



Legislation Details (With Text)

File #: 240035 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 1/3/2024 **In control:** Council

On agenda: 1/25/2024 **Final action:** 1/25/2024

Title: Sponsor: Director of City Planning and Development Department

Vacating a portion of the public right-of-way in District MPD (Master Planned Development) of about 89 feet generally located west of Mulberry Street between Union Avenue and St. Louis Avenue, and directing the City Clerk to record certain documents. (CD-ROW-2023-00015)

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo_CD-ROW-2023-00015, 2. Exhibit_CD-ROW-2023-00015, 3. Legal Description_CD-ROW-2023-00015, 4. Staff Report_CD-ROW-2023-00015_12-19-23, 5. Presentation_CD-ROW-2023-00015_938 Mulberry Vacation, 6. Disposition Letter CPC_CD-ROW-2023-00015_12-19-2023, 7. Authenticated Ordinance 240035, 8. 240035, 9. 240035. Recorded Information 2.1.2024

Date	Ver.	Action By	Action	Result
1/25/2024	1	Council	Passed	Pass
1/24/2024	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
1/11/2024	1	Council	referred	

ORDINANCE NO. 240035

Sponsor: Director of City Planning and Development Department

Vacating a portion of the public right-of-way in District MPD (Master Planned Development) of about 89 feet generally located west of Mulberry Street between Union Avenue and St. Louis Avenue, and directing the City

Clerk to record certain documents. (CD-ROW-2023-00015)

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 19th day of December, 2023, a petition was filed with the City Clerk of Kansas City by West Bottoms- Propco Master LLC for the vacation of an alley located west of Mulberry Street between Union Avenue and St. Louis Avenue, being described as follows: Commencing At The Southeast Corner Of The Northwest Quarter Of Section 6, Township 49 N, Range 33 W; Thence N 01°-55'-34" E Along The East Line Of The NW ¼ Of Said Section, A Distance Of 880.32 Feet; Thence N 88°-04'-26" W, A Distance 646.64 Feet To The Point Of Beginning; Thence S 02°-02'-21" W, A Distance 10.00 Feet; Thence N 87°-47'-31" W, A Distance Of 88.89 Feet; Thence N 61°-11'-45" E, A Distance Of 19.41 Feet; Thence S 87°-47'-0" E, A Distance Of 72.22 Feet To The Point Of Beginning. Containing 805.55 Square Feet Of Land More Or Less, giving the distinct description of the public 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 public 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 the portion of public right-of-way located west of Santa Fe Street between Union Avenue and St Louis Avenue, being described as follows: Commencing At The Southeast Corner Of The Northwest Quarter Of Section 6, Township 49 N, Range 33 W; Thence N 01°-55'-34" E Along The East Line Of The NW ¼ Of Said Section, A Distance Of 880.32 Feet; Thence N 88°-04'-26" W, A Distance 646.64 Feet To The Point Of Beginning; Thence S 02°-02'-21" W, A Distance 10.00 Feet; Thence N 87°-47'-31" W, A Distance Of 88.89 Feet; Thence N 61°-11'-45" E, A Distance Of 19.41 Feet; Thence S 87°-47'-0" E, A Distance Of 72.22 Feet To The Point Of Beginning. Containing 805.55 Square Feet Of Land More Or Less, be and the same is hereby vacated and subject to the following condition:

A. That Spectrum Charter has facilities or interest within the right-of-way and will waive objections to the vacation subject to the applicant retaining a utility easement and protecting facilities.

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:

