



# CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri  
City Planning & Development Department  
[www.kcmo.gov/cpc](http://www.kcmo.gov/cpc)

July 5, 2022

## PROJECT NAME

Case Apartments Vacation

## DOCKET #13

CD-ROW-2022-00020

## REQUEST

Vacation

## APPLICANT

Rachelle Biondo  
Rouse Frets White Goss

## OWNER

BTH Dreisenzun II LLC

Location	1900 NW 87 <sup>th</sup> Terrace
Area	0.224 acres
Zoning	R-1.5
Council District	2 <sup>nd</sup>
County	Platte
School District	Platte County R-III

## SURROUNDING LAND USES

**North:** zoned R-1.5, Vacant  
**South:** zoned R-7.5, Barry Elementary  
**East:** zoned R-1.5, Vacant  
**West:** zoned AG-R, school sports complex

## MAJOR STREET PLAN

The City's Major Street Plan does not identify any streets at this location as Parks or Boulevards.

## LAND USE PLAN

The Line Creek Valley Area Plan recommends Residential Low Density and Institutional for the area to be vacated.

## APPROVAL PROCESS



## NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification was sent to surrounding property owners within 300 feet of the subject site.

## REQUIRED PUBLIC ENGAGEMENT

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

## EXISTING CONDITIONS

The subject property is currently undeveloped. It is at the Northeast curve of NW 87<sup>th</sup> Terrace between Old Stagecoach Road and N Platte Purchase Drive. It appears to be the remnant of formerly dedicated but unimproved right of way.

## SUMMARY OF REQUEST

The applicant is seeking to vacate an unused and unimproved portion of the right of way spurring from NW 87<sup>th</sup> Terrace as a part of their Development.

## KEY POINTS

- Vacating an unused and unimproved 0.224-acre portion of NW 87<sup>th</sup> Terrace.

## PROFESSIONAL STAFF RECOMMENDATION

Docket #13 Recommendation: Approval with Conditions.

**RELATED CASES****1318-V –****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.**

This right of way vacation is for a portion that spurs from NW 87<sup>th</sup> Terrace and dead-ends approximately 200 feet to the east. 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.**

Preserving the existing right of way, proposed for vacation, in its current condition does, not serve any current or future public purpose.

**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.

**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 or 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. In fact, the vacation will remove an existing dead-end.

**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.

**PROFESSIONAL STAFF RECOMMENDATION**

Staff recommends **Approval Subject to the Corrections and Conditions** as reflected in the attached Plan Conditions Report.

Respectfully Submitted,

Jared Clements, AICP  
Planner



## Plan Conditions

Report Date: June 30, 2022

Case Number: CD-ROW-2022-00020

Project: Case Apartments

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*Condition(s) by City Planning and Development Department. Contact Jared Clements at (816) 513-8826 / [jared.clements@kcmo.org](mailto:jared.clements@kcmo.org) with questions.*

1. The applicant shall retain all utility easements and protect facilities required by the Kansas City, Missouri Water Services Department.

**Property Description for a part of Northwest 87<sup>th</sup> Terrace Right-of-Way Vacation:**

A PART OF NORTHWEST 87<sup>TH</sup> TERRACE RIGHT OF WAY DEDICATED BY BARRY MIDDLE SCHOOL, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 51, RANGE 33, KANSAS CITY, PLATTE COUNTY, MISSOURI, SAID TRACT BEING BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 9 THENCE SOUTH 0°31'04" WEST, FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE EXCESS RIGHT-OF-WAY OF NORTHWEST 87<sup>TH</sup> TERRACE AS THE **POINT OF BEGINNING**;

