

RESOLUTION NO. R-18-57

A RESOLUTION VACATING PART OF AN EXISTING DRAINAGE EASEMENT OVER PROPERTY LOCATED AT 6768 NORTH PARK AVENUE.

WHEREAS, a drainage easement was granted to the City of Gladstone over a portion of Lot 19 of Northaven East, First Plat, in Gladstone, Clay County, Missouri as recorded with the Clay County Recorder of Deeds in Plat Book 17, Page 13; and

WHEREAS, the current owner of the property has requested that the City of Gladstone vacate part of the aforementioned drainage easement; and

WHEREAS, the City of Gladstone has completed a stormwater project and can reduce the size of the existing easement.

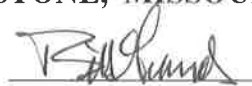
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI AS FOLLOWS:

THAT, the part of the existing drainage easement described in the attached Exhibit "A" is hereby vacated by the City of Gladstone, Missouri; and

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, all those things necessary to vacate the easement; and

FURTHER, THAT, the City Clerk is hereby directed to provide a Certified Copy of this Resolution and recorded easement vacation to the Law Office of Keleher and Eastman, 403 Northwest Englewood Road, Gladstone, Missouri, 64118.

INTRODUCED, READ, PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 8TH DAY OF OCTOBER 2018.



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk



Request for Council Action

RES # R-18-57

BILL # City Clerk Only

ORD # City Clerk Only

Date: 10/3/2018

Department: Public Works

Meeting Date Requested: 10/8/2018

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

Subject: Vacating part of an existing drainage easement over property located at 6768 N. Park Avenue.

Background: The City was granted an easement over a portion of the property located at 6768 N. Park Avenue. A recently completed stormwater project allows for the modification of said easement.

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

Public/Board/Staff Input: Staff recommends that part of the existing easement described in the attached Exhibit "A" be vacated by the City of Gladstone.

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

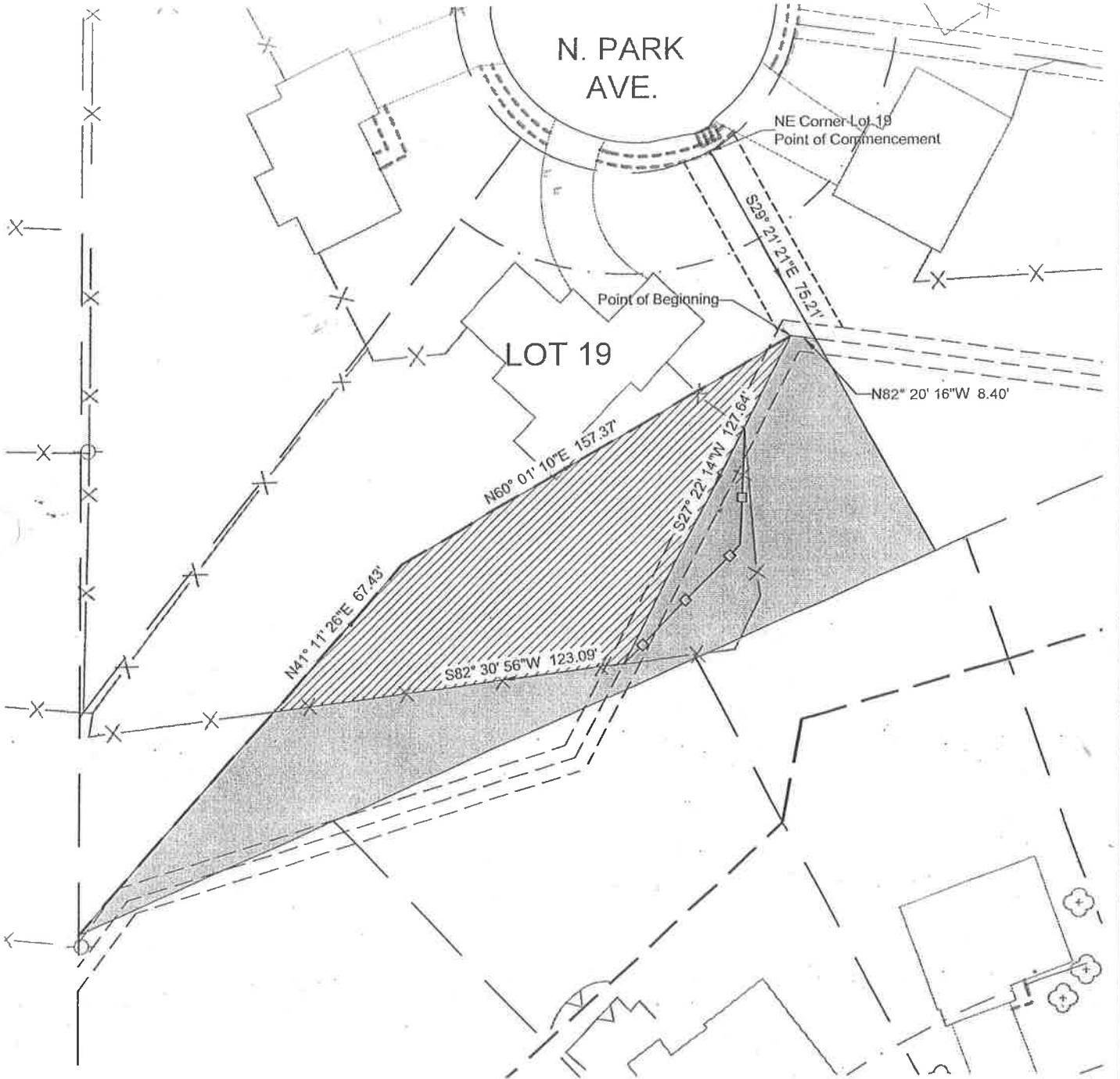
Timothy A. Nebergall
Department Director/Administrator

