

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 260374

Detaching from the City of Kansas City approximately 8.129 acres generally including twelve properties located in the south half of Sections 32, 33, and 34 of Township 47 North, Range 32 West of the 5th Principal Meridian [contingent upon the City of Raymore passing an ordinance annexing the same](#); retaining easements; and directing the City Manager to file certified copies of this ordinance with the required Jackson County officials. ([CD-CPC-2018-00212](#))

WHEREAS, the City of Kansas City and the City of Raymore Share a border generally located at the centerline of E. 155th Street, from the centerline of Kentucky Road east to the centerline of Kurzwell Road; and

WHEREAS, the City of Kansas City intends to detach such portions of unimproved property dedicated as Right of Way for the City of Kansas City abutting the properties commonly known as:

_____15469 Kelley Rd.,
_____9000 E. County Line Rd.,
_____9200 E. 155th St.,
_____9300 E. County Line Rd.,
_____9410 E. 155th St.,
_____15400 Peterson Rd.,
_____15301 Peterson Rd.,
_____11500 E. 155th St.,
_____12310 E. 155th St.,
_____12930 E. 155th St.,
_____13000 E. 155th St.,
_____15400 Horridge Rd.,

_____all within the corporate city limits of Kansas City; and

WHEREAS, upon concurrent annexation by the City of Raymore, such portion of E. 155th Street will be completely within the control of the City of Raymore; and

WHEREAS, it is in the best interest of each municipality to complete this action; and

WHEREAS, the property to be concurrently annexed by the City of Raymore and detached by Kansas City abuts the City of Raymore; and

WHEREAS, all provisions of Section 71.011, RSMo., authorizing such concurrent detachment and annexation have been met; and

WHEREAS, there are no residents living in the area to be detached; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ~~That~~That, contingent upon the City of Raymore passing an ordinance annexing the same, the following property, generally located in the south half of Sections 32, 33, and 34 of Township 47 North, Range 32 West of the 5th Principal Meridian and more specifically described as follows, is hereby declared to be detached from the City of Kansas City:

All that part of the Public Right-of-Way of East 155th Street (formerly called County Line Road) as located in the South half of Sections 32, 33, and 34, Township 47 North, Range 32 West lying between the intersections of Kentucky Road and Kurzweil Road and situated in Kansas City, Jackson County, Missouri; more particularly described as follows:

COMMENCING at the Southwest corner of Section 32 Township 47 North, Range 32 West, and a point on the line dividing Jackson and Cass Counties, as referenced in City Ordinance No. 21954, passed December 31st, 1959; thence East along the line dividing Jackson and Cass Counties, said line also being the South line of Sections 32, 33, and 34, Township 47 North, Range 32 West, to a point on the centerline of Kentucky Road, as now established, +/-592 (591.64) feet East of said Southwest corner of Section 32, to the Point of Beginning; thence continuing East along the line dividing Jackson and Cass Counties to a point where the centerline of Kurzweil Road, as now established, intersects the Jackson County Line, said point being +/-126 (125.97) feet West of the Southeast corner of Section 34 Township 47 North, Range 32 West; thence North 25 feet along a line perpendicular to the last described course; thence West along a line 25 feet North of and parallel to the South line of the Southeast quarter of Section 34 Township 47 North, Range 32 West, to the East line of the Southwest quarter of said Section 34; thence South 5 feet along the East line of the Southwest quarter of Section 34 Township 47 North, Range 32 West to a point 20 feet North of the South line of said Sections 34; thence West along a line 20 feet North of and parallel to the South line of the Southwest quarter of Section 34 Township 47 North, Range 32 West, to the East line of the Southeast quarter of Section 33 Township 47 North, Range 32 West; thence West along a line 20 feet North of and parallel to the South line of the Southeast quarter of Section 33 Township 47 North, Range 32 West, to the East line of the Southwest quarter of Section 33 Township 47 North, Range 32 West; thence West along a line 20 feet North of and parallel to the South line of the Southwest quarter of Section 33 Township 47 North, Range 32 West, to a point 2,176.4 feet East of the West line of said Southwest quarter of Section 33; thence North 20 feet along a line perpendicular to the last described course to a point 40 feet North of the South line of the Southwest quarter of said Section 33; thence West 1450 feet along a line 40 feet North of and parallel to the South line of the Southwest quarter of Section 33 Township 47 North, Range 32 West, to a point 726.4 feet East of the West line of said Southwest quarter of Section 33; thence South 20 feet along a line perpendicular to the last described course to a point 20 feet North of the South line of the Southwest quarter of Section 33; thence West

