

ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI



10/08/2024 11:39 AM

FEE: \$48.00 10 PGS

INSTRUMENT NUMBER

2024E0068501

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

DATE OF DOCUMENT: September 26, 2024

DOCUMENT TITLE: Vacation Ordinance 240853

Grantor(s): City of Kansas City, MO
Name &
Address:

Grantee(s): City of Kansas City, MO
Name &
Address: 414 E 12th Street
Kansas City, MO 64106

LEGAL DESCRIPTION:
See Page(s) 1, 2 of Exhibit pp 8-10 of the subject document.

The above appears in records and is on file in the Office of the City Clerk, 25th Floor, City Hall, and Kansas City, Missouri. I hereby, certify that this is a true and correct copy of the above ordinance.

IN TESTIMONY WHEREOF, I have set my hand affixed the seal of the City on the 8th day of October, 2024

Marilyn Sanders
City Clerk

By
City Clerk



Return all Recorded Originals To:
OFFICE OF THE CITY CLERK, 414 E. 12th Street, 25th Floor, Kansas City, Missouri 64106



File #: 240853

ORDINANCE NO. 240853

Vacating an approximately 18,000 square-foot area of unimproved street in Zoning District MPD generally located at the southeast corner of Lydia Avenue and Berkley Parkway; and directing the City Clerk to record certain documents.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that that on the 6th day of August, 2024, a petition was filed with the City Clerk of Kansas City by Ryan Hunt for the vacation of all that part of the Northwest Quarter of Section 33, Township 50, Range 33, Kansas City, Jackson County, Missouri described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 33; thence North 02°17'26" East, along the west line of said Northwest Quarter, 626.40 feet to the northerly right-of-way line of the Burlington Northern and San Francisco Railroad; thence North 66°00'08" East, along said northerly right-of-way line, 788.71 feet to the point of beginning; thence North 04°34'16" West, 171.80 feet; thence North 38°00'00" West, 136.82 feet to the southwesterly prolongation of the southeasterly right-of-way line of Highway I-29/I-35/U.S. 71; thence North 39°40'48" East, along said prolongation and southeasterly right-of-way line, 161.16 feet to the easterly right-of-way line of Lydia Avenue; thence in a southwesterly direction along said easterly right-of-way line on a curve to the left, with an initial tangent bearing of South 39°40'48" West, having a radius of 25.00 feet through a central angle of 44°15'04", an arc distance of 19.31 feet; thence South 04°34'16" East, continuing along said easterly right-of-way line 373.39 feet to said northerly right-of-way line; thence South 66°00'08" West, along said northerly right-of-way line, 31.81 feet to the point of

beginning, containing 18,434 square feet, more or less; giving the distinct description of the unimproved 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 unimproved 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 all that part of the Northwest Quarter of Section 33, Township 50, Range 33, Kansas City, Jackson County, Missouri described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 33; thence North 02°17'26" East, along the west line of said Northwest Quarter, 626.40 feet to the northerly right-of-way line of the Burlington Northern and San Francisco Railroad; thence North 66°00'08" East, along said northerly right-of-way line, 788.71 feet to the point of beginning; thence North 04°34'16" West, 171.80 feet; thence North 38°00'00" West, 136.82 feet to the southwesterly prolongation of the southeasterly right-of-way line of Highway I-29/I-35/U.S. 71; thence North 39°40'48" East, along said prolongation and southeasterly right-of-way line, 161.16 feet to the easterly right-of-way line of Lydia Avenue; thence in a southwesterly direction along said easterly right-of-way line on a curve to the left, with an initial tangent bearing of South 39°40'48" West, having a radius of 25.00 feet through a central angle of 44°15'04", an arc distance of 19.31 feet; thence South 04°34'16" East, continuing along said easterly right-of-way line 373.39 feet to said northerly right-of-way line; thence South 66°00'08" West, along said northerly right-of-way line, 31.81 feet to the point of beginning, containing 18,434 square feet, more or less; be and the same is hereby vacated and subject to the following conditions:

1. The applicant shall retain all utility easements and protect facilities required by AT&T.
2. The applicant shall retain all utility easements and protect facilities required by Evergy.
3. The applicant shall retain all utility easements and protect facilities required by Kansas City, Missouri Water Services.

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.

