zoning between Wyoming Street and Liberty Street and 9th Street and St. Louis Avenue generally located to the south of 1525 W. 9th Street and to the east of 911 Wyoming Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-00044).

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo_CD-ROW-2023-00044_1-18-24, 2. Exhibit Alley Vacation Drawings_CD-ROW-2023-00044_8-28-23, 3. Staff Report_CD-ROW-2023-00006_West Bottom Flats Vacation_01-02-24, 4. Staff Presentation CPC_CD-ROW-2023-00044_1-2-24, 5. Disposition Letter CPC_CD-ROW-2023-00044_1-2-2024, 6. Petition for Vacation_CD-ROW-2023-00044_10.09.2023, 7. Consent to Vacation_CD-ROW-2023-00004_10.09.2023, 8. CPC Presentation 1.31.24, 9. 240080, 10. 240080, 11. 240080.Recorded Information 2.5.2024

Date	Ver.	Action By	Action	Result
2/1/2024	1	Council	Passed	Pass
1/31/2024	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
1/25/2024	1	Council	referred	

ORDINANCE NO. 240080

Sponsor: Director of City Planning and Development Department

Vacating an approximately 323-foot-long alley in DX-10 zoning between Wyoming Street and Liberty Street and 9th Street and St. Louis Avenue generally located to the south of 1525 W. 9th Street and to the east of 911 Wyoming Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-00044).

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 13th day of October, 2023, a petition was filed with the City Clerk of Kansas City by Alex Reed for the vacation of all that part of the 16.00 foot alley lying between Block 32, West Kansas, a subdivision in Kansas City, Jackson County, Missouri and Lot 15, Block 8, Pacific Place, a subdivision in said city, county, and state and that part of the 20.00 foot alley lying between Lots 1 thru 5 and Lots 9 thru 15, said Block 8, Pacific Place, being more particularly described as follows: Beginning at the intersection of the east right of way line of Wyoming Street, as now established, with the north line of said 16.00 foot alley; thence east along said north line to the northerly prolongation of the west line of said Lots 1 thru 5; thence south along said west line and northerly prolongation thereof, to the southwest corner of said Lot 5, said point being on the northwest line of an existing 20.00 foot alley; thence southwest along said northwest line, to the east line of said Lots 9 thru 15; thence north along the east line of said Lots 9 thru 15, to the south line of said 16.00 foot alley; thence west along the south line of said 16.00 foot alley, to said east right of way line of Wyoming Street; thence north along said east right of way line of Wyoming Street, to the point of beginning, 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 there is a second alleyway to the south in the same block that is to be preserved and maintained for public use.

Section 5. That all that part of the 16.00 foot alley lying between Block 32, West Kansas, a subdivision in Kansas City, Jackson County, Missouri and Lot 15, Block 8, Pacific Place, a subdivision in said city, county, and state and that part of the 20.00 foot alley lying between Lots 1 thru 5 and Lots 9 thru 15, said Block 8, Pacific Place, being more particularly described as follows: Beginning at the intersection of the east right of way line of Wyoming Street, as now established, with the north line of said 16.00 foot alley; thence east along said north line to the northerly prolongation of the west line of said Lots 1 thru 5; thence south along said west line and northerly prolongation thereof, to the southwest corner of said Lot 5, said point being on the northwest line of an existing 20.00 foot alley; thence southwest along said northwest line, to the east line of said Lots 9 thru 15; thence north along the east line of said Lots 9 thru 15, to the south line of said 16.00 foot alley; thence west along the south line of said 16.00 foot alley, to said east right of way line of Wyoming Street; thence north along said east right of way line of Wyoming Street, to the point of beginning, be and the same is hereby vacated, subject to the following conditions:

- (a) The applicant shall retain all utility easements and protect facilities required by Evergy.
- (b) The applicant shall retain all utility easements and protect facilities required by ATT and that the existing ATT fiber shall not be damaged.
- (c) The applicant shall retain all utility easements and protect facilities required by Kansas City Missouri Water Services Department.

Section 6. 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 7. 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: Sarah Baxter Senior Associate
City Attorney Approved by the City Plan Commission
Secretary

STATE OF MISSOURI)))
COUNTY OF JACKSON

On the ___ day of _____, 20___, before me, a Notary Public in and for said County, personally appeared _____, 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___. Notary Public within and for Jackson County,
Missouri

IN RECORDER'S OFFICE

STATE OF MISSOURI)))
COUNTY OF JACKSON

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 _____, 2023, 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