



Legislation Details (With Text)

File #: 210189 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 3/11/2021 **In control:** Neighborhood Planning and Development Committee
On agenda: 9/15/2021 **Final action:** 1/19/2023
Title: Vacating a portion of E. 23rd Street in Districts R-0.5 and DC-15 generally located just north of Children's Mercy Hospital, to allow for the hospital to eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints and directing the City Clerk to record certain documents. (1752-V)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Fact Sheet, 2. StaffReport, 3. Survey, 4. Exhibit A

Date	Ver.	Action By	Action	Result
1/19/2023	1	Council	Released	
1/18/2023	1	Neighborhood Planning and Development Committee	Release	
9/15/2021	1	Neighborhood Planning and Development Committee	Hold off Agenda	
8/11/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	
6/23/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	
6/9/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	
5/19/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	
4/14/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	
3/31/2021	1	Neighborhood Planning and Development Committee	Hold on Agenda	

ORDINANCE NO. 210189

Vacating a portion of E. 23rd Street in Districts R-0.5 and DC-15 generally located just north of Children's Mercy Hospital, to allow for the hospital to eliminate the need for certain encroachment permits and the associated ongoing fees for existing pedestrian bridges and future building footprints and directing the City Clerk to record certain documents. (1752-V)

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 14th day of April, 2017, a petition was filed with the City Clerk of Kansas City by BSA LifeStructures for the vacation of E. 23rd Street

from the east right-of-way of Locust Street to the west right-of-way line of Holmes Street, Section 8, Township 49, Range 33, all in Kansas City, Jackson 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 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.

Section 4. That E. 23rd Street from the east right-of-way of Locust Street to the west right-of-way line of Holmes Street, Section 8, Township 49, Range 33, all in Kansas City, Jackson County, Missouri, be and the same is hereby vacated. The vacation is subject to the following conditions:

- a. That a utility easement is retained for all AT&T, Google Fiber, Time Warner Cable, KC Water, KC Streetlighting, Spire, and Evergy facilities and that the facilities are protected.
- b. That an access easement be retained for KC Water Services and KCMO Fire, and that unfettered ingress/egress is retained.
- c. That all streetlight facilities be maintained by the applicant or removed at the owner's expense.
- d. The area to be vacated shall be maintained to fire access road specifications (IFC -2012 § 507.5.4).
- e. No permanent obstructions may be built or erected as to obstruct any part of the fire access road (IFC- 2012 § 503.4).
- f. Fire Department access shall be maintained to all fire hydrants, building and fire protection appliances/features found on the surrounding buildings (IFC-2012 § 507.5.4).

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 Jackson 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:

Sarah Baxter

Assistant City Attorney

Approved by the City Plan Commission

Secretary

STATE OF MISSOURI)

) SS.

COUNTY OF)

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 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
