



Legislation Details (With Text)

File #: 240430 **Version:** 1 **Name:**

Type: Ordinance **Status:** Held

File created: 4/17/2024 **In control:** Council

On agenda: 6/27/2024 **Final action:**

Title: Sponsor: Director of City Planning and Development Department

Vacating an approximately 260-foot-long street in District M1-5 generally located on Washington Street north of West 17th Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-000051)

Sponsors: Director of City Planning & Development

Indexes:

Code sections:

Attachments: 1. Docket Memo_Washington Street Vacation_CD-ROW-2023-00051, 2. Legal Description and Exhibit_CD-ROW-2023-00051_Washington Street Vacation, 3. Petition to Vacation_CD-ROW-2023-00051_Washington St Vacation, 4. Consent to Vacation_CD-ROW-2023-00051_Washington St Vacation, 5. Utility Comment Sheets_CD-ROW-2023-00051_Washington St Vacation, 6. Staff Report_CD-ROW-2023-00051_Washington Street Vacation_4-16-24, 7. Staff Presentation CPC_4-16-24_CD-ROW-2023-00051_Washington Vacation, 8. Dispo CPC_CD-ROW-2023-00051_Washington St Vacation_4-16-24, 9. NPD_6-25-24_Ord 240429_240430 Presentation

Date	Ver.	Action By	Action	Result
6/27/2024	1	Council		Held off Docket
6/25/2024	1	Neighborhood Planning and Development Committee		
6/11/2024	1	Neighborhood Planning and Development Committee		
6/4/2024	1	Neighborhood Planning and Development Committee		Hold on Agenda
5/14/2024	1	Neighborhood Planning and Development Committee		Hold on Agenda
5/1/2024	1	Neighborhood Planning and Development Committee		Hold on Agenda
4/25/2024	1	Council		referred

ORDINANCE NO. 240430

Sponsor: Director of City Planning and Development Department

Vacating an approximately 260-foot-long street in District M1-5 generally located on Washington Street north of West 17th Street; and directing the City Clerk to record certain documents. (CD-ROW-2023-000051)

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 11th day of December 2023, a petition was filed with the City Clerk of Kansas City by Tyler Wysong of Kimley-Horn, That portion of Washington Street (60 feet wide), lying Southerly of Interstate 35 and Northerly of 17th Street, situated in the Southeast quarter of Section 6, Township 49 North, Range 33 West, in the City of Kansas City, Jackson County, Missouri, described as follows: commencing for reference at the Southwest corner of Lot 27 in Block 1 of King & Bouton's Addition, a subdivision in the City of Kansas City, said point lying on the East right-of-way line of Washington Street; Thence, along the West line of Lots 27 through 37 in Block 1 of said King & Bouton's Addition, North 02°01'56" East, 285.72 feet to the true point of beginning; Thence, North 87° 58'04" West, 60.00 feet to a point on the West right-of-way line of Washington Street; Thence, along the West right-of-way line of Washington Street, North 02°01'56" East, 260.06 feet to a point on the Southerly right-of-way line of Interstate 35; Thence, along the Southerly right-of-way line of Interstate 35, North 56°34'03" East, 73.67 feet to a point on the East right-of-way line of Washington Street, also being a point on the West line of Lot 10 of Ford & Whitworth Addition, a subdivision in the City of Kansas City; Thence, along the East right-of-way line of Washington Street, and along the West line of Lots 7, 8 and 10 of said Ford & Whitworth Addition, and along the West line of Lots 7 through 11 of Balis Addition, a subdivision in the City of Kansas City, and along the West line of lots 37 through 40 in Block 1 of said King & Bouton's Addition, South 02°01'56" West, 302.80 feet to the true point of beginning; 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 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 public right of way commencing for reference at the Southwest corner of Lot 27 in Block 1 of King & Bouton's Addition, a subdivision in the City of Kansas City, said point lying on the East right-of-way line of Washington Street; Thence, along the West line of Lots 27 through 37 in Block 1 of said King & Bouton's Addition, North 02°01'56" East, 285.72 feet to the true point of beginning; Thence, North 87° 58'04" West, 60.00 feet to a point on the West right-of-way line of Washington Street; Thence, along the West right-of-way line of Washington Street, North 02°01'56" East, 260.06 feet to a point on the Southerly right-of-

way line of Interstate 35; Thence, along the Southerly right-of-way line of Interstate 35, North 56°34'03" East, 73.67 feet to a point on the East right-of-way line of Washington Street, also being a point on the West line of Lot 10 of Ford & Whitworth Addition, a subdivision in the City of Kansas City; Thence, along the East right-of-way line of Washington Street, and along the West line of Lots 7, 8 and 10 of said Ford & Whitworth Addition, and along the West line of Lots 7 through 11 of Balis Addition, a subdivision in the City of Kansas City, and along the West line of lots 37 through 40 in Block 1 of said King & Bouton's Addition, South 02°01'56" West, 302.80 feet to the true point of beginning and the same is hereby vacated, and subject to the following conditions:

1. The applicant shall remove and return lighting equipment as required by Kansas City, Missouri Street Light Services.
2. The applicant shall relocate facilities as required by Kansas City, Missouri Water Services Department.
3. The applicant shall retain all utility easements and protect facilities as required by Evergy, and if the transformer must be redesigned the requestor is responsible for costs of the designed refeed.

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