

ELECTRONICALLY RECORDED  
JACKSON COUNTY, MISSOURI

12/14/2023 12:59 PM

FEE: \$57.00 13 PGS

INSTRUMENT NUMBER

2023E0089216



	<p><b>CITY OF KANSAS CITY, MISSOURI CERTIFICATE OF THE CITY CLERK DOCUMENT TO BE RECORDED JACKSON COUNTY</b></p>
--	--

DATE OF DOCUMENT: December 7, 2023

DOCUMENT TITLE: Vacation Ordinance 231000

Grantor(s): Route frets White Goss  
Name &  
Address:

Grantee(s): City of Kansas City  
Name &  
Address: 414 E 12th Street  
KCMO 64106

LEGAL DESCRIPTION: See Page(s) 12 of Exhibit \_\_\_\_\_ of the subject document.

The above appears in records and is on file in the Office of the City Clerk, 25<sup>th</sup> Floor, City Hall, and Kansas City, Missouri. I hereby, certify that this is a true and correct copy of the above ordinance.

IN TESTIMONY WHEREOF, I have set my hand and official seal of the City on the 13th day of December, 2023

Marilyn Sanders  
City Clerk

By Marilyn Sanders City Clerk



**Return all Recorded Originals To:  
OFFICE OF THE CITY CLERK, 414 E. 12<sup>th</sup> Street, 25<sup>th</sup> Floor, Kansas City, Missouri 64106**

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 231000

Vacating the Oak Street Condominium Plat, generally located at 4006 Oak Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-00029)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that a petition was filed for the vacation of Oak Street Condominiums, a condominium in Kansas City, Jackson County, Missouri, according to the recorded condominium plat thereof, giving the distinct description of the condominium to be vacated and also the names of the persons and corporations owning condominium units, and that the consents of the persons and corporations owning condominium units has been obtained in writing, that said consents have 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.

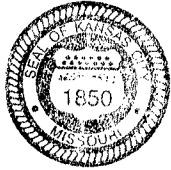
Section 3. That the Council finds that no private rights will be unreasonably injured or endangered by this vacation and that the public will suffer no unreasonable loss or inconvenience thereby.

Section 4. That the Oak Street Condominiums, a condominium plat in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, be and the same is hereby vacated.

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.

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

Ryan Park Jr.  
Quinton Lucas, Mayor

Marilyn Sanders  
Marilyn Sanders, City Clerk

DEC 07 2023  
Date Passed

Approved as to form:

Sarah Baxter  
Sarah Baxter  
Senior Associate City Attorney

Approved by the City Plan Commission

[Signature]  
Secretary

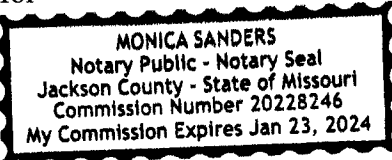
STATE OF MISSOURI )  
                                  ) ss.  
COUNTY OF Jackson )

On the 7<sup>th</sup> day of December, 2023, before me, a Notary Public in and for said County, personally appeared Marilyn Sanders 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 Jan 23, 2024.

Monica Sanders  
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



## PETITION FOR 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)

To the Honorable Council of Kansas City, Missouri:

The undersigned, being an owner of real estate fronting and abutting on the portion of the area hereinafter described, for the vacation of which this petition is filed, does hereby petition the Council of Kansas City to pass an ordinance vacating:

Oak Street Condominium Plat

The undersigned petitioner agrees in consideration of the vacation that if, because of said vacation, any public improvements are to be made, or repaired, or made or repaired by the City on any street, avenue, alley, thoroughfare or public property intersected by the area to be vacated, the cost of such improvements or repairs shall be paid by the undersigned petitioner upon demand from the City.

Filed _____, 20____	
_____	by _____
City Clerk	Deputy



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: Properties Plus LLC, Oak Street Condominium Plat, P.O. Box 10110 Kansas City, MO 64171

(attach additional sheets if required)

PROPERTIES PLUS LLC

By: [Signature]
Name: Daniel Winkler
Title: managing member

STATE OF MISSOURI
COUNTY OF JACKSON } ss.

On this 2nd day of October in the year 2023, before me, a Notary Public in and for said state, personally appeared Daniel Winkler, 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, and that he/she knows personally that the persons named on the above and foregoing petition are the persons owning or claiming to own the property set opposite their names, and that they own or claim to own all the property abutting said area to be vacated.

Subscribed and sworn to before me on this 2nd day of October, 2023.

