

BILL NO. 21-184

AN ORDINANCE VACATING A PORTION OF A CERTAIN EASEMENT LOCATED AT 2861 NE INDEPENDENCE AVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-250 was submitted by LSMOB Owner, LLC, requesting vacation of a portion of an existing easement located on property addressed 2861 NE Independence Ave in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via a document recorded by Document #2006-E-0072560; and,

WHEREAS, the Planning Commission considered the request on August 26, 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 easement is hereby and herewith vacated:

A 10 FEET WIDE TRACT OF LAND BEING SITUATED OVER A PORTION OF A 45 FEET WIDE UTILITY EASEMENT AS SHOWN ON THE MINOR PLAT OF I-470 TECHNOLOGY CENTER, LOT 15A, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI RECORDED AS DOCUMENT NO. 2018E00009264 IN PLAT BOOK 175 AT PAGE 71 IN THE OFFICE OF THE RECORDER OF DEEDS FOR SAID COUNTY AND STATE. SAID MINOR PLAT BEING IN SECTION 20, TOWNSHIP 48, NORTH, RANGE 31 WEST IN SAID CITY, COUNTY AND STATE AND BEING NOW MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 15A, BEING ALSO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF NE JONES INDUSTRIAL DRIVE AS NOW ESTABLISHED 60 FEET WIDE WITH THE EASTERLY RIGHT-OF-WAY LINE OF NE INDEPENDENCE AVENUE AS NOW ESTABLISHED 60 FEET WIDE; THENCE S 06°45'04" W ALONG THE WESTERLY LINE OF SAID LOT 15A, BEING ALSO ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID NE INDEPENDENCE AVENUE, A DISTANCE OF 101.90 FEET; THENCE S 83°14'56" E, PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING S 83°14'56" E ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 10.00 FEET TO A POINT ON THE EASTERLY LINE OF THE AFORESAID 45 FEET WIDE UTILITY EASEMENT; THENCE S 06°45'04" W, PERPENDICULAR TO THE LAST DESCRIBED COURSE AND BEING NOW ALONG THE EASTERLY LINE OF THE AFORESAID 45 FEET WIDE UTILITY EASEMENT, A DISTANCE OF 390.44 FEET TO A POINT ON THE NORTHERLY LINE OF A 32.5 FEET WIDE UTILITY EASEMENT AS SHOWN THE AFORESAID MINOR PLAT OF I-470 TECHNOLOGY CENTER, LOT 15A; THENCE N 83°14'50" W ALONG THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF SAID 32.5 FEET WIDE UTILITY EASEMENT, A DISTANCE OF 10.00 FEET; THENCE N 06°45'04" E ALONG A LINE 10.00 FEET WESTERLY OF AND PARALLEL WITH THE EASTERLY LINE OF SAID 45 FEET WIDE UTILITY EASEMENT, A DISTANCE OF 390.44 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,904 SQUARE FEET, MORE OR LESS.

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SECTION 2. 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 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 of 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 _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*