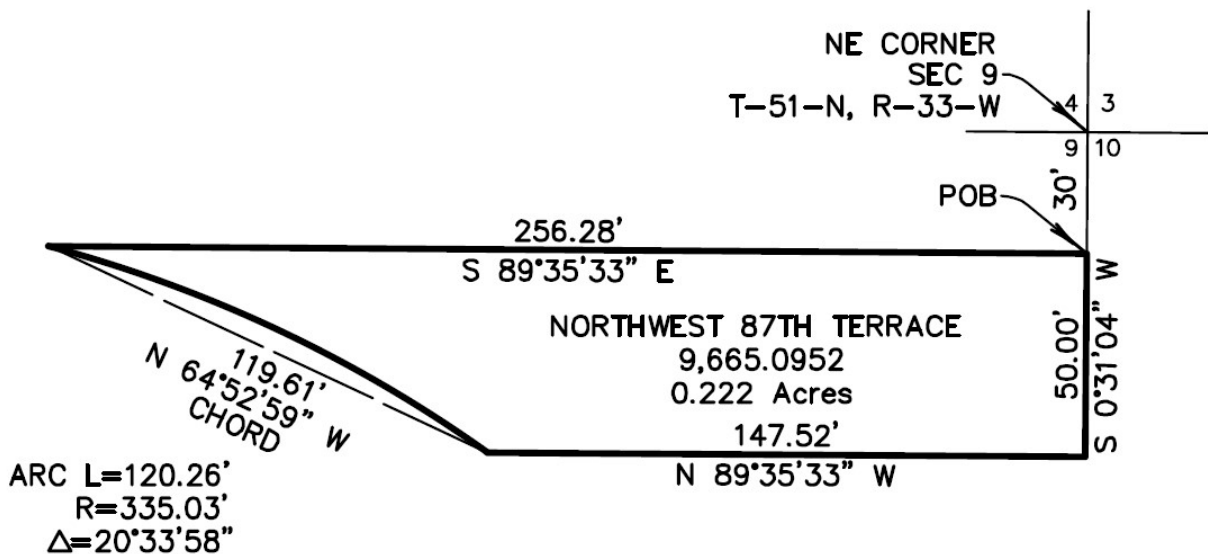
THENCE CONTINUING SOUTH 0°31'04" WEST, FOR A DISTANCE OF 50.00 FEET;

THENCE NORTH 89°35'33" WEST (PLAT- S89°36'52"E), FOR A DISTANCE OF 147.52 FEET;

THENCE ON A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 335.03 FEET, A CENTRAL ANGLE OF 20°33'58", A CHORD BEARING NORTH 64°52'59" WEST, AND AN ARC DISTANCE OF 120.26 FEET TO A POINT ON THE SOUTHERLY LINE OF NORTHWEST 87<sup>TH</sup> STREET TERRACE, AS NOW ESTABLISHED;

THENCE SOUTH 89°35'33" EAST (PLAT- N89°36'52"W), ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 256.28 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT CONTAINS 9,665 SQUARE FEET OR 0.222 ACRES MORE OR LESS.







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

Following are the names of the property owners owning or claiming to own all the property abutting said area proposed to be vacated:

Table with 3 columns: Owner's name, Legal description of property, Residence of owner. Row 1: BTH Dreiseszun II LLC, See attached, c/o MD Management 9375 E. Harvard Ave. Denver, CO 80231

(attach additional sheets if required)

BTH DREISESZUN II LLC

Handwritten signature: Helene Abrahams, Petitioner Manager. Printed name: HELENE ABRAHAMS, MANAGER

STATE OF Arizona )
COUNTY OF Maricopa ) ss.

On this 12th day of May in the year 2022, before me, a Notary Public in and for said state, personally appeared Helene Abrahams known to me to be the person who executed the within instrument and acknowledged to me that he/she executed the same for the purposes therein stated...

Subscribed and sworn to before me on this 12th day of May, 2022.

Notary Public In and for Said County and State

Notary Public

My Commission Expires: 8-31-2024



MATTHEW P HEALD
Notary Public - Arizona
Maricopa County
Commission # 589555
My Comm. Expires 08-31-2024

## Property Description from ALTA Survey

### **TRACT 1 - PARCELS 244064, & 159990:**

ALL THAT PART OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 3 AND ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 4, ALL IN TOWNSHIP 51, RANGE 33, KANSAS CITY, PLATTE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE NORTH 89°33'49" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 259.14 FEET; THENCE NORTH 0°25'14" EAST, 456.42 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MISSOURI ROUTE 152, AS NOW ESTABLISHED; THENCE NORTH 87°18'52" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 338.90 FEET; THENCE NORTH 71°26'23" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 604.67 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH PLATTE PURCHASE DRIVE, AS NOW ESTABLISHED; THENCE SOUTH 14°03'04" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 202.56 FEET; THENCE SOUTH 0°53'33" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 464.28 FEET TO A POINT ON THE SOUTH LINE OF THE FRACTIONAL SOUTHWEST QUARTER OF SAID SECTION 3; THENCE SOUTH 89°30'25" WEST, ALONG SAID SOUTH LINE, 697.94 FEET TO THE POINT OF BEGINNING.

