

## **BILL NO. 21-18**

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AN ORDINANCE VACATING CERTAIN EASEMENTS GENERALLY LOCATED AT THE NE CORNER OF NW VIEW HIGH DR AND I-470 HWY IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-324 was submitted by George Butler Associates, Inc, requesting vacation of existing easements generally located at the NE corner of NW View High Dr and I-470 Hwy in Lee's Summit, Missouri; and,

WHEREAS, the easements were dedicated to the City via the plat titled *Graham Commercial Center, Lots 1-4*, recorded by Document #199810084255; and,

WHEREAS, the Planning Commission considered the request on January 7, 2021, 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 easements are hereby and herewith vacated:

*A 7.5' utility easement, a 30' utility easement, a storm detention basin easement, and a 40' utility and ingress/egress easement as recorded on the plat of GRAHAM COMMERCIAL CENTER, LOTS 1-4, a subdivision in Lee's Summit, Jackson County, Missouri, more particularly described as follows:*

*A vacation of an existing 7.5 foot wide Utility Easement in its entirety as created over part of Lot 3 and Lot 4, GRAHAM COMMERCIAL CENTER, a subdivision in Lee's Summit, Jackson County, Missouri, filed in Plat Book 63 page 89 of the Jackson county records, being more particularly described as follows:*

*Being the North 7.5 feet of said Lot 3, and the North, East and South 7.5 feet of said Lot 4, EXCEPT the West 125.70 feet of the South 7.5 feet of said Lot 4, containing 16,823.36 square feet or 0.39 acres, more or less.*

*A vacation of an existing 30 foot wide Utility Easement in its entirety as created, over part of Lot 1 and Lot 4, GRAHAM COMMERCIAL CENTER, a subdivision in Lee's Summit, Jackson County, Missouri, filed in Plat Book 63, Page 89 of the Jackson county records, being 15' on each side of the following described centerline;*

*COMMENCING at the Northwest corner of Lot 3 of said plat, said point also being on the North line of the Southwest quarter of the Northwest quarter of Section 34, Township 48, Range 32; thence South 2°21'10" West, along the West line of said plat, a distance of 274.11 feet; thence South 31°40'00" West, continuing along said West line, a distance of 253.43 feet, to the Southwest corner of said Lot 2; thence North 88°37'42" East, departing said West line and along the South line of said Lot 2, a distance of 123.83 feet; thence South 69°24'27" East, continuing along said south line, a distance of 246.11 feet, to the POINT OF BEGINNING;*

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*thence South 35°40'00" West, a distance of 181.61 feet, to the Point of Termination, containing 5,448.30 square feet, or 0.13 acres, more or less.*

*A vacation of an existing Storm Detention Basin Easement in its entirety as created over part of Lot 4, GRAHAM COMMERCIAL CENTER, a subdivision in the City of Lee's Summit, Jackson County, Missouri, filed in Plat Book 63, Page 89 of the Jackson county records, being more particularly described as follows:*

*COMMENCING at the Northwest corner of Lot 3 of said plat, said point also being on the North line of the Southwest quarter of the Northwest quarter of Section 34, Township 48, Range 32; thence South 86°35'45" East, along the North line of said plat, a distance of 426.21 feet, to the POINT OF BEGINNING; thence South 86°35'45" East, continuing along said North line, a distance of 262.40 feet, to the Northeast corner of said Lot 4; thence South 14°29'44" East, departing said North line and along the East line of said Lot 4, a distance of 92.87 feet; thence North 84°59'02" West, departing said East line, a distance of 240.53 feet; thence South 85°56'31" West, a distance of 78.95 feet, to a point on the West line of said Lot 4; thence North 20°13'49" East, along said West line, a distance of 95.97 feet, to the POINT OF BEGINNING, containing 24,687.82 square feet or 0.57 acres, more or less.*

*A vacation of an existing Ingress/Egress Easement & Utility Easement in its entirety as created, over part of Lot 2 and a 40 foot Utility Easement in its entirety as created, over part of Lots 2 and 4, all in GRAHAM COMMERCIAL CENTER, a subdivision in Lee's Summit, Jackson County, Missouri, filed in Plat Book 63, Page 89, of the Jackson county records, being more particularly described as follows:*

*COMMENCING from the Northwest corner of said Lot 3, said point also being on the North line of the Southwest quarter of the Northwest quarter of section 34, Township 48, Range 32; thence South 2°21'10" West, along the West line of said Lot 3, a distance of 241.20 feet, to the POINT OF BEGINNING, said point also being the Northwest corner of said Lot 2; thence South 69°43'16" East, departing said West line and along the North line of said Lot 2, a distance of 79.92 feet; thence South 26°35'16" West, departing said North line, a distance of 185.10 feet; thence South 69°24'27" East, a distance of 234.50 feet; thence North 20°13'49" East, a distance of 526.34 feet to a point on said North Quarter Quarter section line; thence South 86°35'45" East, along said section line, a distance of 41.79 feet, to the Northwest corner of Lot 4 of said plat; thence South 20°13'49" West, departing said section line and along the West line of said Lot 4, a distance of 588.69 feet, to the Southeast corner of said Lot 2; thence North 69°24'27" West, departing said West line and along the South line of said Lot 2, a distance of 258.94 feet; thence South 88°37'42" West, continuing along said South line, a distance of 123.83 feet, to the Southwest corner said Lot 2; thence North 31°40'00" East, departing said South line and along the West line of said Lot 2, a distance of 253.43 feet; thence North 2°21'10" East, continuing along said West line, a distance of 32.91 feet, to the POINT OF BEGINNING, containing 55,190.90 square feet or 1.27 acres, more or less.*

SECTION 2. That the following condition of approval applies:

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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 a sign permit or building permit.

SECTION 3. 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 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.

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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor William A. Baird

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2021.

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Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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City Attorney *Brian Head*