

BILL NO. 20-113

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED EAGLE CREEK SIXTEENTH PLAT, LOTS 708 THRU 747 INCLUSIVE, AND TRACT R, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2018-060, submitted by Hunt Midwest Real Estate Development, Inc., requesting approval of the final plat entitled "Eagle Creek Sixteenth Plat, Lots 708 thru 747 inclusive, and Tract R", 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 June 26, 2018, 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 "Eagle Creek Sixteenth Plat, Lots 708 thru 747 inclusive, and Tract R" is a subdivision in the Northwest Quarter of the Northwest Quarter of Section 23, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

A tract of land in the Northwest Quarter of Section 23, Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri being bounded and described as follows: Commencing at the Northeast corner of said Northwest Quarter; thence North 87°35'47" West, along the North line of said Northwest Quarter, 1,001.10 feet to the Northwest corner of EAGLE CREEK-TWELFTH PLAT, a subdivision in said Lee's Summit, Jackson County, Missouri, said point also being the Point of Beginning of the tract of land to be herein described; thence South 02°24'13" West, along the West line of said EAGLE CREEK-TWELFTH PLAT, 310.00 feet; thence South 87°35'47" East, continuing along said West line, 420.00 feet; thence South 31°26'22" West, continuing along said West line, 162.19 feet; thence South 12°31'01" West, continuing along said West line, 50.00 feet; thence South 15°32'15" West, continuing along said West line, 90.42 feet; thence South 12°01'59" West, continuing along said West line, 80.68 feet; thence South 05°54'26" West, continuing along said West line, 80.68 feet; thence South 01°37'42" East, continuing along said West line, 117.75 feet to a point on the North line of EAGLE CREEK-SEVENTH PLAT, a subdivision in said Lee's Summit, Jackson County, Missouri; thence Southwesterly, along said North line, on a curve to the left, having an initial tangent bearing of South 69°38'42" West with a radius of 480.00 feet, a central angle of 32°25'10" and an arc distance of 271.60 feet; thence Westerly, continuing along said North line, on a curve to the right, having a common tangent with the last described course with a radius of 25.00 feet, a central angle of 83°44'51" and an arc distance of 36.54 feet to a point on the East line of EAGLE CREEK-THIRTEENTH PLAT, a subdivision in said Lee's Summit, Jackson County, Missouri; thence North 59°01'37" West, continuing along said East line, 1.76 feet; thence Northwesterly, continuing along said East line, on a curve to the right, being tangent to the last described course with a radius of 800.00 feet, a central angle of 21°15'50" and an arc distance of 296.90 feet; thence North 08°50'31" East, continuing along said East line, 21.80 feet; thence North 34°59'09" West, continuing along said East line, 50.00 feet; thence North 80°30'22" West, continuing along said East line, 20.95 feet; thence Northerly, continuing along said East line and East line of EAGLE CREEK-FOURTEENTH PLAT, a subdivision in said Lee's Summit, Jackson County, Missouri, on a curve to the right, having an initial tangent bearing of North 32°00'07" West with a radius of 800.00 feet, a central angle of 19°02'35" and an arc distance of 265.89 feet; thence North 30°06'38" East, continuing along said East line of said EAGLE CREEK-FOURTEENTH PLAT, 20.49 feet; thence North 73°25'49" East, continuing along said East line, 6.78 feet; thence North

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16°19'09" West, continuing along said East line, 50.16 feet; thence North 52°30'25" West, continuing along said East line, 21.37 feet; thence Northerly, continuing along said East line and East line of EAGLE CREEK-FIFTEENTH PLAT, a subdivision in said Lee's Summit, Jackson County, Missouri, on a curve to the right, having an initial tangent bearing of North 07°04'47" West with a radius of 800.00 feet, a central angle of 09°29'00" and an arc distance of 132.41 feet; thence North 02°24'13" East, continuing along said East line of said EAGLE CREEK-FIFTEENTH PLAT, 134.41 feet; thence North 47°24'13" East, continuing along said East line, 35.36 feet; thence North 02°24'13" East, continuing along said East line, 50.00 feet; thence North 42°35'47" West, continuing along said East line, 35.36 feet; thence North 02°24'13" East, continuing along said East line, 105.00 feet to the Northeast corner of said EAGLE CREEK-FIFTEENTH PLAT, also being a point on the North line of said Northwest Quarter; thence South 87°35'47" East, along said North line, 358.00 feet to the Point of Beginning. Containing 496,989 square feet or 11.41 acres, more or less.

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 "Eagle Creek Sixteenth Plat, Lots 708 thru 747 inclusive, and Tract R, ".

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 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.

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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*

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*