

BILL NO. 20-207

AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR A PORTION OF SW FLINTROCK DR ADJACENT TO 1713 SW NAPA VALLEY DR, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the right-of-way was established by the final plat (Appl. #PL2020-221) titled *Napa Valley, 1st Plat, Lots 1 thru 88 and Tracts A thru M*, recorded with the Jackson County Recorder of Deeds office by Instrument No. 2005-I-0049801; and,

WHEREAS, Application #PL2020-221, submitted by Engineering Solutions, LLC, 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 22, 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 November 17, 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:

ALL OF THE PLATTED RIGHT OF WAY OF SW FLINT ROCK, AS SHOWN ON THE RECORDED PLAT NAPA VALLEY, FIRST PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 80 OF SAID NAPA VALLEY FIRST PLAT; THENCE NORTH 08° 46' 44" WEST, A DISTANCE OF 86.95 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 14.00 FEET, AN ARC DISTANCE OF 20.79 FEET; THENCE NORTH 86° 09' 15" EAST, A DISTANCE OF 38.06 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 7° 24' 00" EAST AND A RADIUS OF 405.00 FEET, AN ARC DISTANCE OF 9.75 FEET; THENCE SOUTH 08° 46' 44" EAST, A DISTANCE OF 99.32 FEET; THENCE SOUTH 81° 13' 16" WEST, A DISTANCE OF 25.00 FEET; THENCE NORTH 08° 46' 44" WEST, A DISTANCE OF 11.44 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LEGAL DESCRIPTION CONTAINS 2,788.56 SQUARE FEET.

SECTION 2. That the following conditions of approval apply:

1. The vacation of right-of-way shall not go into effect until such time as a new general utility easement is dedicated to cover existing infrastructure along the subject right-of-way.

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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*

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*