

ORDINANCE NO. 080593

Approving the plat of Barry Elementary School, an addition in Platte County, Missouri; accepting and releasing various easements; establishing grades on public ways; and authorizing the City Clerk to record this ordinance and attached documents. (SD1383)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Barry Elementary School, a subdivision in Platte 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 an easement in Platte County, executed by the following entity, and which appears of record at the respective book and page numbers is hereby accepted for the purposes stated thereof:

Conveyance of Easement for Surface Drainage recorded by Platte County R-3 School District, Book 1105, Page 343.

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Section 4. That all right, title and interest in the following recorded easements be and the same is hereby released to the respective owners, their successors or assigns, over that part of aforesaid easement under the following:

Partial Release of Existing Utility Easement - A tract of land located in Tract B, Barry Middle School, a subdivision in the City of Kansas City, Platte County, Missouri, according to the recorded plat thereof, and being a portion of land as described by a document found in Book 12 at Page 46, and more particularly described as follows:

Commencing at the Northeast corner of Section 9, Township 51 North, Range 33 West of the Fifth Principal Meridian, Kansas City, Platte County, Missouri; thence South 0 degrees 29 minutes 44 seconds West, along the East line of the Northeast Quarter of said Section 9, a distance of 346.22 feet to the point of beginning; thence South 0 degrees 29 minutes 44 seconds West, along said East line, a distance of 237.08 feet; thence North 51 degrees 28 minutes 32 seconds West, departing said East line, a distance of 61.93 feet; thence North 00 degrees 31 minutes 28 seconds East, along a line parallel to the East line of said Northeast Quarter, a distance of 263.12 feet; thence South 36 degrees 43 minutes 50 seconds East, a distance of 80.61 feet to the East line of said Northeast Quarter and the point of beginning. The above described tract contains 0.2802 acres more or less.

and

Commencing at the Northeast corner of Section 9, Township 51 North, Range 33 West of the Fifth Principal Meridian, Kansas City, Platte County, Missouri; thence South 0 degrees 29 minutes 44 seconds West, along the East line of the Northeast Quarter of said Section 9, a distance of 346.22 feet to the Southerly right-of-way line of 87<sup>th</sup> Street as it currently exists and the point of beginning; thence continuing South 0 degrees 29 minutes 44 seconds West, along said East line, a distance of 237.08 feet to the Northerly line of a 50' drainage easement as shown upon said Barry Middle School; thence North 51 degrees 31 minutes 16 seconds West, along said Northerly line, a distance of 61.93 feet; thence North 0 degrees 29 minutes 44 seconds East, parallel with the East line of said Northeast Quarter, a distance of 263.12 feet to the Southerly right-of-way line of said 87<sup>th</sup> Street as it currently exists; thence South 36 degrees 45 minutes 34 seconds East, along said Southerly right-of-way line, a distance of 80.61 feet to the point of beginning and containing 12,205 square feet or 0.2802 acres more or less.

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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 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, in the Office of the Recorder of Deeds of Platte County, Missouri.

Section 8. 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