



**CITY OF LEE'S SUMMIT, MISSOURI**  
**DOCUMENT TO BE RECORDED**  
WITH JACKSON COUNTY, MISSOURI

DATE OF DOCUMENT: September 27, 2022

DOCUMENT TITLE: Ordinance No. 9490

GRANTOR(S) NAME: Ordinance No. 9490

GRANTEE(S): City of Lee's Summit  
ADDRESS: 220 SE Green Street  
Lee's Summit, MO 64063

LEGAL DESCRIPTION: Please see Pages 1 & 2 of the subject document.

STATE OF MISSOURI)  
COUNTY OF JACKSON) (SS

This is to certify that the attached is a full, true and complete copy as same is recorded in the Office of the City Clerk of the City of Lee's Summit, Missouri.

Ordinance No. 9490 - AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY ALONG THE EAST SIDE OF SW MCCLENDON DRIVE ADJACENT TO 1100 SW 3RD STREET IN THE CITY OF LEE'S SUMMIT, MISSOURI.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of said City of Lee's Summit, Missouri this 27th, day of September, 2022.



  
City Clerk – Trisha Fowler Arcuri

Please return recorded copies to: Trisha Fowler Arcuri, City Clerk  
City of Lee's Summit  
220 SE Green Street  
Lee's Summit, MO 64063

**BILL NO. 22-170****ORDINANCE NO. 9490**

AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY ALONG THE EAST SIDE OF SW MCCLENDON DRIVE ADJACENT TO 1100 SW 3<sup>RD</sup> STREET IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, a 50' wide x 70' long segment of right-of-way was dedicated via separate document and was recorded at Jackson County Recorder of Deeds, by Document #1984I0598455; and,

WHEREAS, a 50' wide x 65' long segment of right-of-way was dedicated via separate document and was recorded at Jackson County Recorder of Deeds, by Document #1986I0667242; and,

WHEREAS, Application #PL2021-348, submitted by Schlagel & Associates, 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 July 28, 2022, 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 August 23, 2022, and rendered a decision to vacate said right-of-way.

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

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

*Doc. I-598455 Description;*

*Commencing at the Northwestern corner of Lot 83, HIGHWAY LANE ADDITION, a subdivision in the City of Lee's Summit, Jackson County Mo., said point being on the Easterly right-of-way of McClendon Drive (25 ft. from the centerline thereof); thence along the easterly right-of-way line of said McClendon Drive (25 feet from the centerline thereof) South 42 degrees 30 minutes 45 seconds East, 6 ft. to the true point of beginning of this roadway easement; thence parallel to and 6 ft. Southeasterly of the Northerly line of said lot, North 47 degrees 34 minutes 15 seconds East, 70 ft.; thence parallel to the Easterly right-of-way line of said McClendon Drive South 42 degrees 30 minutes 45 seconds East, 50 ft.; thence parallel to and 14 ft. Northwesternly of the Southerly line of said lot, South 47 degrees 34 minutes 15 seconds West, 70 ft. to a point on the Easterly right-of-way of said drive (25 ft. from the centerline thereof), said point also being on the Westerly line of said lot; thence along the Easterly right-of-way line of said drive (25 ft. from the centerline thereof) North 42 degrees 30 minutes 45 seconds West, 50 ft. to the true point of beginning, containing 3500 square feet.*

**AND ALSO**

*Doc. I-677242 Description;*

*All of the Southeast 50.00 feet of the Northwest 56.00 feet of Lot 83, HIGHWAY LANE ADDITION, a subdivision in the city of Lee's Summit, Jackson County, Missouri, except that*

**BILL NO. 22-170****ORDINANCE NO. 9490**

part conveyed to the City of Lee's Summit by the right-of-way deed recorded as Document No. I-598455 in Book I-1368 at Page 442.

SECTION 2. That the following conditions of approval apply:

1. The vacation of right-of-way shall not become effective until such time as a cross-access easement is dedicated over the existing driveway from SW McClendon Dr shared between Lot 1, Pizza Hut Addition and Lot 1, Hardee's Addition, which shall be effective in perpetuity.
2. A copy of the recorded cross-access easement shall be provided to the Development Services Department.

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.

PASSED by the City Council of the City of Lee's Summit, Missouri, this 6<sup>th</sup> day of September, 2022.

ATTEST:

  
City Clerk Trisha Fowler Arcuri



  
Mayor William A. Baird

APPROVED by the Mayor of said city this 6<sup>th</sup> day of September, 2022.

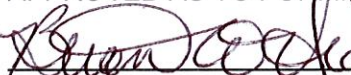
ATTEST:

  
City Clerk Trisha Fowler Arcuri



  
Mayor William A. Baird

APPROVED AS TO FORM:

  
City Attorney Brian W. Head

# EXHIBIT A

Right-of-way Vacation  
Description:

Doc. I-598455 Description;

Commencing at the Northwestern corner of Lot 83, HIGHWAY LANE ADDITION, a subdivision in the City of Lee's Summit, Jackson County Mo., said point being on the Easterly right-of-way of McClendon Drive (25 ft. from the centerline thereof); thence along the easterly right-of-way line of said McClendon Drive (25 feet from the centerline thereof) South 42 degrees 30 minutes 45 seconds East, 6 ft. to the true point of beginning of this roadway easement; thence parallel to and 6 ft. Southeasterly of the Northerly line of said lot, North 47 degrees 34 minutes 15 seconds East, 70 ft.; thence parallel to the Easterly right-of-way line of said McClendon Drive South 42 degrees 30 minutes 45 seconds East, 50 ft.; thence parallel to and 14 ft. Northwesternly of the Southerly line of said lot, South 47 degrees 34 minutes 15 seconds West, 70 ft. to a point on the Easterly right-of-way of said drive (25 ft. from the centerline thereof), said point also being on the Westerly line of said lot; thence along the Easterly right-of-way line of said drive (25 ft. from the centerline thereof) North 42 degrees 30 minutes 45 seconds West, 50 ft. to the true point of beginning, containing 3500 square feet.

