

BILL NO. 24-182

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED, "LEE'S SUMMIT MARKET PLAZA, LOTS 1-4", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-081, submitted by The City of Lee's Summit., requesting approval of the final plat entitled "Lee's Summit Market Plaza, Lot 1-4", 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 September 12, 2024, 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 "Lee's Summit Market Plaza, Lot 1-4", is a subdivision in the Southwest Quarter of Section 5, Township 47 North, Range 31 West, in Lee's Summit, Missouri more particularly described as follows:

Property Description

All of Lot 1, Lee's Summit City Hall, together with all of Lots 5 through 10, together with part of Lot 4, together with all of the adjacent 20-foot-wide Alley, together with all of Green Street right of way, all in Block 18 of W.B. Howard's Addition to the Town of Strother, both subdivisions in the City of Lee's Summit, Jackson County, Missouri, lying in the Southwest Quarter of Section 5, Township 47 North, Range 31 West, described by Patrick Ethan Ward, PLS-2005000071 of Olsson, Inc., LC-366, on April 3, 2024, as follows:

COMMENCING at the Southeast corner of Lot 1, Block 18 of said W.B. Howard's Addition to the Town of Strother, being the intersection of the Northwestern right of way line of 3rd Street and the Southwesterly right of way line of Johnson Street, as both are now established; thence North 29 degrees 04 minutes 41 seconds West on said Southwesterly right of way line a distance of 124.71 feet to the POINT OF BEGINNING; thence South 61 degrees 04 minutes 19 seconds West, through Lot 1 and Lot 2 of said Block 18, W.B. Howard's Addition to the Town of Strother a distance of 160.78 feet to the Southwesterly line of Lot 2; thence North 28 degrees 53 minutes 42 seconds West, on said Southwesterly line of said Lot 2 a distance of 86.39 feet to a point; thence South 61 degrees 04 minutes 19 seconds West, departing said Southwesterly line of Lot 2, through said Lots 3 & 4 a distance of 106.95 feet to a point; thence South 23 degrees 26 minutes 04 seconds West, a distance of 28.60 feet to a point; thence South 28 degrees 53 minutes 42 seconds East a distance of 194.12 feet to a point on the Southeasterly line of said Lot 4 and said Northwestern right of way line; thence South 60 degrees 58 minutes 38 seconds West, on said Northwestern right of way line a distance of 411.25 feet to the Southwesterly corner of said Lot 1 of Lees Summit City Hall; thence North 28 degrees 53 minutes 42 seconds West a distance of 522.80 feet to a point on the Southeasterly right of way line of 2nd Street, as now established, being the Northwestern corner of said Lot 1 of said Lees Summit City Hall; thence North 60 degrees 57 minutes 02 seconds East, on said Southeasterly right of way line a distance of 241.06 feet to the

BILL NO. 24-182

Northeasterly corner of said Lot 1 of Lees Summit City Hall; thence South 28 degrees 53 minutes 42 seconds East a distance of 2.71 feet to the Westerly extension of the Southeasterly right of way line of said 2nd Street; thence North 60 degrees 57 minutes 02 seconds East on said Southeasterly right of way line, a distance of 60.00 feet to the Northeasterly right of way line of Green Street; thence continuing North 60 degrees 57 minutes 02 seconds East, continuing on said Southeasterly right of way line a distance of 399.29 feet to a point on said Southwesterly right of way line; thence South 29 degrees 04 minutes 41 seconds East, on said Southwesterly right of way line a distance of 395.70 feet to the POINT OF BEGINNING, containing 318,183 square feet or 7.3035 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 "Lee's Summit Market Plaza, Lot 1-4"

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.

BILL NO. 24-182

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.

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 "Lee's Summit Market Plaza, Lot 1-4" attached hereto and incorporated herein by reference as Attachment A.

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 _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said City this ____ day of _____, 2024.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*