



**REQUEST FOR COMMISSION ACTION**  
**CITY OF INDEPENDENCE**  
**October 8, 2020**

**Department** Administration

**Director Approval** David Cowan

**AGENDA ITEM** Consider a request to vacate 27th Street from Main Street to the alley south of Myrtle Street.

**SUMMARY RECOMMENDATION** City staff recommends vacating North 27<sup>th</sup> Street from Main Street to alley south of Myrtle Street and retaining a utility easement.

**BACKGROUND** The City of Independence was contacted by Quality Motors requesting that the City vacate North 27<sup>th</sup> Street from Main to the alley. 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.

Quality Motors is working to resolve the issues with ownership on the north end between Myrtle and the alley and we will update the commission at the meeting. If they are able to resolve those issues, they would then request vacating 27<sup>th</sup> street from Main to Myrtle.

**BUDGET IMPACT** There would be a small budget impact of signage and possibly a guard rail at alley.

**SUGGESTED MOTION** I move to approve vacating 27<sup>th</sup> street from Main Street to the alley while retaining easement rights for utilities located in this area.

**SUPPORTING DOCUMENTS**

1. Aerial
2. Ordinance



QUALITY MINI STORAGE, LLC TROUTMAN, RICKY L

BURTON, PATRICK H

DAVES QUALITY CONSTRUCTION LLC

ROMANS, RANDALL R

QUALITY MINI STORAGE, LLC

MYRTLE

MYRTLE

MYRTLE

WILSON, DAVID A & KARIE E

SCHLATTER POLLOCK & SCOTT INVESTMENTS, INC

QUALITY PAINT AND BODY, LLC

SCHLATTER POLLOCK & SCOTT INVESTMENTS, INC

SCHLATTER POLLOCK & SCOTT INVESTMENTS, INC

DAVIS, JEFFREY & KRISTINE TAX MANAGEMENT, LLC

Distance: 193.6 Feet

MAIN

MAIN

26TH

26TH

25TH

26TH

26TH

25TH

**ORDINANCE NO. 4335**

**An Ordinance Vacating 27th Street  
Between West Main Street and the Alley South of 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 the alley south of 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 8<sup>th</sup> day of October, 2020.*

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LEONHARD CAFLISCH, Mayor

ATTEST:

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DAVID W. SCHWENKER, City Clerk