

BILL NO. 17-169

AN ORDINANCE VACATING A CERTAIN STORM DRAINAGE EASEMENT AND A CERTAIN SURFACE DRAINAGE EASEMENT BOTH LOCATED AT 1601 NW BLUE PKWY IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-118 was submitted by Olsson Associates, requesting vacation of both a storm drainage easement and a surface drainage easement located at 1601 NW Blue Pkwy in Lee's Summit, Missouri; and,

WHEREAS, the storm drainage easement (Easement #1) was dedicated to the City by Document No. #2015E0097648 on October 29, 2015; and,

WHEREAS, the surface drainage easement (Easement #2) was dedicated to the City by Document No. #2015E0097647 on October 29, 2015; and,

WHEREAS, the Public Works Department for the City of Lee's Summit has determined that no other uses exist for said easement; and,

WHEREAS, the Planning Commission considered the request on July 11, 2017, 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 easements are hereby and herewith vacated:

EASEMENT #1

A STRIP OF LAND 15.00 FEET IN WIDTH IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 48 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL MERIDIAN OF THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 86°15'11" WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 1,061.41 FEET; THENCE NORTH 03°44'49" EAST, 664.94 FEET TO A POINT HEREAFTER KNOWN AS POINT "A"; THENCE NORTH 17°29'18" EAST, 174.16 FEET TO A POINT HEREAFTER KNOWN AS POINT "B"; THENCE SOUTH 72°53'51" EAST, 110.00 FEET TO A POINT HEREAFTER KNOWN AS POINT "C"; SAID POINT BEING THE POINT OF BEGINNING OF THE CENTERLINE TO BE HEREIN DESCRIBED; THENCE SOUTH 70°09'17" EAST, 141.26 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE. THE OUTER LIMITS OF SAID STRIP OF LAND ARE TO BE LENGTHENED OR SHORTENED AS NECESSARY TO TERMINATE ON THE GRANTORS PROPERTY LINE AT THE POINT OF BEGINNING AND AT THE POINT OF TERMINATION;

AND

EASEMENT #2

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 48 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL MERIDIAN IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI BEING BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 86°15'11" WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 575.73 FEET, THENCE NORTH 03°44'49"

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EAST, 1,288.22 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED, THENCE NORTH 86°58'48" WEST, 30.00 FEET, THENCE NORTH 03°01'12" EAST, 139.60 FEET, THENCE WESTERLY ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 84°00'37" WEST WITH A RADIUS OF 1,909.00 FEET , A CENTRAL ANGLE OF 05°09'27" AND AN ARC DISTANCE OF 171.84 FEET, THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A COMMON TANGENT WITH THE LAST DESCRIBED COURSE WITH A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 46°24'56" AND AN ARC DISTANCE OF 81.01 FEET, THENCE SOUTH 32°26'14" WEST, 93.72 FEET, THENCE NORTHERLY ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF NORTH 01°48'49" EAST WITH A RADIUS OF 166.00 FEET, A CENTRAL ANGLE OF 09°33'26" AND AN ARC DISTANCE OF 27.69 FEET, THENCE SOUTH 78°37'45" EAST, 10.00 FEET, THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF NORTH 11°22'15" EAST WITH A RADIUS OF 156.00 FEET, A CENTRAL ANGLE OF 68°16'52" AND AN ARC DISTANCE OF 185.91 FEET, THENCE EASTERLY ALONG A CURVE TO THE RIGHT HAVING A COMMON TANGENT WITH THE LAST DESCRIBED COURSE WITH A RADIUS OF 1,929.00 FEET, A CENTRAL ANGLE OF 05°21'13" AND AN ARC DISTANCE OF 180.24 FEET, THENCE SOUTH 03°01'12" WEST, 164.31 FEET TO THE POINT OF BEGINNING.

SECTION 2. That upon the effective date of the vacation of the easements described in Section 1 above, the City releases all right, title and interest in and to the City owned infrastructure located within the easements.

SECTION 3. 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 4. 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 _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

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APPROVED by the Mayor of said city this ____ day of _____, 2017.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED AS TO FORM:

City Attorney Brian W. Head