

BILL NO. 16-132

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED WITHIN THE PLAT ENTITLED "LOWE'S ADDITION," IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-069 was submitted by George & Peggy Nie, requesting vacation of a utility easement within "Lowe's Addition", a recorded subdivision in Lee's Summit, Missouri; and,

WHEREAS, the City of Lee's Summit, Missouri, accepted the plat entitled "Lowe's Addition", passed and adopted by the City Council of the City of Lee's Summit on May 18, 1925; and,

WHEREAS, the said plat was recorded with the County Director of Records on May 19, 1925; and,

WHEREAS, a 15' sanitary sewer easement was specifically dedicated to the City by separate document and recorded with the County Director of Records by Document No. 1990-I-1003644 on August 21, 1990; and,

WHEREAS, the subject easement was specifically dedicated to the City by separate document, so no input regarding the vacation request is required from any private utilities; and,

WHEREAS, the Public Works and Water Utilities Departments for the City of Lee's Summit have determined that no other uses exist for said easement; and,

WHEREAS, the Planning Commission considered the request on June 14, 2016, 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, located within "Lowe's Addition", is hereby and herewith vacated:

AN EXISTING 15' UTILITY EASEMENT ON PART OF LOT 21, BLOCK 2, LOWE'S ADDITION, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 21; THENCE SOUTH 85 DEGREES 02 MINUTES 31 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 21, A DISTANCE OF 210.63 FEET, TO THE NORTHEAST CORNER OF SAID LOT 21; THENCE SOUTH 02 DEGREES 01 MINUTES 28 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 21, A DISTANCE OF 15.02 FEET, THENCE NORTH 85 DEGREES 02 MINUTES 31 SECONDS WEST, A DISTANCE OF 210.67 FEET, TO A POINT ON THE WEST LINE OF SAID LOT 21; THENCE NORTH 02 DEGREES 10

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MINUTES 22 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 21, A DISTANCE OF 15.02 FEET, TO THE POINT OF BEGINNING.

SECTION 2. 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.

SECTION 3. 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 _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this ____ day of _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED AS TO FORM:

City Attorney Brian W. Head