

## **BILL NO. 20-10**

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AN ORDINANCE VACATING CERTAIN UTILITY EASEMENTS IN THE STREETS OF WEST PRYOR DEVELOPMENT, GENERALLY LOCATED AT THE NORTHWEST CORNER OF NW PRYOR RD AND NW CHIPMAN RD, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-348 was submitted by Levy Craig Law Firm, requesting vacation of certain existing easements located in the Streets of West Pryor Development on property generally located at the northwest corner of NW Pryor Rd and NW Chipman Rd in Lee's Summit, Missouri; and,

WHEREAS, the easements along NW Pryor Rd were dedicated to the City via the plat titled *Chipman-Hwy 50, Lots 1-18 & Tracts A-D*, recorded by Document #2001-I-86409; and,

WHEREAS, the easements along NW Lowenstein Dr were dedicated to the City via the plat titled *Streets of West Pryor, Lots 1-14, Tracts A, B, C, & D*, recorded by Document #2019-E-0032538 (the "Plat"); 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 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 utility easements described in **Exhibit A** are hereby and herewith vacated, except for those areas which are described in **Exhibit B** which shall be retained as easements and not vacated by this Ordinance. Notwithstanding anything herein to the contrary, the foregoing vacation shall not impact the building setbacks granted via the Plat in any way, which setbacks shall be retained for all purposes.

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 \_\_\_\_\_, 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 Head*