

RESOLUTION NO. R-18-24

A RESOLUTION ACCEPTING EASEMENTS FROM CERTAIN PROPERTY OWNERS IN CONJUNCTION WITH THE OLD PIKE ROAD IMPROVEMENTS PROJECT FROM VIVION ROAD TO NORTHWEST ENGLEWOOD ROAD, PROJECT TP1712.

WHEREAS, easements from certain property owners are necessary for the City to construct public improvements in conjunction with the Old Pike Road Improvements Project from Vivion Road to Northwest Englewood Road (TP1712).

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 Exhibits "KK" is hereby accepted. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-17-54, R-17-56, R-18-04, R-18-15, AND R-18-21.

Temporary Construction Easements

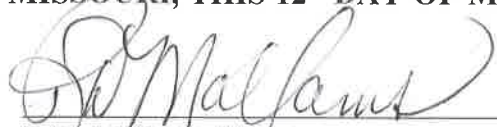
"KK" – Winifred M. Nichols

5233 NW Old Pike Road


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 12th DAY OF MARCH, 2018.


R.D. Mallams, Mayor

ATTEST:


Ruth E. Bocchino, City Clerk



Request for Council Action

RES # R-18-24

BILL # City Clerk Only

ORD # City Clerk Only

Date: 3/6/2018

Department: Public Works

Meeting Date Requested: 3/12/2018

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

Subject: Old Pike Road Improvements – Vivion Road to NW Englewood Rd. Project #TP1712.

Background: Easements and/or Right-of-Way are needed from twenty-nine (29) properties to complete this project.

Budget Discussion: Funds are budgeted in the amount of \$ 2,000,000.00 from the TST Fund. Ongoing costs are estimated to be \$ N/A annually. Previous years' funding was \$N/A

Public/Board/Staff Input: Staff requests that the temporary easement listed on the attached resolution be submitted to the City Council for acceptance. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-17-54, R-17-56, R-18-04, R-18-15, and R-18-21. With this easement, 27 of 29 have been acquired.

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

Timothy A. Nebergall
Department Director/Administrator

PWC
City Attorney

SW
City Manager

Recorded in Clay County, Missouri



Recording Date/Time: 03/27/2018 at 01:15:44 PM

Instr #: 2018009080

Book: 8166 Page: 12

Type: EASE

Pages: 3

Fee: \$30.00 S 20180007558



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:** 3-12-18

3. **Grantor (s):** Winifred M. Nichols

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

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

6. **Legal Description:**

All of the Westerly 20.00 feet and the Northerly 20.00 feet of Lot 33 WILLIAMSBURG SECOND PLAT, a subdivision in Gladstone, Clay County, Missouri; containing 5,019.03 square feet or 0.1152 acres, more or less.

7. **Reference Book & Page:** N/A

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Winifred M. Nichols
(Name)

5233 Northwest Old Pike Road, Gladstone, MO
(Address)

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

All of the Westerly 20.00 feet and the Northerly 20.00 feet of Lot 33 WILLIAMSBURG SECOND PLAT, a subdivision in Gladstone, Clay County, Missouri; containing 5,019.03 square feet or 0.1152 acres, 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, **GRANTOR** 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.

GRANTOR makes no warranties, expressed or implied to **GRANTEE**.

IN WITNESS WHEREOF the parties have hereunto set their names to the foregoing, this 2 day of March, 2016.

CITY OF GLADSTONE

By Scott Wingerson
Scott Wingerson, City Manager

Attest: Ruth E Bocchino
Ruth Bocchino, City Clerk

GRANTOR:

Winifred M Nichols
Winifred M. Nichols

GRANTOR'S ACKNOWLEDGMENT

STATE OF MISSOURI
COUNTY OF Clay ss.

On this 2 day of March, 2018, before me, the undersigned Notary Public, personally appeared Winifred M. Nichols to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed. And the said Winifred M. Nichols further declared herself to be unmarried.

Clay 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 August 15 2020

Tammy J. Vassar
Notary Public Within Said County and State
Tammy J. Vassar
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: August 15, 2020
Commission #16104366

GRANTEE'S ACKNOWLEDGMENT

On this 21 day of March, 2018, before me, this undersigned Notary Public, personally appeared Scott Wingerson, 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 11-11-18

Rebecca Jarrett
Notary Public Within Said County and State

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