

BILL NO. 19-222

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED LEGACY WOOD, 7TH PLAT, LOTS 246—278, AND TRACTS M & N, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2017-131, submitted by Wood Family Development, requesting approval of the final plat entitled "Legacy Wood, 7th Plat, 1st Plat, Lots 246-278, and Tracts M & N", 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 August 8, 2017, 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 "Legacy Wood, 7th Plat, Lots 246-278, and Tracts M & N" is a subdivision in part of the North Half of Section 2, Township 47N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

All that part of the North Half of Section 2, Township 47, Range 31, in the City of Lee's Summit, Jackson County, Missouri more particularly described as follows;

Beginning at the Northeast corner of the Northwest quarter of the Northeast quarter of said Section, said point also being the Northwest corner of Wildflower-2nd Plat, a subdivision of record in said City; thence South 02 degrees 24 minutes 53 seconds West, along the West line of said Wildflower-2nd Plat, a distance of 586.16 feet, to the Northeast corner of Legacy Wood-6th Plat, a subdivision of record in said City; thence the following 17 courses along the Northerly line of said Legacy Wood-6th Plat; thence North 87 degrees 55 minutes 32 seconds West, a distance of 192.70 feet; thence South 02 degrees 04 minutes 28 seconds West, a distance of 43.84 feet; thence North 87 degrees 55 minutes 32 seconds West, a distance of 440.00 feet; thence North 02 degrees 04 minutes 28 seconds East, a distance of 83.33 feet; thence North 87 degrees 55 minutes 32 seconds West, a distance of 180.00 feet; thence South 02 degrees 04 minutes 28 seconds West, a distance of 16.65 feet; thence North 87 degrees 55 minutes 32 seconds West, a distance of 130.00 feet; thence South 02 degrees 04 minutes 28 seconds West, a distance of 240.00 feet; thence North 87 degrees 55 minutes 32 seconds West, a distance of 151.71 feet; thence South 85 degrees 40 minutes 16 seconds West, a distance of 50.00 feet; thence along a curve to the left, (said curve having an Initial Tangent Bearing of South 04 degrees 19 minutes 44 seconds East, a radius of 225.00 feet), an arc distance of 44.47 feet; thence South 74 degrees 20 minutes 47 seconds West, a distance of 110.00 feet; thence North 18 degrees 24 minutes 53 seconds West, a distance of 131.16 feet; thence North 02 degrees 04 minutes 28 seconds East, a distance of 75.44 feet; thence South 48 degrees 21 minutes 56 seconds West, a distance of 36.37 feet; thence along a curve to the right, (said curve having a radius of 525.00 feet), an arc distance of 135.50 feet; thence South 63 degrees 09 minutes 13 seconds West, a distance of 60.08 feet, to a point on the Easterly line of Legacy Wood-2nd Plat, a subdivision of record in said City; thence North 26 degrees 50 minutes 47 seconds West, along said Easterly line, a distance of 50.00 feet, to the Southwest corner of Legacy Wood-3rd Plat, a subdivision of record in said City; thence the following 2 courses along the Easterly line of said Legacy Wood-3rd Plat; thence North 17 degrees 03 minutes 13 seconds West, a distance of 345.37 feet; thence North 26 degrees 37 minutes 41 seconds West, a distance of 41.24 feet, to the Southwest corner of Legacy Wood-5th Plat, a subdivision of record in said City; thence the following 2 courses along the Easterly line of said Legacy Wood-3rd Plat; thence North 02 degrees 24 minutes 19 seconds East, a distance of 128.64 feet; thence North 08 degrees 15 minutes 42 seconds East, a distance of 288.11 feet, to a point on the North line of of the Northwest quarter of said section; thence South 88 degrees 02 minutes 50 seconds East, along the North line of said quarter section, a distance of 42.14 feet; thence South 01 degrees 57 minutes

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10 seconds West, a distance of 378.45 feet; thence South 41 degrees 42 minutes 39 seconds East, a distance of 95.89 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 52.78 feet; thence South 41 degrees 37 minutes 58 seconds East, a distance of 228.93 feet; thence North 48 degrees 21 minutes 56 seconds East, a distance of 57.00 feet; thence North 41 degrees 37 minutes 58 seconds West, a distance of 151.26 feet; thence North 48 degrees 22 minutes 03 seconds East, a distance of 81.22 feet; thence North 57 degrees 56 minutes 10 seconds East, a distance of 291.91 feet; thence North 66 degrees 19 minutes 16 seconds East, a distance of 413.36 feet; thence North 05 degrees 27 minutes 24 seconds East, a distance of 59.51 feet; thence North 02 degrees 24 minutes 14 seconds East, a distance of 3.96 feet, to a point on the North line of the Northwest quarter of the Northeast quarter of said section; thence South 87 degrees 55 minutes 10 seconds East, along the North line of said quarter quarter section, a distance of 669.06 feet, to the Point of Beginning. Containing 18.74 acres. Subject to any existing easements.

Description Closure: N 0.0077, E 0.0056, Perimeter 6,086.23 feet, Precision 1:633,983.33

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 "Legacy Wood, 7th Plat, 1st Plat, Lots 246-278, and Tracts M & N".

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, Bond, or Cash** 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,

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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 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 "Legacy Wood, 7th Plat, 1st Plat, Lots 246-278, and Tracts M & N", attached hereto and incorporated herein by reference.

SECTION 9. City staff is authorized to prepare, and the Mayor is authorized to execute, an easement to Tri-County Water Authority for the placement of water lines across property owned by the City that lies in unplatted areas in the vicinity of Tract M and Lot 278 and running north and south to the boundaries of the area shown on the plat, in order to facilitate water line placement across platted and unplatted areas that are depicted on this plat.

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 W. Head*