

BILL NO. 18-44

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 4801 SW RAINTREE PKWY IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-259 was submitted by LandRock Development, LLC, requesting vacation of a portion of an existing sanitary sewer easement located on 4801 SW Raintree Pkwy in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City and recorded by Document # 598956, Book 4089, page 126 on January 12, 2017; and,

WHEREAS, the Planning Commission considered the request on February 13, 2018, 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 that part of an existing sanitary sewer easement described in book 4089 at Page 126, Cass County Records, being a part of the Northwest Quarter of Section 5, Township 46 North, Range 31 West, Cass County, Missouri, more particularly described as follows:

Commencing at the southwest corner the Northwest Quarter of said Section 5; thence N02°18'26"E, along the west line thereof, 537.01 feet to the northwesterly line of said existing sanitary sewer easement; thence N34°45'43"E, along said northwesterly line, 103.05 feet to the Point of Beginning; thence N62°58'44"E, 239.72 feet; thence S53°02'49"E, 22.26 feet to the southeasterly line of said existing sanitary sewer easement; thence S62°58'44"W, 244.46 feet; thence S34°45'43"W, 0.53 feet; thence N39°43'05"W, 20.76 feet to the Point of Beginning.

Containing 4,847 square feet, more or less

SECTION 2. 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 easement.

SECTION 3. 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 4. 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.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2018.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this ____ day of _____, 2018.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian W. Head