

BILL NO. 17-254

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 3200 SW PERGOLA PARK DRIVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-175 was submitted by Olsson Associates, requesting vacation of an existing 20' wide by 541' long utility easement located at 3200 SW Pergola Park Drive in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City by separate document recorded by Instrument #200510051391 on March 18, 2005; and,

WHEREAS, the Planning Commission considered the request on October 24, 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:

Part of Lot 2, MINOR PLAT OF NEW LONGVIEW MANSION, LOTS 1-2, a subdivision of land in the Southeast Quarter of Section 9, the Southwest Quarter of Section 10, and the Northwest Quarter of Section 15, all in Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri being bounded and described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence North 03°14'50" East, along the West line of said Southwest Quarter, 1,483.92 feet; thence South 86°45'10" East, 946.32 feet to the Point of Beginning of the tract of land to be herein described: thence Northeasterly, along a curve to the left, having an initial tangent bearing of North 56°49'48" East with a radius of 130.00 feet, a central angle of 10°50'30" and an arc distance of 24.60 feet; thence South 03°06'16" East, 5.79 feet; thence South 62°31'01" East, 130.46 feet; thence South 53°08'29" East, 130.04 feet; thence South 36°21'01" East, 127.65 feet; thence South 18°01'21" East, 153.06 feet; thence South 88°34'07" West, 19.88 feet; thence North 46°25'53" West, 1.99 feet; thence North 18°01'21" West, 142.41 feet; thence North 36°21'01" West, 121.47 feet; thence North 53°08'29" West, 125.44 feet; thence North 62°31'01" West, 140.24 feet; thence North 03°06'16" West, 2.94 feet to the Point of Beginning. Containing 10,800 square feet or 0.25 acres, more or less.

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. 17-254

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 *Trisha Fowler Arcuri*

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

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*