

BILL NO. 20-132

AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED AT 3000 NW AUDUBON LANE IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-142 was submitted by Gale Communities, Inc., requesting vacation of an existing easement located on property addressed 3000 NW Audubon Ln in Lee's Summit, Missouri; and,

WHEREAS, the easement was dedicated to the City via the plat titled *Winterset Valley, 12th Plat, Lots 1435 thru 1471 & Tracts A12 thru D12*, recorded by Document #2019-E-0066556-1; and,

WHEREAS, the Planning Commission considered the request on July 23, 2020, 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:

Parts of Lot 1451 Winterset Valley, 12th Plat more particularly described as follows:

All of the East 7.50' and the South 25.00' of said Lot 1451.

SECTION 2. That the following condition of approval applies:

1. The vacation of easement shall not go into effect until such time as new utility easements covering existing infrastructure are dedicated on the subject property.

SECTION 3. 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.

SECTION 4. 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 5. 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

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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*