

BILL NO. 16-111

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "PARK RIDGE, 5TH PLAT, LOTS 244-289 AND TRACTS A5 thru F5", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2014-034, submitted by ACH Development, LLC, requesting approval of the final plat entitled "Park Ridge, 5th Plat, Lots 244-289 and Tracts A5 thru F5", 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 May 27, 2014, 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 "Park Ridge, 5th Plat, Lots 244-289 and Tracts A5 & F5" is a subdivision in Section 9, Township 48N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

All that part of the Northeast Quarter of Section 9 and that part of the Northwest Quarter of Section 10, Township 48 North, Range 31 West, Lee's Summit, Jackson County, Missouri, more particularly described as follows:

Commencing at the northeast corner of the Northeast Quarter of said Section 9; thence N88°17'59"W, along the north line of said Northeast Quarter, 1323.23 feet to the northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 9; thence S02°18'25"W, along the west line of said Northeast Quarter of the Northeast Quarter, 660.14 feet to a point on the north line of the South Half of said Northeast Quarter of the Northeast Quarter; thence S88°18'56"E, along said north line, 774.55 feet to the northeast corner of Lot 235 of Park Ridge 4th Plat and the Point of Beginning; thence continue S88°18'56"E, 549.04 feet to the west line of the Northwest Quarter of said Section 10; thence S02°16'34"W, along said west line, 659.78 feet to the northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 10; thence S87°32'31"E, along the north line thereof, 881.92 feet; thence S02°20'18"W, 254.07 feet; thence N87°43'26"W, 132.01 feet; thence S02°41'46"E, 41.08 feet; thence S87°18'14"W, 50.00 feet; thence N87°43'26"W, 116.77 feet; thence S07°24'35"W, 80.32 feet; thence N64°59'45"W, 119.91 feet; thence N02°27'29"E, 34.31 feet; thence N85°27'24"W, 137.41 feet; thence N87°32'31"W, 167.38 feet; thence S63°24'01"W, 19.94 feet; thence S15°19'53"E, 179.98 feet; thence westerly, on a curve to the left, said curve having an initial tangent bearing of S74°40'07"W, a radius of 225.00 feet, an arc distance of 33.97 feet; thence S19°08'45"W, 36.49 feet; thence southerly, on a curve to the right, said curve having an initial tangent bearing of S27°43'38"E, a radius of 400.00 feet, an arc distance of 17.19 feet; thence S64°44'08"W, 50.00 feet; thence S65°30'13"W, 125.29 feet; thence N28°50'56"W, 47.15 feet to the most easterly corner of Lot 164, Park Ridge 2nd Plat; thence along the easterly and northerly boundary of said Park Ridge 2nd Plat, N39°44'53"W, 55.65 feet; thence N44°22'28"W, 147.67 feet; thence N47°51'21"E, 123.95 feet; thence N53°21'07"E, 50.00 feet; thence northwesterly, on a curve to the right, said curve having an initial tangent bearing of N36°38'53"W, a radius of 375.00 feet, an arc distance of 24.62 feet; thence N32°53'10"W, 64.15 feet; thence northeasterly, on a curve to the right, having a radius of 14.00 feet, an arc distance of 23.63 feet; thence N26°10'01"W, 50.00 feet; thence southwesterly, on a curve to the left, said curve having an initial tangent bearing of S63°49'59"W, a radius of 525.00 feet, an arc distance of 8.30 feet; thence N27°04'24"W, 120.00 feet; thence S58°29'42"W, 99.68 feet; thence S49°37'52"W, 99.68 feet; thence S40°51'11"W, 98.36 feet; thence S37°08'08"W, 340.00 feet; thence S42°21'53"W, 70.37 feet; thence N86°50'45"W, 51.76 feet;

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thence N29°55'34"W, 55.46 feet; thence N07°46'30"W, 77.29 feet; thence N14°27'31"E, 78.40 feet to the northeast corner of Lot 149 of said Park Ridge 2nd Plat, said point being also the southeast corner of Lot 243, Park Ridge 4th Plat; thence along the east line of said Park Ridge 4th Plat, N08°20'26"W, 124.00 feet; thence easterly, on a curve to the left, said curve having an initial tangent bearing of N83°48'25"E, a radius of 225.00 feet, an arc distance of 65.21 feet; thence N22°47'59"W, 185.56 feet; thence N40°05'06"E, 103.34 feet; thence N26°34'32"E, 181.67 feet; thence N15°36'02"E, 111.67 feet; thence N01°41'17"E, 170.67 feet; thence N09°51'08"E, 233.80 feet to the Point of Beginning.

Containing 21.89 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 "Park Ridge, 5th Plat, Lots 244-289 and Tracts A5 & F5.

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 Development, 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 Development 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 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.

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

SECTION 8. 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 "Park Ridge, 5th Plat, Lots 244-289 and Tracts A5 & F5," attached hereto and incorporated herein by reference.

SECTION 9. 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 _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk *Denise R. Chisum*

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