

ORDINANCE NO. 130815

Amending Ordinance No. 130215 by repealing Section 7 to revise the tracts being authorized for condemnation; authorizing condemnation, and the taking of private property interests as noted for public use for street improvement Project No. 89005536 (Blue Parkway and Eastwood Trafficway), all in Kansas City, Jackson County, Missouri.

WHEREAS, Section 7 of Ordinance No. 130215, adopted by Council on April 11, 2013, contained an error in one of the tracts to be authorized for condemnation; and

WHEREAS, this ordinance replaces said Section 7, and will include the revised tracts and descriptions to be condemned; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Ordinance No. 130215 is hereby amended by repealing Section 7 and enacting a new Section 7 to read as follows:

Tract 1, Street right of way:

A strip of land over a part of the Northeast Quarter of the Northwest Quarter of Section 36, Township 49, Range 33, in the City of Kansas City, Jackson County, Missouri, more particularly described as follows:

Beginning at the Southeast corner of Lot 1, Roger Heights, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, said point also being on the North right of way line of U.S. Highway No. 50, also known as Blue Parkway, as now established; thence South 49 degrees 10 minutes 16 seconds East, departing said North right of way line, a distance of 47.30 feet, to a point hereinafter to be referred to as Point A, said point also being on the North right of way line of said Blue Parkway; thence South 40 degrees 49 minutes 44 seconds West, along said North right of way line, a distance of 10.00 feet; thence North 49 degrees 10 minutes 16 seconds West, continuing along said North right of way line, a distance of 47.30 feet; thence North 40 degrees 49 minutes 44 seconds East, continuing along said North right of way line, a distance of 10.00 feet, to the point of beginning, containing 473.0 square feet, more or less.

and also:

Commencing at aforesaid Point A; thence South 49 degrees 10 minutes 16 seconds East, along the North right of way line of said Blue Parkway, a distance of 199.65 feet, to the point of beginning; thence South 49 degrees 10 minutes 16 seconds East, departing said North right of way line, a distance of 175.18 feet; thence South 52 degrees 08 minutes 26 seconds

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East, a distance of 131.80 feet, to a Point of Curvature; thence Southeasterly along a curve to the right having a radius of 4,037.00 feet, a central angle of 00 degrees 51 minutes 33 seconds and an arc length of 60.53 feet, to a point on the West right of way line of Fairway Drive, as now established; thence South 49 degrees 20 minutes 23 seconds West, along said West right of way line, a distance of 17.58 feet, to a point on the North right of way line of said Blue Parkway; thence North 49 degrees 30 minutes 18 seconds West, along said North right of way line, a distance of 364.68 feet; thence North 40 degrees 49 minutes 44 seconds East, continuing along said North right of way line, a distance of 10.00 feet, to the point of beginning, containing 4,205.1 square feet, more or less.

Tract 1, Storm Drainage easement:

A strip of land over a part of the Northeast Quarter of the Northwest Quarter of Section 36, Township 49, Range 33, in the City of Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the Southeast corner of Lot 1, Roger Heights, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, said point also being on the North right of way line of U.S. Highway No. 50, also known as Blue Parkway, as now established; thence South 49 degrees 10 minutes 16 seconds East, departing said North right of way line, a distance of 47.30 feet, to a point on the North right of way line of said Blue Parkway; thence South 49 degrees 10 minutes 16 seconds East, continuing along said North right of way line, a distance of 199.65 feet; thence South 49 degrees 10 minutes 16 seconds East, departing said North right of way line, a distance of 175.18 feet; thence South 52 degrees 08 minutes 26 seconds East, a distance of 131.80 feet, to the point of beginning; thence North 40 degrees 29 minutes 42 seconds East, a distance of 24.96 feet; thence South 49 degrees 30 minutes 18 seconds East, a distance of 64.01 feet, to a point on the West right of way line of Fairway Drive, as now established; thence South 49 degrees 20 minutes 23 seconds West, along said West right of way line, a distance of 22.90 feet, to a Point of Curvature; thence Northwesterly, departing said West right of way line and along a curve to the left having an initial tangent bearing of North 51 degrees 16 minutes 53 seconds West, a radius of 4,037.00 feet, a central angle of 00 degrees 51 minutes 33 seconds and an arc length of 60.53 feet, to the point of beginning, containing 1,474.6 square feet, more or less.

