

BILL NO. 16-25

ORDINANCE NO. 4.353

AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED AT 7617 NORTH WOODLAND LEGALLY DESCRIBED AS SULLIVAN PLACE, REPLAT 1, TRACT A, LOT 1, GLADSTONE, MISSOURI, AND ACCEPTING A UTILITY EASEMENT AT THE SAME LOCATION.

WHEREAS, The Sullivan Place, Replat of Lot 1 was recorded on December 8, 2000; and

WHEREAS, the right-of-way located on the property included within the boundaries of said plat is no longer necessary; and

WHEREAS, no utilities have objected to the proposed vacation of said right-of-way, the right-of-way will not damage any person, and the right-of-way is not necessary to the public welfare nor presently in use; and

WHEREAS, pursuant to Section 8.120.100 of the City Code, the Planning Commission reviewed the proposed vacation of the right-of-way at its meeting on May 2, 2016, voted to recommend approval of the vacation and acceptance of a utility easement at the same location, and the City Manager was advised in writing of the action taken by the Planning Commission within three days of the meeting of the Planning Commission; and

WHEREAS, pursuant to Section 8.120.080 of the City Code, notice was published in a newspaper of the May 23rd meeting of the City Council where the vacation of right-of-way would be considered; and

WHEREAS, based on the information provided to it, the City Council desires to vacate the right-of-way described herein, and accept a utility easement at the same location.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, AS FOLLOWS:

SECTION 1. The right-of-way legally described in Exhibit "A" attached hereto and incorporated herein by reference is hereby vacated; and

SECTION 2. The utility easement legally described in Exhibit "B" attached hereto and incorporated herein by reference is hereby approved and accepted; and

SECTION 3. The City Clerk is hereby directed to record a certified copy of this Ordinance and the utility easement in Exhibit "B" in the Office of the Recorder of Deeds, Clay County, Missouri.

SECTION 4. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 5. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

INTRODUCED, READ, PASSED AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23rd DAY OF MAY, 2016.


Jean B. Moore, Mayor

ATTEST:


Ruth Bocchino, City Clerk

FIRST READING: May 23, 2016

SECOND READING: May 23, 2016

) File #1427

EXHIBIT "A"
STREET RIGHT-OF-WAY VACATION

All that part of the Street Right-of-way as shown on the Recorded Plat of Sullivan Place, a subdivision of land in Gladstone, Clay County, Missouri, described as follows: Commencing at the Northeast corner of Tract A; of said Sullivan Place; thence South 00 degrees 35 minutes 55 seconds West, along the East line of said Tract A, a distance of 66.28 feet to the Point of Beginning of the Tract of land herein to be described; thence continuing South 00 degrees 35 minutes 55 seconds West, a distance of 68.00 feet to the Northeast corner of Tract B, of said Sullivan Place; thence North 88 degrees 05 minutes 25 seconds West, along the North line of said Tract B, a distance of 31.00 feet to the Southeast corner of said Tract A; thence North 00 degrees 35 minutes 55 seconds East, along the East line of said Tract A; a distance of 68.00 feet; thence South 88 degrees 05 minutes 25 seconds East, a distance of 31.00 feet to the Point of Beginning.



Recording Date/Time: 06/15/2016 at 01:48:32 PM

Instr #: 2016019573

Book: 7738 Page: 128

Type: MISC

Pages: 25

Fee: \$96.00 \$ 20160015688

Kalee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds Certification)

1. Title of Document: Right-of-way Vacation
2. Date of Document: May 24, 2016
3. Grantee(s): Louis S. and Margaret H. Kobet, h&W
4. Mailing Address(s): 7617 N. Woodland Avenue, Gladstone, MO. 64118
5. Grantor(s): City of Gladstone
6. Legal Description:

All that part of the Street Right-of-way as shown on the Recorded Plat of Sullivan Place, a subdivision of land in Gladstone, Clay County, Missouri, described as follows: Commencing at the Northeast corner of Tract A; of said Sullivan Place; thence South 00 degrees 35 minutes 55 seconds West, along the East line of said Tract A, a distance of 66.28 feet to the Point of Beginning of the Tract of land herein to be described; thence continuing South 00 degrees 35 minutes, 55 seconds West a distance of 68.00 feet to the Northeast corner of Tract B, of said Sullivan Place; thence North 88 degrees 05 minutes 25 seconds West, along the North line of said Tract B a distance of 31.00 feet to the Southeast corner of said Tract A; thence North 00 degrees 35 minutes 55 seconds East, along the East line of said Tract A; a distance of 68.00 feet; thence South 88 degrees 05 minutes 25 seconds East, a distance of 31.00 feet to the Point of Beginning.

7. Reference Book and Page: N/A

Glad =

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Recorded in Clay County, Missouri



Recording Date/Time: 06/03/2016 at 09:24:22 AM

Instr #: 2016017930

Book: 7729 Page: 91

Type: EASE

Pages: 4

Fee: \$33.00 S 20160014353



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Utility Easement

2. **Date:** May 23, 2016

3. **Grantors:** Louis Steven & Margaret Helen Kobet, h&w

4. **Grantee (s):** City of Gladstone, Missouri

5. **Mailing Address:** 7010 N. Holmes; Gladstone, MO 64118

6. **Legal Description:**

All that part of Tract A, Sullivan Place, a subdivision of land in Gladstone, Clay County, Missouri, and all that part of the vacated Street Right-of-way of NE 77th Street described as follows: Beginning at the Northeast corner of Said Tract A; thence South 00 degrees 35 minutes, 55 seconds West, along the East line of said Tract A and its Southerly prolongation thereof a distance of 134.28 feet to the Northeast corner of Tract B of said Sullivan Place; thence North 88 degrees 05 minutes 25 seconds West along the North line a distance of 134.28 feet to the North line of said Tract A; thence South 88 degrees 05 minutes 25 seconds East along the North line of said Tract A, a distance of 5.0 feet to the Point of Beginning.

7. **Reference Book & Page:** N/A

EXHIBIT "B"
UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Louis Steven & Margaret Helen Kobet, h&w
(NAME OR NAMES)

7617 North Woodland Avenue, Gladstone, MO 64118
(ADDRESS)

of Gladstone, Clay County, MO hereinafter called the **GRANTOR**, for and in consideration of One Dollar (\$1.00) and the advantages to be gained from the existence of the facilities and appurtenances through the lands hereafter described, the receipt of which is hereby acknowledged, does hereby grant, sell and convey unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, an easement or right of way for the location, construction, reconstruction, maintenance, removal, operation and repair of any open drainageway, storm drainage structure, utility, or municipal facility and any and all appurtenances incidental thereto over, under and through the following described tract of land lying, being and situated in the City of Gladstone, Clay County, Missouri, to-wit:

All that part of Tract A, Sullivan Place, a subdivision of land in Gladstone, Clay County, Missouri, and all that part of the vacated Street Right-of-way of NE 77th Street described as follows: Beginning at the Northeast corner of Said Tract A; thence South 00 degrees 35 minutes, 55 seconds West, along the East line of said Tract A and its Southerly prolongation thereof a distance of 134.28 feet to the Northeast corner of Tract B of said Sullivan Place; thence North 88 degrees 05 minutes 25 seconds West along the North line a distance of 134.28 feet to the North line of said Tract A; thence South 88 degrees 05 minutes 25 seconds East along the North line of said Tract A, a distance of 5.0 feet to the Point of Beginning.

TO HAVE AND TO HOLD to same for the aforesaid use with all rights, privileges, appurtenances, and immunities thereto belonging unto the **GRANTEE**, its successors and assigns for so long as said use shall continue, the **GRANTOR** hereby covenanting for their heirs and successors and assigns unto the **GRANTEE**, its successors and assigns the following:

1. Said easement will be kept free from buildings and any other structures or obstructions (except sidewalks, roadways, pavement, or curbs) which will interfere with the **GRANTEE** in excavating upon said land for the purpose of laying, constructing, reconstructing, operating, repairing, and maintaining said facilities and appurtenances; and no excavation or fill shall be made and no other operations of any kind or nature shall be performed or authorized by the **GRANTOR** to be performed which will reduce or increase the earth coverage in such manner and to such extent so as to interfere with, or jeopardize or threaten the normal and proper operation and maintenance of said facilities and appurtenances, said facilities at all times to be laid and constructed at a proper depth below any pavement or street surfacing laid out or established at any time along, upon, or over said easement or any portion thereof, and the **GRANTEE** will repair any damage to fences, pavement, curb or sod in any way arising in connection with the laying, constructing, and repairing of said facilities and appurtenances. By granting this easement, same shall not be considered or construed as prohibiting the **GRANTOR** in the developing of any adjoining property from the laying out, establishing and the constructing of pavement surfacing of roadways, curbing and gutters along, upon, over or across said easement or any portion thereof.
2. The right of **GRANTEE**, its agents, servants, employees, or independent contractor to go upon said land, and so much of the **GRANTOR'S** adjoining land as may be reasonably necessary, at any time to

excavate or perform other operations for the purpose of laying, constructing, reconstructing, operating, removing, replacing, repairing, or maintaining said facilities and all appurtenances incidental thereto.

3. That they are lawfully seized and possessed of the real estate above described, that they have a good and lawful right to convey the same; that it is free from all encumbrances done or suffered by them which would interfere with the rights granted hereunder; and that they forever warrant and defend the title thereto against the lawful claims of all affecting the right and easement granted hereunder.

IN WITNESS WHEREOF, said Grantors do hereunto set their hand and subscribed their names to the foregoing, this 31 day of May, 2016.

CITY OF GLADSTONE, MO

BY Scott Wingerson
Scott Wingerson, City Manager

GRANTOR:

Louis Steven Kobet
Louis Steven Kobet

GRANTOR:

ATTEST: Ruth E. Bocchino
Ruth E. Bocchino, City Clerk

Margaret Helen Kobet
Margaret Helen Kobet

GRANTOR'S ACKNOWLEDGMENT

STATE OF MISSOURI)
) ss.
COUNTY OF CLAY)

On this 16 day of May, 2016, before me, the undersigned Notary Public, personally appeared Louis Steven & Margaret Helen Kobet, to me known to be the persons described herein and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed. And the said Louis Steven & Margaret Helen Kobet further declare themselves to be married.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Clay County, Missouri, the day and year last above written.

Rebecca Jarrett
Notary Public within said County/St.

My commission expires 11-11-18.

REBECCA JARRETT
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: November 11, 2018
Commission #14392947

GRANTEE'S ACKNOWLEDGMENT

On this 31 day of May, 2016, before me, this undersigned Notary Public, personally appeared Scott Wingerson, to me personally known, who being by me duly sworn, did say that (s)he is the City Manager of the City of Gladstone, Missouri, a municipal corporation, and that the seal affixed to the foregoing instrument is the corporate seal of the said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of it City Council, and said City Manager acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal at my office in Clay County, Missouri, the day and year last above written.

My commission expires:

August 2, 2018

Pamela Dee Smitka
Notary Public Within Said County/St.

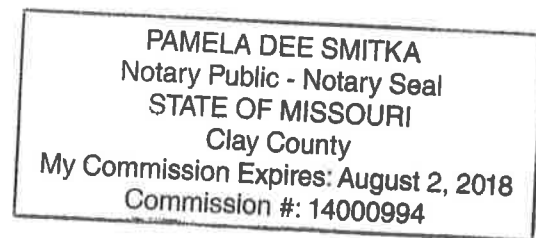


Exhibit B

Recorded in Clay County, Missouri



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Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Utility Easement

2. **Date:** May 23, 2016

3. **Grantors:** Louis Steven & Margaret Helen Kobet, h&w

4. **Grantee (s):** City of Gladstone, Missouri

5. **Mailing Address:** 7010 N. Holmes; Gladstone, MO 64118

6. **Legal Description:**

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7. **Reference Book & Page:** N/A

EXHIBIT "B"
UTILITY EASEMENT

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(NAME OR NAMES)

