

BILL NO. 17-100

AN ORDINANCE VACATING TWO CERTAIN EASEMENTS, ONE LOCATED BETWEEN LOTS 3 AND 4 WITHIN THE PLAT ENTITLED "CHAPEL RIDGE, LOTS 1-11," AND THE OTHER DEDICATED BY DOCUMENT #2000I0039141 IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-039 was submitted by QuikTrip Corporation, requesting vacation of two utility easements, one located between Lots 3 and 4 within "Chapel Ridge, Lots 1-11", a recorded subdivision in Lee's Summit, Missouri; and,

WHEREAS, the City of Lee's Summit, Missouri, accepted the plat entitled "Chapel Ridge, Lots 1-11", passed and adopted by the City Council of the City of Lee's Summit on March 17, 1998; and,

WHEREAS, the said plat was recorded with the Jackson County Recorder of Deeds on June 9, 1998; and,

WHEREAS, another east-west utility easement was dedicated by separate document and recorded with the Jackson County Recorder of Deeds by Document #2000I0039141 on June 14, 2000; and,

WHEREAS, the said easement was specifically dedicated to the City by separate document, so no input regarding the vacation request is required from any private utilities; and,

WHEREAS, the Public Works and Water Utilities Departments for the City of Lee's Summit have determined that no other uses exist for said easement; and,

WHEREAS, the Planning Commission considered the request on April 11, 2017, and rendered a report to the City Council recommending that the vacation of easements 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, located within "Chapel Ridge, Lots 1-11", and in Document #2000I0039141 are hereby and herewith vacated:

*A strip of land 30 feet in width across part of Lot 3, Chapel Ridge and Lot 4-A, Chapel Ridge Lot 4-A & Tract 4-B, a subdivision of land in the City of Lee's Summit, Jackson County, Missouri, lying 15 feet each side of the following described centerline:
Commencing at the southeast corner of said Lot 3; thence N 1°49'14" E, along the East line of said Lot 3, a distance of 276.03 feet, to a point of termination;*

And also...

All that part of Lot 4-A, Chapel Ridge Lot 4-A & Tract 4-B, a subdivision of land in the City of Lee's Summit, Jackson County, Missouri, more particularly described as follows:

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Commencing at the Southeast corner of Lot 3, said Chapel Ridge; thence N 89°42'53" E, along the South line of said Lot 4-A

SECTION 2. 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 3. 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*