

BILL NO. 17-239

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "HIGHLAND MEADOWS, 4TH PLAT, LOTS 93-133 & TRACT F", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2015-149, submitted by Highland Meadows Developers, LLC, requesting approval of the final plat entitled "Highland Meadows, 4th Plat, Lots 93-133 & Tract F", 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 January 12, 2016, 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 "Highland Meadows, 4th Plat, Lots 93-133 & Tract F" is a subdivision in Section 10, Township 47, Range 32, in Lee's Summit, Missouri more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 47 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON BAR MARKING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE NORTH 3°03'26" EAST, ALONG THE WEST LINE THEREOF, 1345.83 FEET TO AN ALUMINUM MONUMENT MARKING THE SOUTHWEST CORNER OF HIGHLAND MEADOWS, FIRST PLAT, LOTS 1-50 AND TRACTS A & B, AS PER THE RECORDED PLAT THEREOF; THENCE EASTERLY ALONG SAID SOUTH LINE THE FOLLOWING SEVEN (7) COURSES: (1) SOUTH 67°18'00" EAST, 217.63 FEET; THENCE (2) NORTH 61°00'00" EAST, 100.00 FEET; THENCE (3) NORTH 45°24'00" EAST, 71.20 FEET; THENCE (4) SOUTH 54°48'00" EAST, 175.01 FEET TO THE BEGINNING OF A CURVE HAVING AN INITIAL TANGENT BEARING OF NORTH 34°22'00" EAST AND A RADIUS OF 345.00 FEET; THENCE (5) NORTHERLY ALONG SAID CURVE, 75.67 FEET (THROUGH AN ANGLE OF 12°34'00"); THENCE (6) NORTH 21°48'00" EAST, 103.82 FEET; THENCE (7) SOUTH 48°00'00" EAST, 138.64 FEET; THENCE LEAVING SAID SOUTH LINE, SOUTH 15°00'00" WEST, 78.60 FEET; THENCE SOUTH 26°56'00" EAST, 28.37 FEET; THENCE SOUTH 44°53'00" EAST, 71.49 FEET; THENCE SOUTH 33°57'00" WEST, 170.06 FEET TO THE BEGINNING OF A CURVE WITH AN INITIAL TANGENT BEARING OF NORTH 56°03'00" WEST AND A RADIUS OF 325.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, 17.50 FEET (THROUGH AN ANGLE OF 3°05'04"); THENCE SOUTH 37°02'04" WEST, 125.23 FEET; THENCE NORTH 45°10'38" WEST, 46.73 FEET; THENCE SOUTH 65°50'00" WEST, 47.81 FEET; THENCE SOUTH 81°30'52" WEST, 98.41 FEET; THENCE SOUTH 26°48'00" WEST, 63.00 FEET; THENCE SOUTH 16°33'00" WEST, 62.50 FEET; THENCE SOUTH 6°12'00" WEST, 72.00 FEET; THENCE SOUTH 10°15'00" EAST, 50.00 FEET TO THE BEGINNING OF A CURVE WITH AN INITIAL TANGENT BEARING OF SOUTH 79°45'00" WEST AND A RADIUS OF 325.00 FEET; THENCE WESTERLY ALONG SAID CURVE, 43.75 FEET (THROUGH AN ANGLE OF 7°42'44"); THENCE SOUTH 0°22'00" EAST, 120.67 FEET; THENCE SOUTH 3°14'02" WEST, 127.15 FEET; THENCE SOUTH 2°47'00" WEST, 50.00 FEET TO THE BEGINNING OF A CURVE WITH AN INITIAL TANGENT BEARING OF NORTH 87°13'00" WEST; THENCE WESTERLY ALONG SAID CURVE, 9.84 FEET (THROUGH AN ANGLE OF 1°19'38"); THENCE SOUTH 2°48'00" WEST, 120.59 FEET; THENCE NORTH 88°54'43" EAST, 149.12 FEET; THENCE SOUTH 87°51'19" EAST, 74.00 FEET; THENCE SOUTH 73°08'56"

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EAST, 76.31 FEET; THENCE SOUTH 1°49'29" WEST, 121.61 FEET; THENCE SOUTH 2°48'00" WEST, 169.93 FEET; THENCE NORTH 87°12'00" WEST, 586.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 14.11 ACRES OR 614,744 SQUARE FEET

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 "Highland Meadows, 4th Plat, Lots 93-133 & Tract F".

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 Special Projects, 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 Special Projects 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.

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.

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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 "Highland Meadows, 4th Plat, Lots 93-133 & Tract F" 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 _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said City this ____ day of _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*