7617 North Woodland Avenue, Gladstone, MO 64118
(ADDRESS)

of Gladstone, Clay County, MO hereinafter called the **GRANTOR**, for and in consideration of One Dollar (\$1.00) and the advantages to be gained from the existence of the facilities and appurtenances through the lands hereafter described, the receipt of which is hereby acknowledged, does hereby grant, sell and convey unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, an easement or right of way for the location, construction, reconstruction, maintenance, removal, operation and repair of any open drainageway, storm drainage structure, utility, or municipal facility and any and all appurtenances incidental thereto over, under and through the following described tract of land lying, being and situated in the City of Gladstone, Clay County, Missouri, to-wit:

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1. Said easement will be kept free from buildings and any other structures or obstructions (except sidewalks, roadways, pavement, or curbs) which will interfere with the **GRANTEE** in excavating upon said land for the purpose of laying, constructing, reconstructing, operating, repairing, and maintaining said facilities and appurtenances; and no excavation or fill shall be made and no other operations of any kind or nature shall be performed or authorized by the **GRANTOR** to be performed which will reduce or increase the earth coverage in such manner and to such extent so as to interfere with, or jeopardize or threaten the normal and proper operation and maintenance of said facilities and appurtenances, said facilities at all times to be laid and constructed at a proper depth below any pavement or street surfacing laid out or established at any time along, upon, or over said easement or any portion thereof, and the **GRANTEE** will repair any damage to fences, pavement, curb or sod in any way arising in connection with the laying, constructing, and repairing of said facilities and appurtenances. By granting this easement, same shall not be considered or construed as prohibiting the **GRANTOR** in the developing of any adjoining property from the laying out, establishing and the constructing of pavement surfacing of roadways, curbing and gutters along, upon, over or across said easement or any portion thereof.
2. The right of **GRANTEE**, its agents, servants, employees, or independent contractor to go upon said land, and so much of the **GRANTOR'S** adjoining land as may be reasonably necessary, at any time to

excavate or perform other operations for the purpose of laying, constructing, reconstructing, operating, removing, replacing, repairing, or maintaining said facilities and all appurtenances incidental thereto.

3. That they are lawfully seized and possessed of the real estate above described, that they have a good and lawful right to convey the same; that it is free from all encumbrances done or suffered by them which would interfere with the rights granted hereunder; and that they forever warrant and defend the title thereto against the lawful claims of all affecting the right and easement granted hereunder.

IN WITNESS WHEREOF, said Grantors do hereunto set their hand and subscribed their names to the foregoing, this 31 day of May, 2016.

CITY OF GLADSTONE, MO

BY Scott Wingerson
Scott Wingerson, City Manager

GRANTOR:

Louis Steven Kobet
Louis Steven Kobet

GRANTOR:

ATTEST: Ruth E Bocchino
Ruth E. Bocchino, City Clerk

Margaret Helen Kobet
Margaret Helen Kobet

GRANTOR'S ACKNOWLEDGMENT

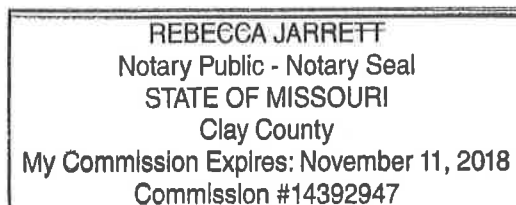
STATE OF MISSOURI)
) ss.
COUNTY OF CLAY)

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Clay County, Missouri, the day and year last above written.

Rebecca Jarrett
Notary Public within said County/St.

My commission expires 11-11-18.





All-America City

Gladstone



2008

MEMORANDUM

To: Planning Commission Members
From: Alan D. Napoli, C.B.O.
Interim Director of Community Development
Date: April 18, 2016
Re: Vacating a Utility Easement at 7617 N. Woodland Avenue

Please find attached materials related to the above request.

The easement being requested for vacating was originally for the installation of a hammer head turn around that was never installed back during the development. We now would require a full cal-de-sac, which based on the easement area would not be large enough to facilitate a cal-de-sac.

Public Works has met with the property owner requesting the vacating of easement and only requested that a five (5) foot utility easement be incorporated with the vacating easement for access to the sanitary sewer main located adjacent thereto. This has been address in the documentation.

If you should wish to discuss this matter in greater detail or desire additional information, please advise.

30 March, 2016

From: Louis S. Kobet
7617 N. Woodland Ave.
Gladstone, MO 64118

To: City of Gladstone
All Applicable Departments
7010 Holmes Ave
Gladstone, Mo 64118

Subj: Development Application (Petition to Vacate Right of Way)

Ref (a) Clay Co Records Plot Photo
Ref (b) Clay Co Records Sullivan Place Lt 1
Encl (1) Storm Water Photos
Encl (2) Drain Work Photos
Encl (3) Mr. Clay Gipson, Owner Continental Apartments Letter
Encl (4) Mr Richard Guptill , Owner 7615 N Woodland Ave
Encl (5) Mr Tim Herrman, Public Works Superintendent Letter
Encl (6) USIC Underground Utility Services Ticket ID153342859
Encl (7) Fire Hydrant and Emergency Vehicle Access
Encl (8) Legal Description

1. **Background:** My wife and I moved to Gladstone two years ago from Washington State in response to a family tragedy resulting in our decision to be closer to our daughter and grandson. At that time little did we know that two situations existed in the back yard that would soon get our attention. The first was the lack of storm water drains to capture rain water rolling off NE 77th St flooding the back yard, and the second, being rental neighbors living at the Continental Apartments that litter the NE 77th St Right of Way. I will address each of these concerns, as briefly as possible, which resulted in our decision to file petition to vacate the NE 77th St Right of Way. Ref (a) and Ref (b) display the Clay County Records Parcel Plot of the area.
2. **NE 77th St Right of Way Rain Water Run Off:** The 2015 spring rain was one for the record book and and eye opener. See Encl (1) photo. As a result, I alerted the Gladstone Public Works Department of the flooding problem. I also responded to the Gladstone Storm Water and Flooding Website Survey that was seeking information related to storm water issues. Two Public Works Department employees came to the house to inspect the flooding area. One of the men was fully aware of the historical nature of the flooding having worked in the area in the past. He was also aware that the previous owner (Len Bonic) had complained to the city in the past of lack of storm water control. The conversation with the two Public Works employees indicated that I was just one of many home owners within city with similar issues and would be ahead of the game if I took ownership of the water drainage problem and address it on my own behalf. I took their advice and started work to improve the storm water drainage. See Encl (2) photos. I dug a drainage ditch the width of the street and into the center of Right of Way, installed back to back four inch french drain pipes, covered the drain pipes with 10 Ton of gravel, used the dirt from the ditch to level the Right of Way down hill slope into the back yard, built a 24 inch high retaining wall to

hold the ditch dirt, and topped the dirt area off with 7 Ton of river rock. Finally, I replaced the old rotten rail road ties that Mr Bonic installed as a buffer with 10 concrete parking bumpers to prevent those that park three abreast across the street from driving over the drain pipe. I painted these parking bumpers with reflective yellow paint and attached reflective red and white tape for added visibility. **Having completed this work prompted the idea of installing a yard shed on the flat gravel area. However, I quickly realized that area was within the NE 77th St Right of Way not my property. It was at this time that I met with Mr. Scott Wingerson on 19 November 2015 to discuss vacation of the NE 77th St Right of Way. My original thought was to purchase the Right of Way from the city. Mr. Wingerson indicated that vacating the area would be a better alternative.**

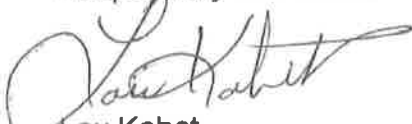
3. **Phone and Letter Contacts:** Before filing for petition to vacate I did some up front work to check for any issues that might cause problems. I spoke personally and sent letters to Mr. Clay Gipson, owner of Continental Apartments Encl (3) and Mr. Richard Guptill, my south side neighbor Encl (4), (no other property owners are within the 185 feet vacation limits of the Right of Way, The North property boundary is in Kansas City.) I contacted Mr Tim Herrman, Gladstone Public Works Superintendent Encl (5) for his inputs. Mr. Clay Gipson, owner Continental Apartments and Mr. Richard Guptill of 7617 N. Woodland Ave indicated no issue related to vacation of the Right of Way. I met, on site, with Mr Tim Herrman, Public Works Superintendent on 14 Dec 2015 and Mr Tim Nebergall, Director of Public Works on 9 March, 2016 to discuss the Right of Way vacation. Mr. Nebergall had no issues. However he requested to retain a 5 ft utility easement at the end of NE 77th St. His request is reflected in the attachment to Tim Herrman's letter Encl (5).
4. **USIC Utility Survey:** I contacted the Missouri One Call and had USIC verify all existing utility services within the entire 7617 N Woodland Ave property and within the NE 77th St Right of Way. See Encl (6) USIC Ticket ID153342859 dated 12/05/2015. Except for the water service and sewer line leading to my property, **no public utility services were detected within the Right of Way area.** I have photos of the utility marker flags available on request. Registered letters from the City of Gladstone, as part of the petition to vacate process, to utility service providers should reference the Ticket No. and date of the USIC survey indicating that their utilities do not currently exist within the 31 foot by 68 foot Right of Way being considered for vacation. This up front information would be of valued interest to the utility service providers and may speed their response.
5. **Fire Hydrant Placement and Emergency Access:** I have measured the length of NE 77th St to the intersection with N Euclid Ave (450 feet) and the distance to the first fire hydrant (90 ft) and compared this with the sister street NE 76th Terrace. Encl (7) indicates the approximate fire hydrant locations which are quite similar. The physical differences between the two streets is the **no Right of Way exists** at the end of NE 76th Terrace resulting in an abrupt dead end. One would suspect that emergency vehicle access to NE 77th St and NE 76th Terrace would have been given equal consideration when the Continental Apartments (Park Royal) development was approved by the city almost 20 years ago. I do not know the history for the roadway difference. Over the years the surrounding areas have been fully developed with residential housing with no property available to support future expansion. The road access along NE 76th Terrace (without a Right of Way) and NE 77th St (with a Right

of Way) continue to serve their purpose. Vacating the NE 77th St Right of Way would not change the lay of the land and be no different than the NE 76th Terrace road. Emergency vehicle access would be unchanged. Even if the 68 foot by 31 foot NE 77th St Right of Way was a paved area it would still be used for parking that exists there today. Rarely is the area cleared of vehicles to permit turn around of much more than a bicycle. The bottom line similar to NE 76th Terrace.

6. **Legal Description:** Encl (8) EXHIBIT "A" from Clay County Parcel Records is the current legal description of Replat of Lot 1 SULLIVAN PLACE. Should the vacation of the NE 77th St Right of Way be approved the only change would be that the 31 foot distances described in the description would change to 5 feet and the southern Lot 1 boundary 169.05 ft. would change to 185.05 ft. The overall southern boundary would stay the same 200.05 ft. The description of the plot from the survey is also attached.
7. **You Can't Pick Your Neighbors:** An old saying that is particular true when your neighbors reside in rental property with a high turn over. I have never had a issue with renters parking three abreast across NE 77th St since I rarely use the back gate and have improved that area with parking in mind. What we do have issue with picking up trash along the fence line, cigarette butts, and folks throw bags of trash over the fence. We police the area routinely picking up cans and bottles. This is just one more major reason why we decided to submit petition to vacate the NE 77th St Right of Way. We would not want that situation any closer to our flower beds. As a responsible citizens, I take pride in maintaining 7617 N Woodland Ave as one of the showcase yards within the City of Gladstone. In this respect, I wish to keep the situation at the end of NE 77th St on that side of the fence as far away as possible.
8. **Summary:** I have tried to be informative, and brief as possible, regarding this letter. My intent is to show the City of Gladstone that my concerns are justified in the petition to vacate the NE 77th St Right of Way. I urge the City of Gladstone to put themselves in my place and approve my petition. I remain committed to maintaining the Right of Way regardless to their decision.

Please contact me at my cell phone 360-901-8870 or e-mail loukobet@gmail.com for any details as the need may arise.

Respectfully submitted,



Lou Kobet

Note: Up date from Mr Tim Nebergall indicates that the NE 77th St is within the top five storm water abatement projects to be completed within the next 2-3 years.



