

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "VILLAGE AT VIEW HIGH, 1ST PLAT, Lots 1-3 & Tract A", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2016-186, submitted by Engineering Solutions, LLC, requesting approval of the final plat entitled "Village at View High, 1st Plat, Lots 1-3 & Tract A", was referred to the Planning Commission as required by the Unified Development Ordinance No. 5209; and,

WHEREAS, the Planning Commission considered the final plat on December 13, 2016, 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 "Village at View High, 1st Plat, Lots 1-3 & Tract A" is a subdivision in Section 3, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

A tract of land in the Southwest Quarter of Section 3, Township 47 North, Range 32 West, in Lee's Summit, Jackson County, Missouri, being described as follows:

Commencing at the Northwest corner of the Southwest Quarter of said Section 3; thence South 87° 05' 51" East a distance of 30.00 feet to a point on the Easterly Right of Way line of NW View High Drive, said point also being the Point of Beginning; thence South 03° 19' 41" West, along said Easterly Right of Way line, a distance of 1,543.17 feet; thence South 87° 12' 53" East, a distance of 222.15 feet; thence North 03° 19' 41" West, a distance of 211.67 feet; thence South 86° 27' 14" East, a distance of 252.65 feet; thence South 41° 27' 21" East, a distance of 21.21 feet; thence South 03° 32' 32" West, a distance of 25.00 feet; thence South 86° 27' 31" East, a distance of 60.00 feet; thence North 03° 32' 32" East, a distance of 24.99 feet; thence North 48° 32' 39" East, a distance of 21.12 feet; thence South 86° 27' 14" East, a distance of 401.32 feet; thence North 03° 32' 46" East, a distance of 698.11 feet; thence South 86° 43' 38" East, a distance of 167.88 feet; thence North 03° 29' 22" East, a distance of 610.58 feet; thence North 87° 05' 51" West, a distance of 1138.76 feet, returning to the Point of Beginning.

Containing 1,414,014.34 Sq. Ft. (32.46 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 "Village at View High, 1st Plat, Lots 1-3 & Tract A".

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 Planning and Special Projects, 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 16, Subdivisions, Unified Development Ordinance ("UDO") of the City, which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 16 of the UDO of the City, upon the Director of Public Works certifying to the Director of Planning and Special Projects 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 16.340 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 has, in accordance with Section 16.340 of the UDO, deposited an irrevocable **letter of credit** 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 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 "Village at View High, 1st Plat, Lots 1-3 & Tract A", 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 18th day of May, 2017.



Mayor *Randall L. Rhoads*

ATTEST:



Deputy City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said City this 22nd day of May, 2017.



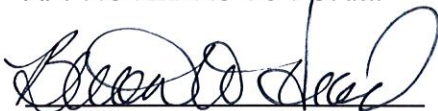
Mayor *Randall L. Rhoads*

ATTEST:



Deputy City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:



City Attorney *Brian W. Head*



International Trade Services, 1008 Oak Street, Kansas City, MO 64106
phone: 816-860-7560 fax: 816-860-4858 SWIFT: UMKCUS44 INT

5/9/2017

CITY OF LEE'S SUMMIT
FINANCE DEPARTMENT
ATTN: CONRAD LAMB, FINANCE DIRECTOR
220 SE GREEN STREET
LEE'S SUMMIT, MO 64063

RE: STANDBY LETTER OF CREDIT NO. SB50468 FOR ACCOUNT JOHN R. BONDON

ENCLOSED PLEASE ORIGINAL LETTER OF CREDIT NO. SB50468
IN YOUR FAVOR. AFTER YOUR CAREFUL REVIEW, PLEASE CONFIRM
YOUR ACCEPTANCE ON THE ATTACHED NON-NEGOTIABLE COPY, WHERE
INDICATED AND RETURN TO MY ATTENTION IN THE ENCLOSED ENVELOPE.

SHOULD YOU HAVE ANY QUESTIONS, PLEASE CONTACT ME
DIRECTLY BY PHONE AT 816-860-7560.

SINCERELY,

UMB BANK, N.A.

