

BILL NO. 25-

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED PERGOLA PARK, 6TH PLAT, LOTS 134 THRU 144 AND TRACTS 12-6, T AND U, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2024-245, submitted by NLV Development Company, LLC, requesting approval of the final plat entitled "Pergola Park, 6th Plat, Lots 134 thru 144 and Tracts 12-6, T and U", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on September 11, 2025, 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 "Pergola Park, 6th Plat, Lots 134 thru 144 and Tracts 12-6, T and U", is a subdivision in Section 10, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

A replat of Part of LOT 118C, "MINOR PLAT OF PERGOLA PARK, LOTS 118A, 118B AND 118C", a subdivision in the City of Lee's Summit, Jackson County, Missouri, recorded as Instrument Number 2021E0128206, in the Southwest One-Quarter of Section 10, Township 47 North, Range 32 West and being more particularly described as follows:

Commencing at the Northwest corner of the said Southwest One-Quarter; thence along the West line of said Southwest One-Quarter, South 03 degrees 14 minutes 52 seconds West, a distance of 1130.41 feet; thence South 86 degrees 30 minutes 01 seconds East, a distance of 353.91 feet to the Point of Beginning, said point being a point of curvature on the South line of MADISON PARK - 1ST PLAT, a subdivision in the said City of Lee's Summit, recorded as Instrument Number 2005I0059014 and the North line of LOT 118C of said PERGOLA PARK, LOTS 118A, 118B AND 118C; thence along the South line of said MADISON PARK - 1ST PLAT and the North line of said LOT 118C for the following seven courses, along a curve to the right, having an initial tangent bearing of South 83 degrees 54 minutes 13 seconds East, a radius of 1589.00 feet, a central angle of 04 degrees 04 minutes 33 seconds and an arc length of 113.03 feet; thence South 79 degrees 49 minutes 40 seconds East, a distance of 59.58 feet; thence South 77 degrees 00 minutes 26 seconds East, a distance of 81.10 feet to a point of curvature; thence along a curve to the right, being tangent to the previous course and having a radius of 15.00 feet, a central angle of 48 degrees 46 minutes 38 seconds and an arc length of 12.77 feet; thence South 28 degrees 13 minutes 48 seconds East, a distance of 41.96 feet; thence South 59 degrees 12 minutes 05 seconds West, a distance of 10.34 feet to a point of curvature; thence along a curve to the left, being tangent to the previous course and having a radius of 476.00 feet, a central angle of 02 degrees 53 minutes 07 seconds and an arc length of 23.97 feet to a point on the North line of PERGOLA PARK - 5TH PLAT, a subdivision in the said City of Lee's Summit, recorded as Instrument Number 2023E0004499; thence along the Northerly and Westerly lines of said PERGOLA PARK - 5TH PLAT for the following fourteen courses, North 33 degrees 41 minutes 04 seconds West, a distance of 5.00 feet; thence South 56 degrees 18 minutes 58 seconds West, a distance of 83.04 feet to a point of curvature; thence along a curve to the left, being

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tangent to the previous course and having a radius of 228.00 feet, a central angle of 08 degrees 32 minutes 29 seconds and an arc length of 33.99 feet; thence North 58 degrees 55 minutes 21 seconds West, a distance of 26.70 feet to a point of curvature; thence along a curve to the left, being tangent to the previous course and having a radius of 324.00 feet, a central angle of 02 degrees 45 minutes 46 seconds and an arc length of 15.62 feet; thence South 28 degrees 18 minutes 52 seconds West, a distance of 48.00 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of South 61 degrees 41 minutes 08 seconds East, a radius of 276.00 feet, a central angle of 02 degrees 45 minutes 46 seconds and an arc length of 13.31 feet; thence South 58 degrees 55 minutes 21 seconds East, a distance of 17.74 feet to a point of curvature; thence along a curve to the left, having an initial tangent bearing of South 35 degrees 59 minutes 41 seconds West, a radius of 478.00 feet, a central angle of 40 degrees 37 minutes 02 seconds and an arc length of 338.86 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of South 04 degrees 37 minutes 21 seconds East, a radius of 247.00 feet, a central angle of 04 degrees 49 minutes 04 seconds and an arc length of 20.77 feet; thence South 41 degrees 52 minutes 13 seconds West, a distance of 78.28 feet; thence South 80 degrees 38 minutes 45 seconds West, a distance of 21.89 feet to a point of curvature; thence along a curve to the right, being tangent to the previous course and having a radius of 157.00 feet, a central angle of 08 degrees 45 minutes 59 seconds and an arc length of 24.02 feet; thence South 00 degrees 36 minutes 35 seconds East, a distance of 56.00 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of South 89 degrees 24 minutes 23 seconds West, a radius of 213.00 feet, a central angle of 03 degrees 55 minutes 19 seconds and an arc length of 14.58 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of North 16 degrees 56 minutes 07 seconds West, a radius of 614.00 feet, a central angle of 49 degrees 16 minutes 49 seconds and an arc length of 528.10 feet; thence North 05 degrees 49 minutes 52 seconds East, a distance of 48.00 feet; thence North 04 degrees 11 minutes 09 seconds East, a distance of 111.55 feet to the Point of Beginning, and containing 2.2151 acres, more or less.

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 "Pergola Park, 6th Plat, Lots 134 thru 144 and Tracts 12-6, T and U".

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 Development Services, 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 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services 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 7.340 of the UDO because all

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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 will, in accordance with Section 7.340 of the UDO, provide security in a form acceptable to the City 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, 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 development plan 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 "Pergola Park, 6th Plat, Lots 134 thru 144 and Tracts 12-6, T and U" attached hereto and incorporated herein by reference as Attachment A.

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 _____, 2025.

Mayor William A. Baird

ATTEST:

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City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said City this ____ day of _____, 2025.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian Head