

## **BILL NO. 19-162**

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AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "RAINTREE POINTE, LOTS 1 THRU 7 AND TRACTS A THRU D", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-102, submitted by LandRock Development, LLC, requesting approval of the final plat entitled "Raintree Pointe, Lots 1 thru 7 and Tracts A thru D", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on March 14, 2017, 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 "Raintree Pointe, Lots 1 thru 7 and Tracts A thru D" is a subdivision in Section 6, Township 46N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

*ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 46, RANGE 31 IN LEE'S SUMMIT, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:*

*COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE NORTH 2 DEGREES 18 MINUTES 26 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 236.65 FEET; THENCE DEPARTING SAID EAST LINE NORTH 87 DEGREES 41 MINUTES 34 SECONDS WEST ALONG A LINE PERPENDICULAR TO THE PREVIOUSLY DESCRIBED COURSE, A DISTANCE OF 176.97 FEET TO A POINT ON THE WEST LINE OF RAIN TREE PARKWAY AS DESCRIBED IN DOCUMENT 58181 RECORDED IN BOOK 646 AT PAGE 358, FILED AT THE OFFICE OF THE CASS COUNTY RECORDER, SAID POINT ALSO BEING A POINT ON THE EASTERLY BOUNDARY OF EXCEPTION TRACT 4 AS SHOWN ON A PRIOR SURVEY BY E. DAN WEISKRICH, LS--1439 DATED NOVEMBER 10, 1980, LAST REVISED 6-26-91, AND SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 71 DEGREES 14 MINUTES 31 SECONDS WEST, THIS AND THE FOLLOWING 6 COURSES BEING ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 8.01 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT, TANGENT TO THE PRECEDING COURSE, HAVING A RADIUS OF 236.61 FEET, AN ARC DISTANCE OF 245.36 FEET TO A POINT OF TANGENCY; THENCE NORTH 49 DEGREES 20 MINUTES 38 SECONDS WEST ALONG A LINE TANGENT TO THE PRECEDING COURSE, A DISTANCE OF 288.31 FEET; THENCE NORTH 72 DEGREES 13 MINUTES 43 SECONDS EAST, A DISTANCE OF 52.20 FEET; THENCE NORTH 51 DEGREES 17 MINUTES 46 SECONDS EAST, A DISTANCE OF 260.11 FEET; THENCE NORTH 64 DEGREES 59 MINUTES 30 SECONDS EAST, A DISTANCE OF 60.83 FEET; THENCE NORTH 87 DEGREES 23 MINUTES 57 SECONDS EAST, A DISTANCE OF 208.26 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID RAIN TREE PARKWAY; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF SOUTH 21 DEGREES 57 MINUTES 53 SECONDS WEST, A*

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*RADIUS OF 370.00 FEET, AN ARC DISTANCE OF 19.10 FEET TO A POINT OF TANGENCY, THIS AND THE FOLLOWING THREE COURSES BEING ALONG SAID WESTERLY RIGHT OF WAY LINE; THENCE SOUTH 24 DEGREES 55 MINUTES 20 SECONDS WEST ALONG A LINE TANGENT TO THE PRECEDING COURSE, A DISTANCE OF 96.94 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT, TANGENT TO THE PRECEDING COURSE, HAVING A RADIUS OF 430.00 FEET, AN ARC DISTANCE OF 327.82 FEET TO A POINT OF TANGENCY; THENCE SOUTH 18 DEGREES 45 MINUTES 29 SECONDS EAST ALONG A LINE TANGENT TO THE PRECEDING COURSE, A DISTANCE OF 19.69 FEET TO THE POINT OF BEGINNING.*

*CONTAINING 3.10 ACRES, MORE OR LESS.*

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 "Raintree Pointe, Lots 1 thru 7 and Tracts A thru D".

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 Development Services, 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 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services 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 7.340 of the UDO because all subdivision-related public improvements required by the UDO have been completed.

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

SECTION 8. That the final plat substantially conforms to the approved preliminary plat and to all applicable requirements of the Code.

SECTION 9. 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 "Raintree Pointe, Lots 1 thru 7 and Tracts A thru D", attached hereto and incorporated herein by reference.

SECTION 10. 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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor William A. Baird

ATTEST:

\_\_\_\_\_  
City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said City this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor William A. Baird

ATTEST:

\_\_\_\_\_  
City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

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City Attorney Brian Head