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Tract 1, Temporary Construction easement (3 year duration):

A strip of land over a part of the Northeast Quarter of the Northwest Quarter of Section 36, Township 49, Range 33, in the City of Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the Southeast corner of Lot 1, Roger Heights, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, said point also being on the North right of way line of U.S. Highway No. 50, also known as Blue Parkway, as now established; thence South 49 degrees 10 minutes 16 seconds East, departing said North right of way line, a distance of 3.27 feet, to the point of beginning; thence North 83 degrees 20 minutes 23 seconds East, a distance of 13.57 feet; thence South 49 degrees 10 minutes 16 seconds East, a distance of 234.51 feet; thence North 40 degrees 49 minutes 44 seconds East, a distance of 50.00 feet; thence South 49 degrees 30 minutes 18 seconds East; a distance of 365.05 feet; thence North 49 degrees 20 minutes 23 seconds East, a distance of 87.51 feet, to a Point of Curvature; thence Northeasterly along a curve to the left having a radius of 1233.00 feet, a central angle of 01 degrees 25 minutes 32 seconds and an arc length of 30.68 feet; thence South 41 degrees 27 minutes 55 seconds East, a distance of 10.00 feet, to a point on the West right of way line of Fairway Drive, as now established; thence Southwesterly along said West right of way line and along a curve to the right having an initial tangent bearing of South 47 degrees 55 minutes 09 seconds West, a radius of 1243.00, a central angle of 01 degrees 25 minutes 14 seconds, and an arc length of 30.82 feet; thence South 49 degrees 20 minutes 23 seconds West, continuing along said West right of way line, a distance of 116.31 feet; thence North 49 degrees 30 minutes 18 seconds West, departing said West right of way line, a distance of 64.01 feet; thence South 40 degrees 29 minutes 42 seconds West, a distance of 24.96 feet; thence North 52 degrees 08 minutes 26 seconds West, a distance of 131.80 feet; thence North 49 degrees 10 minutes 16 seconds West, a distance of 175.18 feet, to a point on the North right of way line of said Blue Parkway; thence North 49 degrees 10 minutes 16 seconds West, continuing along said North right of way line, a distance of 243.68 feet, to the point of beginning, containing 23,780.8 square feet, more or less.

Tract 2, Temporary Construction easement (3 year duration):

A strip of land over a part of Section 36, Township 49, Range 33, in the City of Kansas City, Jackson County, Missouri, also known as Tract 2 as shown on the Certificate of Survey as recorded under Document Number K-408353, in Book S-1 at Page 79, said strip more particularly described as follows:

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Commencing at the Southwest corner of Lot 1, Block 3 of Eastwood 3rd Plat, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, said point also being on the East right of way line of Fairway Drive, as now established: thence Southwesterly along said East right of way line and along a curve to the right having an initial tangent bearing of South 46 degrees 38 minutes 43 seconds West, a radius of 1303.00 feet, a central angle of 01 degrees 05 minutes 13 seconds and an arc length of 24.72 feet, to the point of beginning; thence South 41 degrees 02 minutes 01 seconds East, departing said East right of way line, a distance of 10.00 feet; thence Southwesterly along a curve to the right having an initial tangent bearing of South 47 degrees 44 minutes 30 seconds West, a radius of 1313.00 feet, a central angle of 01 degrees 35 minutes 53 seconds and an arc length of 36.62 feet; thence South 49 degrees 20 minutes 23 seconds West, a distance of 32.22 feet; thence North 49 degrees 10 minutes 37 seconds West, a distance of 10.11 feet, to a point on the East right of way line of said Fairway Drive; thence North 49 degrees 20 minutes 23 seconds East, along said East right of way line, a distance of 33.72 feet; thence Northeasterly continuing along said East right of way line and along a curve to the left having a radius of 1303.00 feet, a central angle of 01 degrees 36 minutes 27 seconds and an arc length of 36.56 feet, to the point of beginning, containing 695.6 square feet, more or less.

