

## **BILL NO. 19-208**

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AN ORDINANCE VACATING CERTAIN UTILITY EASEMENTS LOCATED AT 2700 NE McBAINE DRIVE, 2720 NE McBAINE DRIVE, 2700 NE INDEPENDENCE AVENUE AND 2721 NE INDEPENDENCE AVENUE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-224 was submitted by Marion Ridge Safety Storage, LLC, requesting vacation of utility easements located on properties addressed 2700 NE McBaine Drive, 2720 NE McBaine Drive, 2700 NE Independence Avenue and 2721 NE Independence Avenue in Lee's Summit, Missouri; and,

WHEREAS, the easements were dedicated to the City via the plat titled *I-470 Business and Technology Center, Lots 1-22 and Tracts A and B*, recorded by Document #2006-E-0072560; and,

WHEREAS, the Planning Commission considered the request on August 22, 2019, and rendered a report to the City Council recommending that the vacation of easements 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 NO. 1

A PART OF LOTS 13, 14, 21 AND 22, I-470 BUSINESS AND TECHNOLOGY CENTER, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI WITH THE CENTERLINE OF A 15 FOOT UTILITY EASEMENT BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 22; THENCE SOUTH 83 DEGREES 14 MINUTES 56 SECONDS EAST, 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 83 DEGREES 14 MINUTES 56 SECONDS EAST, 140.00 FEET TO A POINT OF TERMINATION. CONTAINING 2,100 SQUARE FEET, MORE OR LESS.

AND

EASEMENT NO. 2

A PART OF LOTS 14 AND 21, I-470 BUSINESS AND TECHNOLOGY CENTER, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI WITH THE CENTERLINE OF A 15 FOOT UTILITY EASEMENT BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 21; THENCE SOUTH 06 DEGREES 45 MINUTES 04 SECONDS WEST, 21.50 FEET; THENCE SOUTH 83 DEGREES 14 MINUTES 44 SECONDS EAST, 40.00 FEET TO THE POINT OF

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*BEGINNING; THENCE CONTINUE SOUTH 83 DEGREES 14 MINUTES 44 SECONDS EAST, 140.00 FEET TO A POINT OF TERMINATION. CONTAINING 2,100 SQUARE FEET, MORE OR LESS.*

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 \_\_\_\_\_, 2019.

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

ATTEST:

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

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

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*