

## **BILL NO. 23-052**

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AN ORDINANCE VACATING A CERTAIN SANITARY SEWER EASEMENT LOCATED AT 1000 AND 1010 NW PRYOR RD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-012 was submitted by Streets of West Pryor, LLC, requesting vacation of an existing sanitary sewer easement located at 1000 and 1010 NW Pryor Rd in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Streets of West Pryor, Lots 1 thru 14, Tracts A, B, C & D*, recorded by Document #2019-E-0032538-1 and,

WHEREAS, the Planning Commission considered the request on February 23, 2023, 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 easement is hereby and herewith vacated:

*A tract of land being located in Streets of West Pryor, Lots 1 Thru 14, Tracts A, B, C & D, a plat as recorded in the Office of the Recorder, Jackson County, Missouri. as Document No. 2019E0032538 the centerline being more particularly described as follows:*

*Commencing at the Southeast corner of Lot 11 of said Streets of West Pryor; thence N 71° 41' 12" W, A distance of 61.48 feet; thence N 87° 32' 44" W, a distance of 194.08 feet; thence N 2° 27' 16" E, a distance of 26.47 feet to the Point of Beginning; thence N 80° 33' 20" W, a distance of 20.11 feet; thence N 15° 22' 47" E, a distance of 216.84 feet; thence S 74° 37' 13" E, a distance of 20.00 feet; thence S 15° 22' 47" W, a distance of 214.76 feet to the Point of Beginning.*

SECTION 2. That the following condition of approval applies:

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. The vacation of easement shall be in accordance with Legal Description and Exhibit, dated July 21, 2022, as conditioned above and appended hereto as Attachment A.

SECTION 4. 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.

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SECTION 5. 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 6. 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 \_\_\_\_\_, 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 Head*