City Attorney



SW
City Manager

'Exhibit "A"

TRACT 1
LOT 19
6768 NORTH PARK AVE.



THIS EXHIBIT DOES NOT REPRESENT A LEGAL SURVEY OF THIS PROPERTY. IT IS INTENDED FOR VISUAL PURPOSES ONLY. THE PROPERTY DIMENSIONS SHOWN ARE PLATTED AND/OR DEEDED DIMENSIONS AND ARE NOT MEASURED DIMENSIONS

-  DRAINAGE EASEMENT VACATION (8158.70 SF)
-  DRAINAGE EASEMENT TO REMAIN (10875.15 SF)



WILSON & COMPANY
200 EAST FIRST AVENUE, SUITE 200
JACKSON, MISSOURI 64501
PHONE: 816-251-3100
FAX: 816-251-3113
www.wilsonand.com

CITY OF GLADSTONE, MISSOURI
JACKSON COUNTY, MISSOURI
6768 NORTH PARK AVE.

PROJECT NO. 15-600-300-01

TRACT 1
LEGAL EXHIBIT MAP

Drainage Easement Vacation:

A portion of land in Lot 19 of Northaven East, First Plat, as recorded in Plat Book 17, Page 13 located in Clay County, Missouri, described as follows:

Commencing at the Northeast corner of said Lot 19; thence along the Easterly line of said Lot 19, S29°21'21"E, 75.21 feet; thence leaving said Easterly line, N82°20'16"W, 8.40 feet to the Point of Beginning; Thence S27°22'14"W, 127.64 feet; thence S82°30'56"W, 123.09 feet; thence N41°11'26"E, 67.43 feet; thence N60°01'10"E, 157.37 feet to the POINT OF BEGINNING.

The above described portion the drainage easement to be vacated of Lot 19 contains ± 0.19 acres (8,158.70 sq. ft.)



10/2/2018

R-18-57

Recorded in Clay County, Missouri



Recording Date/Time: 10/17/2018 at 02:41:26 PM

Instr #: 2018033958

Book: 8301 Page: 109

Type: MISC

Pages: 3

Fee: \$30.00 S 20180028331



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Drainage Easement Vacation
2. **Date:** OCTOBER 8, 2018
3. **Grantor:** City of Gladstone, Missouri
4. **Grantee (s):** None Gladstone, City of
5. **Mailing Address:** 7010 North Holmes, Gladstone, MO 64118
6. **Legal Description:** See Exhibit "A"
7. **Reference Book & Page:** Lot 19 of Northaven East, First Plat, in Gladstone, Clay County, Missouri as recorded with the Clay County Recorder of Deeds in Plat Book 17, Page 13

RL - City of Gladstone

TEMPORARY CONSTRUCTION EASEMENT VACATION

WHEREAS, a drainage easement was granted to the City of Gladstone over a portion of Lot 19 of Northaven East, First Plat, in Gladstone, Clay County, Missouri as recorded with the Clay County Recorder of Deeds in Plat Book 17, Page 13; and

WHEREAS, the current owner of the property has requested that the City of Gladstone vacate part of the aforementioned drainage easement; and

WHEREAS, the City of Gladstone has completed a stormwater project and can reduce the size of the existing easement; and

WHEREAS, the part of the existing drainage easement described in the attached Exhibit "A" is hereby vacated by the City of Gladstone, Missouri; and

WHEREAS, on October 8, 2018, the City Manager of the City of Gladstone was authorized to execute, and undertake and perform on behalf of the City of Gladstone, Missouri, all those things necessary to vacate the easement pursuant to Resolution R-18-~~XX~~57

NOW, THEREFORE, the City of Gladstone does release and vacate the part of the existing drainage easement described herein.

CITY OF GLADSTONE

By: Scott Wingerson
Scott Wingerson, City Manager

Attest: Ruth Bocchino
Ruth Bocchino, City Clerk



STATE OF MISSOURI
COUNTY OF Clay ss.

On this 10 day of October, 2018, before me, the undersigned Notary Public, personally appeared Scott Wingerson, known to be the person described in and who executed the foregoing instrument for and on behalf of Gladstone, Missouri, a City of the Third Class; and said Scott Wingerson acknowledged said instrument to be the free act and deed of said municipality.

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

Rebecca Jarrett
Notary Public Within Said County and State

My commission expires 11-11, 2018.

REBECCA JARRETT
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: November 11, 2018
Commission #14392947