

BILL NO.

AN ORDINANCE VACATING CERTAIN EASEMENTS LOCATED AT 721 NE MEADOWVIEW DR, 781 NE MEADOWVIEW DR, 821 NE CUSTER DR, 3301 NE AKIN BLVD AND 3430 NE RALPH POWELL RD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-385 was submitted by Andrew Mackey, requesting vacation of existing easements located at 721 NE Meadowview Dr, 781 NE Meadowview Dr, 821 NE Custer Dr, 3301 NE Akin Blvd and 3430 NE Ralph Powell Rd in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *CHAPEL RIDGE BUSINESS PARK LOTS 19-22 & TRACTS L & M*, recorded by Document #2007E0031877; and,

WHEREAS, the Planning Commission considered the request on December 2, 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 easements are hereby and herewith vacated:

Easement Description 1

All that part of Lot 20, Chapel Ridge Business Park, Lots 19 thru 22 and Tract L & M, being more particularly described as follows:

Beginning at the Northeast corner of said Lot 20, thence South 16° 23' 14" West, a distance of 190.00 feet; thence North 82° 02' 02" West, a distance of 166.38 feet; thence North 07° 57' 58" East, a distance of 198.65 feet; thence North 88° 02' 35" East, a distance of 29.30 feet; thence along a curve to the right, having a radius of 170.00 feet, an arc distance of 54.43 feet; thence South 73° 36' 46" East, a distance of 112.36 feet, returning to the Point of Beginning. (Easement to be vacated is previously known as Tract A, Chapel Ridge Business Park, Lots 4 thru 9 and Tracts A thru G

Easement Description 2

All that part of Lot 20, Chapel Ridge Business Park, Lots 19 thru 22 and Tract L & M, being more particularly described as follows:

Commencing at the Northeast corner of said Lot 20, thence South 16° 23' 14" West, a distance of 171.26 feet; thence North 73° 36' 36" West, a distance of 10.00 feet, said point being the Point of Beginning; thence South 19° 47' 15" West, a distance of 30.65 feet; thence North 82° 02' 02" West, a distance of 129.10 feet; thence South 15° 52' 00" West, a distance of 203.68 feet; thence North 74° 08' 00" West, a distance of 35.00 feet;

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thence North 15° 52' 00" East, a distance of 210.05 feet; thence North 75° 36' 52" West, a distance of 54.38 feet; thence along a curve to the left, having an initial tangent bearing of North 64° 09' 16" West, a radius of 445.00 feet, an arc distance of 20.32 feet; thence South 75° 36' 52" East, a distance of 60.98 feet; thence North 07° 57' 58" East, a distance of 73.92 feet; thence North 62° 39' 27" West, a distance of 48.97 feet; thence along a curve to the left, having an initial tangent bearing of North 77° 41' 47" West, a radius of 445.00 feet, an arc distance of 15.61 feet; thence South 62° 39' 27" East, a distance of 52.85 feet; thence North 42° 26' 07" East, a distance of 85.60 feet; thence along a curve to the left, having an initial tangent bearing of North 08° 13' 19" East, a radius of 60.00 feet, an arc distance of 21.05 feet; thence South 42° 26' 07" West, a distance of 103.64 feet; thence South 07° 57' 58" West, a distance of 76.90 feet; thence South 82° 02' 02" East, a distance of 141.80 feet, returning to the Point of Beginning.

Easement Description 3

All that part of Lot 21, Chapel Ridge Business Park, Lots 19 thru 22 and Tract L & M, being more particularly described as follows:

Beginning at the Northeast corner of said Lot 21, thence South 34° 53' 20" West, a distance of 226.00 feet; thence North 55° 06' 40" West, a distance of 89.28 feet; thence North 11° 50' 00" East, a distance of 99.51 feet; thence North 03° 07' 00" West, a distance of 30.00 feet; thence North 30° 06' 00" East, a distance of 103.61 feet; thence along a curve to the right, having an initial tangent bearing South 62° 59' 21" East, a radius of 220.00 feet, an arc distance of 37.12 feet; thence South 55° 06' 40" East, a distance of 118.36 feet, returning to the Point of Beginning. (Easement to be vacated is previously known as Tract B, Chapel Ridge Business Park, Lots 4 thru 9 and Tracts A thru G)

Easement Description 4

All that part of Lot 21, Chapel Ridge Business Park, Lots 19 thru 22 and Tract L & M, being more particularly described as follows:

Commencing at the Northeast corner of said Lot 21, thence North 55° 06' 40" West, a distance of 81.96 feet, along the north line of said Lot 21, said point being the Point of Beginning; thence South 79° 02' 42" West, a distance of 226.18 feet; thence North 89° 38' 58" West, a distance of 84.47 feet; thence North 28° 15' 21" West, a distance of 17.09 feet; thence South 89° 38' 58" East, a distance of 91.17 feet; thence North 79° 02' 42" East, a distance of 210.13 feet; thence South 55° 06' 40" East, a distance of 20.91 feet, returning to the Point of Beginning. (Description is to vacate 15' Sanitary Easement described in Document Number 1999I0002308)

SECTION 2. That the following condition of approval applies:

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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 sign permit or building permit.

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 _____, 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 Head*