

## **BILL NO. 20-09**

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AN ORDINANCE VACATING CERTAIN UTILITY EASEMENTS LOCATED AT 114 SE DOUGLAS STREET IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-364 was submitted by Cityscape Residential, requesting vacation of an utility easement located on the property addressed 114 SE Douglas ST in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Replat of Lots 1 Thru 9 and 11 thru 23, Inclusive, Block 4 Town of Strother* recorded by Document No. 199710040754 BK 61, PG 3; and,

WHEREAS, the Planning Commission considered the request on December 12, 2019, and rendered a report to the City Council recommending that the vacation of easements 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 of the 20 foot wide emergency access easement and utility easement as shown on tract A, *Replat of Lots 1 Thru 9 and 11 Thru 23, Inclusive, Block 4 Town of Strother*, a subdivision in the City of Lee's Summit, Jackson County, Missouri as recorded on book I-61 at page 3 at the office of Recorder of Deeds in Jackson County, Missouri.

SECTION 2. The following condition of approval shall apply.

1. The vacation shall not become effective until such time the existing utilities have been relocated and new easements recorded in a manner acceptable to the City.

SECTION 3. 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 4. 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 5. 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*