

BILL NO. 20-112

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED JOURNEY CHURCH, LOT 1 & TRACT A, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2020-062, submitted by BHC Rhodes, requesting approval of the final plat entitled "Journey Church, Lot 1 & Tract A", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on May 14, 2020, and rendered a report to the City Council recommending that the plat be approved.

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

SECTION 1. That the final plat entitled "Journey Church, Lot 1 & Tract A" is a subdivision in the Northeast Quarter of the Northwest Quarter of Section 36, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

A Tract of land, lying and situated in the Northeast Quarter of the Northwest Quarter of Section 36, Township 47 North, Range 32 West of the Fifth Principal Meridian, in the City of Lee's Summit, Jackson County, Missouri, being inclusive of a parcel previously described in a Warranty Deed recorded as Instrument Number 2013E0129283 and a parcel previously described in a Warranty Deed recorded as Instrument Number 2019E006107, said Tract as surveyed by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, being more particularly described by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of the Northwest Quarter of said Section 36, having a bearing of North 87° 53' 32" West as determined by Global Positioning System observations and reference to the Missouri State Plane Coordinate System, West Zone, NAD83.)

Commencing at the Northeast Corner of the Northwest Quarter of said Section 36, monumented by a reinforcing rod with a 2 inch aluminum cap;

Thence North 87° 53' 32" West, 384.34 feet, on the North line of said Northwest Quarter, to its intersection with the Northerly prolongation of the East line of said Instrument Number 2019E006107;

Thence South 02° 16' 04" West, 70.04 feet, on said Northerly prolongation, to its intersection with South Right-of-Way line of Missouri 150 Highway and the POINT OF BEGINNING of said Tract herein described, monumented by a 1/2 inch reinforcing rod with cap (MO CLS 2006009875-F);

Thence South 02° 16' 04" West, 1247.78 feet, on said East line, to its intersection with the South line of the North Half of the Northwest Quarter, monumented by a found 5/8 inch reinforcing rod;

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Thence North 87° 53' 19" West, 767.24 feet, on said South line of said North Half, to the West line of a Tract described in said Instrument Number 2013E0129283, monumented by a found 1/2 inch reinforcing rod with a cap stamped L.S. 1508;

Thence North 02° 12' 18" East, 1258.02 feet, on said West line, to its intersection with the South Right-of-Way of Missouri 150 Highway, monumented by a reinforcing rod with a 2 inch aluminum cap stamped MODOT L.S. 2554;

Thence South 89° 04' 04" East, 163.48 feet, on said Right-of-Way line, to a reinforcing rod with a 2 inch aluminum cap stamped MODOT L.S. 2554;

Thence South 84° 50' 28" East, 270.42 feet, on said Right-of-Way line, to a reinforcing rod with a 2 inch aluminum cap stamped MODOT L.S. 2554;

Thence South 01° 58' 44" West, 15.00 feet, on said Right-of-Way line, to a reinforcing rod with a 2 inch aluminum cap stamped MODOT L.S. 2554;

Thence South 88° 01' 16" East, 50.00 feet, on said Right-of-Way line, to a reinforcing rod with a 2 inch aluminum cap stamped MODOT L.S. 2554;

Thence North 01° 58' 44" East, 15.00 feet, on said Right-of-Way line, to a reinforcing rod with a 2 inch aluminum cap stamped MODOT L.S. 2554;

Thence South 88° 01' 16" East, 285.10 feet, on said Right-of-Way line, to the POINT OF BEGINNING, said Tract containing 960,994 square feet or 22.0614 acres.

SECTION 2. That the proprietor of the above described tract of land ("Proprietor") has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall hereafter be known as "Journey Church, Lot 1 & Tract A".

SECTION 3. That the roads and streets shown on this plat and not heretofore dedicated to public use as thoroughfares shall be dedicated as depicted on the plat. The City Council hereby authorizes the Director of Development Services, on behalf of the City of Lee's Summit, Missouri, to accept the land or easements dedicated to the City of Lee's Summit for public use and shown on the accompanying plat, upon the subdivider filing and recording a final plat in accordance with Article 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services and the City Clerk that the public improvements have been constructed in accordance with City standards and specifications.

SECTION 4. That the approval granted by this ordinance is done under the authority of Section 89.410.2 of the Revised Statutes of Missouri and Section 7.340 of the UDO because all subdivision-related public improvements required by the UDO currently exist.

SECTION 5. That an easement shall be granted to the City of Lee's Summit, Missouri, to locate, construct and maintain or to authorize the location, construction, and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable TV, or any other necessary public utility or services, any or all of them, upon, over, or under those areas outlined or designated upon this

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plat as "Utility Easements" (U.E.) or within any street or thoroughfare dedicated to public use on this plat. Grantor, on behalf of himself, his heirs, his assigns and successors in interest, shall waive, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), any right to request restoration of rights previously transferred and vacation of any easement granted by this plat.

SECTION 6. That building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be constructed between this line and the street right-of-way line.

SECTION 7. That individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

SECTION 8. That the final plat substantially conforms to the approved preliminary plat and to all applicable requirements of the Code.

SECTION 9. That the City Council for the City of Lee's Summit, Missouri, does hereby approve and accept, as a subdivision to the City of Lee's Summit, Missouri, the final plat entitled "Journey Church, Lot 1 & Tract A", attached hereto and incorporated herein by reference.

SECTION 10. 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 for 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*