

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "EAGLE CREEK, 15TH PLAT, LOTS 661-707 AND TRACTS O, P AND Q", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2017-011, submitted by Hunt Midwest Real Estate Development, Inc., requesting approval of the final plat entitled "Eagle Creek, 15th Plat, Lots 661-707 and Tracts O, P and Q", 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 April 11, 2017, 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 "Eagle Creek, 15th Plat, Lots 661-707 and Tracts O, P and Q" is a subdivision in the NW Quarter of Section 23, Township 47N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

A tract of land in the Northwest Quarter of Section 23, Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri being bounded and described as follows: Beginning at the Northwest corner of said Northwest Quarter; thence South 87°35'47" East, along the North line of said Northwest Quarter, 1,301.52 feet; thence South 02°24'13" West, 105.00 feet; thence South 42°35'47" East, 35.36 feet; thence South 02°24'13" West, 50.00 feet; thence South 47°24'13" West, 35.36 feet; thence South 02°24'13" West, 134.41 feet; thence Southerly, along a curve to the left, being tangent with the last described course with a radius of 800.00 feet, a central angle of 01°54'39", and an arc distance of 26.68 feet to the Northeast corner of said EAGLE CREEK-FOURTEENTH PLAT; thence North 89°30'27" West, along the North line of said EAGLE CREEK-FOURTEENTH PLAT, 75.00 feet; thence South 71°15'03" West, continuing along said North line, 107.13 feet; thence South 51°50'15" West, continuing along said North line, 234.72 feet; thence South 46°51'05" West, continuing along said North line, 149.10 feet; thence South 44°22'31" West, continuing along said North line, 282.93 feet; thence South 40°22'50" West, continuing along said North line, 643.07 feet; thence South 52°02'51" West, continuing along said North line, 40.24 feet; thence North 87°23'50" West, continuing along said North line, 233.69 feet to a point on the West line of said Northwest Quarter; thence North 02°36'10" East, along said West line, 1,408.84 feet to the Point of Beginning. Containing 1,180,138 square feet or 27.09 acres, more or less.

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 "Eagle Creek, 15th Plat, Lots 661-707 and Tracts O, P and Q".

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 **surety bond** 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 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 "Eagle Creek, 15th Plat, Lots 661-707 and Tracts O, P and Q", 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 1st day of March, 2018.


Mayor Randall L. Rhoads

ATTEST:


City Clerk Trisha Fowler Arcuri


APPROVED by the Mayor of said City this 6th day of March, 2018.


Mayor Randall L. Rhoads

ATTEST:


City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:


City Attorney Brian W. Head



Eagle Creek 15th Plat
January 9, 2018
For: Hunt Midwest Real Estate Development

Opinion of Probable Cost Remaining Public Infrastructure

ITEM OF WORK	QUANTITY	UNIT	UNIT PRICE	TOTAL
GRADING				
Fine Grading	680.00	S.Y.	\$1.75	\$1,190.00
			Subtotal	\$1,190.00
PAVEMENT MARKING AND SIGNAGE				
Stop Sign	3.00	L.F.	\$175.00	\$525.00
Street Name Sign	6.00	L.F.	\$175.00	\$1,050.00
End of Road Treatment Markers	1.00	L.F.	\$165.00	\$165.00
			Subtotal	\$1,740.00
EROSION CONTROL				
Erosion Control Blanket	544.00	S.Y.	\$2.15	\$1,169.60
Permanent Seeding	21.14	Ac.	\$1,500.00	\$31,710.00
			Subtotal	\$32,879.60
TOTAL OF CONSTRUCTION COSTS				\$35,809.60
GRAND TOTAL				\$35,809.60

Final construction costs may be impacted by input from local, state, and federal regulatory authorities. Estimate does not include state or federal regulatory permit fees or potential mitigation cost for stream and wetland impacts.

Construction costs are subject to unit cost increases due to inflation and market factors beyond control of or unknown to consultant at time of estimate.

We do not guarantee that our opinions will not differ materially from negotiated prices or bids. If assurances as to probable construction costs are desired, an independent estimator or contractor should be employed.

RECEIVED

JAN 26 2018

Development Services

SUBDIVISION BOND

Bond No. 0213889

KNOW ALL MEN BY THESE PRESENTS, That We, Hunt Midwest Real Estate Development, Inc.

8300 N.E. Underground Drive, Kansas City, MO 64161

as Principal, and Berkley Insurance Company, 475 Steamboat Road, Greenwich, CT 06830 (203) 542-3800 a
Delaware Corporation authorized to do business in the State of Missouri as Surety, are held and firmly
bound unto City of Lee's Summit, Missouri

In the penal sum of Thirty Five Thousand, Eight Hundred Nine and 60/100 (\$35,809.60)

 Dollars lawful money of the United States of America for the payment of which, well
and truly to be made, we bind ourselves, our heirs, successors and assigns, jointly and severally firmly by
these presents.

WHEREAS the Principal has agreed with City of Lee's Summit, Missouri

To install certain improvements in connection with Eagle Creek, 15th Plat, Grading, Pavement Marking
and Signage, Curbs, Sidewalks, Erosion Control and Water Lines

NOW THEREFOR, THE CONDITIONS OF THIS OBLIGATION IS SUCH, that if the Principal shall install said
improvements within a period of one year from date hereof, then this obligation shall be void, otherwise
to remain in full force and effect.

