

## **BILL NO. 20-78**

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AN ORDINANCE APPROVING A UTILITY EASEMENT IN FAVOR OF EVERGY FOR ELECTRIC AND COMMUNICATION TRANSMISSION AND DISTRIBUTION LINES ON LAND GENERALLY LOCATED AT LEGACY PARK, AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME.

WHEREAS, Evergy has requested an easement from the City on land located at Legacy Park to realign the transmission lines into the substation; and,

WHEREAS, the Lee's Summit Parks and Recreation Board, through the Charter of the City of Lee's Summit, Missouri, is empowered with the control of the supervision, improvement, care, and custody of parks and recreation activities in the City of Lee's Summit, Missouri; and,

WHEREAS, the Lee's Summit Parks and Recreation Board is authorized, pursuant to Section 8.2(b) of the Charter of the City of Lee's Summit, Missouri, to acquire and dispose of real property for parks and recreation purposes, with title to said property being held in the name of the City of Lee's Summit; and,

WHEREAS the Parks and Recreation Board has reviewed this request and has recommended approval of this easement pending adoption of this Ordinance by the City Council and approval of the Mayor; and,

WHEREAS, Section 4.4(d) of the Charter of the City of Lee's Summit, Missouri, requires the Mayor of the City of Lee's Summit, Missouri, to execute all documents and instruments conveying any interest in real property owned by the City of Lee's Summit.

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

SECTION 1. The easement conveyance, in substantially the same form as the attached Exhibit A to this Ordinance, and incorporated herein by reference as though fully set forth be and is hereby approved.

SECTION 2. The Mayor of the City of Lee's Summit, Missouri is hereby authorized to execute said Exhibit A, or substantially similar, by and on behalf of the City of Lee's Summit, Missouri.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
*Mayor William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
*Mayor William A. Baird*

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City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*