

## **BILL NO. 21-17**

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AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED OSAGE, 1ST PLAT, LOTS 1-41 AND TRACTS A-H, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2020-065, submitted by Clayton Properties Group, Inc., requesting approval of the final plat entitled "Osage, 1st Plat, Lots 1-41 and Tracts A-H", 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 January 7, 2021 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 "Osage, 1st Plat, Lots 1-41 and Tracts A-H" is a subdivision in Section 35, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

A tract of land in the Northeast Quarter of the Northeast Quarter of Section 35, Township 47 North, Range 32 West of the 5th Principal Meridian, and including part of Lots 1, 2 and 3 SALVAGGIO'S RANCH, a subdivision of land, recorded as Instrument Number I1210418 in Book I53 at Page 73 in Jackson County Recorder of Deeds Office, all in Lee's Summit, Jackson County, Missouri being bounded and described by Jason S. Roudebush, P.L.S. 2002014092 as follows: Commencing at the Northeast corner of said Northeast Quarter; thence South 02°08'00" West, on the East line of said Northeast Quarter, 658.78 feet to the Southeast corner of the North half of the Northeast Quarter of said Northeast Quarter; thence North 88°08'29" West, on the South line of said North half, 50.00 feet to the Southeast corner of said Lot 3, said point also being on the existing Westerly right-of-way line of SW Pryor Road, as now established, and also being the Point of Beginning of the tract of land to be herein described; thence South 88°08'29" East, on said North line and said existing Westerly right-of-way line, 10.00 feet to the existing Westerly right-of-way line of said SW Pryor Road as established by Document 19631814460 in Book 1634 at Page 487 being on a line on that is 40.00 West of and parallel with the East line of said Northeast Quarter of said Northeast Quarter; thence South 02°08'00" West, on said existing Westerly right-of-way line and said parallel line, 658.80 feet to a point on the South line of the said Northeast Quarter of said Northeast Quarter; thence North 88°09'45" West, on said South line, 857.08 feet; thence leaving said South line, North 01°48'53" East, 335.30 feet; thence South 88°11'07" East, 202.50 feet; thence North 01°48'53" East, 170.00 feet; thence South 88°11'07" East, 21.62 feet; thence North 01°48'53" East, 500.00 feet; thence North 88°11'07" West, 106.00 feet; thence South 46°48'53" West, 19.80 feet; thence North 88°11'07" West, 50.00 feet; thence North 43°11'07" West, 19.80 feet; thence North 88°11'07" West, 127.17 feet to a point on the West line of the East half of the Northwest Quarter of said Northeast Quarter; thence North 02°09'46" East, on said West line, 212.32 feet to a point on the existing Southerly right-of-way

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line of Missouri State Highway No. 150, as established by Document Number 2009E0064160, being 80.00 feet right of Centerline Station 316+29.79 (Station 316+29.51 Deed); thence leaving said West line, South 88°11'07" East, along said existing Southerly right-of-way line, 170.21 feet to a point that is 80+00.00 right of Centerline Station 318+00.00 thence South 58°26'25" East, along said Southerly right of way line, 40.31 feet to a point that is 100.00 feet right of centerline Station 318+35.00; thence South 88°11'07" East, along said Southerly right of way line, 30.00 feet to a point that is 100.00 feet right of centerline Station 318+65.00; thence North 76°55'17" East, along said Southerly right of way line, 97.27 feet to a point on the Southerly right of way line of Missouri State Highway No. 150 as established by Document 2009E0006361, being 75.00 feet right of centerline Station 319+59.00; thence South 88°11'07" East, along said Southerly right of way line, 126.00 feet to a point that is 75.00 feet right of centerline Station 320+85.00; thence North 85°28'29" East, along said Southerly right of way line, 90.55 feet to a point that is 65.00 feet right of centerline Station 321+75.00; thence South 88°11'07" East, along said Southerly right of way line and along the Southerly right of way line of Missouri State Highway No. 150 as established by Document 2009E0006351, 175.00 feet to a point that is 65.00 feet right of centerline Station 323+50.00; thence South 82°44'41" East, along said Southerly right of way line, 105.48 feet to a point that is 75.00 feet right of centerline Station 324+55.00; thence South 88°11'07" East, along said Southerly right of way line, 45.00 feet to a point that is 75.00 feet right of centerline Station 325+00.00; thence South 49°40'27" East, along said Southerly right of way line, 88.33 feet to a point that is 130.00 feet right of centerline Station 325+69.12 (Station 325+69.30 Deed), said point also being on the East line of said Lot 2, SALVAGGIO'S RANCH and on the West right of way of said SW Pryor Road as now established; thence South 02°08'00" West, along said East lot line and said West right of way line, 509.17 feet to the Point of Beginning. Containing 917,234 square feet or 21.06 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 "Osage, 1st Plat, Lots 1-41 and Tracts A-H".

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.

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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 will, in accordance with Section 7.340 of the UDO, provide security in a form acceptable to the City 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.

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 "Osage, 1st Plat, Lots 1-41 and Tracts A-H", 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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor William A. Baird

ATTEST:

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

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APPROVED by the Mayor of said City this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor William A. Baird

ATTEST:

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

APPROVED AS TO FORM:

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City Attorney Brian Head