



Legislation Details (With Text)

File #: 240380 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 4/2/2024 **In control:** Council
On agenda: 4/18/2024 **Final action:** 4/18/2024
Title: Sponsor: Director of City Planning and Development Department

Vacating an approximately 2,175 square foot alley in District B3-2 generally located east of Wyoming Street approximately 120 feet north of West 39th Street; and directing the City Clerk to record certain documents (CD-ROW-2023-000041).

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo_39th Wyoming Vacation_CD-ROW-2023-00041, 2. Survey_39th Wyoming Vacation, 3. Legal Description_39th Wyoming Vacation, 4. Petition to Vacate_39th Wyoming Vacation, 5. Consent to Vacate_39th Wyoming Vacation, 6. Utility Consents_39th Wyoming Vacation, 7. Staff Report CPC_CD-ROW-2023-00041_39th and Wyoming Vacation_Staff Report_4-2-24, 8. Disposition Letter CPC_CD-ROW-2023-00041_4-2-24, 9. Authenticated Ordinance 240380, 10. 240380.Recorded Information 2.25.2024

Date	Ver.	Action By	Action	Result
4/18/2024	1	Council	Passed	Pass
4/17/2024	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
4/11/2024	1	Council	referred	

ORDINANCE NO. 240380

Sponsor: Director of City Planning and Development Department

Vacating an approximately 2,175 square foot alley in District B3-2 generally located east of Wyoming Street

approximately 120 feet north of West 39th Street; and directing the City Clerk to record certain documents (CD -ROW-2023-000041).

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 21st day of September 2023, a petition was filed with the City Clerk of Kansas City by Rachele Biondo of Rouse Frets White Goss Gentile Rhodes PC., for the vacation of an alley, located in Block 4, Bonfils Heights, a subdivision in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at the Northwest corner of Lot 7, of said Block 4, Bonfils Heights, also being the East Right-of-Way of Wyoming Street, as now established; Thence North 00°04'22" West, along said East Right-of-Way line, 15.01 feet, to the Southwest corner of Lot 6, of said Block 4, Bonfils Heights; Thence South 87°18'45' East, along the South line of said Lot 6, 144.87 feet, to the Southeast corner of said Lot 6; Thence South 00°04'22" East, along the East line of said Block 4 Bonfils Heights, 15.01 feet, to the Northeast corner of Lot 11, of said Bonfils Heights; Thence North 87°18'45" West, along the South line of Lots 7, 8, 9, 10, and 11, of said Block 4, Bonfils Heights, 144.87 feet, to the point of Beginning. Containing 2172 square feet or 0.05 acres more or less; giving the distinct description of the alley 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 alley 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 on April 2, 2024, 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 the part of the alley located in Block 4, Bonfils Heights, a subdivision in Kansas City, Jackson County, Missouri, being more particularly described as follows: Beginning at the Northwest corner of Lot 7, of said Block 4, Bonfils Heights, also being the East Right-of-Way of Wyoming Street, as now established; Thence North 00°04'22" West, along said East Right-of-Way line, 15.01 feet, to the Southwest corner of Lot 6, of said Block 4, Bonfils Heights; Thence South 87°18'45' East, along the South line of said Lot 6, 144.87 feet, to the Southeast corner of said Lot 6; Thence South 00°04'22" East, along the East line of said Block 4 Bonfils Heights, 15.01 feet, to the Northeast corner of Lot 11, of said Bonfils Heights; Thence North 87°18'45" West, along the South line of Lots 7, 8, 9, 10, and 11, of said Block 4, Bonfils Heights, 144.87 feet, to the point of Beginning. Containing 2172 square feet or 0.05 acres more or less be and the same is hereby vacated, and subject to the following conditions:

1. That the applicant shall protect the sewer facilities and provide an easement as required by the Kansas City, Missouri Water Services Department.
2. The applicant shall retain all utility easements and protect facilities required by Evergy.

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 _____
Deputy