

BILL NO. 24-099

AN ORDINANCE VACATING A PORTION OF A CERTAIN EASEMENT LOCATED AT 3022 NW THOREAU PLACE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-315 was submitted by Brian C. and Tracey Lanning, requesting vacation of an existing easement located at 3022 NW Thoreau Place in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled Winterset Valley, 13th Plat, Lots 1472 thru 1487 recorded by Instrument #2020E0123025 and,

WHEREAS, the Planning Commission considered the request on May 23, 2024, 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:

EASEMENT VACATION DESCRIPTION:

ALL THAT PART OF 1475, WINTERSET VALLEY 13TH PLAT, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY MOST CORNER OF SAID LOT, THENCE SOUTH 78°26'25" EAST, ALONG THE NORTHEAST LINE OF SAID LOT, 7.47 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING SOUTH 78°26'25" EAST, ALONG THE NORTHEAST LINE OF SAID LOT, 80.82 FEET; TO THE EASTERLY MOST PROPERTY CORNER; THENCE SOUTH 17°53'45" WEST, ALONG THE EASTERLY LINE OF SAID LOT, 7.55 FEET, TO THE SOUTHERLY LINE OF AN EXISTING 7.5 FOOT UTILITY EASEMENT; THENCE NORTH 78°26'25" WEST, ALONG THE SOUTHERLY LINE OF SAID EASEMENT, 73.37 FEET TO THE POINT OF INTERSECTION WITH AN EXISTING 15 FOOT UTILITY EASEMENT; THENCE SOUTH 59°32'06" WEST ALONG THE SOUTHERLY LINE OF SAID 15 FOOT EASEMENT, 63.09 FEET, TO THE POINT OF INTERSECTION WITH AN EXISTING 10 FOOT UTILITY EASEMENT; THENCE NORTH 29°21'46" WEST, 10.00 FEET; THENCE NORTH 59°32'06" EAST, 63.00 FEET, TO THE POINT OF BEGINNING;

(Containing 1,208.7 Square Feet, 0.035 Acres +/-)

SECTION 2. That the following condition of approval applies:

1. The vacation of easement shall become effective immediately at the time of ordinance approval.

SECTION 3. The vacation of easement shall be in accordance with Legal Description and Exhibit, 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.

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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 _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*