

## **BILL NO. 23-072**

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AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED, "WOODLAND GLEN, 2<sup>ND</sup> PLAT, LOTS 34 THRU 60 AND TRACTS A2 THRU D2", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-037, submitted by ABP Funding, LLC, requesting approval of the final plat entitled "Woodland Glen, 2<sup>nd</sup> Plat, Lots 34 thru 60 and Tracts A2 thru D2", 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 June 25, 2020, 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 "Woodland Glen, 2<sup>nd</sup> Plat, Lots 34 thru 60 and Tracts A2 thru D2" is a subdivision in Section 18, Township 47N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

*A Replat of all of "FREEMAN ADDITION", a subdivision of land recorded in book 26 at page 58 and a Replat of part of SW Heartwood Drive and SW Winthrop Drive right of ways as platted in "WOODLAND GLEN 1ST ADDITION, LOTS 1 THRU 33, BLOCKS 1 THRU 6 AND TRACTS A THRU L" a subdivision of land recorded by document number 200210011654 and part of the Northwest Quarter of Section 18, Township 47 North, Range 31 West, all in the City of Lee's Summit, Jackson County, Missouri, altogether being more particularly described as follows:*

*Commencing at the Northwest corner of the said Northwest Quarter; thence South 02 degrees 35 minutes 57 seconds West, along the West line of the said Northwest Quarter, a distance of 39.67 feet to the Northeast corner of the Northeast Quarter of Section 13, Township 47 North, Range 32 West; thence South 02 degrees 48 minutes 07 seconds West, along the West line of said Northwest Quarter, a distance of 260.41 feet to the Point of Beginning; thence South 87 degrees 29 minutes 29 seconds East, a distance of 330.00 feet to a point on the West line of Lot 1, SOUTH TERMINAL, LOT 1, a subdivision of land in the said City of Lee's Summit; thence along the West line of said Lot 1 for the following three courses, South 02 degrees 48 minutes 07 seconds West, a distance of 349.87 feet; thence South 87 degrees 27 minutes 23 seconds East, a distance of 100.00 feet; thence South 02 degrees 48 minutes 07 seconds West, a distance of 430.49 feet to the Southwest corner of said Lot 1, said point being on the North line of Tract K, WOODLAND GLEN 1ST ADDITION, LOTS 1 THRU 33, BLOCKS 1 THRU 6 AND TRACTS A THRU L; thence along the Northwesterly line of said WOODLAND GLEN 1ST ADDITION for the following twelve courses, North 87 degrees 27 minutes 36 seconds West, a distance of 100.00 feet; thence South 02 degrees 48 minutes 07 seconds West, a distance of 229.51 feet; thence South 87 degrees 27 minutes 23 seconds East, a distance of 20.00 feet; thence South 02 degrees 48 minutes 07 seconds West, a distance of 182.60 feet; thence South 36 degrees 40 minutes 08 seconds West, a distance of 157.16 feet to a point of curvature; thence along a curve to the right having an initial tangent bearing of South 82 degrees 40 minutes*

