

ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI




12/14/2023 11:53 AM

FEE: \$63.00 15 PGS

INSTRUMENT NUMBER

2023E0089177

	<p>CITY OF KANSAS CITY, MISSOURI CERTIFICATE OF THE CITY CLERK DOCUMENT TO BE RECORDED JACKSON COUNTY</p>
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DATE OF DOCUMENT: December 7, 2023

DOCUMENT TITLE: Vacation Ordinance 231006

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

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

LEGAL DESCRIPTION
See Page(s) 13 of Exhibit _____ of the subject document.

The above appears in records and is on file in the Office of the City Clerk, 25th 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 affixed the seal of the City on the 13 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. 12th Street, 25th Floor, Kansas City, Missouri 64106

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 231006

Vacating the Washington Irving Condominium Plat, generally located at 4746 Roanoke Parkway; and directing the City Clerk to record certain documents. (CD-ROW-2023-00034)

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 Washington Irving 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 Washington Irving 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
Kyanna Parks

Quinton Lucas, Mayor

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

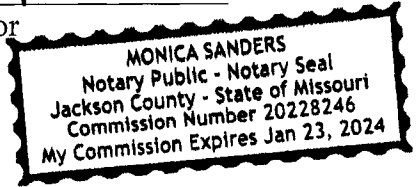
STATE OF MISSOURI)
) ss.
COUNTY OF Jackson)

On the 7th 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. 12th Street, 15th floor; Kansas City, MO 64106-2795
Phone (816) 513-2846 | Fax (816) 513-2838 | 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:

Washington Irving 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
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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: WND Associates LLC, Washington Irving Condominium Plat, P.O. Box 10110 Kansas City, MO 64171

(attach additional sheets if required)

WND LLC

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

STATE OF MISSOURI)
COUNTY OF JACKSON) ss.

On this 9th day of October in the year 2023, before me, a Notary Public in and for said state, personally appeared Daniel Weindling, 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 9th 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 #12499262



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) 513-2638 | www.kcmo.gov/planning

Case No. CD-ROW-2023-00034

In the matter of the vacation of:

Washington Irving 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

CONSENT OF LIMITED LIABILITY COMPANIES

Case No.

Owner's name	Legal description of property
<p>WND LLC</p> <p>By: </p> <p>Name: <u>Daniel Wandl</u></p> <p>Title: <u>managing member</u></p>	<p>Washington Irving Condominium</p>

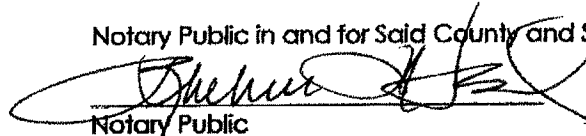
(additional sheets attached as required)

STATE OF Missouri)
COUNTY OF JACKSON) ss.

On this 2nd day of October, 2023, before me, a Notary Public in and for said state, personally appeared Daniel Wandl who being by me duly sworn did say that he/she is the managing member of WND 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 2nd 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

231006

November 7th, 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

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>Docket #: 12.7</p> <p>Case #: CD-ROW-2023-00034 Washington Irving Condominium</p>	<p>Location Area 4746 Roanoke Pkwy About 0.2 acres</p> <p>Zoning R-0.5/R-1.5</p> <p>Council District 6th</p> <p>County Jackson</p> <p>School District Kansas City Missouri 110</p>	<p>Surrounding Land Uses</p> <p>North: Multi-Family Residential</p> <p>South: Mixed-Use</p> <p>East: Recreation</p> <p>West: Multi-Family Residential</p>	<p>Legal Ad: A request to approve a condominium plat in District R-0,5/R-1.5 (Residential) on about 0.2 acres generally located at 4746 Roanoke Pkwy.</p>
<p>**PROPOSED VACATION IS IN CONFORMANCE WITH 88-560 - VACATION OF ALLEYS, STREETS AND PLATS**</p>			

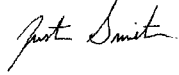
ATTACHMENTS

1. Applicants Submittal

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **Approval** as stated in the conditions report.

