

RESOLUTION NO. R-15-39

A RESOLUTION RELEASING TWO TEMPORARY CONSTRUCTION EASEMENTS USED IN CONJUNCTION WITH THE NORTHEAST 69TH STREET RECONSTRUCTION PROJECT.

WHEREAS, two temporary construction easements were accepted by the City from Gladstone Investments, a Missouri Limited Liability Company, by Resolution No. R-12-40; and

WHEREAS, the two easements were recorded in the land records of Clay County, Missouri, in Book 6834 at Pages 38 and 40, respectively; and

WHEREAS, the reconstruction project is now complete and the easements may now be released; and

WHEREAS, a request has been made by the party developing ground in the area where these easements are located to release the easements.

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

THAT, the city has completed all construction associated with these easements and no longer requires the use or possession of the property affected by the easements; and

FURTHER THAT, the City Manager of the City of Gladstone is hereby authorized to execute Releases for both temporary construction easements; and


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

INTRODUCED, READ, PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 22ND DAY OF JUNE, 2015.



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk



All-America City

Gladstone



2008

OFFICE OF THE CITY COUNSELOR

TO: Mayor Bill Garnos
Mayor Pro Tem Jean Moore
Councilmember Carol Suter
Councilmember J. Brian Hill
Councilmember R.D. Mallams

FROM: City Counselor Randall Thompson

RE: Release of Construction Easements

DATE: June 16, 2015

Northland CAPS is working to clear any title issues with respect to the real estate surrounding their new development. They have asked if the city is still in need of the temporary construction easements we secured for the 69th Street reconstruction. That project is complete and we no longer have any need for the construction easements.

There will be a Resolution on Monday's Agenda authorizing the City Manager to execute two Releases and authorizing the City Clerk to record both Releases.



Recording Date/Time: 06/26/2015 at 01:33:27 PM

Instr #: 2015020722

Book: 7523 Page: 175

Type: REL

Pages: 4

Fee: \$33.00 S 20150016254



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds Certification)

1. Title: Release of Temporary Construction Easement
2. Date: June 22, 2015
3. Grantor: Gladstone Investments, LLC
4. Grantee: City of Gladstone, Missouri
5. Mailing Address: 7010 North Holmes, Gladstone, Missouri, 64118
6. Legal Description:

North 15 feet of Lot 14, Block 38, Linden, a subdivision of land in Gladstone, Clay County, Missouri

7. Reference Book and Page: BOOK 6834 PAGE 40

RELEASE OF TEMPORARY CONSTRUCTION EASEMENT

WHEREAS, Stephen B. Shaw granted certain interests in and to real property to The City of Gladstone, Missouri ("Grantee") as more fully set forth in that certain Temporary Construction Easement dated April 24, 2012 recorded in the records of the Recorder of Deeds of Clay County, Missouri as Document 2012017495 on May 3, 2012 in Book 6834 at page 40 (the "Temporary Easement"). The Temporary Easement encumbers the real property described in Exhibit A, which is attached hereto and incorporated herein by reference (the "Affected Property").

WHEREAS, the term of said Temporary Easement was to last through the completion of construction; and

WHEREAS, the City has completed any and all construction and no longer requires the use or possession of the Affected Property under the Temporary Easement.

NOW THEREFORE, in consideration of the mutual covenants contained in the Temporary Easement and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged hereby, the Grantee releases said Temporary Easement.

THE REMAINDER OF THIS PAGE

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IN WITNESS WHEREOF, the undersigned have executed this Release this 25th day of June, 2015.

[SEAL]



CITY OF GLADSTONE, MISSOURI

By: Kirk Davis

Name: Kirk Davis

Title: City Manager

ATTEST:

By: Ruth E Bocchino

Name: Ruth Bocchino

Title: City Clerk

STATE OF Missouri

COUNTY OF Clay

) ss.

