

## **BILL NO. 24-213**

---

AN ORDINANCE VACATING A 15.6'-WIDE, 140'-LONG STRIP OF RIGHT-OF-WAY LOCATED ALONG SW 1<sup>ST</sup> STREET, ADJACENT TO 101 SW MARKET ST, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the subject alley right-of-way was dedicated via the 1865 Plat of the Town of Strother; and,

WHEREAS, Application #PL2024-233, submitted by Wineteer Construction on behalf of Grace Community Church, 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 November 14, 2024, 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 December 10, 2024, 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:

*PART OF THE SOUTHERLY RIGHT OF WAY OF WEST 1ST STREET, BETWEEN THE EASTERLY RIGHT OF WAY OF SW MARKET ST AND THE EXISTING 20 FT ALLEY, AND THE NORTH LINE OF LOT 14, BLOCK 5, OF THE CITY OF LEE'S SUMMIT FORMERLY TOWN OF STROTHER, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*BEGINNING AT THE NORTHWEST CORNER OF LOT 14, BLOCK 5, CITY OF LEE'S SUMMIT, FORMERLY TOWN OF STROTHER, THENCE NORTH 28°54'23" WEST, ALONG THE PROJECTION OF THE EASTERLY RIGHT OF WAY OF SW MARKET STREET, A DISTANCE OF 15.60 FEET; THENCE NORTH 60°02'39" EAST, BEING PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 14, BLOCK 5, A DISTANCE OF 131.79 FEET; THENCE SOUTH 79°02'33" EAST, A DISTANCE OF 10.72 FEET; THENCE SOUTH 28°54'23" EAST, ALONG THE PROJECTION OF THE WESTERLY RIGHT OF WAY OF THE EXISTING 20 FT ALLEY, BEING ALSO THE PROJECTION OF THE EASTERLY LINE OF SAID LOT 14, BLOCK 5, A DISTANCE OF 8.58 FEET, TO THE NORTHEAST CORNER OF SAID LOT 14, BLOCK 5; THENCE SOUTH 60°02'39" WEST, ALONG THE NORTH LINE OF SAID LOT 14, BLOCK 5, A DISTANCE OF 140.02 FEET, TO THE POINT OF BEGINNING. CONTAINING 2,155 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.*

**BILL NO. 24-213**

---

SECTION 2. That the following conditions of approval apply:

1. A 10'-wide easement shall be retained running the length of the vacated segment to cover the existing infrastructure located within the subject right-of-way.
2. The ordinance approving the vacation of right-of-way 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.

SECTION 3. That the vacation of right-of-way shall be in accordance with the exhibit dated September 27, 2024 and legal description dated September 12, 2024, appended hereto as Attachment A and Attachment B 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.

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*