

BILL NO. 24-100

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED, "THE FALLS AT WINTERSSET VALLEY, 2ND PLAT, LOTS 1520-1532 AND TRACTS C-E", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-328, submitted by Engineering Solutions, LLC, requesting approval of the final plat entitled "The Falls at Wintersset Valley, 2nd Plat, Lots 1520-1532 and Tracts C-E", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on May 9, 2024, 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 "The Falls at Wintersset Valley, 2nd Plat, Lots 1520-1532 and Tracts C-E", is a subdivision in Section 3, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE SOUTH 3°13'08" WEST, A DISTANCE OF 42.00 FEET; THENCE NORTH 77°24'54" WEST, A DISTANCE OF 20.26 FEET; THENCE SOUTH 61°04'56" WEST, A DISTANCE OF 37.34 FEET; THENCE SOUTH 14°29'14" WEST, A DISTANCE OF 115.00 FEET; THENCE NORTH 76°49'41" WEST, A DISTANCE OF 98.12 FEET; THENCE SOUTH 13°10'19" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 76°49'41" WEST, A DISTANCE OF 5.00 FEET; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 175.00 FEET, AN ARC DISTANCE OF 9.56 FEET; THENCE NORTH 79°57'24" WEST, A DISTANCE OF 106.19 FEET; THENCE SOUTH 43°32'14" WEST, A DISTANCE OF 254.74 FEET; THENCE SOUTH 59°32'06" WEST, A DISTANCE OF 68.68 FEET; THENCE SOUTH 59°31'36" WEST, A DISTANCE OF 87.35 FEET; THENCE NORTH 18°49'38" EAST, A DISTANCE OF 16.44 FEET; THENCE NORTH 46°42'49" EAST, A DISTANCE OF 130.86 FEET; THENCE NORTH 41°25'43" EAST, A DISTANCE OF 125.46 FEET; THENCE NORTH 12°54'24" EAST, A DISTANCE OF 126.74 FEET; THENCE NORTH 74°36'06" WEST, A DISTANCE OF 165.67 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 7°34'46" EAST AND A RADIUS OF 325.00 FEET, AN ARC DISTANCE OF 1.91 FEET; THENCE NORTH 82°45'28" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 73°03'45" WEST, A DISTANCE OF 215.22 FEET; THENCE NORTH 84°36'21" WEST, A DISTANCE OF 119.30 FEET; THENCE NORTH 77°19'08" WEST, A DISTANCE OF 54.57 FEET; THENCE NORTH 52°40'58" WEST, A DISTANCE OF 43.68 FEET; THENCE NORTH 87°05'51" WEST, A DISTANCE OF 96.44 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 20°42'54" WEST AND A RADIUS OF 175.00 FEET, AN ARC DISTANCE OF 12.37 FEET; THENCE NORTH 73°20'01" WEST, A DISTANCE OF 50.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 16°39'58" WEST AND A RADIUS OF 225.00 FEET, AN ARC DISTANCE OF 51.75 FEET; THENCE SOUTH 3°29'22" WEST, A DISTANCE OF 11.06 FEET, THENCE NORTH 77°04'22" WEST, A DISTANCE OF 161.77 FEET; THENCE NORTH 13°59'36" EAST, A DISTANCE OF 92.41 FEET; THENCE NORTH 29°05'36" EAST, A DISTANCE OF 49.77 FEET; THENCE NORTH 2°54'09" EAST, A DISTANCE OF 225.18 FEET; THENCE SOUTH 87°05'51" EAST, A DISTANCE OF 297.62 FEET; THENCE SOUTH 43°54'31" EAST, A DISTANCE OF 125.51 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH

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46°5'29" EAST AND A RADIUS OF 200.00 FEET, AN ARC DISTANCE OF 55.34 FEET; THENCE SOUTH 59°45'41" EAST, A DISTANCE OF 190.00 FEET; THENCE NORTH 20°11'12" EAST, A DISTANCE OF 124.72 FEET; THENCE SOUTH 66°03'02" EAST, A DISTANCE OF 200.14 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF NORTH 40°48'50" EAST AND A RADIUS OF 575.00 FEET, AN ARC DISTANCE OF 72.83 FEET; THENCE SOUTH 41°55'45" EAST, A DISTANCE OF 225.00 FEET; THENCE SOUTH 86°28'49" EAST, A DISTANCE OF 285.90 FEET; THENCE SOUTH 3°31'11" WEST, A DISTANCE OF 137.17 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 456,180.04 SQUARE FEET OR 10.47 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 ""The Falls at Winterset Valley, 2nd Plat, Lots 1520-1532 and Tracts C-E""

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 Development Services, 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 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services 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 7.340 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 will, in accordance with Section 7.340 of the UDO, provide security in a form acceptable to the City 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 individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

SECTION 8. That the final plat substantially conforms to the approved preliminary development plan and to all applicable requirements of the Code.

SECTION 9. 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 ""The Falls at Winterset Valley, 2nd Plat, Lots 1520-1532 and Tracts C-E"" attached hereto and incorporated herein by reference as Attachment A.

SECTION 10. 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 _____, 2024.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said City this ____ day of _____, 2024.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian W. Head