



Legislation Details (With Text)

**File #:** 240491      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 5/23/2024      **In control:** Council

**On agenda:** 6/13/2024      **Final action:** 6/13/2024

**Title:** Sponsor: Director of City Planning and Development Department

Approving a vacation of public right of way in District MPD on about 80,783 square feet generally located north of East Front Street at the vehicular entrance to Bally's Casino and directing the City Clerk to record certain documents (CD-ROW-2024-00005).

**Sponsors:** Director of City Planning & Development

**Indexes:**

**Code sections:**

**Attachments:** 1. Docket Memo\_CD-ROW-2024-00005, 2. Exhibit\_Legal Description\_CD-ROW-2024-00005\_Front Street Vacation, 3. Petition to Vacate\_CD-ROW-2024-00005\_Front Street Vacation, 4. Consent to Vacate Form\_CD-ROW-2024-00005\_Front Street Vacation, 5. Utility Comments\_CD-ROW-2024-00005\_Front Street Vacation, 6. Staff Report\_CD-ROW-2024-00005\_Front Street Vacation, 7. Staff Presentation\_CD-ROW-2024-00005\_Front Street Vacation\_5-22-24, 8. City Plan Commission Disposition Letter\_CD-ROW-2024-00005\_Front Street Vacation\_5-22-24, 9. Ord 240491\_NPD\_6-11-24\_Bally's Vacation, 10. Authenticated Ordinance 240491

| Date      | Ver. | Action By                                       | Action          | Result |
|-----------|------|---|-----------------|--------|
| 6/13/2024 | 1    | Council   | Passed          | Pass   |
| 6/11/2024 | 1    | Neighborhood Planning and Development Committee | Adv and Do Pass | Pass   |
| 6/6/2024  | 1    | Council   | referred        |        |

ORDINANCE NO. 240491

Sponsor: Director of City Planning and Development Department

Approving a vacation of public right of way in District MPD on about 80,783 square feet generally located north of East Front Street at the vehicular entrance to Bally's Casino and directing the City Clerk to record certain documents (CD-ROW-2024-00005).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council of Kansas City does hereby find and declare that on the 1st day of April, 2024, a petition was filed with the City Clerk of Kansas City by Nelson Willoughby for the vacation of a tract of land in Section 33, in Township 50 North, Range 30 West of the 5th Principal Meridian in Jackson County, Kansas City, Missouri being bounded and described by or under the direct supervision of Jeffrey P. Means P.L.S. 2000147866, as a Right-Of-Way vacation as follows: Commencing at the Northeast corner of said Section 33; thence South 02°28'37" West along the East line of said Section 33, 203.62 feet; thence leaving said East line, North 87°31'23" West 3,218.18 feet to the Point of Beginning of the tract of land to be herein described; thence South 52°31'32" East, 150.55 feet; thence Easterly along a curve to the left being tangent to the last described course with a radius of 460.87 feet, a central angle of 75°43'40" and an arc distance of 609.13 feet; thence South 51°44'48" West, 324.21 feet; thence Northwesterly along a curve to the right being tangent to the last described course with a radius of 60.00 feet, a central angle of 72°36'08" and an arc distance of 76.03 feet; thence North 55°39'05" West, 52.04 feet; thence South 41°01'39" West, 94.92 feet; thence North 48°58'21" West, 26.63 feet; thence Westerly along a curve to the left having an initial tangent bearing of North 49°22'25" West with a radius of 45.00 feet, a central angle of 96°16'03" and an arc distance of 75.61 feet; thence South 34°21'33" West, 57.96 feet; thence South 63°28'11" West, 20.68 feet; thence North 21°14'10" East, 17.65 feet; thence North 14°03'53" West, 155.65 feet; thence North 53°05'02" West, 197.87 feet to a point on the Southerly line of Right-Of-Way vacation as ordinance number 160112 and recorded as instrument number 2016E0028655 in the Jackson County Recorder of Deeds Office; thence on said Southerly line, North 37°29'03" East, 120.00 feet to the Point of Beginning. Containing 80,783 square feet or 1.85 acres, more or less; giving the distinct description of the street 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 street 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 Section 33, in Township 50 North, Range 30 West of the 5th Principal Meridian in Jackson County, Kansas City, Missouri being bounded and described by or under the direct supervision of Jeffrey P. Means P.L.S. 2000147866, as a Right-Of-Way vacation as follows: Commencing at the Northeast corner of said Section 33; thence South 02°28'37" West along the East line of said Section 33, 203.62 feet; thence leaving said East line, North 87°31'23" West 3,218.18 feet to the Point of Beginning of the tract of land to be herein described; thence South 52°31'32" East, 150.55 feet; thence Easterly along a curve to the left being tangent to the last described course with a radius of 460.87 feet, a central angle of 75°43'40" and an arc distance of 609.13 feet; thence South 51°44'48" West, 324.21 feet; thence Northwesterly along a curve to the right being tangent to the last described course with a radius of 60.00 feet, a central angle of 72°36'08" and an arc distance of 76.03 feet; thence North 55°39'05" West, 52.04 feet; thence South 41°01'39" West, 94.92 feet; thence North 48°58'21" West, 26.63 feet; thence Westerly along a curve to the left having an initial tangent bearing of North 49°22'25" West with a radius of 45.00 feet, a central angle of 96°16'03" and an arc distance of

75.61 feet; thence South 34°21'33" West, 57.96 feet; thence South 63°28'11" West, 20.68 feet; thence North 21° 14'10" East, 17.65 feet; thence North 14°03'53" West, 155.65 feet; thence North 53°05'02" West, 197.87 feet to a point on the Southerly line of Right-Of-Way vacation as ordinance number 160112 and recorded as instrument number 2016E0028655 in the Jackson County Recorder of Deeds Office; thence on said Southerly line, North 37°29'03" East, 120.00 feet to the Point of Beginning. Containing 80,783 square feet or 1.85 acres, more or less. be and the same is hereby vacated, and subject to the following conditions:

1. The applicant shall retain a utility easement and protect facilities for AT&T utilities located in the right-of-way.
2. The applicant shall retain a utility easement and protect facilities for Evergy utilities located in the right-of-way.
3. The applicant shall retain a utility easement, protect facilities, and provides access for Kansas City, Missouri Water Services utilities located in the right-of-way.

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.

Approved as to form:

\_\_\_\_\_  
 Sarah Baxter  
 Senior Associate City Attorney

Approved by the City Plan Commission

\_\_\_\_\_  
 Secretary

STATE OF MISSOURI )  
 ) ss.  
 COUNTY OF \_\_\_\_\_ )

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County, personally appeared \_\_\_\_\_ 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 \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 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 \_\_\_\_\_