

BILL NO. 24-

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED LEE'S SUMMIT SCHOOL DISTRICT #7 - MIDDLE SCHOOL #4, LOTS 1 AND TRACT A, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-210, submitted by Lee's Summit R-7 School District, requesting approval of the final plat entitled "Lee's Summit School District #7 - Middle School #4, Lots 1 and Tract A", 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 July 14, 2022, 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 "Lee's Summit School District #7 - Middle School #4, Lots 1 and Tract A", is a subdivision in Section 16, Township 47N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

ALL THAT PART OF NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 47 NORTH, RANGE 31 WEST, IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF SAID SECTION 16-T47N-R31W; THENCE SOUTH 02 DEGREES 20 MINUTES 19 SECONDS WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 19.96 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BAILEY ROAD AS NOW ESTABLISHED, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 164 OF NEWBERRY SECOND PLAT, LOTS 1-65, 163 AND 164, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 07 MINUTES 48 SECONDS EAST, ON THE SOUTH RIGHT-OF-WAY LINE OF SAID BAILEY ROAD, A DISTANCE OF 1,350.00 FEET, TO A POINT; THENCE SOUTH 35 DEGREES 20 MINUTES 58 SECONDS WEST, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID BAILEY ROAD, A DISTANCE OF 517.08 FEET, TO A POINT; THENCE SOUTH 07 DEGREES 56 MINUTES 53 SECONDS WEST, A DISTANCE OF 320.18 FEET, TO A POINT; THENCE SOUTH 12 DEGREES 12 MINUTES 42 SECONDS WEST, A DISTANCE OF 1,168.07 FEET, TO A POINT; THENCE SOUTH 27 DEGREES 41 MINUTES 50 SECONDS WEST, A DISTANCE OF 480.35 FEET, TO A POINT ON A LINE THAT IS 300.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 88 DEGREES 04 MINUTES 43 SECONDS WEST, ON SAID PARALLEL LINE, A DISTANCE OF 630.96 FEET, TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER, SAID POINT ALSO BEING ON THE EAST LINE OF

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NEWBERRY FOURTH PLAT, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI; THENCE NORTH 02 DEGREES 20 MINUTES 19 SECONDS EAST, ON THE WEST LINE OF SAID NORTHEAST QUARTER, AND ON THE EAST LINE OF SAID NEWBERRY FOURTH PLAT, AND ON THE EAST LINE OF NEWBERRY THIRD PLAT, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, AND ON THE EAST LINE OF SAID NEWBERRY SECOND PLAT, LOTS 1-65, 163 AND 164, A DISTANCE OF 2,330.63 FEET, TO THE POINT OF BEGINNING, CONTAINING 2,250,248 SQUARE FEET OR 51.6586 ACRES, MORE OR LESS.

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 "Lee's Summit School District #7 - Middle School #4, Lots 1 and Tract A"

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 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.

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(2006), any right to request restoration of rights previously transferred and vacation of any easement granted by this plat.

SECTION 6. 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 7. That individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

SECTION 8. That the final plat substantially conforms to the approved preliminary development plan and to all applicable requirements of the Code.

SECTION 9. 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 "Lee's Summit School District #7 - Middle School #4, Lots 1 and Tract A" attached hereto and incorporated herein by reference.

SECTION 10. 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 _____, 2024.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said City this ____ day of _____, 2024.

Mayor William A. Baird

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ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian Head