



CITY PLAN COMMISSION STAFF REPORT

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

September 4, 2024

Project Name
Lydia & Berkley Parkway Vacation

Docket #12

Request
CD-ROW-2024-00017
Vacation of Public Right of Way

Applicant
Marty Isabell
Taliaferro & Brown

Owner
Port Authority of Kansas City

Location Southeast corner of
Lydia and Berkley
Parkway

Area About 18,000 SF
Zoning MPD
Council District 4th
County Jackson
School District Kansas City

Surrounding Land Uses
North: CPKC Stadium, Zoned MPD
South: Undeveloped, Zoned MPD
East: Undeveloped, Zoned MPD
West: Undeveloped, Zoned MPD

Land Use Plan
The Greater Downtown Area Plan recommends Downtown Mixed-Use uses for the subject property.

Major Street Plan
The City's Major Street Plan does not identify Lydia Avenue at this location.

APPROVAL PROCESS



PROJECT TIMELINE

The application for the subject request was filed on June 21, 2024. Scheduling deviations from the original cycle have occurred due to the amount of time it takes to organize utility companies and obtain consent.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification is not required for Vacations of Public Right of Way therefore notice is not sent.

REQUIRED PUBLIC ENGAGEMENT

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

EXISTING CONDITIONS

The subject right of way which is proposed to be vacated is unimproved right of way adjacent to an improved street at the southeast corner of Lydia Avenue and Berkley Parkway. It does not serve as the primary access to any parcel. Land to the east, west, and south is currently undeveloped but has entitlement to be developed with a mixed-use neighborhood. To the north is CPKC Stadium. There is no regulated steam adjacent to the right of way.

SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of a vacation of public right of way in District MPD (Master Planned Development) of about 18,000 SF generally located at the southeast corner of Lydia Avenue and Berkley Parkway.

CONTROLLING CASE

There is no controlling case that pertains to the vacation of this public right of way.

PROFESSIONAL STAFF RECOMMENDATION

Docket #12 Recommendation: **Approval Subject to Conditions**

VACATION REVIEW

The street proposed for vacation is an unimproved right-of-way located at the southeast corner of Berkley Parkway and Lydia Avenue, within the Berkley Riverfront Master Planned Development. This right-of-way remains as a remnant from the reconfiguration of the I-35/I-29 interchange with Front Street and Berkley Parkway.

The public right-of-way contains both public and private utilities. Public utilities within this area are managed by Water Services, and the applicant is required to retain and protect these utilities. Private utilities include Evergy and AT&T, both of which necessitate the protection of their facilities and the retention of an easement for continued access and maintenance.

SPECIFIC REVIEW CRITERIA

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.

All adjacent property owners will retain legal access to public 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.

The right of way in question does not serve any current or future public purpose as it is a remnant from prior public streets which has since been removed.

88-560-10-C. The vacation will not result in a violation of 88-405.

The vacation will not be in violation of 88-405, the subdivision design and improvement requirements.

88-560-10-D. The vacation shall not disrupt the constructed street network or reduce existing physical connectivity.

The vacation will not disrupt any street network and will not have an impact on the physical connectivity.

88-560-10-E. The vacation shall not result in a dead-end street or alley.

The proposed vacation will 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.

No traffic will be routed through an alley as a result of this vacation.

88-560-10-G. The vacation shall not vacate half the width of a street or alley.

This vacation will not vacate half the width of any street or alley.

88-560-10-H. The right-of-way to be vacated is not on the Major Street Plan.

The area being vacated is not on the Major Street Plan.

