

ORDINANCE NO. 080234

Approving the plat of Fountain Hills Eighth Plat, an addition in Clay County, Missouri; accepting and releasing various easements; establishing grades on public ways; authorizing the Director of City Development to execute and/or accept certain agreements; and authorizing the City Clerk to record this ordinance and attached documents. (SD1054G)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Fountain Hills Eighth Plat, a subdivision in Clay County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

Section 2. That the plat granting and reserving unto Kansas City an easement and license or right to locate, construct, operate and maintain facilities including, but not limited to, water, gas, sewerage, telephone, cable TV, surface drainage, underground conduits, pad mounted transformers, service pedestals, any and all of them upon, over, under and along the strips of land outlined and designated on the plat by the words utility easement or U/E be and the same are hereby accepted and where other easements are outlined and designated on the plat for a particular purpose, be and the same are hereby accepted for the purpose as therein set out.

Section 3. That various easements in Kansas City, Clay County, executed by the following persons, and which appear of record as the instrument numbers, and respective book and page numbers are hereby accepted for the purposes stated thereof:

1. Aviation and Noise Easement- Instrument No. 2008004589, Book 5905, Page 77

ORDINANCE NO. 080234

2. Storm Drainage Easement- Instrument No. 2007046907, Book 5854, Page 148
3. Standard Sewer Easement- Instrument No. 2007046904, Book 5854, Page 145
4. Standard Sewer Easement- Instrument No. 2007046905, Book 5854, Page 146
5. Standard Sewer Easement- Instrument No. 2007046906, Book 5854, Page 147
6. Temporary Easement- Instrument No. 2005032407, Book 5065, Page 13

Section 4. That all right, title and interest in a standard sewer easement accepted by Kansas City, under Book 4619, Page 844, be and the same is hereby released to the respective owner, their successors or assigns, over that part of aforesaid easement described as follows:

A strip of land in the Northeast, Southeast and Southwest Quarter of Section 3, Township 51, Range 33, Kansas City, Clay County, Missouri, being described as follows: Commencing at the Northeast corner of the Southwest corner of said Section 3; thence South 89°51'09" West, along the North line of said Southwest Quarter 462.86 feet; thence South 0°08'51" East, 328.58 feet; thence North 65°07'08" East, 329.36 feet; thence North 64°29'40" East, 339.76 feet; thence North 54°35'49" East, 160.01 feet; thence North 29°01'26" East, 291.04 feet thence North 31°41'15" West, 195.40 feet to the True Point of Beginning of the centerline of that portion of the above reference easement to be released; thence North 19°02'50" West, 164.79 feet to the Point of Termination.

That all right, title and interest in a standard sewer easement accepted by Kansas City, under Book 4752, Page 981, be and the same is hereby released to the respective owner, their successors or assigns, over that part of aforesaid easement described as follows:

A strip of land 10.00 feet wide over part of the Fractional Northwest Quarter of Section 3, Township 51 North, Range 33 West, Kansas City, Clay County, Missouri, lying 5.00 feet on each side of the following described centerline: Commencing at the Southwest corner of said Fractional Northwest Quarter; thence North 01°44'29" East along the West line of said Fractional Northwest Quarter, 811.36 feet; thence South 88°15'31" East, 1289.65 feet to the Point of Beginning of the centerline to be herein described; thence North 35°19'29" East, 50.74 feet; thence South 63°17'00" East, 337.06; thence South 74°03'33" East, 237.75 feet; thence North 84°22'02" East, 155.06 feet to the True Point of Beginning of the centerline of that portion of the above reference easement to be

ORDINANCE NO. 080234

released thence North 84°22'02" East, 101.96 feet to the Point of Termination of said centerline.

Section 5. That the grades of the streets and other public ways set out on the plat, herein accepted, are hereby established at the top of curb, locating and defining the grade points which shall be connected by true planes or vertical curves between such adjacent grade points, the elevations of which are therein given, in feet above the City Directrix.

Section 6. That the Director of City Development is hereby authorized to execute a Covenant to Maintain Storm Water Detention and BMP Facility Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

Section 7. That the Director of City Development is hereby authorized to execute and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

Section 8. That the City Clerk is hereby directed to record copies of this ordinance, together with the documents described herein and all other relevant documents, when the plat has been released for recording, together with the Covenant to Maintain Storm Water Detention and BMP Facility Agreement, in the Office of the Recorder of Deeds of Clay County, Missouri.

Section 9. That the Council finds that the City Plan Commission has duly endorsed its approval of this Ordinance hereon.

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Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney



Authenticated as Passed

  
Mark Funkhouser, Mayor

  
Millie M. Crossland, City Clerk

**MAR 20 2008**  
Date Passed