



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

DATE OF DOCUMENT: November 11, 2022
DOCUMENT TITLE: Ordinance No. 9546
GRANTOR(S) NAME: Ordinance No. 9546

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

LEGAL DESCRIPTION: Please see Page 1 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. 9546 - AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR A SEGMENT OF NW LOWENSTEIN DRIVE LOCATED BETWEEN I-470 AND NW CLIFFORD ROAD, 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 11th, day of November, 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. 22-222**ORDINANCE NO. 9546**

AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR A SEGMENT OF NW LOWENSTEIN DRIVE LOCATED BETWEEN I-470 AND NW CLIFFORD ROAD, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, the subject right-of-way was in part dedicated via Quit Claim recorded by the Jackson County Recorder of Deeds office by Instrument #1964-I-0845259; and,

WHEREAS, Application #PL2021-325, submitted by Star Excavation, 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 October 13, 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 November 1, 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:

ALL OF THE RIGHT OF WAY OF NW LOWENSTEIN DR. LOCATED IN SECTION 35, TOWNSHIP 48N, RANGE 32W, IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 35; THENCE N 86°29'09" W, A DISTANCE OF 1331.17 FEET; THENCE N 2°32'13" E, A DISTANCE OF 338.16 FEET TO THE POINT OF BEGINNING; THENCE N 85°06'01" W, A DISTANCE OF 20.02 FEET; THENCE N 2°32'15" E, A DISTANCE OF 736.51 FEET; THENCE S 86°38'56" E, A DISTANCE OF 50.01 FEET; THENCE S 2°32'15" W, A DISTANCE OF 737.87 FEET; THENCE N 85°06'01" W, A DISTANCE OF 30.03 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LEGAL DESCRIPTION CONTAINS 36,859.50 SQUARE FEET.

SECTION 2. That the following conditions of approval apply:

1. An easement shall be retained to cover the existing public (water) and private (Evergy and AT&T) infrastructure located within the subject right-of-way. The vacation of right-of-way shall not go into effect until such time as the necessary easement(s) are dedicated and recorded with the Jackson County Recorder of Deeds.

SECTION 3. That the vacation of right-of-way shall be in accordance with the exhibit and legal description dated June 8, 2022, appended hereto as Attachment A and made a part hereof.

BILL NO. 22-222**ORDINANCE NO. 9546**

SECTION 4. 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 5. 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 8th day of November, 2022.

ATTEST:


City Clerk Trisha Fowler Arcuri




Mayor William A. Baird


APPROVED by the Mayor of said city this 10th day of November, 2022.


Mayor William A. Baird

ATTEST:


City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:


City Attorney Brian W. Head



Prepared By:
Matthew J. Schlicht
PLS-2012000102

THE FAMILY RANCH
801 NW COMMERCE DRIVE
LEES SUMMIT, MO 64086

THE FAMILY RANCH
801 NW COMMERCE DRIVE
LEES SUMMIT, MO 64086

NW Clifford Rd
Apparent 20' R/W Line
(No Documentation Provided)

N/F
Green Living Properties, LLC
(Doc. No. 2010E0015047)

N/F
Green Living Properties, LLC
(Doc. No. 2010E0044305)

S86°38'56"E 50.01'

N2°32'15"E 736.51'

S2°32'15"W 737.87'

NW Lowenstein Dr.
50' ROW to be vacated

50' Right of Way by Quit Claim
Deed recorded in Bk. 1716, Pg. 162

Right of Way to
be Vacated

**Disclaimer: Utility easements for the City of
Lee's Summit, MO are to be reserved within
the Right of Way and upon legal descriptions
being made known, this exhibit shall be
updated to indicate location of the utility
easements and easements shall be drafted by
Engineering Solutions.**

Point of
Beginning

Point of Commencement
Center of Sec 35-48-32
Fd Square Bolt
Doc. 600-44095

DESCRIPTION:

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THE ABOVE DESCRIBED LEGAL DESCRIPTION CONTAINS 36,859.50
SQUARE FEET.

ROW Vacation Exhibit

DATE: 6/8/2022

ROW
Vacation

PROJECT NUMBER:
2251 NW Clifford
REV. TO DWG.:

N/A

SCALE:
1"=150'

SHEET 1 OF 1

ROW Vacation Exhibit

NW Lowenstein Dr

2251 NW Clifford
Lee's Summit, Jackson County, Missouri



50 SE 30TH STREET
LEE'S SUMMIT, MO 64082
P: (816) 623-9888 F: (816) 623-9849