

BILL NO. 23-030

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 1950 SE SHENANDOAH DRIVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2022-426 was submitted by Hammes Partners, requesting vacation of a portion of an existing easement located at 1950 SE Shenandoah Drive in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via separate document recorded by Document #1995-I-1336289 and,

WHEREAS, the Planning Commission considered the request on January 26, 2023, 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:

All that part of a Sanitary Sewer Easement, established in Book I-2675, Page 362, lying within Lot 1A, as shown on the Minor Plat of HCA MIDWEST, Lots 1A and 1B, recorded October 1, 2007, and filed as Instrument Number 2007E00127459, in the city of Lee's Summit, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, with BHC, CLS 2006009875-F, by metes and bounds as follows;

(Note: For course orientation, the bearings in this description are based on the Northerly Right-of-Way line of Blue Parkway as now established, having a bearing of South 56° 56' 29" East, referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

Commencing at the Southwest corner of Lot 1A, of the Minor Plat of HCA MIDWEST, LOTS 1A AND 1B, recorded October 1, 2007, and filed as Instrument Number 2007E00127459, in the city of Lee's Summit, Jackson County, Missouri;

Thence North 41° 38' 49" East, 40.24 feet, on North Right-of-Way line of said Blue Parkway as now established;

Thence South 56° 56' 29" East, 14.11 feet, on said North line, to a point on the Northerly line of a Sanitary Sewer Easement established in Book I-2675, Page 362;

Thence North 60° 53' 24" East, 47.13 feet, on said Northerly easement line, to the POINT OF BEGINNING of the easement vacation herein described;

Thence continuing North 60° 53' 24" East, 230.87 feet;

Thence North 52° 31' 26" East, 299.85 feet;

Thence South 56° 29' 19" East, 28.56 feet;

Thence South 52° 31' 26" West, 311.13 feet;

Thence South 60° 53' 24" West, 232.85 feet;

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Thence North 29° 06' 36" West, 27.00 feet, to the POINT OF BEGINNING, said Tract containing 14,133 square feet, or 0.3244 acres.

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. The vacation of easement shall be in accordance with Legal Description and Exhibit, dated December 5, 2022, as conditioned above and appended hereto as Attachment A.

SECTION 4. 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 5. 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 6. 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 _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*