

BILL NO. 23-110

AN ORDINANCE VACATING CERTAIN EASEMENTS LOCATED AT 1901 SW RIVER RUN ROAD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-065 was submitted by Whispering Woods Lands, LLC, requesting vacation of a portion of an existing easement located at 1901 SW River Run Road in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled Whispering Woods, 1st Plat, Lots 1-33 and Tracts A-D and,

WHEREAS, the Planning Commission considered the request on May 11, 2023, 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 easement is hereby and herewith vacated:

Whispering Woods First Plat Tract C Legal Description

All that part of Tract "C", Whispering Woods 1st/ Plat, a subdivision of land in the City of Lee's Summit, Jackson County, Missouri: described as follows: Commencing at the Northwest of said Tract C, thence South 29 degrees 33 minutes 50 seconds West, along the West line of said Tract C, also being the East Right-of-way line of Southwest River Run Drive, a distance of 15.14 feet; thence South 68 degrees 40 minutes 47 seconds East and parallel to the North line of said Tract C, a distance of 15.16 feet; to the Point of Beginning of the tract of land herein to be described; thence South 68 degrees 40 minutes 47 seconds East and parallel to the North line of said Tract C, a distance of 129.77 feet; thence South 87 degrees 38 minutes 05 seconds East and parallel to the North line of said Tract C, a distance of 56.63 feet; thence South 02 degrees 44 minutes 00 seconds West and parallel to the East of said Tract C; thence North 87 degrees 38 minutes 27 seconds West, a distance of 118.41 feet; thence North 02 degrees 44 minutes 21 seconds East, a distance of 21.41 feet; thence North 68 degrees 40 minutes 47 seconds West, a distance of 100.68 feet; thence North 29 degrees 33 minutes 50 seconds East, and parallel to the East Right-of-wayline and also the West line of said Tract C, a distance of 75.78 feet, to the Point of Beginning.

SECTION 2. That the following condition of approval applies:

1. The ordinance approving the vacation of easement 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 any building permit.

BILL NO. 23-110

SECTION 3. The vacation of easement shall be in accordance with Legal Description and Exhibit, dated December 21, 2022, as conditioned above and appended hereto as Attachment A.

SECTION 4. 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 5. 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 6. 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 _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*