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



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-2024-00017

In the matter of the vacation of:

PART OF THE NORTHEAST SIDE OF LYDIA AVENUE RIGHT-OF-WAY, SOUTH OF BERKLEY PARKWAY AND NORTH OF THE BERLINGTON NORTHERN AND SAN FRANCISCO RAILROAD, MORE PRECISELY DESCRIBED AS:

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 50, RANGE 33, KANSAS CITY, JACKSON COUNTY, MISSOURI DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE N02°17'26"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 626.40 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN AND SAN FRANCISCO RAILROAD; THENCE N66°00'08"E, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 788.71 FEET TO THE POINT OF BEGINNING; THENCE N04°34'16"W, 171.80 FEET; THENCE N38°00'00"W, 136.82 FEET TO THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HIGHWAY I-29/I-35/US 71; THENCE N39°40'48"E, ALONG SAID PROLONGATION AND SOUTHEASTERLY RIGHT-OF-WAY LINE, 161.16 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF LYDIA AVENUE; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID EASTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT, WITH AN INITIAL TANGENT BEARING OF S39°40'48"W, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 44°15'04", AN ARC DISTANCE OF 19.31 FEET; THENCE S04°34'16"E, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE 373.39 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE S66°00'08"W, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 31.81 FEET TO THE POINT OF BEGINNING, CONTAINING 18,434 SQUARE FEET, MORE OR LESS.

SEE ATTACHED EXHIBIT A AND B

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____	
_____	by _____
City Clerk	Deputy

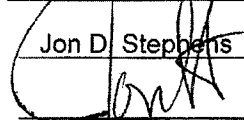
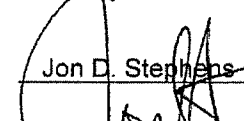


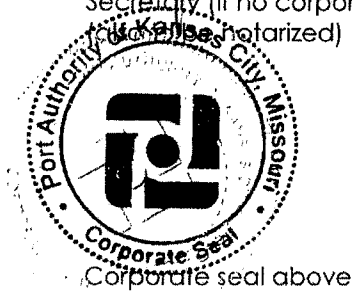
CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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.kcma.gov/planning

CONSENT OF CORPORATIONS

Case No. CD-ROW-2024-00017

Owner's name	Legal description of property
Jon D. Stephens (print)  (sign)	See attached Exhibit C
President	
Jon D. Stephens (print)  (sign)	
Secretary (if no corporate seal) (Notarized)	



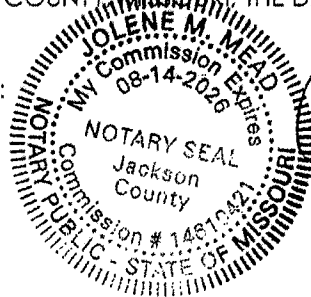
(additional sheets attached as required)

STATE OF MISSOURI)
) ss.
 COUNTY OF JACKSON)

BE IT REMEMBERED THAT ON THIS 9th DAY OF July, 2024, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, CAME JON D STEPHENS, TO ME KNOWN PERSONALLY, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT & CEO OF THE PORT AUTHORITY OF KANSAS CITY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI, AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID POLITICAL SUBDIVISION BY AUTHORITY OF ITS BOARD OF COMMISSIONERS, AND SAID JON D STEPHENS ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID POLITICAL SUBDIVISION. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE THE DAY AND YEAR LAST ABOVE WRITTEN.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN SAID JACKSON COUNTY, MISSOURI, THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES:
August 14, 2026



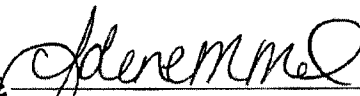
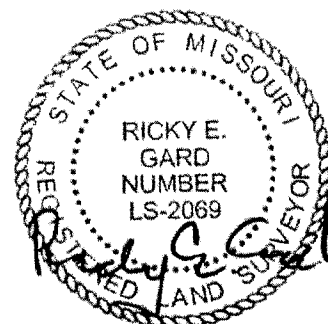


EXHIBIT A

LYDIA AVENUE RIGHT-OF-WAY VACATION DESCRIPTION:

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 50, RANGE 33, KANSAS CITY, JACKSON COUNTY, MISSOURI DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE N02°17'26"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, 626.40 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN AND SAN FRANCISCO RAILROAD; THENCE N66°00'08"E, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 788.71 FEET TO THE POINT OF BEGINNING; THENCE N04°34'16"W, 171.80 FEET; THENCE N38°00'00"W, 136.82 FEET TO THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HIGHWAY I-29/I-35/US 71; THENCE N39°40'48"E, ALONG SAID PROLONGATION AND SOUTHEASTERLY RIGHT-OF-WAY LINE, 161.16 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF LYDIA AVENUE; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID EASTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT, WITH AN INITIAL TANGENT BEARING OF S39°40'48"W, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 44°15'04", AN ARC DISTANCE OF 19.31 FEET; THENCE S04°34'16"E, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE 373.39 FEET TO SAID NORTHERLY RIGHT-OF-WAY LINE; THENCE S66°00'08"W, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 31.81 FEET TO THE POINT OF BEGINNING, CONTAINING 18,434 SQUARE FEET, MORE OR LESS.



JUNE 21, 2024

LYDIA AVENUE
BERKLEY RIVERFRONT PARK
KANSAS CITY, JACKSON COUNTY, MISSOURI
RIGHT-OF-WAY VACATION



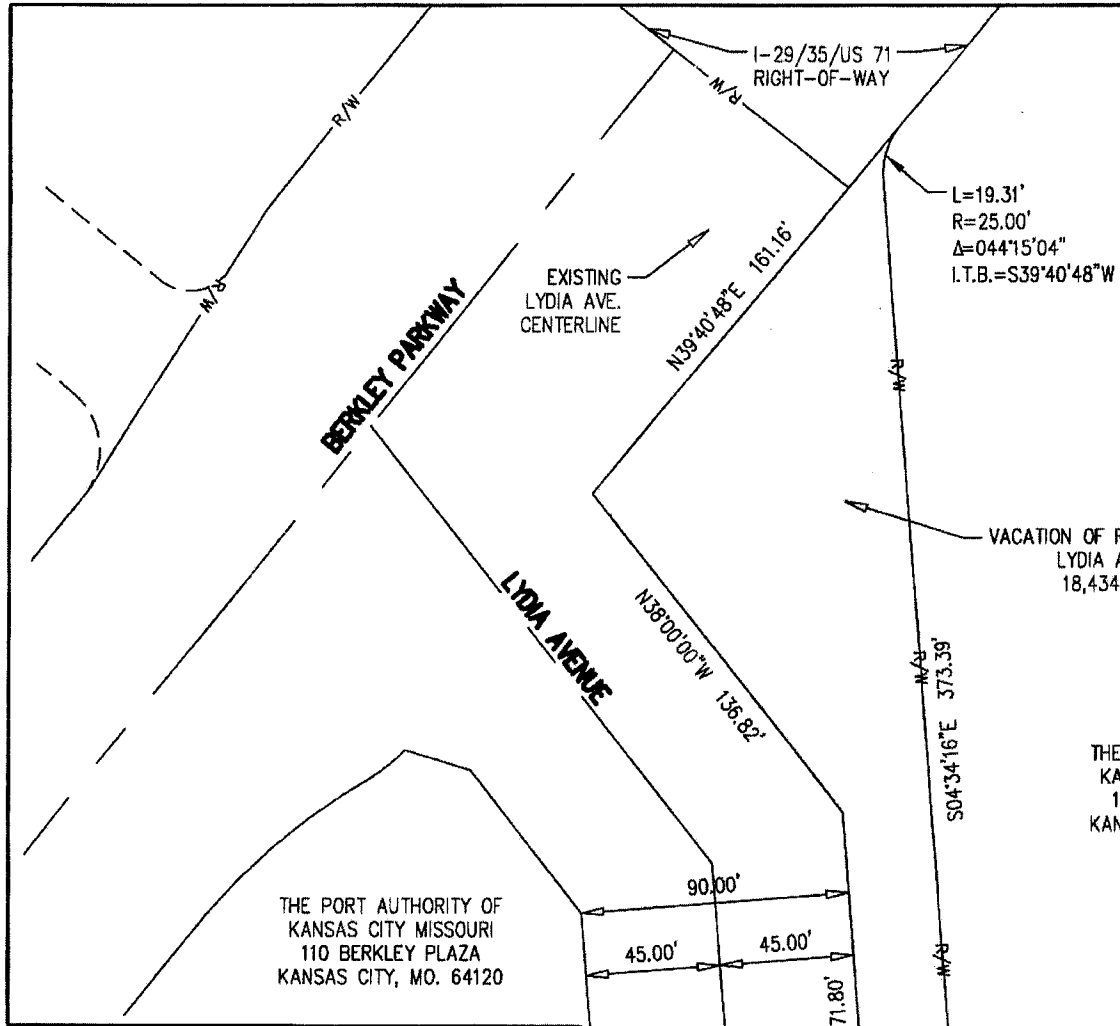
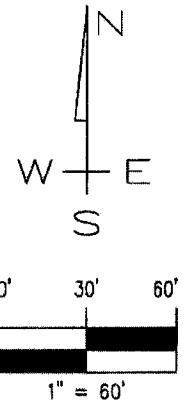
TALIAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
1020 EAST 8TH ST., KANSAS CITY, MO, 64108
PH: (816) 283-3466 FAX: (816) 283-0841

