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**File #: 240853**

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ORDINANCE NO. 240853

Vacating an approximately 18,000 square-foot area of unimproved street in Zoning District MPD generally located at the southeast corner of Lydia Avenue and Berkley Parkway; and directing the City Clerk to record certain documents.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that that on the 6th day of August, 2024, a petition was filed with the City Clerk of Kansas City by Ryan Hunt for the vacation of all that part of the Northwest Quarter of Section 33, Township 50, Range 33, Kansas City, Jackson County, Missouri described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 33; thence North 02°17'26" East, along the west line of said Northwest Quarter, 626.40 feet to the northerly right-of-way line of the Burlington Northern and San Francisco Railroad; thence North 66°00'08" East, along said northerly right-of-way line, 788.71 feet to the point of beginning; thence North 04°34'16" West, 171.80 feet; thence North 38°00'00" West, 136.82 feet to the southwesterly prolongation of the southeasterly right-of-way line of Highway I-29/I-35/U.S. 71; thence North 39°40'48" East, along said prolongation and southeasterly right-of-way line, 161.16 feet to the easterly right-of-way line of Lydia Avenue; thence in a southwesterly direction along said easterly right-of-way line on a curve to the left, with an initial tangent bearing of South 39°40'48" West, having a radius of 25.00 feet through a central angle of 44°15'04", an arc distance of 19.31 feet; thence South 04°34'16" East, continuing along said easterly right-of-way line 373.39 feet to said northerly right-of-way line; thence South 66°00'08" West, along said northerly right-of-way line, 31.81 feet to the point of

beginning, containing 18,434 square feet, more or less; giving the distinct description of the unimproved right of way 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 corporations owning or claiming to own three-fourths of the front feet of the property immediately adjoining said unimproved right of way 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 all that part of the Northwest Quarter of Section 33, Township 50, Range 33, Kansas City, Jackson County, Missouri described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 33; thence North  $02^{\circ}17'26''$  East, along the west line of said Northwest Quarter, 626.40 feet to the northerly right-of-way line of the Burlington Northern and San Francisco Railroad; thence North  $66^{\circ}00'08''$  East, along said northerly right-of-way line, 788.71 feet to the point of beginning; thence North  $04^{\circ}34'16''$  West, 171.80 feet; thence North  $38^{\circ}00'00''$  West, 136.82 feet to the southwesterly prolongation of the southeasterly right-of-way line of Highway I-29/I-35/U.S. 71; thence North  $39^{\circ}40'48''$  East, along said prolongation and southeasterly right-of-way line, 161.16 feet to the easterly right-of-way line of Lydia Avenue; thence in a southwesterly direction along said easterly right-of-way line on a curve to the left, with an initial tangent bearing of South  $39^{\circ}40'48''$  West, having a radius of 25.00 feet through a central angle of  $44^{\circ}15'04''$ , an arc distance of 19.31 feet; thence South  $04^{\circ}34'16''$  East, continuing along said easterly right-of-way line 373.39 feet to said northerly right-of-way line; thence South  $66^{\circ}00'08''$  West, along said northerly right-of-way line, 31.81 feet to the point of beginning, containing 18,434 square feet, more or less; be and the same is hereby vacated and subject to the following conditions:

1. The applicant shall retain all utility easements and protect facilities required by AT&T.
2. The applicant shall retain all utility easements and protect facilities required by Evergy.
3. The applicant shall retain all utility easements and protect facilities required by Kansas City, Missouri Water Services.

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.



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