



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 24, 2020

Department Safety & Code Enforcement

Director Approval David Cowan

AGENDA ITEM Consider a request to vacate 27th Street from Main Street to Myrtle Street.

SUMMARY RECOMMENDATION City staff recommends vacating North 27th Street from Main Street to Myrtle Street and retaining a utility easement.

BACKGROUND The City of Independence was contacted by Quality Motors requesting that the City vacate North 27th Street from Main to Myrtle street. Quality Motors is planning to do some remodeling of their building and improve employee and citizen safety between the buildings. The City does have utilities that are located in the street and alley and needs to maintain an easement for those utilities.

BUDGET IMPACT There would be a small budget impact of signage and possibly a guard rail at 27th and Myrtle.

SUGGESTED MOTION I move to approve vacating 27th street from Main Street to Myrtle street while retaining easement rights for utilities located in this area.

SUPPORTING DOCUMENTS

1. Request
2. Ordinance

From: [Allen Wulf](#)
To: [David Cowan](#)
Cc: jchubb@sehc-law.com; miranda@hbkarch.com; [Josh Cook](#)
Subject: Fwd: Fwd: RE: City of Independence - Quality Motors & 27th Street
Date: Wednesday, September 9, 2020 11:14:25 AM

Good morning all,

Please accept this email as a formal request to close 27th street. We are hopeful this can be completed as it will facilitate a much safer traffic flow between our properties. If you should need a more formal request or have further questions, feel free to reply or my cell is listed below.

Allen

Allen Wulf
Quality Motors


ORDINANCE NO. _____

**An Ordinance Vacating 27th Street
Between West Main Street and West Myrtle Street**

BE IT ORDAINED by the Governing Body of the City of Independence, Kansas:

Section 1. Upon the application of adjacent property owners, and after due consideration of what is in the best interests of the citizens of the city of Independence, 27th Street between West Main Street and West Myrtle Street is hereby vacated.

Section 2. Ownership of that portion of 27th Street which has been vacated shall revert to the owners of the adjacent real estate in proportion to their ownership of frontage on the vacated street.

Section 3. The City retains and reserves an easement in the vacated area for utilities plus their repair and maintenance.

Section 4. This Ordinance shall be published in the official City newspaper and shall thereafter take effect thirty (30) days after publication unless one or more interested parties file a written protest before expiration of such time.

Adopted by the Governing Body of the City of Independence, Kansas, on the 24th day of September, 2020.

LEONHARD CAFLISCH, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk