



PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

Case No. 1707-V

To the Honorable Council of Kansas City, Missouri:

The undersigned, being an owner of real estate fronting and abutting on the portion of the area hereinafter described, for the vacation of which this petition is filed, does hereby petition the Council of Kansas City to pass an ordinance vacating:

All that part of Missouri State Highway No. 9 Right of Way as contained in Blocks 9, 10 and their adjoining street rights of way, Willson Ritchey Addition, a subdivision lying in the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West, in Kansas City, Clay County, described as follows:

COMMENCING at the Northeast corner of the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West; thence North 88 degrees 59 minutes 27 seconds West along the North line of said Fractional Northwest Quarter of Section 10 a distance of 364.06 feet to a point; thence South 0 degrees 49 minutes 11 seconds West a distance of 1058.99 feet to a point lying on the South right of way line of Missouri State Highway No. 9 as established in Book 1029 at Page 509 and in Book 857 at Page 43, the POINT OF BEGINNING; thence in a Northeasterly direction along a curve to the right whose initial tangent bears North 76 degrees 05 minutes 36 seconds East, having a radius of 235.00 feet, through a central angle of 27 degrees 08 minutes 15 seconds, an arc distance of 111.30 feet to a point; thence South 69 degrees 10 minutes 06 seconds East a distance of 152.23 feet to a point; thence South 65 degrees 24 minutes 29 seconds East a distance of 119.79 feet to a point; thence South 24 degrees 25 minutes 57 seconds West a distance of 65.33 feet to a point; thence North 64 degrees 02 minutes 29 seconds West a distance of 371.97 feet to the POINT OF BEGINNING, containing 19,043 Square Feet or 0.4372 Acres, more or less.

The undersigned petitioner agrees in consideration of the vacation that if, because of said vacation, any public improvements are to be made, or repaired, or made or repaired by the City on any street, avenue, alley, thoroughfare or public property intersected by the area to be vacated, the cost of such improvements or repairs shall be paid by the undersigned petitioner upon demand from the City.

Filed May 12, 2015
Marilyn Sanders
City Clerk
by Whitney Loy
Deputy



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Case No. 1707-V

Following are the names of the property owners owning or claiming to own all the property abutting said area proposed to be vacated:

Owner's name	Legal description of property	Residence of owner
Richie Benninghoven, President, Briarcliff Development Co	See "Exhibit A" attached	1300 Nw Briarcliff Parkway Suite 250 Kansas City, MO 64150

(attach additional sheets if required)

Petitioner

STATE OF Missouri

COUNTY OF Clay

)
) ss.
)

On this 8th day of May, in the year 2015, before me, a Notary Public in and for said state, personally appeared Richie Benninghoven known to me to be the person who executed the within instrument and acknowledged to me that he/she executed the same for the purposes therein stated, and that he/she knows personally that the persons named on the above and foregoing petition are the persons owning or claiming to own the property set opposite their names, and that they own or claim to own all the property abutting said area to be vacated.

Subscribed and sworn to before me on this 8th day of May, 2015

Notary Public in and for Said County and State

Notary Public

My Commission Expires: 8-5-16

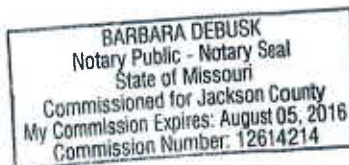


EXHIBIT A

All that part of the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West, in Kansas City, Clay County, Missouri, described as follows:

COMMENCING at the Northeast corner of the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West; thence North 88 degrees 59 minutes 27 seconds West along the North line of the Fractional Northwest Quarter of said Section 10 a distance of 360.56 feet to a point; thence South 1 degree 00 minutes 33 seconds West a distance of 1058.99 feet to a point on the South right of way line of Missouri State Highway No. 9 frontage road, the POINT OF BEGINNING; thence South 64 degrees 02 minutes 29 seconds East along said right of way line a distance of 424.24 feet to a point; thence South 0 degrees 45 minutes 20 seconds West along said right of way line a distance of 71.68 feet to a point; thence South 89 degrees 18 minutes 38 seconds East along said right of way line a distance of 6.50 feet to a point on the East line of the Fractional Northwest Quarter of said Section 10; thence South 0 degrees 20 minutes 34 seconds East along the East line of the Fractional Northwest Quarter of said Section 10 a distance of 26.76 feet to a point; thence South 86 degrees 57 minutes 11 seconds West a distance of 509.69 feet to a point; thence North 3 degrees 02 minutes 49 seconds West a distance of 30.00 feet to a point; thence South 86 degrees 57 minutes 11 seconds West a distance of 4.78 feet to a point; thence in a Northwesterly direction along a curve to the right, having a radius of 14.00 feet, through a central angle of 82 degrees 44 minutes 41 seconds, an arc distance of 20.22 feet to a point of reverse curvature; thence along a curve to the left, having a radius of 226.00 feet, through a central angle of 11 degrees 09 minutes 24 seconds, an arc distance of 44.01 feet to a point; thence North 21 degrees 27 minutes 32 seconds West a distance of 74.85 feet to a point; thence North 12 degrees 21 minutes 17 seconds East a distance of 23.07 feet to a point on said right of way line; thence North 50 degrees 46 minutes 57 seconds East along said right of way line a distance of 46.47 feet to a point; thence in a Northeasterly direction along said right of way line and along a curve to the left whose initial tangent bears North 51 degrees 04 minutes 32 seconds East, having a radius of 326.00 feet, through a central angle of 11 degrees 44 minutes 37 seconds, an arc distance of 66.82 feet to a point of reverse curvature; thence continuing along said right of way line and along a curve to the right, having a radius of 176.00 feet, through a central angle of 36 degrees 45 minutes 42 seconds, an arc distance of 112.92 feet to the POINT OF BEGINNING and containing 117,551 Square Feet or 2.6986 Acres, more or less.

To be platted as Lot 1, McCrite Plaza, a subdivision in the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West, in Kansas City, Clay County, Missouri.



CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

Case No. 1707-V

In the matter of the vacation of:

All that part of Missouri State Highway No. 9 Right of Way as contained in Blocks 9, 10 and their adjoining street rights of way, Willson Ritchey Addition, a subdivision lying in the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West, in Kansas City, Clay County, described as follows:

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Know all men by these presents: That the undersigned, being owners of the real estate described below set opposite our names respectively and immediately adjoining the area for the vacation of which a petition has been filed, do as such abutting owners hereby consent that said area may be vacated in manner and form, as set out in said petition. We severally own the property set opposite our names printed and signed below.

Filed <u>May 12</u> , 20 <u>15</u>	
<u>Marilyn Sanders</u> City Clerk	by <u>Bettine Lay</u> Deputy




CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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CONSENT OF CORPORATIONS

Case No. 1707-V


Owner's name	Legal description of property
<p><u>Richie Benninghoven</u> (print)  (sign) (Vice) President</p> <p>_____ (print)</p> <p>_____ (sign) Secretary (if no corporate seal) (also to be notarized)</p> <p>Corporate seal above</p>	<p>See "Exhibit A" Attached</p>

(additional sheets attached as required)

STATE OF Missouri)
 COUNTY OF Clay) ss.

On this 8th day of May, 2015 before me, appeared Richie Benninghoven to me personally known, who being by me personally sworn, did say that he/she is the (Vice) President of Brarcliff Development Co., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said Richie Benninghoven acknowledged said instrument to be the free act and deed of said corporation.

Subscribed and sworn to before me on this 8th day of May, 2015

Notary Public in and for Said County and State

 Notary Public

My Commission Expires: 8-5-16

BARBARA DEBUSK
 Notary Public - Notary Seal
 State of Missouri
 Commissioned for Jackson County
 My Commission Expires: August 05, 2016
 Commission Number: 12614214

EXHIBIT A

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City Plan Commission
C/o City Planning and Development
414 E. 12th St.
15th Floor, City Hall
Kansas City, MO 64106

Dear City Plan Commission:

Briarcliff Development Company (BDC) requests that the City vacate the referenced right-of-way. The purpose of BDC obtaining the right of way is to provide additional usable land for a buyer who is under contract to purchase and develop adjacent property presently owned by BDC.

Thank you for your consideration and please feel free to contact me with any questions.

Sincerely,

Michael Fischer



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
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Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

CASE NO. 1707-V

UTILITY CO. Kansas City Power and Light

Be it known that Briarcliff Development Co, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating: **All that part of Missouri State Highway No. 9 Right of Way as contained in Blocks 9, 10 and their adjoining street rights of way, Willson Ritchey Addition, a subdivision lying in the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West, in Kansas City, Clay County, described as follows:**

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for the following purpose: Development of residential or commercial land

- Our utility/agency has facilities or interest within this right of way:
 - Yes (proceed to #2)
 - No (form complete)
- Our utility/agency:
 - has no objections
 - objects to the vacation and will not waive objection under any conditions (describe below)
 - will waive objections subject to the following conditions (describe below)
 - Retain utility easement and protect facilities
 - Relocate facilities
 - Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Ronald J. McCall Ronald McCall KCP&L
Authorized Representative

4-14-15
Date

Return this form to:

Michael Fischer

Applicant Name

816-759-3127

Phone



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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APR 21 2015

CASE NO. 1707-V

UTILITY CO. Missouri Gas Energy

Be it known that Briardliff Development Co, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating: **All that part of Missouri State Highway No. 9 Right of Way as contained in Blocks 9, 10 and their adjoining street rights of way, Willson Ritchey Addition, a subdivision lying in the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West, in Kansas City, Clay County, described as follows:**

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- Our utility/agency:
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 - objects to the vacation and will not waive objection under any conditions (describe below)
 - will waive objections subject to the following conditions (describe below)
 - Retain utility easement and protect facilities
 - Relocate facilities
 - Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

[Signature] (LACLEDE/MGE) 4/17/15
 Authorized Representative Date

Return this form to:

Michael Fischer 816-759-3127
 Applicant Name Phone



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. 1707-V

UTILITY CO. AT&T

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- 1. Our utility/agency has facilities or interest within this right of way: [X] Yes (proceed to #2) [] No (form complete)
2. Our utility/agency: [] has no objections [] objects to the vacation and will not waive objection under any conditions (describe below) [X] will waive objections subject to the following conditions (describe below) [X] Retain utility easement and protect facilities [X] Relocate facilities [] Other:

My records show AT&T Facilities at this location. Developer would have to provide alternate Route and pay for relocation.

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
Please return this form to the applicant within 30 days.

Craig Pechum Authorized Representative 4-10-15 Date

Return this form to: Michael Fischer Applicant Name 816-759-3127 Phone



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. 1707-V

UTILITY CO. Time Warner Cable

Be it known that Briarcliff Development Co, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating: **All that part of Missouri State Highway No. 9 Right of Way as contained in Blocks 9, 10 and their adjoining street rights of way, Willson Ritchey Addition, a subdivision lying in the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West, in Kansas City, Clay County, described as follows:**

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 - Other: _____

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- Please return this form to the applicant within 30 days.

Authorized Representative

Date

Return this form to:

Michael Fischer

Applicant Name

816-759-3127

Phone

mfischer@briarcliffkc.com



April 17, 2015

Michael Fischer
Briarcliff Development Company
1300 NW Briarcliff Parkway, Suite 250
Kansas City, MO 64150

SUBJECT: Abandonment of Briarcliff - Blocks 9 and 10, Kansas City, MO 64116

We have reviewed your request for the above referenced Utility Easement, and Time Warner Cable (TWC) hereby grants the abandonment of the ROW near NW Tullison and Missouri 9, located within the city of Kansas City, MO.

If applicable, please contact Kansas One Call (# 811) or Missouri Dig Rite (1-800-DIG-RITE) to have facilities marked & located within affected easements before any excavations are started.

For future reference, please send all utility coordination, abandonments, encroachments, plat signatures, or serviceability requests, or notices of relocation to west-engineering-relo@twcable.com. Please share this information with whoever needs these services.