### **TRACT 2 - PARCEL 265244:**

A TRACT OF LAND IN THE FRACTIONAL NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 51 NORTH, RANGE 33 WEST OF THE 5TH PRINCIPAL MERIDIAN IN KANSAS CITY, PLATTE COUNTY, MISSOURI BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID FRACTIONAL NORTHWEST QUARTER; THENCE NORTH 89°24'43" EAST, ALONG THE NORTH LINE OF SAID FRACTIONAL NORTHWEST QUARTER, 692.85 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF N PLATTE PURCHASE DRIVE, AS NOW ESTABLISHED; THENCE SOUTH 00°53'33" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, 473.26 FEET; THENCE SOUTH 15°48'24" EAST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 50.13 FEET; THENCE SOUTH 00°17'50" EAST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 84.88 FEET; THENCE SOUTH 00°11'35" WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 174.26 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 26.00 FEET, A CENTRAL ANGLE OF 90°03'52" AND AN ARC DISTANCE OF 40.87 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NW 87TH TERRACE, AS NOW ESTABLISHED; THENCE NORTH 89°44'33" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 80.26 FEET; THENCE NORTHWESTERLY, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF 53°00'30" AND AN ARC DISTANCE OF 342.31 FEET; THENCE NORTH 36°44'03" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 501.35 FEET TO A POINT ON THE WEST LINE OF SAID FRACTIONAL NORTHWEST QUARTER; THENCE NORTH 00°29'44" EAST, ALONG SAID WEST LINE, 248.54 FEET TO THE POINT OF BEGINNING.

**TRACT 3 - PARCEL 230132:**

ALL THAT PART OF TRACT A, BARRY MIDDLE SCHOOL, A SUBDIVISION OF LAND IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 51, RANGE 33, KANSAS CITY, PLATTE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT A, SAID POINT BEING ALSO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTH  $0^{\circ}31'15.11''$  WEST (PLAT- $S0^{\circ}29'44''$ W), ALONG THE EAST LINE OF SAID TRACT A, 30.00 FEET TO A POINT ON THE NORTHERLY LINE OF NORTHWEST 87TH STREET TERRACE, AS NOW ESTABLISHED; THENCE NORTH  $89^{\circ}35'33''$  WEST (PLAT-  $N89^{\circ}36'52.11''$ W), ALONG SAID NORTHERLY RIGHT-OFWAY LINE, 264.06 FEET; THENCE NORTH  $0^{\circ}24'39''$  EAST, 30.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT A; THENCE SOUTH  $89^{\circ}35'33''$  EAST (PLAT- $S89^{\circ}36'52''$ E), ALONG SAID NORTH LINE, 264.12 FEET TO THE TRUE POINT OF BEGINNING.

**TRACT 4 - PARCEL 230131:**

ALL THAT PART OF TRACT B, BARRY MIDDLE SCHOOL, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 51, RANGE 33, KANSAS CITY, PLATTE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BARRY MIDDLE SCHOOL; THENCE SOUTH  $0^{\circ}31'15.11''$  WEST (PLAT- $S0^{\circ}29'44''$ W), ALONG THE EAST LINE OF SAID BARRY MIDDLE SCHOOL, 80.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE HEREIN DESCRIBED; THENCE CONTINUING SOUTH  $0^{\circ}31'15''$  WEST, ALONG SAID EAST LINE, 267.24 FEET; THENCE NORTH  $36^{\circ}44'03''$  WEST, 198.56 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 275.00 FEET, AN ARC DISTANCE OF 253.70 FEET TO A POINT ON THE SOUTHERLY LINE OF NORTHWEST 87TH STREET TERRACE, AS NOW ESTABLISHED; THENCE SOUTH  $89^{\circ}35'33''$  EAST (PLAT-  $S89^{\circ}36'52''$ E), ALONG SAID SOUTHERLY LINE, 339.63 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THAT PART LYING IN NORTHWEST 87TH STREET TERRACE.

