

BILL NO. 18-80

AN ORDINANCE VACATING A CERTAIN FIRE ACCESS EASEMENT LOCATED ON LOTS 6, 7 AND TRACT B OF THE FAIRFIELD WOODS SUBDIVISION IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-020 was submitted by James R. Brown, requesting vacation of a fire access lane located on Lots 6, 7 and Tract B of the Fairfield Woods subdivision in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City and recorded as part of the final plat titled *Fairfield Woods, Lots 1-37 & Tracts A and B* by Document #2006E0122787 on November 15, 2006; and,

WHEREAS, the Planning Commission considered the request on March 27, 2018, 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 fire access easement is hereby and herewith vacated:

A tract of land being located in Lots 6, 7 & Tract B, Fairfield Woods, Lots 1-37 and Tracts A & B, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri, being more particularly described as follows:

Commencing at the northwest corner of Lot 6, thence South 45°37'24" East, along the southwesterly line of said Lot 6, a distance of 13.43 feet, said point being the Point of Beginning; thence North 02°30'44" East, a distance of 6.07 feet; thence South 88°06'21" East, a distance of 11.82 feet, thence South 45°37'04" East, a distance of 155.02 feet, thence South 44°05'04" West, a distance of 26.00 feet, thence North 45°37'04" West, a distance of 147.72 feet, thence North 02°30'44" East, a distance of 18.13 feet, returning to the Point of Beginning.

SECTION 2. That upon the effective date of the vacation of the fire access easement described in Section 1 above, the City releases all right to access and interest in the paved access lane located within the easement.

SECTION 3. That the vacation of the fire access easement described in Section 1 above does not include a vacation of the general utility easement of the same dimensions and location as the fire access easement.

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 of the County in which the property is located.

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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 _____, 2018.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*