

BILL NO. 21-61

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 1709, 1713, 1717, and 1725 SW 27th ST IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-379 was submitted by Kevin Stallings, requesting vacation of an existing easement located at 1709, 1713, 1717, and 1725 SW 27th St in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Whispering Woods, 1st Plat, Lots 1-33, and Tracts A, B, C, & D*, recorded by Document #2019E0093077; and,

WHEREAS, the Planning Commission considered the request on March 11, 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 easement is hereby and herewith vacated:

A 20 foot wide strip of land being all that part of Lots 29 thru 33, Whispering Woods First Plat, a subdivision in Lee's Summit, Jackson County, Missouri more particularly described as follows:

Beginning at the Southeast corner of said Lot 29; thence North 02°21'55" East along the East line thereof a distance of 20.00 feet; thence North 87°38'05" West departing said East line a distance of 320.28 feet; thence North 68°40'47" West a distance of 112.62 feet; thence South line of said Lot 33; thence South 68°40'47" East along the South line of said Lots 33 and 32 a distance of 118.86; thence South 87°38'05" East along the South line of said Lots 32, 31, 30, and 29 a distance of 323.62 feet to the Point Of Beginning. Containing 8,754 square feet more or less.

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 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.

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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 W. Head*