

BILL NO. 19-127

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "THE TRAILS OF PARK RIDGE, 4TH PLAT, LOTS 70 THRU 114 & BLOCK 2", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2019-112, submitted by Engineering Solutions, LLC, requesting approval of the final plat entitled "The Trails of Park Ridge, 4th Plat, Lots 70 thru 114 & Block 2", 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 May 23, 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 "The Trails of Park Ridge, 4th Plat, Lots 70 thru 114 & Block 2" is a subdivision in Section 9, Township 48N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 48 NORTH, RANGE 31 WEST, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 48, RANGE 31; THENCE SOUTH 2° 06' 44" WEST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, A DISTANCE OF 488.27 FEET TO THE POINT OF BEGINNING:

THENCE SOUTH 2° 06' 44" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 1142.46 FEET; THENCE SOUTH 46° 35' 21" WEST, A DISTANCE OF 349.34 FEET; THENCE NORTH 43° 24' 39" WEST, A DISTANCE OF 26.00 FEET; THENCE SOUTH 46° 35' 21" WEST, A DISTANCE OF 6.00 FEET; THENCE NORTH 43° 24' 39" WEST, A DISTANCE OF 204.00 FEET; THENCE NORTH 46° 35' 21" EAST, A DISTANCE OF 25.00 FEET; THENCE NORTH 44° 14' 09" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 43° 24' 39" WEST, A DISTANCE OF 228.28 FEET; THENCE NORTH 13° 04' 29" WEST, A DISTANCE OF 324.99 FEET; THENCE NORTH 7°07'04" EAST, A DISTANCE OF 210.34 FEET; THENCE NORTH 2°06'40" EAST, A DISTANCE OF 232.20 FEET; THENCE NORTH 88°12'18" WEST, A DISTANCE OF 26.77 FEET; THENCE NORTH 1°47'42" EAST, A DISTANCE OF 200.29 FEET; THENCE SOUTH 88°11'54" EAST, A DISTANCE OF 202.66 FEET; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE PRECEDING COURSE HAVING A RADIUS OF 1481.22 FEET, AN ARC DISTANCE OF 433.82 FEET; THENCE SOUTH 88°25'45" EAST, A DISTANCE OF 59.33 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 770,911.21 SQUARE FEET (17.7 ACRES) MORE OR LESS

BILL NO. 19-127

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 "The Trails of Park Ridge, 4th Plat, Lots 70 thru 114 & Block 2".

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 not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor has, in accordance with Section 7.340 of the UDO, deposited an **irrevocable Standby Letter of Credit** to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the required public improvements are available to each lot for which a building permit is requested in accordance with the Design and Construction Manual.

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.

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.

BILL NO. 19-127

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 "The Trails of Park Ridge, 4th Plat, Lots 70 thru 114 & Block 2", 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 _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said City this ____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian Head