Notary Public in and for Said County and State

[Signature]
Notary Public

My Commission Expires: 7/31/24



RACHELLE M. BIONDO
My Commission Expires July 31, 2024
Jackson County
Commission #12489262



## CONSENT TO 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-2023-00029**

In the matter of the vacation of:

Oak Street Condominium Plat

Know all men by these presents: That the undersigned, being owners of the real estate described below set opposite our names respectively and immediately adjoining the area for the vacation of which a petition has been filed, do as such abutting owners hereby consent that said area may be vacated in manner and form, as set out in said petition. We severally own the property set opposite our names printed and signed below.

Filed _____, 20____
_____ by _____
City Clerk Deputy




# 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](http://www.kcmo.gov/planning)

## CONSENT OF LIMITED LIABILITY COMPANIES

Case No.

Owner's name	Legal description of property
Properties Plus LLC  By:  Name: <u>Daniel Windling</u> Title: <u>managing member</u>	Oak Street Condominium

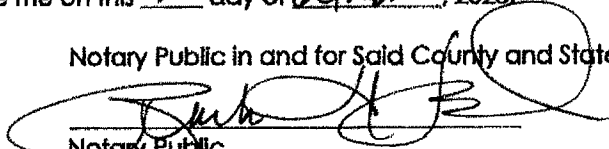
(additional sheets attached as required)

STATE OF Missouri )  
COUNTY OF Jackson ) ss.

On this 2<sup>nd</sup> day of October, 2023, before me, a Notary Public in and for said state, personally appeared Daniel Windling, who being by me duly sworn did say that he/she is the managing member of Properties Plus LLC, a Missouri limited liability company, and that the within instrument was signed and sealed in behalf of said limited liability company by authority of its members, and acknowledged said instrument to be the free act and deed of said limited liability company for the purposes therein stated.

Subscribed and sworn to before me on this 2<sup>nd</sup> day of October, 2023.

Notary Public in and for Said County and State

  
Notary Public

My Commission Expires: 7/31/24



RACHELLE M. BIONDO  
My Commission Expires  
July 31, 2024  
Jackson County  
Commission #12499262





# CITY PLAN COMMISSION STAFF REPORT

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

231000

November 7<sup>th</sup>, 2023

**Vacation of Condominium Plat**  
**Project Name**

**Docket # 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8**

**Request**

- CD-ROW-2023-00027  
Vacation of Condominium Plat
- CD-ROW-2023-00029  
Vacation of Condominium Plat
- CD-ROW-2023-00030  
Vacation of Condominium Plat
- CD-ROW-2023-00031  
Vacation of Condominium Plat
- CD-ROW-2023-00032  
Vacation of Condominium Plat
- CD-ROW-2023-00033  
Vacation of Condominium Plat
- CD-ROW-2023-00034  
Vacation of Condominium Plat
- CD-ROW-2023-00035  
Vacation of Condominium Plat
- Vacation of Condominium Plat

**Applicant**

Patricia Jensen  
 Route Frets White Goss Gentile Rhodes,  
 P.C

- Location**            Various - see below
- Area**                 Various - see below
- Zoning**              Various - see below
- Council District**   Various - see below
- County**              Jackson
- School District**    Various - see below

**Surrounding Land Uses**

- North:** Various – see analysis
- South:** Various – see analysis
- East:** Various – see analysis
- West:** Various – see analysis

**APPROVAL PROCESS**



**PROJECT TIMELINE**

The applications for the subject request was filed on 9/05/2023. Scheduling deviations from 2023 Cycle S have occurred.

- Applicant was fulfilling Petition to Vacate and gathering letter of consent

**NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED**

A public hearing notification was sent to the 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**

All the existing buildings serve as condominiums that occupy the subject sites. Although platted as condominiums, the units are currently owned by a single owner who currently rents them as apartments.

**SUMMARY OF REQUEST + KEY POINTS**

See analysis below.

**CONTROLLING CASE**

There is no controlling case.