Sincerely,



NW Barcliff Pk

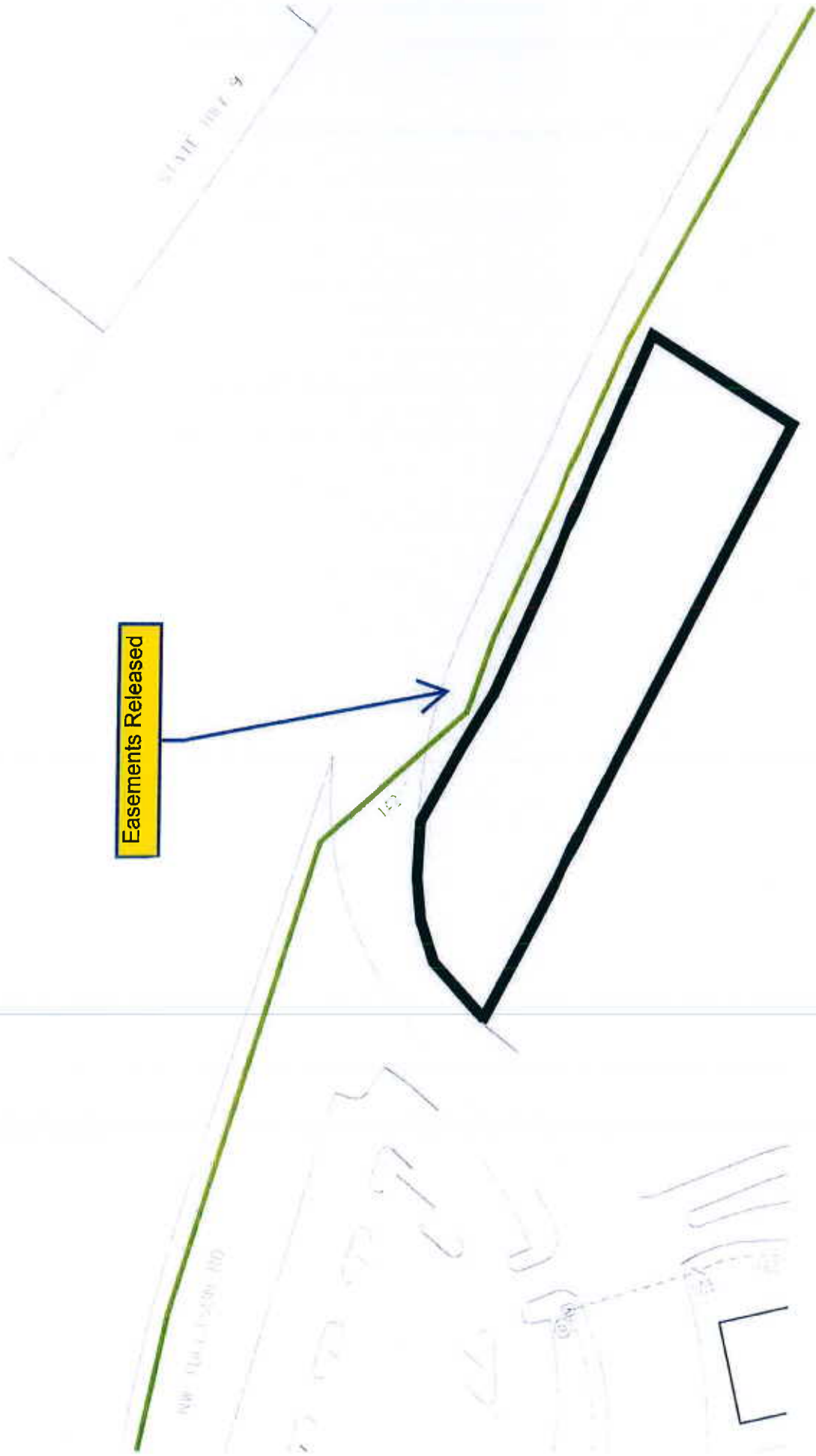
Brarcliff - Blocks 9 and 10 Kansas City MO

NW Fullison Rd

— TWC UG Plant

Briarcliff - Blocks 9 and 10
Kansas City, MO 64116

Green-existing Time Warner
underground facilities within project



Easements Released



#N/A

2012 RELOCATION PROJECT
ESTIMATE ONLY

Origination Date: 4/30/2015
Start Date: 4/14/2015
Completion Date: 4/17/2015

NODE: GJB

PROJECT INFORMATION

Location Name: _____
 Activity Name: Forced Relocation
 Project Name: Briarcliff - Blocks 9 and 10_Kansas City MO Job/ DOCK #: _____
 Line of Business: 408 - Forced Relocations Project Driver: Replacement - Identified
 Project Type: Forced Relocation BW/Fiber Activity: Other
 PA Type: New Existing Bandwidth: N/A
 Category: Forced Plant Relo

BU	Project #	ID	OU	BS	Product	EA	Rel Cat	Sub Cat
#N/A	#N/A		#N/A	#	n/a	601	FRELO	Multiple

Project Scope
 This is a replat. Cost for this project will be \$0.00.

PURCHASE INFORMATION

			Contract Labor	In-House Labor	Materials	Freight	Reimbursement	Total
FRELO								
Design - Aerial	A10	601	_____	_____	_____	_____	_____	_____
Make Ready - Aerial	A11	601	_____	_____	_____	_____	_____	_____
Strand & Hardware - Aerial	A12	601	_____	_____	_____	_____	_____	_____
Splicing & Electronics - Aerial	A13	601	_____	_____	_____	_____	_____	_____
Fiber Construction - Aerial	A14	601	_____	_____	_____	_____	_____	_____
Coaxial Construction - Aerial	A15	601	_____	_____	_____	_____	_____	_____
Capitalized Interest - Aerial	A16	601	_____	_____	_____	_____	_____	_____
UG								
Design - UG	U10	601	_____	_____	_____	_____	_____	_____
Make Ready - UG	U11	601	_____	_____	_____	_____	_____	_____
Hardware - UG	U12	601	_____	_____	_____	_____	_____	_____
Splicing & Electronics - UG	U13	601	_____	_____	_____	_____	_____	_____
Fiber Construction - UG	U14	601	_____	_____	_____	_____	_____	_____
Coaxial Construction - UG	U15	601	_____	_____	_____	_____	_____	_____
Capitalized Interest - UG	U16	601	_____	_____	_____	_____	_____	_____
EQHDE								
Fiber Optronics - Headend	H31	601	_____	_____	_____	_____	_____	_____
INSTL								
Drops - New Connects		601	_____	_____	_____	_____	_____	_____
Make Ready - Replacements			_____	_____	_____	_____	_____	_____

