

**BILL NO. 20-236**

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AN ORDINANCE AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND LW PROPERTIES LLC, TO ALLOW AN ENCROACHMENT IN A UTILITY EASEMENT LOCATED AT A PROPERTY COMMONLY KNOWN AS 1002 NE BANNER STREET.

WHEREAS, the owner of the property commonly known as 1002 NE Banner Street, LW Properties, LLC (hereinafter "Requesting Party"), is requesting a building permit to refurbish an existing 100 sq. ft. uncovered deck (hereinafter "Improvement"); and,

WHEREAS, the location of the Improvement is within a platted 20-foot utility easement and is considered a non-allowed encroachment; and,

WHEREAS, a License Agreement between the Requesting Party and the City is required according to the City's Encroachment Policy, as adopted under Resolution No. 20-06, for this non-allowed encroachment; and,

WHEREAS, the Requesting Party and City both desire to enter into a License Agreement to bring the Improvement into compliance with the City's Encroachment Policy.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the License Agreement between the Requesting Party and the City of Lee's Summit, Missouri, attached hereto as "Exhibit 1" and incorporated by reference, is here by approved and the City Manager is authorized to execute the same on behalf of the City of Lee's Summit, Missouri.

SECTION 2. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 3. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
*Mayor William A. Baird*

\_\_\_\_\_  
*City Clerk Trisha Fowler Arcuri*

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APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
Mayor *William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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Brian W. Head, City Attorney