

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or parts of Ordinances in conflict with this Ordinance are, in so much as they conflict with this Ordinance, hereby repealed.



Authenticated as Passed

[Signature]

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

FEB 06 2025

Date Passed

Approved as to form:

[Signature]

Sarah Baxter
Senior Associate City Attorney

Approved by the City Plan Commission

Sara Copeland, FAICP
Secretary, City Plan Commission

STATE OF MISSOURI)
) ss.
COUNTY OF _____)

On the _____ day of _____, 20____, before me, a Notary Public in and for said County, personally appeared _____ to me known to be the City Clerk of Kansas City, Missouri, in the above and foregoing ordinance mentioned, and acknowledged the said ordinance to be the act and deed of said Kansas City, duly passed by the Council of said City, and became effective as herein stated.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in Kansas City, Missouri, the day and year first above written.

My term expires _____, 20____.

Notary Public within and for
County, Missouri

IN RECORDER'S OFFICE

STATE OF MISSOURI)
) ss.
COUNTY OF _____)

I, the undersigned, Recorder of Deeds within and for the County aforesaid, do hereby certify that the foregoing instrument of writing was on the _____ day of _____, A.D. 20____, at _____ o'clock _____ minutes M., duly filed 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

ORDINANCE NO. 241056, AS AMENDED

Vacating an approximately 30,000-square-foot section of improved street right-of-way in District M1-5/US (Manufacturing/Underground Space) generally located along North Winchester Drive south of Northeast Parvin Road; and directing the City Clerk to record certain documents. (CD-ROW-2024-00024)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that on the 22nd day of August, 2024, a petition was filed with the City Clerk of Kansas City by Jacob Hodson for the vacation of all of N. Winchester Avenue right-of-way established by Hunt Midwest Commerce Center District III - Second Plat, a subdivision of land in the Southeast Quarter of Section 4, Township 50 North, Range 32 West of 5th Principal Meridian in Kansas City, Clay County, Missouri recorded March 17, 2020 as Instrument Number 2020008185 in Book I at Page 96.2 in the Office of Recorder of Deeds, Clay County, Missouri being bounded and described by or under the direct supervision of Jeffrey P. Means P.L.S. 2000147866, as right-of-way vacation as follows: Beginning at the Northwest corner of said N. Winchester Avenue, also being the Northeast corner of Lot 1 of said Hunt Midwest Commerce Center District III - Second Plat, and also being a point on the Existing Southerly right-of-way line of NE. Parvin Road, as now established; thence South $66^{\circ}02'06''$ East, on the Existing Northerly right-of-way line of said N. Winchester Avenue and said Existing Southerly right-of-way line, 160.00 feet to the Northeast corner of said N. Winchester Avenue, also being the Northwest corner of Lot 3 of said Hunt Midwest Commerce Center District III - Second Plat; thence leaving said Existing Southerly right-of-way line, Westerly on the Existing Easterly right-of-way line of said N. Winchester Avenue, also being the Westerly line of said Lot 3, on a curve to the left having an initial tangent bearing of North $66^{\circ}02'06''$ West with a radius of 50.00 feet, a central angle of $90^{\circ}00'00''$ and an arc distance of 78.54 feet; thence South $23^{\circ}57'54''$ West, on said Existing Easterly right-of-way line and said Westerly line, 284.27 feet; thence Southerly, on said Existing Easterly right-of-way line and said Westerly line, on a curve to the left being tangent to the last described course with a radius of 27.50 feet, a central angle of $61^{\circ}40'19''$ and an arc distance of 29.60 feet; thence Southerly, on said Existing Easterly right-of-way line and said Westerly line, on a curve to the right having an initial tangent bearing of South

