

BILL NO. 18-170

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "ARBORWALK 10TH PLAT, LOTS 242-308 INCLUSIVE, AND TRACT A-10", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2017-123, submitted by Inspired Homes, LLC, requesting approval of the final plat entitled "Arborwalk 10th Plat, Lots 242-308 Inclusive, and Tract A-10", was referred to the Planning Commission as required by Chapter 33 of the Lee's Summit Code of Ordinances, the Unified Development Ordinance; and,

WHEREAS, the Planning Commission considered the final plat on August 8, 2017, 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 "Arborwalk 10th Plat, Lots 242-308 Inclusive, and Tract A-10" is a subdivision in Section 25, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

A tract of land in the Southeast Quarter and the Southwest Quarter of Section 25, Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri being bounded and described as follows: Beginning at the Northeast corner of ARBORWALK-4TH PLAT, TRACTS "A-4" THRU "K-4", a subdivision in Lee's Summit, Jackson County, Missouri; thence Westerly, along the North line of said ARBORWALK-4TH PLAT, TRACTS "A-4" THRU "K-4", on a curve to the right having an initial tangent bearing of North 83°53'00" West with a radius of 727.00 feet, a central angle of 07°10'58" and an arc distance of 91.14 feet; thence North 76°42'01" West, continuing along said North line, 228.02 feet; thence Westerly, continuing along said North line, on a curve to the left having a common tangent with the last described course with a radius of 523.00 feet, a central angle of 33°48'29" and an arc distance of 308.60 feet; thence South 69°29'30" West, continuing along said North line, 197.63 feet; thence Northwesterly, continuing along said North line, on a curve to the right having a common tangent to the last described course with a radius of 14.00 feet, a central angle of 86°03'48" and an arc distance of 21.03 feet; thence Northwesterly, continuing along said North line, on a curve to the left having a common tangent with the last described course with a radius of 525.00 feet, a central angle of 02°47'54" and an arc distance of 25.64 feet; thence South 62°45'24" West, continuing along said North line, 50.00 feet to the Northwest corner of said ARBORWALK-4TH PLAT, TRACTS "A-4" THRU "K-4"; thence Southerly, along the West line of said ARBORWALK-4TH PLAT, TRACTS "A-4" THRU "K-4", on a curve to the right having an initial tangent bearing of South 27°14'37" East with a radius of 475.00 feet, a central angle of 28°15'21" and an arc distance of 234.25 feet; thence South 01°00'44" West, continuing along said West line, 218.29 feet; thence Southerly, continuing along said West line, on a curve to the right having a common tangent with the last described course with a radius of 114.00 feet, a central angle of 14°23'40" and an arc distance of

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28.64 feet; thence Southwesterly, continuing along said West line, on a curve to the right having a common tangent with the last described course with a radius of 50.00 feet, a central angle of 87°28'04" and an arc distance of 76.33 feet; thence North 77°07'32" West, continuing along said West line, 18.74 feet; thence Westerly, continuing along said West line, on a curve to the right having a common tangent with the last described course with a radius of 365.00 feet, a central angle of 13°51'27" and an arc distance of 88.28 feet; thence North 63°16'05" West, continuing along said West line, 66.63 feet; thence Westerly, continuing along said West line, on a curve to the left having a common tangent with the last described course with a radius of 835.00 feet, a central angle of 24°24'05" and an arc distance of 355.61 feet; thence North 00°31'26" West, 92.46 feet; thence Northerly, along a curve to the right being tangent to the last described course with a radius of 45.00 feet, a central angle of 45°01'11" and an arc distance of 35.36 feet; thence Northeasterly, along a curve to the right having a common tangent with the last described course with a radius of 645.00 feet, a central angle of 28°45'29" and an arc distance of 323.74 feet; thence North 16°44'46" West, 180.00 feet; thence Easterly, along a curve to the right having an initial tangent bearing of North 73°15'14" East with a radius of 825.00 feet, a central angle of 02°13'31" and an arc distance of 32.04 feet; thence North 14°31'15" West, 142.70 feet; thence North 74°34'28" East, 59.55 feet; thence North 85°44'23" East, 201.64 feet; thence North 09°53'38" East, 114.36 feet; thence North 36°31'05" West, 20.28 feet; thence North 08°17'57" East, 50.01 feet; thence Easterly, along a curve to the right having an initial tangent bearing of South 82°51'58" East with a radius of 957.00 feet, a central angle of 00°16'18" and an arc distance of 4.54 feet; thence North 56°25'24" East, 18.36 feet; thence Northeasterly, along a curve to the right having an initial tangent bearing of North 15°26'27" East with a radius of 380.00 feet, a central angle of 18°38'49" and an arc distance of 123.67 feet; thence North 34°05'17" East, 138.53 feet; thence North 18°50'32" West, 22.34 feet; thence North 19°53'26" East, 50.02 feet; thence Easterly, along a curve to the right having an initial tangent bearing of South 71°24'10" East with a radius of 225.00 feet, a central angle of 04°52'55" and an arc distance of 19.17 feet; thence North 73°47'01" East, 17.88 feet; thence North 34°05'17" East, 131.54 feet; thence South 55°54'43" East, 60.00 feet; thence North 66°11'42" East, 135.92 feet; thence South 87°46'59" East, 461.00 feet; thence South 02°13'01" West, 117.90 feet; thence South 42°46'59" East, 19.80 feet; thence South 02°13'01" West, 50.00 feet; thence South 47°13'01" West, 19.80 feet; thence South 02°13'01" West, 116.40 feet; thence Southerly, along a curve to the left having a common tangent to the last described course with a radius of 275.00 feet, a central angle of 28°34'05" and an arc distance of 137.12 feet; thence South 26°21'04" East, 11.88 feet; thence South 67°51'50" East, 18.56 feet; thence Easterly, along a curve to the right having an initial tangent bearing of North 70°37'24" East with a radius of 266.00 feet, a central angle of 02°42'55" and an arc distance of 12.61 feet; thence South 16°39'40" East, 50.00 feet; thence South 23°29'38" West, 21.40 feet; thence South 26°21'04" East, 13.84 feet; thence Southerly, along a curve to the right being tangent to the last described course

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with a radius of 375.00 feet, a central angle of 42°24'40" and an arc distance of 277.58 feet; thence South 16°03'36" West, 42.86 feet to a point on the North line of ARBORWALK - 1ST PLAT, LOT 1 AND TRACTS "A" THRU "T", a subdivision in Lee's Summit, Jackson County, Missouri; thence North 73°56'24" West, along said North line, 50.00 feet; thence Southerly, continuing along said North line, on a curve to the left having an initial tangent bearing of South 16°04'01" West with a radius of 325.00 feet, a central angle of 03°31'33" and an arc distance of 20.00 feet; thence Southwesterly, continuing along said North line, on a curve to the right having a common tangent with the last described course with a radius of 15.00 feet, a central angle of 83°34'32" and an arc distance of 21.88 feet; thence North 83°53'00" West, continuing along said North line, 20.61 feet to the Point of Beginning. Containing 997,209 square feet or 22.89 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 "Arborwalk 10th Plat, Lots 242-308 Inclusive, and Tract A-10".

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 Planning and Special Projects, 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 16, Subdivisions, Unified Development Ordinance ("UDO") of the City, which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 16 of the UDO of the City, upon the Director of Public Works certifying to the Director of Planning and Special Projects 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 16.340 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 has, in accordance with Section 16.340 of the UDO, deposited an irrevocable **letter of credit** 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

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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 "Arborwalk 10th Plat, Lots 242-308 Inclusive, and Tract A-10", 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 _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said City this ____ day of _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*