

BILL NO. 20-220

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 1721 SW NAPA VALLEY DRIVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-222 was submitted by Engineering Solutions, LLC, requesting vacation of an existing easement located on property addressed 1721 SW Napa Valley Dr in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Napa Valley, 1st Plat, Lots 1 thru 88 and Tracts A thru M*, recorded by Document #2005-l-0049801; and,

WHEREAS, the Planning Commission considered the request on October 22, 2020, and rendered a report to the City Council recommending that the vacation of easement be approved; and,

WHEREAS, the City Council for the City of Lee's Summit has determined that no damages are ascertainable by reason of such vacation.

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

SECTION 1. That the following described easement is hereby and herewith vacated:

ALL OF THE PLATTED UTILITY EASEMENT ACROSS PART OF LOT 80, AS SHOWN ON THE RECORDED PLAT OF NAPA VALLEY, FIRST PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 80; THENCE NORTH 8° 46' 44" WEST, A DISTANCE OF 86.95 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 14.00 FEET, AN ARC DISTANCE OF 2.85 FEET; THENCE SOUTH 86° 08' 24" WEST, A DISTANCE OF 18.42 FEET TO TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 86° 08' 24" EAST AND A RADIUS OF 4.00 FEET, AN ARC DISTANCE 5.94 FEET; THENCE SOUTH 8° 46' 44" EAST, A DISTANCE OF 86.95 FEET; THENCE NORTH 81° 13' 16" EAST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LEGAL DESCRIPTION CONTAINS 904.42 SQUARE FEET.

SECTION 2. That upon the effective date of the vacation of the easement described in Section 1 above, the City releases all right, title and interest in and to the City owned infrastructure located within the easements.

SECTION 3. That the City Clerk be and is hereby authorized and directed to acknowledge a copy of this ordinance and to record same in the Office of the Recorder of Deeds of the County in which the property is located.

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SECTION 4. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2020.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*