**PROFESSIONAL STAFF RECOMMENDATION**

Docket #	Recommendation:
12.1	Approval
12.2	Approval
12.3	Approval
12.4	Approval
12.5	Approval
12.6	Approval
12.7	Approval
12.8	Approval

**VACATION REVIEW**

The applicant is requesting to vacate eight condominium plats. A condominium is defined as, a system of separate ownership of individual units with each unit owner entitled to a percentage ownership in the common elements evidenced by the recording of a plat and declaration of condominium pursuant to RSMo chapter 448. In each case, the buildings are platted as condominiums, but each unit is owned by one entity. The applicant is currently renting out each unit of the condominium as a multi-unit building and is the sole owner of each condo. This vacation of the condominium plat would return the structures into a multi-unit building under one ownership. All of the following vacations do not propose any changes other than the information labeled above and there will be no physical changes to each of the existing buildings. The vacation will change the ownership from multiple condominium owners to single ownership of each building. The condominium association and bylaws will also be dissolved.

**APPROVAL CRITERIA OF 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.

**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.

**88-560-10-C.** The vacation will not result in a violation of 88-405.

**88-560-10-D.** The vacation shall not disrupt the constructed street network or reduce existing physical connectivity.

**88-560-10-E.** The vacation shall not result in a dead-end street or alley.

**88-560-10-F.** The vacation shall not result in street traffic being routed through an alley.

**88-560-10-G.** The vacation shall not vacate half the width of a street or alley.

**88-560-10-H.** The right-of-way to be vacated is not on the Major Street Plan.



<p><b>Docket #:</b> 12.2</p> <p><b>Case #</b> CD-ROW-2023-00029 Oak Street Condominium</p>	<p><b>Location Area</b> 4006 Oak St 0.6 acres</p> <p><b>Zoning</b> R-2.5</p> <p><b>Council District</b> 4th</p> <p><b>County</b> Jackson</p> <p><b>School District</b> Kansas City Missouri 110</p>	<p><b>Surrounding Land Uses</b></p> <p><b>North:</b> Multi-Family Residential</p> <p><b>South:</b> Single-Family Residential</p> <p><b>East:</b> Multi-Family Residential</p> <p><b>West:</b> Single-Family Residential.</p>	<p><b>Legal Ad:</b></p> <p>A request to approve a vacation of a condominium plat in R-2.5 (Residential) on about 0.6 acres generally located at 4006 Oak St.</p>
--	---	--	--

**\*\*PROPOSED VACATION IS IN CONFORMANCE WITH 88-560 - VACATION OF ALLEYS, STREETS AND PLATS\*\***

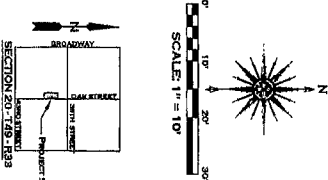
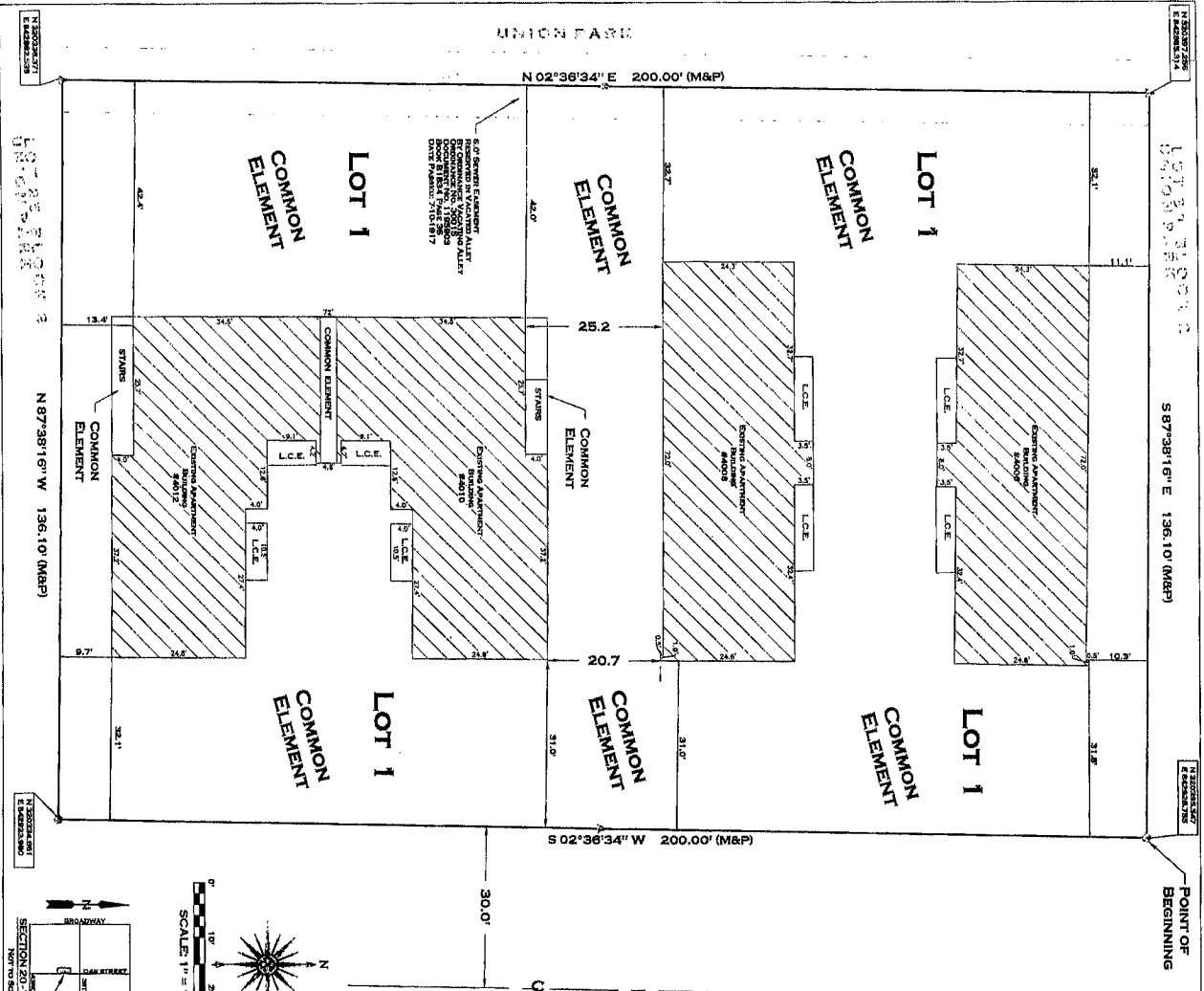
# FINAL PLAT

