

BILL NO. 21-59

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED NAPA VALLEY, 4TH PLAT, LOTS 147-165 AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-111, submitted by Engineering Solutions, LLC, requesting approval of the final plat entitled "Napa Valley, 4th Plat, Lots 147-165", 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 September 11, 2018, 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 "Napa Valley, 4th Plat, Lots 147-165", is a Tract of land lying in the northwest ¼ of Section 36, 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:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36; THENCE SOUTH 87°54'45" EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 359.67 FEET TO THE SOUTHEAST CORNER OF NAPA VALLEY-1ST PLAT , A SUBDIVISION AS RECORDED IN THE OFFICE OF THE RECORDER; THENCE NORTH 02°08'23" EAST, A DISTANCE OF 308.57 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 85° 10' 56" WEST, AND A RADIUS OF 425.00 FEET, AN ARC DISTANCE OF 12.44 FEET; THENCE ALONG A REVERSE CURVE, HAVING A RADIUS OF 175.00 FEET, AN ARC DISTANCE OF 8.71 FEET; THENCE NORTH 07°46'34" WEST, A DISTANCE OF 50.10 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 50° 57' 16" EAST, AND A RADIUS OF 21.00 FEET, AN ARC DISTANCE OF 19.46 FEET; THENCE NORTH 02°08'23" EAST, A DISTANCE OF 123.92 FEET TO THE NORTHWEST CORNER OF NAPA VALLEY-2ND PLAT, A SUBDIVISION AS RECORDED IN THE OFFICE OF THE RECORDER, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 02°08'23" EAST, A DISTANCE OF 60.10 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 36.00 FEET, AN ARC DISTANCE OF 25.14 FEET; THENCE NORTH 42°08'44" EAST, A DISTANCE OF 67.29 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 21.00 FEET, AN ARC DISTANCE OF 12.40 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 53° 51' 54" EAST, AND A RADIUS OF 225.00 FEET, AN ARC DISTANCE OF 15.27 FEET; THENCE NORTH 37°07'46" EAST, A DISTANCE OF 183.26 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 52° 52' 23" EAST, AND A RADIUS OF 670.00 FEET, AN ARC DISTANCE OF 452.09 FEET; THENCE ALONG A REVERSE CURVE, HAVING A RADIUS OF 23.00 FEET, AN ARC DISTANCE OF

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33.22 FEET; THENCE NORTH 81°13'16" EAST, A DISTANCE OF 20.00 FEET; THENCE NORTH 08°46'44" WEST, A DISTANCE OF 9.11 FEET; THENCE NORTH 81°13'16" EAST, A DISTANCE OF 120.01 FEET; THENCE SOUTH 08°38'04" EAST, A DISTANCE OF 1.44 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 405.00 FEET, AN ARC DISTANCE OF 97.42 FEET; THENCE ALONG A REVERSE CURVE, HAVING A RADIUS OF 14.00 FEET, AN ARC DISTANCE OF 23.01 FEET; THENCE SOUTH 71°44'41" WEST, A DISTANCE OF 16.10 FEET; THENCE SOUTH 18°15'19" EAST, A DISTANCE OF 50.00 FEET; THENCE NORTH 71°44'41" EAST, A DISTANCE OF 12.36 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 14.00 FEET, AN ARC DISTANCE OF 24.46 FEET; THENCE SOUTH 08°08'13" EAST, A DISTANCE OF 110.19 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, TANGENT TO THE PRECEDING COURSE AND HAVING A RADIUS OF 230.00 FEET, AN ARC DISTANCE OF 28.70 FEET; THENCE SOUTH 72°15'18" WEST, A DISTANCE OF 67.47 FEET; THENCE NORTH 88°57'49" WEST, A DISTANCE OF 276.14 FEET; THENCE NORTH 78°18'09" WEST, A DISTANCE OF 164.64 FEET; THENCE NORTH 63°21'25" WEST, A DISTANCE OF 309.17 FEET; THENCE NORTH 87°49'15" WEST, A DISTANCE OF 64.64 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 235,085.56 SQUARE FEET (5.40 ACRES) MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, CONDITIONS AND RIGHT OF WAYS, RECORDED OR UNRECORDED IF ANY.

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 "Napa Valley, 4th Plat, Lots 147-165".

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

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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 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 "Napa Valley, 4th Plat, Lots 147-165", 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*