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22 seconds West, a radius of 415.00 feet, a central angle of 02 degrees 50 minutes 30 seconds and an arc length of 20.58 feet to a point of compound curvature; thence along a curve to the right having an initial tangent bearing of South 85 degrees 30 minutes 52 seconds West, a radius of 14.00 feet, a central angle of 91 degrees 42 minutes 51 seconds and an arc length of 22.41 feet; thence North 02 degrees 46 minutes 17 seconds West, a distance of 22.42 feet; thence South 87 degrees 13 minutes 43 seconds West, a distance of 50.00 feet to a point of curvature; thence along a curve to the right having an initial tangent bearing of South 02 degrees 46 minutes 17 seconds East, a radius of 14.00 feet, a central angle of 95 degrees 33 minutes 03 seconds and an arc length of 23.35 feet; thence North 87 degrees 13 minutes 14 seconds West, a distance of 106.49 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 14.00 feet, a central angle of 90 degrees 01 minutes 11 seconds and an arc length of 22.00 feet; thence deviating from the Northwesterly line of said WOODLAND GLEN 1ST ADDITION South 02 degrees 48 minutes 07 seconds West, a distance of 128.00 feet to a corner point on SW Winthrop Drive right of way of said WOODLAND GLEN 1ST ADDITION; thence along the West line of said WOODLAND GLEN 1ST ADDITION for the following eight courses, along a curve to the right having an initial tangent bearing of North 02 degrees 48 minutes 07 seconds East, a radius of 14.00 feet, a central angle of 89 degrees 59 minutes 39 seconds and an arc length of 21.99 feet; thence South 87 degrees 13 minutes 14 seconds East, a distance of 113.35 feet; thence North 82 degrees 27 minutes 53 seconds East, a distance of 110.79 feet to a point of curvature; thence along a curve to the left, tangent to the previous course and having a radius of 485.00 feet, a central angle of 08 degrees 06 minutes 13 seconds and an arc length of 68.60 feet; thence North 74 degrees 21 minutes 41 seconds East, a distance of 131.12 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 415.00 feet, a central angle of 07 degrees 31 minutes 20 seconds and an arc length of 54.49 feet to a point of compound curvature; thence along a curve to the right, having an initial tangent bearing of North 81 degrees 52 minutes 55 seconds East, a radius of 14.00 feet, a central angle of 104 degrees 26 minutes 27 seconds and an arc length of 25.52 feet; thence South 83 degrees 40 minutes 45 seconds East, a distance of 60.00 feet to a corner point on the East right of way of SW Heartwood Drive as platted in said WOODLAND GLEN 1<sup>ST</sup> ADDITION; thence North 06 degrees 19 minutes 15 seconds East, a distance of 28.29 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 420.00 feet, a central angle of 10 degrees 06 minutes 17 seconds and an arc length of 74.07 feet to a point of compound curvature; thence along a curve to the right having an initial tangent bearing of North 18 degrees 43 minutes 36 seconds East, a radius of 238.00 feet, a central angle of 23 degrees 24 minutes 20 seconds and an arc length of 97.22 feet to a point of tangent on the said the East right of way of SW Heartwood Drive; thence North 42 degrees 07 minutes 56 seconds East, along the said East right of way a distance of 21.76 feet to the Westernmost corner of Tract G of said WOODLAND GLEN 1<sup>ST</sup> ADDITION; thence along the West line of said Tract G for the following four courses, North 81 degrees 10 minutes 58 seconds East, a distance of 109.97 feet; thence South 63 degrees 30 minutes 39 seconds East, a distance of 129.32 feet; thence South 19 degrees 01 minutes 51 seconds East, a distance of 129.15 feet; thence South 07 degrees 17 minutes 05 seconds West, a distance of 151.92 feet; thence North 83 degrees 40 minutes 45 seconds West, a distance of 338.97 feet; thence South 06 degrees 19 minutes 15 seconds West, a distance of 21.98 feet; thence North 83 degrees 40 minutes 45 seconds

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*West, a distance of 193.78 feet; thence South 06 degrees 19 minutes 15 seconds West, a distance of 153.39 feet; thence South 02 degrees 48 minutes 54 seconds West, a distance of 103.85 feet; thence North 87 degrees 11 minutes 53 seconds West, a distance of 387.39 feet to a point on the West line of said Northwest Quarter; thence North 02 degrees 48 minutes 07 seconds East, along the West line of said Northwest Quarter a distance of 1679.36 feet to the Point of Beginning, and containing 16.1106 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 "Woodland Glen, 2<sup>nd</sup> Plat, Lots 34 thru 60 and Tracts A2 thru D2".

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.

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.

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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 plat 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 "Woodland Glen, 2<sup>nd</sup> Plat, Lots 34 thru 60 and Tracts A2 thru D2", 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 \_\_\_\_\_, 2023.

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

ATTEST:

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

APPROVED by the Mayor of said City this \_\_\_\_ day of \_\_\_\_\_, 2023.

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*Mayor William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

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City Attorney Brian W. Head