



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 - see Schedule of Fees and Charges. An application may be withdrawn upon written request, and the fee will be refunded.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.



VACATION OF EASEMENT PROCESS

- 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.



VACATION OF EASEMENT APPLICATION

1. PROPERTY LOCATION/ADDRESS: 607 NW Blue Parkway, Lee's Summit, Missouri 64063
2. LEGAL DESCRIPTION (attach if description is metes and bounds description):
Tract 1: Lots 1 and 2, BOB SIGHT FORD, LOTS 1 & 2, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.
Tract 2: Lot 1A, REPLAT OF LOT 1, CHIPMAN PLAZA, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.
3. APPLICANT Spencer Fane LLP PHONE 417-888-1000
CONTACT PERSON Henry Sivils, Associate Attorney FAX 417-881-8035
ADDRESS 2144 E. Republic Rd., Suite B300 CITY/STATE/ZIP Springfield, MO 65804
E-MAIL hsivils@spencerfane.com
4. PROPERTY OWNER TRD Real Estate, LLC PHONE 913-226-6385
CONTACT PERSON Zachary Sight FAX _____
ADDRESS 610 NW Blue Parkway CITY/STATE/ZIP Lee Summit, MO 64063
E-MAIL zsight@bobsight.com
5. ENGINEER/SURVEYOR Viking Surveys PHONE 913-492-6179
CONTACT PERSON Curtis Tolson FAX _____
ADDRESS P.O. Box 13324 CITY/STATE/ZIP Overland Park, KS 66282
E-MAIL curtis@vikingsurveys.com
6. OTHER CONTACTS N/A 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.

Thomas K. Sight PROPERTY OWNER Henry Sivils APPLICANT
Print name: Thomas K. Sight, Sole Manager of TRD Real Estate, LLC Henry Sivils

Receipt #: _____ Date Filed: _____ Processed by: _____ Application # _____



REVISÉ JULY 2021

EXHIBIT A

SURVEY OF PROPERTY

[SEE ATTACHED]

SURVEY CERTIFICATION

To: Bob Sight Auto Group; Enterprise Bank & Trust and Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 7(b)(1), 8, 9, 11(a) and 11(b), of Table A thereof. The fieldwork was completed on January 8, 2024. Date of Plat or Map: January 10, 2024.

PRELIMINARY

Signed:
Curtis D. Tolson, LS - 2236

Chicago Title commitment No. KCC232474 - Schedule "A" Property Description:

TRACT 1:
Lots 1 and 2, BOB SIGHT FORD, LOTS 1 & 2, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.

TRACT 2:
Lot 1A, REPLAT OF LOT 1, CHIPMAN PLAZA, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.

Chicago Title commitment No. KCC232474 - Schedule "B" Exceptions:

- Property is subject to building setback lines and utility easements shown on the plat of Edmondson Crest recorded November 16, 1954 as Document No. 633531, in Plat Book 17, Page 124, as shown hereon.
- Property MAY BE subject to easements, if any, for public utilities, installed in, under or upon the vacated 107th Street Terrace and 108th Street prior to the vacation thereof, and for which no notice appears in the Office of the Recorder/Register of Deeds. This refers to the plat in Plat Book 18, Page 23 which was mislabeled on the county website as being in Independence, but was actually in Lee's Summit. The entire plat appears to be vacated by documents found in Book 1847, Pages 441 and 443. Current plat of Bob Sight Ford, Lots 1 & 2, may contain language that vacated any remaining easements.
- Property is subject to easement granted to the City of Lee's Summit, recorded August 29, 1967 as Document No. 914890, in Book 5993, Page 265, as shown hereon.
- Property is subject to easements and restrictions contained in deed recorded August 6, 1973 as Document No. I-160209, in Book I-458, Page 1803, as shown hereon, as shown hereon.
- Property is NOT subject to sewer easement granted to the City of Lee's Summit, recorded March 13, 1974 as Document No. I-176823, in Book I-505, Page 693. Said easement lies South of the surveyed property.
- Property MAY BE subject to easement granted to Franchise Realty Interstate Corporation, recorded November 5, 1974 as Document No. I-197893, in Book I-559, Page 179. The properties described are to the East of Libby Lane but may give those properties some access and utility rights to a portion of Tract 2. This document is filed before the plat of Chipman plaza which then provided access and utility easements for the area.
- Property is subject to sanitary sewer line easement granted to the City of Lee's Summit, recorded July 31, 1975 as Document No. I-217565, in Book I-611, Page 1008, as shown hereon.
- Property is subject to roadway easement established by Warranty Deed recorded September 15, 1977 as Document No. I-301009, in Book I-786, Page 1698, as shown hereon.
- Property is subject to building setback lines, utility and sewer easements shown on the plat of Chipman Plaza recorded October 25, 1977 as Document No. I-306253, in Plat Book 36, Page 9, as shown hereon.
- Property is NOT subject to right of way granted to The Gas Service Company, recorded August 25, 1978 as Document No. I-346470, in Book I-871, Page 1147. Said easement lies on the east side of the 28' roadway.
- Property is subject to building setback lines, utility and sewer easements shown on the Replat of Lot 1, Chipman Plaza, recorded January 7, 1994 as Document No. I-1243966, in Plat Book I-54, Page 30, as shown hereon.
- Property MAY BE subject to temporary construction easement granted to the City of Lee's Summit, recorded December 26, 2002 as Document No. 2002I020687. Said easement was recorded in 2002 and was to terminate 90 days after completion and thus has probably terminated.
- Property is NOT subject to right of way granted to the City of Lee's Summit, recorded December 26, 2002 as Document No. 2002I020688. Said easement abuts Lot 1, Bob Sight Ford, along the North property line.
- Property is subject to utility easement granted to the City of Lee's Summit, recorded July 22, 2003 as Document No. 2003I0086819. Encroaches the building but was put in place before current building was constructed. Should have been vacated during the planning and construction phase.
- Property is subject to terms and provisions of the Lee's Summit East Tax Increment Financing Plan, redevelopment plan, contract and agreement thereunder, including but not limited to PILOTS and EATS, according to Tax Increment Financing Contract recorded January 22, 2007 as Document No. 2007E0009221. Amended and Restated Contract recorded August 1, 2008 as Document No. 2008E0082099. Blanket in nature, nothing to plot.
- Property MAY BE subject to retroactive assessments, if any, in relation to tax abatement. Not a survey issue.
- Property is subject to terms and provisions of Development Agreement recorded June 6, 2007 as Document No. 2007E0074796. Amendment No. 1 to Development Agreement recorded July 9, 2008 as Document No. 2008E0073960. Blanket in nature, nothing to plot.
- Property is subject to utility easement in the vacated Blue Parkway embraced herein, reserved in Ordinance No. 6408, vacating the same, a copy of which was recorded July 3, 2007 as Document No. 2007E0087549, as shown hereon.
- Property is subject to easements, if any, for public utilities, installed in, under or upon the vacated Blue Parkway prior to the vacation thereof, and for which no notice appears in the Office of the Recorder/Register of Deeds, as shown hereon.
- Property is subject to terms and provisions of City of Lee's Summit Ordinance No. 6458, accepting the plat of Bob Sight Ford, Lots 1 & 2, recorded January 9, 2008 as Document No. 2008E0002872. Blanket in nature, nothing to plot.
- Property is subject to building setback lines and easements shown on the plat of Bob Sight Ford, Lots 1 & 2, recorded January 9, 2008 as Document No. 2008E0002873, in Plat Book 115, Page 32, as shown hereon.
- Property is subject to terms and provisions of Cooperative Agreement recorded December 12, 2008 as Document No. 2008E0127185. Blanket in nature, nothing to plot.

REVISION NOTES

Date:	Comment:

BOB SIGHT FORD

ALTA/NSPS LAND TITLE SURVEY

VIKING SURVEYS

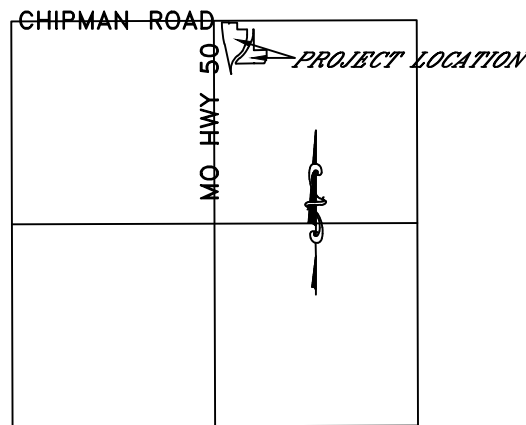
SURVEY ORDERED BY:
Name:

SURVEY PERFORMED BY:
Curtis Tolson, KS 908, MO 2236
DBA Viking Surveys
P.O. Box 13324
Overland Park, KS 66282
(913) 492-6179
Curtis@vikingsurveys.com

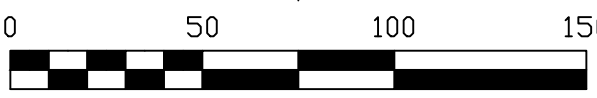
PROJ. NO. C23.031

Miscellaneous Notes:

- The property described and depicted or shown hereon, are the same as the property described in Chicago Title commitment number KCC232474 with an effective date of December 4, 2023, at 8:00 AM and that all easements, covenants and restrictions referenced in said title policy have been plotted hereon or as otherwise noted as to their effect on the property. Basis of Bearings: Held corners found along the North line of Lot 1, Bob Sight Ford, Lots 1 & 2, a subdivision in Lee's Summit, Jackson County, Missouri, and rotated to Missouri Coordinate System 1983, West Zone. I further certify that this survey is based on an actual survey made by me or under my direct supervision and that survey meets or exceeds the current "minimum standards for property boundary surveys" as established by the Missouri Board of Architects, Professional Engineers and Land Surveyors, and the Urban Property Accuracy Standards of the Missouri Department of Natural Resources.
- By scaled map location and graphic plotting only, the subject property appears to lie entirely in Zone Designations "X" (Areas determined to be outside the 0.2% annual chance floodplain) by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 29095C0417G, with a date of identification of January 20, 2017, for Lee's Summit, MO, which is the current Flood Insurance Rate Map for said community.
- There is direct access to the subject property via NW Blue Parkway and NW Libby Lane, both public right-of-ways.
- Property has 390 standard and 6 handicap parking spaces.
- According to the city Zoning Letter, dated January 3, 2024, the property is zoned CP-2.
- The property contains 375,085.38 sq. ft. or 8.61 acres, more or less.
- The locations of all utilities shown on the survey are from visible surface evidence and information provided by others.
- The posted address on site is 610 NW Blue Parkway, Lees Summit, MO 64063 and 596 NW Libby Lane, Lees Summit, MO 64063.
- At the time of this survey: Rectified orthophotography, photogrammetric mapping, remote sensing, airborne/mobile laser scanning and other similar products, tools or technologies as the basis for showing the location of certain features. (#15)



SECTION 1-47-32
VICINITY MAP
NOT TO SCALE



SCALE 1" = 50'

SYMBOL LEGEND

NOT EVERY SYMBOL MAY BE USED

- | | | | |
|--------|-----------------------|----|------------------------------|
| P.O.B. | Point of Beginning | ● | Monumentation Found as Noted |
| P.O.C. | Point of Commencement | ● | 5/8" Rebar w/Cap Set |
| R | Radius | ○ | Monument in Monument Box |
| L | Arc Length | SS | Sanitary Sewer |
| M | Measured | S | Storm Sewer |
| D | Dead | W | Water Line |
| + | Fire Hydrant | G | Gas |
| + | Water Valve | UE | Underground Electric |
| + | Water Meter | OE | Overhead Electric |
| + | Water Manhole | UT | Underground Telephone |
| + | Gas Meter | UC | Underground Cable T.V. |
| + | Gas Valve | UF | Underground Fiberoptics |
| + | Gasline Marker | OH | Overhead Utilities |
| + | Air Condition Unit | + | Flag Pole |
| + | Cable Pedestal | + | Monitoring Wall |
| + | Electric Meter | + | Bollard Post |
| + | Electric Transformer | + | Handicap Space |
| + | Electric Manhole | + | Sign |
| + | Light Pole | + | Wall Box |
| + | Guy Wire | + | Telephone Manhole |
| + | Ground Light | + | Telephone Pedestal |
| + | Power Pole | + | Fiber Optic Marker |
| + | Asphalt Area | + | Vault |
| + | Concrete Area | + | Storm Manhole |
| + | No Parking Area | + | Curb Inlet Basin w/ Grate |
| + | Building Area | + | Catch Basin |
| + | | + | Cleanout |
| + | | + | Sanitary Manhole |
| + | | + | Guardrail |
| + | | + | Fence |
| + | | + | Wood Fence |

UTILITY WARNING
UNDERGROUND UTILITIES AS SHOWN HAVE BEEN PLOTTED FROM EXISTING UTILITY DRAWINGS AND FIELD SURVEY INFORMATION. THEY ARE BELIEVED TO REPRESENT ALL THE UTILITIES FOR THE PREMISES, BUT THE SURVEYOR CAN MAKE NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN USE OR ABANDONED. THE SURVEYOR ALSO DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATIONS INDICATED.

EXHIBIT B

EASEMENT DOCUMENT

[SEE ATTACHED]

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

07/22/2003 09:55:48 AM

INSTRUMENT TYPE: EASE FEE: \$29.00 4 Pages



INSTRUMENT NUMBER/BOOK & PAGE:

200310086819

ROBERT T. KELLY, DIRECTOR OF RECORDS



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

DATE OF DOCUMENT: JULY 15, 2003

DOCUMENT TITLE: UTILITY EASEMENT

GRANTOR(S) NAME: TRD Real Estate LLC

ADDRESS: 607 NW Blue Parkway

Lee's Summit, Missouri 64063

GRANTEE(S): City of Lee's Summit

ADDRESS: 115 SE Second St.

Lee's Summit, MO. 64063

LEGAL DESCRIPTION:

Please see Page 1 of the subject document.

Please return recorded copies to: Joe Hale, R/W Agent
City of Lee's Summit
115 SE Second Street
Lee's Summit, MO 64063

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Project: BOB SIGMONT FOM INC

UTILITY EASEMENT

(Limited Liability Company)

THIS AGREEMENT, made this 15 day of JULY, 2003, by and between: TRD Real Estate LLC, Limited Liability Company organized and existing under the laws of the County of Jackson and the State of Missouri, **Grantor**, and the City of Lee's Summit, a Municipal Corporation of 207 S.W. Market, Lee's Summit, Jackson County, Missouri 64063, **Grantee**.

WITNESSETH, that the **Grantor**, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it paid by the **Grantee**, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said **Grantee**, its successors and assigns, a Utility Easement over, along, across, and under the lands hereinafter described, including the right and privilege at any time and from time to time to enter upon said easement to lay, construct, install, operate, maintain, repair, replace and remove public utility lines, meters, vaults and all necessary appurtenances thereto over, under, through, across and upon the following described lands in Jackson County, Missouri, to-wit:

A Fifteen (15) feet Permanent Easement lying 7.5 feet each side of the following described centerline.

COMMENCING at the Northwest corner of Lot 1, EDMONSON CREST, a subdivision of record located in the Northeast Quarter of Section 1, Township 47, Range 32, in the City of Lee's Summit, Jackson County, Missouri. Thence Southerly along the East Right of Way of U. S. Highway 50 and a curve to the left having a radius of 1870.08 feet, and an arc length of 244.65 feet, a distance of 220.00 feet to a point on the East Right of Way of U. S. Highway 50, said point being the POINT OF BEGINNING, thence North 83°44'33" East, a distance of 125.00 feet to the POINT OF TERMINATION.

