

BILL NO. 17-256

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 2821 NE INDEPENDENCE AVENUE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-210 was submitted by LSMOB Owner, LLC, requesting vacation of a portion of an existing 15' wide easement located at 2821 NE Independence Avenue in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City on the final plat *I-470 Business and Technology Center, Lots 1-22 and Tracts A & B* which was recorded by Instrument #2006E0072560 on August 9, 2006; and,

WHEREAS, the Planning Commission considered the request on November 14, 2017, 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 easements are hereby and herewith vacated:

A strip of land 15 feet in width across part of Lots 17 and 18, I-470 Business and Technology Center, a subdivision of land in the City of Lee's Summit, Jackson County, Missouri, lying 7.5 feet each side of the following described centerline:

Commencing at the Southwest corner of said Lot 18; thence S 83°14'56"E, along the South line of said Lot 18, a distance of 45.00 feet, to a point on the East line of an existing platted 45' utility easement; thence N 6°45'04"E, along said East line, a distance of 21.94 feet, to the Point of Beginning of subject tract; thence S 82°59'57" E, a distance of 101.00 feet, to a point of termination.

SECTION 2. 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 3. 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 4. 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 _____, 2017.

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Mayor Randall L. Rhoads

ATTEST:

City Clerk *Trisha Fowler Arcuri*

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

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*