

RESOLUTION NO. R-18-35

A RESOLUTION ACCEPTING EASEMENTS FROM CERTAIN PROPERTY OWNERS IN CONJUNCTION WITH THE OLD PIKE ROAD IMPROVEMENTS PROJECT FROM VIVION ROAD TO NORTHWEST ENGLEWOOD ROAD, PROJECT TP1712.

WHEREAS, easements from certain property owners are necessary for the City to construct public improvements in conjunction with the Old Pike Road Improvements Project from Vivion Road to Northwest Englewood Road (TP1712).

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

THAT, the easement from the property owner attached hereto as Exhibit "NN" is hereby accepted. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-17-54, R-17-56, R-18-04, R-18-15, R-18-21, R-18-24, and R-18-33.

Temporary Construction Easements

"NN" – John A. & Veronica Spottswood

5410 N. Broadway Avenue

FURTHER, THAT, the City Manager of the City of Gladstone is hereby authorized to execute and undertake and perform on behalf of the City of Gladstone, Missouri, the obligations and undertakings set forth in said conveyances; and

FURTHER, THAT, the City Clerk is hereby directed to record said document in the Office of the Recorder of Deeds, Clay County, Missouri.

INTRODUCED, READ, PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14th DAY OF MAY, 2018.



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk



Request for Council Action

RES # R-18-35

BILL # City Clerk Only

ORD # City Clerk Only

Date: 5/9/2018

Department: Public Works

Meeting Date Requested: 5/14/2018

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: Old Pike Road Improvements – Vivion Road to NW Englewood Rd. Project #TP1712

Background: Easements and/or Right-of-Way are needed from twenty-nine (29) properties to complete this project.

Budget Discussion: Funds are budgeted in the amount of \$ 2,000,000.00 from the TST Fund. Ongoing costs are estimated to be \$ N/A annually. Previous years' funding was \$N/A

Public/Board/Staff Input: Staff requests that the temporary easement listed on the attached resolution be submitted to the City Council for acceptance. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-17-54, R-17-56, R-18-04, R-18-15, R-18-21, R-18-24, and R-18-33. This represents all necessary easements to complete the project.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Timothy A. Nebergall
Department Director/Administrator

PC
City Attorney

SW
City Manager



Recording Date/Time: 06/01/2018 at 12:58:49 PM

Instr #: 2018017433

Book: 8209 Page: 79

Type: EASE

Pages: 3

Fee: \$30.00 S 20180014207



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:** 5/14/18

3. **Grantor (s):** John A. & Veronica Spottswood, husband and wife

4. **Grantee (s):** City of Gladstone, Missouri

5. **Mailing Address:** 7010 N. Holmes, Gladstone, MO 64118

6. **Legal Description:**

All of the Easterly 45.00 feet of Lot 7, except the South 103 feet thereof; AND the Southerly 40.00 feet of the North 200.20 feet of Lot 7, OLD PIKE RIDGE, an addition in and to the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, containing 15,009.00 square feet or 0.345 acres, more or less.

7. **Reference Book & Page:** N/A

RE-GE

R-18-35

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, John A. & Veronica Spottswood
(Names)

5410 North Broadway Avenue, Gladstone, MO
(Address)

of Clay County, Missouri, hereinafter called the **GRANTORS**, for and in consideration of One Dollar (\$1.00) and the advantages to be gained from the construction on and adjacent to the lands hereafter described, the receipt of which is hereby acknowledge, do hereby grant, sell, convey and confirm unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, as temporary easement to construct, grade, regrade, or perform any and all other related necessary work on or across the following described land:

All of the Easterly 45.00 feet of Lot 7, except the South 103 feet thereof; AND
the Southerly 40.00 feet of the North 200.20 feet of Lot 7, OLD PIKE RIDGE, an addition in and to the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, containing 15,009.00 square feet or 0.345 acres, more or less.

GRANTEE will repair or replace any fences, pavement, and/or other appurtenances damaged or removed during construction. Upon completion of said construction and improvement, **GRANTORS** shall have full free and uninterrupted use and possession of said temporary construction easement and the easement rights therein shall cease and no longer be in effect.

GRANTORS make no warranties, expressed or implied to **GRANTEE**.

IN WITNESS WHEREOF the parties have hereunto set their names to the foregoing, this 14 day of MAY, 2018.

CITY OF GLADSTONE

By Scott Wiggerson
Scott Wiggerson, City Manager

Attest: Ruth Bocchino
Ruth Bocchino, City Clerk

GRANTORS:

John A. Spottswood
John A. Spottswood
Veronica Spottswood
Veronica Spottswood

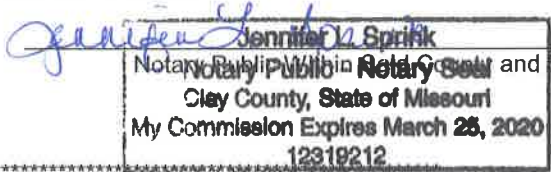
GRANTORS' ACKNOWLEDGMENT

STATE OF MISSOURI
COUNTY OF Clay ss.

On this 8th day of May, 2018, before me, the undersigned Notary Public, personally appeared John A. & Veronica Spottswood to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed. And the said John A. & Veronica Spottswood further declared themselves to be married.

Clay IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal at my office in _____ County, Missouri, the day and year last above written.

My commission expires March 25, 2020.



GRANTEE'S ACKNOWLEDGMENT

On this 17 day of May, 2018, before me, this undersigned Notary Public, personally appeared Scott Wingerson to me personally known, who being by me duly sworn, did say that he is the City Manager of the City of Gladstone, Missouri, a municipal corporation, and that the seal affixed to the foregoing instrument is the corporate seal of the said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its City Council, and said City Manager acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal at my office in Clay County, Missouri, the day and year last above written.

My Commission expires 11-11 2018.

Rebecca Jarrett
Notary Public Within Said County and State