DRAWN: RH
CHECKED: REG

DATE: 06/20/2024

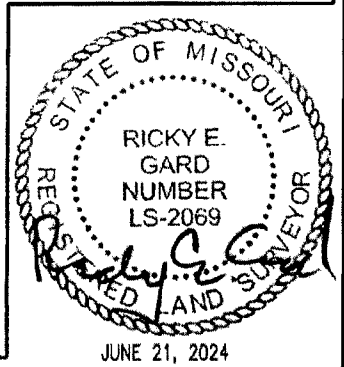
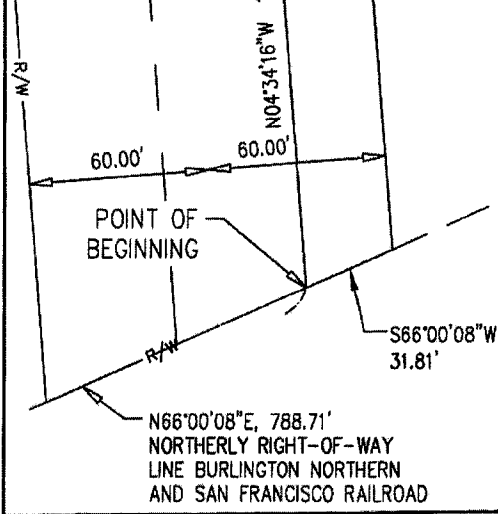
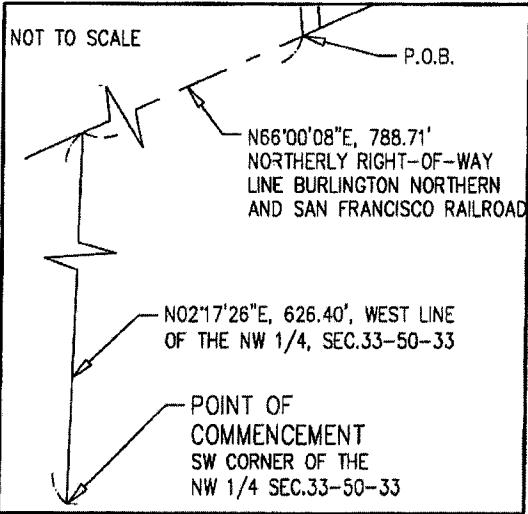
S:\NETJOB\90-3194-034 BERKLEY RIVERFRONT - LYDIA AVENUE VACATION\DWG (WORKING)
90-3194-34V-EX01.DWG, Easement Exhibit A and B, EXHIBIT A

EXHIBIT B

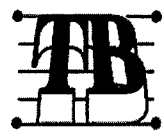


THE PORT AUTHORITY OF
KANSAS CITY MISSOURI
110 BERKLEY PLAZA
KANSAS CITY, MO. 64120

THE PORT AUTHORITY OF
KANSAS CITY MISSOURI
110 BERKLEY PLAZA
KANSAS CITY, MO. 64120



LYDIA AVENUE
BERKLEY RIVERFRONT PARK
KANSAS CITY, JACKSON COUNTY, MISSOURI
RIGHT-OF-WAY VACATION



TALIAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
1020 EAST 8TH ST., KANSAS CITY, MO, 64106
PH: (816) 283-3456 FAX: (816) 283-0841

