

BILL NO. 21-90

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 2051 AND 2061 NW LOWENSTEIN DRIVE AND 740 NW PRYOR ROAD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-237 was submitted by Engineering Solutions, LLC, requesting vacation of an existing easement located at 2051 and 2061 NW Lowenstein Dr and 740 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 1-14 and Tracts A, B, C, and D*, recorded by Document #2019E0032538; and,

WHEREAS, the Planning Commission considered the request on April 8, 2021, 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:

All of the platted utility easement across part of Lots 1, 2 and Tract "D", as shown on the recorded Plat of Streets of West Pryor Lots 1 thru 14, Tracts "A", "B", "C", & "D", a Platted Subdivision of land in the City of Lee's Summit, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Northwest corner of said Lot 2; Thence N 64°12'25" E along the North Line of said Lot 2, a distance of 48.80 feet to the Point of Beginning of the 20.00 foot easement being 10.00 feet on either side of the following described centerline; thence S 25°47'35" E, a distance of 8.50 feet; thence S 9°53'32" E, a distance of 75.90 feet; thence S 66°12'33" W, a distance of 21.49 feet; thence S 29°05'55" E, a distance of 194.82 feet to a point on the North Line of said Tract "D"; thence S 29°05'55" E, a distance of 53.90 feet to the Point of Termination.

The above described legal description contains 7,092 square feet.

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 sign permit or building permit.

SECTION 3. 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.

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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 of 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 _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*