

## REQUEST FOR ORDINANCE

CASE NO. CD-ROW-2019-00009

An Ordinance to vacate a portion of E. 95th Street and a portion of N. Michigan Avenue generally located north of E. Bannister Road in between Troost Avenue to the west and the Union Pacific Railroad to the east, to allow for redevelopment of the site. (CD-ROW-2019-00009)

The consent of the persons or corporations owning or claiming to own three-fourths of the front feet of the property, immediately adjoining the said street has been obtained in writing.

A public hearing was held by the City Plan Commission on September 1, 2020, on the 26th Floor of City Hall. The Commission recommended that this vacation be APPROVED.

Seven members of the City Plan Commission were present, and they voted 7-0 in favor of the vacation. (Allender, Baker, Beasley, Crowl, Enders, Hill, and Sadowski voting AYE).

The staff recommended approval without conditions.

The petition was made by Michael Ballard, 1301 Burlington Street, North Kansas City, MO 64116 on April 9, 2019.

The portion to be vacated is shown on the attached map marked Exhibit "A".

### **LEGAL DESCRIPTION OF VACATION:**

#### **STREET VACATION – Part of E 95th Street and N Michigan Avenue**

A tract of land in the Northwest Quarter and Northeast Quarter of Section 28, all in Township 48 North, Range 33 West of the 5th Principal Meridian in Kansas City, Jackson County, Missouri being bounded and described as follows: Commencing at the Southwest Corner of said Northwest Quarter; thence South 86°51'29" East, along the South line of said Northwest Quarter and said Northeast Quarter, 3066.88 feet; thence North 03°08'31" East, at right angles to said South line, 260.32 feet to a point on the Easterly right of way line of N Michigan Avenue as established by Tract B of Document K862069, in Book K1879 at Page 216, recorded January 6, 1989, said point also being the Northeast corner of the Grant of Easement for Relocated 95th Street established by Document K921542, in Book K2014 at Page 1598, recorded April 20, 1990, said point also being the Point of Beginning of the tract of land to be herein described: thence South 78°22'07" West, 90.00 feet to a point on the Westerly right of way line of said N Michigan Avenue; thence Northerly along said Westerly right of way line, along a curve to the left having an initial tangent bearing of North 11°37'53" West, with a radius of 522.96 feet, a central angle of 23°34'59", and an arc distance of 215.25 feet; thence North 35°12'52" West, along said Westerly right of way line 1.13 feet to a point on the Southeasterly right of way line of E 95th Street as now established; thence Southwesterly along said Southeasterly right of way line, along a curve to the right having an initial tangent bearing of South 65°37'08" West with a radius of 1,492.39 feet, a central angle of 11°25'32" and an arc distance of 297.60 feet; thence South 77°02'40" West along said Southeasterly right of way line, 655.40 feet; thence South 01°59'47" West, along said Southeasterly right of way line, 90.71 feet to a point on the Northerly right of way line of E Bannister Road as now established; thence North 85°54'37" West, along said Northerly right of way line, 491.83

feet to a point on the Northwestern right of way line of said E 95th Street; thence North 09°34'24" West, along said Northwestern right of way line, 67.55 feet; thence Northeasterly along said Northwestern right of way line, along a curve to the left having an initial tangent bearing of North 80°05'21" East with a radius of 2,804.79 feet, a central angle of 03°02'41" and an arc distance of 149.05 feet; thence North 77°02'40" East, along said Northwestern right of way line, 996.07 feet; thence Northeasterly along said Northwestern right of way line along a curve to the left being tangent to the last described course with a radius of 1,372.39 feet, a central angle of 18°17'41" and an arc distance of 438.21 feet; thence North 58°44'59" East, along said Northwestern right of way line, 1,059.88 feet to a point on the Westerly right of way line of the Missouri Pacific Railroad as now established; thence South 04°07'14" West, along said Westerly right of way line, 147.16 feet to a point on the Southeasterly right of way line of said E 95th Street; thence South 58°44'59" West, along said Southeasterly right of way line, 974.69 feet; thence Southwesterly, along said Southeasterly right of way line, along a curve to the right being tangent to the last described course with a radius of 1,492.39 feet, a central angle of 03°22'30" and an arc distance of 87.91 feet to a point on the Easterly right of way line of said N Michigan Avenue; thence Southerly along said Easterly right of way line, along a curve to the right having an initial tangent bearing of South 33°58'35" East with a radius of 612.96 feet, a central angle of 22°20'42" and an arc distance of 239.05 feet to the Point of Beginning.

Containing 343,712 square feet or 7.891 acres, more or less.