THE ABOVE DESCRIPTION HAS BEEN TAKEN FROM AN ALTA COMMITMENT FOR TITLE INSURANCE, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-1051589-KCTY, DATED JUNE 2, 2021.



### Property Description for Preliminary Plat:

A TRACT OF LAND THAT IS A PART OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 3, PART OF THE SOUTHEAST QUARTER OF SECTION 4, PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 10, ALL IN TOWNSHIP 51 NORTH, RANGE 33 WEST OF THE 5TH PRINCIPAL MERIDIAN IN KANSAS CITY, PLATTE COUNTY, MISSOURI, AND A PART OF TRACT A AND PART OF TRACT B, BARRY MIDDLE SCHOOL, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 51, RANGE 33, KANSAS CITY, PLATTE COUNTY, MISSOURI, SAID TRACT BEING BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT A, SAID POINT BEING ALSO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTH  $0^{\circ}31'15''$  WEST (PLAT- $S0^{\circ}29'44''W$ ), ALONG THE EAST LINE OF SAID TRACT A, 30.00 FEET TO A POINT ON THE NORTHERLY LINE OF NORTHWEST 87TH STREET TERRACE, AS NOW ESTABLISHED, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE NORTH  $89^{\circ}35'33''$  WEST (PLAT-  $N89^{\circ}36'52''W$ ), ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 264.06 FEET; THENCE NORTH  $0^{\circ}24'39''$  EAST, 30.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT A; THENCE NORTH  $0^{\circ}25'14''$  EAST, 456.42 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MISSOURI ROUTE 152, AS NOW ESTABLISHED; THENCE NORTH  $87^{\circ}18'52''$  EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 338.90 FEET; THENCE NORTH  $71^{\circ}26'23''$  EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 604.67 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH PLATTE PURCHASE DRIVE, AS NOW ESTABLISHED; THENCE SOUTH  $14^{\circ}03'04''$  EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 202.56 FEET; THENCE SOUTH  $0^{\circ}53'33''$  WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 464.28 FEET TO A POINT ON THE NORTH LINE OF THE FRACTIONAL NORTHWEST QUARTER OF SAID SECTION 10; THENCE SOUTH  $00^{\circ}53'33''$  WEST, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 473.26 FEET; THENCE SOUTH  $15^{\circ}48'24''$  EAST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 50.13 FEET; THENCE SOUTH  $00^{\circ}17'50''$  EAST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 84.88 FEET; THENCE SOUTH  $00^{\circ}11'35''$  WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 174.26 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 26.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}03'52''$  AND AN ARC DISTANCE OF 40.87 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NW 87TH TERRACE, AS NOW ESTABLISHED; THENCE NORTH  $89^{\circ}44'33''$  WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 80.26 FEET; THENCE NORTHWESTERLY, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF  $53^{\circ}00'30''$  AND AN ARC DISTANCE OF 342.31 FEET; THENCE NORTH  $36^{\circ}44'03''$  WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 623.66 FEET; THENCE NORTHWESTERLY, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 335.03 FEET, A CENTRAL ANGLE OF  $17^{\circ}51'56''$  AND AN ARC DISTANCE OF 104.47 FEET TO A POINT ON THE SOUTHERLY LINE OF NORTHWEST 87TH STREET TERRACE, AS NOW ESTABLISHED; THENCE SOUTH  $89^{\circ}35'33''$  EAST (PLAT-  $S89^{\circ}36'52''E$ ), ALONG SAID SOUTHERLY

LINE, 147.52 FEET TO A POINT ON THE EAST LINE OF OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 00°31'04 EAST, ALONG SAID EAST LINE, 50.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 972,872.81 SQUARE FEET OR 22.334 ACRES MORE OR LESS.



