

CITY OF FOUNTAINS
BRANCH OF THE NATION



KANSAS CITY
MISSOURI

Office of the City Manager

Capital Improvements Management Office

1st Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

(816) 513-2720
Fax: (816) 513-2760

October 19, 2004

Mr. Brian Kirk
Trigen-Energy
115 Grand Ave.
Kansas City, MO 64106

FILED²

APR 08 2005

Missouri Public
Service Commission

Re: Intent to Vacate Streets and Alleys for Kansas City's Downtown Arena

Dear Mr. Kirk:

On behalf of the City of Kansas City, Missouri (City), we are informing you that the City will be vacating the right-of-way of the Streets and alleys in the area bounded by: 13th Street on the North, Westbound Truman Road on the South, Grand Avenue on the West, and Oak Street on the East. This includes the vacation of McGee between 13th Street and Westbound Truman Road and 14th Street between Grand Avenue and Oak Street and the associated alleys.

We request that your company remove and relocate any and all of its conduit, facilities or installations from within the right-of-way of the alleys and streets described above. The removal and relocation of conduit, facilities or installations is required to be completed by March 1, 2005. The costs associated with their removal and relocation will not be reimbursed by the City and will be at your company's expense.

This request is made pursuant to Sec. 19-34(a), Code of Ordinances of the City of Kansas City, Missouri. The City will be vacating these streets and alleys. We anticipate the vacation ordinances will be filed for City Plan Commission and City Council consideration in the near future. The City is vacating these streets and alleys for the construction of the new Downtown Arena which is a governmental purpose and a public necessity and benefit to the public welfare.

This request is made pursuant to Sec. 409 of the City Charter and Sec. 19-34(a), Code of Ordinances as applicable. We anticipate the vacation ordinances will be filed for City Plan Commission and City Council consideration in the near future. The City is vacating these streets and alleys for the construction of the new Downtown Arena. Therefore, the relocation of utilities is required by public necessity and benefit to the public welfare in the City's exercise its governmental functions.

Please provide us a schedule for completion of your relocation work as soon as possible.

If you have any questions, feel free to call me at 816-513-2740.

Sincerely,

Ralph S. Davis, P.E.
Manager of Project Delivery
For: Stanley J. Harris, P.E.
Acting Director of Public Works/City Engineer

Exhibit No. 4
Case No(s) AC-2005-033
Date 4-14-05 Rptr 41