

## **BILL NO. 22-41**

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AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED LEE'S SUMMIT LOGISTICS, LOTS 1-3, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2021-399, submitted by Scannell Properties, LLC, requesting approval of the final plat entitled "Lee's Summit Logistics, Lots 1-3", 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 February 24, 2022, 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 "Lee's Summit Logistics, Lots 1-3", is a subdivision in Section 31, Township 48N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

*All that part of an unplatted tract of land, together with all that part of North Main Street right of way, all lying in the West Half of Section 31, Township 48 North, Range 31 West, lying in the City of Lee's Summit, Jackson County, Missouri, described by Patrick Ethan Ward, MO PLS-20050071, of Olsson MOLC-366, on January 18, 2022, as follows:*

*BEGINNING at the Northeast corner of the Southwest Quarter of Section 31, Township 48 North, Range 31 West; thence South 01 degree 59 minutes 47 seconds West, on the East line of said Southwest Quarter, a distance of 65.98 feet to a point on the West line of NW Sloan Street right of way, as established in Document 2013E0075031, said point also lying on a non-tangent curve; thence in a Southerly direction, departing said East line, on said West line and on a curve to the right whose initial tangent bears South 02 degrees 47 minutes 37 seconds West, having a radius of 970.00 feet, through a central angle of 6 degrees 27 minutes 07 seconds, an arc distance of 109.23 feet to a point of tangency; thence South 09 degrees 14 minutes 44 seconds West, continuing on said West line, a distance of 111.80 feet to a point of curvature; thence in a Southerly direction, continuing on said West line and on a curve to the left, having a radius of 1030.00 feet, through a central angle of 7 degrees 14 minutes 57 seconds, an arc distance of 130.32 feet to a point of tangency; thence South 01 degree 59 minutes 47 seconds West, continuing on said West line, a distance of 69.49 feet to a point on the North line of NE Tudor Road right of way, as established in said Document 2013E0075031; thence South 46 degrees 15 minutes 48 seconds West, departing said West line, on said North line, a distance of 46.09 feet to a point; thence North 89 degrees 24 minutes 16 seconds West, continuing on said North line, and on the North line of NW Tudor Road right of way, as established in Document 2013E0075030, a distance of 1249.23 feet to a point on the East line of Union Pacific Railroad right of way, as now established, said point also lying on a non-tangent curve; thence in a Northerly and Northwesterly direction, departing said North line, on said East line and on a curve to the left whose initial tangent bears North 15 degrees 46 minutes 27 seconds West, having a radius of 3203.90 feet, through a central angle of 22 degrees 48 minutes 11 seconds, an arc distance of 1275.12 feet to a point of tangency; thence North 38 degrees 34 minutes 39 seconds West, continuing on said East line, a distance of 738.40 feet to a point of curvature; thence in a Northwesterly*

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*direction, continuing on said East line and on a curve to the right, having a radius of 5981.13 feet, through a central angle of 2 degrees 39 minutes 22 seconds, an arc distance of 277.27 feet to a point on the North line of the South Half of the Northwest Quarter of said Section 31, said point also lying on a non-tangent line; thence South 87 degrees 40 minutes 30 seconds East, departing said East line, on said North line, a distance of 2581.78 feet to the Northeast corner of said South Half; thence South 01 degree 53 minutes 30 seconds West, on said East line of said Northwest Quarter, a distance of 1318.02 feet to the POINT OF BEGINNING, containing 3,439,836 Square Feet or 78.9677 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 "Lee's Summit Logistics, Lots 1-3".

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 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.

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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 "Lee's Summit Logistics, Lots 1-3" 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 \_\_\_\_\_, 2022.

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

ATTEST:

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

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

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Mayor *William A. Baird*

ATTEST:

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City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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