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**File #: 260477**

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### ORDINANCE NO. 260477

Vacating Right-of-Way excess to the City's needs, in Jackson County, Missouri; and upon the effective date of this ordinance, the City Clerk is hereby directed to record said ordinance in the Office of the Recorder of Deeds for Jackson County, Missouri.

WHEREAS, in 1987 the City of Kansas City, Missouri, acquired property by Warranty Deed in "South Side Place", Document Numbers K784865, Bk. 1702 Pg. 1925 and K788086, Bk. 1710 Pg. 690; and in "Ellison & Murdock's Addition", Document Number K788762, Bk. 1712 Pg. 68, for new right-of-way for the construction of the Broadway – West Pennway Viaduct and the approach roadways of the Broadway – West Pennway Viaduct; and

WHEREAS, upon completion of the Broadway – West Pennway Viaduct, there exists unimproved right-of-way that is excess to the needs of the project once the construction of the viaduct was completed;

WHEREAS, said excess right-of-way is not part of the major street plan and does not provide the only physical access to any property or for any realigned right-of-way; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find that the Director of the Department of Public Works has declared certain City Right-of-Way to be in excess of the City's needs with no future plans to improve said Right-of-Way and therefore requests that the following City Right-of-Way be vacated while retaining an Inspection and Maintenance Easement in "South Side Place", and in "Ellison & Murdock's Addition" subdivisions in Kansas City, Jackson County, Missouri, and described as follows:

A tract of land being a part of Lots 13 through 17, Block 1, South Side Place, and Lots 5 through 12, Ellison and Murdock's Addition, both subdivisions in the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section 7, Township 49 North, Range 33 West in Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the Southwest corner of Lot 1, Ellison and Murdock's Addition; thence North 02 Degrees, 26 Minutes, 50 Seconds East along the West Line of Lots 1 through 5, Ellison and Murdock's Addition, a distance of 109.36 feet to a point 9.36 feet North of the Southwest corner of said Lot 5, said point being the Point of Beginning. Thence Northeasterly and

Northerly along a non-tangent curve to the left, said curve having an Initial Tangent Bearing of North 31 Degrees, 27 Minutes, 14 Seconds East, a Radius of 859.88 feet, a Delta of North 13 Degrees, 44 Minutes, 58 Seconds, for an Arc Length of 206.35 feet to a point on the north line of said Lot 12, Ellison and Murdock's Addition. Thence Northeasterly and Northerly along a non-tangent curve to the left, said curve having an Initial Tangent Bearing of North 17 Degrees, 42 Minutes, 15 Seconds East, a Radius of 859.88 feet, a Delta of North 05 Degrees, 07 Minutes, 24 Seconds, for an Arc Length of 76.89 feet to a point on the north line of said Lot 15, Block 1, South Side Place. Thence Northeasterly and Northerly along a non-tangent curve to the left, said curve having an Initial Tangent Bearing of North 12 Degrees, 34 Minutes, 50 Seconds East, a Radius of 859.88 feet, a Delta of North 05 Degrees, 41 Minutes, 18 Seconds, for an Arc Length of 85.37 feet to a point on the north line of Lot 13, Block 1, South Side Place and the south line of a Northeast – Southwest, 15 foot wide public right of way (Alley); Thence South 50 Degrees, 51 Minutes, 20 Seconds West, a distance of 127.47 feet along the south line of said 15 foot wide public right of way (Alley) and the northwesterly lines of Lots 13, 14, and 15, Block 1, South Side Place to the northwesterly corner of said Lot 15 and the east line of a North – South, 11 foot wide public right of way (Alley); Thence South 02 Degrees, 26 Minutes, 50 Seconds West along the East line of said 11-foot-wide public right of way (Alley) and the West line of Lots 15, 16, 17, Block 1 South Side Place, a distance of 66.17 feet to the Northwest corner of Lot 12, Ellison and Murdock's Addition; Thence continuing South 02 Degrees, 26 Minutes, 50 Seconds West along the East line of said 11-foot-wide public right of way (Alley) and the West line of Lots 12 through 5, inclusive, to the Point of Beginning. Containing 18,328.2 square feet or 0.42 acres more or less. An Inspection and Maintenance Easement is retained over, under, in and upon the same area described above.

Section 2. 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 3. That the public right of way described in Section 1 be and the same is hereby vacated. However, the City of Kansas City reserves an easement for the inspection, maintenance, repair of, and improvements to the Broadway – West Pennway Viaduct. The City of Kansas City shall have at all times the right to go upon the above-described properties to construct, maintain and repair the same; and nothing in this vacation action shall be construed so as to grant any right to use the above-described properties in any manner as would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses, and specifically, there shall not be built thereon or thereover any structure (except driveways, paved areas, grass, shrubs and fences) nor excavation thereunder without first securing the written approval of the Director of Public Works.

Section 4. That the City Clerk of Kansas City, Missouri is hereby authorized and directed to acknowledge this ordinance as deeds are acknowledged, and to cause this ordinance to be filed for record in the Recorder's Office in Jackson County, Missouri.

Section 5. All Ordinances or parts of Ordinances in conflict with this Ordinance are, in so much as they conflict with this Ordinance, hereby repealed.

Approved as to form:

  
Abigail Judah  
Associate City Attorney



Authenticated as Passed



Quinton Lucas, Mayor

  
Marilyn Sanders, City Clerk

MAY 21 2026

Date Passed