

ORDINANCE NO. 170867

Authorizing the Director of City Planning and Development to execute a cooperative agreement with Paragon Star, LLC and the City of Lee's Summit, Missouri regarding the detachment of approximately 95 acres generally south of E. Bannister Road, east of View High Drive, and north of Interstate 470, and regarding the dedication of street right of way necessary for future improvements to Bannister Road; and detaching that area upon the annexation of said property by the City of Lee's Summit. (100-AN-18)

WHEREAS, Paragon Star, LLC ("the developer) has proposed a large soccer-oriented mixed-use development on land primarily within the corporate limits of Lee's Summit northeast of Interstate 470 and View High Drive; and

WHEREAS, the major street plan of Kansas City, Missouri recommends extension of View High Drive northward from Interstate 470 to Bannister Road and beyond; and

WHEREAS, View High Drive is classified as a parkway by the major street plan of Kansas City, Missouri and the developer intends to construct said plan as a divided parkway, though not necessarily pursuant to the standards for parkways required of Kansas City; and

WHEREAS, the proposed detachment area lies immediately north of the proposed soccer-oriented mixed-use development and south of Bannister Road; and

WHEREAS, the developer intends to extend View High Drive through the detachment area and may expand the proposed soccer-oriented mixed-use development into said detachment area; and

WHEREAS, Kansas City and the developer acknowledge that the proposed soccer-oriented mixed-use development and proposed connection of View High Drive to Bannister Road may result in traffic impact to Bannister Road, and both parties agree that a traffic impact analysis is necessary to determine the impact; and

WHEREAS, Bannister Road, as currently constructed, may be insufficient to handle the impact; and

WHEREAS, Bannister Road will remain within Kansas City and its maintenance will be the responsibility of Kansas City; and

WHEREAS, Kansas City seeks to ensure the impacts, if any, to Bannister Road at the intersection with View High Drive and beyond this intersection are mitigated with improvements to Bannister Road, and that said improvements shall not be the sole responsibility of the taxpayers of Kansas City; and

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WHEREAS, a cooperative agreement between Kansas City, Lee's Summit and the developer is necessary to address these concerns; and

WHEREAS, interjurisdictional development is considered undesirable; and

WHEREAS, the proposed detachment area consists of undeveloped land and, according to the developer, no occupied structures; and

WHEREAS, Kansas City has determined that providing basic services to the proposed detachment area is inefficient; and

WHEREAS, Kansas City and Lee's Summit agree that providing basic services to the detachment area and the proposed soccer-oriented mixed-use development is better addressed by a single city; and

WHEREAS, it is the intent of Kansas City to detach from its corporate limits approximately 95 acres in the location described generally above and specifically below so that it may be concurrently annexed by Lee's Summit according to the terms of Section 71.011, Revised Statutes of Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the following property, generally south of E. Bannister Road, east of View High Drive, and north of Interstate 470 is hereby detached from the City of Kansas City, Missouri upon the annexation of the same property by the City of Lee's Summit according to the terms of Section 71.011, Revised Statutes of Missouri; which property is more specifically described as follows:

**TRACT 1:**

**Owner: Jerry Rank**

**Parcel ID: 50-700-01-14-02-0-00-000**

Part of the Northeast Quarter of Section Thirty-Three (33), Township Forty-Eight (48), Range Thirty-Two (32) described as follows: Beginning 1488.74 feet South of the Northeast corner of the Northeast Quarter on the East line thereof; thence North 33 degrees West along a curve to the right 237.83 feet; thence South 64 degrees West 15 feet to the Northeasterly right-of-way of View High Drive; thence Southeasterly 385 feet more or less to the East line of said Quarter; thence North along said line 150 feet more or less to the Point of Beginning.

