

BILL NO. 23-211

AN ORDINANCE VACATING A PORTION OF A CERTAIN EASEMENT LOCATED AT 290 SE THOMPSON DRIVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-194 was submitted by ARCO National Construction - KC, requesting vacation of a portion of an existing easement located at 290 SE Thompson Dr in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via separate document recorded by Document #1989-I-0946162 and,

WHEREAS, the Planning Commission considered the request on September 28, 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:

ALL THAT PART OF LOT 7D, LEMONE-SMITH BUSINESS & RAIL CENTER PLAT 6, IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED BY SCOTT G CHRISMAN, RLS-2594, ON JULY 28, 2023, AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 7D, OF SAID LEMONE-SMITH BUSINESS & RAIL CENTER PLAT 6; THENCE S 87°35'45" E, ALONG THE NORTH LINE OF SAID LOT 7D, A DISTANCE OF 40.00 FEET; THENCE S 2°24'15" W, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING; THENCE, S 87°35'45" E, ALONG A LINE 10.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 7D, A DISTANCE OF 840.64 FEET; THENCE S 27°25'00" E, A DISTANCE OF 34.58 FEET, TO A POINT ON THE SOUTH LINE OF AN EXISTING 40.00 FOOT EASEMENT, AS SHOWN ON THE RECORDED PLAT OF LEMONE-SMITH BUSINESS & RAIL CENTER PLAT 6; THENCE N 87°35'45" W, ALONG THE SOUTH LINE OF SAID EASEMENT, A DISTANCE OF 857.82 FEET; THENCE N 2°23'10" E, A DISTANCE OF 30.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 25,477 SQUARE FEET MORE OR LESS.

SECTION 2. That the following condition of approval applies:

1. The vacation of easement shall become effective immediately at the time of ordinance approval.

SECTION 3. The vacation of easement shall be in accordance with Legal Description and Exhibit, labeled "Exhibit A", 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.

BILL NO. 23-211

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*