

BILL NO. 17-151

AN ORDINANCE VACATING A CERTAIN STORM DRAINAGE EASEMENT GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SE M-291 HWY. & SE BAILEY RD. IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-106 was submitted by The Grove at Lee's Summit, LLC, requesting vacation of a storm drainage easement generally located at the southeast corner of SE M-291 Hwy. & SE Bailey Rd. in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City by Document No. #2012E0051616 on May 14, 2012; and,

WHEREAS, the Public Works Department for the City of Lee's Summit has determined that no other uses exist for said easement; and,

WHEREAS, the Planning Commission considered the request on June 27, 2017, 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 easements are hereby and herewith vacated:

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 47 NORTH, RANGE 31 WEST, IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHWEST CORNER OF LOT 8 OF MADDOX ACRES, ACCORDING TO THE RECORDED SUBDIVISION PLAT THEREOF; THENCE N87°49'43"W ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 326.24 FEET; THENCE N01°54'19"E, A DISTANCE OF 32.34 FEET; THENCE N13°00'00"E, A DISTANCE OF 100.00 FEET; THENCE S87°00'00"E, A DISTANCE OF 360.00 FEET; THENCE S34°00'00"E, A DISTANCE OF 69.13 FEET; THENCE S01°54'19"W, A DISTANCE OF 59.17 FEET TO A POINT ON THE NORTH LINE OF SAID SUBDIVISION; THENCE N87°49'43"W ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 493.77 FEET TO THE POINT OF BEGINNING; SAID PARCEL OF LAND CONTAINING 94,686.2 SQUARE FEET (2.17 ACRE), MORE OR LESS.

SECTION 2. That upon the effective date of the vacation of the easements 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.

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.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this _____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*