

RESOLUTION NO. R-22-29

A RESOLUTION GRANTING A PERMANENT EASEMENT TO EVERGY TO OPERATE AND MAINTAIN BURIED ELECTRICAL LINES AT 6569 NORTH PROSPECT AVENUE, ALSO KNOWN AS FIRE STATION NUMBER 2.

WHEREAS; EVERGY has requested permanent easements in the vicinity of buried electrical lines installed as part of the Fire Station #2 Addition and Remodel Project; and

WHEREAS; Fire Station #2 is served by underground electrical service lines.

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

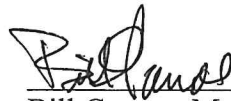
THAT, the Permanent Easements attached hereto as Exhibits "A" and "B" is hereby granted.

"A" – 10-foot permanent easement description to serve Fire Station #2

"B" – 10-foot permanent easement illustration to serve Fire Station #2

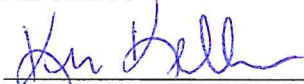
FURTHER THAT, all actions heretofore taken by the City Manager in approving or executing these easements are ratified and approved and further the City Manager of the City of Gladstone is hereby authorized to execute, and undertake and perform on behalf of the City of Gladstone, Missouri, the obligations and undertakings set forth in said conveyances;

INTRODUCED, READ, PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 27TH DAY OF JUNE 2022.



Bill Garnos, Mayor

ATTEST:



Kris Keller, City Clerk

**ELECTRIC EASEMENT EXHIBIT
PART OF LOT B-B MEADOWBROOK NORTH RESURVEY
GLADSTONE, CLAY COUNTY, MISSOURI
DESCRIPTION (SEE SHEET 1 FOR MAP)**

A Tract of land for the purpose of an electric service easement, being part of Lot B-B, MEADOWBROOK NORTH RESURVEY, a subdivision in the City of Gladstone, Clay County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS-2012018392, with BHC, CLS-2006009875-F, by metes and bounds as follows:

(For course orientation the bearings in this description are based on the West line of the Southwest quarter of Section 19, Township 51 North, Range 32 West, having a bearing of North 00° 31' 07" East.)

COMMENCING at the Southwest corner of said Southwest quarter;

Thence North 00° 31' 07" East, 1109.38 feet, on the West line of said Southwest quarter;

Thence North 89° 40' 24" East, 42.21 feet, departing said West line, to a point on the East Right-of-Way line of Prospect Avenue;

Thence continuing North 89° 40' 24" East, 30.00 feet on said East line;

Thence North 00° 19' 36" West, 26.49 feet, on said East line, said point also being the POINT OF BEGINNING of said Tract herein described;

Thence continuing North 00° 19' 36" West, 10.00 feet, on said East line;

Thence North 89° 40' 24" East, 94.15 feet, departing said East line;

Thence South 00° 19' 36" East, 26.50 feet;

Thence South 89° 40' 24" West, 10.00 feet;

Thence North 00° 19' 36" West, 16.50 feet;

Thence South 89° 40' 24" West, 84.15 feet, to the POINT OF BEGINNING, said Tract containing 1,106 square feet or 0.0254 acres.



I:\029440\01.01 Gladstone Fire Easement\Uwg\029440-SRVY-ESMT.dwg
May 17, 2022 - 1:45pm Plotted by: joe.mclaughlin