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**TRACT 2:**

**Owner: City of Kansas City of Kansas City, Missouri**

**Parcel ID: No ID No.**

Parcel of land in the Northeast Quarter of Section 33, Township 48 North, Range 32 West in Kansas City, Jackson County, Missouri more particularly described as follows: Commencing at the Northeast corner of said Quarter Section; thence South 02 degrees 32 minutes 48 seconds West along the East line of said Quarter Section a distance of 476.56 feet (as recorded in Book I 877, Page 101) to the Point of Beginning; thence South 02 degrees 32 minutes 48 seconds West a calculated distance of 799.81 feet (740 more or less deed) to a point 40 feet Northerly along the East line of said Quarter Section and from the Southeast corner of the North one-half of said Quarter Section; thence North 87 degrees 27 minutes 12 seconds West a distance of 20 feet; thence South 02 degrees 32 minutes 48 seconds West a distance of 40 feet; thence South 02 degrees 32 minutes 32 seconds West a distance of 178.05 feet; thence Northwesterly on a curve which is concentric with and 50 feet left of centerline of the proposed View High Drive improvements, said curve having a radius of 583.16 feet and an arc length of 237.83 feet and a tangent bearing of North 33 degrees 46 minutes 23 seconds West from the last described point; thence South 64 degrees 02 minutes 57 seconds West a distance of 30 feet to a point on the centerline of existing View High Drive; thence North 25 degrees 57 minutes 03 seconds West along the centerline of View High Drive (Old Bannister Road) a distance of 1.52 feet to a point of curve, said curve bearing to the left from las described course; thence along the curve having a radius of 300 feet and a central angle of 44 degrees 29 minutes 07 seconds an arc distance of 232.92 feet; thence North 70 degrees 26 minutes 10 seconds West along the centerline of View High Drive a distance of 174.30 feet; thence North 19 degrees 33 minutes 50 seconds East a distance of 50 feet; thence South 70 degrees 26 minutes 10 seconds East and parallel to the existing North Right-of-Way line of View High Drive a distance of 250 feet; thence South 77 degrees 33 minutes 02 seconds East a distance of 194.33 feet; thence North 02 degrees 32 minutes 48 seconds East and parallel to the East line of said Quarter Section a distance of 350 feet; thence North 10 degrees 35 minutes 22 seconds East a distance of 296.94 feet; thence North 25 degrees 02 minutes 55 seconds East a distance of 100.48 feet to a point on the North property line; thence South 87 degrees 27 minutes 12 seconds East along the property line a distance of 40 feet to the Point of Beginning subject to a Permanent Sewer Easement to Kansas City, a Missouri Municipal Corporation as recorded in Bk I 1350 P30. Containing 138,474 sq. ft. or 3.1789 acres more or less of which 12,612 sq. ft. or 0.2895 acres are in existing road Right-of-Way and 125,862 sq. ft. or 2.8894 acres are to be acquired.

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ALSO

A parcel of land in the Northeast Quarter of Section 33, Township 48 North, Range 32 West in Kansas City, Jackson County, Missouri, more particularly described as follows: Beginning at a Point on the centerline of View High Drive (Old Bannister Road) as it now exists, said point being South 02 degrees 32 minutes 48 seconds West along the East line of said Quarter Section a distance of 1,157.80 feet from the Northeast corner of said Section and North 87 degrees 27 minutes 12 seconds West at right angles to last described East line a distance of 554.80 feet; thence South 70 degrees 26 minutes 10 seconds East along the existing centerline of View High Drive a distance of 163.50 feet to a point of curvature, said curve bearing to the right from last described course; thence along the curve having a radius of 300 feet and a central angle of 22 degrees 11 minutes 30 seconds an arc distance of 116.20 feet; thence South 41 degrees 45 minutes 20 seconds West a distance of 30 feet to a point on the existing Right-of-Way; thence North 70 degrees 26 minutes 10 seconds West a distance of 250.17 feet; thence North 02 degrees 32 minutes 32 seconds East a distance of 52.29 feet to the Point of Beginning. Containing 12,474 sq. ft. or 0.2864 acres are in existing road Right-of-Way and 4,395 sq. ft. or 0.1009 acres are to be acquired.

ALSO

All that part of View High Drive (Old Bannister Road) lying in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 33, Township 48, Range 32, in Kansas City, Jackson County, Missouri.

ALSO

All that part of View High Drive (Old Bannister Road) lying in the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 33, Township 48, Range 32, lying South of and adjacent to recorded documents in Book I-2176, Page 1886 and Book I-2240, Page 32, all in Kansas City, Jackson County, Missouri.

**TRACT 3:**

**Owner: The Family Ranch, LLC**

**Parcel ID: 51-400-03-08-00-0-00-000**

The Southeast 1/4 of the Southwest 1/4 of Section 27, Township 48, Range 32, except 6.97 acres heretofore sold and except beginning 25 feet West of the Southeast corner of the Southeast 1/4 of the Southwest 1/4 of said Section; thence East 25 feet; thence North 88.8 feet; thence Southwest to beginning, in Kansas City, Jackson County, Missouri.

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**TRACT 4:**

**Owner: Lee's Summit I, LLC**

**Parcel ID: 51-400-03-15-00-0-00-000**

All of Lot 2, Masonic Home of Missouri-Western Unit, a subdivision in Kansas City, Jackson County, Missouri according to the recorded plat thereof.

**TRACT 5:**

**Owner: City of Kansas City, Missouri**

**Parcel ID: No ID No.**

All of East 97th Street Right-of-Way dedicated per Masonic Home of Missouri-Western Unit, a subdivision in Kansas City, Jackson County, Missouri according to the recorded plat thereof.

