

BILL NO. 17-25

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED WITHIN THE PLAT ENTITLED "LOT 251, *PARK RIDGE 5th PLAT*," IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #2016-221 was submitted by JFE Construction, Inc., requesting vacation of a utility easement within "LOT 251, *PARK RIDGE 5th PLAT*," a recorded subdivision in Lee's Summit, Missouri; and,

WHEREAS, the City of Lee's Summit, Missouri, accepted the minor plat entitled "LOT 251, *PARK RIDGE 5th PLAT*"; and,

WHEREAS, the said plat was recorded with the County Director of Records by Document No. #2016E0046775 on May 27, 2016, and said easement was referenced on said plat; and,

WHEREAS, the utility companies have been contacted and had no objection to the proposed vacation; and,

WHEREAS, the Public Works and Water Utilities Departments for the City of Lee's Summit have determined that no other uses exist for said easement; and,

WHEREAS, the Planning Commission considered the request on January 24, 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 easement, located within "LOT 251, *PARK RIDGE 5th PLAT*," is hereby and herewith vacated:

A 15' WIDE PORTION OF AN EXISTING 25' WIDE UTILITY EASEMENT PARALLEL TO THE NORTH LINE OF LOT 251, PARK RIDGE – 5TH PLAT, A SUBDIVISION OF RECORD IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI; MORE PARTICULARLY DESCRIBED AS;

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 251; THENCE SOUTH 09 DEGREES 51 MINUTES 08 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 251, A DISTANCE OF 10.10 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 09 DEGREES 51 MINUTES 08 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 251, A DISTANCE OF 15.15 FEET; THENCE SOUTH 88 DEGREES 18 MINUTES 56 SECONDS EAST, ALONG A LINE 25' SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 251, A DISTANCE OF 129.34 FEET, TO A POINT ON THE EAST LINE OF SAID LOT 251, THENCE NORTH 28 DEGREES 12 MINUTES 47 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 251, A DISTANCE OF 16.77 FEET; THENCE NORTH 88 DEGREES 18 MINUTES 56 SECONDS WEST, ALONG A LINE 10' SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 251, A DISTANCE OF 134.68 FEET, TO THE POINT OF BEGINNING;

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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 easement.

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.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

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

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED AS TO FORM:

City Attorney Brian W. Head