

BILL NO.

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED COBEY CREEK, 1ST PLAT, LOTS 1-30, 140-159 AND TRACTS D, E, G, H & J AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2018-208, submitted by JCM Development, LLC, requesting approval of the final plat entitled "Cobey Creek, 1st Plat, Lots 1-30, 140-159 and Tracts D, E, G, H & J", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on February 25, 2021, and rendered a report to the City Council recommending that the plat be approved.

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

SECTION 1. That the final plat entitled "Cobey Creek, 1st Plat, Lots 1-30, 140-159 and Tracts D, E, G, H & J" is a subdivision in Section 29, Township 47, Range 31, in Lee's Summit, Missouri more particularly described as follows:

COBEY CREEK – 1ST PLAT, LEGAL DESCRIPTION:

All that part of the Southeast Quarter of Section 29, Township 47, Range 31, in the City of Lee's Summit, Jackson County, Missouri more particularly described as follows:

BEGINNING at the Northeast Corner of said Southeast Quarter Section; thence South 02 degrees 30 minutes 29 seconds West, along the East line of said quarter section, a distance of 1081.05 feet; thence North 87 degrees 29 minutes 31 seconds West, a distance of 30.00 feet to a point on the West right-of-way line of Doc Henry Road, as established; thence South 02 degrees 30 minutes 29 seconds West, along said right-of-way line, a distance of 1203.02 feet; thence North 87 degrees 54 minutes 10 seconds West, a distance of 597.17 feet; thence South 47 degrees 05 minutes 50 seconds West, a distance of 35.36 feet; thence along a curve to the left having an initial tangent bearing of South 02 degrees 05 minutes 50 seconds West and a radius of 175.00 feet, an arc distance of 115.22 feet, to a point of reverse curve; thence along a curve to the right having an initial tangent bearing of South 35 degrees 37 minutes 35 seconds East and a radius of 225.00 feet, an arc distance of 138.40 feet; thence South 43 degrees 04 minutes 32 seconds East, a distance of 49.65 feet, thence South 87 degrees 54 minutes 10 seconds East, a distance of 491.44 feet, to a point on the West Right-of-Way line of Doc Henry Road, as now established; thence South 02 degrees 30 minutes 29 seconds West, along the West Right-of-Way line of Doc Henry Road, a distance of 1.10 feet, to a point on the North right-of-way line of Missouri Highway 150, as established; thence South 85 degrees 26 minutes 23 seconds West, along said North Right-of-Way line, a distance of 142.47 feet; thence South 65 degrees 50 minutes 12 seconds West, along said North Right-of-Way line, a distance of 27.99 feet; thence North 87 degrees 54 minutes 10 seconds West, along said North Right-of-Way line, said Right-of-Way line being 30 feet North of and parallel to the South line of said quarter section, a distance of 1436.75 feet; thence North 02 degrees 32 minutes 36 seconds East, a distance of 30.00 feet; thence South 87 degrees 54 minutes 10 seconds East, a distance of 1001.70 feet; thence North 47 degrees 05 minutes 50 seconds East, a distance of 35.36 feet; thence along a curve to the left having an initial tangent bearing of North 02 degrees 10 minutes 54 seconds East and a radius of 175.00 feet, an arc distance of 115.48 feet, to a point of

