

RESOLUTION NO. R-16-56

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A BILL OF SALE FROM CCRC OF GLADSTONE, LLC CONVEYING A WATER MAIN TO THE CITY OF GLADSTONE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI AS FOLLOWS:

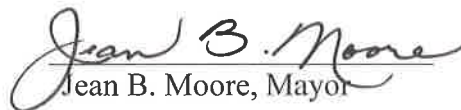
Water Main:

8" AWWA C900 PVC Pipe:.....± 1,534.12 lineal feet
(and associated fitting)

Fire Hydrants:5 each

THAT, the City Manager of the City of Gladstone, Missouri be and is hereby authorized to accept the Bill of Sale attached hereto from CCRC of Gladstone conveying water main and fire hydrants, said improvements constructed at developer's expense.

INTRODUCED, READ, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 12TH DAY OF SEPTEMBER, 2016.


Jean B. Moore, Mayor

Attest:


Ruth E. Bocchino, City Clerk



Gladstone



2008

All-America City

MEMORANDUM

To: Scott C. Wingerson, City Manager
From: Alan D. Napoli, C.B.O.
Interim Director of Community Development
Date: August 19, 2016
Re: Acceptance of Bill of Sale for the Water Main at Linden Woods Village

With the construction of Linden Woods Village a new water main need to be installed to accommodate the facility. The water main has been inspected an approved by staff.

A "Bill of Sale" has been drafted for conveyance of the new water main and the five fire hydrants to the City from the developer CCRC of Gladstone, LLC. The developer has signed the Bill of Sale and returned for acceptance. Attached is a resolution ratifying the acceptance of the aforementioned water main and fire hydrants. We would like the resolution to be presented to the City Council at the September 12, 2016 meeting for their consideration.

If you have any questions or need additional information please advise.

City of Gladstone Bill of Sale

KNOW ALL BY THESE PRESENTS, that CCRC of Gladstone, LLC, (developer) for and in consideration of the sum of One dollar, and other goods and valuable consideration, to them paid by the City of Gladstone, Missouri the receipt of which is hereby acknowledged, by the presents do bargain and sell unto the City of Gladstone, Missouri all of the following described goods and chattels, now remaining and being at 2901 NE 72nd Street, Gladstone, Missouri 64119.

to wit:

Water Main:

8" AWWA C900 PVC Pipe:.....± 1,534.12 lineal feet
(and associated fittings)

Fire Hydrants:5 each

TO HAVE AND TO HOLD THE SAME, unto the said City of Gladstone, Missouri, its successors and assigns forever, and that CCRC of Gladstone, LLC, (developer) will warrant and defend the title to the said goods and chattels hereby sold unto the said City of Gladstone, Missouri, its successors and assigns, forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said CCRC of Gladstone, LLC, (developer) have hereunto set their hands and seal, this 17th day of August, 2016.

Attest:

CCRC of Gladstone, LLC
(developer)
Secretary Signature

[Signature] (seal)
Signature of CCRC of Gladstone, LLC
(developer)
Representative

Gilbert R. Wood
Printed Name of CCRC of Gladstone, LLC
(developer)
Representative

CCRC of Gladstone, LLC (developer) Notary Acknowledgement:

STATE OF Kansas }
 }
 } ss.
COUNTY OF Johnson }

On this 17 day of August, 2016, before me a Notary of the State of Kansas, Johnson County, personally appeared Gilbert R. Wood, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained. In the event this document is executed on behalf of a corporation, grantor states that the same is executed on behalf of said corporation by authority of its Board of Directors and acknowledged that he/she executed the same as the free act and deed of said corporation.

In witness whereof, I hereunto set my hand and official seal.

My commission expires:



Rachel L. Backes
Notary Public

UNCONDITIONAL LIEN WAIVER

THE UNDERSIGNED ACKNOWLEDGES HAVING RECEIVED PAYMENT OF \$ 375,000.00 (Construction Management Fee) FOR WHICH HE RELEASES AND DISCHARGES ALL CLAIMS FOR LABOR AND/OR MATERIAL FURNISHED TO DATE OR ORDER FOR WHICH THIS PAYMENT IS MADE AT:

HDC Development Companies, LLC
703 19TH Ave NE
St. Joseph, MN 56374

AND HEREBY WAIVES ALL LIEN RIGHTS AND ALL RIGHTS WHICH MAY HAVE BEEN ACQUIRED BY THE UNDERSIGNED TO FILE A MECHANICS LIEN, AGAINST SAID PREMISES FOR LABOR AND/OR MATERIAL FURNISHED TO THE DATE HEREOF, AND FURTHER CERTIFIES THAT ALL MATERIAL AND LABOR TO SAID PREMISES ON SAID ORDER, HAVE BEEN PAID FOR IN FULL.

By: _____



Tom Mazacek, HDC Development Cos LLC
Name of Business or Individual

Project Name:
Linden Woods Village
2901 NE 72nd Street
Gladstone, MO 64119
2014-05

INTERIM WAIVER AND RELEASE OF LIEN

STATE OF MO

COUNTY OF Clay

TO WHOM IT MAY CONCERN:

WHEREAS the undersigned has been contracted by CCRC of Gladstone, LLC (owner) to furnish material/labor for the premises known as Linden Woods Village.

It is important that the following directions be closely followed as otherwise the receipt **WILL NOT BE ACCEPTED**.

1. This is a **LEGAL INSTRUMENT** and must be executed accordingly by officers of corporations and by partners in co-partnerships.
2. It is important that **ALL** the blanks be completed and the **AMOUNT PAID BE SHOWN**.
3. A receipt similar to this or legal waiver of lien rights will be required for all plumbing, heating, plastering materials, etc.
4. **NO ERASURES OR ALTERATIONS MAY BE MADE**.

HDC RECEIVED

JUL 22 2016

CHECK ONLY ONE:

1. Partial payment for labor, skill and material furnished.
2. Payment for all labor, skill and material furnished or to be furnished (except the sum of \$ _____ retainage or hold back).
3. Full and final payment for all labor, skill and material furnished or to be furnished to the following described real property 2014-05 Linden Woods Village
2901 NE 72nd Street Gladstone, MO 64119

THE undersigned, for and in consideration of \$7,010.02 and other good and valuable considerations, the receipt of which is hereby acknowledged, do(es) hereby waive and release any/all lien or claim of, or right to, lien under the statutes of the above listed state, relating to mechanic's liens and/or materialman's liens, with respect to and on said above-described premises, and the improvements thereon, and on the materials, fixtures, apparatus or machinery furnished through the date stated below excepting those rights the undersigned may have in any retained amounts.

Rosina Holthouse Construction LLC
Rosina Holthouse
Signature

Check Number: 76946
Release Date: 7/13/2016

By Rosina Holthouse
Title member

Holthouse Construction, LLC
PO Box 1197
Liberty, MO 64069-1197
Phone: Fax:

RETURN TO: HDC Development Companies LLC
703 19th Avenue NE
St. Joseph, MN 56374

Any questions or comments should be addressed to HDC Companies LLC @ (320)363-4733