

BILL NO. 24-020

AN ORDINANCE VACATING A PORTION OF A CERTAIN EASEMENT LOCATED AT 700 NW WARD ROAD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-302 was submitted by Townsend Summit, LLC, requesting vacation of an existing easement located at 700 NW Ward Rd in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via separate document recorded by Document #198210492377 and,

WHEREAS, the Planning Commission considered the request on January 11, 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:

A PERMANENT EASEMENT FOR A METER VAULT WITH TELEMETERING AND WATER TRANSMISSION MAINS LYING WITHIN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 48, RANGE 32, LEE'S SUMMIT, JACKSON COUNTY MISSOURI.

SAID PERMANENT EASEMENT BEGINNING AT A POINT 95.00 FEET NORTH AND 495.33 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 36; THENCE NORTH AT A RIGHT ANGLE TO THE SOUTH LINE OF THE AFORESAID QUARTER SECTION, 87.00 FEET; THENCE WEST, 59.00 FEET; THENCE SOUTH, 87.00 FEET; THENCE EAST PARALLEL TO THE SOUTH LINE OF THE AFORESAID QUARTER SECTION, 59.00 FEET TO THE POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINING 5,133 SQUARE FEET OR 0.118 ACRES, MORE OR LESS. HOWEVER, THE NEW PERMANENT EASEMENT IS SUBJECT TO AN ELECTRIC LINE EASEMENT GRANTED TO MISSOURI PUBLIC SERVICE COMPANY, A CORPORATION; AND A GAS LINE EASEMENT GRANTED TO THE GAS SERVICE COMPANY, A CORPORATION.

SECTION 2. That the following condition of approval applies:

1. The vacation of easement shall become effective immediately at the time of ordinance approval.

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.

BILL NO. 24-020

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.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

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

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*