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12<sup>th</sup> Street, 15<sup>th</sup> floor; Kansas City, MO 64106-2795  
Phone (816) 513-2846 | Fax (816) 513-2838 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

CASE NO. CD-ROW-2022-00020

UTILITY CO.: Evergy

Be it known that Case Ventures, Inc., 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:

A portion of Northwest 87<sup>th</sup> Terrace

for the following purpose: Development of property located at 8708 N. Platte Purchase Drive

**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.

Authorized Representative

J. Brent Gerling  
Engineering & Design  
Supervisor - Northland  
5/4/2022

Date

**Return this form to:**

Rachelle M. Biondo, Paralegal  
Applicant Name

(816) 502-4706  
Phone

Rouse Frets White Goss Gentile Rhodes, P.C.  
4510 Belleview, Suite 300  
Kansas City, MO 64111  
Address

rbiondo@rousepc.com  
Email



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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

CASE NO. CD-ROW-2022-00020

UTILITY CO.: AT&T

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A portion of Northwest 87th Terrace

for the following purpose: Development of property located at 8708 N. Platte Purchase Drive

**1. Our utility/agency has facilities or interest within this right of way:**

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- 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.

MORGAN CHEYNE

5/4/22

Authorized Representative

Date

**Return this form to:**

Rachelle M. Biondo, Paralegal  
Applicant Name

(816) 502-4706  
Phone

Rouse Frets White Goss Gentile Rhodes, P.C.  
4510 Belleview, Suite 300  
Kansas City, MO 64111  
Address

rbiondo@rousepc.com  
Email



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. CD-ROW-2022-00020

UTILITY CO.: KCMO Public Works Departments  
Streets & Traffic Division

Be it known that Case Ventures, Inc., 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:

A portion of Northwest 87<sup>th</sup> Terrace

for the following purpose: Development of property located at 8708 N. Platte Purchase Drive

**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.



Authorized Representative

5/9/22  
Date

**Return this form to:**

Rachelle M. Biondo, Paralegal

Applicant Name

(816) 502-4706

Phone

Rouse Frets White Goss Gentile Rhodes, P.C.

4510 Belleview, Suite 300

Kansas City, MO 64111

Address

rbiondo@rousepc.com

Email



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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

CASE NO. CD-ROW-2022-00020

UTILITY CO.: KCMO Public Works Departments  
Streets & Traffic Division

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A portion of Northwest 87<sup>th</sup> Terrace

for the following purpose: Development of property located at 8708 N. Platte Purchase Drive

**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: Streetlight pole (NLJ2035) is in ROW. If light pole is needed to be re-located, developer/contractor will need to submit relocations plans, to Victor Pecina, our electrical engineer. He can be reached at victor.pecina@kcmo.org

- 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.

Octavio Moncada

Authorized Representative

May 9, 2022

Date

**Return this form to:**

Rachelle M. Biondo, Paralegal

Applicant Name

(816) 502-4706

Phone

Rouse Frets White Goss Gentile Rhodes, P.C.

4510 Belleview, Suite 300

Kansas City, MO 64111

Address

rbiondo@rousepc.com

Email



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. CD-ROW-2022-00020

UTILITY CO.: KCMO Fire Department

Be it known that Case Ventures, Inc., 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:

A portion of Northwest 87th Terrace

for the following purpose: Development of property located at 8708 N. Platte Purchase Drive

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

05/12/2022
Date

Return this form to:

Rachelle M. Biondo, Paralegal
Applicant Name
(816) 502-4706
Phone
Rouse Frets White Goss Gentile Rhodes, P.C.
4510 Belleview, Suite 300
Kansas City, MO 64111
Address
rbiondo@rousepc.com
Email



# UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

City Planning & Development Department  
City Hall, 414 E. 12<sup>th</sup> Street, 15<sup>th</sup> floor; Kansas City, MO 64106-2795  
Phone (816) 513-2846 | Fax (816) 513-2838 | [www.kcmo.gov/planning](http://www.kcmo.gov/planning)

CASE NO. CD-ROW-2022-00020

UTILITY CO.: Spectrum Charter

Be it known that Case Ventures, Inc., 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:

A portion of Northwest 87<sup>th</sup> Terrace

for the following purpose: Development of property located at 8708 N. Platte Purchase Drive

