

BILL NO. 22-251

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 5031 AND 5051 NE LAKEWOOD WAY IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2022-368 was submitted by The City of Lee's Summit, requesting vacation of a portion of an existing easement located at 5031 and 5051 NE Lakewood Way in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Executive Lakes Center, Lots 3-B & 4 Thru 10*, recorded by Document #1998197960 and,

WHEREAS, the Planning Commission considered the request on November 17, 2022, 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 tract of land being part of Lot 6-A1, EXECUTIVE LAKES CENTER, LOTS 6-A1 AND LOT 7-A, a subdivision in the City of Lee's Summit, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northwest corner of said Lot 6-A1;
Thence along the West line of said Lot 6-A1, on a curve to the right, having an initial tangent bearing South 13°12'32" West, with a radius of 784.00 feet and an arc length of 39.06 feet;
Thence South 87°40'34" East, 15.43 feet to the Point of Beginning;
Thence South 87°40'34" East, 114.97 feet;
Thence South 73°40'45" East, 55.19 feet;
Thence South 02°19'15" West, 1.65 feet;
Thence North 87°40'34" West, 172.28 feet;
Thence on a curve to the left, having an initial tangent bearing North 16°54'34" East, with a radius of 799.00 feet and an arc length of 15.46 feet to the Point of Beginning.
Contains 2,198 square feet more or less.

Prepared By: John B. Young, PLS-2006016647

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. The vacation of easement shall be in accordance with Legal Description and Exhibit, signed and sealed October 21, 2022, as conditioned above and appended hereto as Attachment A.

SECTION 4. 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 5. 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 6. 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 _____, 2022.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*