

BILL NO. 18-64

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "ASH GROVE, TRACT A-1", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2018-025, submitted by East Estates Development Corp, requesting approval of the final plat entitled "Ash Grove, Tract A-1", 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 March 27, 2018, 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 "Ash Grove, Tract A-1" is a subdivision in Section 5, Township 48, Range 31, in Lee's Summit, Missouri more particularly described as follows:

All that part of the Southwest Quarter of the Northwest Quarter of Section 5, Township 48 North, Range 31 West of the Fifth Principal Meridian and all of Tract A, THE ASH GROVE SECOND PLAT, a subdivision in Lee's Summit, all being situated in the City of Lee's Summit, Jackson County, Missouri and more particularly described as follows: Commencing at the Southwest corner of the Northwest Quarter of said Section 5; thence South 88°13'45" East along the South line of said Northwest Quarter a distance of 717.69 feet; thence North 01°46'15" East a distance of 25.00 feet to the Southwest corner of said Tract A, said Southwest corner being on the North right-of-way line of NE Saint Andrews Circle as now established and the POINT OF BEGINNING; thence North 02°12'42" East along the West line of said Tract A, a distance of 202.54 feet; thence North 73°18'38" West departing said West line and 20 feet South of and parallel with the South line of THE ASH GROVE THIRD PLAT, a subdivision in Lees Summit, Jackson County, Missouri, a distance of 379.04 feet; thence North 37°44'05" East, 50 feet West of and parallel with the West line of said THE ASH GROVE THIRD PLAT, a distance of 507.91 feet; thence South 66°34'16" East a distance of 51.60 feet to the Northwest corner of said subdivision plat; thence South 37°44'05" West along the West line of said THE ASH GROVE THIRD PLAT, a distance of 479.99 feet to the Southwest corner thereof; thence South 73°18'38" East along the South line of said THE ASH GROVE THIRD PLAT, a distance of 442.20 feet to the Southeast corner thereof, said Southeast corner also being the Southwest corner of Lot 21, THE ASH GROVE FIRST PLAT, a subdivision in said city, county and state; thence South 82°45'37" East along the South line of said Lot 21 a distance of 114.96 feet to the Southeast corner thereof, said Southeast corner also being the Northeast corner of said Tract A; thence South 02°12'42" West along the East line thereof a distance of 178.88 feet to the Southeast corner of said Tract A; thence North 88°13'45" West along the South line thereof a distance of 240.00 feet to the POINT OF BEGINNING.

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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 "Ash Grove, Tract A-1".

SECTION 3. 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.

SECTION 4. 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 5. That individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

SECTION 6. That the final plat substantially conforms to all applicable requirements of the Code.

SECTION 7. 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 "Ash Grove, Tract A-1", attached hereto and incorporated herein by reference.

SECTION 8. 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 _____, 2018.

Mayor Randall L. Rhoads

ATTEST:

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City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said City this ____ day of _____, 2018.

Mayor Randall L. Rhoads

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney Brian Head