

BILL NO. 25-066

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED, "COBEY CREEK, 2ND PLAT, LOTS 31-91, 160-184, 297 & TRACTS A, B, C, F, I, K, L, M, N & O", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-308, submitted by Clayton Properties Group d/b/a Summit Homes, requesting approval of the final plat entitled "Cobey Creek, 2nd Plat, Lots 31-91, 160-184, 297 & Tracts A, B, C, F, I, K, L, M, N & O", 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 March 27, 2025, 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 "Cobey Creek, 2nd Plat, Lots 31-91, 160-184, 297 & Tracts A, B, C, F, I, K, L, M, N & O", is a subdivision in Section 29, Township 47N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

All that part of the Southeast Quarter of Section 29, Township 47, Range 31 and all that part of Tracts "D" & "J" of Cobey Creek - 1st Plat, a subdivision in the City of Lee's Summit, Jackson County, Missouri more particularly described as follows:

Commencing at the southeast corner of said Southeast Quarter of Section 29, thence with the east line of said Southeast Quarter of Section 29, North 02 degrees 30 minutes 30 seconds East, a distance of 74.78 feet to a point on the north right-of-way line of Missouri Highway 150; thence North 87 degrees 54 minutes 12 seconds West, with the north right-of-way line of Missouri Highway 150, a distance of 531.43 feet to the point of beginning; thence North 21 degrees 10 minutes 33 seconds East, a distance of 11.10 feet; thence North 43 degrees 04 minutes 32 seconds West, a distance of 40.00 feet; thence South 72 degrees 40 minutes 24 seconds West, a distance of 11.10 feet to a point on the east right-of-way line of SE Cobey Creek Drive; thence with the east right-of-way line of SE Cobey Creek Drive on a curve to the left having a radius of 225.00 feet, a central angle of 35 degrees 13 minutes 43 seconds, with an initial tangent bearing of North 00 degrees 23 minutes 03 seconds West, an arc distance of 138.40 feet to a point of reverse curvature; thence on a curve to the right continuing with the east right-of-way line of SE Cobey Creek Drive, said curve having a radius of 175.00 feet, a central angle of 37 degrees 43 minutes 25 seconds, an arc distance of 115.22 feet to a point on the south right-of-way line of SE Gillette Street; thence North 47 degrees 05 minutes 50 seconds East, with the south right-of-way line of SE Gillette Street, a distance of 35.36 feet; thence South 87 degrees 54 minutes 10 seconds East, with the south right-of-way line of SE Gillette Street, a distance of 286.08 feet thence North 02 degrees 18 minutes 09 seconds East, with the west line of Lots 152 through 159, and their southerly prolongation, a distance of 616.95 feet to the northwest corner of said Lot 159; thence with the north line of said Lot 159, South 87 degrees 54 minutes 10 seconds East, a distance of 133.30 feet to a point on the west right-of-way line of SE Corbin Drive; thence with the west right-of-way line of SE Corbin Drive, North 02 degrees 30 minutes 29 seconds East, a distance of 196.73 feet; thence with the west right-of-way line of SE Corbin Drive, North 42

degrees 29 minutes 31 seconds West, a distance of 35.36 feet to a point on the south right-of-way line of SE David Road; thence with the south right-of-way line of SE David Road, North 87 degrees 29 minutes 31 seconds West, a distance of 383.87 feet; thence on a curve to the left, with the south right-of-way line of SE David Road, having a radius of 175.00 feet, a central angle of 32 degrees 02 minutes 01 second, an arc distance of 97.84 feet; thence with the south right-of-way line of SE David Road, South 60 degrees 28 minutes 28 seconds West, a distance of 83.53 feet to a point on the west right-of-way line of SE Cobey Creek Drive; thence with the west right-of-way line of SE Cobey Creek Drive, North 29 degrees 31 minutes 32 seconds West, a distance of 167.35 feet; thence on a curve to the left, with the west right-of-way line of SE Cobey Creek Drive, having a radius of 175.00 feet, a central angle of 29 degrees 03 minutes 44 seconds, an arc distance of 88.77 feet; thence with the west right-of-way line of SE Cobey Creek Drive, North 58 degrees 35 minutes 16 seconds West, a distance of 113.85 feet; thence on a curve to the left, with the south right-of-way line of SE Cobey Creek Drive, having a radius of 325.00 feet, a central angle of 15 degrees 25 minutes 04 seconds, an arc distance of 87.46 feet; thence North 15 degrees 59 minutes 40 seconds East, a distance of 50.00 feet to a point on the north right-of-way line of SE Cobey Creek Drive; thence on a curve to the right, with the north right-of-way line of SE Cobey Creek Drive, having a radius of 375.00 feet, a central angle of 07 degrees 46 minutes 30 seconds, an initial tangent bearing of South 74 degrees 00 minutes 20 seconds East, an arc distance of 50.89 feet; thence North 74 degrees 49 minutes 15 seconds East, a distance of 37.82 feet to a point of curvature; thence on a curve to the right, having a radius of 225.00 feet, a central angle of 42 degrees 27 minutes 44 seconds, an initial tangent bearing of North 37 degrees 06 minutes 40 seconds East, an arc distance of 166.75 feet; thence North 10 degrees 25 minutes 36 seconds West, a distance of 140.99 feet; thence North 02 degrees 15 minutes 12 seconds East, a distance of 10.00 feet; thence North 87 degrees 44 minutes 48 seconds West, a distance of 540.78 feet; thence South 02 degrees 15 minutes 12 seconds West, a distance of 154.40 feet; thence North 87 degrees 44 minutes 48 seconds West, a distance of 50.00 feet; thence South 47 degrees 15 minutes 12 seconds West, a distance of 35.36 feet; thence North 87 degrees 44 minutes 48 seconds West, a distance of 110.67 feet; thence South 02 degrees 32 minutes 36 seconds West, a distance of 1463.06 feet to a point on the north right-of-way line of Missouri Highway 150; thence South 87 degrees 54 minutes 12 seconds East, a distance of 1111.70 feet to the point of beginning. The above described tract contains 1,745,473 square feet or 40.07 acres.

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 "Cobey Creek, 2nd Plat, Lots 31-91, 160-184, 297 & Tracts A, B, C, F, I, K, L, M, N & O".

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

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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 will, in accordance with Section 7.340 of the UDO, provide security in a form acceptable to the City 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 development plan and to all applicable requirements of the Code.

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 "Cobey Creek, 2nd Plat, Lots 31-91, 160-184, 297 & Tracts A, B, C, F, I, K, L, M, N & O" attached hereto and incorporated herein by reference as Attachment A.

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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 ____, 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*