

RESOLUTION NO. R-15-52

A RESOLUTION ACCEPTING EASEMENTS FROM CERTAIN PROPERTY OWNERS IN CONJUNCTION WITH THE PLEASANT VALLEY ROAD IMPROVEMENTS FROM NORTH INDIANA AVENUE TO NORTH BRIGHTON AVENUE PROJECT.

WHEREAS, Easements from certain property owners are necessary for the City to construct public improvements in conjunction with the Pleasant Valley Road Improvements from North Indiana Avenue to North Brighton Avenue Project (TP1411).

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

THAT, the Easement from a property owner attached hereto as Exhibit "A" is hereby accepted.

Temporary Construction Easement

"A" – Meadowbrook Manor Townhouses Association, Inc. 7568 N. Oak Trafficway

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 10th DAY OF AUGUST 2015.



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk



***Department of Public Works
Memorandum***



DATE: August 5, 2015
TO: Kirk L. Davis, City Manager
FROM: Timothy A. Nebergall, Director of Public Works *TAN*
RE: Pleasant Valley Road Improvements from North Indiana Avenue to North Brighton Avenue; Project #TP1411

We request that the following easement be submitted to the City Council for acceptance.

Temporary Construction Easement

"A" – Meadowbrook Manor Townhouses Association, Inc. 7568 N. Oak Trafficway

Please be aware that the above easement represents one (1) out of the fifteen easements necessary to complete this project.



Recording Date/Time: 09/01/2015 at 12:21:28 PM

Instr #: 2015029932

Book: 7567

Page: 233

Type: EASE

Pages: 5

Fee: \$36.00 S 20150023162

Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement
2. **Date:** August 10, 2015
3. **Grantor (s):** Meadowbrook Manor Townhouses Association, Inc.
4. **Grantee (s):** City of Gladstone, Missouri
5. **Mailing Address:** 7010 North Holmes, Gladstone, MO 64118
6. **Legal Description:**

A PART OF PARCEL 2, TRACT A, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, BEARINGS ARE REFERENCED TO GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 83 (2011 ADJ), WEST ZONE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, BEING A FOUND BRASS CAP STAMPED "EVANS", PER CERTIFIED LAND CORNER RECORD DOCUMENT NUMBER 600-53653; THENCE N89°21'30"W ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 1461.80 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NE. ANTIOCH ROAD, AS NOW ESTABLISHED; THENCE N12°44'45"E ALONG SAID EXISTING WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 159.17 FEET TO THE POINT OF BEGINNING;

(5)

THENCE N64°54'06"W, A DISTANCE OF 25.59 FEET; THENCE N12°44'45"E, A DISTANCE OF 114.97 FEET TO A POINT ON THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF NE. 67TH STREET, AS NOW ESTABLISHED; THENCE SOUTHEASTERLY ALONG SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, AND ALSO BEING ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF S78°30'35"E, A CENTRAL ANGLE OF 04°35'18" AND A RADIUS OF 312.86 FEET, FOR AN ARC DISTANCE OF 25.05 FEET TO THE END OF CURVE AND BEING A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF SAID NE. ANTIOCH ROAD; THENCE S12°44'45"W ALONG SAID EXISTING WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 122.00 FEET TO THE POINT OF BEGINNING. CONTAINING 2,958 SQUARE FEET MORE OR LESS.

7. Reference Book & Page: N/A

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Meadowbrook Manor Townhouses Association, Inc
(Names)

c/o Classic Association Management, LLC, 7568 N. Oak Trafficway, Gladstone, MO 64118
(Address)

of Clay County, MO, 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 acknowledged, do hereby grant, sell, convey and confirm unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, a temporary easement to construct, grade, regrade, or perform any and all other related necessary work on or across the following described land:

A PART OF PARCEL 2, TRACT A, MEADOWBROOK MANOR-SECOND PLAT, A SUBDIVISION IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, BEARINGS ARE REFERENCED TO GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 83 (2011 ADJ), WEST ZONE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, BEING A FOUND BRASS CAP STAMPED "EVANS", PER CERTIFIED LAND CORNER RECORD DOCUMENT NUMBER 600-53653; THENCE N89°21'30"W ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 1461.80 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NE. ANTIOCH ROAD, AS NOW ESTABLISHED; THENCE N12°44'45"E ALONG SAID EXISTING WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 159.17 FEET TO THE POINT OF BEGINNING; THENCE N64°54'06"W, A DISTANCE OF 25.59 FEET; THENCE N12°44'45"E, A DISTANCE OF 114.97 FEET TO A POINT ON THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF NE. 67TH STREET, AS NOW ESTABLISHED; THENCE SOUTHEASTERLY ALONG SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, AND ALSO BEING ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF S78°30'35"E, A CENTRAL ANGLE OF 04°35'18" AND A RADIUS OF 312.86 FEET, FOR AN ARC DISTANCE OF 25.05 FEET TO THE END OF CURVE AND BEING A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF SAID NE. ANTIOCH ROAD; THENCE S12°44'45"W ALONG SAID EXISTING WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 122.00 FEET TO THE POINT OF BEGINNING. CONTAINING 2,958 SQUARE FEET 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 21 day of August, 20 15.

CITY OF GLADSTONE

By

Kirk L. Davis, City Manager

GRANTOR(S):

Bill Parker, President

Attest:

Ruth E Bocchino
Ruth Bocchino, City Clerk



GRANTORS' ACKNOWLEDGMENT

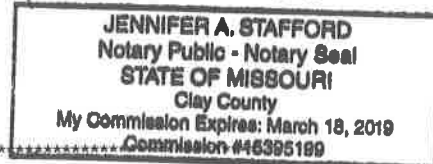
STATE OF Missouri
COUNTY OF Clay ss.

On this 15th day of July, 2015, before me, the undersigned Notary Public, personally appeared Bill Parker to me personally known to be the person described herein and who executed the foregoing instrumentation on behalf of the Meadowbrook Manor Townhouses Association, Inc., and acknowledged that he executed the same as the free act and deed of said association.

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.

My commission expires March 18, 2019.

Jennifer A. Stafford
Notary Public Within Said County and State



GRANTEE'S ACKNOWLEDGMENT

On this 21 day of August, 2015, before me, this undersigned Notary Public, personally appeared Kirk L. Davis, 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.

Clay 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 August 2, 2018.

Pamela D. Smitka
Notary Public Within Said County and State