ATTACHMENTS

1. Conditions Report
2. Applicants Submittal
 - a. Exhibit
 - b. Legal Description
 - c. Petition to Vacate
 - d. Consent to Vacate
 - e. Utility Comment Sheets

PROFESSIONAL STAFF RECOMMENDATION

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

Respectfully Submitted,



Matthew Barnes
Lead Planner



Plan Conditions

Report Date: August 29, 2024

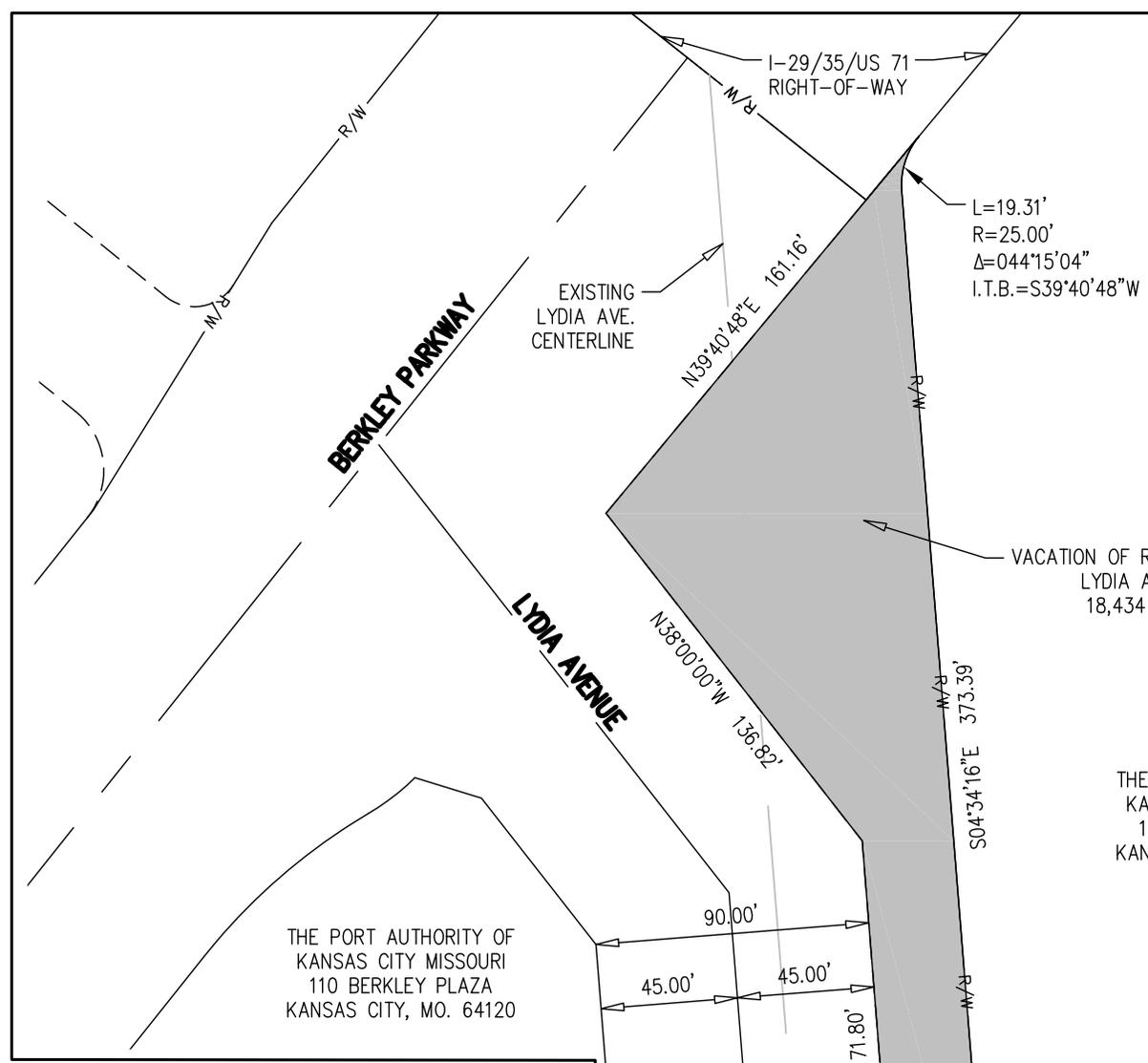
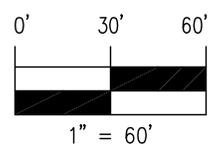
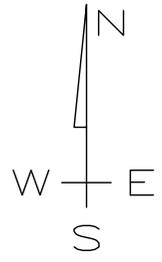
Case Number: CD-ROW-2024-00017

Project: Lydia Ave & Berkley Parkway Vacation

Condition(s) by City Planning and Development Department. Contact Matthew Barnes at (816) 513-8817 / matthew.barnes@kcmo.org with questions.