A handwritten signature in black ink, appearing to read "Angelina Grado Juarez", written over a circular stamp or seal.

ANGELINA GRADO JUAREZ, CDCS
VICE PRESIDENT & MANAGER
INTERNATIONAL TRADE SERVICES
816-860-7560



UMB Bank, n.a.

Attn: International Trade Services
1008 Oak Street, Mailstop 1170205
Kansas City, MO 64106
Tel: 816-860-7560
Fax: 816-860-4858
SWIFT: UMKCUS44INT

**Irrevocable
Standby Letter of Credit No.: SB50468**

City of Lee's Summit
Finance Department
Attn: Conrad Lamb, Finance Director
220 SE Green Street
Lee's Summit, MO 64063

Issue Date: May 9, 2017

Expiration Date: May 9, 2018

We hereby issue our IRREVOCABLE STANDBY LETTER OF CREDIT ("Letter of Credit") in your favor for the account of John R. Bondon ("Obligee") for a maximum aggregate amount not exceeding One Million Nine Hundred Sixty Thousand Eight Hundred Seventeen and 20/100 U.S. Dollars) (US\$ 1,960,817.20) available by payment against your sight draft(s) drawn on UMB Bank, n.a..

The City may draw upon this Letter of Credit upon written notification to the Bank that the Obligee has defaulted in its obligation to the City to construct, install and/or complete the development related Improvements required for On-Site Water, On-Site Sanitary Sewer, On-Site Street and Stormwater, General Construction, and Off-Site Construction inclusive of the On-Site Sanitary Sewer, Street and Stormwater ("Improvements") required for the Village at View High project ("Project") and according to the Estimated cost to complete, prepared by Engineering Solutions dated May 2, 2017, the public improvement for Village at View High 1st Plat by December 31, 2017 [the projected completion date] or the Obligee has failed to post a new Letter of Credit or other sufficient security approved by the City's Director of Finance, prior to Initial Expiration Date, securing the construction, installation and/or completion of the Improvements.

The written notification shall be on official City letterhead, signed by the City Manager, the City's Finance Director, or other authorized official of the City. The amount of the Letter of Credit shall be reduced automatically by the amount of any draw hereunder. A copy of this Letter of Credit must accompany any presented documents.

We hereby agree with you that all drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored upon the presentation and delivery of documents as specified to us at UMB Bank, n.a., 1008 Oak Street, Kansas City, MO 64106, Attn: International Trade Services, no later than the Initial Expiration Date, or any automatically extended date as provided herein.

It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for one year from the Initial Expiration Date hereof, unless at least 60 days prior to such date, we shall send written

UMB Bank, n.a.



notice to you at the above address, via certified mail, that we elect not to consider this Letter of Credit renewed for such additional one-year period.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision) of the International Chamber of Commerce, ICC Publication No. 600, and to the extent not inconsistent therewith the laws of the State of Missouri, including without limitation the Uniform Commercial Code in effect therein.

UMB Bank, n.a.

A large, stylized handwritten signature in black ink, appearing to be "Angela Grado Juana".

[Bank official's signature and date]

Angela Grado Juana
Vice President & Manager
International Trade Services

ORIGINAL



Engineering Estimate to Complete
May 2, 2017
Village at View High
Lee's Summit, MO

Application No. pl2016186
Village at View High 1st Plat

Estimated cost to complete the public improvement for Village at View High 1st Plat

Cost to Complete

<u>Street and Storm Sewer</u>	\$1,101,274.85
<u>Sanitary Sewer (On-Site)</u>	\$167,813.95
<u>Sanitary Sewer (Off-Site)</u>	\$384,457.00
<u>Water Line</u>	\$268,824.00
<u>Total to Completed</u>	<u>\$1,922,369.80</u>
<u>Bonding</u>	<u>\$38,447.40</u>

Letter of Credit Total Requested **\$1,960,817.20**

A circular professional engineer seal for Matthew J. Schlicht, State of Missouri, with a handwritten signature over it.

