

BILL NO. 17-150

AN ORDINANCE VACATING TWO BLANKET WATER LINE EASEMENTS GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SE M-291 HWY. & SE BAILEY RD. IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-105 was submitted by The Grove at Lee's Summit, LLC, requesting vacation of two blanket water line easements generally located at the southeast corner of SE M-291 Hwy. & SE Bailey Rd. in Lee's Summit, Missouri; and,

WHEREAS, the easements were dedicated to Public Water District #4 (now the City of Lee's Summit Water Utilities Department) by Document No. #1950I0569784 and #1950I0569744 on September 25, 1950; and,

WHEREAS, the Water Utilities Department for the City of Lee's Summit has determined that no other uses exist for said easement; and,

WHEREAS, the Planning Commission considered the request on June 27, 2017, 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:

THE NORTH 20 ACRES OF THE NORTH ONE HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 47, RANGE 31, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.

AND

ALL THAT PART OF THE NORTH ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 47, RANGE 31, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 439.34 FEET SOUTH OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SAID SECTION 17, TOWNSHIP 47, RANGE 31; THENCE SOUTH 244.59 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID SECTION 1708.84 FEET TO THE EAST LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 71 BY-PASS; THENCE NORTH 30°20' WEST 283.38 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 1853.16 FEET TO THE POINT OF BEGINNING, CONTAINING 10 ACRES;

ALSO: BEGINNING AT A POINT 683.93 FEET SOUTH OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SAID SECTION 17, TOWNSHIP 47, RANGE 31; THENCE SOUTH 270.88 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID SECTION 1549.66 FEET TO THE EAST LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 71 BY-PASS; THENCE IN A NORTHWESTERLY DIRECTION ON A CURVE TO THE LEFT (HAVING A RADIUS OF 1950.08 FEET) 50.48 FEET TO THE POINT OF TANGENCY; THENCE NORTH 30°21' WEST 263.14 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION 1708.87 FEET TO THE POINT OF BEGINNING, CONTAINING 10.13 ACRES, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.

SECTION 2. That upon the effective date of the vacation of the easements described in Section 1 above, the City releases all right, title and interest in and to the City owned infrastructure located within the easements.

BILL NO. 17-150

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 _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this _____ day of _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED AS TO FORM:

City Attorney Brian W. Head