

ELECTRONICALLY RECORDED JACKSON COUNTY, MISSOURI

12/14/2023 1:43 PM FEE:\$60.00 14PGS

INSTRUMENT NUMBER 2023E0089239



CITY OF KANSAS CITY, MISSOURI CERTIFICATE OF THE CITY CLERK DOCUMENT TO BE RECORDED JACKSON COUNTY

DATE OF DOCUMENT:	December 7, 2023	
DOCUMENT TITLE:	Vacation Ordinance 231003	
Grantor(s): Name & Address:	Route Frets White Goss	
Grantee(s) Name & Address:	City of Kansas City, MO 414 E 17th Street KCMO 64106	
LEGAL DESCRIPTION: See Page(s) of Exhibit of the subject document.		
The above appears in records and is on file in the Office of the City Clerk, 25 th Floor, City Hall, and Kansas City, Missouri. I hereby, certify that this is a true and correct copy of the above ordinance.		
IN TESTIMONY WHER	EOF, I have set my hand affixed the seal of the City on the 13th day of	
Marilyn Sandere City Clerk	YANG CONTRACTOR OF THE PARTY OF	
By Marily Sanda	City Clerk 1850	
Return all Recorded O	riginals To: CLERK, 414 F. 12 th Street, 2 Kansas City, Missouri, 64106	

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 231003

Vacating the Notre Dame Condominium Plat, generally located at 3724 Locust Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-00032)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

- Section 1. That the Council of Kansas City does hereby find and declare that a petition was filed for the vacation of Notre Dame Condominiums, a condominium in Kansas City, Jackson County, Missouri, according to the recorded condominium plat thereof, giving the distinct description of the condominium to be vacated and also the names of the persons and corporations owning condominium units, and that the consents of the persons and corporations owning condominium units has been obtained in writing, that said consents have 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 Notre Dame Condominiums, a condominium plat in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, be and the same is hereby vacated.
- 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:
Authenticated as Passed	Carlo Barrell
Quinoptucas, Mayor	Sarah Baxter
	Senior Associate City Attorney
Marilyn Sanders, City Clerk	Approved by the City Plan Commission
Date Passed	
	Secretary
STATE OF MISSOURI)	
(COUNTY OF Garleson)	
On the Oth day of Trans to be	, 20 33 before me, a Notary Public in and for
said County, personally appeared	surly Sanders to me known to be
	n the above and foregoing ordinance mentioned, and
acknowledged the said ordinance to be the Council of said City, and became effective	act and deed of said Kansas City, duly passed by the
In Testimony Whereof, I have here office in Kansas City, Missouri, the day and	eunto set my hand and affixed my official seal at my dyear first above written.
My term expires Jan 2	3 , ₂₀ <u>24</u> .
	Monica Hander
	Notary Public within and for
	County, Missouri MONICA SANDERS Notary Public - Notary Seal Jackson County - State of Missouri Commission Number 20228246 Commission Number 20228246
	My Commission Expires Jan 23, 2024

IN RECORDER'S OFFICE

STATE OF MISSOURI)	
) ss.	
COUNTY OF)	
I, the undersigned, Recorder of	f Deeds within and for the County aforesaid, do hereby
certify that the foregoing instrum	ment of writing was on the day of
	_, at o'clock minutes M., duly filed for
	e of acknowledgment thereon endorsed, is recorded in the
records of this office in Book	, at page
In Testimony Whereof, I hereun City, Missouri, this day and year last aform	nto set my hand and affix the seal of said office at Kansas oresaid.
	Recorder
	By
	Deputy



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

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:

Notre Dame Condominium Plat

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, 20	1	destatement (absorbed to to
City Clerk	by Deputy	***************



PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department City Hall, 414 E. 125 Street, 15th floor, Kansas City, MO 64106-2795 Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

Owner's name	Legal description of property	Residence of owner
WND LLC	Notre Dame Condominium Plat	P.O. Box 10110 Kansas City, MO 64171
attach additional sheets if re	- Courted D	
affact additional steets if to	•	
	WNDILC	

By: Name: Title:

STATE OF MISSOURI COUNTY OF JACKSON) 55.

On this 2nd day of 21 town in the year 2023, before me, a Notary Public in and for said state, personally appeared <u>New Wind w</u>, 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 persenally 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.

Notary Public in and for Sald County and State

My Commission Expires:

RACHELLE M. BIONDO My Commission Expires July 31, 2024 Jackson County Commission #12499262

(31502 / 72419; 1002600.)



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. CD-ROW-2023-00032

In the matter of the vacation of:

Notre Dame Condominium Plat

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, 20	**************************************
City Clerk	Deputy



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.aav/planning

CONSENT OF LIMITED LIABILITY COMPANIES

Case No.

