



Legislation Details (With Text)

File #: 220734 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 8/15/2022 **In control:** Council
On agenda: 9/15/2022 **Final action:** 9/15/2022

Title: Vacating a portion of Jefferson Street north of West 25th Street to its terminus at the Kansas City Terminal Railway in District M1-5 (Manufacturing) to allow for the construction of a new mixed use district; and directing the City Clerk to record certain documents. (CD-ROW-2022-00001)

Sponsors:

Indexes:

Code sections:

Attachments: 1. CD-ROW-2022-00001_Factsheet, 2. 4_CD-ROW-2022-00001_StaffReport_08-02-2022, 3. Authenticated Ordinance 220734, 4. 220734.Recorded Information 9.20.2022

Date	Ver.	Action By	Action	Result
9/15/2022	1	Council		
9/14/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
8/25/2022	1	Council	referred	

ORDINANCE NO. 220734

Vacating a portion of Jefferson Street north of West 25th Street to its terminus at the Kansas City Terminal Railway in District M1-5 (Manufacturing) to allow for the construction of a new mixed use district; and directing the City Clerk to record certain documents. (CD-ROW-2022-00001)

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 10th day of January, 2022, a petition was filed with the City Clerk of Kansas City by Sam Sahifeld, Olsson, for the vacation

of a portion of right-of-way for Jefferson Street, platted as Erie Street as established by A.J. Lloyd's Block 10, a subdivision of land in the Southeast Quarter of Section 7, Township 49 North, Range 33 West of the 5th Principal Meridian in Kansas City, Jackson County, Missouri recorded as Instrument Number 1866R0010022 in Book 1 at page 22 in the Jackson County Recorder of Deeds Office being bounded and described by or under the direct supervision of Jefferey P. Means P.L.S. 2000147866, as follows: Beginning at the southwest corner of Lot 5 of said A.J. Lloyd's Block 10; thence North 87°26'13" West, 30.00 feet to a point on the existing easterly right of way line of Interstate 35 as now established; thence North 02°20'00" East on said existing easterly right of way line, 298.08 feet; thence North 13°38'42" East on said existing easterly right of way line, 152.95 feet to a point on the west line of Lot 3 of said A.J. Lloyd's Block 10; thence South 02°20'00" West on said west line, also being the west line of Lots 4 and 5 of said A.J. Lloyd's Block 10, a distance of 448.17 feet to the point of beginning, containing 11,194 square feet or 0.26 acres, more or less, giving the distinct description of the right of way 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 right of way 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 a portion of right-of-way for Jefferson Street, platted as Erie Street as established by A.J. Lloyd's Block 10, a subdivision of land in the Southeast Quarter of Section 7, Township 49 North, Range 33 West of the 5th Principal Meridian in Kansas City, Jackson County, Missouri recorded as Instrument Number 1866R0010022 in Book 1 at page 22 in the Jackson County Recorder of Deeds Office being bounded and described by or under the direct supervision of Jefferey P. Means P.L.S. 2000147866, as follows: Beginning at the southwest corner of Lot 5 of said A.J. Lloyd's Block 10; thence North 87°26'13" West, 30.00 feet to a point on the existing easterly right of way line of Interstate 35 as now established; thence North 02°20'00" East on said existing easterly right of way line, 298.08 feet; thence North 13°38'42" East on said existing easterly right of way line, 152.95 feet to a point on the west line of Lot 3 of said A.J. Lloyd's Block 10; thence South 02°20'00" West on said west line, also being the west line of Lots 4 and 5 of said A.J. Lloyd's Block 10, a distance of 448.17 feet to the point of beginning, containing 11,194 square feet or 0.26 acres, more or less, be and the same is hereby vacated. However, the City of Kansas City reserves an easement and the right to locate, construct and maintain (or to authorize any franchised utility to locate, construct and maintain) conduits, water, gas and sewer pipes, poles and wire, or any of them over, under, along and across the above-described property. The City of Kansas City shall have at all times the right to go upon the above-described property to construct, maintain and repair the same; and nothing in this vacation action shall be construed so as to grant any right to use the above-described property in any manner as would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses, and specifically, there shall not be built thereon or thereover any structure (except driveways, paved areas, grass, shrubs and fences) without first securing the written approval of the Director of Public Works, subject to the following conditions:

1. The developer shall relocate facilities, at the developer's expense, owned and operated by Kansas City Missouri Water Services Department.
2. The developer shall retain an easement and protect facilities owned and operated by Evergy.

- 3. The developer shall retain an easement and protect facilities or relocate facilities, at the developer's expense, owned and operated by ATT.
- 4. The developer shall retain access and utility easements and protect facilities operated by Kansas City Missouri Public Works, Street & Traffic.
- 5. The developer shall submit prior notification to Spectrum in order to relocate the plant.
- 6. SAE1566- Remove pole, arm, light fixture and wire span and have them returned to Black and McDonald which is our maintenance contractor.
 - a. SAE1567- Remove pole, arm, light fixture and wire span and have them returned to Black and McDonald which is our maintenance contractor.
 - b. All cost is a cost to the new owners.
 - c. Black and McDonald is the contractor that shall complete the work.

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