

## **BILL NO. 21-37**

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AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR A PORTION OF NW BLACK TWIG LN LOCATED AT THE INTERSECTION OF NW BLACK TWIG LN AND NW LOWENSTEIN DR, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the right-of-way was established by the final plat (Appl. #PL2018-232) titled *Streets of West Pryor, Lots 1-14 and Tracts A, B, C, D*, recorded with the Jackson County Recorder of Deeds office by Instrument No. 2019-E-0032538-1; and,

WHEREAS, Application #PL2020-279, submitted by Streets of West Pryor, 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 January 28, 2021, 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 February 23, 2021, 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 NW BLACK TWIG LANE, AS SHOWN ON THE RECORDED PLAT STREETS OF WEST PRYOR LOTS 1 THRU 14, TRACTS "A", "B", "C", & "D", A PLATTED SUBDIVISION OF LAND IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*BEGINNING AT THE SOUTHWEST CORNER OF LOT 7 OF SAID STREETS OF WEST PRYOR LOTS 1 THRU 14, TRACTS "A", "B", "C", & "D"; THENCE N 46°14'40" W, A DISTANCE OF 50.00 FEET; THENCE N 44°16'27" E, A DISTANCE OF 145.18 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 175.00 FEET, AN ARC DISTANCE OF 146.38 FEET; THENCE N 3°39'09" W, A DISTANCE OF 167.38 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 375.00 FEET, AN ARC DISTANCE OF 242.29 FEET; THENCE N 50°51'20" E, A DISTANCE OF 50.02 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF S 40°29'34" E AND A RADIUS OF 425.00 FEET, AN ARC DISTANCE OF 273.27 FEET; THENCE S 3°39'09" E, A DISTANCE OF 167.38 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 225.00 FEET, AN ARC DISTANCE OF 188.21 FEET; THENCE S 44°16'27" W, A DISTANCE OF 144.73 FEET TO THE POINT OF BEGINNING.*

*THE ABOVE DESCRIBED LEGAL DESCRIPTION CONTAINS 36,870.79 SQUARE FEET.*

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SECTION 2. That the following conditions of approval apply:

1. The ordinance approving the vacation of right-of-way shall be recorded with the Jackson County Recorder of Deeds office and a copy of the recorded document shall be returned to the Development Services Department prior to the issuance of a building permit.

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 \_\_\_\_\_, 2021.

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

ATTEST:

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

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

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

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