

BILL NO. 19-245

AN ORDINANCE VACATING DEDICATED RIGHTS-OF-WAY FOR A PORTIONS OF NE STROTHER RD, NE DOUGLAS RD, NE HAGAN RD AND NE LEINWEBER RD., LOCATED AT 2751 NE DOUGLAS ST, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, upon diligent inquiry and investigation, the City cannot locate the document(s) by which the right-of-way came to be dedicated to the City,

WHEREAS, Application #PL2018-261, submitted by the City of Lee's Summit, MO, requesting vacation of the rights-of-way, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on October 10, 2019, and rendered a report to the City Council containing findings of fact and recommending that the requested vacation of rights-of-way be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on November 5, 2019, and rendered a decision to vacate said rights-of-way.

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

SECTION 1. That the following described rights-of-way are hereby and herewith vacated:

DESCRIPTION: STROTHER ROAD AND HAGAN ROAD RIGHT OF WAY VACATION:

THAT PART OF SECTIONS 17, 18, 19, AND 20, ALL IN TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE SOUTH 2°-10'-46" WEST ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 87°-20'-26" WEST ALONG A LINE 20.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 18, A DISTANCE OF 1809.39 FEET; THENCE NORTH 2°-28'-26" EAST, A DISTANCE OF 40.00 FEET TO A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 18; THENCE SOUTH 87°-20'-26" EAST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1809.07 FEET TO THE WEST LINE OF SAID SECTION 17; THENCE SOUTH 88°-21'-49" EAST ALONG A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 1067.72 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 13°-47'-59" EAST, A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 6°-21'-58", AND AN ARC DISTANCE OF 42.23 FEET TO A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 20; THENCE NORTH 88°-21'-49" WEST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 1081.46 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 115,337 SQUARE FEET OR 2.648 ACRES, MORE OR LESS.

AND

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THAT PART OF SECTIONS 17 AND 20, TOWNSHIP 48 NORTH, RANGE 31 WEST IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE NORTH 2°-10'-46" EAST ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 20.00 FEET TO A LINE THAT IS 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17; THENCE SOUTH 88°-21'-49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 1130.41 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING SOUTH 88°-21'-49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 179.20 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE NORTH 2°-05'-01" EAST ALONG SAID EAST LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°-21'-49" EAST ALONG A LINE THAT IS 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 292.74 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF NEW STROTHER ROAD AS ESTABLISHED BY INSTRUMENT NO. 2012E0077748; THENCE SOUTHEAST ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 66°-20'-36" EAST, A RADIUS OF 1100.00 FEET, A CENTRAL ANGLE OF 11°-00'-39", AND AN ARC DISTANCE OF 211.39 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF NEW STROTHER ROAD AS ESTABLISHED BY INSTRUMENT NO. 2012E0131436; THENCE NORTH 88°-21'-49" WEST ALONG A LINE THAT IS 30.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 435.18 FEET; THENCE ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°-11'-01", AND AN ARC DISTANCE OF 47.22 FEET TO THE EAST RIGHT-OF-WAY LINE OF HAGAN ROAD AS ESTABLISHED BY DOCUMENT NO. I-884794; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 924.94 FEET, A CENTRAL ANGLE OF 5°-22'-59", AND AN ARC DISTANCE OF 86.90 FEET; THENCE SOUTH 3°-55'-29" EAST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 101.10 FEET; THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 1114.84 FEET, A CENTRAL ANGLE OF 5°-16'-39", AND AN ARC DISTANCE OF 102.69 FEET; THENCE SOUTH 1°-21'-11" WEST CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 105.61 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 0°-48'-32" EAST, A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 32°-35'-44", AND AN ARC DISTANCE OF 216.18 FEET; THENCE NORTH 31°-47'-12" WEST, A DISTANCE OF 16.30 FEET; THENCE NORTH 2°-03'-20" EAST, A DISTANCE OF 218.18 FEET TO A LINE THAT IS 20.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 17; THENCE NORTH 88°-21'-49" WEST ALONG LAST SAID PARALLEL LINE, A DISTANCE OF 142.51 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF NORTH 24°-31'-57" WEST, A RADIUS OF 320.00 FEET, A CENTRAL ANGLE OF 7°-44'-40", AND AN ARC DISTANCE OF 43.27 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 46,566 SQUARE FEET OR 1.069 ACRES, MORE OR LESS.

DESCRIPTION: LEINWEBER ROAD RIGHT OF WAY VACATION:

THAT PART OF LEINWEBER ROAD LYING BETWEEN THE WEST LINE OF THE EAST ½ OF THE EAST ½ OF SECTION 19 AND THE EAST LINE OF THE WEST ½ OF THE WEST ½ OF SECTION 20, TOWNSHIP 48 NORTH, RANGE 31 WEST.

DESCRIPTION: DOUGLAS STREET RIGHT OF WAY VACATION:

THAT PART OF DOUGLAS STREET AS ESTABLISHED BY DOCUMENT NO. I-492376 IN BOOK I-1154 AT PAGE 1959 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WEST 30.00 FEET OF THE EAST ½ OF THE NORTHEAST ¼ SECTION 19, TOWNSHIP 48 NORTH, RANGE 31 WEST LYING SOUTH OF A LINE 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE

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OF SAIDEAST ½. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 79,290 SQUARE FEET, MORE OR LESS.

SECTION 2. That the following conditions of approval apply:

1. A general utility easement shall be retained over the entire length of the right-of-way to cover existing infrastructure located within the right-of-way along NE Leinweber Rd.

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 for 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 _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*