

BILL NO. 22-138

AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR AN APPROXIMATELY 2,200 FT. SEGMENT OF NW MAIN STREET LOCATED NORTH OF NW TUDOR ROAD, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, upon diligent inquiry and investigation, the City cannot locate the document(s) by which the right-of-way came to be dedicated to the City; and,

WHEREAS, Application #PL2021-400, submitted by Scannell Properties, LLC, requesting vacation of the right-of-way, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on June 23, 2022, and rendered a report to the City Council containing findings of fact and recommending that the requested vacation of right-of-way be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on July 12, 2022, and rendered a decision to vacate said right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the following described right-of-way is hereby and herewith vacated:

All that part of N. Main Street right of way, as now established, together with all that part of N. Main Street right of way, as established in Document 2013e0075031, all lying in the West Half of Section 31, Township 48 North, Range 31 West, in the City of Lee's Summit, Jackson County, Missouri, described by Patrick Ethan Ward, MO PLS-20050071, of Olsson MOLC-366, on October 14, 2021, as follows:

COMMENCING at the Northeast corner of the Southwest Quarter of Section 31, Township 48 North, Range 31 West; thence North 87 degrees 25 minutes 32 seconds West, on the North line of said Southwest Quarter, a distance of 894.28 feet to a point on the East line of N. Main Street right of way, as now established, the POINT OF BEGINNING; thence South 28 degrees 47 minutes 52 seconds East, departing said North line, on said East line, a distance of 476.05 feet to a point on a non-tangent curve, said point also lying on the East line of N. Main Street right of way as established in Document 2013e0075031; thence in a Southeasterly direction, departing said East line, on said East line, and on a curve to the left whose initial tangent bears South 37 degrees 28 minutes 40 seconds East, having a radius of 177.00 feet, through a central angle of 15 degrees 19 minutes 33 seconds, an arc distance of 47.34 feet to a point of reverse curvature; thence in a Southeasterly direction, continuing on said East line and on a curve to the right, having a radius of 223.00 feet, through a central angle of 32 degrees 34 minutes 30 seconds, an arc distance of 126.78 feet to a point on a non-tangent line, said point also lying on the North line of NE Tudor Road right of way, as established in said Document 2013e0075031; thence North 89 degrees 24 minutes 16 seconds West, departing said East line, on the Westerly extension of said North line, a distance of 91.91 feet to a point on the West line of N. Main Street right of way, as now established, said point also lying on the North line of NW Tudor Road right of way, as established in Document 2013e0075030; thence North 28 degrees 47 minutes 52 seconds West, departing said Westerly extension and departing said North line, on said West line, a

BILL NO. 22-138

distance of 630.67 feet to a point on said North line of said Southwest Quarter, said line also being the South line of the Northwest Quarter of said Section 31; thence North 28 degrees 55 minutes 51 seconds West, departing said North and South lines, continuing on said West line, a distance of 1383.64 feet to a point of curvature; thence in a Northwesterly direction, continuing on said West line and on a curve to the left, having a radius of 385.00 feet, through a central angle of 27 degrees 57 minutes 57 seconds, a distance of 187.92 feet to a point on a non-tangent line, said line also being the North line of the South Half of said Northwest Quarter; thence South 87 degrees 40 minutes 30 seconds East, departing said West line, on said North line, a distance of 85.50 feet to a point on a non-tangent curve, said point also lying on the East line of N. Main Street right of way, as now established; thence in a Southeasterly direction, departing said North line, on said East line and on a curve to the right whose initial tangent bears South 47 degrees 10 minutes 29 seconds East, having a radius of 435.00 feet, through a central angle of 18 degrees 14 minutes 38 seconds, an arc distance of 138.51 feet to a point of tangency; thence South 28 degrees 55 minutes 51 seconds East, continuing on said East line, a distance of 1383.70 feet to a point; thence South 28 degrees 47 minutes 52 seconds East, continuing on said East line, a distance of 30.55 feet to the POINT OF BEGINNING, containing 112,948 Square Feet or 2.5929 Acres, more or less.

SECTION 2. That the following conditions of approval apply:

1. The ordinance approving the vacation of right-of-way 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 building permit.

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 for 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 _____, 2022.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

BILL NO. 22-138

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*