

AN ORDINANCE VACATING THE ALLEY NORTH OF SW 1ST STREET BETWEEN NW MARKET STREET AND NW MAIN STREET, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the right-of-way was dedicated as part of W.B. Howard's 2nd Addition, recorded with Jackson County by Instrument #1883P0020079 on September 12, 1883; and,

WHEREAS, Application #PL2019-239, submitted by Worley Real Estate 5 NW Market Series, LLC, requesting vacation of the right-of-way, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on September 12, 2019, and rendered a report to the City Council containing findings of fact and recommending that the requested vacation of right-of-way be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on October 1, 2019, and rendered a decision to vacate said right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the following described right-of-way is hereby and herewith vacated:

ALL THAT PART OF THE ALLEYWAY WITHIN BLOCK ONE OF WB HOWARD'S SECOND ADDITION TO THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 10 OF BLOCK ONE OF WB HOWARD'S SECOND ADDITION; THENCE WITH THE EASTERLY LINE OF LOTS 10 THRU 13 N31°06'09"W, 306.08' TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF WEST MARKET STREET; THENCE WITH SAID EASTERLY RIGHT-OF-WAY N03°25'22"E, 35.29' TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF WEST MARKET STREET AND THE EASTERLY RIGHT-OF-WAY OF THE 20' ALLEYWAY WITHIN BLOCK ONE OF WB HOWARD'S SECOND ADDITION; THENCE WITH THE WESTERLY LINES OF LOTS 2 THRU 9 S31°06'09"E, 335.65' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF FIRST STREET; THENCE WITH SAID NORTHERLY RIGHT-OF-WAY S60°18'56"W, 20.00' BACK TO THE POINT OF BEGINNING.

SECTION 2. That the following conditions of approval apply:

1. A general utility easement shall be retained over the entire width and length of the alley right-of-way to cover existing infrastructure located within the subject right-of-way.

SECTION 3. That the City Clerk be and is hereby authorized and directed to acknowledge a copy of this ordinance and to record same in the Office of the Recorder of Deeds for the County in which the property is located.

SECTION 4. 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.

BILL NO. 19-219

ORDINANCE NO. 8737

PASSED by the City Council of the City of Lee's Summit, Missouri, this 8th day of October, 2019.



Mayor William A. Baird

ATTEST:



City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this 10th day of October, 2019.



Mayor William A. Baird

ATTEST:



City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:



City Attorney Brian Head

Certificate of Survey

Alleyway VACATION between FIRST STREET and WEST MARKET
W.B. HOWARD'S SECOND ADDITION
to the City of Lee's Summit, Jackson County, Missouri
PROPERTY DESCRIPTION

All that part of the Alleyway within Block ONE of WB HOWARD'S SECOND ADDITION to the City of Lee's Summit, Jackson County, Missouri and being more particularly described as follows: Beginning at the Southeast corner of Lot 10 of Block One of WB HOWARD'S SECOND ADDITION; thence with the Easterly line of lots 10 thru 13 N31°06'09"W, 306.08' to a point on the Easterly Right-of-Way of West Market Street; thence with said Easterly Right-of-Way N03°25'22"E, 35.29' to the intersection of the East Right-of-Way of West Market Street and the Easterly Right-of-Way of the 20' Alleyway within Block One of WB HOWARD'S SECOND ADDITION; thence with the Westerly lines of Lots 2 thru 9 S31°06'09"E, 335.65' to a point on the Northerly Right-of-Way of FIRST STREET; thence with said Northerly Right-of-Way S60°18'56"W, 20.00' back to the Point of Beginning.

Legend

- = Found & noted
- = Set 1/2" Iron Bar w/cap

R = Record Distance
M = Measured Distance
C = Calculated

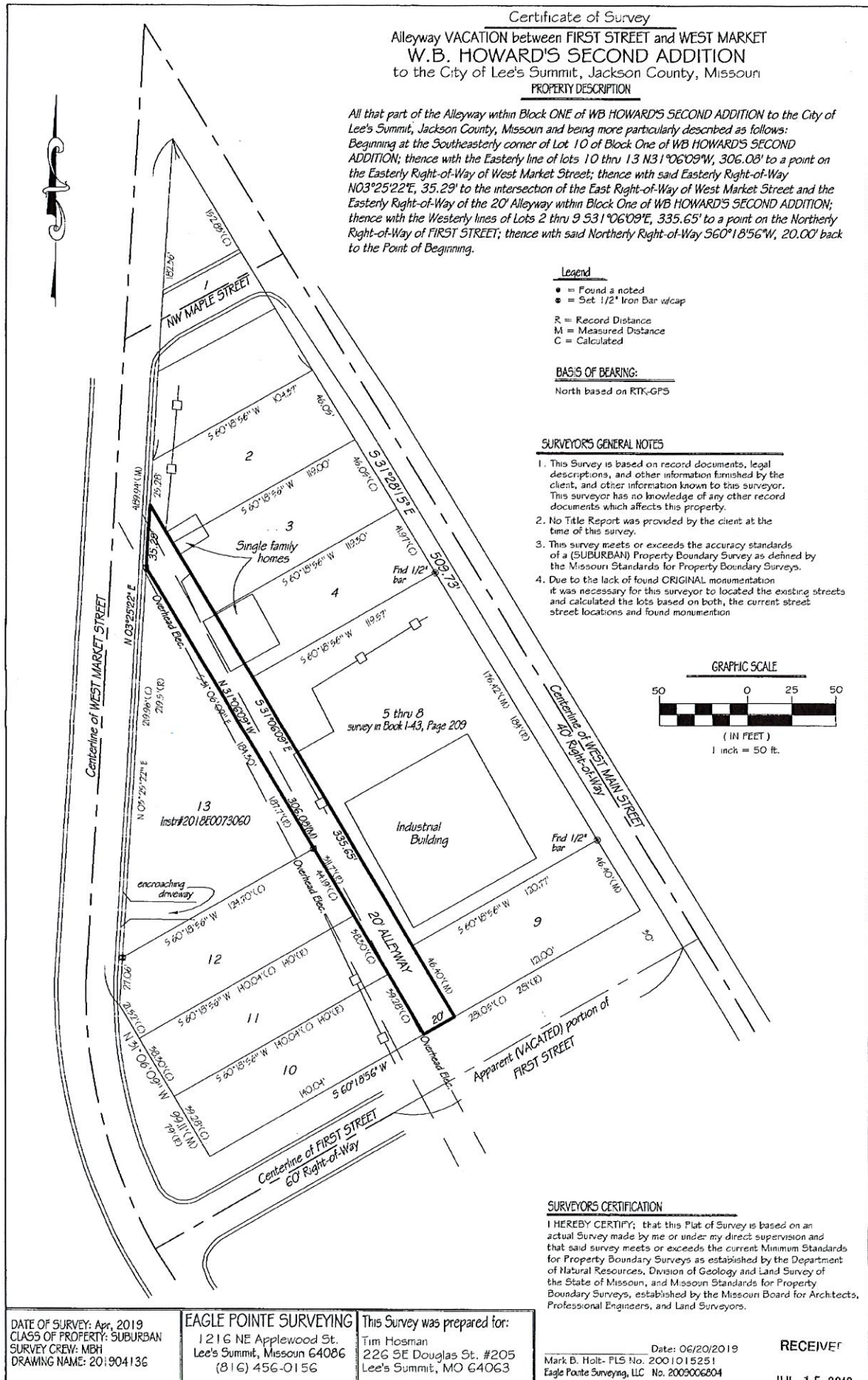
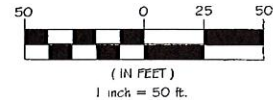
BASIS OF BEARING:

North based on RTK-GPS

SURVEYOR'S GENERAL NOTES

1. This Survey is based on record documents, legal descriptions, and other information furnished by the client, and other information known to this surveyor. This surveyor has no knowledge of any other record documents which affects this property.
2. No Title Report was provided by the client at the time of this survey.
3. This survey meets or exceeds the accuracy standards of a (SUBURBAN) Property Boundary Survey as defined by the Missouri Standards for Property Boundary Surveys.
4. Due to the lack of found ORIGINAL monumentation it was necessary for this surveyor to locate the existing streets and calculate the lots based on both, the current street locations and found monumentation

GRAPHIC SCALE



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY: that this Plat of Survey is based on an actual Survey made by me or under my direct supervision and that said survey meets or exceeds the current Minimum Standards for Property Boundary Surveys as established by the Department of Natural Resources, Division of Geology and Land Survey of the State of Missouri, and Missouri Standards for Property Boundary Surveys, established by the Missouri Board for Architects, Professional Engineers, and Land Surveyors.

DATE OF SURVEY: Apr, 2019
CLASS OF PROPERTY: SUBURBAN
SURVEY CREW: MBH
DRAWING NAME: 201904136

EAGLE POINTE SURVEYING
1216 NE Applewood St.
Lee's Summit, Missouri 64086
(816) 456-0156

This Survey was prepared for:
Tim Hosman
226 SE Douglas St. #205
Lee's Summit, MO 64063

Date: 06/20/2019
Mark B. Holt- PLS No. 2001015251
Eagle Pointe Surveying, LLC No. 2009006804

RECEIVED

JUL 15 2019

Development Services

2019-239 --

PL2019-239 VAC OF ROW
Alley segment north of SW 1st St between
NW Market St and NW Main St