## OAK STREET CONDOMINIUM

### KANSAS CITY, JACKSON COUNTY MISSOURI

2408C.0002.04

POINT OF BEGINNING



**PLAT DESCRIPTION:**  
 THE ABOVE DESCRIBED PROPERTY IS SITUATED IN THE CITY OF KANSAS CITY, JACKSON COUNTY, MISSOURI. THE PROPERTY IS SHOWN ON THE ATTACHED MAP AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK. THE PROPERTY IS SHOWN AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK. THE PROPERTY IS SHOWN AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK. THE PROPERTY IS SHOWN AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK.

**STREET DEDICATION:**  
 THE ABOVE DESCRIBED PROPERTY IS SITUATED IN THE CITY OF KANSAS CITY, JACKSON COUNTY, MISSOURI. THE PROPERTY IS SHOWN ON THE ATTACHED MAP AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK. THE PROPERTY IS SHOWN AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK. THE PROPERTY IS SHOWN AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK.

**LEGEND:**  
 1. Lot 1  
 2. Common Element  
 3. Building  
 4. Stairs  
 5. Common Element  
 6. Common Element  
 7. Common Element  
 8. Common Element  
 9. Common Element  
 10. Common Element

**APPROVED BY:**  
 City of Kansas City  
 City Clerk: \_\_\_\_\_  
 Mayor: \_\_\_\_\_

**APPROVED BY:**  
 John Benner  
 John Benner  
 John Benner

**APPROVED BY:**  
 John Benner  
 John Benner  
 John Benner

**APPROVED BY:**  
 John Benner  
 John Benner  
 John Benner

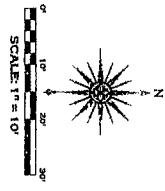
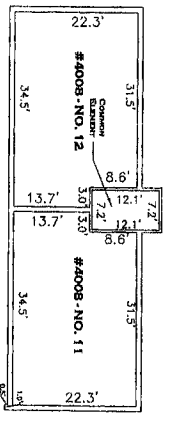
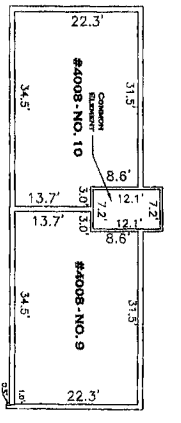
