

BILL NO. 19-37

AN ORDINANCE VACATING A PORTION OF NE DOUGLAS STREET RIGHT-OF-WAY FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF THE ABUTTING PROPERTY ADDRESSED 1410 NE DOUGLAS ST, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the right-of-way was established by the minor plat (Appl. #1989-136) titled *Lee's Summit North Industrial Park, First Plat*, recorded with the Jackson County Recorder of Deeds office by Instrument No. I-902903; and,

WHEREAS, the existing right-of-way was also reflected in the subsequent replatting of the adjacent property via the minor plat (Appl. #PL2016-002) titled *Polytainers Addition, Lots 1 & 2*, recorded with the Jackson County Recorder of Deeds office by Instrument No. 2016-E-0023636; and,

WHEREAS, Application #PL2018-102, submitted by Oakview Capital Partners, LLC, requesting vacation of the right-of-way, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on February 14, 2019, and rendered a report to the City Council containing findings of fact and recommending that the requested vacation of right-of-way be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on March 5, 2019, and rendered a decision to vacate said right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the following described right-of-way is hereby and herewith vacated:

ALL THAT PART OF THE NORTHEAST ¼ OF SECTION 31, TOWNSHIP 48, RANGE 31, IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2, POLYTAINERS ADDITION LOTS 1 & 2, A MINOR SUBDIVISION IN THE CITY OF LEE'S SUMMIT, RECORDED AS DOCUMENT 2016E0023636, JACKSON COUNTY, MISSOURI; THENCE SOUTH 89 DEGREES 56 MINUTES 58 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHEAST ¼, A DISTANCE OF 3.34 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 20 SECONDS WEST A DISTANCE OF 498.21 FEET; THENCE SOUTH 09 DEGREES 15 MINUTES 24 SECONDS WEST A DISTANCE OF 52.60 FEET; THENCE SOUTH 00 DEGREES 35 MINUTES 03 SECONDS EAST A DISTANCE OF 218.11 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2; THENCE ALONG THE EAST LINE OF SAID LOT 2 FOR THE FOLLOWING FIVE COURSES, NORTH 09 DEGREES 36 MINUTES 25 SECONDS WEST, A DISTANCE OF 56.00 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ON A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF NORTH 09 DEGREES 35 MINUTES 01 SECONDS WEST, A RADIUS OF 858.51 FEET, A CENTRAL ANGLE OF 09 DEGREES 18 MINUTES 15 SECONDS AND AN ARC LENGTH OF 139.41 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 45 SECONDS WEST A DISTANCE OF 338.93 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT HAVING AN

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INITIAL TANGENT BEARING OF NORTH 00 DEGREES 18 MINUTES 32 SECONDS WEST, A RADIUS OF 994.93 FEET, A CENTRAL ANGLE OF 11 DEGREES 25 MINUTES 52 SECONDS AND AN ARC LENGTH OF 198.50 FEET; THENCE NORTH 11 DEGREES 15 MINUTES 27 SECONDS EAST A DISTANCE OF 38.81 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.3803 ACRES MORE OR LESS.

SECTION 2. 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 for the County in which the property is located.

SECTION 3. 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 _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*