37°43'23" East with a radius of 50.50 feet, a central angle of 61°41'26" and an arc distance of 54.37 feet to the Southwest corner of said Lot 3, also being the Southeast corner of said N. Winchester Avenue and also being a point on the Northerly line of Lot 2A-2, of Tract A-1, A-2, A-3 & Lot 2A-1 & 2A-2 Hunt Midwest Commerce Center District III - Second Plat & Hunt Midwest Commerce Center District III – First Plat certificate of survey, a Minor Subdivision Type 2 Lot Split recorded June 10, 2024 as Instrument Number 2024012548 in Book J at Page 45.2 in said Office of Recorder of Deeds, Clay County, Missouri; thence Northwesterly, on said Northerly line, also being the Existing Southerly right-of-way line of said N. Winchester Avenue, on a curve to the right, being tangent to the last described course, having a radius of 50.50 feet, a central angle of 180°00'15" and an arc distance of 158.65 feet to the Southwest corner of said N. Winchester Avenue, also being the Southeast corner of said Lot 1; thence along a line non-tangent to said curve, leaving said Northerly line, North 23°57'54" East, on the Easterly line of said Lot 1, also being the Existing Westerly right-of-way line of said N. Winchester Avenue, a distance of 352.93 feet; thence Northerly, on said Easterly line and said Existing Westerly right-of-way line on a curve to the left being tangent to the last described course with a radius of 50.00 feet, a central angle of 90°00'00" and an arc distance of 78.54 feet to the Point of Beginning. Containing 30,839 square feet or 0.71 acres, more or less. All lying above the top of Winterset Ledge of Limestone Rock, giving the distinct description of the street 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 street 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 of N. Winchester Avenue right-of-way established by Hunt Midwest Commerce Center District III - Second Plat, a subdivision of land in the Southeast Quarter of Section 4, Township 50 North, Range 32 West of 5th Principal Meridian in Kansas City, Clay County, Missouri recorded March 17, 2020 as Instrument Number 2020008185 in Book I at Page 96.2 in the Office of Recorder of Deeds, Clay County, Missouri being bounded and described by or under the direct supervision of Jeffrey P. Means P.L.S. 2000147866, as right-of-way vacation as follows: Beginning at the Northwest corner of said N. Winchester Avenue, also being the Northeast corner of Lot 1 of said Hunt Midwest Commerce Center District III - Second Plat, and also being a point on the Existing Southerly right-of-way line of NE. Parvin Road, as now established; thence South 66°02'06" East, on the Existing Northerly right-of-way line of said N. Winchester Avenue and said Existing Southerly right-of-way line, 160.00 feet to the Northeast corner of said N. Winchester Avenue, also being the Northwest corner of Lot 3 of said Hunt Midwest Commerce Center District III - Second Plat; thence leaving said Existing Southerly right-of-way line, Westerly on the Existing Easterly right-of-way line of said N. Winchester Avenue, also being the Westerly line of said Lot 3, on a curve to the left having an initial tangent bearing

of North 66°02'06" West with a radius of 50.00 feet, a central angle of 90°00'00" and an arc distance of 78.54 feet; thence South 23°57'54" West, on said Existing Easterly right-of-way line and said Westerly line, 284.27 feet; thence Southerly, on said Existing Easterly right-of-way line and said Westerly line, on a curve to the left being tangent to the last described course with a radius of 27.50 feet, a central angle of 61°40'19" and an arc distance of 29.60 feet; thence Southerly, on said Existing Easterly right-of-way line and said Westerly line, on a curve to the right having an initial tangent bearing of South 37°43'23" East with a radius of 50.50 feet, a central angle of 61°41'26" and an arc distance of 54.37 feet to the Southwest corner of said Lot 3, also being the Southeast corner of said N. Winchester Avenue and also being a point on the Northerly line of Lot 2A-2, of Tract A-1, A-2, A-3 & Lot 2A-1 & 2A-2 Hunt Midwest Commerce Center District III - Second Plat & Hunt Midwest Commerce Center District III - First Plat certificate of survey, a Minor Subdivision Type 2 Lot Split recorded June 10, 2024 as Instrument Number 2024012548 in Book J at Page 45.2 in said Office of Recorder of Deeds, Clay County, Missouri; thence Northwesterly, on said Northerly line, also being the Existing Southerly right-of-way line of said N. Winchester Avenue, on a curve to the right, being tangent to the last described course, having a radius of 50.50 feet, a central angle of 180°00'15" and an arc distance of 158.65 feet to the Southwest corner of said N. Winchester Avenue, also being the Southeast corner of said Lot 1; thence along a line non-tangent to said curve, leaving said Northerly line, North 23°57'54" East, on the Easterly line of said Lot 1, also being the Existing Westerly right-of-way line of said N. Winchester Avenue, a distance of 352.93 feet; thence Northerly, on said Easterly line and said Existing Westerly right-of-way line on a curve to the left being tangent to the last described course with a radius of 50.00 feet, a central angle of 90°00'00" and an arc distance of 78.54 feet to the Point of Beginning. Containing 30,839 square feet or 0.71 acres, more or less. All lying above the top of Winterset Ledge of Limestone Rock, be and the same is hereby vacated and subject to the following conditions:

1. That the applicant shall retain all utility easements and protect facilities required by Everygy.
2. That the applicant shall provide a cross-access easement or consolidate lots to ensure that all properties within the development retain legal access to public right-of-way.
3. That the applicant shall abandon or privatize the sewers within the vacation area, obtain a permit for water line relocation, and obtain a permit for fire hydrant location as required by the Kansas City, Missouri Water Services Department.
4. That the applicant remove all streetlight poles (NRE5763, NRE5764, NRE5765, NRE5766) on North Winchester Avenue, south of Parvin Road to its southern terminus, and return the streetlights to Public Works in coordination with Public Works Streetlighting at the applicant's cost.

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 Clay County, Missouri.