On this 25 day of June, 2015, before me, a Notary Public in and for said County and State, personally appeared Kirk Davis, known to me to be the City Manager of the City of Gladstone, Missouri, who executed the foregoing instrument, and who, being duly sworn by me, did depose and say that he executed the foregoing instrument on behalf of said political subdivision, and such person duly acknowledged the execution of the same to be the act and deed of said political subdivision.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

Pamela Dee Smitka
NOTARY PUBLIC

My commission expires:

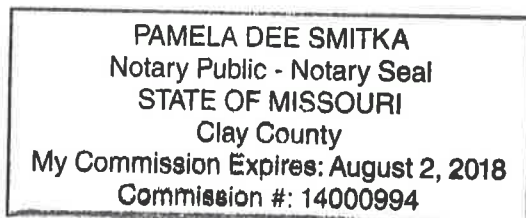


EXHIBIT A

LEGAL DESCRIPTION

North 15 feet of Lot 14, Block 38, Linden, a subdivision of land in Gladstone, Clay County, Missouri



Recording Date/Time: 06/26/2015 at 01:33:27 PM

Instr #: 2015020721

Book: 7523 Page: 174

Type: REL

Pages: 4

Fee: \$33.00 S 20150016254



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds Certification)

1. Title: Release of Temporary Construction Easement
2. Date: June 22, 2015
3. Grantor: Gladstone Investments, LLC
4. Grantee: City of Gladstone, Missouri
5. Mailing Address: 7010 North Holmes, Gladstone, Missouri, 64118
6. Legal Description:

North 25.0 feet of Block 37, and the north 25.0 feet of Lot 1, Block 38, Linden, a subdivision of land in Gladstone, Clay County, Missouri. Also, the north 25.0 feet of vacated Locust Street, south of NE 69th Street and the north 25.0 feet of the west half of vacated Cherry Street, south of NE 69th Street.

7. Reference Book and Page:

BOOK 6834 PAGE 38

RELEASE OF TEMPORARY CONSTRUCTION EASEMENT

WHEREAS, Gladstone Investments, a Missouri limited liability company granted certain interests in and to real property to The City of Gladstone, Missouri ("Grantee") as more fully set forth in that certain Temporary Construction Easement dated April 24, 2012 recorded in the records of the Recorder of Deeds of Clay County, Missouri as Document 2012017493 on May 3, 2012 in Book 6834 at page 38 (the "Temporary Easement"). The Temporary Easement encumbers the real property described in Exhibit A, which is attached hereto and incorporated herein by reference (the "Affected Property").

WHEREAS, the term of said Temporary Easement was to last through the completion of construction; and

WHEREAS, the City has completed any and all construction and no longer requires the use or possession of the Affected Property under the Temporary Easement.

NOW THEREFORE, in consideration of the mutual covenants contained in the Temporary Easement and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged hereby, the Grantee releases said Temporary Easement.

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IN WITNESS WHEREOF, the undersigned have executed this Release this 25th day of June, 2015.

[SEAL]



CITY OF GLADSTONE, MISSOURI

By: [Signature]
Name: Kirk Davis
Title: City Manager

ATTEST:

By: Ruth Bocchino
Name: Ruth Bocchino
Title: City Clerk

STATE OF Missouri
COUNTY OF Clay) ss.

On this 25 day of June, 2015, before me, a Notary Public in and for said County and State, personally appeared Kirk Davis, known to me to be the City Manager of the City of Gladstone, Missouri, who executed the foregoing instrument, and who, being duly sworn by me, did depose and say that he executed the foregoing instrument on behalf of said political subdivision, and such person duly acknowledged the execution of the same to be the act and deed of said political subdivision.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

My commission expires: 8/2/18

Pamela Dee Smitka
NOTARY PUBLIC

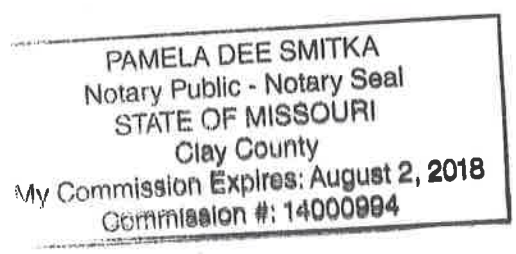


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LEGAL DESCRIPTION

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