Tract 3, Property in Fee Simple:

All that part of the Northeast Quarter of the Northwest Quarter of Section 36, Township 49, Range 33 and also Tract 1 and Tract 3 as shown on the Certificate of Survey recorded under Document Number K-408353 in Book S-1 at Page 79, all in the City of Kansas City, Jackson County, Missouri, more particularly described as follows:

Beginning at the Southeast corner of Lot 6, Block 3, Eastwood, a subdivision in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, said point also being the Northeast corner of Tract 3 of said Certificate of Survey; thence South 08 degrees 42 minutes 22 seconds West (Measured), South 05 degrees 23 minutes 52 seconds West (Survey), a distance of 101.86 feet (Measured), 102.00 (Survey), to a point on the West right of way line of Eastwood Trafficway, as now established; thence South 74 degrees 44 minutes 11 seconds West (Measured), South 71 degrees 25 minutes 41 seconds West (Survey), along the West right of way line of said Eastwood Trafficway, a distance of 184.98 feet (Measured), 184.54 (Survey); thence North 66 degrees 09 minutes 19 seconds West (Measured), North 69 degrees 27 minutes 49 seconds West (Survey), continuing along said West right of way line, a distance of 50.00 feet (Measured and Survey), to a point on the North right of way line of U.S. Highway No. 50, also known as Blue Parkway, as now

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established; thence the following courses along said North right of way line: South 02 degrees 15 minutes 48 seconds West, a distance of 28.15 feet; thence North 87 degrees 40 minutes 45 seconds West, a distance of 115.31 feet; thence North 72 degrees 23 minutes 29 seconds West, a distance of 96.02 feet; thence Northwesterly along a curve to the left having an initial tangent bearing of North 46 degrees 27 minutes 14 seconds West, a radius of 5665.54 feet, a central angle of 01 degrees 47 minutes 24 seconds and an arc length of 176.99 feet; thence North 49 degrees 08 minutes 44 seconds West, a distance of 186.93 feet, to a point on the East right of way line of Fairway Drive, as now established; thence North 49 minutes 20 minutes 23 seconds East (Measured), North 46 degrees 01 minutes 53 seconds East (Survey), departing said North right of way line, and along said East right of way line, a distance of 115.14 feet (Measured and Survey), to the Northwest corner of said Tract 1; thence South 49 degrees 10 minutes 37 seconds East (Measured), South 52 degrees 29 minutes 07 seconds East (Survey), departing said East right of way line and along the North line of said Tract 1, a distance of 263.45 feet (Measured), 263.42 (Survey); thence North 29 degrees 57 minutes 44 seconds East (Measured), North 26 degrees 39 minutes 54 seconds East (Survey), a distance of 121.72 feet (Measured), 121.71 (Survey), to the Northwest corner of said Tract 3, said point also being the Southwest corner of Lot 3, Block 3, of said Eastwood; thence South 55 degrees 32 minutes 12 seconds East (Measured), South 58 degrees 50 minutes 42 seconds East (Plat), along the North line of said Tract 3 and also along the South line of said Lot 3, a distance of 102.00 feet (Measured and Plat), to the Southeast corner of said Lot 3, said point also being the Southwest corner of Lot 4, Block 3 of said Eastwood; thence South 71 degrees 13 minutes 17 seconds East (Measured), South 74 degrees 31 minutes 47 seconds East (Plat), along the North line of said Tract 3 and also the South line of Lots 4 and 5, Block 3 of said Eastwood, a distance of 199.78 feet (Measured and Plat), to the Southeast corner of said Lot 5, said point also being the Southwest corner of Lot 6, Block 3 of said Eastwood; thence South 87 degrees 11 minutes 32 seconds East (Measured), South 89 degrees 29 minutes 58 seconds East (Plat), along the North line of said Tract 3 and also the South line of said Lot 6, a distance of 98.41 feet (Measured), 98.00 feet (Plat), to the point of beginning, containing 115,239.3 square feet, more or less.

