

## **BILL NO. 20-110**

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AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 504, 512 and 520 NE PROMISED VIEW DR IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-071 was submitted by Phelps Engineering, requesting vacation of an existing easement located on property addressed 504, 512 and 520 NE Promised View Dr in Lee's Summit, Missouri; and,

WHEREAS, a portion of the easement was dedicated to the City via the plat titled *Tiffany Woods, Lots 1-13 & Tracts A-C*, recorded by Document #2005-I-0009253; and,

WHEREAS, a second portion of the easement was dedicated to the City via the plat titled *Tiffany Woods, Lots 1A thru 4A, Lots 6A thru 8A and Tracts A-1, B-1 and C-1*, recorded by Document #2009-E-0009584; and,

WHEREAS, the Planning Commission considered the request on May 14, 2020, 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 easement is hereby and herewith vacated:

*All that part of the existing Utility Easements dedicated by plat being a part of Lot 5, TIFFANY WOODS LOTS 1-13 AND TRACTS A, B, AND C and part of Lots 3A and 4A, TIFFANY WOODS, 2ND PLAT, LOTS 1A THRU 4A, LOTS 6A THRU 8A AND TRACTS A-1, B-1 AND C-1, both being subdivisions of land in the City Lee's Summit, Jackson County, Missouri, more particularly described as follows:*

*Commencing at the most Westerly corner of said Lot 4A; thence N 48° 55' 37" E, along the Northwesterly line of said Lot 4A, and along the Southeasterly line of said Lot 5, a distance of 8.18 feet, to the point of beginning; thence 17° 28' 18" W, a distance of 8.18 feet, to a point on the Northwesterly line of said Utility Easement; thence N 48° 55' 37" E, along the Northwesterly line of said Utility Easement, a distance of 159.69 feet; thence S 2° 02' 37" W, a distance of 6.96 feet; thence S 50° 33' 00" E, a distance of 10.06 feet, to a point on the Southeasterly line of said Utility Easement, a distance; thence S 48° 55' 37" W along the Southeasterly line of said Utility Easement, a distance of 159.19 feet, to a point on the Northeasterly line of said Utility Easement; thence S 50° 33' 04" E, along the Northeasterly line of said Utility Easement, a distance of 81.81 feet, to a point on the Northwesterly line of an existing Public Utility Easement as dedicated by said plat of TIFFANY WOODS, 2ND PLAT, LOTS 1A THRU 4A, LOTS 6A THRU 8A AND TRACTS A-1, B-1 AND C-1; thence Southwesterly, along the Northwesterly line of said Public Utility Easement, said line being a curve to the left having a radius of 70.00 feet, a central angle of 12° 18' 05" and whose initial tangent bearing is S 45° 36' 01" W, an arc distance of 15.03 feet, to a point on the Southwesterly line of said Utility Easement; thence N 50° 33' 04" W, along the Southwesterly line of said Utility Easement a distance of 84.31 feet,*

**BILL NO. 20-110**

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*to a point on the Southeasterly line of said Utility Easement; thence N 48° 55' 37" E, along the Southeasterly line of said Utility Easement, a distance of 11.26 feet; thence N 17° 28' 18" W, a distance of 8.18 feet, to the point of beginning.*

*The above described tract contains 3,635 square feet, more or less.*

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

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:

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*City Attorney Brian W. Head*