

BILL NO. 20-45

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED MAIN ORCHARD, LOTS 1-6, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2019-415, submitted by Engineering Solutions, requesting approval of the final plat entitled "Main Orchard, Lots 1-6", 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 February 13, 2020, 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 "Main Orchard, Lots 1-6" is a subdivision in the Northwest Quarter of the Northeast Quarter of Section 6, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

All that part of the Northwest Quarter of the Northeast Quarter of Section 6, Township 47, Range 31, Lee's Summit, Jackson County, Missouri, described as follows: Beginning at the Northeast corner of Lot 7 HEARNE'S ADDITION to the City of Lee's Summit, said point being in the West line of Main Street; thence north along the West line of Main Street 208.75 feet; thence West 289.3, more or less, to the Northeast corner of Lot 7, NORTH LEA ADDITION, a subdivision in Lee's Summit; thence South along the East lines of Lots 7, 8, and 9 in said Addition to the Southeast corner of Lot 9; thence East 289.3 feet, more or less, to the point of beginning.

AND

All of Lot 7, Hearne's Addition, a subdivision as recorded in the Office of the Recorder, Jackson County, Missouri.

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 "Main Orchard, Lots 1-6".

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

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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 currently exist.

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.

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 "Main Orchard, Lots 1-6", 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 _____, 2020.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

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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 Head