**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.

Authorized Representative

MAY 16, 2022  
Date

**Return this form to:**

Rachelle M. Biondo, Paralegal  
Applicant Name

(816) 502-4706  
Phone

Rouse Frets White Goss Gentile Rhodes, P.C.  
4510 Belleview, Suite 300  
Kansas City, MO 64111  
Address

rbiondo@rousepc.com  
Email





Spire Missouri Inc.  
700 Market St.  
St. Louis, MO 63101

May 4<sup>th</sup>, 2022

Rachelle Biondo - Paralegal  
Rouse Frets White Goss Gentile Rhodes P.C.  
4510 Belleview Avenue Suite 300  
Kansas City, Missouri 64111

**Re: Right of Way Vacate Request  
CD-ROW-2022 00020**


**Vacation:** Portion of NW 87<sup>th</sup> Terrace

Rachelle M. Biondo,

In response to your email letter dated May 4<sup>th</sup>, 2022 relative to the above referenced Right of Way Vacate Request.


Please be advised that Spire Missouri Inc. ("Spire") has no facilities located within the area which is requested to be vacated.

Sincerely,

  
Alex Sammet (May 16, 2022 20:34 MDT)

Alex Sammet  
Right of Way Area Manager, Missouri  
Spire Missouri Inc.

TJF: JLS  
cc: Rachelle M. Biondo

Engineering Dept. Approval:   
JMA

System Planning Approval:   
JMK



UTILITY/AGENCY COMMENTS VACATION OF STREETS, ALLEYS AND PLATS

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CASE NO. CD-ROW-2022-00020

UTILITY CO.: Spire

Be it known that Case Ventures, Inc., 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:

A portion of Northwest 87th Terrace

for the following purpose: Development of property located at 8708 N. Platte Purchase Drive

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 - ROW Representative for Spire

Johnny Strauss

5/17/2022

Authorized Representative

Date

Return this form to:

Rachelle M. Biondo, Paralegal

Applicant Name

(816) 502-4706

Phone

Rouse Frets White Goss Gentile Rhodes, P.C.

4510 Belleview, Suite 300

Kansas City, MO 64111

Address

rbiondo@rousepc.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](http://www.kcmo.gov/planning)

CASE NO. CD-ROW-2022-00020

UTILITY CO.: KCMO Water Services Dept.

Be it known that Case Ventures, Inc., 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:

A portion of Northwest 87th Terrace

for the following purpose: Development of property located at 8708 N. Platte Purchase Drive

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: No structures located within the easements

- 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.

[Signature]  
Authorized Representative

05/26/2022  
Date

<b>Return this form to:</b>	
<u>Rachelle M. Blondo, Paralegal</u> Applicant Name	<u>(816) 502-4706</u> Phone
<u>Rouse Frets White Goss Gentile Rhodes, P.C.</u> <u>4510 Belleview, Suite 300</u> <u>Kansas City, MO 64111</u> Address	<u>rblando@rousepc.com</u> Email



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

CONSENT OF LIMITED LIABILITY COMPANY

Case No. CD-ROW-2022-0020

Table with 2 columns: Owner's name, Legal description of property. Row 1: BTH Dreiseszun II LLC, See attached. Row 2: By: Helene Abrahams, Manager; Name: HELENE ABRAHAMS; Title: MANAGER.

(additional sheets attached as required)

STATE OF Arizona )
COUNTY OF Maricopa ) ss.

On this 12th day of May, 2022, before me, appeared Helene Abrahams, to me personally known, who being by me personally sworn, did say that he/she is the Manager of BTH Dreiseszun II LLC, a limited liability company, and that said instrument was signed and sealed in behalf of said limited liability company, and said Manager acknowledged said instrument to be the free act and deed of said limited liability company.

Subscribed and sworn to before me on this 12th day of May, 2022.

Notary Public In and for Said County and State

[Signature]
Notary Public

My Commission Expires: 8-31-2024



MATTHEW P HEALD
Notary Public - Arizona
Maricopa County
Commission # 589555
My Comm. Expires 08-31-2024

## Property Description from ALTA Survey

### **TRACT 1 - PARCELS 244064, & 159990:**

ALL THAT PART OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 3 AND ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 4, ALL IN TOWNSHIP 51, RANGE 33, KANSAS CITY, PLATTE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE NORTH 89°33'49" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 259.14 FEET; THENCE NORTH 0°25'14" EAST, 456.42 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MISSOURI ROUTE 152, AS NOW ESTABLISHED; THENCE NORTH 87°18'52" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 338.90 FEET; THENCE NORTH 71°26'23" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 604.67 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH PLATTE PURCHASE DRIVE, AS NOW ESTABLISHED; THENCE SOUTH 14°03'04" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 202.56 FEET; THENCE SOUTH 0°53'33" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 464.28 FEET TO A POINT ON THE SOUTH LINE OF THE FRACTIONAL SOUTHWEST QUARTER OF SAID SECTION 3; THENCE SOUTH 89°30'25" WEST, ALONG SAID SOUTH LINE, 697.94 FEET TO THE POINT OF BEGINNING.

