

## **BILL NO. 21-207**

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AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED HAWTHORN RIDGE, 3RD PLAT, LOTS 160-204 AND TRACTS F, G & H AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-286, submitted by Clayton Properties Group, Inc., requesting approval of the final plat entitled "Hawthorn Ridge, 3rd Plat, lots 160-204 and Tracts F, G & H", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on July 8, 2021, and rendered a report to the City Council recommending that the plat be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

Section 1. That the final plat entitled "Hawthorn Ridge, 3rd Plat, lots 160-204 and Tracts F, G & H", is a Tract of land lying in the northwest  $\frac{1}{4}$  of Section 25, Township 47 North, Range 32 West, in the City of Lee's Summit, Jackson County, Missouri, bearings are referenced to grid north of the Missouri state plane coordinate system, 1983, west zone, and more particularly described as follows:

*A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 47 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL MERIDIAN IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI AND A PORTION OF TRACT E, HAWTHORN RIDGE 1ST PLAT, A SUBDIVISION OF LAND RECORDED AS DOCUMENT NUMBER 2019E0020897 IN BOOK 182 AT PAGE 83, IN THE JACKSON COUNTY RECORDER OF DEEDS OFFICE BEING BOUNDED AND DESCRIBED UNDER THE DIRECT SUPERVISION OF JASON S. ROUDEBUSH, P.L.S. 2002014092, AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 87°46'49" EAST, ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, 1,326.64 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF SAID SOUTHWEST QUARTER, ALSO BEING THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 02°27'15" EAST, ON THE WEST LINE OF SAID EAST HALF, 952.35 FEET; THENCE LEAVING SAID WEST LINE, NORTH 82°39'37" EAST, 94.74 FEET; THENCE SOUTH 87°20'50" EAST, 139.56 FEET; THENCE SOUTH 78°11'23" EAST, 258.84 FEET; THENCE SOUTH 87°41'24" EAST, 169.42 FEET TO A POINT ON THE PROPOSED WESTERLY LINE OF PROPOSED HAWTHORN RIDGE 2ND PLAT; THENCE SOUTH 87°41'24" EAST ALONG SAID PROPOSED WESTERLY LINE, 75.58 FEET; THENCE SOUTH 02°18'36" WEST, ALONG SAID PROPOSED WESTERLY LINE, 192.00 FEET; THENCE NORTH 87°41'24" WEST, ALONG SAID PROPOSED WESTERLY LINE, 37.00 FEET; THENCE SOUTH 02°18'36" WEST, ALONG SAID PROPOSED WESTERLY LINE, 596.57 FEET; THENCE SOUTH 87°46'49" EAST, ALONG SAID PROPOSED WESTERLY LINE, 50.79 FEET; THENCE SOUTH 02°13'11" WEST, ALONG SAID PROPOSED WESTERLY LINE, 135.00 FEET TO A POINT ON SAID SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 87°46'49" WEST, ON SAID SOUTH LINE, 749.64 FEET TO THE POINT OF BEGINNING. CONTAINING 673,328*

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*SQUARE FEET OR 15.46 ACRES, MORE OR LESS.*

SECTION 2. That the proprietor of the above described tract of land ("Proprietor") has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall hereafter be known as "Hawthorn Ridge, 3rd Plat, lots 160-204 and Tracts F, G & H

SECTION 3. That the roads and streets shown on this plat and not heretofore dedicated to public use as thoroughfares shall be dedicated as depicted on the plat. The City Council hereby authorizes the Director of Development Services, on behalf of the City of Lee's Summit, Missouri, to accept the land or easements dedicated to the City of Lee's Summit for public use and shown on the accompanying plat, upon the subdivider filing and recording a final plat in accordance with Article 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services and the City Clerk that the public improvements have been constructed in accordance with City standards and specifications.

SECTION 4. That the approval granted by this ordinance is done under the authority of Section 89.410.2 of the Revised Statutes of Missouri and Section 7.340 of the UDO because all subdivision-related public improvements required by the UDO have not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor will, in accordance with Section 7.340 of the UDO, provide security in a form acceptable to the City to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the required public improvements are available to each lot for which a building permit is requested in accordance with the Design and Construction Manual.

SECTION 5. That an easement shall be granted to the City of Lee's Summit, Missouri, to locate, construct and maintain or to authorize the location, construction, and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable TV, or any other necessary public utility or services, any or all of them, upon, over, or under those areas outlined or designated upon this plat as "Utility Easements" (U.E.) or within any street or thoroughfare dedicated to public use on this plat. Grantor, on behalf of himself, his heirs, his assigns and successors in interest, shall waive, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), any right to request restoration of rights previously transferred and vacation of any easement granted by this plat.

SECTION 6. That building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be constructed between this line and the street right-of-way line.

SECTION 7. That individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

SECTION 8. That the final plat substantially conforms to the approved preliminary development plan and to all applicable requirements of the Code.

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SECTION 9. That the City Council for the City of Lee's Summit, Missouri, does hereby approve and accept, as a subdivision to the City of Lee's Summit, Missouri, the final plat entitled "Hawthorn Ridge, 3rd Plat, lots 160-204 and Tracts F, G & H attached hereto and incorporated herein by reference.

SECTION 10. 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 for the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

ATTEST:

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

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

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

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