

BILL NO. 24-136

AN ORDINANCE VACATING PORTIONS OF CERTAIN EASEMENTS LOCATED WITHIN THE VILLAGE AT DISCOVERY PARK DEVELOPMENT GENERALLY LOCATED AT THE NORTHWEST CORNER OF NE COLBERN ROAD AND NE DOUGLAS STREET IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2023-147 was submitted by Intrinsic Development, LLC, requesting vacation of certain portions of easements located within the boundaries of The Village at Discovery Park development generally located at the northwest corner of NE Colbern Rd and NE Douglas St in Lee's Summit, Missouri; and,

WHEREAS, a storm drainage easement was dedicated to the City via separate document recorded by Document #1980-I-0423080; and,

WHEREAS, a water line easement was dedicated to the City via separate document recorded by Document #1979-I-0364502; and,

WHEREAS, a force main sanitary sewer easement was dedicated to the City via separate document recorded by Document #1992-I-1090042; and,

WHEREAS, a sanitary sewer easement was dedicated to the City via separate document recorded by Document #1992-I-1090042; and,

WHEREAS, the Planning Commission considered the request on July 25, 2024, 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 described easements are hereby and herewith vacated:

*See Attachment A (Storm Drainage Easement);
Attachment B (Water Line Easement);
Attachment C (Force Main Sanitary Sewer Easement); and
Attachment D (Sanitary Sewer Easement).*

SECTION 2. That the following condition of approval applies:

1. The ordinance approving the vacation of easements 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 easements.

SECTION 3. The vacation of easement shall be in accordance with Legal Description and Exhibit referenced above and appended hereto as Attachment A (Storm Drainage Easement);

BILL NO. 24-136

Attachment B (Water Line Easement); Attachment C (Force Main Sanitary Sewer Easement); and Attachment D (Sanitary Sewer Easement).

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 _____, 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*