

## **BILL NO. 19-207**

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AN ORDINANCE VACATING CERTAIN UTILITY EASEMENTS LOCATED AT 2024 NW LOWENSTEIN DRIVE, 906 NW PRYOR ROAD, AND 930 NW PRYOR ROAD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-148 was submitted by Levy Craig Law Firm, requesting vacation of utility easements located on properties addressed 2024 NW Lowenstein Dr., 906 NW Pryor Rd., and 930 NW Pryor Rd. in Lee's Summit, Missouri; and,

WHEREAS, the easements were dedicated to the City via the plats titled *Har-V-Heights* recorded by Document No. I-646040 BK 18, PG 13 and *Pryor Acres* recorded by Document No. I-940472 BK I-1962, PG 1148; 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:

THAT PORTION OF THE PLATTED BUILDING LINE AND THAT PORTION OF THE PLATTED EASEMENTS IN THE PLAT OF HAR-V-HEIGHTS RECORDED IN PLAT BOOK 18 AT PAGE 13 LYING WITHIN THE BOUNDARY OF SAID HAR-V-HEIGHTS AND BEING SUBDIVISIONS IN THE CITY OF LEE'S SUMMIT, COUNTY OF JACKSON, STATE OF MISSOURI, SAID BUILDING LINE BEING THAT PORTION OF THE 50 BUILDING LINE ALONG CLIFFORD ROAD, SAID EASEMENTS BEING THAT PORTION OF THE 10 FOOT UTILITY EASEMENT ALONG THE NORTH LINE OF LOTS 7 AND 8 AND THE PLATTED 5 FOOT UTILITY EASEMENT ALONG THE NORTH LINE OF LOT 1 AND THE WEST LINE OF LOTS 1, 2, 3, 4, AND 8.

THAT PORTION OF THE 15 FOOT UTILITY EASEMENTS DESCRIBED IN DOC. NO. I-940472 BK I-1962, PG 1148 AND THAT PORTION OF THE 7.5 FOOT UTILITY EASEMENTS DESCRIBED IN DOC. NO. I-940470 BK I-1962, PG 1142 LYING WITHIN THE BOUNDARY OF THE FINAL PLAT OF STREETS OF WEST PRYOR LOTS 1 THRU 14, TRACTS "A", "B", "C", & "D" RECORDED AS DOCUMENT NUMBER 2019E0032538, SUBDIVISIONS IN THE CITY OF LEE'S SUMMIT, COUNTY OF JACKSON, STATE OF MISSOURI.

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.

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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 Head*