

BILL NO. 21-40

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED HIGHLAND MEADOWS, 5TH PLAT, LOTS 134-159 AND TRACTS G, H, AND I, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2020-336, submitted by Summit Homes, requesting approval of the final plat entitled "Highland Meadows, 5th Plat, Lots 134-159 and Tracts G, H, and I", 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 11, 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 "Highland Meadows, 5th Plat, Lots 134-159 and Tracts G, H, and I", is a Tract of land lying in the southeast quarter of Section 10, Township 47 North, Range 32 West, in the City of Lee's Summit, Jackson County, Missouri, bearings are referenced to grid north of the Missouri state plane coordinate system, 1983, west zone, and more particularly described as follows:

HIGHLAND MEADOWS 5TH PLAT BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE NORTH 87°10'35" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 747.13 FEET TO THE SOUTHEAST CORNER OF LOT 114, HIGHLAND MEADOWS, FOURTH PLAT, RECORDED AS DOCUMENT NO. 2017E0104888; THENCE ALONG THE EAST LINE OF SAID HIGHLAND MEADOWS, FOURTH PLAT THE FOLLOWING EIGHT (8) COURSES:

NORTH 02°48'00" EAST, A DISTANCE OF 170.17 FEET TO THE SOUTHEAST CORNER OF LOT 116; THENCE NORTH 01°49'29" EAST, A DISTANCE OF 121.61 FEET TO THE NORTHEAST CORNER OF LOT 115; THENCE NORTH 73°08'56" WEST, A DISTANCE OF 76.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 115; THENCE NORTH 87°51'19" WEST, A DISTANCE OF 74.00 FEET TO THE NORTHWEST CORNER OF LOT 116; THENCE SOUTH 88°54'43" WEST, A DISTANCE OF 149.12 FEET TO THE SOUTHEAST CORNER OF LOT 119; THENCE NORTH 02°48'00" EAST, A DISTANCE OF 120.59 FEET TO THE NORTHEAST CORNER OF SAID LOT 119 AND BEING ON THE SOUTH RIGHT OF WAY LINE OF S.W. 12TH STREET, AS PREVIOUSLY ESTABLISHED AND BEING ON A NON-TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT, HAVING A CHORD BEARING OF SOUTH 86°33'11" EAST, A RADIUS OF 425.00 FEET FOR AN ARC DISTANCE OF 9.84 FEET; THENCE NORTH 03°06'24" EAST, A DISTANCE OF 177.15 FEET TO THE NORTHEAST CORNER OF LOT 120; THENCE LEAVING SAID EAST PLAT BOUNDARY LINE, NORTH 86°26'23" EAST, A DISTANCE OF 69.45 FEET; THENCE NORTH 76°44'00" EAST, A DISTANCE OF 71.81 FEET; THENCE NORTH 84°55'00" EAST, A DISTANCE OF 70.24 FEET; THENCE SOUTH 85°27'00" EAST, A DISTANCE OF 63.03 FEET; THENCE SOUTH 76°24'00" EAST, A DISTANCE OF 63.62 FEET; THENCE SOUTH 66°08'25" EAST, A DISTANCE OF 72.72 FEET; THENCE SOUTH 54°30'00" EAST, A DISTANCE OF 95.58 FEET; THENCE SOUTH 41°38'00" EAST, A DISTANCE OF 92.00 FEET; THENCE SOUTH 38°07'00" EAST, A DISTANCE OF 88.00 FEET; THENCE SOUTH 51°55'00" EAST, A DISTANCE OF 35.90 FEET; THENCE SOUTH 70°29'47" EAST, A DISTANCE OF 74.92 FEET; THENCE SOUTH 65°33'30" EAST, A DISTANCE OF 22.99 FEET; THENCE SOUTH 24°26'30" WEST, A DISTANCE OF 94.81 FEET;

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THENCE SOUTH 65°33'30" EAST, A DISTANCE OF 110.00 FEET; THENCE NORTH 24°26'30" EAST, A DISTANCE OF 318.03 FEET TO THE BEGINNING OF A CURVE TO THE LEFT AND TANGENT TO THE LAST DESCRIBED COURSE; THENCE ALONG SAID CURVE TO THE LEFT, HAVING A CHORD BEARING OF NORTH 02°58'26" EAST, A RADIUS OF 1155.00 FEET, FOR AN ARC DISTANCE OF 865.52 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF S.W. 11TH STREET, AS PREVIOUSLY ESTABLISHED BY HIGHLAND MEADOWS, THIRD PLAT, RECORDED AS DOCUMENT NO. 2014E0053988; THENCE NORTH 70°15'52" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF SAID S.W. 11TH STREET, A DISTANCE OF 28.08 FEET TO THE NORTHWEST CORNER OF LOT 92 OF SAID HIGHLAND MEADOWS, THIRD PLAT; THENCE SOUTH 14°13'00" EAST, ALONG THE WEST LINE OF SAID LOT 92, A DISTANCE OF 127.83 FEET TO THE SOUTHWEST CORNER OF SAID LOT 92; THENCE SOUTH 87°00'00" EAST, ALONG THE SOUTH LINE OF SAID LOT 92, A DISTANCE OF 65.73 FEET TO THE SOUTHEAST CORNER OF SAID LOT 92 AND BEING ON THE WEST LINE OF LOT 130, THE GLEN AT THE MEADOWS OF WITNERSET, THIRD PLAT, LOTS 118-184, RECORDED AS DOCUMENT NO. 2003I0024858; THENCE SOUTH 03°06'46" WEST, ALONG THE WEST LINE OF SAID GLEN AT THE MEADOWS OF WINTERSET, THIRD PLAT, THE WEST LINE OF THE GLEN AT THE MEADOWS OF WINTERSET, FIFTH PLAT, LOTS 212-233 & TRACT E, ALSO BEING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 1260.55 FEET TO THE POINT OF BEGINNING. CONTAINING 492,148.60 SQ. FEET (11.30 ACRES).

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 "Highland Meadows, 5th Plat, Lots 134-159 and Tracts G, H, and I".

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 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.

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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 development plan 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 "Highland Meadows, 5th Plat, Lots 134-159 and Tracts G, H, and I", 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:

City Attorney *Brian W. Head*