### **TRACT 2 - PARCEL 265244:**

A TRACT OF LAND IN THE FRACTIONAL NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 51 NORTH, RANGE 33 WEST OF THE 5TH PRINCIPAL MERIDIAN IN KANSAS CITY, PLATTE COUNTY, MISSOURI BEING BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID FRACTIONAL NORTHWEST QUARTER; THENCE NORTH 89°24'43" EAST, ALONG THE NORTH LINE OF SAID FRACTIONAL NORTHWEST QUARTER, 692.85 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF N PLATTE PURCHASE DRIVE, AS NOW ESTABLISHED; THENCE SOUTH 00°53'33" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, 473.26 FEET; THENCE SOUTH 15°48'24" EAST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 50.13 FEET; THENCE SOUTH 00°17'50" EAST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 84.88 FEET; THENCE SOUTH 00°11'35" WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 174.26 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 26.00 FEET, A CENTRAL ANGLE OF 90°03'52" AND AN ARC DISTANCE OF 40.87 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NW 87TH TERRACE, AS NOW ESTABLISHED; THENCE NORTH 89°44'33" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 80.26 FEET; THENCE NORTHWESTERLY, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF 53°00'30" AND AN ARC DISTANCE OF 342.31 FEET; THENCE NORTH 36°44'03" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 501.35 FEET TO A POINT ON THE WEST LINE OF SAID FRACTIONAL NORTHWEST QUARTER; THENCE NORTH 00°29'44" EAST, ALONG SAID WEST LINE, 248.54 FEET TO THE POINT OF BEGINNING.

**TRACT 3 - PARCEL 230132:**

ALL THAT PART OF TRACT A, BARRY MIDDLE SCHOOL, A SUBDIVISION OF LAND IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 51, RANGE 33, KANSAS CITY, PLATTE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT A, SAID POINT BEING ALSO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTH  $0^{\circ}31'15.11''$  WEST (PLAT- $S0^{\circ}29'44''$ W), ALONG THE EAST LINE OF SAID TRACT A, 30.00 FEET TO A POINT ON THE NORTHERLY LINE OF NORTHWEST 87TH STREET TERRACE, AS NOW ESTABLISHED; THENCE NORTH  $89^{\circ}35'33''$  WEST (PLAT-  $N89^{\circ}36'52.11''$ W), ALONG SAID NORTHERLY RIGHT-OFWAY LINE, 264.06 FEET; THENCE NORTH  $0^{\circ}24'39''$  EAST, 30.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT A; THENCE SOUTH  $89^{\circ}35'33''$  EAST (PLAT- $S89^{\circ}36'52''$ E), ALONG SAID NORTH LINE, 264.12 FEET TO THE TRUE POINT OF BEGINNING.

**TRACT 4 - PARCEL 230131:**

ALL THAT PART OF TRACT B, BARRY MIDDLE SCHOOL, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 51, RANGE 33, KANSAS CITY, PLATTE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BARRY MIDDLE SCHOOL; THENCE SOUTH  $0^{\circ}31'15.11''$  WEST (PLAT- $S0^{\circ}29'44''$ W), ALONG THE EAST LINE OF SAID BARRY MIDDLE SCHOOL, 80.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE HEREIN DESCRIBED; THENCE CONTINUING SOUTH  $0^{\circ}31'15''$  WEST, ALONG SAID EAST LINE, 267.24 FEET; THENCE NORTH  $36^{\circ}44'03''$  WEST, 198.56 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 275.00 FEET, AN ARC DISTANCE OF 253.70 FEET TO A POINT ON THE SOUTHERLY LINE OF NORTHWEST 87TH STREET TERRACE, AS NOW ESTABLISHED; THENCE SOUTH  $89^{\circ}35'33''$  EAST (PLAT-  $S89^{\circ}36'52''$ E), ALONG SAID SOUTHERLY LINE, 339.63 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THAT PART LYING IN NORTHWEST 87TH STREET TERRACE.

