

## BILL NO. 25-063

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AN ORDINANCE VACATING A PORTION OF SW JEFFERSON STREET RIGHT-OF-WAY AND MISCELLANEOUS RIGHT-OF-WAY LOCATED SOUTH OF SW OLDHAM PARKWAY (ABUTTING 101 SW OLDHAM PARKWAY); AND A PORTION OF SW MARKET STREET NORTH OF SW PERSELS ROAD (ABUTTING 1300, 1302 AND 1304 SW MARKET STREET), IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-218, 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 March 13, 2025, 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 April 8, 2025, and rendered a decision to vacate said right-of-way.

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

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

SW Jefferson St

*A tract of land being located in Section 8, Township 47, Range 31 in Lee's Summit, Jackson County, Missouri, being more particularly described as follows:*

*Commencing at the Southwest corner of said Section 8; thence S87°43'36"E, a distance of 40.95 feet, along the south line of said Section 8; thence N2°16'24"E, a distance of 772.60 feet to the Point of Beginning; thence N2°32'33"E, a distance of 324.89 feet; thence N2°32'32"E, a distance of 213.84 feet; thence N24°19'04"E, a distance of 47.09 feet; thence N87°50'52"E, a distance of 104.46 feet; thence S3°13'41"W, a distance of 16.70 feet; thence N88°06'24"W, a distance of 185.12 feet; thence S2°24'43"W, a distance of 25.00 feet; thence S88°06'24"E, a distance of 204.20 feet; thence S2°32'24"W, a distance of 286.35 feet; thence along a curve to the right having an Initial Tangent Bearing of S32°34'12"E and a radius of 330.00 feet, an arc distance of 202.23 feet; thence S2°32'32"W, a distance of 64.15 feet; thence S87°48'18"E, a distance of 8.00 feet to the Point of Beginning.*

*Tract Contains 33,819.28 sq. ft. (0.776 acres);*

*And*

SW Market St – Tract A

*A tract of land being located in Section 8, Township 47, Range 31 in Lee's Summit, Jackson County, Missouri, being more particularly described as follows:*

*Commencing at the Southwest corner of said Section 8; thence S87°43'36"E, a distance of 398.91 feet, along the south line of said Section 8; thence N2°16'24"E, a distance of 407.15 feet to the Point of Beginning; thence N6°07'34"W, a distance of 98.68 feet; thence N87°49'44"W, a distance of 113.12 feet; thence along a curve to the left having an Initial*

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*Tangent Bearing of S10°01'45"E and a radius of 2230.48 feet, an arc distance of 100.17 feet; thence S87°41'33"E, a distance of 104.00 feet to the Point of Beginning.*

*Tract A contains 10,622.01 sq. ft. (0.24 acres);*

*And*

### *SW Market St – Tract B*

*A tract of land being located in Section 8, Township 47, Range 31 in Lee's Summit, Jackson County, Missouri, being more particularly described as follows:*

*Commencing at the Southwest corner of said Section 8; thence S87°43'36"E, a distance of 398.91 feet, along the south line of said Section 8; thence N2°16'24"E, a distance of 407.15 feet; thence N6°07'34"W, a distance of 98.68 feet to the Point of Beginning; thence N6°07'34"W, a distance of 97.39 feet; thence N87°14'52"W, a distance of 117.14 feet; thence along a curve to the left having an Initial Tangent Bearing of S6°28'09"E and a radius of 1946.24 feet, an arc distance of 46.19 feet; thence along a curve to the left having an Initial Tangent Bearing of S8°40'00"E and a radius of 2230.48 feet, an arc distance of 53.04 feet; thence S87°49'44"E, a distance of 113.12 feet to the Point of Beginning.*

*Tract B contains 11,209.81 sq. ft. (0.26 acres).*

SECTION 2. That the following conditions of approval apply:

1. The vacation of the portion of SW Jefferson St right-of-way shall not go into effect until such time as the City accepts the public improvements for the realigned intersection of SW Jefferson St and SW Oldham Pkwy.
2. The vacation of the portion of SW Market St right-of-way described as Tract A shall become effective immediately.
3. The vacation of the portion of SW Market St right-of-way described as Tract B shall not go into effect until such time as the private drive providing access to 1304 SW Market St from SW Jefferson St is constructed and the affected segment of SW Market St pavement is removed.

SECTION 3. That the vacation of rights-of-way for SW Jefferson St and SW Market St shall be in accordance with the exhibits and legal descriptions respectively dated December 12, 2024, and March 19, 2025, and appended hereto as Attachment A and Attachment B and made a part hereof.

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 for 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.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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

ATTEST:

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

APPROVED AS TO FORM:

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