

BILL NO. 23-234

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED, "THE VILLAGE AT NEW LONGVIEW, BLOCKS 1-15 AND TRACTS A & B", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-074 submitted by NLV Townhomes, LLC, requesting approval of the final plat entitled "Village at New Longview, Blocks 1-15 and Tracts A & B", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on November 9, 2023, and rendered a report to the City Council recommending that the plat be approved.

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

Section 1. That the final plat entitled "Village at New Longview, Blocks 1-15 and Tracts A & B", is a subdivision in Section 10, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

ALL OF LOT 2, "MINOR PLAT OF FASCINATION AT NEW LONGVIEW, LOTS 1 & 2", A SUBDIVISION OF LAND IN THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP 47 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL MERIDIAN IN LEE'S SUMMIT, MISSOURI RECORDED AS INSTRUMENT NUMBER 2017E0016968 IN BOOK 168 AT PAGE 41 IN THE JACKSON COUNTY RECORDER OF DEEDS OFFICE TOGETHER WITH A PORTION OF VACATED RIGHT-OF-WAY RECORDED AS INSTRUMENT NUMBER 2018E0026213 IN SAID JACKSON COUNTY RECORDER OF DEEDS OFFICE BEING BOUNDED AND DESCRIBED BY OR UNDER THE DIRECT SUPERVISION OF JASON S ROUDEBUSH, P.L.S. 2002014092, AS FOLLOWS: BEGINNING AT THE NORTHERNMOST CORNER OF SAID LOT 2; THENCE SOUTH 87°00'24" EAST ON THE NORTHERLY LINE OF SAID LOT 2, A DISTANCE OF 117.45 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF SOUTHWEST KESSLER DRIVE AS NOW ESTABLISHED; THENCE SOUTHEASTERLY ON SAID EXISTING WESTERLY RIGHT-OF-WAY LINE ALSO BEING THE EASTERLY LINE OF SAID LOT 2 ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 25°01'39" EAST WITH A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 12°11'04" AND AN ARC DISTANCE OF 53.16 FEET; THENCE SOUTH 37°12'43" EAST ON SAID EXISTING WESTERLY RIGHT-OF-WAY LINE AND SAID EASTERLY LINE, 123.30 FEET; THENCE SOUTHERLY ON SAID EXISTING WESTERLY RIGHT-OF-WAY LINE ALSO BEING THE SOUTHERLY LINE OF SAID LOT 2 ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF SOUTH 37°12'18" EAST WITH A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 95°59'17" AND AN ARC DISTANCE OF 418.83 FEET; THENCE SOUTH 58°46'59" WEST ON SAID EXISTING WESTERLY RIGHT-OF-WAY LINE AND SAID SOUTHERLY LINE, 315.10 FEET TO A POINT ON THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST LONGVIEW BOULEVARD AS NOW ESTABLISHED; THENCE LEAVING SAID EXISTING WESTERLY RIGHT-OF-WAY LINE NORTH 76°13'27" WEST ON SAID SOUTHERLY LINE AND SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, 137.17 FEET; THENCE NORTH 31°13'27" WEST ON SAID EXISTING EASTERLY RIGHT-OF-WAY LINE AND SAID SOUTHERLY LINE, 368.58 FEET; THENCE LEAVING SAID EXISTING EASTERLY RIGHT-OF-WAY LINE NORTH 58°52'25" EAST ON SAID NORTHERLY LINE OF SAID LOT 2, A DISTANCE OF 143.96 FEET; THENCE NORTH 31°36'06" WEST ON SAID NORTHERLY LINE, 49.74 FEET; THENCE NORTH 58°23'54" EAST ON SAID NORTHERLY LINE, 407.26 FEET TO THE POINT OF BEGINNING. CONTAINING 310,733 SQUARE FEET OR 7.13 ACRES, MORE OR LESS.

BILL NO. 23-234

SECTION 2. That the proprietor of the above described tract of land ("Proprietor") has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall hereafter be known as "Village at New Longview, Blocks 1-15 and Tracts A & B,"

SECTION 3. That the roads and streets shown on this plat and not heretofore dedicated to public use as thoroughfares shall be dedicated as depicted on the plat. The City Council hereby authorizes the Director of Development Services, on behalf of the City of Lee's Summit, Missouri, to accept the land or easements dedicated to the City of Lee's Summit for public use and shown on the accompanying plat, upon the subdivider filing and recording a final plat in accordance with Article 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services and the City Clerk that the public improvements have been constructed in accordance with City standards and specifications.

SECTION 4. That the approval granted by this ordinance is done under the authority of Section 89.410.2 of the Revised Statutes of Missouri and Section 7.340 of the UDO because all subdivision-related public improvements required by the UDO have not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor will, in accordance with Section 7.340 of the UDO, provide security in a form acceptable to the City to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the required public improvements are available to each lot for which a building permit is requested in accordance with the Design and Construction Manual.

SECTION 5. That the approval granted by this ordinance is done under the authority of Section 89.410.2 of the Revised Statutes of Missouri and Section 7.340 of the UDO because all subdivision-related public improvements required by the UDO have not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor has, in accordance with Section 7.340 of the UDO, deposited an **irrevocable Standby Letter of Credit** to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the required public improvements are available to each lot for which a building permit is requested in accordance with the Design and Construction Manual.

SECTION 6. That an easement shall be granted to the City of Lee's Summit, Missouri, to locate, construct and maintain or to authorize the location, construction, and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable TV, or any other necessary public utility or services, any or all of them, upon, over, or under those areas outlined or designated upon this plat as "Utility Easements" (U.E.) or within any street or thoroughfare dedicated to public use on this plat. Grantor, on behalf of himself, his heirs, his assigns and successors in interest, shall waive, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), any right to request restoration of rights previously transferred and vacation of any easement granted by this plat.

BILL NO. 23-234

SECTION 7. That building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be constructed between this line and the street right-of-way line.

SECTION 8. That individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

SECTION 9. That the final plat substantially conforms to the approved preliminary development plan that also served as the preliminary plat and to all applicable requirements of the Code.

SECTION 10. That the City Council for the City of Lee's Summit, Missouri, does hereby approve and accept, as a subdivision to the City of Lee's Summit, Missouri, the final plat entitled "Village at New Longview, Blocks 1-15 and Tracts A & B," attached hereto and incorporated herein by reference.

SECTION 11. 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 for 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*