THE ABOVE DESCRIPTION HAS BEEN TAKEN FROM AN ALTA COMMITMENT FOR TITLE INSURANCE, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-1051589-KCTY, DATED JUNE 2, 2021.

## Property Description for Preliminary Plat:

A TRACT OF LAND THAT IS A PART OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 3, PART OF THE SOUTHEAST QUARTER OF SECTION 4, PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 10, ALL IN TOWNSHIP 51 NORTH, RANGE 33 WEST OF THE 5TH PRINCIPAL MERIDIAN IN KANSAS CITY, PLATTE COUNTY, MISSOURI, AND A PART OF TRACT A AND PART OF TRACT B, BARRY MIDDLE SCHOOL, A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 51, RANGE 33, KANSAS CITY, PLATTE COUNTY, MISSOURI, SAID TRACT BEING BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT A, SAID POINT BEING ALSO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTH  $0^{\circ}31'15''$  WEST (PLAT- $S0^{\circ}29'44''W$ ), ALONG THE EAST LINE OF SAID TRACT A, 30.00 FEET TO A POINT ON THE NORTHERLY LINE OF NORTHWEST 87TH STREET TERRACE, AS NOW ESTABLISHED, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE NORTH  $89^{\circ}35'33''$  WEST (PLAT-  $N89^{\circ}36'52''W$ ), ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 264.06 FEET; THENCE NORTH  $0^{\circ}24'39''$  EAST, 30.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT A; THENCE NORTH  $0^{\circ}25'14''$  EAST, 456.42 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MISSOURI ROUTE 152, AS NOW ESTABLISHED; THENCE NORTH  $87^{\circ}18'52''$  EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 338.90 FEET; THENCE NORTH  $71^{\circ}26'23''$  EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 604.67 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH PLATTE PURCHASE DRIVE, AS NOW ESTABLISHED; THENCE SOUTH  $14^{\circ}03'04''$  EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 202.56 FEET; THENCE SOUTH  $0^{\circ}53'33''$  WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 464.28 FEET TO A POINT ON THE NORTH LINE OF THE FRACTIONAL NORTHWEST QUARTER OF SAID SECTION 10; THENCE SOUTH  $00^{\circ}53'33''$  WEST, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 473.26 FEET; THENCE SOUTH  $15^{\circ}48'24''$  EAST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 50.13 FEET; THENCE SOUTH  $00^{\circ}17'50''$  EAST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 84.88 FEET; THENCE SOUTH  $00^{\circ}11'35''$  WEST, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 174.26 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 26.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}03'52''$  AND AN ARC DISTANCE OF 40.87 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NW 87TH TERRACE, AS NOW ESTABLISHED; THENCE NORTH  $89^{\circ}44'33''$  WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 80.26 FEET; THENCE NORTHWESTERLY, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE RIGHT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF  $53^{\circ}00'30''$  AND AN ARC DISTANCE OF 342.31 FEET; THENCE NORTH  $36^{\circ}44'03''$  WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 623.66 FEET; THENCE NORTHWESTERLY, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT, BEING TANGENT TO THE LAST DESCRIBED COURSE WITH A RADIUS OF 335.03 FEET, A CENTRAL ANGLE OF  $17^{\circ}51'56''$  AND AN ARC DISTANCE OF 104.47 FEET TO A POINT ON THE SOUTHERLY LINE OF NORTHWEST 87TH STREET TERRACE, AS NOW ESTABLISHED; THENCE SOUTH  $89^{\circ}35'33''$  EAST (PLAT-  $S89^{\circ}36'52''E$ ), ALONG SAID SOUTHERLY

LINE, 147.52 FEET TO A POINT ON THE EAST LINE OF OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 00°31'04 EAST, ALONG SAID EAST LINE, 50.00 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 972,872.81 SQUARE FEET OR 22.334 ACRES MORE OR LESS.