Sheet
2
OF
2

Drawn By: JC
Project No: 029440
Field Date: 04/22/2022
Issue Date: 05/17/2022

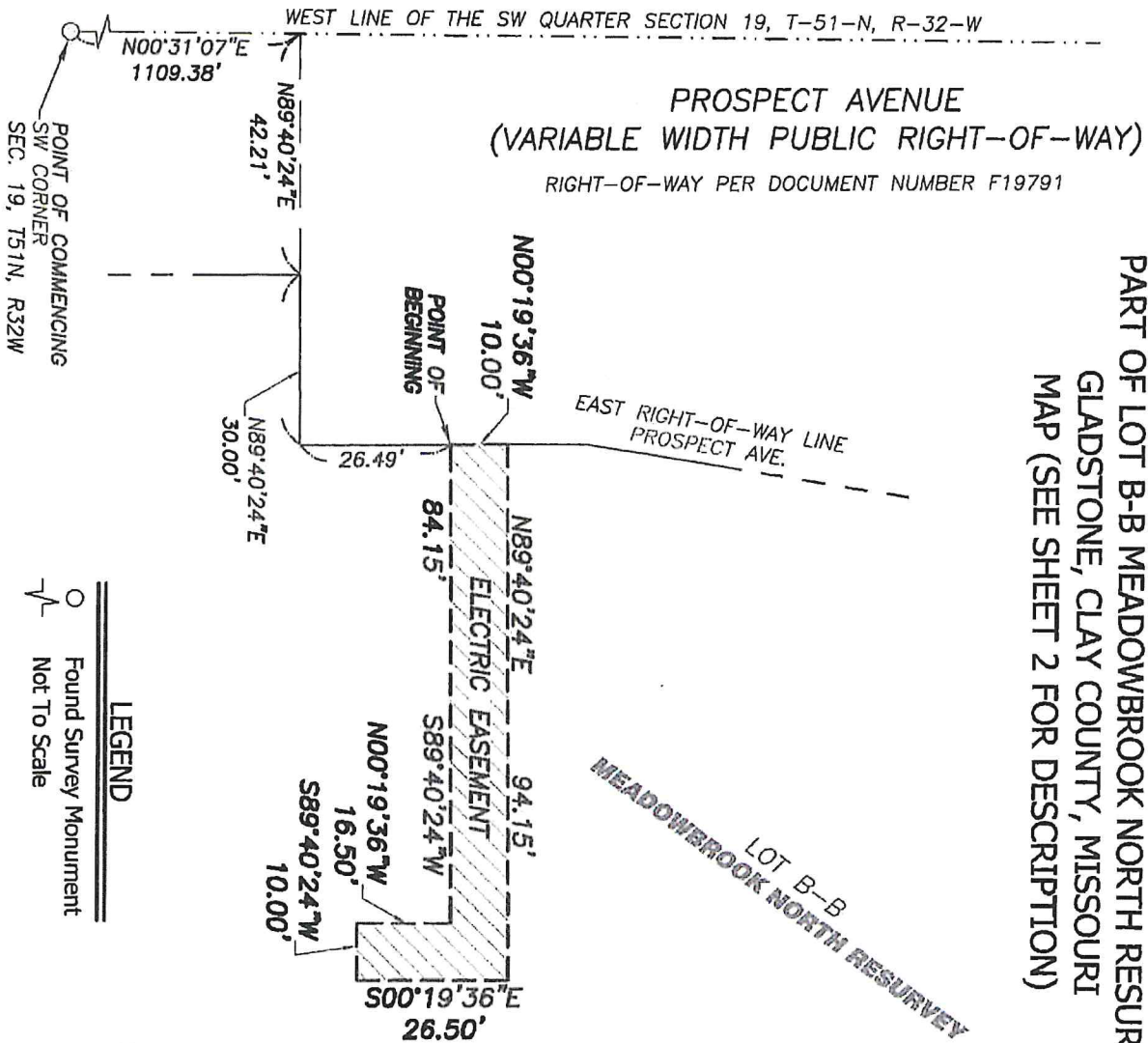
Project:
ELECTRIC ESMT XHBT
PART OF LOT B-B
MEADOWBROOK N RESURVEY
CITY OF GLADSTONE
CLAY CO, MISSOURI

Client:
HOEFER WYSOCKI ARCH.
1140 TOMAHAWK CREEK PKWY
STE 400
LEAWOOD, KS 66211

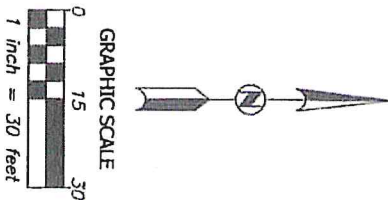


Exhibit "B"
Every Easement

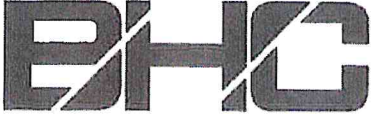
ELECTRIC EASEMENT EXHIBIT
PART OF LOT B-B MEADOWBROOK NORTH RESURVEY
GLADSTONE, CLAY COUNTY, MISSOURI
MAP (SEE SHEET 2 FOR DESCRIPTION)



