

BILL NO. 21-60

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED WHISPERING WOODS, LOTS 29A, 30A, 31A, 32A, AND 33A, AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2020-378, submitted by Whispering Woods Land, LLC , requesting approval of the final plat entitled "Whispering Woods, Lots 29A, 30A, 31A, 32A, and 33A", 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 March 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 "Whispering Woods, Lots 29A, 30A, 31A, 32A, and 33A" is a subdivision in Section 24, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

All of Lots 29, 30, 31, 32, 33 and Tract D, Whispering Woods First Plat, a subdivision in Lee's Summit, Jackson County, Missouri, being described as follows: Beginning at the northeast corner of said Lot 29; thence S02°21'55", along the easterly line of said Lot 29, and along the easterly line of said Tract D, a distance of 130.00 feet to the southeast corner of said Tract D; thence N87°38'05"W, along the southerly line of said Tract D, a Distance of 326.96 feet; thence N68°40'47"W, continuing along said southerly line, a distance of 140.25 feet to the southwesterly corner of said Tract D; thence N29°33'50"E, along the westerly line of said Tract D and along the Westerly line of said Lot 33, a distance of 115.02 feet; thence northeasterly, along the northerly line of said Lot 33, along a curve to the right being tangent to the previously described course, having a radius of 15.00 feet, an arc distance of 23.08 feet; thence easterly, continuing along the northerly line of said Lot 33 and along the northerly line of said Lot 32, along a curve to the left being tangent to the previously described curve, having a radius of 255.00 feet, an arc distance of 112.83 feet; thence S87°38'05"E, continuing along the northerly line of said Lot 32, and along the northerly line of said Lots 31, 30, and 29, a distance of 278.08 feet to the point of beginning. Containing 56,333 sq. ft. or 1.29 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 "Whispering Woods, Lots 29A, 30A, 31A, 32A, and 33A".

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

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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 7.330 of the UDO because all subdivision-related public improvements required by the UDO are existing and in place 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 "Whispering Woods, Lots 29A, 30A, 31A, 32A, and 33A", 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*