THE LIABILITY OF THE SURETY, in any event, shall not exceed (\$35,809.60) Dollars.

SINGNED, SEALED AND DATED this 30th day of January, 2018.

Hunt Midwest Real Estate Development, Inc.



Witness

VICE PRESIDENT
HUNT MIDWEST REAL ESTATE DEV, INC.

By:



Principal

Ora H. Reynolds, President + CEO

Berkley Insurance Company

Surety

By:



Debra J. Scarborough, Attorney-in-Fact

Witness



Tahitia M. Fry

POWER OF ATTORNEY
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

NOTICE: The warning found elsewhere in this Power of Attorney affects the validity thereof. Please review carefully.

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Patrick T. Pribyl; Debra J. Scarborough; Mary T. Flanigan; Jeffrey C. Carey; Laura M. Buhrmester; Christy M. Braile; Charissa D. Lecuyer; Evan D. Sizemore; Charles R. Teter, III; Rebecca S. Leal; C. Stephens Griggs; Tahitia M. Fry; or Megan L. Burns-Hasty of Lockton Companies, LLC of Kansas City, MO* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00), to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 14th day of September, 2017.

Attest:

Berkley Insurance Company

(Seal)

By

Ira S. Lederman
Ira S. Lederman
Executive Vice President & Secretary

By

Jeffrey M. Hafler
Jeffrey M. Hafler
Senior Vice President

WARNING: THIS POWER INVALID IF NOT PRINTED ON BLUE "BERKLEY" SECURITY PAPER.

STATE OF CONNECTICUT)

COUNTY OF FAIRFIELD)

) ss:

Sworn to before me, a Notary Public in the State of Connecticut, this 14th day of September, 2017, by Ira S. Lederman and Jeffrey M. Hafler who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C. RUNDBAKEN
NOTARY PUBLIC
MY COMMISSION EXPIRES
APRIL 30, 2019

Maria C. Rundbaken
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

Given under my hand and seal of the Company, this _____ day of _____

JAN 30 2018

Vincent P. Forte
Vincent P. Forte

(Seal)

WARNING - Any unauthorized reproduction or alteration of this document is prohibited. This power of attorney is void unless seals are readable and the certification seal at the bottom is embossed. The background imprint, warning and verification instructions (on reverse) must be in blue ink.

	EASEMENTS	PLAN LEGEND
D.E.	STORM DRAINAGE EASEMENT	
S.E.	SANITARY SEWER EASEMENT	
U.E.	UTILITY EASEMENT	
W.E.	WATER EASEMENT	
S.D.E.	SURFACE DRAINAGE EASEMENT	
	SETBACKS	
B.L.	BUILDING SETBACK	
	MISC.	
H	RADIUS	
L	AIRC DISTANCE	
D	DELTA / CENTRAL ANGLE	
C.B.	INTERNAL TANGENT BEARING	
H	HEIGHT OF WAY	
B.M.P.	BEST MANAGEMENT PRACTICE	

- NO DIRT SURVEY MONUMENT FOUND SECTION CORNER (MONUMENTATION AS NOTED)
- FOUND PROPERTY CORNER (MONUMENTATION AS NOTED)
- SET 3/8" IRON REBAR WITH ALUMINUM CAP TO BE SET UPON COMPLETION OF CONSTRUCTION.
- SET 1/2" IRON BAR WITH PLASTIC CAP TO BE SET UPON COMPLETION OF CONSTRUCTION. (1/2" BARS WITH CAPS WILL ALSO BE SET ON ALL LOT AND TRACT CORNERS)

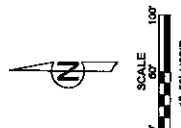
D.E. STORM DRAINAGE EASEMENT /
S.E. SANITARY SEWER EASEMENT
U.E. UTILITY EASEMENT
W.E. WATER EASEMENT
S.O.E. SURFACE DRAINAGE EASEMENT

SETTINGS

B.L. BUILDING SETBACK

ABC

N. RADIAL
A. ARC CRISTANCE
D. DELTA / CENTRAL ANGLE
T.B. TANGENT BEARING
C.A. CENTERLINE
M/H. HEIGHT OF WAY
B.P. BEST MANAGEMENT PRACTICE



RESTRICTED ACCESS
Access to S.W. Loderback Drive is restricted (collector street).
Individual lot owner(s) shall not change or construct the drainage on the Master Drainage Plan, unless specific application is made.

APPROVED:	George M. Blumof, P.E. City Engineer	Date:
APPROVED:	Robert C. Mackay, M.P. Director of Planning & Special Projects	Date:
APPROVED:	Roger L. Reicks Mayor	Date:
APPROVED:	Paul Indino Planning Commission Secretary	Date:
APPROVED:	Deane R. Chappin, MMC City Clerk	Date:
APPROVED:	Vernell L. Brown	Date:

This plat and survey of EAGLE CREEK-FIFTEENTH PLAT, LOTS 661 THRU 707, INCLUSIVE, AND TRACTS C, P AND Q, were recorded by Chas. Anderson, 1301 Burlington Street, St. Louis, Mo., on the 10th day of May, 1906.

Jason S. Roudsush, M.D. MLS 2002014092
February 15, 2017
roudsush@allisonassociates.com

PL#2017-011-FINAL PLAT
EAGLE CREEK, 15TH PLAT
HUNT MIDWEST REAL ESTATE DEV., INC., APPLICANT

