

BILL NO. 22-135

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED, "THE RETREAT AT HOOK FARMS, 2ND PLAT, LOTS 179 THRU 215 AND TRACTS J-L" AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-162, submitted by Hunt Midwest Real Estate Development, Inc., requesting approval of the final plat entitled "The Retreat at Hook Farms, 2nd Plat, Lots 179 thru 215 and Tracts J-L", 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 June 9, 2022, 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 "The Retreat at Hook Farms, 2nd Plat, Lots 179 thru 215 and Tracts J-L", is a subdivision in Section 23, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

A tract of land in the Southeast Quarter of Section 23, Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri being bounded and described by or under the direct supervision of Jason S. Roudebush, P.L.S. 2002014092 as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 87°58'53" West, on the South line of said Southeast Quarter, 2,651.35 feet to the Southeast corner of MONARCH VIEW 1ST PLAT, a subdivision of land in said Lee's Summit recorded as Instrument Number 98 I 69637 in Book 163 at Page 62 in Jackson County Recorder of Deeds Office, also being the Southwest corner of said Southeast Quarter; thence North 02°43'00" East, on the West line of said Southeast Quarter, also being the East line of said MONARCH VIEW 1ST PLAT, 30.00 feet to the Northwest corner of SW Hook Road as established by RIGHT-OF-WAY DEED recorded as Instrument Number 1999I 0077639 in said Jackson County Recorder of Deeds Office, also being the Point of Beginning of the tract of land to be herein described; thence North 02°43'00" East, on said West and East lines, and also being East line of MONARCH VIEW 2ND PLAT, a subdivision of land in said Lee's Summit, recorded as Instrument Number 2000I 0047892 in Book 167 at Page 87 in said Jackson County Recorder of Deeds Office, 1,163.24 feet; thence leaving said West and East lines, South 87°16'25" East, 25.54 feet; thence South 73°15'30" East, 121.46 feet; thence South 62°39'56" East, 102.90 feet; thence South 52°04'22" East, 102.90 feet; thence South 41°28'48" East, 102.90 feet; thence South 33°05'07" East, 195.12 feet; thence North 90°00'00" East, 510.19 feet to a point on the Westerly line of proposed THE RETREAT AT HOOK FARMS; thence South 16°31'39" East, along said Westerly line, 238.84 feet; thence South 78°36'20" East, along said Westerly line, 118.51 feet; thence South 04°39'35" West, along said Westerly line, 128.06 feet; thence South 23°04'06" East, along said Westerly line, 206.79 feet; thence

BILL NO. 22-135

South 02°38'45" East, along said Westerly line, 164.78 feet; thence North 87°58'48" West, along said Westerly line, 45.85 feet; thence South 01°54'56" West, along said Westerly line, 76.13 feet; thence North 87°58'53" West, along said Westerly line, 38.61 feet to a point on the existing Northerly right-of-way line of SW HOOK ROAD, as established by RIGHT OF WAY DEED recorded as Instrument Number 2007E0016663 in said Jackson County Recorder of Deeds Office; thence leaving said Westerly line, continuing North 87°58'53" West, along said existing Northerly right-of-way line, 125.00 feet; thence South 02°01'07" West, along said existing Northerly right-of-way line, 10.00 feet; thence North 87°58'53" West, along said existing Northerly right-of-way line, 853.20 feet to the Northwest corner of said RIGHT-OF-WAY DEED, also being the Northeast corner of SW HOOK ROAD, as established by said RIGHT-OF-WAY DEED Instrument Number 1999 I0077639; thence continuing North 87°58'53" West along the existing Northerly right-of-way line of said SW Hook Road, 252.00 feet to the Point of Beginning. Containing 1,085,519 square feet or 24.92 acres, more or less.

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 "The Retreat at Hook Farms, 2nd Plat, Lots 179 thru 215 and Tracts J-L".

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 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

BILL NO. 22-135

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 development plan 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 "The Retreat at Hook Farms, 2nd Plat, Lots 179 thru 215 and Tracts J-L" 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.

PASSED by the City Council for the City of Lee's Summit, Missouri, this ____ day of _____, 2022.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

BILL NO. 22-135

APPROVED by the Mayor of said City this ____ day of _____, 2022.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian Head