

## **BILL NO. 20-224**

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AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 1008 SW DRAKE CIRCLE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-284 was submitted by Anderson Survey Company, requesting vacation of an existing easement located on property addressed 1008 SW Drake Circle in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Raintree Reserve, 1<sup>st</sup> Plat, Lots 1-30 and Tracts A, B, and C*, recorded by Document #2011E0014211; and,

WHEREAS, the Planning Commission considered the request on November 12, 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: A vacation of part of an existing 15 foot wide utility easement as recorded on the plat of LOT 3, RAINTREE RESERVE, 1<sup>ST</sup> PLAT, LOTS 1-30 AND TRACTS A, B, AND C, a subdivision in Lee's Summit, Jackson County, Missouri, more particularly described as follows:

*THAT PART OF LOT 3, RAINTREE RESERVE FIRST PLAT, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 14°-04'-59" WEST ALONG THE WEST LINE THEREOF, A DISTANCE OF 12.04 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING SOUTH 14°-04'-59" WEST ALONG SAID WEST LINE, A DISTANCE OF 6.02 FEET TO THE SOUTH LINE OF AN EXISTING 15.00 FOOT UTILITY EASEMENT AS ESTABLISHED BY SAID SUBDIVISION; THENCE NORTH 70°-13'-53" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 60.28 FEET TO THE WEST LINE OF AN EXISTING 20.00 FOOT UTILITY EASEMENT AS ESTABLISHED BY SAID SUBDIVISION; THENCE NORTH 2°-03'-49" EAST ALONG THE NORTHERLY PROLONGATION OF SAID WEST LINE, A DISTANCE OF 5.39 FEET TO A LINE THAT IS 5.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF AN EXISTING 15.00 FOOT UTILITY EASEMENT; THENCE SOUTH 70°-13'-53" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 58.93 FEET TO THE POINT OF BEGINNING, CONTAINING 298 SQUARE FEET.*

SECTION 2. That the following condition of approval applies:

1. The ordinance approving the vacation of easement shall be recorded with the Jackson County Recorder of Deeds office and a copy of the recorded document shall be returned to the Development Services Department prior to the issuance of a sign permit or building permit.

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SECTION 3. 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 4. 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 5. 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:

\_\_\_\_\_  
City Attorney *Brian W. Head*