Owner's name	Legal description of property
WND LLC	Notre Dame Condominium
By:	a d'is
(additional sheets attached as rec	Queriup
STATE OF MISSOULL COUNTY OF MICKSON) ss.
On this 2 day of 20 day of 20 appeared 20 day of 20 day	. n
Subscribed and swom to b	efore me on this 2 nd day of October 2023.
	Notary Public in and for Said County and State Notary Public
My Commission Expires: 7/3/	RACHELLE M. BIONDO My Commission Expires July 31, 2024 Jackson County
{31502 / 72419; 1002578. }	Commission #12499262



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
City Planning & Development Department
www.kcmo.gov/cpc

231003

November 7th, 2023

Vacation of Condominium Plat Project Name

Docket # 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8

Request

CD-ROW-2023-00027 Vacation of Condominium Plat

CD-ROW-2023-00029 Vacation of Condominium Plat

CD-ROW-2023-00030

Vacation of Condominium Plat

CD-ROW-2023-00031

Vacation of Condominium Plat

CD-ROW-2023-00032

Vacation of Condominium Plat

CD-ROW-2023-00033

Vacation of Condominium Plat

CD-ROW-2023-00034

Vacation of Condominium Plat

CD-ROW-2023-00035

Vacation of Condominium Plat

Applicant

Patricia Jensen

Route Frets White Goss Gentile Rhodes, P.C

LocationVarious - see belowAreaVarious - see belowZoningVarious - see belowCouncil DistrictVarious - see below

County Jackson

School District Various - see below

Surrounding Land Uses

North: Various – see analysis
South: Various – see analysis
East: Various – see analysis
West: Various – see analysis

APPROVAL PROCESS

Staff
Review
City Plan
Commission
City Council

PROJECT TIMELINE

The applications for the subject request was filed on 9/05/2023. Scheduling deviations from 2023 Cycle S have occurred.

 Applicant was fulfilling Petition to Vacate and gathering letter of consent

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification was sent to the surrounding property owners within 300 feet of the subject site.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 does not apply to this request.

EXISTING CONDITIONS

All the existing buildings serve as condominiums that occupy the subject sites. Although platted as condominiums, the units are currently owned by a single owner who currently rents them as apartments.

SUMMARY OF REQUEST + KEY POINTS

See analysis below.

CONTROLLING CASE

There is no controlling case.

PROFESSIONAL STAFF RECOMMENDATION

Docket # Recommendation: 12.1 Approval 12.2 Approval 12.3 Approval 12.4 Approval 12.5 Approval 12.6 Approval 12.7 **Approval** 12.8 Approval

VACATION REVIEW

The applicant is requesting to vacate eight condominium plats. A condominium is defined as, a system of separate ownership of individual units with each unit owner entitled to a percentage ownership in the common elements evidenced by the recording of a plat and declaration of condominium pursuant to RSMo chapter 448. In each case, the buildings are platted as condominiums, but each unit is owned by one entity. The applicant is currently renting out each unit of the condominium as a multi-unit building and is the sole owner of each condo. This vacation of the condominium plat would return the structures into a multi-unit building under one ownership. All of the following vacations do not propose any changes other than the information labeled above and there will be no physical changes to each of the existing buildings. The vacation will change the ownership from multiple condominium owners to single ownership of each building. The condominium association and bylaws will also be dissolved.

APPROVAL CRITERIA OF STREET, ALLEY OR PLAT VACATIONS

In order to determine that no private rights will be unreasonably injured or endangered by the vacation and the public will suffer no unreasonable loss or inconvenience, the city planning and development director, city plan commission, and city council must consider at least the following factors:

- 88-560-10-A. All property owners adjacent to the right-of-way shall have legal access to another public right-of-way. Such access shall be physically feasible and shall not result in an unreasonable burden or unsafe conditions on the alternate right-of-way.
- 88-560-10-B. The retention of the public right-of-way or subdivision serves no current purposes and no future useful public purpose is anticipated.
- 88-560-10-C. The vacation will not result in a violation of 88-405.
- 88-560-10-D. The vacation shall not disrupt the constructed street network or reduce existing physical connectivity.
- 88-560-10-E. The vacation shall not result in a dead-end street or alley.
- 88-560-10-F. The vacation shall not result in street traffic being routed through an alley.
- 88-560-10-G. The vacation shall not vacate half the width of a street or alley.
- 88-560-10-H. The right-of-way to be vacated is not on the Major Street Plan.



Docket #: 12.5

Case #:

CD-ROW-2023-00032 Notre Dame Condominium

Location Area Zoning **Council District** County **School District**

3724 Locust St About 1 acre R-5 4th Jackson Kansas City Missouri 110

Surrounding Land Uses North: Single-Family Residential

South: Single-Family Residential

East: Single-Family Residential

West: Multi-Family Residential

Legal Ad:

A request to approve a condominium plat in District R-5 (Residential) on about 1 acres generally located at 3724 Locust St.

