

BILL NO. 21-35

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED MONTICELLO 4TH PLAT, LOTS 109-153 & TRACTS K-N, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2020-103, submitted by Engineering Solutions, LLC., requesting approval of the final plat entitled "Monticello 4th Plat, Lots 109-153 & Tracts K-N", 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 August 13, 2020, 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 "Monticello 4th Plat, Lots 109-153 & Tracts K-N" is a subdivision in the Southwest $\frac{1}{4}$ of Section 4 and part of the Southeast $\frac{1}{4}$ of 5, Township 48N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

A tract of land located in part of the Southwest $\frac{1}{4}$ of Section 4 and part of the Southeast $\frac{1}{4}$ of 5, Township 48 North, Range 31 West, more particularly described as follows:

Commencing at the West $\frac{1}{4}$ corner of said Section 4; thence S 2°19'20" W along the West line of the Southwest Quarter of Said Section 4, a distance of 1320.79 feet to the Point of Beginning; thence N 87°58'48" W, a distance of 200.02 feet; thence S 2°19'17" W, a distance of 278.36 feet To a point on the North line of Tract I of Monticello 3rd Plat, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri; thence S 41°46'05" E along said North line, a distance of 264.12 to a point of curvature; thence along a curve to the left having an initial tangent bearing of S 23°11'29" W and a radius of 515.00', an arc distance of 571.17 feet to a point on the North line of said Monticello 3rd Plat; thence S 64°06'01" E along the North line of Lot 86 of said Monticello 3rd Plat, a distance of 34.69 feet; thence S 88°04'12" E along the North line of Lots 86-88 of said Monticello 3rd Plat, a distance of 177.07 feet; thence N55°21'03 E, a distance of 60.00 feet to a point of curvature; thence along a curve to the right having an initial tangent bearing of S 34°39'19" E and a radius of 280.00 feet, an arc distance of 42.32 feet to the Northwest corner of Lot 89 of said Monticello 3rd Plat; thence S 88°04'12" E along the North line of Lots 89-91 of said Monticello 3rd Plat a distance of 352.38 feet to a point of curvature; thence along a curve to the right having an initial tangent bearing of S 6°57'39" E and a radius of 438.00 feet, an arc distance of 39.15 feet to the Northwest corner of Lot 92 of said Monticello 3rd Plat; thence N 88°46'58" E, a distance of 132.51 feet to the Northeast corner of said lot 92; thence along a curve to the left having an initial tangent bearing of N 1°41'43" W and a radius of 570.50 feet, an arc distance of 305.94 feet, said curve being along the West line of Lots 104-108 of said Monticello 3rd Plat; thence N 32°25'16" W along the West line of Lots 103-104 of said Monticello 3rd Plat, a distance of 117.12 feet to a point of curvature; thence along a curve to the left tangent to the preceding course and being the West line of said Lot 103, and having a radius of 507.50 feet, an arc distance of 45.46 feet; thence N 25°42'50" E along the North line of said Lot 103, a distance of 119.60

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feet; thence N 52°51'25" E along the North line of Lots 102-103 of said Monticello 3rd Plat, a distance of 103.87 feet; thence N 70°17'13" E along the North line of said Lot 102, a distance of 14.54 feet to a point on the West line of Tract C of Monticello 2nd Plat, a subdivision as recorded in Office of the Recorder, Jackson County, Missouri; thence N 19°10'48" W along said West line, a distance of 144.64 feet to the Northwest corner of Lot 29 of said Monticello 2nd Plat; thence along a curve to the right having an initial tangent bearing of S 70°49'12" W and a radius of 330.00 feet, an arc distance of 15.23 feet; thence N 16°32'09" W, a distance of 195.00 feet to the Northwest corner of Lot 30 of said Monticello 2nd Plat; thence N 62°26'03" E along the North line of said Lot 30, a distance of 51.66 feet; thence N 51°24'15" E along the North line of Lots 30-32 of said Monticello 2nd Plat, a distance of 130.35 feet; thence N 29°55'19" E, a distance of 25.64 feet to the Northwest corner of Tract B of said Monticello 2nd Plat; thence N 87°58'48" W, a distance of 826.53 feet to the Point of Beginning.

Containing 849,940.23 sq. ft. 19.51 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 "Monticello 4th Plat, Lots 109-153 & Tracts K-N".

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

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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 plat and to all applicable requirements of the Code.

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 "Monticello 4th Plat, Lots 109-153 & Tracts K-N", 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.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*