

BILL NO.: 2345

ORDINANCE NO.: 13.419

AN ORDINANCE DECLARING THE VACATION OF PORTIONS OF THE PLATTE STREET AND ELLIS PLACE ROAD EASEMENTS IN BURNETT AND TEEL'S ADDITION TO WESTON

WHEREAS, the approved and accepted plat of Burnett & Teel's Addition to Weston (all lot references herein are to this addition unless specifically stated otherwise), contains reserved easements dedicated and accepted for public use, but not yet built out, including 1) an extension of Platte Street south of Thomas Street to intersect with the Market Street easement, and 2) an extension of Ellis Place between the Platte Street easement on the northwest and High Street on the southeast; and,

WHEREAS, the current plat and existing topography of the unimproved lot(s) to the northwest (formerly lots 1 – 10) of the Platte Street easement described herein make the use of the Platte Street easement and part of the Ellis Place easement untenable and the City has no need or future plan to use the reserved easements; and,

WHEREAS, §88.673 RSMo. authorizes a city of the 4th class to vacate a street easement by ordinance duly passed by the governing body with the property returning to the lot(s) from which it was taken

WHEREAS, the City desires, and the Board of Aldermen deem necessary and expedient, to vacate and return the below described portions of the easements to the properties from which they were separated, specifically, 1) that the portion of the Platte Street easement south of Thomas Street and adjacent to Lots 47 and 52 on the southeast and the former lots 5 and 6 on the northwest (hereinafter the "Platte/Thomas Easement" and as shown on the Map in Exhibit A), and, 2) that portion of the Ellis Place street easement adjacent to the Platte/Thomas Easement on the northwest, Lot 47 on the northeast, Lot 52 to its former lot line on the southwest and the south east boarder adjacent to the remaining, unvacated Ellis Place street easement (hereinafter the "Ellis Easement", and as shown on the Map in Exhibit A).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WESTON, MISSOURI, AS FOLLOWS:

SECTION 1. The Board of Aldermen of the City of Weston hereby deems it expedient and necessary that the herein described easements dedicated and taken from Burnett & Teel's Addition to Weston, and accepted for public use, be and are so abandoned and vacated under the authority granted to the City by §88.673 RSMo.

SECTION 2. That all right, title, and interest of the City to the western half of Platte /Thomas Easement, bounded on the northwest side by the former lots 5 and 6 owned by **Mid American Farms, LLC**, be returned to **Mid American Farms, LLC**.

SECTION 3. That all right, title, and interest of the City to the eastern half of Platte /Thomas Easement, bounded on the southeast side by lots 47 and 52 belonging to **Janelle Noel- Mac Donnell and Andrew Mac Donnell**, be returned to **Janelle Noel-Mac Donnell and Andrew Mac Donnell**.

SECTION 4. That all right, title, and interest of the City to the Ellis Easement, lying between lots 47 and 52 (to the former lot line of Lot 52 as described above) both belonging to **Janelle Noel-Mac Donnell and Andrew Mac Donnell**, be returned to **Janelle Noel-Mac Donnell and Andrew Mac Donnell**.

SECTION 5. That the City shall record with the Platte County Recorder an instrument evidencing the vacation and abandonment of easements specified herein and transfer to aforementioned parties.


SECTION 6. That this Ordinance shall be in full force and effect from and after the date of its passage approval.

SECTION 7. All ordinances or parts thereof in conflict with this ordinance are hereby repealed.

SECTION 8. That the City Clerk is authorized by this ordinance to correct any scrivener's errors identified within this Ordinance.


Read the first time by title only and approved by the Board of Aldermen of the City of Weston, Missouri, this 12th day of December, 2022.

Read the second time by title only and passed by the Board of Aldermen and approved by the Mayor of the City of Weston, Missouri this 12th day of December, 2022.



Kent Stelljes, Mayor

ATTEST:



Tami Weaver, City Clerk

Exhibit A

