

## **BILL NO. 21-137**

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AN ORDINANCE VACATING CERTAIN EASEMENTS LOCATED AT 510 NE CHIPMAN ROAD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-060 was submitted by Canyon View Properties, requesting vacation of existing easements located on property addressed 510 NE Chipman Road in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Summit Point Condominium*, recorded by Document #1991-I-1080096; and,

WHEREAS, the Planning Commission considered the request on June 10, 2021, 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:

*Line A*

*A 10 foot Sanitary Sewer Easement as shown on the recorded plat "Summit Point First Plat" in Book 141, Page 60, in the Southwest Quarter of Section 32, Township 48, Range 31 in the City of Lee's Summit, Jackson County, Missouri, 5 feet on each side of the following described centerline:*

*Commencing at the Northeast corner of "Summit Point First Plat"; thence North 89 degrees, 52 minutes, 12 seconds West, along the North line, 204.00 feet to the POINT OF BEGINNING; thence South 0 degrees, 07 minutes, 48 seconds West, leaving the North line, 232.50 feet to the Point of Termination, containing 2325.0 square feet, more or less.*

*Also:*

*Line B*

*Commencing at the Northwest corner of "Summit Point First Plat"; thence South 89 degrees, 52 minutes, 12 seconds East, along the North line, 151.15 feet to the POINT OF BEGINNING; thence South 0 degrees, 07 minutes, 48 seconds West, leaving the North line, 226.01 feet to the Point of Termination, containing 2260.1 square feet, more or less.*

*Also:*

*Line C*

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*A 15 foot strip of land, being the last course of the easement described and recorded in Book 11425 at Page 856, in the Southwest Quarter of Section 32, Township 48, Range 31 in the City of Lee's Summit, Jackson County, Missouri being 7.5 feet on each side of the following described centerline:*

*Commencing at the Northwest corner of "Summit Point First Plat"; thence South 89 degrees, 52 minutes, 12 seconds East, along the North line of "Summit Point First Plat", 148.67 feet to the end of the easement described in Book 11425 at Page 856 and the POINT OF BEGINNING; thence North 47 degrees, 59 minutes, 10 seconds West, along the centerline, 202.23 feet to the Point of Termination, containing 3033.45 square feet, more or less.*

SECTION 2. That the following condition of approval applies:

1. The ordinance approving the vacation of easement shall be recorded with the Jackson County Recorder of Deeds office and a copy of the recorded document shall be returned to the Development Services Department prior to the issuance of a building permit for a swimming pool.

SECTION 3. 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 4. 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 5. 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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

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APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*