

ORDINANCE NO. 180814

Vacating the alley next south of E. Truman Road in between Wabash Avenue to the west and Prospect Avenue to the east; retaining an easement; and directing the City Clerk to record certain documents. (CD-ROW-2018-00109)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that on July 25, 2018, a petition was filed with the City Clerk of Kansas City by Heilman Investment Properties, LLC, for the vacation of a tract of land in the Southeast Quarter of Section 4, Township 49 South, Range 33 East of the Sixth P.M. and a part of alley easement in Fairfield Place, Block One, all in the City of Kansas City, Jackson County, Missouri, described as follows: Point of beginning at the northwest corner of Lot 24 of Block One, Fairfield Place, thence south along the west side of Lots 24 thru 13 to the southwest corner of Lot 13 of Block One, Fairfield Place and the north side of vacated 16th Street, 302.26 feet more or less; thence west along north side of vacated 16th Street, 12 feet more or less to a point on east side of Lot 3B of Block One, Downtown East Industrial Park; thence north along said east side of Lot 3B, 87.26 feet more or less, to the northeast corner of said Lot 3B; thence west along the north side of said Lot 3B, to the northwest corner of Lot 3B and to a point on the east side of Wabash Avenue right-of-way, 131.18 feet more or less; thence north along said right-of-way to the southeast corner of Lot 8 of Block One, Fairfield Place, 15.00 feet more or less; thence east along the south line of said Lot 8 to the southeast corner of said lot, 131.18 feet more or less; thence north along the east side of Lots 8 thru 1 of Block One, Fairfield Place, 200.00 feet more or less, to the northeast corner of Lot 1, Block One, Fairfield Place, thence east 12.00 feet more or less along the south side of the existing alley to the point of beginning, containing 5,594 square feet or 0.128 acres more or less, giving the distinct description of the tract of land 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

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corporations owning or claiming to own three-fourths of the front feet of the property immediately adjoining said tract of land 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 a tract of land in the Southeast Quarter of Section 4, Township 49 South, Range 33 East of the Sixth P.M. and a part of alley easement in Fairfield Place, Block One, all in the City of Kansas City, Jackson County, Missouri, described as follows: Point of beginning at the northwest corner of Lot 24 of Block One, Fairfield Place, thence south along the west side of Lots 24 thru 13 to the southwest corner of Lot 13 of Block One, Fairfield Place and the north side of vacated 16th Street, 302.26 feet more or less; thence west along north side of vacated 16th Street, 12 feet more or less to a point on east side of Lot 3B of Block One, Downtown East Industrial Park; thence north along said east side of Lot 3B, 87.26 feet more or less, to the northeast corner of said Lot 3B; thence west along the north side of said Lot 3B, to the northwest corner of Lot 3B and to a point on the east side of Wabash Avenue right-of-way, 131.18 feet more or less; thence north along said right-of-way to the southeast corner of Lot 8 of Block One, Fairfield Place, 15.00 feet more or less; thence east along the south line of said Lot 8 to the southeast corner of said lot, 131.18 feet more or less; thence north along the east side of Lots 8 thru 1 of Block One, Fairfield Place, 200.00 feet more or less, to the northeast corner of Lot 1, Block One, Fairfield Place, thence east 12.00 feet more or less along the south side of the existing alley to the point of beginning, containing 5,594 square feet or 0.128 acres more or less, be and the same is hereby vacated. However, the City of Kansas City reserves an easement and the right to locate, construct and maintain (or to authorize any franchised utility to locate, construct and maintain) conduits, water, gas and sewer pipes, poles and wire, or any of them over, under, along and across the above-described property. The City of Kansas City shall have at all times the right to go upon the above-described property 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 property 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) without first securing the written approval of the Director of Public Works.

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 Jackson County, Missouri.