1. That the applicant shall retain all utility easements and protect facilities required by AT&T.
2. That the applicant shall retain all utility easements and protect facilities required by Evergy.
3. That the applicant shall retain all utility easements and protect facilities required by KCMO Water Services.

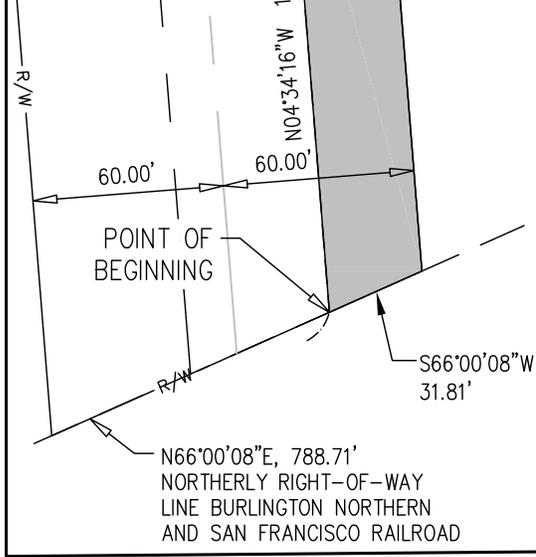
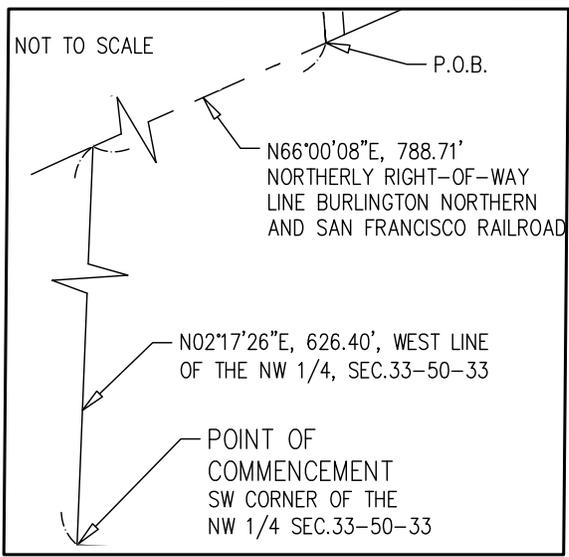
EXHIBIT B



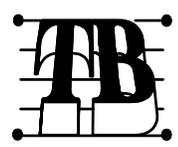
THE PORT AUTHORITY OF
KANSAS CITY MISSOURI
110 BERKLEY PLAZA
KANSAS CITY, MO. 64120

VACATION OF RIGHT-OF-WAY
LYDIA AVENUE
18,434 SQFT.

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 A

LYDIA AVENUE RIGHT-OF-WAY VACATION DESCRIPTION:

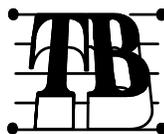
ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 50, RANGE 33, KANSAS CITY, JACKSON COUNTY, MISSOURI DESCRIBED AS FOLLOWS:

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



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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. CD-ROW-2024-00017

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 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

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____

City Clerk by _____
Deputy



PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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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
The Port Authority of Kansas City Missouri	See attached Exhibit A and B	110 Berkley Plaza Kansas City, Mo 64120

(attach additional sheets if required)



PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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IN TESTIMONY WHEREOF, THE PORT AUTHORITY OF KANSAS CITY, MISSOURI, A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI CAUSED THIS INSTRUMENT TO BE EXECUTED THIS 8th DAY OF JULY 2024.

