

ORDINANCE NO. 180880

Declaring certain real property generally located east of Maplewoods Parkway, north of N.E. 94th Street, and south of N.E. 96th Street, surplus to the City's needs; authorizing the Director of Public Works to offer the sale of the City's interest in this real property in accordance with City regulations, and execute related documents to complete the transfer of the real property while reserving easements, as necessary, for any existing City owned sewer, storm water, and water line infrastructure on the said property; and directing the City Clerk to record this Ordinance with the Office of the Recorder of Deeds of Clay County, Missouri.

WHEREAS, the City owns rights in certain real property generally located east of and adjacent to Maplewoods Parkway north of N.E. 94th Street and south of N.E. 96th Street, Kansas City, Clay County, Missouri; and

WHEREAS, the real property was acquired by the City by General Warranty Deed, recorded on August 17, 2000, Document Number 011898, Book 3189 Page 571; and

WHEREAS, the City proposes to construct, locate, and maintain road improvements, including any necessary structures or appurtenances, for the "N. Woodland Complete Streets Project", and as a part of the surplus property process will request proposers to offer right-of-way, permanent easements, and temporary easements for such road improvements; and

WHEREAS, all City departments have been notified and no interest has been expressed in retaining the real property for future public purposes, and no objections from said City departments have been received; and

WHEREAS, all existing easements, right of way, and/or any other encumbrances affecting the real property, shall remain in effect as set forth in the Special Warranty Deed executed as a part of the subsequent transfer; and

WHEREAS, the City reserves, as necessary, a ten (10) foot wide easement, five feet on either side of the center line of any City owned sewer, storm water, and/or water line infrastructure located on the said property and existing on or before the execution of the Special Warranty Deed as a part of the subsequent transfer; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the parcels described below, are hereby declared surplus to the City's needs.

Section 2. That the Director of the Public Works Department is hereby authorized to currently offer for sale in accord with City regulations, and make available through an open and public competition, with such conditions determined appropriate by the Director of Public Works, the City's rights in the property located east of and adjacent to Maplewoods Parkway, north of N.E. 94th Street, and south of N.E. 96th Street, Kansas

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City, Clay County, Missouri, in one transaction, to a single purchaser, legally described as follows:

All that part of the Northeast Quarter of Section 1, Township 51, Range 33, in Kansas City, Clay County, Missouri, being more particularly described as follows:


Commencing at the Northwest corner of the Northeast Quarter of said Section 1; Thence South 00 degrees 36 minutes 07 seconds West, along the Westerly line of said Northeast Quarter, a distance of 287.94 feet; Thence South 89 degrees 23 minutes 53 seconds East, a distance of 130.22 feet to point lying on the Easterly right of way line of Maplewoods Parkway as now established, being the Point of Beginning of the tract of land herein to be described; Thence along said Easterly right of way line, South 34 degrees 46 minutes 12 seconds East, a distance of 369.12 feet; thence continuing along said line, South 17 degrees 02 minutes 26 seconds East, a distance of 722.54 feet to a point on the Southerly line of the Northwest Quarter of the Northeast Quarter of said Section 1, also being on the Northerly line of Tract A, "BROOKLYN HIGHLANDS", a subdivision of land in the City of Kansas City, Clay County, Missouri; Thence North 88 degrees 35 minutes 28 seconds West, along said lines, also being the Northerly line of Tract C, "CLAYMAR RIDGE", a subdivision of land in the City of Kansas City, Clay County, Missouri, a distance of 216.41 feet; Thence North 11 degrees 45 minutes 49 seconds West, a distance of 1009.92 feet to the Point of Beginning. Said tract contains 147,010.60 square feet or 3.37 acres, more or less.

Subject to building lines, easements, reservation, restrictions, covenants and conditions of record.

Further subject to any and all other existing easements, right of way, and/or any other encumbrances, recorded or non-recorded, affecting the real property, and also subject to a reservation of easements, as necessary, for City owned sewer, storm water, and/or water line infrastructure located on the said property and existing on or before the execution of this Special Warranty Deed, said easements being ten (10) feet wide, five feet on either side of the center line of said City owned infrastructure.

Section 3. That the Director of Public Works is hereby authorized to execute any real estate or other documents needed to effectuate this transaction.

Approved as to form and legality:


Matthew W. Cooper
Assistant City Attorney

180880



Authenticated as Passed



Sly James, Mayor



Marilyn Sanders, City Clerk

NOV 29, 2008

Date Passed