

## **BILL NO. 24-183**

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AN ORDINANCE VACATING CERTAIN EASEMENTS LOCATED AT 201 SE GREEN STREET, 211 SE GREEN STREET, & 220 SE GREEN STREET, 200 SE JOHNSON STREET, & 208 SE JOHNSON STREET, 200 SE 3RD STREET IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-083 was submitted by The City of Lee's Summit., requesting vacation of existing easements located at 201 SE Green Street, 211 SE Green Street, & 220 SE Green Street, 200 SE Johnson Street, & 208 SE Johnson Street, 200 SE 3rd Street in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the Lee's Summit City Hall Minor Plat and,

WHEREAS, the Planning Commission considered the request on September 12, 2024 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:

V EXH14 Ingress/Egress Easement

*Ingress/Egress Easement Vacation Description:*

*A release of an existing Ingress/Egress Easement, as established in Minor Plat of Lee's Summit City Hall, Instrument No. 2005I0100791, Book 90, Page 35, all lying in the Southwest Quarter of Section 5, Township 47 North, Range 31 West, in the City of Lee's Summit, Missouri, Jackson County Missouri, being more particularly described by Patrick E. Ward, MO PLS-2005000071, of Olsson, Inc., Missouri LC-366, on June 13, 2024, as follows:*

*BEGINNING at the South corner of Lot 1 of said Minor Plat; thence North 28 degrees 53 minutes 22 seconds West, on the Southwest line of said Lot 1 a distance of 0.76 feet to a point; thence North 61 degrees 09 minutes 06 seconds East, departing said southwest line a distance of 177.15 feet to a point; thence North 28 degrees 51 minutes 47 seconds West a distance of 5.24 feet to a point; thence North 61 degrees 08 minutes 13 seconds East a distance of 29.59 feet to a point; thence North 24 degrees 47 minutes 03 seconds West a distance of 199.61 feet to a point on a non-tangent curve; thence in a Southwesterly and Northwesterly direction, on a curve to the right, whose initial tangent bears South 62 degrees 21 minutes 56 seconds West, having a radius of 32.11 feet, through a central angle of 91 degrees 01 minutes 13 seconds, an arc distance of 51.01 feet to a point; thence North 28 degrees 51 minutes 47 seconds West a distance of 16.35 feet to a point on a non-tangent curve; thence in a Northerly and Northwesterly direction, on a curve to the left, whose initial tangent bears North*

## **BILL NO. 24-183**

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*03 degrees 34 minutes 12 seconds East, having a radius of 77.43 feet, through a central angle of 34 degrees 10 minutes 18 seconds, an arc distance of 46.18 feet to a point; thence North 30 degrees 10 minutes 28 seconds West a distance of 32.65 feet to a point; thence North 64 degrees 43 minutes 46 seconds East a distance of 20.03 feet to a point; thence North 28 degrees 51 minutes 47 seconds West a distance of 17.00 feet to a point; thence North 61 degrees 08 minutes 13 seconds East a distance of 20.04 feet to a point on the Northeast line of said Lot 1; thence South 28 degrees 53 minutes 42 seconds East on said Northeast line distance of 346.36 feet to the Southeast corner of said Lot 1; thence South 60 degrees 58 minutes 38 seconds West, on the Southeast line of said Lot 1 a distance of 241.06 feet to the POINT OF BEGINNING, containing 11,656 Square Feet or 0.2676 acres, more or less.*

### V EXH15 Ingress/Egress Easement

*A release of an existing Ingress/Egress Easement, as established in Minor Plat of Lee's Summit City Hall, Instrument No. 2005I0100791, Book 90, Page 35, all lying in the Southwest Quarter of Section 5, Township 47 North, Range 31 West, in the City of Lee's Summit, Missouri, Jackson County Missouri, being more particularly described by Patrick E. Ward, MO PLS-2005000071, of Olsson, Inc., Missouri LC-366, on June 13, 2024, as follows:*

*BEGINNING at the Northeast corner of Lot 1 of said Minor Plat; thence South 28 degrees 53 minutes 42 seconds East on the Northeast Line of said Lot 1 a distance of 130.33 feet to a point; thence South 61 degrees 06 minutes 05 seconds West, departing said Northeast line a distance of 1.20 feet to a point; thence North 28 degrees 53 minutes 42 seconds West a distance of 108.14 feet to a point; thence North 73 degrees 35 minutes 26 seconds West a distance of 30.74 feet to a point; thence South 61 degrees 43 minutes 02 seconds West a distance of 22.54 feet to a point on the Northwest Line of said Lot 1; thence North 60 degrees 58 minutes 38 seconds East on said Northwest line a distance of 45.37 feet to the POINT OF BEGINNING, containing 403 Square Feet or 0.0093 acres, more or less.*

### V EXH16 Ingress/Egress Easement

*A release of an existing 6.0 foot wide Ingress/Egress Easement, as established in Minor Plat of Lee's Summit City Hall, Instrument No. 2005I0100791, Book 90, Page 35, all lying in the Southwest Quarter of Section 5, Township 47 North, Range 31 West, in the City of Lee's Summit, Missouri, Jackson County Missouri, being more particularly described by Patrick E. Ward, MO PLS-2005000071, of Olsson, Inc., Missouri LC-366, on June 13, 2024, as follows:*

## **BILL NO. 24-183**

---

*BEGINNING at the Northwest corner of Lot 1 of said Minor Plat; thence North 60 degrees 58 minutes 38 seconds East on the Northwest line of said Lot 1 a distance of 6.00 feet to a point; thence South 28 degrees 53 minutes 53 seconds East, departing said Northwest line a distance of 147.45 feet to a point; thence South 60 degrees 57 minutes 43 seconds West a distance of 6.00 feet to a point on the Southwest line of said Lot 1; thence North 28 degrees 53 minutes 53 seconds West, on said Southwest line of Lot 1, a distance of 147.46 feet to the POINT OF BEGINNING, containing 885 Square Feet or 0.0203 acres, more or less.*

SECTION 2. That the following condition of approval applies:

1. The vacation of easements shall become effective immediately at the time of Ordinance approval.

SECTION 3. The vacation of easement shall be in accordance with Legal Description and Exhibits, labeled "Exhibit A", as conditioned above and appended hereto as Attachment A, Attachment B and Attachment C.

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.

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 \_\_\_\_\_, 2024.

ATTEST:

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City Clerk *Trisha Fowler Arcuri*

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*Mayor William A. Baird*

**BILL NO. 24-183**

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APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Mayor *William A. Baird*

ATTEST:

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City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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City Attorney *Brian W. Head*