

BILL NO. 21-89

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED PARAGON STAR, 2ND PLAT, LOTS 9, 10, 14, 16 AND 20, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2019-320, submitted by Paragon Star, LLC, requesting approval of the final plat entitled "Paragon Star, 2nd Plat, Lots 9, 10, 14, 16 and 20", 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 April 8, 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 "Paragon Star, 2nd Plat, Lots 9, 10, 14, 16 and 20" is a subdivision in Section 34, Township 48N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

All that part of the Northwest Quarter of Section 34, Township 48 North, Range 32 West of the Fifth Principal Meridian, and a part of Graham Commercial Center, a Subdivision in the City of Lee's Summit, Jackson County, Missouri, more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of said Northwest Quarter, thence South 86°26'21" East, along the North line of said Quarter Quarter, a distance of 379.61 feet, to the Northwest Corner of Graham Commercial Center, recorded in Book 63, Page 89; thence South 02°17'50" West, departing said North line, and along the West line of said Graham Commercial Center, a distance of 18.44 feet, to the Point of Beginning; thence South 86°20'31" East, departing said West line, a distance of 694.94 feet, to a point on the East line of said Graham Commercial Center; thence South 14°24'57" East, along said East line, a distance of 92.66 feet; thence North 90°00'00" West, departing said East line, a distance of 40.47 feet; thence South 00°00'00" East, a distance of 55.90 feet; thence South 40°15'53" West, a distance of 419.66 feet; thence North 69°50'05" West, a distance of 19.70 feet; thence South 20°12'25" West, a distance of 268.55 feet, to a point on the North Right-of-Way line of US Interstate Highway 470, as now established, said point also being on the South line of said Graham Commercial Center; thence North 85°08'16" West, along said North Right-of-Way line and said South line, a distance of 16.67 feet; thence South 60°28'02" West, continuing along said North Right-of-Way line and said South line, a distance of 97.23 feet; thence North 69°50'05" West, continuing along said North Right-of-Way line and said South line, a distance of 342.03 feet; thence North 30°28'52" West, continuing along said North Right-of-Way line and said South line, a distance of 87.88 feet, departing said North Right-of-Way line, and transitioning to the East Right-of-Way line of Northwest View High Drive, as now established, said point also being on the West line of said Graham Commercial Center; thence North 07°21'08" East, along said East Right-of-Way line and said West line, a distance of 92.10 feet; thence South 69°50'05" East, departing said East Right-of-Way line and said West line, a distance of 97.12 feet; thence North 20°09'55" East, a distance of 165.51 feet; thence North 69°50'05" West, a distance of 69.13 feet, to a point on the West line of said Graham Commercial

BILL NO. 21-89

Center; thence North 31°48'12" East, continuing along said West line, a distance of 128.21 feet; thence North 02°17'50" East, a distance of 262.50 feet, to the Point of Beginning, containing 416,213.00 square feet, or 9.54 acres, more or less.

EXCEPT for the following:

Commencing at the Northwest Corner of the Southwest Quarter of said Northwest Quarter, thence South 86°26'13" East, along the North line of said Quarter Quarter, a distance of 495.45 feet; thence South 03°33'39" West, departing said North line, a distance of 108.62 feet, to the Point of Beginning; thence South 86°20'28" East, a distance of 466.21 feet; thence South 03°37'51" West, a distance of 67.01 feet; thence North 86°24'48" West, a distance of 8.02 feet; thence South 40°15'39" West, a distance of 153.79 feet; thence South 46°39'29" West, a distance of 112.34 feet; thence South 39°55'15" West, a distance of 36.50 feet; thence North 70°29'07" West, a distance of 81.51 feet; thence North 57°36'52" West, a distance of 53.24 feet; thence North 20°16'17" East, a distance of 57.64 feet; thence North 30°16'07" West, a distance of 92.79 feet; thence North 02°16'25" West, a distance of 77.41 feet; thence North 86°20'31" West, a distance of 84.00 feet; thence North 15°49'01" West, a distance of 47.73 feet, to the Point of Beginning, containing 80,949.87 square feet, or 1.86 acres, more or less.

Plat area containing 335,263.13 square feet, or 7.70 acres, more or less, after exception.

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 "Paragon Star, 2nd Plat, Lots 9, 10, 14, 16 and 20".

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 7.330 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

BILL NO. 21-89

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 "Paragon Star, 2nd Plat, Lots 9, 10, 14, 16 and 20", 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 _____, 2021.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

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

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*