LEGEND
 ○ Found Survey Monument
 Not To Scale



May 17, 2022 - 1:44pm Plotted by: joemcloughlin i:\029440.01.01 Gladstone Fire Easement\DWG\029440-SRV-ESMT.dwg

Drawn By: JC Project No: 029440 Field Date: 04/22/2022 Issue Date: 05/17/2022 Sheet: 1 OF 2	Project: ELECTRIC ESMT XHBT PART OF LOT B-B MEADOWBROOK N RESURVEY CITY OF GLADSTONE CLAY CO, MISSOURI	Client: HOEFER WYSOCKI ARCH. 1140 TOMAHAWK CREEK PKWY STE 400 LEAWOOD, KS 66211	 CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300



Request for Council Action

RES # 22-29

BILL # City Clerk Only

ORD # City Clerk Only

Date: June 13, 2022

Department: Community Development

Meeting Date Requested: June 27, 2022

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

Subject: Resolution granting permanent easement to Evergy.

Background: With the additions and remodel of Fire Station #2, the electrical service had to be relocated and upgraded. The relocation required new service lines and a transformer to be installed; for which Evergy requested a utility easement for them to access their power lines. The attached documents allow for a utility easement to Evergy and will be recorded with the County once approved.

Budget Discussion: Funds are budgeted in the amount of \$ 0.00 from the N/A Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00

Public/Board/Staff Input:

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

Alan D. Napoli, C.B.O.

Community Development Administrator | Building Official

JM
City Attorney

SW
City Manager



Recording Date/Time: 06/30/2022 at 12:18:49 PM

Instr #: 2022021609

Book: 9398 Page: 3

Type: EASE

Pages: 4

Fee: \$33.00 S 20220019044



Katee Porter
Recorder of Deeds

1. Title of Document: **STANDARD UTILITY EASEMENT**

2. Date of Document: *June 29, 2022*

3. Grantor(s): City of Gladstone

4. Mailing Address(s): City of Gladstone, 7010 N Holmes Street, Gladstone, Missouri 64118

5. Grantee(s): Evergy

6. Mailing Address(s): Evergy, 8325 N Platte Purchase Drive, Kansas City, Missouri 64118

7. Legal Description: A Tract of land for the purpose of an electrical service easement, being part of Lot B-B, MEADOWBROOK NORTH RESURVEY, a subdivision in the City of Gladstone, Clay County, Missouri, said Tract being more particularly described by metes and bounds as follows:

(For course orientation the bearings in this description are based on the West line of the Southwest quarter of Section 19, Township 51 North, Range 32 West, having a bearing of North 00° 31' 07" East.)

COMMENCING at the Southwest corner of said Southwest quarter; Thence North 00° 31' 07" East, 1109.38 feet, on the West line of said Southwest quarter; Thence North 00° 19' 36" West, 26.49 feet, on said East line, said point also being the POINT OF BEGINNING of said Tract herein described; Thence continuing North 00° 19' 36" West, 10.00 feet, on said East line; Thence continuing North 89° 40' 24" East, 94.15 feet, departing said East line; Thence South 00° 19' 36" East, 26.50 feet; Thence South 89° 40' 24" West, 10.00 feet; Thence North 00° 19' 36" West, 16.50 feet; Thence South 89° 40' 24" West, 84.15 feet, to the POINT OF BEGINNING, said Tract containing 1.106 square feet or 0.0254 acres.

KNOW ALL PERSONS BY THESE PRESENTS: That the undersigned, Grantor, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledge, hereby GRANTS, BARGAINS, SELLS AND CONVEYS to Grantee, its lessees, successors and assigns, the permanent right, privilege and perpetual easement to enter upon the land of Grantor, to survey, construct, erect, operate, patrol, inspect, maintain, modify, alter, add wires, poles, cables, conduits, towers and pipes, repair, rebuild and remove, on, under and over the easement described below and in and upon all streets, roadways or highways abutting said lands, now or at any future time, for the transmission and distribution of electric energy, and for communication purposes, and all appurtenances and appliances necessary in connection therewith, together with the right of ingress and egress to and from said lines of Grantee over the lands of Grantor so that Grantee may go to and from said lines from the public roads adjacent to Grantors lands, which said perpetual easement being over, along, across and under the following described lands situated in the County of Clay, in the State of Missouri, said easement more particularly described as follows:

See Exhibits "A" and "B"

*RL Gladstone
7010 N. Holmes*

Grantee may use gates in all fences which cross or which shall hereinafter cross the route of said lines. Grantee is given the right to trim, cut and clear away any trees, limbs and brush on or adjacent to the above-described land now or at any future time whenever, in its judgement, such will interfere with or endanger the construction, operation or maintenance of said lines. In exercising its rights of ingress or egress Grantee shall, whenever practicable, use existing roads or lands and shall repair any damage caused by its use thereof. All logs, limbs, or brush cut or trimmed by Grantee shall be removed by Grantee unless Grantor otherwise requests.

It being the intention of the parties hereto that Grantor is hereby granting the uses herein specified without divesting Grantor and heirs or assigns of the right to cultivate, use and enjoy the above-described premises; PROVIDED, however, such use shall not, in the judgement of said Grantee, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no building shall be constructed on the easement without Grantee's written permission.

The lines and all facilities erected by Grantee are the personal property of Grantee and title to said lines and facilities shall be and remain in said Grantee.

TO HAVE AND TO HOLD said easement and rights aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in anyway appertaining unto Grantee its lessees, licensee, successors or assigns forever. This easement conveyance shall run with the land and shall be binding upon Grantor and Grantor's heirs, administrator, executors, successors and assigns. Grantor hereby covenants that Grantor is the owner(s) of the above-described land, subject to existing liens and right-of-way easements of record.

IN TESTIMONY WHEREOF, Grantor has hereunto executed this Easement this 29th day of June, 2022.

CITY OF GLADSTONE, MISSOURI

BY: [Signature]
Scott C. Wingerson, City Manager

ATTEST: [Signature]
Kris Keller, City Clerk

GRANTOR'S ACKNOWLEDGEMENT

STATE OF MISSOURI }
 } ss.
CLAY COUNTY }

On this 29th day of June, 2022, before me, the undersigned Notary Public, personally appeared Scott C. Wingerson, to me known, (or proved to me on the basis of satisfactory evidence) to be the person(s) described herein and who executed the forgoing instrument on behalf of the City of Gladstone, a Missouri Corporation with authority of said corporation and acknowledge that he is the City Manager of the municipal corporation, and that the seal affixed to the forgoing instrument is the corporate seal of said municipal corporation and that said instrument is signed and sealed on behalf of said municipal corporation by authority of its City Council to Resolution No. R-22-29 duly adopted and passed on June 27, 2022 and the said Scott C. Wingerson acknowledged said instrument to be the free act and deed of himself and said municipal corporation, executed for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand an affixed my official seal the day and year aforesaid.

