

BILL NO. 16-239

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "KESSLER RIDGE AT NEW LONGVIEW, 1ST PLAT, LOTS 1-55 & TRACTS A-D", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2015-051, submitted by M-III Longview, LLC, requesting approval of the final plat entitled "Kessler Ridge at New Longview, 1st Plat, Lots 1-55 & Tracts A-D", was referred to the Planning Commission as required by the Unified Development Ordinance No. 5209; and,

WHEREAS, the Planning Commission considered the final plat on June 9, 2016 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 "Kessler Ridge at New Longview, 1st Plat, Lots 1-55 & Tracts A-D" is a subdivision in Section 10, Township 47 North, Range 32 West, in Lee's Summit, Missouri more particularly described as follows:

A tract of land in the Northwest Quarter of Section 10, Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri, being bounded and described as follows: Beginning at the Southwest corner of Lot 210, BRIDLEWOOD-6TH PLAT, a subdivision in said Lee's Summit, Jackson County, Missouri; thence South 50°53'58" East, along the West line of said BRIDLEWOOD-6TH PLAT, 623.60 feet; thence South 14°52'27" West, continuing along said West line, 266.43 feet; thence South 03°11'26" West, continuing along said West line, 249.91 feet to a point on the Northerly right-of-way line of S.W. Longview Road, per the plat of NEW LONGVIEW ROADWAY PLAT, a subdivision in said Lee's Summit, Jackson County, Missouri; thence North 87°10'33" West, along said Northerly right-of-way line, 314.78 feet; thence North 02°48'52" East, 246.42 feet; thence North 13°51'38" East, 131.50 feet; thence North 50°54'00" West, 176.98 feet; thence North 39°06'00" East, 4.05 feet; thence North 50°54'00" West, 139.00 feet; thence North 39°06'00" East, 130.00 feet; thence North 50°54'00" West, 6.85 feet; thence Northwesterly, along a curve to the right, being tangent to the last described course with a radius of 625.00 feet, a central angle of 04°42'03" and an arc distance of 51.28 feet; thence North 88°51'01" West, 15.26 feet; thence Southwesterly, along a curve to the right, having an initial tangent bearing of South 50°04'50" West with a radius of 225.00 feet, a central angle of 02°12'47" and an arc distance of 8.69 feet; thence North 37°42'22" West, 50.00 feet; thence Northeasterly, along a curve to the left, having an initial tangent bearing of North 52°17'38" East with a radius of 175.00 feet, a central angle of 01°18'39" and an arc distance of 4.00 feet; thence North 04°44'50" East, 14.96 feet; thence Northwesterly, along a curve to the right, having an initial tangent bearing of North 39°42'23" West with a radius of 625.00 feet, a central angle of 07°23'58" and an arc distance of 80.71 feet; thence South 57°41'35" West, 163.49 feet; thence North 15°04'41" West, 46.93 feet; thence North 87°11'08" West, 221.91 feet; thence North 02°48'52" East, 7.61 feet; thence North 87°11'08" West, 151.57 feet to a point on the Easterly right-of-way line of S.W. Longview Boulevard, as now established; thence Northerly, along said Easterly right-of-way line, along a curve to the left, having an initial tangent bearing of North

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03°03'02" West with a radius of 380.00 feet, a central angle of 28°05'18" and an arc distance of 186.29 feet; thence North 31°08'20" West, continuing along said Easterly right-of-way line, 120.23 feet; thence North 13°48'08" East, continuing along said Easterly right-of-way line, 77.53 feet; thence North 58°46'08" East, continuing along said Easterly right-of-way line, 62.83 feet; thence North 31°13'52" West, continuing along said Easterly right-of-way line, 60.00 feet; thence North 58°46'34" East, 257.26 feet; thence Northerly, along a curve to the left, being tangent to the last described course with a radius of 250.00 feet, a central angle of 90°21'47" and an arc distance of 394.28 feet; thence North 58°24'47" East, 59.97 feet; thence South 86°48'50" East, 461.31 feet to a point on the West line of Lot 194, BRIDLEWOOD-5TH PLAT, a subdivision in said Lee's Summit, Jackson County, Missouri; thence South 03°11'10" West, along said West line and the West line of said BRIDLEWOOD-6TH PLAT, 855.04 feet to the Point of Beginning. Containing 903,644 square feet or 20.74 acres, more or less.

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 "Kessler Ridge at New Longview, 1st Plat, Lots 1-55 & Tracts A-D".

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 Planning and Codes Administration, 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 16, Subdivisions, Unified Development Ordinance ("UDO") of the City, which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 16 of the UDO of the City, upon the Director of Public Works certifying to the Director of Planning and Codes Administration 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 16.340 of the UDO because all subdivision-related public improvements required by the UDO have not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor has, in accordance with Section 16.340 of the UDO, deposited an irrevocable **letter of credit** to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the required public improvements are available to each lot for which a building permit is requested 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

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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 all storm water conveyance, retention, detention or water quality (BMP) facilities to be located on common property, shall be owned and maintained by the Property Owners' Association in accordance with the standards set forth in the "covenants, conditions, and restrictions". Refer to the "covenants, conditions and restrictions" associated with this development for requirements.

SECTION 8. That Individual lot owners(s) shall not change or obstruct the drainage flow paths on the lots as shown on the master drainage plan, unless specific application is made and approved by the City Engineer.

SECTION 9. That the final plat substantially conforms to the approved preliminary plat and to all applicable requirements of the Code.

SECTION 10. 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 "Kessler Ridge at New Longview, 1st Plat, Lots 1-55 & Tracts A-D " attached hereto and incorporated herein by reference.

SECTION 11. 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 _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

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APPROVED by the Mayor of said city this ____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*