

BILL NO.

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "WINTERSET VALLEY, 13TH PLAT, LOTS 1472 THRU 1487", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2019-074, submitted by Gale Communities, Inc., requesting approval of the final plat entitled "Winterset Valley, 13th Plat, Lots 1472 thru 1487", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on April 25, 2019, and rendered a report to the City Council recommending that the plat be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the final plat entitled "Winterset Valley, 13th Plat, Lots 1472 thru 1487" is a subdivision in Section 3, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

Part of the Southwest One-Quarter of Section 3, Township 47 North, Range 32 West, in the City of Lee's Summit, Jackson County, Missouri and being more particularly described as follows:

Commencing at the Northeast corner of the said Southwest One-Quarter; thence North 87 degrees 05 minutes 53 seconds West, along the North line of the said Southwest One-Quarter a distance of 523.28 feet; thence South 02 degrees 54 minutes 07 seconds West a distance of 418.02 feet to a corner point on West line of Tract D12, "WINTERSET VALLEY 12TH PLAT", said point being THE POINT OF BEGINNING; thence along the West line of said "WINTERSET VALLEY 12TH PLAT" for the following eleven courses, South 78 degrees 26 minutes 25 seconds East a distance of 88.29 feet; thence South 61 degrees 22 minutes 13 seconds East a distance of 94.29 feet; thence South 24 degrees 50 minutes 43 seconds East a distance of 128.29 feet; thence South 03 degrees 02 minutes 40 seconds East a distance of 101.84 feet; thence South 66 degrees 53 minutes 34 seconds West a distance of 35.50 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 475.00 feet, a central angle of 13 degrees 29 minutes 11 seconds and an arc length of 111.81 feet; thence South 09 degrees 37 minutes 15 seconds East a distance of 50.00 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of South 80 degrees 22 minutes 45 seconds West, a radius of 525.00 feet, a central angle of 06 degrees 08 minutes 24 seconds and an arc length of 56.26 feet; thence South 02 degrees 23 minutes 51 seconds West a distance of 180.18 feet; thence South 23 degrees 56 minutes 26 seconds West a distance of 141.00 feet; thence South 58 degrees 17 minutes 09 seconds West a distance of 71.38 feet to the Northeast corner of Lot 1413, "WINTERSET VALLEY 11TH PLAT"; thence South 68 degrees 36 minutes 13 seconds West, along the North line of Lots 1413, 1412 and 1411 of said "WINTERSET VALLEY 11TH PLAT" a distance of 203.06 feet to the Northeast corner of Lot 1391, "WINTERSET VALLEY 10TH PLAT"; thence along the North line of said "WINTERSET VALLEY 10TH PLAT" for the following two courses, North 38 degrees 53 minutes 53 seconds West a distance of 174.75 feet; thence North 67 degrees 37 minutes 50

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seconds West a distance of 154.24 feet; thence North 51 degrees 06 minutes 07 seconds East a distance of 183.27 feet; thence North 40 degrees 29 minutes 14 seconds East a distance of 82.49 feet; thence North 09 degrees 15 minutes 46 seconds East a distance of 52.83 feet; thence North 51 degrees 04 minutes 50 seconds East a distance of 46.68 feet; thence South 82 degrees 25 minutes 41 seconds East a distance of 86.81 feet; thence North 07 degrees 34 minutes 19 seconds East a distance of 50.00 feet; thence South 82 degrees 25 minutes 41 seconds East a distance of 43.22 feet; thence North 00 degrees 15 minutes 48 seconds West a distance of 134.79 feet; thence North 08 degrees 03 minutes 22 seconds East a distance of 83.25 feet; thence North 48 degrees 56 minutes 01 seconds East a distance of 83.15 feet; thence North 59 degrees 32 minutes 06 seconds East a distance of 87.34 feet to the Point of Beginning, and containing 6.2997 acres, more or less.

SECTION 2. That the proprietor of the above described tract of land ("Proprietor") has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall hereafter be known as "Winterset Valley, 13th Plat, Lots 1472 thru 1487".

SECTION 3. That the roads and streets shown on this plat and not heretofore dedicated to public use as thoroughfares shall be dedicated as depicted on the plat. The City Council hereby authorizes the Director of Development Services, on behalf of the City of Lee's Summit, Missouri, to accept the land or easements dedicated to the City of Lee's Summit for public use and shown on the accompanying plat, upon the subdivider filing and recording a final plat in accordance with Article 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services and the City Clerk that the public improvements have been constructed in accordance with City standards and specifications.

SECTION 4. That the approval granted by this ordinance is done under the authority of Section 89.410.2 of the Revised Statutes of Missouri and Section 7.340 of the UDO because all subdivision-related public improvements required by the UDO have been completed.

SECTION 5. That an easement shall be granted to the City of Lee's Summit, Missouri, to locate, construct and maintain or to authorize the location, construction, and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable TV, or any other necessary public utility or services, any or all of them, upon, over, or under those areas outlined or designated upon this plat as "Utility Easements" (U.E.) or within any street or thoroughfare dedicated to public use on this plat. Grantor, on behalf of himself, his heirs, his assigns and successors in interest, shall waive, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), any right to request restoration of rights previously transferred and vacation of any easement granted by this plat.

SECTION 6. That building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be constructed between this line and the street right-of-way line.

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SECTION 7. That individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

SECTION 8. That the final plat substantially conforms to the approved preliminary plat and to all applicable requirements of the Code.

SECTION 9. That the City Council for the City of Lee's Summit, Missouri, does hereby approve and accept, as a subdivision to the City of Lee's Summit, Missouri, the final plat entitled "Winterset Valley, 13th Plat, Lots 1472 thru 1487", attached hereto and incorporated herein by reference.

SECTION 10. 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 for 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:

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City Attorney Brian Head