

## **BILL NO. 25-104**

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AN ORDINANCE VACATING A PORTION OF A UTILITY EASEMENT LOCATED AT 4716 NE FREEHOLD DRIVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-149 was submitted by Nicholas Bennett, requesting partial vacation of an existing easement located at 4716 NE Freehold Dr. in Lee's Summit, Missouri; and,

WHEREAS, a utility easement was dedicated to the City via separate document recorded by Document #2021E0023958 as depicted on the Monticello – 4<sup>th</sup> Plat, Lots 109-153 & Tracts K-N subdivision plat; and,

WHEREAS, the Planning Commission considered the request on May 22, 2025, 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:

The northeast 5.00 feet of the southwest 25.00 feet of Lot 152, Monticello 4<sup>th</sup> Plat – Lots 109-153 & Tracts K-N, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof, being more particularly described as follows:

Commencing at the southwest corner of said Lot 152; thence north 62°-55'-41" east along the south line of said Lot 152, a distance of 20.04 feet to the point of beginning of the tract of land to be herein described; thence continuing north 62°-55'-41" east along said south line, a distance of 5.01 feet; thence along a curve to the left having an initial tangent bearing of north 23°-44'4" west, a radius of 440.00 feet, a central angle of 9°-49'-15" west, and an arc distance of 75.42 feet to the north line of said Lot 152; thence south 53°-08'-47" west along said north line, a distance of 5.01 feet; thence along a curve to the right having an initial tangent bearing of south 33°-31'-52" east, a radius of 435.00 feet, a central angle of 9°-49'-15", and an arc distance of 74.56 feet to the point of beginning.

SECTION 2. That the following condition of approval applies:

1. The vacation of easement shall be recorded at Jackson County prior to the issuance of a building permit for the proposed pool.

SECTION 3. The vacation of easement shall be in accordance with Legal Description and Exhibit, labeled "Exhibit A", 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 \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*