

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING A FINAL PLAT FOR TYBROOK ESTATES, PUD, PHASE 1A, IN INDEPENDENCE, MISSOURI; AND DECLARING AN EMERGENCY.

WHEREAS, the application submitted by Jim Pollard, requesting approval of the final plat entitled “Tybrook Estates, PUD, Phase 1A”, was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Planning Commission considered the final plat on March 9, 2021, and rendered a report to the City Council recommending the plat be approved by a vote of 7-0; and,

WHEREAS, the City Council rendered a decision to approve the final plat on April 5, 2021; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the final plat is consistent with the approval criteria in Section 14-702-04.

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

SECTION 1. That the final plat entitled “Tybrook Estates, PUD, Phase 1A” is a subdivision north of E. Truman Road, west of S. Powell Road, and being a part of the Northeast Quarter of Section 4, Township 49, Range 31, in Independence, Missouri, more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter of said Section 4; thence South 02 degrees 08 minutes 35 seconds West along the East Line of said quarter section, a distance of 678.23 feet to the POINT OF BEGINNING; thence continuing South 02 degrees 08 minutes 35 seconds West along said East Line, a distance of 482.67 feet to the Northeast corner of LOT 1, ISD SERVICES CENTER, a subdivision of record in said city; thence North 87 degrees 51 minutes 25 seconds West along the North line of said Lot 1, a distance of 627.00 feet; thence continuing North 50 degrees 48 minutes 34 seconds West along said North line and an extension thereof, a distance of 390.10 feet; thence North 27 degrees 33 minutes 40 seconds East, a distance of 169.44 feet; thence North 05 degrees 58 minutes 16 seconds East, a distance of 91.21 feet; thence North 15 degrees 34 minutes 28 seconds East, a distance of 50.00 feet; thence along a curve to the right having an Initial Tangent Bearing of South 74 degrees 25 minutes 32 seconds East and a radius of 225.00 feet, an arc distance of 60.00 feet; thence North 34 degrees 54 minutes 43 seconds East, a distance of 93.78 feet; thence South 55 degrees 05 minutes 17 seconds East, a distance of 161.84 feet; thence South 80 degrees 45 minutes 24 seconds East, a distance of 90.62 feet; thence South 87 degrees 27 minutes 34 seconds East, a distance of 515.34 feet to the POINT OF BEGINNING. Containing 9.61 acres.

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 3. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 4. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

SECTION 5. That this ordinance, in the judgment of the Council, is deemed to be of an urgent nature and that its immediate passage is necessary for the preservation of the public peace, property, health, safety and welfare of the residents of Independence and should become effective immediately upon the date of its passage by the City Council. Therefore, this emergency ordinance is consistent with the facts outlined above.

PASSED AS AN EMERGENCY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, 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 AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Acting City Counselor

REVIEWED BY:

\_\_\_\_\_  
City Manager