

BILL NO. 20-223

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 2025 SW M-150 HWY IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-190 was submitted by Clayton Properties Group, Inc., requesting vacation of an existing easement located on property addressed 2025 SW M-150 Hwy in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Salvaggio's Ranch*, recorded by Document # 1993I1210418; and,

WHEREAS, the Planning Commission considered the request on November 12, 2020, 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 vacation of the entire existing utility easement as recorded on the plat of Salvaggio's Ranch, a subdivision in Lee's Summit, Jackson County, Missouri, more particularly described as follows:

All of Utility Easement recorded on SALVAGGIO'S RANCH, a subdivision of land in the Northeast Quarter of Section 35, Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri recorded as Instrument I1210418 at Book I53 at Page 73 in the Jackson County Recorder of Deeds Office, being bounded and described by Jeffrey P. Means, P.L.S. 2000147866, as a Utility Easement Vacation as follows: Beginning at the Southeast corner of Lot 3, of said SALVAGGIO'S RANCH; thence North 88°08'29" West, (P-N88°07'50"W) on the South line of said Lot 3, also being the South line of a 10 foot Utility Easement, 309.93 feet (P-310.18') to the Southwest corner of said Lot 3, also being the Southeast corner of Lot 1 of said SALVAGGIO'S RANCH; thence North 88°08'29" West, (P-N88°07'50"W) on the South line of said Lot 1, also being the South line of said 10 foot Utility Easement, 300.00 feet to the Southwest corner of said Lot 1; thence North 02°09'11" East, (P-N02°10'42"E) on the West line of said Lot 1, also being the West line of a 10 foot Utility Easement, 563.70 feet to a point on the existing Southerly right-of-way line of Missouri State Highway No. 150, as established by Document 2009E0006361 in said Jackson County Recorder of Deeds Office; thence South 88°11'07" East, on said existing Southerly right of way line, 10.00 feet to a point on the East line of said 10 foot Utility Easement; thence leaving said exiting Southerly right of way line, South 02°09'11" West, parallel and 10.00 feet East of said West line, and on said East line of said 10 foot Utility Easement, 553.71 feet

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to the intersection of said East line of said 10 Utility Easement and the North line of said 10 foot Utility Easement; thence South 88°08'29" East, parallel and 10.00 feet North of said Lot 1, on said North line of said 10 foot Utility Easement, 282.50 feet to the intersection of said North line of said 10 foot Utility Easement and West line of a 7.50 foot Utility Easement; thence North 02°09'11" East, parallel and 7.50 feet West of said East line of said Lot 1, also being 7.50 feet West of said Lot 2 and said Lot 3, on said West line of said 7.50 foot Utility Easement, 563.93 feet to a point on said existing Southerly right of way line; thence South 88°11'07" East, on said existing Southerly right-of-way line and on the existing Southerly right of way line of Missouri State Highway No. 150 as established by Document 2009E0006351 in said Jackson County Recorder of Deeds Office, 15.00 feet to a point on the West line of a 7.50 foot Utility Easement; thence leaving said existing Southerly right of way line South 02°09'11" West, parallel and 7.50 feet East of the West line of said Lot 2, on said East line of said 7.50 foot Utility Easement, 251.98 feet to the intersection of said East line of said 7.50 foot Utility Easement and North line of a 7.50 foot Utility Easement; thence South 88°07'52" East, parallel and 7.50 feet North of the South line of said Lot 2, on said North line of said 7.50 foot Utility Easement, 302.32 feet to a point on the East line of said Lot 2, also being the existing West right of way line of SW. Pryor Road, as now established; thence South 02°08'00" West, (P-S02°08'32"W) on said East line and said existing West right of way line, 7.50 feet to the Southeast corner of said Lot 2, also being the Northeast corner of said Lot 3; thence South 02°08'00" West (P-S02°08'32"W) on the East line of said Lot 3 and said existing West right of way line, 7.50 feet to a point on the South line of a 7.50 foot Utility Easement; thence leaving said East line and said existing West right-of-way line, North 88°07'52" West, parallel and 7.50 feet South of the North line of said Lot 3, on said South line of said 7.50 foot Utility Easement, 302.32 feet to the intersection of said South line of said 7.50 foot Utility Easement and East line of a 7.50 foot Utility Easement; thence South 02°09'11" West, parallel and 7.50 East of the West line of said Lot 3 and the East line of said 7.50 foot Utility Easement, 296.96 feet to the intersection of said East line of said 7.50 foot Utility Easement and North line of said 10 foot Utility Easement; thence South 88°08'29" East, parallel and 10.00 feet North of said Lot 3 and on said North line of said 10 foot Utility Easement, 302.42 feet to a point on the East line of said Lot 3 and also being a point on said existing West right of way line; thence South 02°08'00" West, (P-S02°08'32"W) on said East line and said existing West right of way line, 10.00 feet to the Point of Beginning. Containing 24,630 square feet or 0.57 acres, more or less. Except that portion within existing Missouri State Highway No. 150 right-of-way.

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 building permit.

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SECTION 3. 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 4. 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 5. 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 _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*