

BILL NO. 19-91

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "NORTH PARK VILLAGE, 2ND PLAT, LOTS 53-93 & TRACT F", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-196, submitted by Engineering Solutions, LLC, requesting approval of the final plat entitled "North Park Village, 2nd Plat, Lots 53-93 & Tract F", 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 November 28, 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 "North Park Village, 2nd Plat, Lots 53-93 & Tract F" is a subdivision in Section 33, Township 48N, Range 31W, in Lee's Summit, Missouri more particularly described as follows:

A TRACT OF LAND BEING LOCATED IN SECTION 33, TOWNSHIP 48 NORTH, RANGE 31 WEST, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI; BEGINNING AT THE SOUTHEAST CORNER OF LOT 52, NORTH PARK VILLAGE 1ST PLAT, AS RECORDED IN THE OFFICE OF THE RECORDER, JACKSON COUNTY, MISSOURI; THENCE SOUTH 01°56'38" WEST, A DISTANCE OF 648.37 FEET; THENCE NORTH 88°44'01" WEST, A DISTANCE OF 1040.92 FEET; THENCE NORTH 35°14'02" WEST, A DISTANCE OF 80.85 FEET; THENCE NORTH 39°40'41" EAST, A DISTANCE OF 182.34 FEET; THENCE NORTH 54°01'35" EAST, A DISTANCE OF 135.72 FEET; THENCE SOUTH 88°43'40" EAST, A DISTANCE OF 44.31 FEET; THENCE NORTH 81°00'45" EAST, A DISTANCE OF 27.97 FEET; THENCE NORTH 75°22'48" EAST, A DISTANCE OF 68.41 FEET; THENCE NORTH 78°16'50" EAST, A DISTANCE OF 70.49 FEET; THENCE NORTH 78°29'39" EAST, A DISTANCE OF 70.36 FEET; THENCE NORTH 10°34'46" WEST, A DISTANCE OF 125.00 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 79°25'14" EAST, A RADIUS OF 1050.00, A DISTANCE OF 25.89 FEET; THENCE NORTH 09°10'00" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 01°39'46" EAST, A DISTANCE OF 122.57 FEET; THENCE NORTH 84°02'02" EAST, A DISTANCE OF 71.63 FEET; THENCE NORTH 86°27'33" EAST, A DISTANCE OF 71.29 FEET; THENCE NORTH 88°42'26" EAST, A DISTANCE OF 71.09 FEET; THENCE NORTH 88°53'27" EAST, A DISTANCE OF 71.08 FEET, THENCE NORTH 88°16'16" EAST, A DISTANCE OF 71.56 FEET; THENCE SOUTH 88°03'22" EAST, A DISTANCE OF 83.50 FEET; THENCE SOUTH 01°56'38" WEST, A DISTANCE OF 18.45 FEET; THENCE SOUTH 88°20'14" EAST, A DISTANCE OF 170.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF NE TODD GEORGE ROAD, RETURNING TO THE POINT OF BEGINNING. TRACT CONTAINS 522,429.69 SQ. FT. (11.993 ACRES)

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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 "North Park Village, 2nd Plat, Lots 53-93 & Tract F".

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 has, in accordance with Section 7.340 of the UDO, deposited an **irrevocable Standby 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 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 plat and to all applicable requirements of the Code.

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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 "North Park Village, 2nd Plat, Lots 53-93 & Tract F", 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 _____, 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 W. Head*