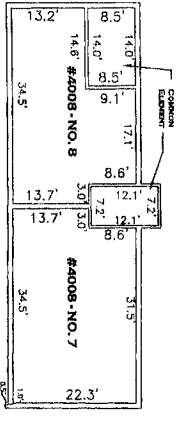
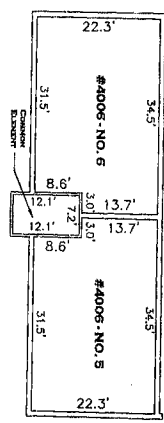
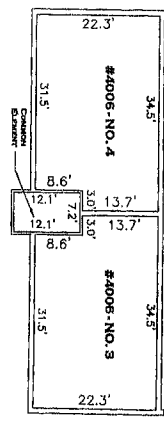
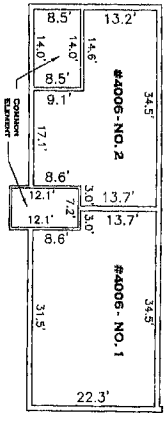
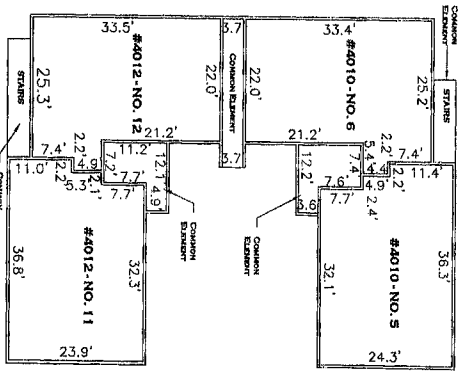
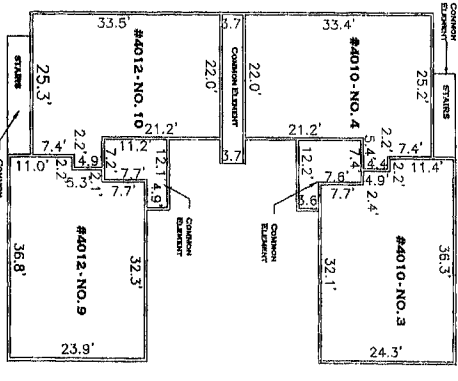
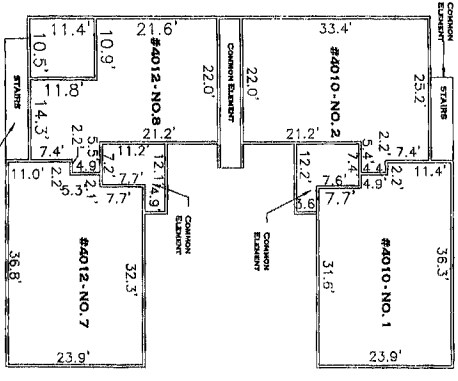
**APPROVED BY:**  
 John Benner  
 John Benner  
 John Benner

**LEGAL DESCRIPTION:**  
 THE ABOVE DESCRIBED PROPERTY IS SITUATED IN THE CITY OF KANSAS CITY, JACKSON COUNTY, MISSOURI. THE PROPERTY IS SHOWN ON THE ATTACHED MAP AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK. THE PROPERTY IS SHOWN AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK. THE PROPERTY IS SHOWN AS BEING BOUND BY THE INTERSECTION OF OAK STREET AND UNION PARK.

<b>FINAL PLAT</b>			
<b>FOR</b>			
<b>OAK STREET CONDOMINIUM</b>			
A CONDOMINIUM SUBDIVISION IN JACKSON COUNTY, MISSOURI			
<b>GENERAL SITE PLAN</b>			
DATE: 05/11/11	BY: JOHN BENNER	SCALE: 1" = 10'	PLAT NO. 2408C.0002.04
DATE: 05/11/11	BY: JOHN BENNER	SCALE: 1" = 10'	PLAT NO. 2408C.0002.04
DATE: 05/11/11	BY: JOHN BENNER	SCALE: 1" = 10'	PLAT NO. 2408C.0002.04
DATE: 05/11/11	BY: JOHN BENNER	SCALE: 1" = 10'	PLAT NO. 2408C.0002.04

2008E00020446

# FINAL PLAT OAK STREET CONDOMINIUM KANSAS CITY, JACKSON COUNTY MISSOURI



L.C.E. = LIMITED COMMON ELEMENT



**FINAL PLAT**  
For  
**OAK STREET CONDOMINIUM**  
KANSAS CITY, JACKSON COUNTY MISSOURI

**BUILDING LAYOUTS**

REVENUE SURVEYING  
JAMES W. HENNER, Surveyor  
No. 11222  
11222  
11222

DATE: 8/20/08

BY: [Signature]

FOR: [Signature]

**F2**