

BILL NO. 19-126

AN ORDINANCE VACATING A PORTION OF A CERTAIN UTILITY EASEMENT LOCATED AT 1715 NE ABERDEEN DRIVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-123 was submitted by Krueger Homes, LLC, requesting vacation of a portion of a utility easement located on property addressed 1715 NE Aberdeen Drive in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Park Ridge, 4th Plat, Lots 218-243, Tract A4 & Tract B4*, recorded by Document #2013-E-0130021; and,

WHEREAS, the Planning Commission considered the request on May 23, 2019, 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:

The northern 5 feet of the 15-foot utility easement located along the south boundary of Lot 228 of Park Ridge, 4th Plat, Lots 218-243, a subdivision in Lee's Summit, Jackson County, Missouri, recorded in Document No. 2013-E-0130021 of the records of said Jackson County.

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 easement.

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.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

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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 Head*