7617 W. WOODLAND AVE
Ref (a) Photo OF YARD PLOT

Existing Right of Way,



E 77th St drains only on the right side of the street. Rain water flows width of the street under gate into center and right side of Right of Way and back yard.

Encl (1) Storm Water Photos

French drain ditch across width of the Right of Way. Note parked truck.



French drain after adding 10 ton of river gravel and 10 concrete parking barriers replace rotten railroad ties.



French Drain Work: Double pipe system designed to capture water across the width of the street, and eliminate water flowing through the center of the Right of Way.

Encl (2) Drain Work Photos

French Drain before covering with river gravel.



**Parking barriers painted with reflective yellow paint and red/white reflective tape
Farm implement reflector added to the gate.**



**After constructing a retaining wall dirt dig from the drain area was used to level the
Front of Way slope. The leveled area is all within the NE 77th St Right of Way.
The driving force behind the "Petition to Vacate" is to place a yard shed in this area.**

Encl (2) Drain Work Photos

Screen shot 2015-11-01 at 5:52:16 PM

Previous Next Zoom Move Text Select Annotate

Search

Search

Layer Visibility & Legend

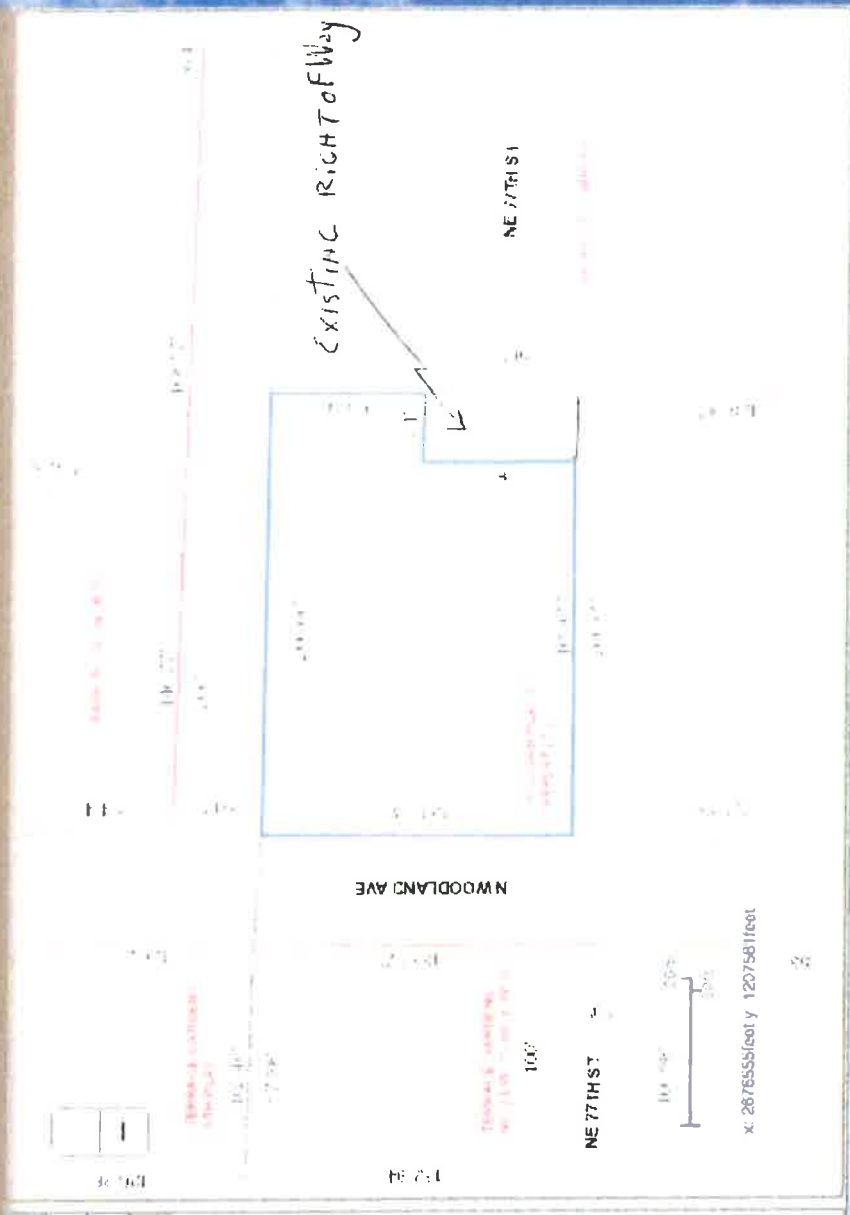
Result

Property Information

Parcel ID: 13608001200502
Property address: 007617 N WOODLAND AVE
Current Owner: KOBET, LOUIS STEVEN & MARGARET-HEKEN
Acres: 0.59
Section: 13
Township: 51
Range: 33
Tax District: 8
Tax Code: 74-20-00-03-00-0000
Legal: SULLIVAN PLACE REPLAT LT 1 TR A LT 1

Parcel detail information
Report Problem

MAP ID 13-608-00-12-005.02



Ref (b) Clay Co Records Sullivan Place Lt 1

Date: 12/2/15

From: Mr. Clay Gipson, Owner
Intercontinental Investments, Inc
3015 NE Excelsior Street
Avondale, MO 64117

To: Louis S. Kobet
7617 N Woodland Ave.
Gladstone, MO 64118

Ref: (A) Your ltr dtd 22 Nov., 2015 "Petition to Vacate"

Subj: NE 77th Street "Hammer Head" Right of Way

1. Per our phonecom on 19 Nov. 2015 and in response your letter Ref (A) regarding the NE 77th Street "Right of Way" located along the western boundary of the Park Royal Sub Division of the Intercontinental Apartment Complex property owned and managed by Intercontinental Investments, Inc., which is also, adjacent to the property owned by Louis S. Kobet, and spouse, Margaret H. Kobet listed as Sullivan Place Tract A Lot 1 (Clay County Parcel ID.13608001200502 Map No.13-608-00-12-005.02) showing subject 31ft by 68 ft Right of Way the following is submitted.

2. Intercontinental Investments, Inc has no direct interest subject Right of Way and has no objection to the Gladstone City Counsel approval of the "Petition to Vacate" the being submitted by Louis S. Kobet, and his lawful spouse, Margaret H. Kobet. Should the petition to vacate be granted by the City of Gladstone, MO Intercontinental investments, Inc. is aware that free and uninterrupted use, and possession of the Right of Way (31 ft by 68 ft) plot may be obtained by the petitioning parties as determined by the City of Gladstone, MO.

Respectfully Submitted,



Mr. Clay Gibson, Owner
Intercontinental Investments, Inc

Encl (3) Mr. Clay Gipson, Owner Continental Apartments Letter

20 Nov., 2015

From: Mr. Richard W. Guptill
7615 N Woodland Ave
Gladstone, MO 64118

To: Louis S. Kobet
7617 N Woodland Ave
Gladstone, MO 64118

Subj: NE 77th Street "Hammer Head" Right of Way

1. Per our face to face conversation today 20 Nov. 2015 and in response your intent to submit to the City of Gladstone, MO a "Petition to Vacate" subject "Right of Way" of which the south 31 ft is located along the northern boundary of my property as shown on the Sullivan Place Tract A Lot 1 (Clay County Parcel ID.13608001200502 Map No. 13-608-00-12-005.02) which shows the 31ft by 68 ft Right of Way the following is submitted.

2. Be advised, I have no direct interest the adjacent NE 77th Street "Right of Way" and have no objection to the Gladstone City Counsel approval of the "Petition to Vacate" subject Right of Way being requested by Louis S. Kobet, and his lawful spouse, Margaret H. Kobet. Should the petition to vacate be granted by the City of Gladstone, MO I am aware that free and uninterrupted use, and possession of the Right of Way (31 ft by 68 ft) plot may be obtained by the petitioning parties as determined by the City of Gladstone, MO.

Respectfully Submitted,

Richard W. Guptill

Mr. Richard W. Guptill
South Boundary Neighbor

Encl (4) Mr Richard Guptill , Owner 7615 N Woodland Ave Letter



DEPARTMENT OF PUBLIC WORKS

4000 NE 76th Street
Phone 816-436-5442

Gladstone, Missouri 64119-4303
Fax 816-436-6122

March 15, 2016

Louis S. Kobet
7617 N. Woodland Ave.
Gladstone, MO 64118

RE: NE 77th Street – Petition to vacate right-of-way

Dear Mr. Kobet:

This letter is in response to your petition to vacate the right-of-way adjacent to the property owned by you and your spouse, Margaret H. Kobet listed as Sullivan Place Tract A Lot 1 (Clay County Parcel ID. 13608001200502 map no. 13-608-00-12-005.02). The dimensions of the right-of-way are 31 feet by 68 feet.

No City utilities exist in this right-of-way, however, the City's sanitary sewer main runs adjacent to it. Prior to vacating it, the City will require that you grant a 5 foot utility easement.

Please note that this review only pertains to City utilities. You may receive additional comments from other City Departments and the City Council as you progress through the process.

If you have any questions, please feel free to contact me at (816) 436-5442.

Sincerely,


Timothy Herrman
Public Works Superintendent

cc: Scott Wingerson – Assistant City Manager

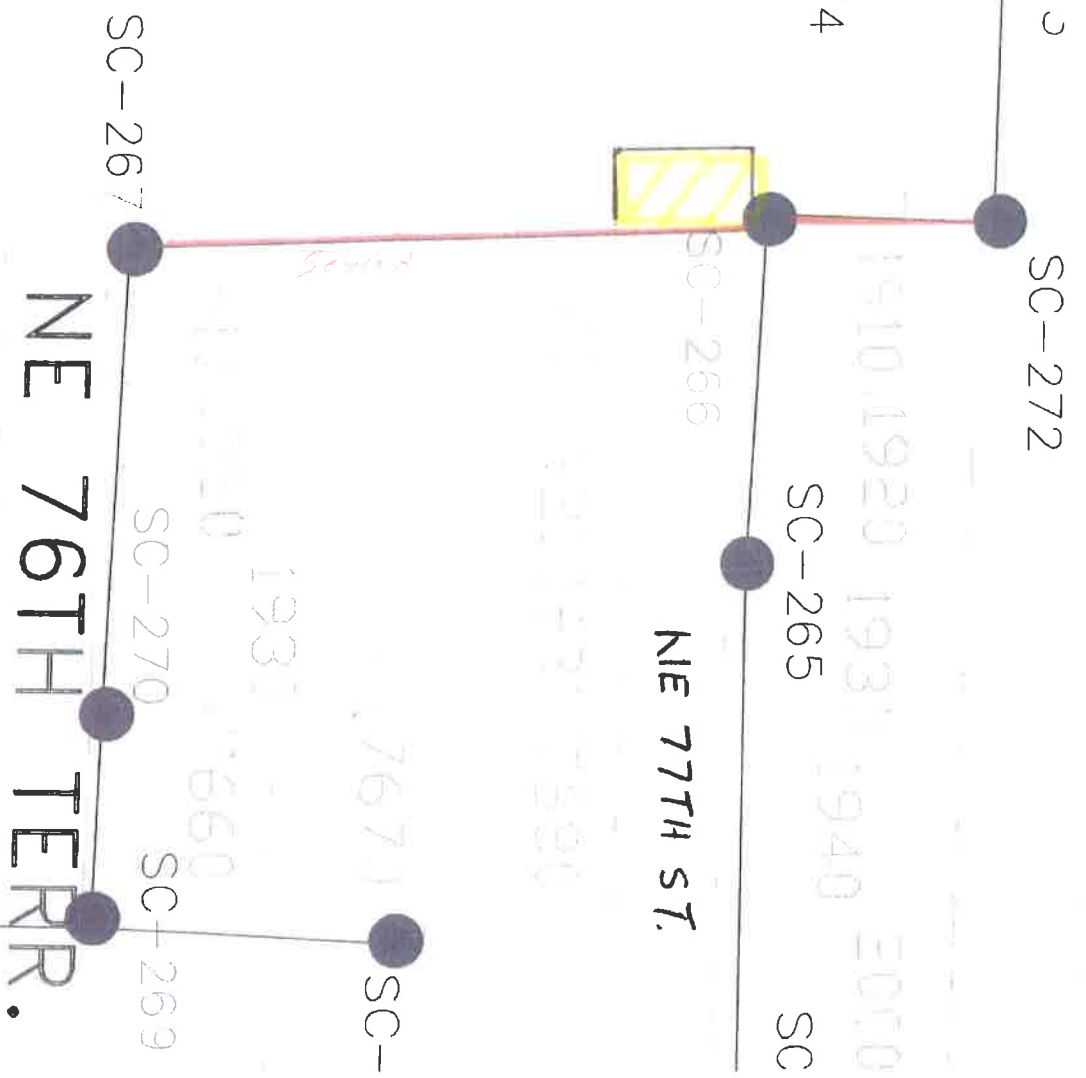
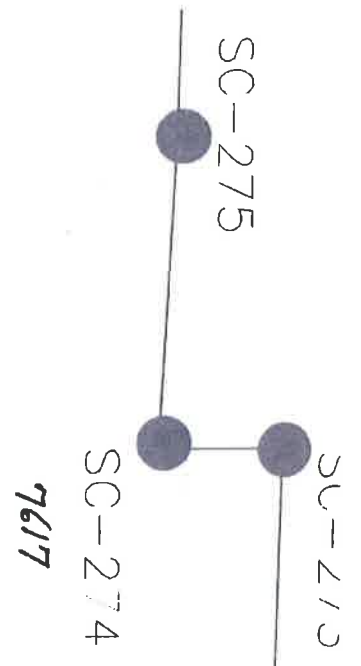
Encl (5) Mr Tim Herrman, Public Works Superintendent Letter

