



Legislation Details (With Text)

File #: 230031 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 1/6/2023 **In control:** Council
On agenda: 1/19/2023 **Final action:** 1/19/2023
Title: Sponsor: Director of City Planning and Development Department

Vacating a 7-foot wide and 116-feet long strip of unimproved of right-of-way containing about 0.02 acres generally located just south of 100 E. 20th Street; and directing the City Clerk to record certain documents. (CD-ROW-2022-00004).

Sponsors: Director of City Planning & Development, City Plan Commission

Indexes:

Code sections:

Attachments: 1. Docket Memo_CD-ROW-2022-00004.pdf, 2. CPC Disposition Letter_Rec. of Approval(1).pdf, 3. CPC Staff Report Packet_CD-ROW-2022-0004_100 E 20th Street.pdf, 4. Plans CD-ROW-2022-00004_Plans Provided after CPC.pdf, 5. Authenticated Ordinance 230031, 6. 230031.Recorded Information 1.30.2023

Date	Ver.	Action By	Action	Result
1/19/2023	1	Council	Passed	Pass
1/18/2023	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
1/12/2023	1	Council		

ORDINANCE NO. 230031

Sponsor: Director of City Planning and Development Department

Vacating a 7-foot wide and 116-feet long strip of unimproved of right-of-way containing about 0.02 acres generally located just south of 100 E. 20th Street; and directing the City Clerk to record certain documents.

(CD-ROW-2022-00004).

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 10th day of November, 2022, a petition was filed with the City Clerk of Kansas City by Bradley Freeman for the vacation of a portion of right-of-way for East 20th Street, as now established, in Section 8 Township 49 North, Range 33 West of the 5th Principal Meridian in Kansas City, Jackson County, Missouri being bounded and described by or under the direct supervision of Jason S. Roudebush, P.L.S. 2002014092 as follows: Beginning at the southeast corner of Lot 515, Block 38, McGee's Addition, a subdivision of land in said Kansas City, recorded in Book 1 at Page 36 in the Jackson County Recorder of Deeds Office; thence South 02°08'19" West, 7.25 feet; thence North 87°17'55" West, 115.98 feet to a point on the existing east right-of-way line of Walnut Street as now established; thence North 02°04'32" East on said existing east right-of-way line, 7.25 feet to the southwest corner of said Lot 515 also being a point on the existing north right-of-way line of said East 20th Street as now established; thence leaving said existing east right-of-way line, South 87°17'55" East on the south line of said Lot 515 and said existing north right-of-way line, 115.99 feet to the point of beginning. Containing 841 square feet or 0.02 acres, more or less, giving the distinct description of the 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 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 a portion of right-of-way for East 20th Street, as now established, in Section 8 Township 49 North, Range 33 West of the 5th Principal Meridian in Kansas City, Jackson County, Missouri being bounded and described by or under the direct supervision of Jason S. Roudebush, P.L.S. 2002014092 as follows: Beginning at the southeast corner of Lot 515, Block 38, McGee's Addition, a subdivision of land in said Kansas City, recorded in Book 1 at Page 36 in the Jackson County Recorder of Deeds Office; thence South 02°08'19" West, 7.25 feet; thence North 87°17'55" West, 115.98 feet to a point on the existing east right-of-way line of Walnut Street as now established; thence North 02°04'32" East on said existing east right-of-way line, 7.25 feet to the southwest corner of said Lot 515 also being a point on the existing north right-of-way line of said East 20th Street as now established; thence leaving said existing east right-of-way line, South 87°17'55" East on the south line of said Lot 515 and said existing north right-of-way line, 115.99 feet to the point of beginning. Containing 841 square feet or 0.02 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, subject to the following conditions:

1. The applicant shall retain all utility easements and protect facilities required by AT&T, or relocate the facilities at the cost of the applicant.
2. Applicant shall relocate street lighting facilities managed by Public Works at the cost of the applicant. Preliminary relocation plans shall be sent to Development Services prior to ordinance request.

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 and legality:

 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 _____
Deputy