THE PORT AUTHORITY OF KANSAS CITY, MISSOURI
A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI

PETITIONER:

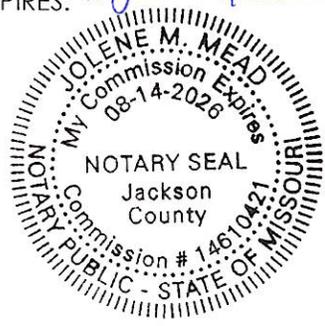
[Signature]
JON D STEPHENS PRESIDENT & CEO

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

BE IT REMEMBERED THAT ON THIS 8th 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 [Signature]
NOTARY PUBLIC





PETITION FOR VACATION OF STREETS, ALLEYS AND PLATS

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Owner's name	Legal description of property	Residence of owner
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(attach additional sheets if required)

EXHIBIT A

LYDIA AVENUE RIGHT-OF-WAY VACATION DESCRIPTION:

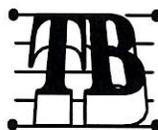
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JUNE 21, 2024

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



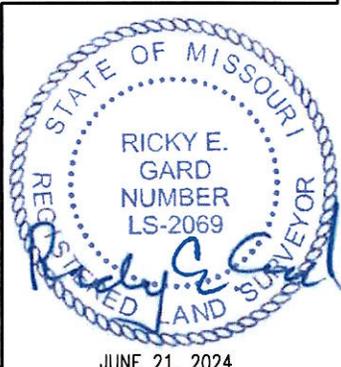
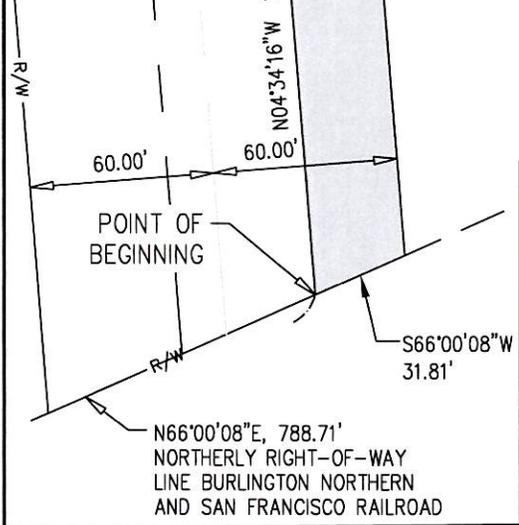
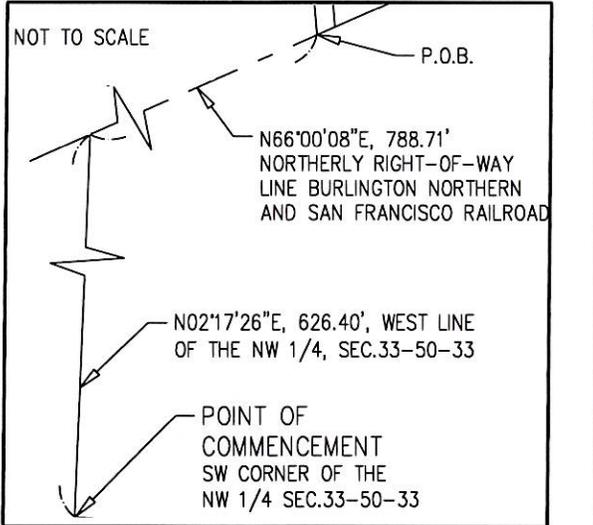
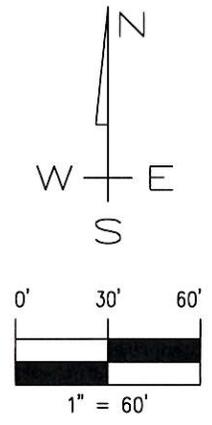
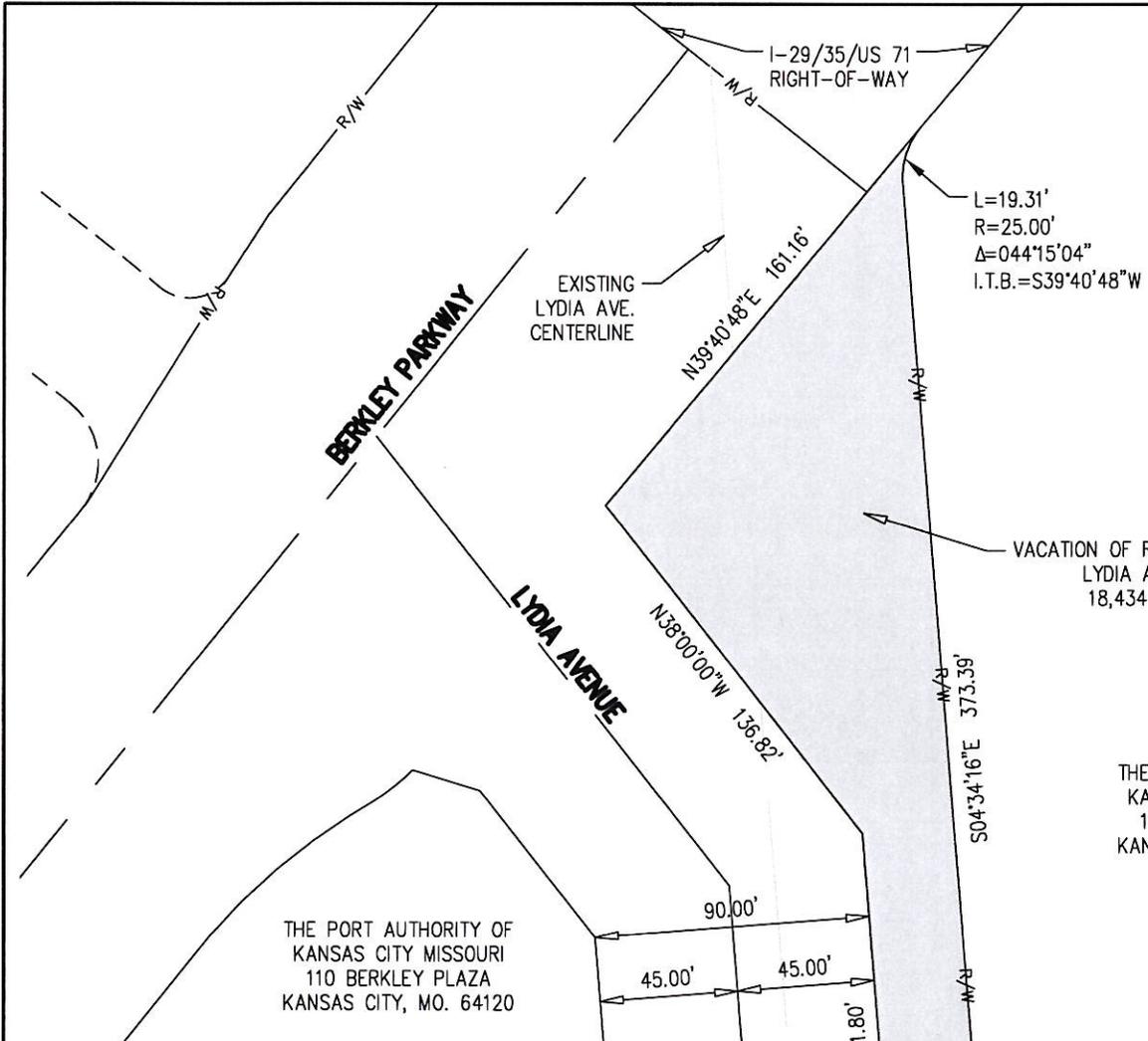
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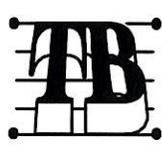
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S:\NETJOB\90-3194-034 BERKLEY RIVERFRONT - LYDIA AVENUE VACATION\DWG (WORKING)
90-3194-34V-EX01.DWG, Easement Exhibit A and B, EXHIBIT A

EXHIBIT B



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



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CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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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