**TRACT 6:**

**Owner: RBTL Industries, LLC**

**Parcel ID: 51-400-03-02-00-0-00-000**

A tract of land in the Southwest Quarter of Section 27, Township 48, Range 32, in Kansas City, Jackson County, Missouri described as beginning at the Southeast corner of the North half of said Quarter Section and running thence North 0 degree 54 minutes 31 seconds West along the East line of said Quarter Section, 976.94 feet to the centerline of Bannister Road; thence Northwesterly along said centerline, 459.5 feet; thence South 0 degree 54 minutes 31 seconds East along a line which is 384.73 feet West of and parallel to the said East line of the Southwest Quarter of said Section, a distance of 1717.23 feet; thence along a line described in previous deeds as bearing North 38 degrees 15 minutes East, but actually bearing North 37 degrees 08 minutes 41 seconds East, a distance of 624.08 feet to the point of beginning, except that part in roads, if any.

**TRACT 7:**

**Owner: RBTL Industries, LLC**

**Parcel ID: 51-440-03-01-00-0-00-000**

That part of the Northwest Quarter of the Southeast Quarter of Section 27, Township 48, Range 32, Kansas City, Jackson County, Missouri, described as follows: beginning at a point on the West line of the Northwest Quarter of the Southeast Quarter of said Section 27, said point being located 392.80 feet Southerly from the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 27, said point also being in the Southerly right of way line of Bannister Road 40 feet from the

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center line as now established; thence continuing Southerly along said West line of said Northwest Quarter of said Southeast Quarter of said Section 27, 930.77 feet of the Southwest corner of said Northwest Quarter of said Southeast Quarter of said Section 27; thence Easterly along the South line of said Northwest Quarter of said Southeast Quarter of said Section 27, 387.57 feet to a point in the Westerly right of way line of the Chicago Rock Island and Pacific Railroad; thence Northerly along said Westerly right of way line of said Railroad parallel to the center line of said Railroad, 390.95 feet to a point; thence Easterly and perpendicular to the last described course 100.00 feet to a point; thence Northerly and perpendicular to the last described course along the Westerly right of way line of said Railroad, parallel to the center line of said Railroad 369.76 feet to a point in the Southerly right of way line of Bannister Road, 40 feet from the center line of said Bannister Road, as now established; thence Northwesterly along said Southerly right of way line and along a curve to the right having a radius of 1,482.76 feet, an arc distance of 745.75 feet to the point of beginning, except that part in roads, if any.

**TRACT 8:**

**Owner: City of Kansas City, Missouri**

**Parcel ID: No ID No.**

All that part of East 97th Street (Wood Street) Right-of-Way, lying West of Rock Island Right-of-Way, dedicated per Town of Vale, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

**TRACT 9:**

**Owner: The Family Ranch, LLC**

**Parcel ID: 51-440-06-01-00-0-00-000**

All of Lot 6, Town of Vale, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

**TRACT 10:**

**Owner: City of Kansas City, Missouri**

**Parcel ID: No ID No.**

All that part of East 98th Street (Gabbert Street) Right-of-Way, lying West of Rock Island Right-of-Way, dedicated per Town of Vale, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.



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**TRACT 11:**

**Owner: The Family Ranch, LLC**  
**Parcel ID: 51-440-01-00-0-00-000**

All of Lot 7, Town of Vale, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

**TRACT 12:**

**Owner: Houston and Kim Turner**  
**Parcel ID: 51-400-03-06-00-0-00-000**

The Southwest Quarter of the Southwest Quarter of Section 27, Township 48, Range 32, in Kansas City, Jackson County, Missouri except the West 10 acres and except the North 40 feet thereof in road.

Section 2. That the reason for and purpose to be accomplished with this concurrent detachment by the City of Kansas City and annexation by the City of Lee's Summit is that such action will allow for better coordination of utility service and maintenance for the benefit of the citizens and property owners in the affected area.

Section 3. The City of Lee's Summit shall file a certified copy of this ordinance simultaneously with the filing of a certified copy of the related annexation ordinance adopted by the City of Lee's Summit in the office of the County Clerk of Jackson County, the Jackson County Assessor, the Recorder of Deeds of Jackson County, and the Clerk of the Circuit Court of Jackson County, at the cost of the City of Lee's Summit.

Section 4. That the Director of City Planning and Development is authorized to enter into a cooperative agreement with the City of Lee's Summit and Paragon Star, LLC and for the dedication of street right of way and improvements necessary, if any, for Bannister Road, with the following conditions:

1. The agreement shall require the developer to provide a traffic study prior to such time that the developer begins design for the View High Drive extension. The study shall address any necessary improvements to the intersection of View High Drive and Bannister Road as well as necessary improvements elsewhere along Bannister Road which would provide for a Level of Service D, or better, at the p.m. peak hour. The improvements recommended by the traffic study will be incorporated into the View High Drive extension project scope.
2. The developer shall dedicate right-of-way for Bannister Road as required by the Major Street Plan.
3. The developer shall provide an easement for the sewer main as required by Water Services Department.

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The agreement shall be in a form substantially similar to that attached hereto and incorporated herein.

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Approved as to form and legality:



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Sarah Baxter  
Assistant City Attorney



Authenticated as Passed

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Sybilme Mayor

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Marilyn Sanders, City Clerk

DEC 14 2017

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Date Passed