

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE VACATING AN EXISTING 10 FOOT UTILITY EASEMENT,
RECORDED IN BOOK 1387 AT PAGE 1367, OF THE JACKSON COUNTY DEED
RECORDS, AND LOCATED AT 11004 E 40 HIGHWAY.

WHEREAS, the Easement was granted by Hoyt Investments to the City of Independence on
October 24, 1984 and recorded in Book 1387, Page 1367 of the Jackson County, Missouri Deed Records;
and,

WHEREAS, the City has received a request for vacation from the developers; and,

WHEREAS, the vacation of the Utility Easement will support additional development of the
properties and the combination of several lots in the replatting process;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence Missouri does hereby vacate the
Easement, Recorded in Book 1387, Page 1367 in its entirety and described as follows:

LOT 2&4, 39/40 PLAZA
CITY OF INDEPENDENCE, JACKSON COUNTY, MISSOURI

A ten foot wide utility easement over the following described property:

All that part of the northwest 1/4 of the Southeast 1/4 of Section 21, Township 49, Range 32, Independence, Jackson County, Missouri, being that part of Lot 10, Schowen Heights more particularly described as follows: Commencing at the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 21; thence North 88° 55' 43" West along the Northline of the Northwest 1/4 of the Southeast 1/4 of said Section 21; a distance of 297.49 feet; thence South 1° 04' 17" West, a distance of 30 feet, to the point of beginning, said point being on the South right-of-way line of 39th street, as now established, and lying 268.05 feet (measured) 268 feet (deed) from the Northeast corner of said Lot 10; thence South 0° 31' 19" West (measured) South 0° 41' 56" West (deed) along the West line of a tract conveyed to Fred Elliott as recorded in Book 866 at Page 253 and along the West line of a tract conveyed to Orville Karr, as recorded in Book 1331 at Page 8, in the Office of the Recorder of Deeds in Independence, Missouri, a distance of 387.57 feet (measured) 388.26 feet (deed), to a point on the Northerly right-of-way line of Highway No. 40 Cutoff, as now established; thence North 59° 30' 00" West, along said Northerly right-of-way line, a distance of 109.06 feet (measured) 111.2 feet (deed); thence South 30° 30' 00" West, along said Northerly right-of-way line, a distance of 10 feet; thence North 59° 30' 00" West along said Northerly right-of-way line, a distance of 400.09 feet (measured) 398.04 feet (deed); thence North 0° 32' 39" East (measured) North 1° 02' 32" East (deed), a distance of 146.10 feet (measured) 146.48 feet (deed) to a point on the South right-of-way line of 39th Street, said point lying 257.62 feet (measured) 259.95 feet (deed) East of the Northwest corner of said Lot 10; thence South 88° 55' 43" East (measured) South 88° 52' 57" East (deed) along said South right-of-way line, a distance of 446 feet (measured and deed), to the point of beginning.

Aldi
10' Utility Easement Vacation
8/17/2020
07/30/20 - JF

The centerline of a 10 foot wide utility easement is described as follows:

Beginning at a point on the South right-of-way line of 39th Street 246.5 feet West of the Northeast corner of the above described tract; thence South 0° 31' 19" West 156 feet to point hereinafter known as Point "A", thence North 89° 28' 41" West 17 feet; returning to point "A" thence North 86° 17' 22" East 140 feet.

SECTION 2. That Municipal Services Department is directed to file for record a certified copy of this ordinance in the Office of the Division of Property Records in and for the County of Jackson State of Missouri at Independence.

PASSED THIS _____ DAY OF _____, 2020, BY THE CITY COUNCIL
OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

Director of Finance and Administration
City of Independence, Missouri

Aldi
10' Utility Easement Vacation
8/17/2020
07/30/20 - JF