TOTALS

Total Labor	_____
Total Material	_____
GRAND TOTAL - ESTIMATE ONLY	_____

APPROVALS

Requested By:	Client Approved By:
Name: <u>Matt Brashier</u>	Name: _____
Title: <u>Forced Relo Coordinator</u>	Title: _____
Phone: _____ Date: _____	Phone: _____ Date: _____
Signature: _____ 4/30/2015	Signature: _____



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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APR 13 2015

CASE NO. 1707-V

UTILITY CO. KCMO Fire Department

Be it known that Briarcliff Development Co, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating:

All that part of Missouri State Highway No. 9 Right of Way as contained in Blocks 9, 10 and their adjoining street rights of way, Willson Ritchey Addition, a subdivision lying in the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West, in Kansas City, Clay County, described as follows:

COMMENCING at the Northeast corner of the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West; thence North 88 degrees 59 minutes 27 seconds West along the North line of said Fractional Northwest Quarter of Section 10 a distance of 364.06 feet to a point; thence South 0 degrees 49 minutes 11 seconds West a distance of 1058.99 feet to a point lying on the South right of way line of Missouri State Highway No. 9 as established in Book 1029 at Page 509 and in Book 857 at Page 43, the POINT OF BEGINNING; thence in a Northeasterly direction along a curve to the right whose initial tangent bears North 76 degrees 05 minutes 36 seconds East, having a radius of 235.00 feet, through a central angle of 27 degrees 08 minutes 15 seconds, an arc distance of 111.30 feet to a point; thence South 69 degrees 10 minutes 06 seconds East a distance of 152.23 feet to a point; thence South 65 degrees 24 minutes 29 seconds East a distance of 119.79 feet to a point; thence South 24 degrees 25 minutes 57 seconds West a distance of 65.33 feet to a point; thence North 64 degrees 02 minutes 29 seconds West a distance of 371.97 feet to the POINT OF BEGINNING, containing 19,043 Square Feet or 0.4372 Acres, more or less.

for the following purpose: Development of residential or commercial land

1. Our utility/agency has facilities or interest within this right of way:

- Yes (proceed to #2) No (form complete)

2. Our utility/agency:

- has no objections
 objects to the vacation and will not waive objection under any conditions (describe below)
 will waive objections subject to the following conditions (describe below)
 Retain utility easement and protect facilities
 Relocate facilities
 Other: _____

Any fire hydrant present will remain operable, maintained and available for immediate use by the Fire Department.

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

[Signature]
Authorized Representative

04/10/2015
Date

Return this form to:

Michael Fischer

Applicant Name

816-759-3127

Phone



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

APR 13 2015

CASE NO. 1707-V

UTILITY CO. KCMO Public Works Department

Be it known that Briarcliff Development Co, being owners of real estate abutting on the below described street, alley or plat desires to petition the City of Kansas City, Missouri to pass an ordinance vacating: **All that part of Missouri State Highway No. 9 Right of Way as contained in Blocks 9, 10 and their adjoining street rights of way, Willson Ritchey Addition, a subdivision lying in the Fractional Northwest Quarter of Section 10, Township 50 North, Range 33 West, in Kansas City, Clay County, described as follows:**

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for the following purpose: Development of residential or commercial land

- Our utility/agency has facilities or interest within this right of way:**
 - Yes (proceed to #2)
 - No (form complete)
- Our utility/agency:**
 - has no objections
 - objects to the vacation and will not waive objection under any conditions (describe below)
 - will waive objections subject to the following conditions (describe below)
 - Retain utility easement and protect facilities
 - Relocate facilities
 - Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Jerry L Nelson
Authorized Representative
KCMO Street & Traffic

4/9/2015
Date

Return this form to:

Michael Fischer

Applicant Name

816-759-3127

Phone



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department
City Hall, 414 E. 12th Street, 15th floor; Kansas City, MO 64106-2795
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CASE NO. 1707-V

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 - Relocate facilities
 - Other: _____

- Please discuss objections or conditions with applicant and/or City Staff Prior to returning this form.
- Please return this form to the applicant within 30 days.

Sara Hurst

Authorized Representative

4-10-15

Date

Return this form to:

Michael Fischer

816-759-3127

Briarcliff Development Company

Phone

Applicant Name

1707-V

