

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE LIMITING THE DEPTH OF TWO EXISTING EASEMENTS ON THE PROPERTY, LOT 2, IN WINTERSTONE UNDERGROUND FIRST PLAT, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

WHEREAS, the land located in the southeast corner of Missouri Route 291 and East Kentucky Road has been bifurcated into a surface subdivision, described as irregular tract #150, currently used as Winterstone Golf Course, and a subsurface subdivision, described as Winterstone Underground First Plat; and,

WHEREAS, the existing easements were conveyed and recorded in the Recorder of Deeds Office of Jackson County, Missouri on July 7, 2003 as Document 2003I0079819; and,

WHEREAS, the existing easements are silent as to the depth of the easements; and,

WHEREAS, the only utility currently utilizing the easement is Independence Power and Light; and,

WHEREAS, the electrical infrastructure in the existing utility is for service to the surface subdivision needs; and,

WHEREAS, the City has received a request to bifurcate, or separate, the easements between the surface subdivision and the subsurface subdivision by the owner of the subsurface subdivision; and,

WHEREAS, City Staff has confirmed with the utility, Independence Power and Light, that limiting the depth of these existing easements will not hinder or impede their current and/or future needs of the electrical utility within these easements; and,

WHEREAS, there are no other utilities within these existing easements that will be affected by this limitation of depth.

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 bifurcate and limit the depth of two easements describes as follows:

A 15 foot wide Easement for Electric Lines in the Northwest Quarter of Section 30, Township 50, Range 31, in Independence, Jackson County, Missouri, lying 7.5 feet wide on each side of the following described centerline:

Commencing at the intersection of the South right-of-way line of Kentucky Road with the East line of said Northwest Quarter;

Thence North 88°22'20" West, along said South right-of-way line, a distance of 178.42 feet to the Point of Beginning;

Thence South 17°12'44" East, a distance of 109.64 feet;

Thence South 50°07'41" East, a distance of 136.18 feet to the Point of Termination.

A 15 foot wide Easement for Electric Lines in the Northwest Quarter of Section 30, Township 50, Range 31, in Independence, Jackson County, Missouri, lying 7.5 feet wide on each side of the following described centerline:

Commencing at the intersection of the South right-of-way line of Kentucky Road with the East line of said Northwest Quarter;

Thence North 88°22'20" West, this and the following five (5) courses being along said South right-of-way line, a distance of 684.88 feet;

Thence South 01°37'40" West, a distance of 5.00 feet;

Thence North 88°22'20" West, a distance of 100.00 feet;

Thence North 01°37'40" East, a distance of 5.00 feet;

Thence North 88°22'20" West, a distance of 198.62 feet to the Point of Beginning.

Thence South 08°56'45" East, a distance of 57.02 feet;

Thence South 18°13'34" East, a distance of 396.71 feet to the Point of Termination.

SECTION 2. That the 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 _____, 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 - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

Director of Finance and Administration
City of Independence, Missouri