

## **BILL NO. 20-43**

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AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED THE RESERVE AT STONEY CREEK, 4<sup>TH</sup> PLAT, LOTS 111-127 AND TRACT O, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2018-151, submitted by Engineering Solutions, requesting approval of the final plat entitled "The Reserve at Stoney Creek, 4<sup>th</sup> Plat, Lots 111-127 and Tract O", 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 "The Reserve at Stoney Creek, 4<sup>th</sup> Plat, Lots 111-127 and Tract O" is a subdivision in the Southwest Quarter of Section 36, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

ALL THAT PART OF THE SOUTHWEST ¼ OF SECTION 36, TOWNSHIP 47 NORTH, RANGE 32 WEST, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 47, RANGE 32; THENCE NORTH 2° 08' 23" EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 819.84 FEET; THENCE SOUTH 87° 51' 37" EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING: THENCE NORTH 2° 08' 23" EAST, A DISTANCE OF 399.75 FEET; THENCE SOUTH 87° 54' 29" EAST, A DISTANCE OF 695.00 FEET; THENCE SOUTH 2° 05' 39" WEST, A DISTANCE OF 120.00 FEET; THENCE SOUTH 1° 15' 28" EAST, A DISTANCE OF 50.09 FEET; THENCE SOUTH 2° 05' 39" WEST, A DISTANCE OF 135.00 FEET; THENCE NORTH 87° 54' 21" WEST, A DISTANCE OF 59.77 FEET; THENCE SOUTH 2° 04' 35" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 87° 54' 21" WEST, A DISTANCE OF 130.01 FEET; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE PRECEDING COURSE HAVING A RADIUS OF 15.00 FEET, AN ARC DISTANCE OF 23.56 FEET; THENCE SOUTH 89° 01' 53" WEST, A DISTANCE OF 50.07 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING NORTH 2° 05' 30" EAST, A RADIUS OF 15.00 FEET, AN ARC DISTANCE OF 24.63 FEET; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE PRECEDING COURSE HAVING A RADIUS OF 1075.00 FEET, AN ARC DISTANCE OF 178.81 FEET; THENCE ALONG A REVERSE CURVE, HAVING A RADIUS OF 525.00 FEET, AN ARC DISTANCE OF 58.80 FEET; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE PRECEDING COURSE HAVING A RADIUS OF 15.00 FEET, AN ARC DISTANCE OF 21.67 FEET; THENCE SOUTH 87° 13' 46" WEST, A DISTANCE OF 50.18 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING NORTH 2° 08' 23" EAST, A RADIUS OF 15.00 FEET, AN ARC DISTANCE OF 23.56 FEET; THENCE NORTH 87° 51' 37" WEST, A DISTANCE OF 115.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 259,248.50 SQUARE FEET (5.95 ACRES) MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, CONDITIONS AND RIGHT OF WAYS, RECORDED OR UNRECORDED IF ANY.

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

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subdivision shall hereafter be known as “The Reserve at Stoney Creek, 4<sup>th</sup> Plat, Lots 111-127 and Tract O”.

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 have not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor has, in accordance with Section 7.340 of the UDO, deposited an **irrevocable Standby Letter of Credit** to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the required public improvements are available to each lot for which a building permit is requested in accordance with the Design and Construction Manual.

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.

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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 "The Reserve at Stoney Creek, 4<sup>th</sup> Plat, Lots 111-127 and Tract O", 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:

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City Attorney Brian Head