Matthew J. Schlicht PE 20060019708

This is to certify the above amount is the portion of the project that is not completed as of May 2, 2017

See attached sheets for detailed break out of construction costs

ENGINEERING COST ESTIMATE

ENGINEERING SOLUTIONS

50 SE 30TH STREET
LEE'S SUMMIT, MO

DATE:
4/14/2017

PROJECT NAME:

Village at View High

On-Site Sanitary Sewer

SITE LOCATION:

View High Drive
Lee's Summit, MO
Sanitary Improvements

ITEM AND DESCRIPTION	UNIT	ESTIMATED QUANTITY	LABOR AND MATERIAL COST PER UNIT	COST PER ITEM
SANITARY PIPE 12" PVC	FT	2,150.51	45.00	96,772.95
SANITARY PIPE 8" PVC	FT	804.25	32.00	25,736.00
5' DIA. SANITARY MANHOLES	UNIT	11.00	3,750.00	41,250.00
TRENCH CHECKS	UNIT	11.00	100.00	1,100.00
TRACER WIRE AND EQUIPMENT	FT	2,955.00	1.00	2,955.00
TOTAL COST = \$				167,813.95



ENGINEERING COST ESTIMATE

ENGINEERING SOLUTIONS

50 SE 30TH STREET
LEE'S SUMMIT, MO

DATE:
4/14/2017

PROJECT NAME:

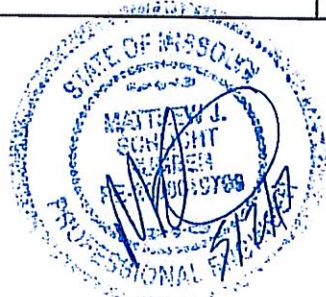
Village at View High

General Construction

SITE LOCATION:

View High Drive
Lee's Summit, MO
General Construction

ITEM AND DESCRIPTION	UNIT	ESTIMATED QUANTITY	LABOR AND MATERIAL COST PER UNIT	COST PER ITEM
ASPHALT PAVING	S.Y.	8,806.00	25.00	\$ 220,150.00
ADA SIDEWALK RAMP	UNIT	12.00	750.00	\$ 9,000.00
5' SIDEWALK	S.F.	24,014.75	4.25	\$ 102,062.69
GEOGRID	S.Y.	10,472.00	3.25	\$ 34,034.00
MoDOT Type 5 Base	S.Y.	10,472.00	7.25	\$ 75,922.00
CURBING	FT	4,081.65	11.75	\$ 47,959.39
CLEARING, GRADING & GRUBBING	C.Y.	90,400.00	1.75	\$ 158,200.00
BMP/RETENTION BASIN GRADING	S.F.	87,462.00	1.10	\$ 96,208.20
STORM PIPE				
15" HDPE	FT	39.00	27.70	\$ 1,080.30
18" HDPE	FT	39.50	30.50	\$ 1,204.75
24" HDPE	FT	289.58	40.30	\$ 11,670.07
30" HDPE	FT	346.36	60.00	\$ 20,781.60
36" HDPE	FT	208.19	60.00	\$ 12,491.40
42" HDPE	FT	239.03	72.50	\$ 17,329.68
48" HDPE	FT	274.82	78.00	\$ 21,435.96
54" HDPE	FT	157.83	86.00	\$ 13,573.38
60" HDPE	FT	1,045.34	95.00	\$ 99,307.30
60" HDPE END SECTION / TOE WALL	LS	3.00	1,750.00	\$ 5,250.00
FAIRCLOTH SKIMMER ASSEMBLY	UNIT	1.00	2,200.00	\$ 2,200.00
14' X 7' OUTLET STRUCTURE	UNIT	1.00	6,500.00	\$ 6,500.00
5' x 4' STORM CURB INLET	UNIT	22.00	3,075.00	\$ 67,650.00
4' x 4' STORM FIELD INLET	UNIT	2.00	2,800.00	\$ 5,600.00
SILT FENCE	FT	6,541.61	1.25	\$ 8,177.01
INLET PROTECTION	UNIT	24.00	80.00	\$ 1,920.00
SEEDING / MULCHING/ FERTILIZING	ACRE	33.00	1,000.00	\$ 33,000.00
ROCK CHECK AND CONST ENTRANCE	UNIT	2.00	1,750.00	\$ 3,500.00
RIP RAP W/ FABRIC	S.Y.	51.00	35.00	\$ 1,785.00
TURF REINFORCED MAT	S.Y.	29,176.17	0.75	\$ 21,882.13
STREET SIGNAGE	UNIT	4.00	350.00	\$ 1,400.00
TOTAL COST =				\$ 1,101,274.85



