

## **BILL NO. 20-203**

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AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR TWO SEGMENTS OF NE DOUGLAS ST GENERALLY LOCATED SOUTH OF 2305 NE DOUGLAS ST, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the right-of-way identified as Tract III was dedicated with the Jackson County Recorder of Deeds office in Book 14 at Page 522; and,

WHEREAS, the right-of-way identified as Tract IV was dedicated with the Jackson County Recorder of Deeds office by Instrument No. 118363 in Book 348 at Page 1330; and,

WHEREAS, the right-of-way identified as Tract V was dedicated August 14, 1929, with the Jackson County Recorder of Deeds office by Instrument No. 271778 in Book 555 at Page 71; and,

WHEREAS, Application #PL2020-271, submitted by the City of Lee's Summit, requesting vacation of the right-of-way, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on October 8, 2020, and rendered a report to the City Council containing findings of fact and recommending that the requested vacation of right-of-way be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on October 27, 2020, and rendered a decision to vacate said right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the following described right-of-way is hereby and herewith vacated:

Tract III

All that part of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 48 North, Range 31 West, in Lee's Summit, Jackson County, Missouri, more particularly described as follows:

*Beginning at the Northeast corner of said 1/4-1/4 Section; thence South 01°36'57" West, along the East Line thereof, 507.28 feet; thence North 88°23'03" West, 30.00 feet; thence North 01°36'57" East, 30.00 feet west of and parallel with the East Line of said 1/4-1/4 Section, 507.60 feet to a point on the North Line thereof; thence South 87°46'12" East, 30.00 feet to the Point of Beginning.*

and

Tract IV

All that part of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 48 North, Range 31 West, in Lee's Summit, Jackson County, Missouri, more particularly described as follows:

*Beginning at the Northwest corner of said 1/4-1/4 Section; thence South 01°36'57" West, along the East Line thereof, 507.28 feet; thence South 88°23'03" East, 50.00 feet to a point on the West line of Lot 5, DOUGLAS CORPORATE CENTER, a subdivision; thence North 01°36'57" East, along said West line and the West line of Lot 4, DOUGLAS CORPORATE CENTER, 506.74 feet to the Northwest corner thereof; thence North 87°46'12" West, 50.00 feet to the Point of Beginning.*

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and

Tract V

All that part of the Northeast 1/4 of Section 30, Township 48 North, Range 31 West, in Lee's Summit, Jackson County, Missouri, more particularly described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of said Section; thence South 87°46'12" East, along the North line of said Northeast 1/4, 722.81 feet; thence South 02°13'48" West along a line that is perpendicular to said North line, 20.00 feet to a point on the existing South Right-of-Way line of Douglas Road, as now established, thence South 54°34'07" East, 342.43 feet to the Point of Beginning; thence continuing South 54°34'07" East, 56.47 feet to a curve to the right, having a Radius of 697.86 feet, and a Chord Bearing South 39°33'58" East, 360.98 feet, an arc length of 365.20 feet; thence South 88°23'03" East, 80.00 feet to a point on the West line of Lot 5, DOUGLAS CORPORATE CENTER, a subdivision; thence South 01°36'57" West, along said line, 308.28 feet; thence northwesterly along a curve to the left, having a Radius of 1295.34 feet, a Chord Bearing North 29°12'00" West, 711.92 feet, an arc length of 721.20 feet to the Point of Beginning.

SECTION 2. That the following conditions of approval apply:

1. An easement shall be retained to cover the existing public water line and public sanitary sewer infrastructure located within the subject right-of-way.
2. The existing public storm sewer lines located within the vacated right-of-way shall become private infrastructure to be owned and maintained by the owner of the vacated right-of-way.

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 for 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

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APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*