DRAWN: RH
CHECKED: REG

DATE: 06/20/2024

S:\NETJOB\90-3194-034 BERKLEY RIVERFRONT - LYDIA AVENUE VACATION\DWG (WORKING)
90-3194-34V-EX01.DWG, Easement Exhibit A and B, EXHIBIT B

EXHIBIT C

ALL THAT PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 50 NORTH, RANGE 33 WEST, AS ORIGINALLY SURVEYED BY THE UNITED STATES, AND CERTAIN ACCRETED LANDS, INCLUDING A PORTION OF LOT 46, HURCK'S SUBDIVISION OF GUINOTTE BLUFF, ACCORDING TO THE RECORDED PLAT THEREOF, ALL BEING IN KANSAS CITY, JACKSON COUNTY, MISSOURI AND ALL DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF SAID FRACTIONAL 1/4 SECTION 620.21 FEET, MORE OR LESS (626.31 FEET MEASURED), NORTH OF THE SOUTHWEST CORNER THEREOF, SAID POINT BEING ON THE NORTHERLY LINE OF A TRACT OF LAND CONVEYED TO THE CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY (NOW BURLINGTON-NORTHERN RAILROAD COMPANY) BY DEED DATED AUGUST 2, 1948, AND FILED FOR RECORD UNDER DOCUMENT NO. A-931618, AND RECORDED IN BOOK B-4228, AT PAGE 681; THENCE NORTHEASTERLY ALONG SAID NORTHERLY LINE, DEFLECTING 63 DEGREES 45 MINUTES 00 SECONDS RIGHT FROM THE LAST-DESCRIBED COURSE, 820.51 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF A TRACT OF LAND DEDICATED FOR STREET PURPOSES BY ORDINANCE NO. 42446, PASSED MARCH 30, 1973, AND THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING NORTHEASTERLY ALONG SAID NORTHERLY LINE 100.29 FEET; THENCE NORTHEASTERLY ALONG SAID NORTHERLY LINE, BEING A CURVE TO THE RIGHT, FROM THE LAST-DESCRIBED COURSE AS A TANGENT, HAVING A RADIUS OF 1492.69 FEET AND A CENTRAL ANGLE OF 8 DEGREES 52 MINUTES 00 SECONDS, A DISTANCE OF 229.45 FEET; THENCE NORTHERLY ALONG SAID NORTHERLY LINE, TANGENT TO THE LAST-DESCRIBED CURVE, 245.09 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE PASEO RIVER BRIDGE CONNECTION TO U.S. INTERSTATE ROUTE NO. 29 AND 35, AS SAID LINE IS ESTABLISHED 150 FEET NORMALLY DISTANT WESTERLY FROM THE CENTERLINE OF SAID CONNECTION; THENCE NORTHERLY ALONG SAID WESTERLY LINE, DEFLECTING 73 DEGREES 02 MINUTES 12 SECONDS LEFT FROM THE LAST-DESCRIBED COURSE, 280.48 FEET TO A POINT ON THE WESTERLY LINE OF AN IRREGULAR TRACT OF LAND CONVEYED TO THE STATE OF MISSOURI FOR RIGHT-OF-WAY OF RIVER FRONT ROAD INTERCHANGE WITH THE PASEO RIVER BRIDGE CONNECTION, BY DOCUMENT NO. K-194186, RECORDED IN BOOK K-436 AT PAGE 730, MAY 4, 1973; THENCE NORTHERLY ALONG SAID WESTERLY LINE DEFLECTING 15 DEGREES 06 MINUTES 30 SECONDS LEFT FROM THE LAST DESCRIBED COURSE, 99.93 FEET; THENCE NORTH, NORTHWESTERLY, AND WESTERLY ALONG SAID WESTERLY AND SOUTHERLY LINE, BEING A CURVE TO THE LEFT, THE INITIAL TANGENT OF WHICH DEFLECTS 12 DEGREES 40 MINUTES 39 SECONDS LEFT FROM THE LAST-DESCRIBED COURSE, HAVING A RADIUS OF 150 FEET, AND A CENTRAL ANGLE OF 71 DEGREES 03 MINUTES 26 SECONDS, A DISTANCE OF 186.03 FEET; THENCE WESTERLY ALONG SAID SOUTHERLY LINE, TANGENT TO THE LAST DESCRIBED CURVE, 403.00 FEET; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY AND EASTERLY LINE, DEFLECTING 44 DEGREES 27 MINUTES 00 SECONDS LEFT FROM THE LAST-DESCRIBED COURSE 35.77 FEET; THENCE SOUTHERLY ALONG SAID EASTERLY LINE DEFLECTING 43 DEGREES 06 MINUTES 53 SECONDS LEFT FROM THE LAST-DESCRIBED COURSE, 567.00 FEET TO THE POINT OF BEGINNING.

