

BILL NO. 21-136

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED WHISPERING WOODS, 2ND PLAT, LOTS 34-50, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2020-223, submitted by Whispering Woods Land, LLC, requesting approval of the final plat entitled "Whispering Woods, 2nd Plat, Lots 34-50", 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 10, 2021, 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 "Whispering Woods, 2nd Plat, Lots 34-50" is a subdivision in Section 24, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

PROPERTY DESCRIPTION
CONTAINING 234,887 SQUARE FEET OR 5.39 ACRES

PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 47 NORTH, RANGE 32 WEST, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE N87°38'05"W, ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHWEST QUARTER, A DISTANCE OF 572.29 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE N87°38'05"W, CONTINUING ALONG SAID LINE, A DISTANCE OF 819.48 FEET TO THE SOUTHEAST CORNER OF TRACT D, WHISPERING WOODS FIRST PLAT, A SUBDIVISION IN SAID LEE'S SUMMIT, JACKSON COUNTY, MISSOURI; THENCE N02°21'55"E, ALONG THE EASTERLY LINE OF SAID PLAT OF WHISPERING WOODS FIRST PLAT, A DISTANCE OF 180.00 FEET; THENCE N87°38'05"W, CONTINUING ALONG SAID LINE, A DISTANCE OF 11.45 FEET; THENCE N02°21'55"E, CONTINUING ALONG SAID LINE, A DISTANCE OF 120.00 FEET TO THE NORTHEAST CORNER OF LOT 28, SAID PLAT OF WHISPERING WOODS FIRST PLAT; THENCE S87°38'05"E, A DISTANCE OF 677.89 FEET; THENCE S02°31'15"W, A DISTANCE OF 21.63 FEET; THENCE S87°40'43"E, A DISTANCE OF 60.00 FEET; THENCE S02°31'15"W, A DISTANCE OF 73.30 FEET; THENCE SOUTHEASTERLY, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 39.36 FEET; THENCE S87°40'43"E, A DISTANCE OF 68.28 FEET; THENCE S02°21'55"W, A DISTANCE OF 180.09 FEET TO THE POINT OF BEGINNING.

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 "Whispering Woods, 2nd Plat, Lots 34-50".

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

BILL NO. 21-136

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 7.330 of the UDO because all subdivision-related public improvements required by the UDO are existing and in place 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 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 plat 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 "Whispering Woods, 2nd Plat, Lots 34-50", 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.

BILL NO. 21-136

PASSED by the City Council for the City of Lee's Summit, Missouri, this ____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said City this ____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*