

BILL NO. 20-11

AN ORDINANCE VACATING A CERTAIN WATER LINE EASEMENT LOCATED AT 5030 NE LAKEWOOD WAY IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2019-350 was submitted by Top Star, LLC, requesting vacation of an existing water line easement located on property addressed 5030 NE Lakewood Way in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Executive Lakes Center, Lot 11A*, recorded by Document #2003-I-0063718; and,

WHEREAS, the location of the subject easement was replatted as part of the plat titled *Executive Lakes Center, Lots 11B & 11C*, recorded by Document #2012-E-0095178; and,

WHEREAS, the Planning Commission considered the request on December 12, 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:

A strip of land being part of Lot 11C, EXECUTIVE LAKES CENTER, LOTS 11B AND 11C, a subdivision in the City of Lee's Summit, Jackson County, Missouri, being 15.00 feet wide, 7.50 feet on each side of the following described centerline:

Commencing at the Southwest corner of said Lot 11C; thence South 45°00'05" East, along the Southerly line of said Lot 11C, 159.63 feet; thence North 44°59'55" East, 4.94 feet to the Point of Beginning; thence South 83°09'44" East, 12.26 feet to a point hereafter known as Point "A"; thence North 40°32'39" East, 17.40 feet; thence North 05°51'04" East, 280.40 feet; thence North 82°50'32" West, 31.99 feet to the Point of Terminus.

Also,

A strip of land being 15.00 feet wide, 7.50 feet on each side of the following described centerline: Beginning at said Point "A"; thence South 49°27'21" East, 19.02 feet to the Point of Terminus.

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 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 _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2020.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*