PROPOSED VACATION IS IN CONFORMANCE WITH 88-560 - VACATION OF ALLEYS, STREETS AND PLATS

ATTACHMENTS

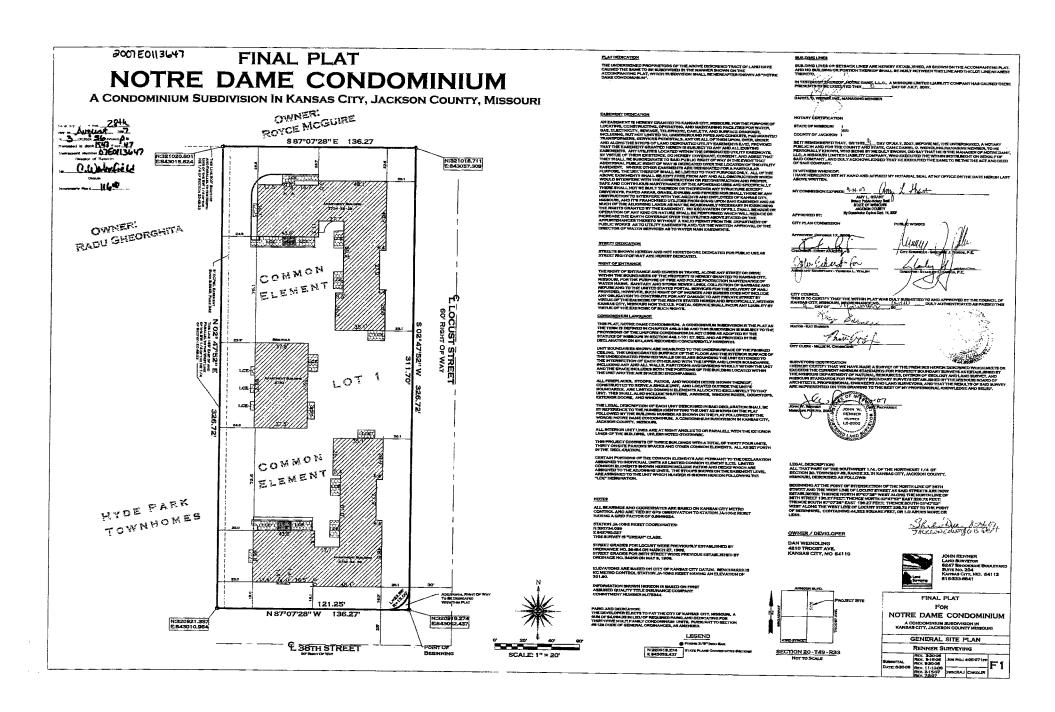
1. Applicants Submittal

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **Approval** as stated in the conditions report.

Respectfully Submitted,

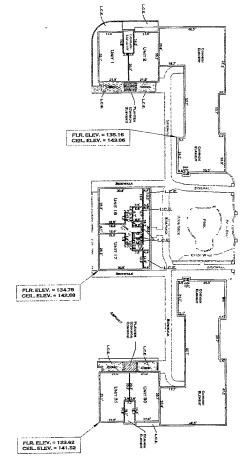
Planner



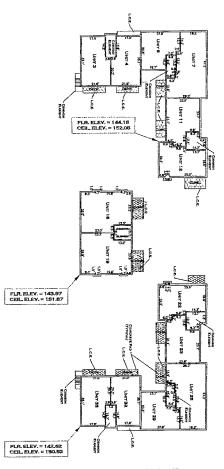
FINAL PLAT NOTRE DAME CONDOMINIUM

A CONDOMINIUM SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI

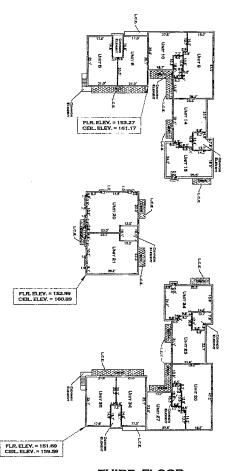
DEVELOPER: DAN WEINDLING 4210 TROOST AVE. KANSAS CITY, MO. 64112



BASEMENT-GROUND LEVEL SCALE: 1" = 20'



SECOND FLOOR SCALE: 1" = 20"



THIRD FLOOR SCALE: 1" = 201







FINAL PLAT

NOTRE DAME CONDOMINIUM A CONDOMINIUM SUBDIVISION IN KANSAS CITY, JACKSON COUNTY MISS

BUILDING LAYOUTS

RENNER SURVEYING

