

BILL NO. 23-067

AN ORDINANCE APPROVING AN ACCESS EASEMENT ACROSS A CITY-OWNED PARCEL ADDRESSED 225 NW CHIPMAN ROAD FOR THE BENEFIT OF 221 NW CHIPMAN ROAD, LLC AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME.

WHEREAS, 221 NW Chipman Road, LLC (“Boise”), has requested an access easement from the City on land located at 225 NW Chipman Road for access to their existing driveway (“Easement”); and,

WHEREAS, the land the Easement is located on was acquired by the City in fee simple for the expansion of NW Chipman Rd; and,

WHEREAS, during the pending sale of Boise’s property, it was discovered that no access easement existed for the existing driveway serving the property; and,

WHEREAS, Section 4.4(d) of the Charter of the City of Lee's Summit, Missouri, requires the Mayor of the City of Lee's Summit, Missouri, to execute all documents and instruments conveying any interest in real property owned by the City of Lee's Summit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The easement conveyance, in substantially the same form as the attached Exhibit 1 to this Ordinance, and incorporated herein by reference as though fully set forth be and is hereby approved.

SECTION 2. The Mayor of the City of Lee's Summit, Missouri is hereby authorized to execute said Exhibit A, or substantially similar, by and on behalf of the City of Lee's Summit, Missouri.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2023.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

BILL NO. 23-067

APPROVED by the Mayor of said city this ____ day of _____, 2023.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*