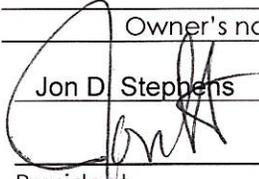
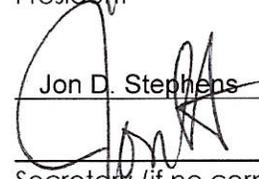


CONSENT TO VACATION OF STREETS, ALLEYS AND PLATS

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Phone (816) 513-2846 | Fax (816) 513-2838 | www.kcmo.gov/planning

CONSENT OF CORPORATIONS

Case No. CD-ROW-2024-00017

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



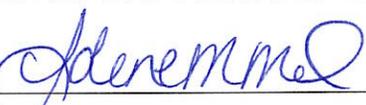


EXHIBIT A

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



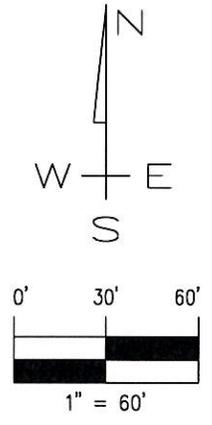
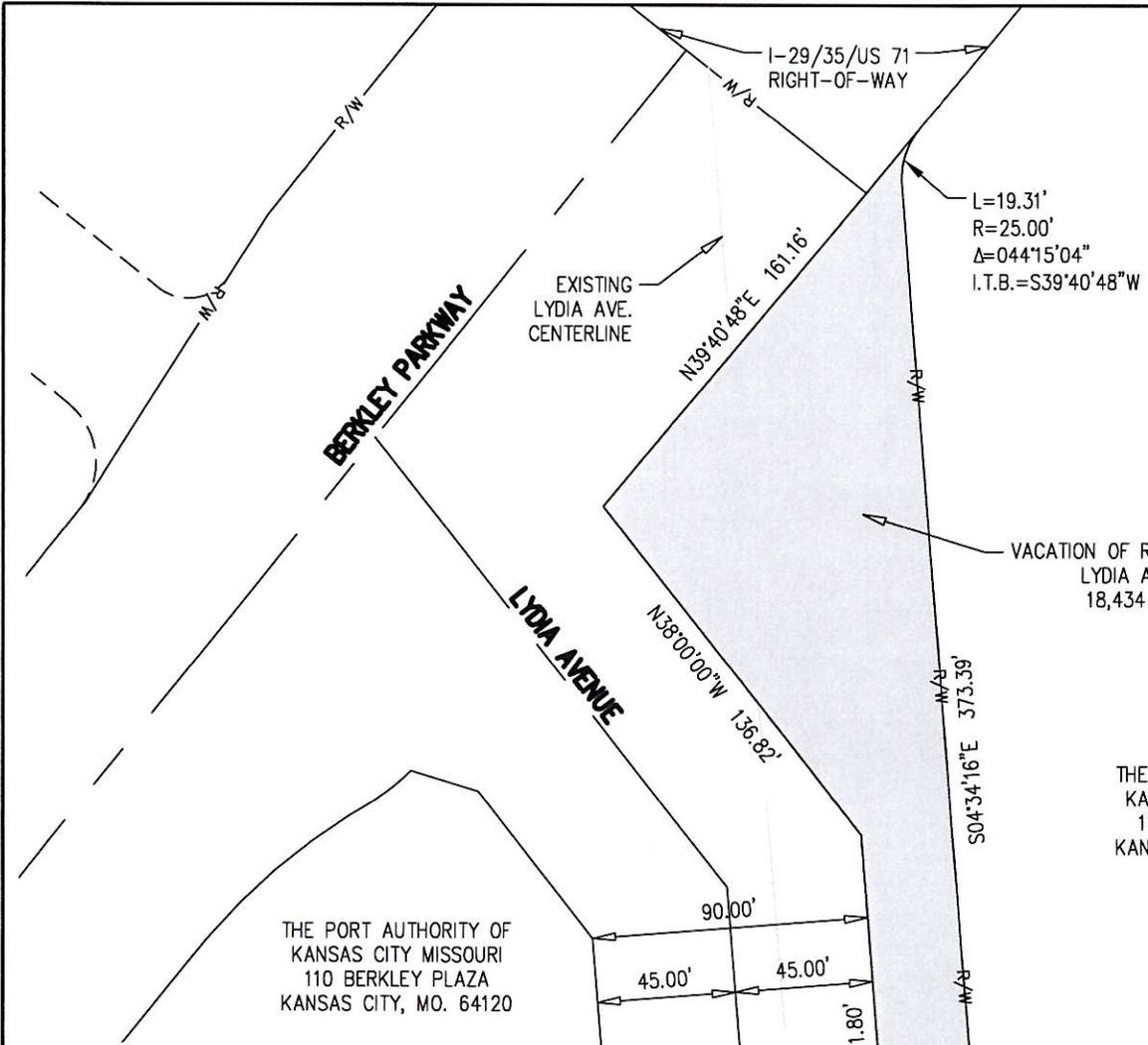
TALIAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
1020 EAST 8TH ST., KANSAS CITY, MO, 64106
PH: (816) 283-3456 FAX: (816) 283-0841

DRAWN: RH
CHECKED: REG

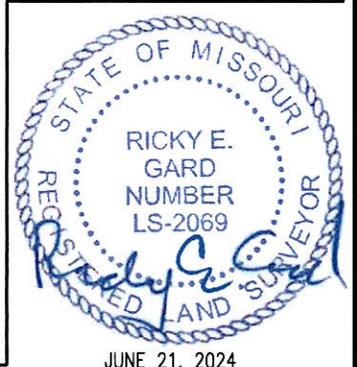
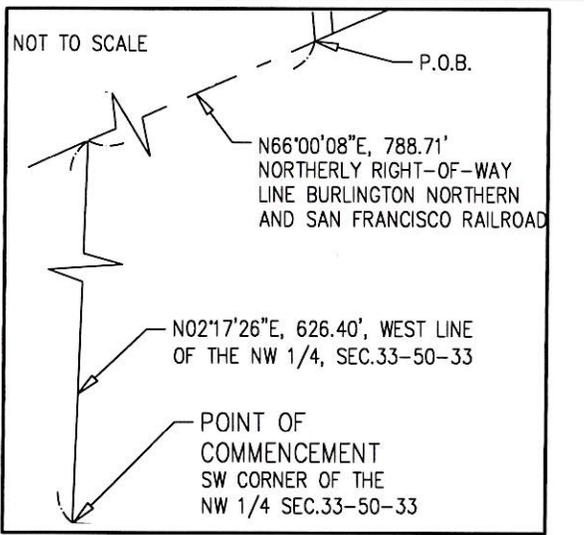
DATE: 06/20/2024

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

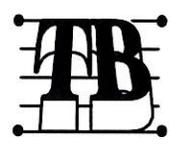
EXHIBIT B



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, 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 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, 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 C, EXHIBIT A



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

CASE NO. CD-ROW-2024-00017

UTILITY CO. AT&T

Be it known that The Port Authority of Kansas City Missouri, 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:

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate part of Lydia Avenue Right-of-way with all utility rights remaining.

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: _____

- 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.

Jeremy Watson

Authorized Representative

7/3/24

Date

Return this form to:

Ryan Hunt
Applicant Name

816-506-3488
Phone

1020 E. 8th Street, Kansas City, Mo 64106
Address

rhunt@tb-engr.com
Email



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

CASE NO. **CD-ROW-2024-00017**

UTILITY CO. Evergy

Be it known that The Port Authority of Kansas City Missouri, 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:

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate part of Lydia Avenue Right-of-way with all utility rights remaining.

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: _____

- 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.

