

BILL NO. 24-043

AN ORDINANCE VACATING A PORTION OF A CERTAIN EASEMENT LOCATED AT 1020 NW PRYOR ROAD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-006 was submitted by Engineering Solutions, LLC, requesting vacation of an existing easement located at 1020 NW Pryor Rd in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Streets of West Pryor, Lots 1 thru 14, Tracts A, B, C & D* recorded by Instrument #2019E0032538 and,

WHEREAS, the subject property was subsequently re-platted as Lot 13-A of the plat titled *Streets of West Pryor, Lots 13-A and 14-A* recorded by Instrument #2023E0088100 and,

WHEREAS, the Planning Commission considered the request on February 22, 2024, and rendered a report to the City Council recommending that the vacation of easement be approved; and,

WHEREAS, the City Council for the City of Lee's Summit has determined that no damages are ascertainable by reason of such vacation.

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

SECTION 1. That the following described easement is hereby and herewith vacated:

A tract of land being located in Streets of West Pryor, Lots 13-A & 14-A, a plat as recorded in the Office of the Recorder, Jackson County, Missouri, being more particularly described as follows:

Commencing at the southeast corner of Lot 13-A of said Streets of West Pryor; thence N 2° 27' 16" E, A distance of 30.31 feet; thence N 15° 22' 47" E, a distance of 30.83 feet; thence N 72° 02' 28" W, a distance of 72.99 feet to the point of beginning; thence N 72° 02' 28" W, a distance of 106.55 feet; thence N 17° 57' 32" E, a distance of 32.00 feet; thence S 72° 02' 28" E, a distance of 91.22 feet; thence S 7° 37' 56" E, a distance of 35.48 feet; feet to the Point of Beginning.

Said Tract contains 3,146.23 Sq. Ft. more or less.

SECTION 2. That the following condition of approval applies:

1. The ordinance approving the vacation of easement shall be recorded with the Jackson County Recorder of Deeds office and a copy of the recorded document shall be returned to the Development Services Department prior to the issuance of a building permit for Lot 13-A, Streets of West Pryor.

SECTION 3. The vacation of easement shall be in accordance with Legal Description and Exhibit, as conditioned above and appended hereto as Attachment A.

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SECTION 4. That upon the effective date of the vacation of the easement described in Section 1 above, the City releases all right, title and interest in and to the City owned infrastructure located within the easements.

SECTION 5. 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 of the County in which the property is located.

SECTION 6. 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 _____, 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*