

BILL NO. 21-34

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 780 NE MEADOWVIEW DR AND 3338 NE RALPH POWELL RD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-372 was submitted by Engineering Solutions, LLC, requesting vacation of an existing easement located on property addressed 780 NE Meadowview Dr and 3338 NE Ralph Powell Rd in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Chapel Ridge Business Park, Lots 4-O & 4-P*, recorded by Document #2004-I-0075799; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Chapel Ridge Business Park, Lots 5-A thru 5-C*, recorded by Document #2007-E-0114868; and,

WHEREAS, the Planning Commission considered the request on January 28, 2021, 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:

ALL OF THE PLATTED UTILITY EASEMENT ACROSS PART OF LOT 4-O, AS SHOWN ON THE RECORDED PLAT OF CHAPEL RIDGE BUSINESS PARK LOTS 4-O THRU 4-P, A PLATTED SUBDIVISION OF LAND IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, AND PART OF LOT 5-C, AS SHOWN ON THE RECORDED PLAT OF CHAPEL RIDGE BUSINESS PARK LOTS 5-A THRU 5-C, A PLATTED SUBDIVISION OF LAND IN SAID LEE'S SUMMIT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 5-C; THENCE S 70°12'16" E, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; THENCE N 19°21'56" E, A DISTANCE OF 7.50 FEET; THENCE S 70°12'16" E, A DISTANCE OF 147.44 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF S28°25'37" W AND A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 15.06 FEET; THENCE N 70°12'16" W, A DISTANCE OF 147.32 FEET; THENCE N 19°21'56" E, A DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LEGAL DESCRIPTION CONTAINS 2,205.04 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 _____, 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*