



Legislation Text

File #: 210394, Version: 1

ORDINANCE NO. 210394

Vacating a portion of right-of-way in District KCIA generally located south of 11500 N.W. Prairie View Road to allow for the expansion of a parking lot; and directing the City Clerk to record certain documents. (CD-ROW-2020-00019)

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 26th day of April, 2021, a petition was filed with the City Clerk of Kansas City by William Beck, SK Design Group for the vacation of all of the public road dedicated to public use by the recorded plat of Platte Gardens, a Subdivision in Kansas City, Platte County, Missouri, lying south of and adjoining Tract 2, except the west 158.5 feet thereof, giving the distinct description of the land 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 land 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 of the public road dedicated to public use by the recorded plat of Platte Gardens, a Subdivision in Kansas City, Platte County, Missouri, lying south of and adjoining Tract 2, except the west 158.5 feet thereof, be and the same is hereby

, subject to the following conditions:

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1. The applicant maintains all existing Spire facilities in the herein vacated area, and allows Spire to occupy said area with its own or contracted personnel and equipment whenever necessary to inspect, construct, reconstruct, replace, repair, and maintain all pipes, fixtures, and other appurtenances thereto. The owners of the herein vacated area, their successors or assigns, may have said facilities removed from the vacated area upon written request to Spire Missouri Inc., and by prepaying all costs of such removal and relocation of the facilities. Upon removal, Spire Missouri Inc. shall file for record in the office of the Recorder of Deeds a written instrument acknowledging the release of reserved easement. The owners of the area herein vacated, their successors and assigns are prohibited from constructing any buildings over the facilities of Spire Missouri Inc.

- 2. The applicant works with Spire regarding any safety or relocation needs.
- 3. A full-width utility easement shall be retained for the entire area to be vacated for all Spire facilities.
- 4. The applicant retains a 30' wide sewer easement through the area to be vacated. The easement shall be centered on the existing 12" sewer.

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
Assistant City Attorney

Approved by the City Plan Commission

Secretary

STATE OF MISSOURI)

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COUNTY OF _____) ss.

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