ENGINEERING COST ESTIMATE

ENGINEERING SOLUTIONS

50 SE 30TH STREET
LEE'S SUMMIT, MO

DATE:
5/2/2017

PROJECT NAME:

Village at View High

On-Site Water

SITE LOCATION:

View High Drive
Lee's Summit, MO
Water Improvements

ITEM AND DESCRIPTION	UNIT	ESTIMATED QUANTITY	LABOR AND MATERIAL COST PER UNIT	COST PER ITEM
FIRE HYDRANT ASEMBLY	UNIT	13.00	3,600.00	\$ 46,800.00
8" GATE VALVE/ VALVE BOX & COVER	UNIT	5.00	1,200.00	\$ 6,000.00
12" BUTTERFLY VALVE/ VALVE BOX & COVER	UNIT	2.00	1,600.00	\$ 3,200.00
12" TEES,BENDS, CROSSES	LS	4.00	750.00	\$ 3,000.00
8" WATER LINE	FT	2,331.00	24.00	\$ 55,944.00
12" WATER LINE	FT	3,975.00	32.00	\$ 127,200.00
20" Casing Pipe	FT	102.00	65.00	\$ 6,630.00
Street Bore	FT	102.00	175.00	\$ 17,850.00
8" TEES, BENDS, CROSSES	LS	4.00	550.00	\$ 2,200.00
TOTAL COST = \$				268,824.00



ENGINEERING COST ESTIMATE

ENGINEERING SOLUTIONS

50 SE 30TH STREET
LEE'S SUMMIT, MO

DATE:
4/14/2017

PROJECT NAME:

View High Project

Offsite Construction

APPLICATION # PL2016138

SITE LOCATION:

View High Dr. and Chipman Rd
Lee's Summit, MO

ITEM AND DESCRIPTION	UNIT	ESTIMATED QUANTITY	LABOR AND MATERIAL COST PER UNIT	COST PER ITEM
CLEARING, GRADING & GRUBBING	C.Y.	20,280	2.25	45629.00
SILT FENCE	FT	6,832	1.25	8539.00
SLOPE PROTECTION	S.F.	11,148	0.75	8361.00
SEEDING / MULCHING/ FERTILIZING	ACRE	4	1000.00	4190.00
RIP RAP W/ FABRIC	S.Y.	889	35.00	31111.00
15" SDR 26 PVC	FT	2,725	65.00	177156.00
15" D.I.P. CLASS 50 W/ REINF. JOINTS	FT	331	45.00	14903.00
Concrete Encasement @ 2+13.60	FT	236	65.00	15315.00
Concrete Encasement @ 25+66.30	FT	28	65.00	1820.00
Bank Restoration @ 2+13.60	SF	8,742	1.25	10928.00
Bank Restoration @ 25+66.30	SF	472	1.25	590.00
Bolt Down Lid	UNIT	1	2000.00	2000.00
Temporary Construction Fence	FT	1,790	0.35	627.00
Manhole Adjustment Rings	UNIT	1	1250.00	1250.00
Repair Gravel Parking Area	S.F.	350	2.25	788.00
Neoprene Gaskets	UNIT	1	1250.00	1250.00
4' DIA. MANHOLE	UNIT	15	4000.00	60000.00
TOTAL COST = \$				384,457.00



PL#2016-186 FINAL PLAT VILLAGE AT VIEW HIGH APARTMENTS ENGINEERING SOLUTIONS, LLC, APPLICANT