along a line 20 feet North of and parallel to the South line of the Southwest quarter of Section 33 Township 47 North, Range 32 West, to the East line of the Southeast quarter of Section 32 Township 47 North, Range 32 West; thence West along a line 20 feet North of and parallel to the South line of the Southeast quarter of Section 32 Township 47 North, Range 32 West, to the East line of the Southwest quarter of said Section 32; thence North 5 feet along a line perpendicular to the last described course to a point 25 feet North of the South line of the Southwest quarter of said Section 32; thence West along a line 25 feet North of and parallel to the South line of the Southwest quarter of Section 32 Township 47 North, Range 32 West, to a point on the centerline of Kentucky Road, as now established; thence South to the Point of Beginning (the "Property"). Containing 354,100 square feet or 8.129 Acres more or less.

Section 2. The Contingent upon the City of Raymore passing an ordinance annexing the same, the City of Kansas City hereby relinquishes to the City Raymore its right, title or interest in the right of way for 155th Street that is included in the Property that is being detached herein; provided, however, that Kansas City retains an exclusive easement in the north half of the right-of-way, including but not limited to the current location of Kansas City's water, sewer, and stormwater utilities. Kansas City shall retain the right to operate, maintain and construct water, wastewater, and stormwater infrastructure under, along and across the easement. Kansas City shall have at all times the right to go upon the easement and Raymore, Missouri will not use the said right-of-way in any manner that would interfere with the operation, maintenance or construction of Kansas City's infrastructure or its related systems. Any work performed by or for Kansas City in the easement shall be performed pursuant to Kansas City's standards for such work. Notice of any such work shall be given by Kansas City to Raymore, Missouri as soon as reasonably practicable. Raymore, Missouri shall not require permits, bonds, or other similar measures for such work, but shall rely upon Kansas City to ensure that the work is performed in a workmanlike and timely manner.

To the extent that any such infrastructure is currently located in the north half of the right-of-way, Raymore, Missouri will grant to Kansas City, and Kansas City will accept a non-exclusive easement from the center line of 155th Street north, to the north line of the existing right of way. Kansas City shall retain the right to operate, maintain and construct water, wastewater, and stormwater infrastructure under, along and across the easement. Kansas City shall have at all times the right to go upon the easement and Raymore, Missouri will not use the said right-of-way in any manner that would interfere with the operation, maintenance or construction of Kansas City's infrastructure or its related systems. Any work performed by or for Kansas City in the easement shall be performed pursuant to Kansas City's standards for such work. Notice of any such work shall be given by Kansas City to Raymore, Missouri as soon as reasonably practicable. Raymore, Missouri shall not require permits, bonds, or other similar measures for such work, but shall rely upon Kansas City to ensure that the work is performed in a workmanlike and timely manner.

Both Raymore, Missouri and Kansas City, Missouri acknowledge that it may be necessary to bring utilities across 155th Street at certain locations. When it is deemed necessary to make such a crossing, they will cooperate to reasonably accomplish such crossing without undue delay or unnecessary cost. Prior to Raymore making or allowing such a crossing, it will submit plans to

Kansas City for its review and approval, which will not be unreasonably withheld. Prior to Kansas City making or allowing such a crossing, it will submit plans to Raymore for its review and approval, which will not be unreasonably withheld. It is understood that both Raymore and Kansas City will acknowledge the presence of existing infrastructure in place before a crossing is made and take all steps necessary to preserve the integrity of such infrastructure and access to it.

Section 3. That the reasons for and purposes to be accomplished with this detachment by the City of Kansas City are that it will allow for better coordination of utility service and better provision of services for the benefit of the citizens and property owners in the affected area.

Section 4. That the City Manager is hereby directed to file certified copies of this ordinance with the appropriate Jackson County officials as required by Section 71.011.1, RSMo, simultaneously with the filing of the City of Raymore's ordinance annexing the Property in the office of the County Clerk of [CassJackson](#) County, the [CassJackson](#) County Assessor, the Recorder of Deeds of [CassJackson](#) County, and the Clerk of the Circuit Court of [CassJackson](#) County.

Approved as to form:

Abigail Judah
Associate City Attorney