EXCEPT THE FOLLOWING DESCRIBED TRACT OF LAND:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 33, THENCE SOUTH 02°28'37" WEST ALONG THE EAST LINE OF SAID SECTION 33 A DISTANCE OF 1,412.60 FEET, THENCE NORTH 87°31'23" WEST A DISTANCE OF 3,991.20 FEET TO THE TRUE POINT OF BEGINNING, THENCE NORTH 01°49'10" EAST 281.28 FEET, THENCE NORTH 13°27'05" WEST 99.30 FEET, THENCE NORTHWESTERLY TO THE LEFT ON THE ARC OF A CURVE HAVING A RADIUS OF 150.00 FEET, FROM AN INITIAL TANGENT BEARING OF NORTH 25°59'11" WEST, A DISTANCE OF 186.03 FEET, THENCE SOUTH 82°57'19" WEST 403.03 FEET, THENCE SOUTH 38°51'18" WEST 35.49 FEET, THENCE SOUTH 04°36'34" EAST 98.76 FEET, THENCE NORTH 85°28'13" EAST 20.84 FEET, THENCE NORTH 04°32'01" WEST 75.86 FEET, THENCE NORTH 09°44'09" EAST 34.18 FEET, THENCE SOUTH 88°41'59" EAST 190.23 FEET, THENCE SOUTH 89°49'59" EAST 131.12 FEET, THENCE SOUTH 31°18'54" EAST 183.63 FEET, THENCE SOUTH 04°41'05" WEST 280.91 FEET, THENCE NORTH 74°52'29" EAST 173.37 FEET TO THE POINT OF BEGINNING.

AND FURTHER EXCEPT THE FOLLOWING DESCRIBED TRACT OF LAND:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 33, THENCE SOUTH 02°28'37" WEST ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 1,031.72 FEET; THENCE NORTH 87°31'23" WEST, A DISTANCE OF 4,247.74 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 31°19'47" EAST, A DISTANCE OF 5.62 FEET; THENCE SOUTH 70°36'10" WEST, A DISTANCE OF 192.15 FEET; THENCE SOUTH 37°50'01" WEST, A DISTANCE OF 247.80 FEET; THENCE SOUTH 24°33'30" WEST, A DISTANCE OF 128.86 FEET; THENCE NORTH 63°19'21" WEST, A DISTANCE OF 180.27 FEET; THENCE NORTH 16°37'34" EAST, A DISTANCE OF 54.46 FEET; THENCE NORTH 32°19'46" EAST, A DISTANCE OF 130.35 FEET; THENCE SOUTH 4°36'34" EAST, A DISTANCE OF 57.97 FEET; THENCE NORTH 84°53'19" EAST, A DISTANCE OF 120.00 FEET; THENCE NORTH 4°36'34" WEST, A DISTANCE OF 79.36 FEET; THENCE NORTH 85°28'13" EAST, A DISTANCE OF 20.84 FEET; THENCE NORTH 4°32'01" WEST, A DISTANCE OF 75.86 FEET; THENCE NORTH 9°44'09" EAST, A DISTANCE OF 34.18 FEET; THENCE SOUTH 88°41'59" EAST, A DISTANCE OF 190.23 FEET; THENCE SOUTH 89°49'59" EAST, A DISTANCE OF 131.12 FEET TO THE POINT OF BEGINNING.

LYDIA AVENUE
BERKLEY RIVERFRONT PARK
KANSAS CITY, JACKSON COUNTY, MISSOURI
RIGHT-OF-WAY VACATION



TALIAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
1020 EAST 8TH ST., KANSAS CITY, MO, 64108
PH: (816) 283-3456 FAX: (816) 283-0841

DRAWN: RH
CHECKED: REG

DATE: 06/20/2024

S:\NETJOB\90-3194-034 BERKLEY RIVERFRONT - LYDIA AVENUE VACATION\DWG (WORKING)
90-3194-34V-EX01.DWG, Easement Exhibit C, EXHIBIT A