

BILL NO. 17-238

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "LEGACY WOOD, 6TH PLAT, LOTS 200-245 AND TRACTS J, K & L", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2016-092, submitted by Wood Family Development, requesting approval of the final plat entitled "Legacy Wood, 6th Plat, Lots 200-245 and Tracts J, K & L", was referred to the Planning Commission as required by the Unified Development Ordinance No. 5209; and,

WHEREAS, the Planning Commission considered the final plat on July 26, 2016, 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 "Legacy Wood, 6th Plat, Lots 200-245 and Tracts J, K & L" is a subdivision in Section 2, Township 47, Range 31, in Lee's Summit, Missouri more particularly described as follows:

PART OF A TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 200310061380 IN THE OFFICE OF THE RECORDER OF DEEDS IN JACKSON COUNTY, MISSOURI, BEING PART OF THE NORTHWEST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 47, RANGE 31, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 2, AFORESAID, RUN SOUTH 87°54'47" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 454.89 FEET; THENCE SOUTH 87°55'10" EAST ALONG SAID NORTH LINE OF THE NORTHEAST QUARTER, 867.30 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, AFORESAID, AND BEING THE NORTHWEST CORNER OF WILDFLOWER 2ND PLAT, A SUBDIVISION OF LAND PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 2°24'53" WEST ALONG THE WEST LINE OF SAID WILDFLOWER 2ND PLAT, 586.16 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING SOUTH 2°24'53" WEST ALONG SAID WEST LINE OF WILDFLOWER 2ND PLAT AND WILDFLOWER, A SUBDIVISION OF LAND PREVIOUSLY PLATTED AND RECORDED, 689.50 FEET; THENCE NORTH 88°05'28" WEST, 1318.41 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2; THENCE SOUTH 2°14'38" WEST ALONG SAID WEST LINE, 92.66 FEET TO THE NORTHEASTERLY CORNER OF LOT 33 IN LEGACY WOOD 1ST PLAT, A SUBDIVISION OF LAND PREVIOUSLY PLATTED AND RECORDED; THENCE NORTH 55°06'47" WEST, 78.16 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF NE MARYWOOD LANE AS PLATTED IN LEGACY WOOD 1ST PLAT; THENCE NORTH 34°53'13" EAST ALONG SAID RIGHT-OF-WAY LINE, 30.00 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET, A CHORD BEARING OF NORTH 39°11'03" EAST, AND AN ARC LENGTH OF 26.25 FEET; THENCE NORTH 46°31'07" WEST ALONG THE EAST END OF SAID RIGHT-OF-WAY, 50.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID NE MARYWOOD LANE; THENCE ALONG SAID RIGHT-OF-WAY LINE ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 225.00 FEET, A CHORD BEARING OF SOUTH 41°51'46" WEST, AND AN ARC LENGTH OF 12.71 FEET TO THE SOUTHEASTERLY CORNER OF LOT 32 IN SAID LEGACY WOOD 1ST PLAT; THENCE NORTH 49°45'21" WEST ALONG THE WESTERLY LINE OF SAID LOT 32, 67.45 FEET TO THE SOUTHERLY MOST CORNER OF LOT 42 IN LEGACY WOOD 2ND PLAT, A SUBDIVISION OF LAND PREVIOUSLY PLATTED AND RECORDED; THENCE NORTH 57°23'47" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 42, 108.35 FEET; THENCE NORTH 17°03'31" WEST ALONG THE EAST LINES OF LOTS 42, 43 AND 44, 350.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF NE LEGACY WOOD DRIVE AS PLATTED IN LEGACY WOOD 2ND PLAT; THENCE NORTH 63°09'13" EAST ALONG

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SAID RIGHT-OF-WAY LINE AND AN EXTENSION THEREOF, 68.71 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 525.00 FEET, A CHORD BEARING OF NORTH 55°45'34" EAST, AND AN ARC LENGTH OF 135.50 FEET; THENCE NORTH 48°21'56" EAST, 50.20 FEET; THENCE SOUTH 2°04'28" WEST, 85.00 FEET; THENCE SOUTH 14°13'04" EAST, 128.00 FEET; THENCE NORTH 74°20'47" EAST, 110.00 FEET; THENCE NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 225.00 FEET, A CHORD BEARING OF NORTH 9°59'29" WEST, AND AN ARC LENGTH OF 44.47 FEET; THENCE NORTH 85°40'16" EAST, 50.00 FEET, THENCE SOUTH 87°55'32" EAST, 151.71 FEET; THENCE NORTH 2°04'28" EAST, 240.00 FEET; THENCE SOUTH 87°55'32" EAST, 130.00 FEET; THENCE NORTH 2°04'28" EAST, 16.65 FEET; THENCE SOUTH 87°55'32" EAST, 180.00 FEET; THENCE SOUTH 2°04'28" WEST, 83.33 FEET; THENCE SOUTH 87°55'32" EAST, 440.00 FEET; THENCE NORTH 2°04'28" EAST, 43.84 FEET; THENCE SOUTH 87°55'32" EAST, 192.70 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 20.06 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS.

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 "Legacy Wood, 6th Plat, Lots 200-245 and Tracts J, K & L".

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 Planning and Special Projects, 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 16, Subdivisions, Unified Development Ordinance ("UDO") of the City, which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 16 of the UDO of the City, upon the Director of Public Works certifying to the Director of Planning and Special Projects 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 16.340 of the UDO because all subdivision-related public improvements required by the UDO have not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor has, in accordance with Section 16.340 of the UDO, deposited an irrevocable **letter of credit** to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the required public improvements are available to each lot for which a building permit is requested in accordance with the Design and Construction Manual.

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 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,

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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 "Legacy Wood, 6th Plat, Lots 200-245 and Tracts J, K & L", 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 _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said City this ____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*