

BILL NO.

AN ORDINANCE VACATING A PORTION OF A CERTAIN EASEMENT LOCATED AT 1900 AND 1920 NE DISCOVERY AVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2025-082 was submitted by DPLS P1, LLC, requesting vacation of a portion of an existing easement located at 1900 and 1920 NE Discovery Ave in Lee's Summit, Missouri; and,

WHEREAS, a 30' utility easement was dedicated to the City of Lee's Summit via the plat titled *The Village at Discovery Park, Lots 1-13 and Tracts A & B* by Instrument #2023-E-0089550; and,

WHEREAS, the Planning Commission considered the request on August 28, 2025, and rendered a report to the City Council recommending that the vacation of easements 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 portion of easement is hereby and herewith vacated:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 48 NORTH, LEE'S SUMMIT, JACKSON COUNTY, MISSOURI AND BEING ALL OF A 30.00 FOOT UTILITY EASEMENT AND BEING PART OF LOT 5 AND 7 OF VILLAGE AT DISCOVERY PARK RECORDED IN PLAT BOOK I214, PAGE 86 AND BEING DESCRIBED BY QUIT-CLAIM DEED RECORDED IN DOCUMENT NO. 2024E0011831 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 7, SAID POINT BEING ON THE WEST LINE OF TRACT B AS SHOWN ON SAID VILLAGE OF DISCOVERY PARK PLAT AND WITH SAID WEST LINE, S 1°27'30"W, 22.36 FEET TO THE SOUTH LINE OF SAID 30.00 FOOT UTILITY EASEMENT, SAID POINT ALSO BEING THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID WEST LINE AND WITH SAID SOUTH LINE, N 88°32'30"W, 33.50 FEET TO THE SOUTHWEST CORNER OF SAID UTILITY EASEMENT; THENCE LEAVING SAID SOUTH LINE AND WITH THE WEST LINE OF SAID UTILITY EASEMENT, N 1°27'30"E, 30.00 FEET TO THE NORTHWEST CORNER OF SAID UTILITY EASEMENT; THENCE LEAVING SAID WEST LINE AND WITH THE NORTH LINE OF SAID UTILITY EASEMENT, S 88°32'20"E, 80.49 FEET TO THE NORTHEAST CORNER OF SAID UTILITY EASEMENT; THENCE LEAVING SAID NORTH LINE AND WITH THE EAST LINE OF SAID UTILITY EASEMENT, S 1°27'30"W, 30.00 FEET TO THE SOUTHEAST CORNER OF SAID UTILITY EASEMENT; THENCE LEAVING SAID EAST LINE AND WITH SAID SOUTH LINE, N 88°32'30"W, 46.99 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,415 SQUARE FEET.

BILL NO.

SECTION 2. That the following conditions of approval apply:

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 any structure conflicting with the location of the subject vacated easement.

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

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 _____, 2025.

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*

BILL NO.

APPROVED AS TO FORM:

City Attorney *Brian Head*