



## VACATION OF EASEMENT PROCESS

### Step 1 – Filing the Application

The applicant must submit an application to the Development Services Department, including the following:

- **Application Form** – completed and signed by the applicant and property owner(s).
- **Fees** - Application filing fee, payable to the City of Lee's Summit - \$150. An application may be withdrawn upon written request, and the fee will be refunded.
- **Drawings** – A plat or other drawing indicating the easement(s) to be vacated. Number of copies as shown on the Submittal Copies Chart, plus one 8 ½" by 11" reduction **and electronic copy of the drawing and legal description**. Scale – not less than 1" = 100'.
- **Deadline** - Items will be placed on the Planning Commission agenda based upon the deadline schedule and completeness of the application submittal.

### Step 2 – City Staff Review

- A Planner will be assigned as the project lead. The Development Review Committee (DRC) is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions that reviews each item and identifies relevant issues. If there are any comments for the applicant, they will be sent to all parties listed on the application form.
- The City will send letters to the utility companies for their input: KCP&L (electric), Missouri Gas Energy (gas), AT&T (telephone), Time Warner and Comcast (cable), as well as to the City's Public Works and Water Utilities Departments, for their input.

### Step 3 – Planning Commission

- Development Services will place the item on the Planning Commission agenda. A copy of the Planning Commission agenda and staff recommendation will be sent to the applicant prior to the meeting.
- The Commission meets on the second and fourth Thursdays of each month in the Council Chambers of City Hall at 220 SE Green Street.
- The applicant is expected to make a brief presentation, describing the request and responding to any concerns raised in the City staff's report.
- The Planning Commission's action is a recommendation to the City Council to either approve, approve with conditions, or deny the application. The Planning Commission may continue an application to allow further study or the submission of more information.

### Step 4 – City Council – Ordinance

- The Lee's Summit City Council meets on the first and third Tuesday of each month at the Council Chambers of City Hall at 220 SE Green Street.
- A vacation of easement will be on the Council agenda under Ordinances. Ordinances are generally read and voted on by the Council with little or no discussion. However, the applicant is advised to be present in case there are any questions. The City Council will vote on whether or not to adopt the Ordinance vacating the easement.
- A vacation of easement does not become a legal document until the ordinance is recorded by the Jackson or Cass County Recorder of Deeds. A copy of the recorded document is returned to the Development Services Department.

**LS LEE'S SUMMIT**  
**MISSOURI**

**VACATION OF EASEMENT APPLICATION**

1. PROPERTY LOCATION/ADDRESS: 2861 NE Independence Avenue \_\_\_\_\_

2. LEGAL DESCRIPTION (attach if description is metes and bounds description): \_\_\_\_\_

LOT 15A, I-470 BUSINESS AND TECHNOLOGY CENTER, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI

3. APPLICANT LSMOB Owner LLC PHONE 314-503-5006  
CONTACT PERSON Tim Breece FAX \_\_\_\_\_  
ADDRESS 488 Terrington Drive CITY/STATE/ZIP Ballwin, MO 63021  
E-MAIL tim.breece@gmail.com

4. PROPERTY OWNER See Applicant PHONE \_\_\_\_\_  
CONTACT PERSON \_\_\_\_\_ FAX \_\_\_\_\_  
ADDRESS \_\_\_\_\_ CITY/STATE/ZIP \_\_\_\_\_  
E-MAIL \_\_\_\_\_

5. ENGINEER/SURVEYOR McClure PHONE 816-756-0444  
CONTACT PERSON Paul Osborne FAX \_\_\_\_\_  
ADDRESS 1700 Swift Street, Suite 100 CITY/STATE/ZIP North Kansas City, MO 64116  
E-MAIL posborne@mcclurevision.com

6. OTHER CONTACTS \_\_\_\_\_ PHONE \_\_\_\_\_  
CONTACT PERSON \_\_\_\_\_ FAX \_\_\_\_\_  
ADDRESS \_\_\_\_\_ CITY/STATE/ZIP \_\_\_\_\_  
E-MAIL \_\_\_\_\_

All applications require the signature of the owner on the application and on the ownership affidavit. Applications without the proper signatures will be deemed incomplete and will not be processed.

Applicant same as Property owner  
PROPERTY OWNER  
APPLICANT  
Print name: Same TIMOTHY C. Breece

Receipt #: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Processed by: \_\_\_\_\_ Application # \_\_\_\_\_



**LS** **LEE'S SUMMIT**  
MISSOURI

**OWNERSHIP AFFIDAVIT**

STATE OF MISSOURI )

ss.