GRANTEE, its successors and assigns, shall have the right of ownership, use and control of all utility lines, meters, vaults, and other equipment through the above described property and for all proper purposes connected with the installation, use, maintenance, and replacement of the utility lines (and other equipment), and with the attachment thereto of service lines of its consumers.

GRANTOR hereby further grants unto the Grantee the right to use such portions of their land adjacent to the easement herein granted during construction of its facilities as are reasonable and necessary with the understanding that this is a temporary right which shall cease ninety (90) days after completion of the initial construction or no later than four (4) years from the date of execution of this easement, whichever shall occur first, and further that the premises shall be restored as far as practicable, and any damage to fences, crops, livestock, or personal property of the **Grantor** shall be made good by the **Grantee**.

GRANTOR agrees not to obstruct or interfere with the maintenance of such public utility lines, meters, vaults or connections, by erecting, or causing or allowing to be erected, any building or structure other than fences on said easement.

GRANTOR further states that it is lawfully seized of title to the land through which said easement is granted and that it has good and lawful right to convey said easement to the **Grantee** herein.

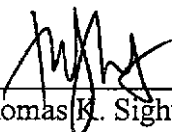
GRANTEE shall restore the ground insofar as practicable to its original condition, after the laying of said utility lines, or any subsequent maintenance or repair operations. **Grantee** further agrees that any trees, shrubbery, buildings, fences, or growing crops damaged during laying or maintenance operations, will be restored to original condition insofar as practicable. **Grantee** further agrees to restore driveways to as nearly the same conditions as existed prior to construction of the improvements herein described and to grade and sod lawn areas.

THIS GRANT and easement shall, at all times be deemed to be and shall be, a continuing covenant running with the land and shall be binding upon the successors and assigns of the **Grantor**.

TO HAVE AND TO HOLD THE SAME, together with all appurtenances and immunities thereunto belonging or in any way appertaining, unto the City of Lee's Summit, Missouri, a Municipal Corporation, and to its successors and assigns forever.

IN WITNESS WHEREOF, the said **Grantor**, a Limited Liability Company, has caused these presents to be signed by its Executive Member this 15 day of JULY, 2007.

Name of LLC: TRD Real Estate LLC

By: 
Thomas K. Sight

Title: MANAGING PARTNER

ACKNOWLEDGMENT

STATE OF MISSOURI
COUNTY OF JACKSON

ON THIS THE 15 day of JULY, 2003, before me, a Notary Public,
personally appeared: Thomas K. Sight
of TRD Real Estate, LLC, and proved to me on the basis of satisfactory evidence to be the person
who executed the within instrument as Executive Member on behalf of the Limited Liability
Company therein named, and acknowledged to me that the Limited Liability Company executed it.

WITNESS my hand and official seal in the County and State aforesaid, the day and year first above
written.

/s/ 
Notary Public Signature

Linda Zerbe
Printed or Typed Name

(Seal)

My Commission Expires:
5-5-06

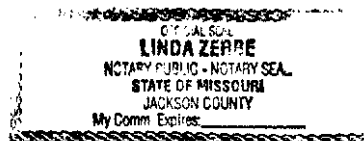


EXHIBIT C

LEGAL DESCRIPTION OF EASEMENT

A Fifteen (15) feet Permanent Easement lying 7.5 feet each side of the following described centerline.

COMMENCING at the Northwest corner of Lot 1, EDMONSON CREST, a subdivision of record located in the Northeast Quarter of Section 1, Township 47, Range 32, in the City of Lee's Summit, Jason County, Missouri. Thence Southerly along the East Right of Way of U.S. Highway 50 and a curve to the left having a radius of 1870.08 feet, and arc length of 244.65 feet, a distance of 220.00 feet to a point on the East Right of Way of U.S. Highway 50, said point being the POINT OF BEGINNING, thence North 83°44'33" East, a distance of 125.00 feet to the POINT OF TERMINATION.