File #: 250500, **Version:** 2

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 250500

Sponsor: Councilmember Kevin O'Neill
COMMITTEE SUBSTITUTE

Vacating an approximately 7,500 square-foot section of right-of-way in District R-1.5 generally located west of the intersection of N.E. Barry Road and N. Cleveland Avenue; and directing the City Clerk to record certain documents. (CD-ROW-2025-00008)

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 Northwest Corner of the West Half of the Southwest Quarter of said Section 7, thence North 88° 23' 34" West, a distance of 184.16 feet; thence North 0° 37' 57" West, a distance of 5.56 feet to the Point of Beginning; thence North 88° 57' 07" West, a distance of 148.55 feet; thence South 43° 44' 01" East, a distance of 90.30 feet; thence South 88° 56' 48" East, a distance of 86.82 feet; thence North 0° 37' 57" West, a distance of 64.13 feet to the Point of Beginning, Containing 7,543.27 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.

Section 4. That all that part of the existing right of way commencing at 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 Northwest Corner of the West Half of the Southwest Quarter of said Section 7, thence North 88° 23’ 34” West, a distance of 184.16 feet; thence North 0° 37’ 57” West, a distance of 5.56 feet to the Point of Beginning; thence North 88° 57’ 07” West, a distance of 148.55 feet; thence South 43° 44’ 01” East, a distance of 90.30 feet; thence South 88° 56’ 48” East, a distance of 86.82 feet; thence North 0° 37’ 57” West, a distance of 64.13 feet to the Point of Beginning, Containing 7,543.27 square feet more or less, be and the same is hereby, 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 Spectrum Charter.

4. That the applicant shall retail all utility easements and protect facilities required by the Water Services Department.

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.

_____

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 _____)

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

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