AND ALSO

Doc. I-677242 Description;

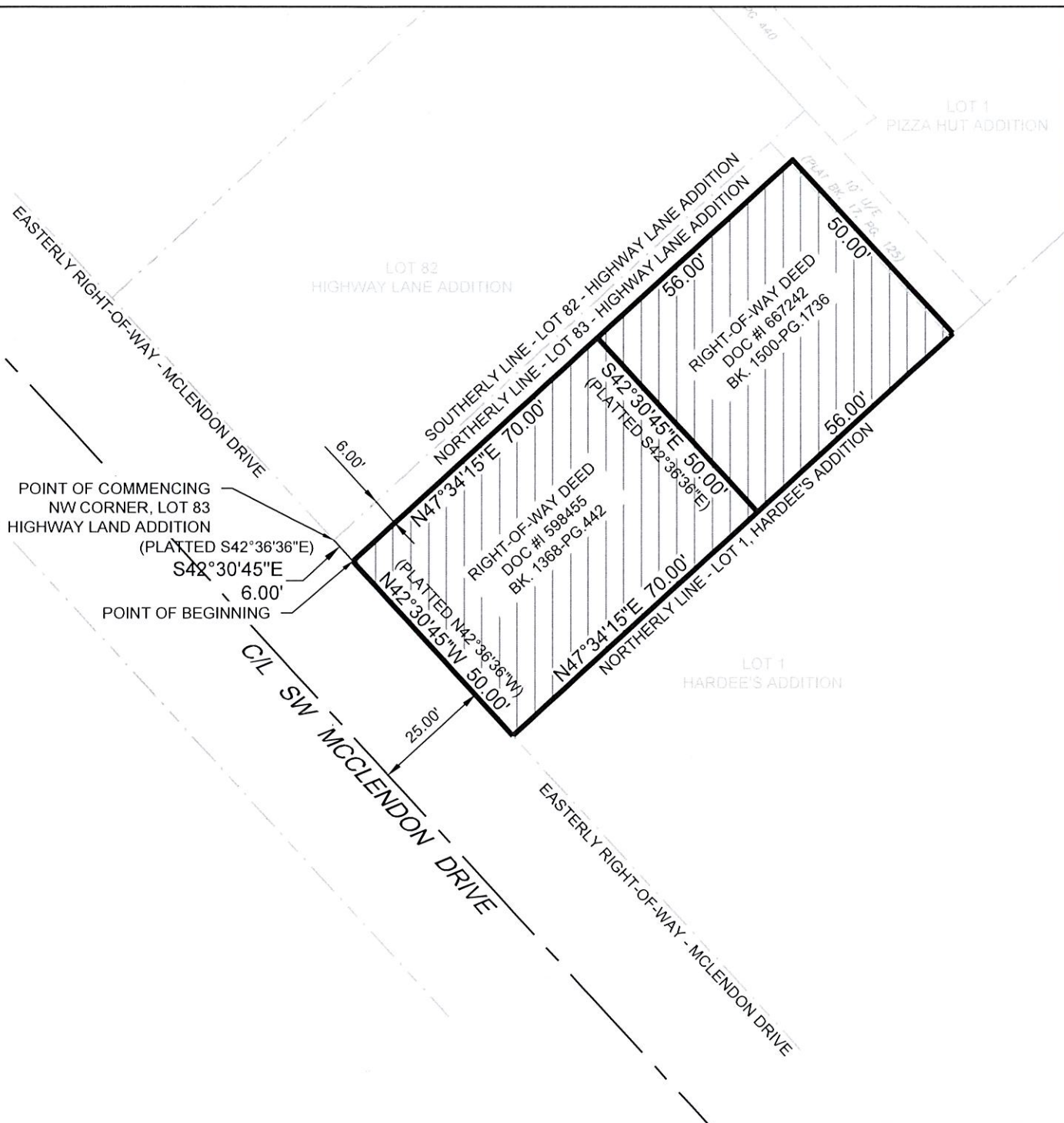
All of the Southeast 50.00 feet of the Northwest 56.00 feet of Lot 83, HIGHWAY LANE ADDITION, a subdivision in the city of Lee's Summit, Jackson County, Missouri, except that part conveyed to the City of Lee's Summit by the right-of-way deed recorded as Document No. I-598455 in Book I-1368 at Page 442.

DRAWN BY:	JTS	 <b>SCHLAGEL</b> ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS 14920 West 107th Street • Lenexa, Kansas 66215 www.schlagelassociates.com • (913) 492-5158 • Fax: (913) 492-8400 Missouri State Certificates of Authority #E2002003800-F #LAC2001005237 #LS2002008859-F
CHECKED BY:	ATR	
DATE:	6-16-2022	
PROJECT NO:	21-077	
SCALE:		
SHEET	1 OF 2	EXHIBIT A - RIGHT-OF-WAY VACATION



# EXHIBIT A

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DRAWN BY: JTS

CHECKED BY: ATR

DATE: 6-16-2022

PROJECT NO: 21-077

SCALE: 1" = 30'

SHEET 2 OF 2

**SCHLAGEL**

ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS

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Missouri State Certificates of Authority

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EXHIBIT A - RIGHT-OF-WAY VACATION