

BILL NO. 22-221

AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR A SEGMENT OF NE SLOAN ST LOCATED SOUTH OF NE TUDOR RD (ADJACENT TO 15 NE TUDOR RD), IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the subject right-of-way was dedicated as part of *Lee's Summit Police and Court Facility, a replat of lots 1, 2, 12, 13, 14 and part of lot 3 of "Summit Park"* recorded by the Jackson County Recorder of Deeds office by Instrument #1997-l-20462; and,

WHEREAS, Application #PL2022-298, submitted by Cityscape Residential, 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 October 13, 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 November 1, 2022, and rendered a decision to vacate said right-of-way.

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

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

ALL THAT PART OF SLOAN STREET RIGHT-OF-WAY, AS DEDICATED BY THE PLAT OF NEW LEE'S SUMMIT POLICE AND COURT FACILITY, A SUBDIVISION OF LAND IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 48 N, RANGE 31 W, IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS BY DAVID WAYNE JONES, JR., MO. LS-2021004164, PHELPS ENGINEERING, INC. PROJECT NO. 220231, TO WIT:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2A, OF SAID NEW LEE'S SUMMIT POLICE AND COURT FACILITY; THENCE N 87°44'22" W, ALONG THE SOUTH PLAT LINE OF SAID LEE'S SUMMIT POLICE AND COURT FACILITY, A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF LOT 3A, OF SAID NEW LEE'S SUMMIT POLICE AND COURT FACILITY; THENCE N 2°15'38" E, ALONG THE EAST LINE OF SAID LOT 3A, A DISTANCE OF 32.66 FEET; THENCE NORTHEASTERLY ALONG THE EAST LINE OF SAID LOT 3A, ON A CURVE TO THE RIGHT, SAID CURVE BEING TANGENT BEARING TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 325.00 FEET, AND AN ARC DISTANCE OF 122.76 FEET; THENCE N 23°54'07" E, ALONG THE EAST LINE OF SAID LOT 3A, A DISTANCE OF 98.06 FEET; THENCE NORTHEASTERLY ALONG THE EAST LINE OF SAID LOT 3A, ON A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 275.00 FEET, AND AN ARC DISTANCE OF 65.12 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST TUDOR ROAD AS ESTABLISHED IN RIGHT-OF-WAY EASEMENT TO THE CITY OF LEE'S SUMMIT, MISSOURI, RECORDED AS DOCUMENT NO. 2013E0115521; THENCE N 89°06'56" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID NORTHEAST TUDOR ROAD, A DISTANCE OF 50.82 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2A; THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SAID LOT 2A, ON A

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CURVE TO THE RIGHT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF S 8°35'26" W, A RADIUS OF 325.00 FEET, AND AN ARC DISTANCE OF 86.85 FEET; THENCE S 23°54'07" W, ALONG THE WEST LINE OF SAID LOT 2A, A DISTANCE OF 98.06 FEET; THENCE SOUTHEASTERLY ALONG THE WEST LINE OF SAID LOT 2A, ON A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 275.00 FEET, AND AN ARC DISTANCE OF 103.87 FEET; THENCE S 2°15'38" W, ALONG THE WEST LINE OF SAID LOT 2A, A DISTANCE OF 32.66 FEET TO THE POINT OF BEGINNING, CONTAINING 16,001 SQUARE FEET, 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 vacation of right-of-way shall be in accordance with the exhibit and legal description dated June 22, 2022, appended hereto as Attachment A and made a part hereof.

SECTION 4. 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 5. 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.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*