



Legislation Details (With Text)

File #: 240041 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 1/3/2024 **In control:** Council
On agenda: 1/25/2024 **Final action:** 1/25/2024
Title: Sponsor: Director of City Planning and Development Department

Vacating a portion of the public right-of-way in District MPD (Master Planned Development) of about 137 feet generally located west of Santa Fe Street between Union Avenue and St Louis Avenue and directing the City Clerk to record certain documents. (CD-ROW-2023-00006)

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo_CD-ROW-2023-00006, 2. Exhibit_CD-ROW-2023-00006_938 Mulberry Alley Vacation_12-19-23, 3. Legal Description_CD-ROW-2023-00006_938 Mulberry Alley Vacation_12-19-23, 4. Staff Report_CD-ROW-2023-00006_938 Mulberry Alley Vacation_12-19-23, 5. Presentation_CD-ROW-2023-00006_938 Mulberry Vacation, 6. Disposition Letter CPC_CD-ROW-2023-00006_938 Mulberry Alley Vacation_12-19-23, 7. Authenticated Ordinance 240041, 8. 240041, 9. 240041.Recorded Information 2.1.2024

Date	Ver.	Action By	Action	Result
1/25/2024	1	Council	Passed	Pass
1/24/2024	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
1/11/2024	1	Council	referred	

ORDINANCE NO. 240041

Sponsor: Director of City Planning and Development Department

Vacating a portion of the public right-of-way in District MPD (Master Planned Development) of about 137 feet

generally located west of Santa Fe Street between Union Avenue and St Louis Avenue and directing the City Clerk to record certain documents. (CD-ROW-2023-00006)

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 19th day of December, 2023, a petition was filed with the City Clerk of Kansas City by West Bottoms- Propco Master LLC for the vacation of an alley located west of Santa Fe Street between Union Avenue and St Louis Avenue, being described as follows: Commencing At The Southeast Corner Of The Northwest Quarter Of Section 6, Township 49 N, Range 33 W; Thence N 01°-55'-34" E Along The East Line Of The NW ¼ Of Said Section, A Distance Of 879.70 Feet; Thence N 88°-04'-26" W, A Distance Of 201.39 Feet To The Point Of Beginning; Thence S 02°-08'-43" W, A Distance Of 10.00 Feet; Thence N 87°-58'-02" W, A Distance Of 6.00 Feet To The North-East Corner Of Tract "WW-5" Described Below; Thence N 88°-00'-31" W Along The North Property Line Of Tract "WW-5" Described Below, A Distance Of 137.95 Feet; Thence N 01°-59'-29" E, A Distance Of 10.00 Feet To The South Property Line Of Tract "WW-6" Described Below; Thence S 88°-00'-31" E Along The South Property Line Of Tract "WW-6" Described Below A Distance Of 137.98 Feet To The South-East Corner Of The Property Of Said Tract; Thence S 88°-00'-31" E, A Distance Of 6.00 Feet To The Point Of Beginning. Containing an Area Of 1439.65 Square Feet, giving the distinct description of the public 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 public 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 the portion of public right-of-way located west of Santa Fe Street between Union Avenue and St Louis Avenue, being described as follows: Commencing At The Southeast Corner Of The Northwest Quarter Of Section 6, Township 49 N, Range 33 W; Thence N 01°-55'-34" E Along The East Line Of The NW ¼ Of Said Section, A Distance Of 879.70 Feet; Thence N 88°-04'-26" W, A Distance Of 201.39 Feet To The Point Of Beginning; Thence S 02°-08'-43" W, A Distance Of 10.00 Feet; Thence N 87°-58'-02" W, A Distance Of 6.00 Feet To The North-East Corner Of Tract "WW-5" Described Below; Thence N 88°-00'-31" W Along The North Property Line Of Tract "WW-5" Described Below, A Distance Of 137.95 Feet; Thence N 01°-59'-29" E, A Distance Of 10.00 Feet To The South Property Line Of Tract "WW-6" Described Below; Thence S 88°-00'-31" E Along The South Property Line Of Tract "WW-6" Described Below A Distance Of 137.98 Feet To The South-East Corner Of The Property Of Said Tract; Thence S 88°-00'-31" E, A Distance Of 6.00 Feet To The Point Of Beginning. Containing an Area Of 1439.65 Square Feet, be and the same is hereby vacated and subject to the following conditions:

1. That Spectrum Charter has facilities or interest within the right-of-way and will waive objections to the vacation subject to the applicant retaining a utility easement and protecting facilities.
2. That Evergy has facilities or interest within the right-of-way and will waive objections to the vacation subject to the applicant retaining a utility easement and protecting facilities.

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:

Sarah Baxter
Senior Associate 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