[Signature] (Seal)
Notary Public: Kristina J. Keller

My Commission Expires: March 23, 2026



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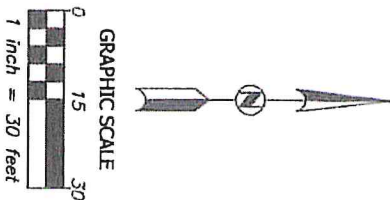
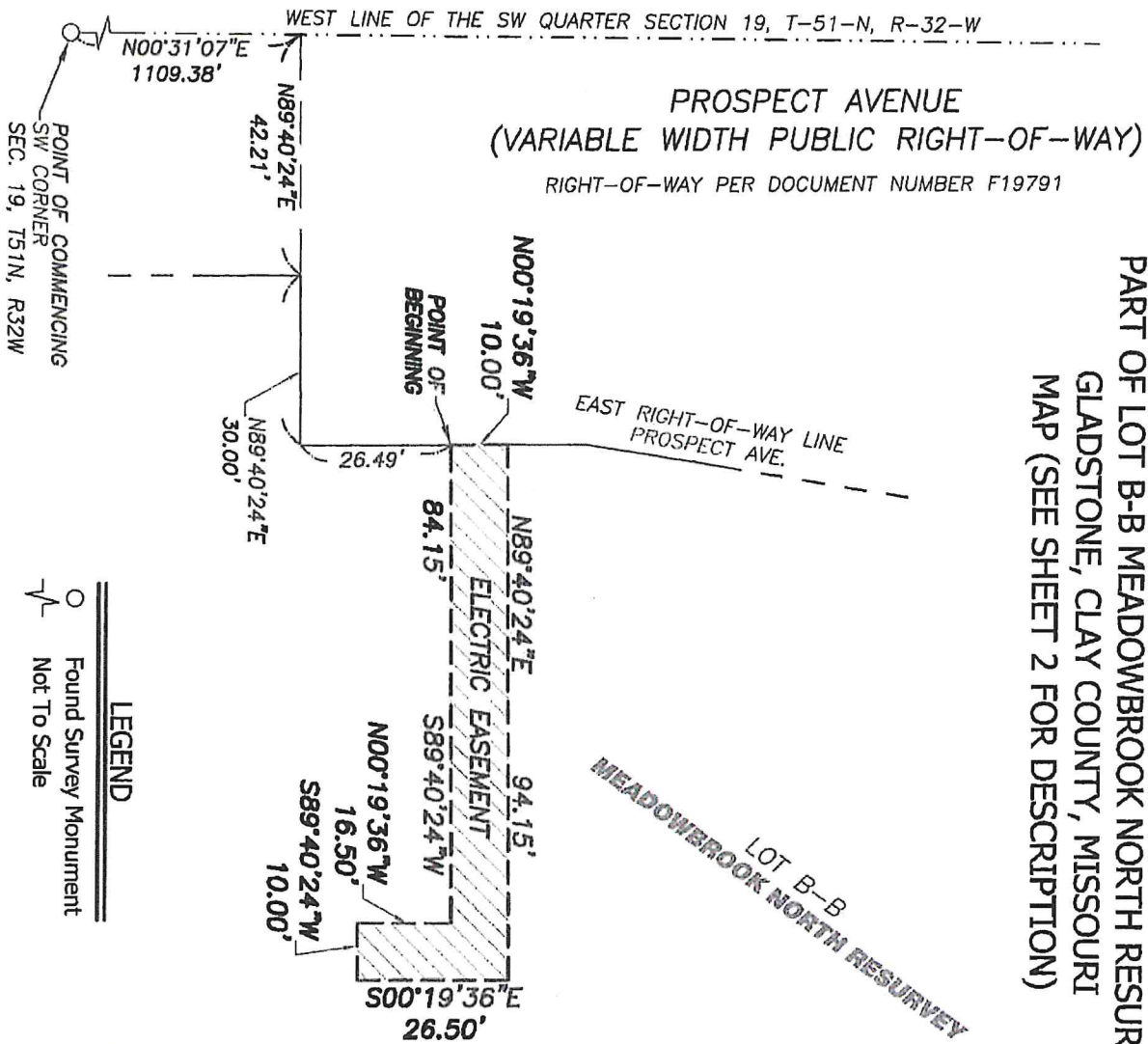
May 17, 2022 - 1:45pm Plotted by: jee.mclaughlin i:\029440.01.01 Gladstone Fire Easement\DWG\029440-SRVY-ESMT.dwg

Sheet: 2 OF 2	Drawn By: JC	Project:	Client:
	Project No: 029440	ELECTRIC ESMT XHBT	HOEFER WYSOCKI ARCH.
	Field Date: 04/22/2022	PART OF LOT B-B	1140 TOMAHAWK CREEK PKWY
	Issue Date: 05/17/2022	MEADOWBROOK N RESURVEY	STE 400
		CITY OF GLADSTONE	LEAWOOD, KS 66211
		CLAY CO, MISSOURI	

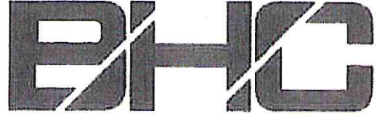
BHC
 CIVIL ENGINEERING / SURVEYING / UTILITIES
 712 State Avenue, Kansas City, KS 66101
 Phone: (913) 371-5300

Exhibit "B"
Every Easement

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MAP (SEE SHEET 2 FOR DESCRIPTION)



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