COUNTY OF JACKSON )

Comes now Timothy C. Breece, Manager, LSMOB Owner LLC (owner)

who being duly sworn upon his/her oath, does state that he/she is the owner of the property

legally described as 2861 NE Independence Ave,  
Lee's Summit MO. - see attached  
legal description

and acknowledges the submission of the application for vacation of easement on said property under the City of Lee's Summit Unified Development Ordinance.

Dated this 28 day of June, 2021

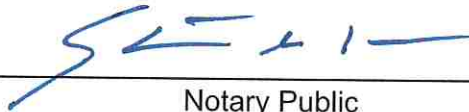


Signature of Owner

Timothy C. Breece

Printed Name

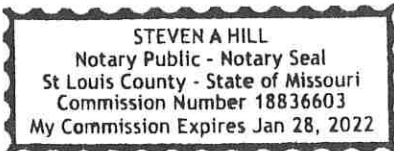
Subscribed and sworn to before me this 28<sup>th</sup> day of June, 2021



Notary Public

1-28-2022

My Commission Expires



June 16, 2021


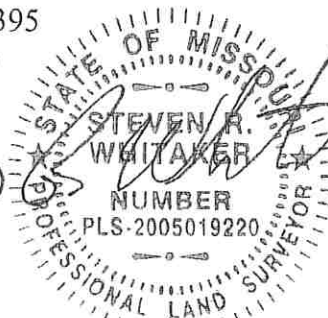
**DESCRIPTION OF THE PARTIAL RELEASE OF A UTILITY EASEMENT  
AS SHOWN ON THE I-470 TECHNOLOGY CENTER, LOT 15A.  
SITUATED IN SECTION 20, TOWNSHIP 48, NORTH, RANGE 31 WEST  
IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.**

A 10 feet wide tract of land being situated over a portion of a 45 feet wide Utility Easement as shown on the Minor Plat of I-470 TECHNOLOGY CENTER, LOT 15A, a subdivision in the City of Lee's Summit, Jackson County, Missouri recorded as Document No. 2018E00009264 in Plat Book 175 at Page 71 in the Office of the Recorder of Deeds for said County and State. Said Minor Plat being in Section 20, Township 48, North, Range 31 West in said City, County and State and being now more particularly described as follows:

Commencing at the Northwest corner of said Lot 15A, being also the intersection of the Southerly right-of-way line of NE Jones Industrial Drive as now established 60 feet wide with the Easterly right-of-way line of NE Independence Avenue as now established 60 feet wide; thence S 06°45'04" W along the Westerly line of said Lot 15A, being also along the Easterly right-of-way line of said NE Independence Avenue, a distance of 101.90 feet; thence S 83°14'56" E, perpendicular to the last described course, a distance of 35.00 feet to the Point of Beginning of the tract of land to be herein described; thence continuing S 83°14'56" E along the last described course, a distance of 10.00 feet to a point on the Easterly line of the aforesaid 45 feet wide Utility Easement; thence S 06°45'04" W, perpendicular to the last described course and being now along the Easterly line of the aforesaid 45 feet wide Utility Easement, a distance of 390.44 feet to a point on the Northerly line of a 32.5 feet wide Utility Easement as shown the aforesaid Minor Plat of I-470 TECHNOLOGY CENTER, LOT 15A; thence N 83°14'50" W along the Westerly extension of the Northerly line of said 32.5 feet wide Utility Easement, a distance of 10.00 feet; thence N 06°45'04" E along a line 10.00 feet Westerly of and parallel with the Easterly line of said 45 feet wide Utility Easement, a distance of 390.44 feet to the Point of Beginning.

Containing 3,904 square feet, more or less.

This description having been prepared by Steven R. Whitaker, Missouri, P.L.S No. 2005019220. MEC Corporate Certificate / License No. 2012009395

