

RESOLUTION NO. R-16-15

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

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

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 "T" is hereby accepted. The easement exhibit labeling is a continuation of the easements submitted and accepted under resolutions R-15-52, R-15-55, R-16-02, and R-16-05.

Temporary Construction Easement

"T" – Richland Real Estate, Inc.

6900 N. Quincy 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 MARCH 2016.



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk



***Department of Public Works
Memorandum***

DATE: March 3, 2016

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. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-15-52, R-15-55, R-16-02, and R-16-05.

Temporary Construction Easement

"T" – Richland Real Estate, Inc.

6900 N. Quincy Avenue

Please be aware that the above easement represents nine (9) out of the fifteen easements necessary to complete this project.



Recording Date/Time: 04/06/2016 at 12:57:31 PM

Instr #: 2016010473

Book: 7687 Page: 86

Type: EASE

Pages: 5

Fee: \$36.00 S 20160008291



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:** *march 14, 2016*

3. **Grantor (s):** Richland Real Estate, Inc.

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

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

6. **Legal Description:**

A PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, 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 SOUTH 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 600-53660; THENCE S89°21'04"E ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 875.59 FEET; THENCE N00°38'56"E ALONG A LINE THAT IS PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, ALSO BEING THE POINT OF INTERSECTION OF THE EXISTING NORTH RIGHT-OF-WAY LINE OF NE. 64TH STREET AND THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF NE. ANTIOCH ROAD, BOTH AS NOW ESTABLISHED; THENCE NORTHERLY ALONG SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, AND ALSO BEING ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL

TANGENT BEARING OF N63°54'48"E, A CENTRAL ANGLE OF 38°41'41" AND A RADIUS OF 607.96 FEET, FOR AN ARC DISTANCE OF 410.58 FEET TO THE END OF CURVE; THENCE S00°38'56"W, A DISTANCE OF 55.31 FEET; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF S29°46'37"W, A CENTRAL ANGLE OF 05°32'19" AND A RADIUS OF 632.96 FEET, FOR AN ARC DISTANCE OF 61.19 FEET TO THE END OF CURVE; THENCE S54°13'55"E, A DISTANCE OF 25.00 FEET; THENCE S35°46'05"W, A DISTANCE OF 25.00 FEET; THENCE S54°13'55"E, A DISTANCE OF 24.73 FEET; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF S37°26'46"W, A CENTRAL ANGLE OF 03°26'24" AND A RADIUS OF 682.96 FEET, FOR AN ARC DISTANCE OF 41.00 FEET TO THE END OF CURVE; THENCE N39°21'50"W, A DISTANCE OF 9.54 FEET; THENCE S50°54'01"W, A DISTANCE OF 143.94 FEET; THENCE S00°38'56"W, A DISTANCE OF 17.07 FEET TO A POINT ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF SAID NE. 64TH STREET; THENCE N89°21'04"W ALONG SAID EXISTING NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 131.05 FEET TO THE POINT OF BEGINNING. CONTAINING 18,083 SQUARE FEET MORE OR LESS.

7. Reference Book & Page: N/A

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Richland Real Estate, Inc.
(Names)

6900 N. Quincy Avenue, Kansas City, MO 64119
(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 THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 51 NORTH, RANGE 32 WEST, IN THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, 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 SOUTH 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 600-53660; THENCE S89°21'04"E ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 875.59 FEET; THENCE N00°38'56"E ALONG A LINE THAT IS PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, ALSO BEING THE POINT OF INTERSECTION OF THE EXISTING NORTH RIGHT-OF-WAY LINE OF NE. 64TH STREET AND THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF NE. ANTIOCH ROAD, BOTH AS NOW ESTABLISHED; THENCE NORTHERLY ALONG SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, AND ALSO BEING ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF N63°54'48"E, A CENTRAL ANGLE OF 38°41'41" AND A RADIUS OF 607.96 FEET, FOR AN ARC DISTANCE OF 410.58 FEET TO THE END OF CURVE; THENCE S00°38'56"W, A DISTANCE OF 55.31 FEET; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF S29°46'37"W, A CENTRAL ANGLE OF 05°32'19" AND A RADIUS OF 632.96 FEET, FOR AN ARC DISTANCE OF 61.19 FEET TO THE END OF CURVE; THENCE S54°13'55"E, A DISTANCE OF 25.00 FEET; THENCE S35°46'05"W, A DISTANCE OF 25.00 FEET; THENCE S54°13'55"E, A DISTANCE OF 24.73 FEET; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF S37°26'46"W, A CENTRAL ANGLE OF 03°26'24" AND A RADIUS OF 682.96 FEET, FOR AN ARC DISTANCE OF 41.00 FEET TO THE END OF CURVE; THENCE N39°21'50"W, A DISTANCE OF 9.54 FEET; THENCE S50°54'01"W, A DISTANCE OF 143.94 FEET; THENCE S00°38'56"W, A DISTANCE OF 17.07 FEET TO A POINT ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF SAID NE. 64TH STREET; THENCE N89°21'04"W ALONG SAID EXISTING NORTH RIGHT-OF-WAY LINE, A

DISTANCE OF 131.05 FEET TO THE POINT OF BEGINNING. CONTAINING 18,083 SQUARE FEET MORE OR LESS.

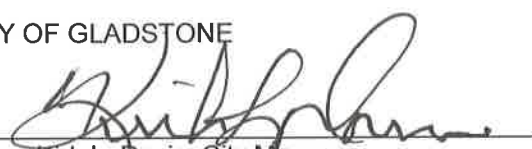
GRANTEE will repair or replace any fences, pavement, and/or other appurtenances damaged or removed during construction. Upon completion of said construction and improvement, **GRANTORS** shall have full free and uninterrupted use and possession of said temporary construction easement and the easement 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 23 day of March, 2016.

CITY OF GLADSTONE


By:


Kirk L. Davis, City Manager

GRANTOR(S):


Angel Hawkins, President

Attest:


Ruth Bocchino, City Clerk

GRANTORS' ACKNOWLEDGMENT

STATE OF Missouri
COUNTY OF Clay ss.

On this 3rd day of February 2016, before me, the undersigned Notary Public, personally appeared Angel Hawkins to me personally known to be the person described herein and who executed the foregoing instrumentation on behalf of Richland Real Estate, Inc. and acknowledged that she executed the same as the free act and deed of said corporation.

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 23 day of March, 2016, 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.

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 Dee Smitka
Notary Public Within Said County and State

