

BILL NO. 18-159

AN ORDINANCE VACATING A 100' x 100' PERMANENT CONSTRUCTION EASEMENT ABUTTING LOTS 539 AND 540 OF EAGLE CREEK, 12TH PLAT, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-083 was submitted by the City of Lee's Summit, requesting vacation of a 100' x 100' permanent construction easement abutting Lots 539 and 540 of Eagle Creek, 12th Plat in the City of Lee's Summit, Missouri; and,

WHEREAS, the easement agreement was dedicated between Hunt Midwest Real Estate Development, Inc. and the City and recorded by Document #2011E0081886 on September 6, 2011; and,

WHEREAS, the Planning Commission considered the request on July 10, 2018, 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:

A tract of land in the Northwest Quarter of Section 23, Township 47, Range 32, City of Lee's Summit, Jackson County, Missouri being bounded and described as follows: Commencing at the Northeast corner of said Northwest Quarter; thence North 87°35'47" West along the North line of said Northwest Quarter, 1001.10 feet; thence South 02°24'13" West, 105.00 feet to the Point of Beginning of the tract to be herein described; thence continuing South 02°24'13" West, 100.00 feet; thence North 87°35'47" West, 100.00 feet; thence North 02°24'13" East, 100.00 feet; thence South 87°35'47" East, 100.00 feet to the Point of Beginning.

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.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____day of _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*