

BILL NO. 20-205

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN LEE'S SUMMIT R-7 SCHOOL DISTRICT, AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR THE DEVELOPMENT OF MIDDLE SCHOOL #4.

WHEREAS, on July 23, 2020 the Lee's Summit Planning Commission approved application PL2020-134 which approved the preliminary development plan for a new Middle School #4, which was subject to the Developer entering into a development agreement with the City to provide for certain Public Improvements which are necessary for the development; and,

WHEREAS, condition #5 of the Planning Commission approval provides that the Developer shall execute a development agreement with the City to address road improvements recommended in the Transportation Impact Analysis that was prepared for the project, off-site sanitary sewer improvements, future sanitary sewer and water main extensions to the plat boundary and a future box culvert, and that no building permits shall be issued until written proof is provided to the City that the development agreement has been recorded with the Jackson County Recorder of Deeds; and,

WHEREAS, on October 29, 2020 the School Board of the Lee's Summit R-7 School District approved a development agreement to provide for the construction of public improvements for the Project; and,

WHEREAS, the City Council desires to approve a development agreement to provide for the construction of public improvements for the Project.

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

SECTION 1. The Development Agreement for the Bailey Road Middle School which is attached hereto as Exhibit A and incorporated herein by reference (the "Agreement"), is hereby approved and the City Manager is authorized and directed to execute the Agreement in substantial compliance with the attached Agreement.

SECTION 2. The Mayor and City officers and agents of the City are each hereby authorized and directed to take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and the Development Agreement.

SECTION 3. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, 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 _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A

DEVELOPMENT AGREEMENT

[*ATTACHED*]