

BILL NO. 19-241

AN ORDINANCE VACATING A CERTAIN UTILITY AND CROSS ACCESS EASEMENT LOCATED AT 3924 & 3930 SW RAINTREE DRIVE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-221 was submitted by New TKG-KC, LLC, requesting vacation of a utility and cross access easement located on property addressed 3924 & 3930 SW Raintree Drive in Lee's Summit, Missouri; and,

WHEREAS, the easements were dedicated to the City via the plat titled *South M-291 Safety Mini Storage Lots 1A, 2A & 3A*, recorded by Document #2006E0028581; and,

WHEREAS, the Planning Commission considered the request on September 26, 2019, and rendered a report to the City Council recommending that the vacation of easement 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 easement is hereby and herewith vacated:

TWO TRACTS OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 47 NORTH, RANGE 31 WEST AND BEING PART OF LOT 2A AND LOT 3A OF SOUTH M-291 SAFETY MINI STORAGE LOTS 1A, 2A & 3A RECORDED IN BOOK I94, PAGE 17 AND DESCRIBED BY WARRANTY DEED RECORDED IN INSTRUMENT NO. 2014E0097840 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2A AND WITH THE NORTH LINE THEREOF, N 87°32'55"W, 108.29 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID NORTH LINE, S 2°26'15"W, 119.45 FEET TO THE SOUTH LINE OF SAID LOT 2A; THENCE WITH SAID SOUTH LINE, N 87°33'45"W, 30.00 FEET; THENCE N 2°26'15"E, 119.46 FEET TO THE NORTH LINE OF SAID LOT 2A; THENCE S 87°32'55"E, 30.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3584 SQUARE FEET.

TRACT 2

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2A AND WITH THE WEST LINE THEREOF, N 2°20'20"E, 10.08 FEET; THENCE S 87°33'45"E, 221.29 FEET; THENCE S 19°46'30"E, 21.60 FEET; THENCE N 87°33'45"W, 188.72 FEET TO THE WEST PROPERTY LINE; TEHNCE WITH SAID WEST PROPERTY LINE, N 42°42'35"W, 14.27

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FEET; THENCE N 87°42'35"W, 30.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 4152 SQUARE FEET.

SECTION 2. That upon the effective date of the vacation of the easement described in Section 1 above, the City releases all right, title and interest in and to the City owned infrastructure located within the easement.

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.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*