

## **BILL NO. 20-02**

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AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR A PORTION OF NE RALPH POWELL ROAD ABUTTING 800 NE LONE HILL DRIVE, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the right-of-way was established by the final plat (Appl. #2006-010) titled *Estates of Chapel Ridge, 1<sup>st</sup> Plat, Lots 1-23*, recorded with the Jackson County Recorder of Deeds office by Instrument No. 2006-E-0130148; and,

WHEREAS, Application #PL2019-383, submitted by Engineering Solutions, LLC, requesting vacation of the right-of-way, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on December 12, 2019, and rendered a report to the City Council containing findings of fact and recommending that the requested vacation of right-of-way be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on January 7, 2020, and rendered a decision to vacate said right-of-way.

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

SECTION 1. That the following described right-of-way is hereby and herewith vacated:

*DESCRIPTION: ALL OF THE PLATTED RIGHT OF WAY OF NE RALPH POWELL ROAD, AS SHOWN ON THE RECORDED PLAT THE ESTATES OF CHAPEL RIDGE - 1ST PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*COMMENCING AT THE NORTHEAST CORNER OF LOT 23 OF SAID THE ESTATES OF CHAPEL RIDGE - 1ST PLAT, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF S 6°54'18" W AND A RADIUS OF 350.00 FEET, AN ARC DISTANCE OF 31.03 FEET; THENCE S 01°49'33" W, A DISTANCE OF 76.72 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 14.00 FEET, AN ARC DISTANCE OF 21.99 FEET; THENCE S 88° 10' 46" E, A DISTANCE OF 78.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N 88°10'46" W AND HAVING A RADIUS OF 14.00 FEET, AN ARC DISTANCE OF 21.99 FEET; THENCE N 01° 49' 33" E, A DISTANCE OF 76.72 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 300.00 FEET, AN ARC DISTANCE OF 31.34 FEET; THENCE N 82° 11' 19" W, A DISTANCE OF 50.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF S 7°48'43" W AND A RADIUS OF 350.00 FEET, AN ARC DISTANCE OF 5.54 FEET TO THE POINT OF BEGINNING.*

*THE ABOVE DESCRIBED LEGAL DESCRIPTION CONTAINS 6,317.85 SQUARE FEET.*

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SECTION 2. That the following conditions of approval apply:

1. The vacation of right-of-way shall not go into effect until such time as the existing public infrastructure is removed in a manner acceptable to the City.

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 for 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 \_\_\_\_\_, 2020.

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

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

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