Part of Tract 3 to be used for Blue Parkway street right of way is as follows:

A strip of land over part of the Northeast Quarter of the Northwest Quarter of Section 36, Township 49, Range 33 and also over a part of Tract 1 as shown on the Certificate of Survey recorded under Document Number K-408353 in Book S-1 at Page 79, all in the City of Kansas City, Jackson County, Missouri, more particularly described as follows:

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Commencing at the Southeast corner of Lot 6, Block 3, Eastwood, a subdivision in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, said point also being the Northeast corner of Tract 3 of said Certificate of Survey; thence South 08 degrees 42 minutes 22 seconds West (Measured), South 05 degrees 23 minutes 52 seconds West (Survey), a distance of 101.86 feet (Measured), 102.00 (Survey), to a point on the West right of way line of Eastwood Trafficway, as now established; thence the following courses along said West right of way line: South 74 degrees 44 minutes 11 seconds West (Measured), South 71 degrees 25 minutes 41 seconds West (Survey) a distance of 184.98 feet (Measured), 184.54 (Survey); thence North 66 degrees 09 minutes 19 seconds West (Measured), North 69 degrees 27 minutes 49 seconds West (Survey), a distance of 50.00 feet (Measured and Survey), to a point on the North right of way line of U.S. Highway No. 50, also known as Blue Parkway, as now established, to the point of beginning; thence the following courses along said North right of way line: South 02 degrees 15 minutes 48 seconds West, a distance of 28.15; thence North 87 degrees 40 minutes 45 seconds West, a distance of 115.31 feet; thence North 72 degrees 23 minutes 49 seconds West, a distance of 96.02 feet; thence Northwesterly along a curve to the left having an initial tangent bearing of North 46 degrees 27 minutes 14 seconds West, a radius of 5,665.54 feet, a central angle of 01 degrees 47 minutes 24 seconds and an arc length of 176.99 feet; thence North 49 degrees 08 minutes 44 seconds West, a distance of 186.93 feet, to a point on the East right of way line of Fairway Drive, as now established; thence North 49 degrees 20 minutes 23 seconds East (Measured), North 46 degrees 01 minutes 53 seconds East (Survey), departing the North right of way line of said Blue Parkway, and along the East right of way line of said Fairway Drive, a distance of 20.92 feet; thence Southeasterly departing said East right of way line and along a curve to the right having an initial tangent bearing of South 50 degrees 24 minutes 58 seconds East, a radius of 4,037.00 feet, a central angle of 03 degrees 39 minutes 09 seconds and an arc length of 257.35 feet; thence continuing in a Southeasterly direction along a curve to the right having a radius of 4,754.34 feet, a central angle of 01 degrees 12 minutes 16 seconds and an arc length of 99.94 feet; thence South 47 degrees 35 minutes 20 seconds East, a distance of 21.63 feet; thence South 87 degrees 40 minutes 45 seconds East, a distance of 182.66 feet, to the point of beginning, containing 12,228.4 square feet, more or less.

Tract 6, Water main easement:

A strip of land over a part of Lot 21, Eastwood Terrace, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, more particularly described as follows:

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Beginning at the Southeast corner of said Lot 21, said point being on the South right of way line of U.S. Highway NO. 50, also known as Blue Parkway, as now established; thence North 87 degrees 33 minutes 49 seconds West, departing said South right of way line and along the South line of said Lot 21, a distance of 36.49 feet; thence Northwesterly, departing said South line and along a curve to the left having an initial tangent bearing of North 44 degrees 31 minutes 22 seconds West, a radius of 3,694.72 feet, a central angle of 00 degrees 37 minutes 27 seconds and an arc length of 40.25 feet, to a point on the South right of way line of E. 52nd Terrace, as now established; thence Northeasterly along said South right of way line and along a curve to the left having an initial tangent bearing of North 64 degrees 50 minutes 13 seconds East, a radius of 240.00 feet, a central angle of 06 degrees 14 minutes 17 seconds and an arc length of 26.13 feet, to a point on the South right of way line of said Blue Parkway; thence Southeasterly along said South right of way line and along a curve to the right having an initial tangent bearing of South 45 degrees 01 minutes 49 seconds East, a radius of 3,719.72 feet, a central angle of 00 degrees 55 minutes 06 seconds and an arc length of 59.62 feet, to the point of beginning, containing 1,242.6 square feet, more or less.

Approved as to form and legality:

Theodore T. Anderson
Assistant City Attorney