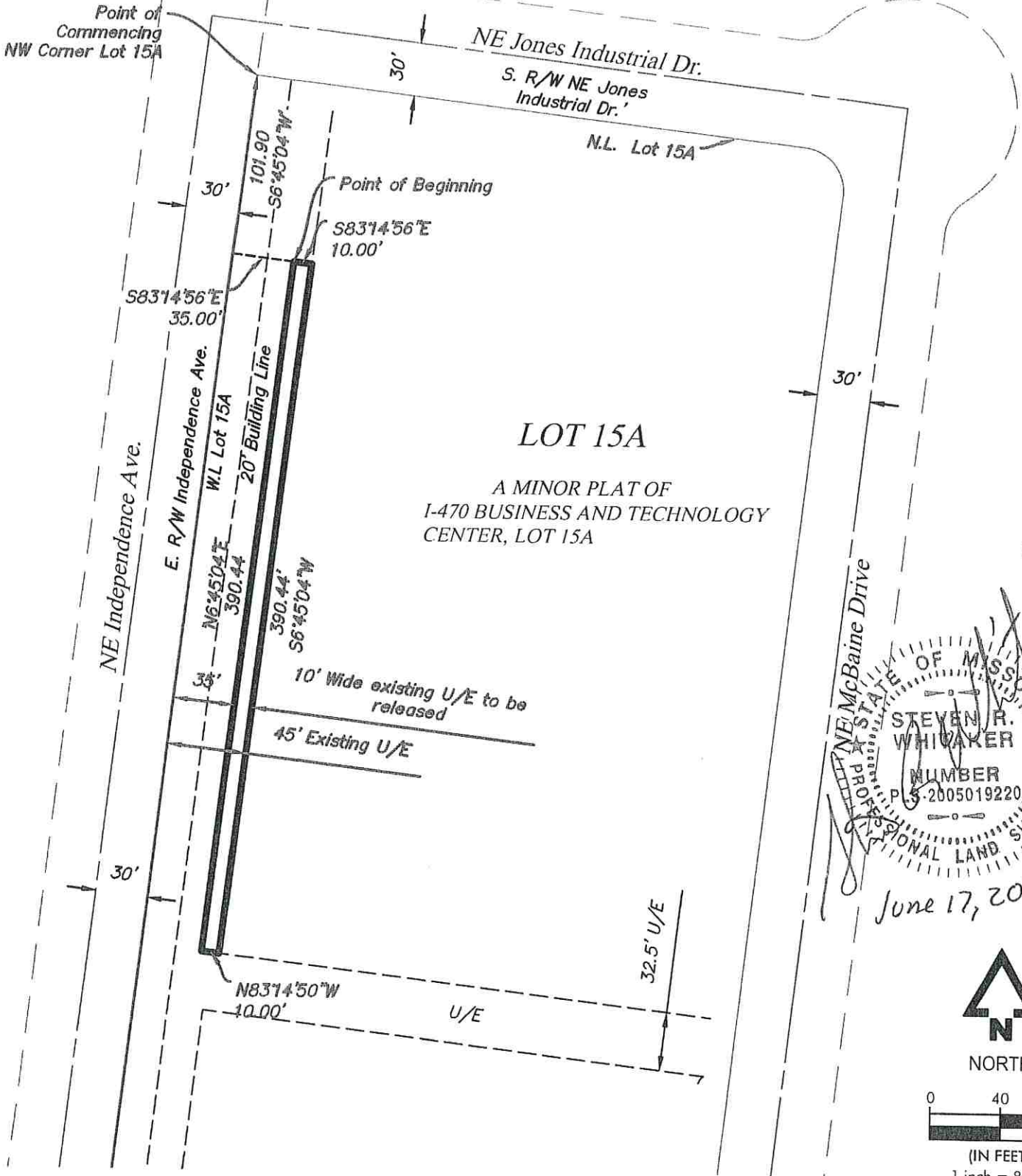
  
  
*June 17, 2021*

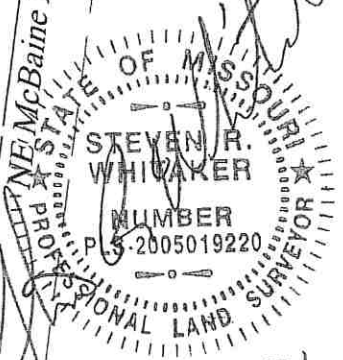


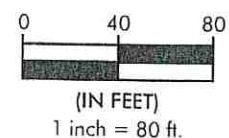
McClure Engineering Company  
11250 Corporate Avenue  
Lenexa, Kansas 66219  
www.mecresults.com



# EASEMENT EXHIBIT



  
 June 17, 2021




**McCLURE™**  
 making lives better.

1700 Swift Street, STE 100  
 North Kansas City, Missouri 64116  
 816-756-0444  
 fax 816-756-1763

EXTRA LINE IF NEEDED  
 EASEMENT DESCRIPTION  
 EASEMENT EXHIBIT

Lee's Summit, Missouri  
 Jackson, County  
 PROJECT # 210841-000  
 June 17 2021

REVISIONS	
ENGINEER	DRAWN BY
ENGINEER	W. Hunter
SURVEYOR	CREW CHIEF
SURVEYOR	CREWCHIEF

SKETCH NO  
**EXH- 01**

DRAWING PATH: P:\210841-000\Drawings\Survey\210841-000 Partial Vacation 45 U/E.dwg PLOT DATE: 06/17/2021 8:09 AM PLOTTED BY: WILLIAM HUNTER