

## **BILL NO. 21-201**

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AN ORDINANCE VACATING A PORTION OF A CERTAIN WATER LINE EASEMENT LOCATED AT 1101 SW HOKE DRIVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-228 was submitted by the City of Lee's Summit, requesting vacation of a portion of an existing water line easement located on property addressed 1101 SW Hoke Dr in Lee's Summit, Missouri; and,

WHEREAS, the water line easement was dedicated to the City via a document recorded by Document #1989-I-0942574; and,

WHEREAS, the Planning Commission considered the request on August 12, 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:

*ALL THAT PORTION OF A WATER LINE EASEMENT, RECORDED IN BOOK I1966, PAGE 117 IN TRACT A, THE COTTAGES AT CEDAR CREEK – 3<sup>RD</sup> PLAT, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, AS BEING DESCRIBED BY TIMOTHY BLAIR WISWELL, PROFESSIONAL LICENSE NO. 2009000067 OF OLSSON, INC., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*COMMENCING AT THE NORTH CORNER OF TRACT B, THE COTTAGES AT CEDAR CREEK – 3<sup>RD</sup> PLAT, POINT ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST WARD ROAD, AS NOW ESTABLISHED;*

*THENCE NORTH 02 DEGREES 44 MINUTES 19 SECONDS EAST, ON SAID WEST RIGHT-OF-WAY LINE OF SOUTHWEST WARD ROAD, A DISTANCE OF 176.68 FEET TO THE POINT OF BEGINNING;*

*THENCE NORTH 30 DEGREES 16 MINUTES 17 SECONDS WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE OF SOUTHWEST WARD ROAD, A DISTANCE OF 39.92 FEET TO A POINT;*

*THENCE NORTH 01 DEGREES 13 MINUTES 48 SECONDS EAST, A DISTANCE OF 21.90 FEET TO A POINT;*

*THENCE NORTH 20 DEGREES 43 MINUTES 24 SECONDS EAST, A DISTANCE OF 4.58 FEET TO A POINT;*

*THENCE SOUTH 30 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 38.39 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF SOUTHWEST WARD ROAD;*

*THENCE SOUTH 02 DEGREES 44 MINUTES 19 SECONDS WEST, ON SAID WEST RIGHT-OF-WAY LINE OF SOUTHWEST WARD ROAD, A DISTANCE OF 27.53 FEET TO THE POINT OF BEGINNING, CONTAINING 604 SQUARE FEET OR 0.0139 ACRES, MORE OR LESS.*

*(AS DEPICTED ON EXHIBIT "B", ATTACHED AND INCORPORATED HEREIN).*

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SECTION 2. 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 3. 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 4. 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.

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*Mayor William A. Baird*

ATTEST:

\_\_\_\_\_  
*City Clerk Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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*City Attorney Brian W. Head*