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reverse curve; thence along a curve to the right having an initial tangent bearing of North 35 degrees 37 minutes 35 seconds West and a radius of 225.00 feet, an arc distance of 148.14 feet; thence North 42 degrees 54 minutes 10 seconds West, a distance of 35.36 feet; thence North 87 degrees 54 minutes 10 seconds West, a distance of 27.55 feet; thence North 02 degrees 05 minutes 50 seconds East, a distance of 50.00 feet; thence South 87 degrees 54 minutes 10 seconds East, a distance of 27.55 feet; thence North 47 degrees 05 minutes 50 seconds East, a distance of 35.36 feet; thence North 02 degrees 05 minutes 50 seconds East, a distance of 373.85 feet; thence North 42 degrees 54 minutes 10 seconds West, a distance of 28.28 feet; thence North 87 degrees 54 minutes 10 seconds West, a distance of 29.00 feet; thence North 02 degrees 05 minutes 50 seconds East, a distance of 55.00 feet; thence South 87 degrees 54 minutes 10 seconds East, a distance of 24.00 feet; thence North 47 degrees 05 minutes 50 seconds East, a distance of 35.36 feet; thence North 02 degrees 05 minutes 50 seconds East, a distance of 51.90 feet; thence along a curve to the left having a radius of 175.00 feet, an arc distance of 96.59 feet; thence North 29 degrees 31 minutes 32 seconds West, a distance of 260.51 feet; thence along a curve to the left having a radius of 175.00 feet, an arc distance of 88.77 feet; thence North 58 degrees 35 minutes 16 seconds West, a distance of 113.85 feet; thence along a curve to the left having a radius of 325.00 feet, an arc distance of 87.45 feet; thence North 74 degrees 00 minutes 20 seconds West, a distance of 16.68 feet; thence North 15 degrees 59 minutes 40 seconds East, a distance of 50.00 feet; thence North 74 degrees 00 minutes 20 seconds West, a distance of 90.55 feet; thence along a curve to the left having a radius of 1025.00 feet, an arc distance of 31.65 feet; thence North 14 degrees 59 minutes 14 seconds East, a distance of 87.99 feet; thence North 02 degrees 15 minutes 11 seconds East, a distance of 116.06 feet; thence South 87 degrees 44 minutes 49 seconds East, a distance of 304.45 feet; thence South 02 degrees 15 minutes 11 seconds West, a distance of 10.00 feet; thence South 87 degrees 44 minutes 49 seconds East, a distance of 702.82 feet; thence along a curve to the left having an initial tangent bearing of North 09 degrees 17 minutes 02 seconds West and a radius of 175.00 feet, an arc distance of 41.41 feet; thence North 67 degrees 09 minutes 33 seconds East, a distance of 50.00 feet; thence along a curve to the left having an initial tangent bearing of North 22 degrees 50 minutes 27 seconds West and a radius of 225.00 feet, an arc distance of 130.79 feet; thence North 28 degrees 24 minutes 44 seconds West, a distance of 42.89 feet; thence North 02 degrees 30 minutes 29 seconds East, a distance of 17.23 feet; thence South 87 degrees 29 minutes 31 seconds East, a distance of 115.00 feet; thence North 02 degrees 30 minutes 29 seconds East, a distance of 680.64 feet; thence North 42 degrees 37 minutes 10 seconds West, a distance of 84.66 feet to a point on the North line of said Southeast Quarter of Section 29; thence South 87 degrees 44 minutes 49 seconds East, along said North line, a distance of 235.00 feet to the POINT OF BEGINNING.

Containing 30.01 acres, 1,307,198.2 SF. Description Closure: N 0.01754, E 0.00070, Perimeter 7,887.02 feet, Precision 1:448,127.84

SECTION 2. That the proprietor of the above described tract of land ("Proprietor") has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall hereafter be known as "Cobey Creek, 1st Plat, Lots 1-30, 140-159 and Tracts D, E, G, H & J".

SECTION 3. That the roads and streets shown on this plat and not heretofore dedicated to public use as thoroughfares shall be dedicated as depicted on the plat. The City Council hereby authorizes the Director of Development Services, on behalf of the City of Lee's Summit, Missouri, to accept the land or easements dedicated to the City of Lee's Summit for public use and shown

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on the accompanying plat, upon the subdivider filing and recording a final plat in accordance with Article 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services and the City Clerk that the public improvements have been constructed in accordance with City standards and specifications.

SECTION 4. That the approval granted by this ordinance is done under the authority of Section 89.410.2 of the Revised Statutes of Missouri and Section 7.340 of the UDO because all subdivision-related public improvements required by the UDO have not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor will, in accordance with Section 7.340 of the UDO, provide security in a form acceptable to the City to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the required public improvements are available to each lot for which a building permit is requested in accordance with the Design and Construction Manual.

SECTION 5. That an easement shall be granted to the City of Lee's Summit, Missouri, to locate, construct and maintain or to authorize the location, construction, and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable TV, or any other necessary public utility or services, any or all of them, upon, over, or under those areas outlined or designated upon this plat as "Utility Easements" (U.E.) or within any street or thoroughfare dedicated to public use on this plat. Grantor, on behalf of himself, his heirs, his assigns and successors in interest, shall waive, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), any right to request restoration of rights previously transferred and vacation of any easement granted by this plat.

SECTION 6. That building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be constructed between this line and the street right-of-way line.

SECTION 7. That individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

SECTION 8. That the final plat substantially conforms to the approved preliminary plat and to all applicable requirements of the Code.

SECTION 9. That the City Council for the City of Lee's Summit, Missouri, does hereby approve and accept, as a subdivision to the City of Lee's Summit, Missouri, the final plat entitled "Cobey Creek, 1st Plat, Lots 1-30, 140-159 and Tracts D, E, G, H & J", attached hereto and incorporated herein by reference.

SECTION 10. 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.

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PASSED by the City Council for the City of Lee's Summit, Missouri, this _____ day of _____, 2021.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said City this _____ day of _____, 2021.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian Head