Joey White

Authorized Representative

7-31-2024

Date

Return this form to:

Ryan Hunt
Applicant Name

816-506-3488
Phone

1020 E. 8th Street, Kansas City, Mo 64106
Address

rhunt@tb-enr.com
Email



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

CASE NO. CD-ROW-2024-00017

UTILITY CO. Spectrum Charter

Be it known that The Port Authority of Kansas City Missouri, 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:

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate part of Lydia Avenue Right-of-way with all utility rights remaining.

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: _____

- 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.

Jason Rodick Spectrum

7-29-2024

Authorized Representative

Date

Return this form to:

Ryan Hunt
Applicant Name

816-506-3488
Phone

1020 E. 8th Street, Kansas City, Mo 64106
Address

rhunt@tb-engr.com
Email



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

CASE NO. **CD-ROW-2024-00017**

UTILITY CO. **KCMO Fire Dept.**

Be it known that The Port Authority of Kansas City Missouri, 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:

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate part of Lydia Avenue Right-of-way with all utility rights remaining.

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: _____

- 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.

M Schroeder

Authorized Representative

07/10/2024

Date

Return this form to:

Ryan Hunt
Applicant Name

816-506-3488
Phone

1020 E. 8th Street, Kansas City, Mo 64106
Address

rhunt@tb-engr.com
Email



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

CASE NO. CD-ROW-2024-00017

UTILITY CO. KCMO Public Works Street Lighting Services

Be it known that The Port Authority of Kansas City Missouri, 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:

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate part of Lydia Avenue Right-of-way with all utility rights remaining.

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: _____

- 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.

Joseph Newton

Authorized Representative

06/11/2024

Date

Return this form to:

Ryan Hunt

Applicant Name

816-506-3488

Phone

1020 E. 8th Street, Kansas City, Mo 64106

Address

rhunt@tb-engr.com

Email



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

CASE NO. CD-ROW-2024-00017

UTILITY CO. KCMO Public Works Street Lighting Services

Be it known that The Port Authority of Kansas City Missouri, 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:

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate part of Lydia Avenue Right-of-way with all utility rights remaining.

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: _____

- 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.

Joseph Newton

Authorized Representative

07/11/2024

Date

Return this form to:

Ryan Hunt

Applicant Name

816-506-3488

Phone

1020 E. 8th Street, Kansas City, Mo 64106

Address

rhunt@tb-engr.com

Email



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

CASE NO. CD-ROW-2024-00017

UTILITY CO. KCMO Water Services Dept.

Be it known that The Port Authority of Kansas City Missouri, 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:

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate part of Lydia Avenue Right-of-way with all utility rights remaining.

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: _____

- 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.

Charles W. Kuzel

 Authorized Representative

08/05/2024

 Date

Return this form to:	
<u>Ryan Hunt</u> Applicant Name	<u>816-506-3488</u> Phone
<u>1020 E. 8th Street, Kansas City, Mo 64106</u> Address	<u>rhunt@tb-enar.com</u> Email



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

CASE NO. CD-ROW-2024-00017

UTILITY CO. KCMO Public Works

Be it known that The Port Authority of Kansas City Missouri, 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:

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate part of Lydia Avenue Right-of-way with all utility rights remaining.

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: _____

- 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.

Sam Akula, KCMO, Public Works Dept,

6/28/2024

Authorized Representative

Date

Return this form to:

Ryan Hunt
Applicant Name

816-506-3488
Phone

1020 E. 8th Street, Kansas City, Mo 64106
Address

rhunt@tb-engr.com
Email



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

CASE NO. **CD-ROW-2024-00017**

UTILITY CO. Spire

Be it known that The Port Authority of Kansas City Missouri, 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:

SEE ATTACHED SHEETS: EXHIBIT A & B

for the following purpose: Port KC intends to have the City vacate part of Lydia Avenue Right-of-way with all utility rights remaining.

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: _____

- 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.

Johnny Strauss - Right of Way Representative for Spire

John L. Strauss

7/8/2024

Authorized Representative

Date

Return this form to:

Ryan Hunt

Applicant Name

816-506-3488

Phone

1020 E. 8th Street, Kansas City, Mo 64106

Address

rhunt@tb-engr.com

Email