

BILL NO. 22-252

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 900 NW BLACK TWIG CIRCLE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2022-256 was submitted by Vanguard Villas, LLC, requesting vacation of an existing easement located at 900 NW Black Twig Circle in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Streets of West Pryor, Lots 1-14 and Tracts A-D*, recorded by Document #2019E0032538-1 and,

WHEREAS, the Planning Commission considered the request on November 17, 2022, 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 OF THE PLATTED RIGHT OF WAY OF NW BLACK TWIG LANE, AS SHOWN ON THE RECORDED PLAT STREETS OF WEST PRYOR LOTS 7A, 7B AND 7C, A PLATTED SUBDIVISION OF LAND IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 7B OF SAID STREETS OF WEST PRYOR 7A, 7B AND 7C; THENCE N 45°11'41" W, A DISTANCE OF 23.17 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 45°11'41" W, A DISTANCE OF 30.00 FEET; THENCE N 43°06'40" E, A DISTANCE OF 90.04 FEET; THENCE S 45°11'41" E, A DISTANCE OF 30.00 FEET; THENCE S 43°06'40" W, A DISTANCE OF 90.04 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LEGAL DESCRIPTION CONTAINS 2700.00 SQUARE FEET.

SECTION 2. That the following condition of approval applies:

1. The ordinance approving the vacation of easement 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 sign permit or building permit.

SECTION 3. The vacation of easement shall be in accordance with Legal Description and Exhibit, signed and sealed August 31, 2022, as conditioned above and appended hereto as Attachment A.

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.

BILL NO. 22-252

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 _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*