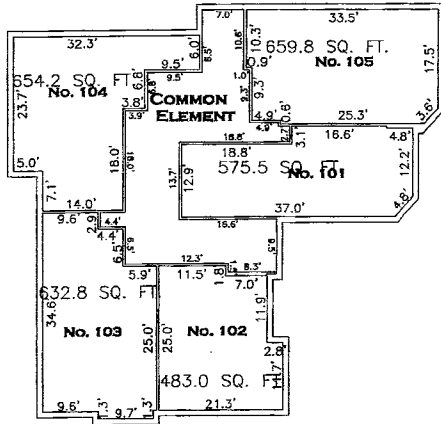
Respectfully Submitted,



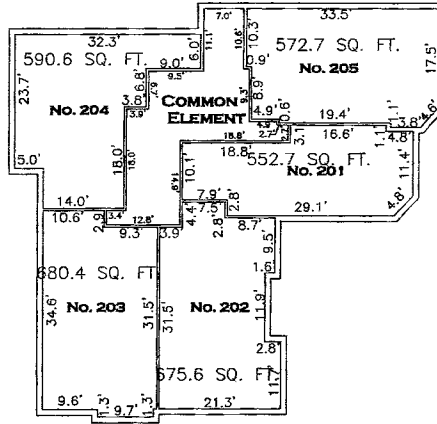
Justin Smith
Planner

2007E.011534S

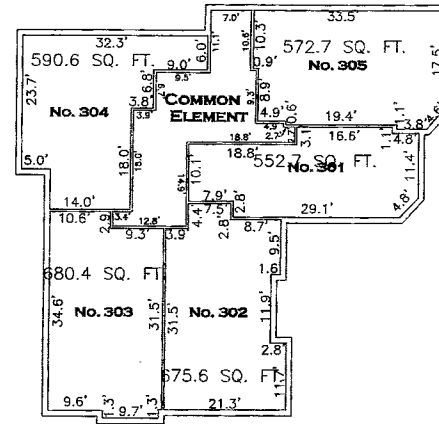
FINAL PLAT WASHINGTON IRVING CONDOMINIUM KANSAS CITY, JACKSON COUNTY MISSOURI



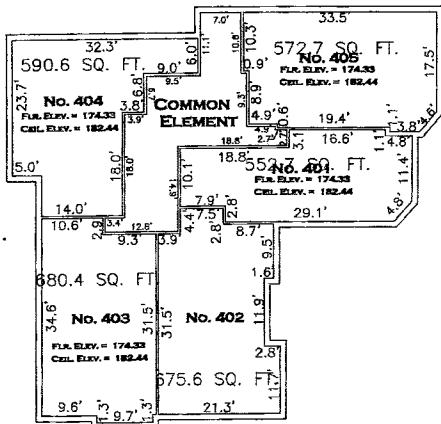
1ST FLOOR
SCALE: 1" = 10'
FLR. ELEV. = 147.38
CEIL. ELEV. = 155.35



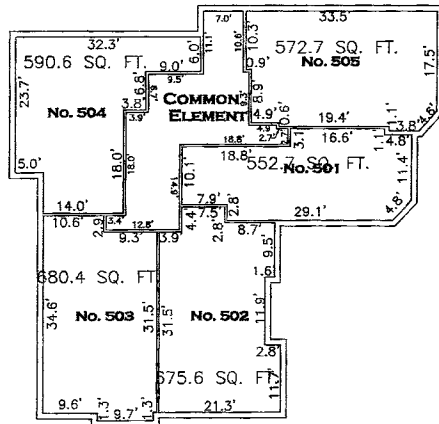
2ND FLOOR
SCALE: 1" = 10'
FLR. ELEV. = 156.32
CEIL. ELEV. = 164.52



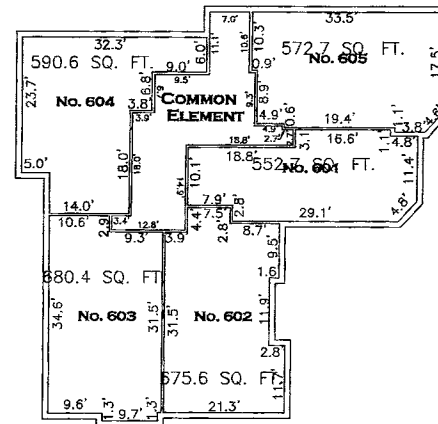
3RD FLOOR
SCALE: 1" = 10'
FLR. ELEV. = 165.35
CEIL. ELEV. = 173.39



4TH FLOOR
SCALE: 1" = 10'
FLR. ELEV. = 174.33
CEIL. ELEV. = 182.44



5TH FLOOR
SCALE: 1" = 10'
FLR. ELEV. = 183.33
CEIL. ELEV. = 191.56



6TH FLOOR
SCALE: 1" = 10'
FLR. ELEV. = 192.36
CEIL. ELEV. = 200.58

LEGEND

L.C.E. = LIMITED COMMON AREA



JOHN RENNER
LAND SURVEYOR
6247 BROOKDALE BOULEVARD
SUITE NO. 204
KANSAS CITY, MO. 64113
816.332.8841
JOB NO. 306217FP

FINAL PLAT
FOR
WASHINGTON IRVING
CONDOMINIUM
A CONDOMINIUM SUBDIVISION IN
KANSAS CITY, JACKSON COUNTY MISSOURI

BUILDING LAYOUTS

RENNER SURVEYING

DATE: 9-15-06 REV. 1-18-2007 DWN:RAJ CHK:DJR

F2