SC-289

SC-289

WOODLAND

N



EUCCLID

From: **ticketcheck@managetickets.com**

To: **LOU KOBET**

Ticket Check Status for MO Ticket 153342859

Ticket Number: **153342859**

Header: **ROUTINE**

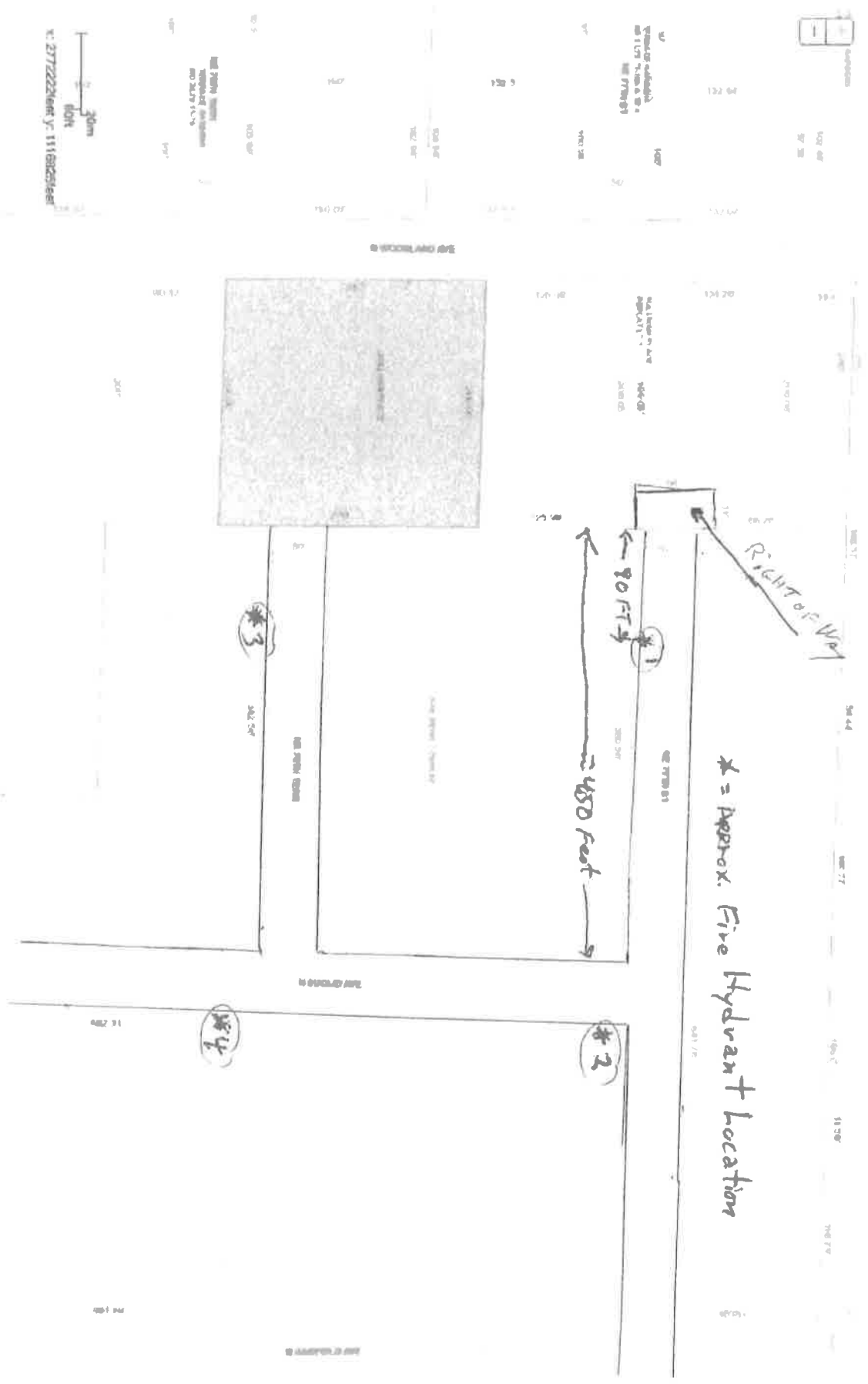
Location: **7617 N WOODLAND AVE GLADSTONE, MO**

As of **12/05/2015 10:30:00 CST**, participating facility owners have responded to Ticket Check as follows:

District Code	Status
ATT DISTRIBUTION	Marked
CITY OF GLADSTONE	Marked
GOOGLE FIBER	Clear/No conflict
MISSOURI GAS ENERGY	Marked
CITY OF KANSAS CITY WATER	Marked
KANSAS CITY POWER & LIGHT	Marked
TIME WARNER CABLE	Marked

Encl (6) USIC Underground Utility Services Ticket ID153342859

30m
100ft
N: 277222466 Y: 111682566



Encl (7) Fire Hydrant and Emergency Vehicle Access

EXHIBIT "A"

All of Tract A, Replat of Lot 1, SULLIVAN PLACE, a subdivision in Gladstone, Clay County, Missouri, according to the record plat thereof, more particularly described in the Replat of Lot 1, SULLIVAN PLACE, recorded December 8, 2000, with the Clay County, Missouri Recorder of Deeds Office as Document #Q 25876, at Book E, Page 166, as follows:

UNDERLINE IS
AREA RELATED
TO APPLICATION
31 FT. WOULD
CHANGE TO
5 FT. IF
APPROVED.
JPC

All of Lot 1, SULLIVAN PLACE, a subdivision of land in the City of Gladstone, Clay County, Missouri, also described as beginning at the Northwest corner of said Lot 1; thence South 88 degrees 05 minutes 25 seconds East, a distance of 200.06 feet to the Easterly line of said Lot 1, also being the Westerly line of PARK ROYAL, a subdivision of land in the City of Gladstone and the City of Kansas City, Clay County, Missouri; thence South 00 degrees 35 minutes 55 seconds West, along the Easterly line of said Lot 1, also being the Westerly line of said PARK ROYAL, a distance of 66.28 feet; thence North 88 degrees 05 minutes 25 seconds West, a distance of 31.00 feet; thence South 00 degrees 35 minutes 55 seconds West, along the Easterly line of said Lot 1, a distance of 68.00 feet; thence South 88 degrees 05 minutes 25 seconds East, a distance of 31.00 feet to the Easterly line of said Lot 1, also being Westerly line of said PARK ROYAL; thence South 00 degrees 35 minutes 55 seconds West, along the Westerly line of said PARK ROYAL, a distance of 125.96 feet to the Southeast corner of said Lot 1; thence North 88 degrees 05 minutes 25 seconds West, along the Southerly line of said Lot 1, a distance of 200.06 feet to the Southwest corner of said Lot 1, also being the Easterly right-of-way line of N. Woodland Avenue; thence North 00 degrees 35 minutes 55 seconds East, along the Westerly line of said Lot 1, also being the Easterly right-of-way line of said N. Woodland Avenue, a distance of 260.24 feet to the Point of Beginning.

OVERLAP
South Dist.
128.20

See Next sheet for survey description on Plat.

LESS

All of Tract B, Replat of Lot 1, SULLIVAN PLACE, a subdivision in Gladstone, Clay County, Missouri, according to the record plat thereof, previously deeded to David L. Lautenschlager and Carol J. Lautenschlager, husband and wife, by Leonard J. Bronec and Kathryn G. Bronec, husband and wife, pursuant to Warranty Deed recorded February 22, 2002 at Book 3557, Page 220, as Document #Q 98108.

Commonly known as 7617 N. Woodland Avenue, Gladstone, MO 64118. Parcel #13-608-00-12-005.02

AND

"North
Side of
Plat Section"

The North 510 feet of the West 225 feet of the South 1/3 of the West 1/4 of the Northeast 1/4 of Section 13, Township 51, Range 33, being partly in Kansas City and partly in Gladstone, wholly in Clay County, Missouri, except that part in North Woodland Avenue and except that part platted as Sullivan Place, a subdivision of land in the City of Gladstone, Clay County, Missouri, as acquired from Peggy A. Sullivan, a single person, pursuant to Quit Claim Deed recorded with the Clay County Missouri Recorder of Deeds Office on June 14, 2000, as Document Q 3695, at Page 3163, Page 587, and more commonly described as follows: Beginning at the Northwest corner of Lot 1, SULLIVAN PLACE; a subdivision in Clay County, Missouri, thence North 39.76 feet; thence East 200 feet; thence South 39.76 feet; thence West 200 feet, to the point of beginning.

Commonly known as 00000 N. Woodland Avenue, Gladstone, MO 64118. Parcel #13-608-00-10-006.00

Encl (8) Legal Description

ACE

Q25876

Recorded 00 Dec 8 3:08 p.m.

Book E, Page 166

Robert T. Sauer

Recorder of Deeds

Clay County, MO

LEGAL DESCRIPTION:

All of Lot 1, SULLIVAN PLACE, a subdivision of land in the City of Gladstone, Clay County, Missouri, also described as Beginning at the Northwest corner of said Lot 1; thence South 88 degrees 05 minutes 25 seconds East, a distance of 200.06 feet to the Easterly line of said Lot 1, also being the Westerly line of PARK ROYAL, a subdivision of land in the City of Gladstone and the City of Kansas City, Clay County, Missouri; thence South 00 degrees 35 minutes 55 seconds West, along the Easterly line of said Lot 1, also being the Westerly line of said PARK ROYAL, a distance of 66.28 feet; thence North 88 degrees 05 minutes 25 seconds West, a distance of 31.00 feet; thence South 00 degrees 35 minutes 55 seconds West, along the Easterly line of said Lot 1, a distance of 68.00 feet; thence South 88 degrees 05 minutes 25 seconds East, a distance of 31.00 feet to the Easterly line of said Lot 1, also being the Westerly line of said PARK ROYAL; thence South 00 degrees 35 minutes 55 seconds West, along the Westerly line of said Lot 1, a distance of 125.96 feet to the Southeast corner of said Lot 1; thence North 88 degrees 05 minutes 25 seconds West, along the Southerly line of said Lot 1, a distance of 200.00 feet to the Southwest corner of said Lot 1, also being the Easterly right-of-way line of N. Woodland Avenue; thence North 00 degrees 35 minutes 55 seconds East, along the Westerly line of said Lot 1, also being the Easterly right-of-way line of said N. Woodland Avenue, a distance of 260.24 feet to the Point of Beginning.