



## Legislation Details (With Text)

**File #:** 220051      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 9/30/2021      **In control:** Council

**On agenda:** 1/27/2022      **Final action:** 1/27/2022

**Title:** Vacating the east/west alley south of E. 31st Street from Mersington Avenue to Myrtle Avenue and directing the City Clerk to record certain documents. (1743-V)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Fact Sheet, 2. Staff Report, 3. Exhibit A Map, 4. Site Plan, 5. Vacation Documents, 6. Ordinance Request, 7. Authenticated Ordinance 220051, 8. 220051.Recorded Information 3.29.2022

Date	Ver.	Action By	Action	Result
1/27/2022	1	Council	Passed	Pass
1/26/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
1/13/2022	1	Council		

### ORDINANCE NO. 220051

Vacating the east/west alley south of E. 31st Street from Mersington Avenue to Myrtle Avenue and directing the City Clerk to record certain documents. (1743-V)

#### 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 1st day of January, 2017, a petition was filed with the City Clerk of Kansas City by CRV, LLC, for the vacation of all of the east-west alley located first south of 31st street, formerly platted Springfield Avenue, as shown within Block 1, Amended Plat of Parish Park, a subdivision in Kansas City, Jackson County, Missouri, according to the

recorded plat thereof, said alley being bounded on the east by Myrtle Avenue and bounded on the west by Mersington Avenue, as said avenues now exist, and bounded on the north by Lots 1 thru 5, Block 1, Amended Plat of Parish Park and on the south by Lots 6 and 7 of said Block 1, Amended Plat of Parish Park, containing 3,070 square feet or 0.07 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 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 of all of the east-west alley located first south of 31st street, formerly platted Springfield Avenue, as shown within Block 1, Amended Plat of Parish Park, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, said alley being bounded on the east by Myrtle Avenue and bounded on the west by Mersington Avenue, as said avenues now exist, and bounded on the north by Lots 1 thru 5, Block 1, Amended Plat of Parish Park and on the south by Lots 6 and 7 of said Block 1, Amended Plat of Parish Park, containing 3,070 square feet or 0.07 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, with staff recommending the following conditions:

1. That a full-width utility easement and any existing utilities be retained.
2. That the existing transformer within the subject area be relocated at the owner's expense. The relocation shall be coordinated with KCPL and Kansas City, Missouri Streetlighting Division.

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.

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Approved as to form and legality:



