

RESOLUTION NO. R-19-44

A RESOLUTION ACCEPTING EASEMENTS FROM CERTAIN PROPERTY OWNERS IN CONJUNCTION WITH THE NORTHEAST 76TH STREET IMPROVEMENTS PROJECT FROM NORTH OAK TRAFFICWAY TO NORTH BROOKLYN, PROJECT TP1818.

WHEREAS, easements from certain property owners are necessary for the City to construct public improvements in conjunction with the Northeast 76th Street Improvements Project from North Oak Trafficway to North Brooklyn (TP1818).

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

THAT, the easements from the property owners attached hereto as Exhibits "M" through "R" are hereby accepted. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-19-35 and R-19-36.

Temporary Construction Easements

"M" – Judith A. Martin	1204 NE 76 th Street
"N" – William T. & Ginger L. Hawthorne	7515 N. Highland Avenue
"O" – John O. Hall Trust, UTA	1703 NE 76 th Street
"P" – Jeffrey R. Ryan and April Ryan	1109 NE 76 th Street

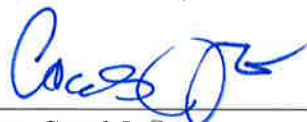
Permanent Easements

"Q" – Judith A. Martin	1204 NE 76 th Street
"R" – Jeffrey R. Ryan and April Ryan	1109 NE 76 th Street

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 documents in the Office of the Recorder of Deeds, Clay County, Missouri.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 9TH DAY OF SEPTEMBER, 2019.



Mayor Carol J. Suter

ATTEST:



Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-19-44

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 9/4/2019

Department: Public Works

Meeting Date Requested: 9/9/2019

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

Subject: NE 76th Street Improvements – N. Oak Trafficway to N. Brooklyn #TP1818

Background: Easements and/or Right-of-Way are needed from forty-two (42) properties to complete this project.

Budget Discussion: Funds are budgeted in the amount of \$ 2.4 M 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 easements 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 resolution R-19-35. Easements for this project have been acquired from 14 of 42 property owners.

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

Timothy A. Nebergall
Department Director/Administrator

PC
City Attorney

SW
City Manager



Recording Date/Time: 09/13/2019 at 10:20:49 AM

Instr #: 2019026679

Book: 8498 Page: 124

Type: EASE

Pages: 6

Fee: \$39.00 S 20190023636



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement
2. **Date:** 9-9-19
3. **Grantor (s):** William T. and Ginger L. Hawthorne , husband and wife
4. **Grantee (s):** City of Gladstone, Missouri
5. **Mailing Address:** 7010 N. Holmes, Gladstone, MO 64118
6. **Legal Description:**

See Exhibit(s) A and B attached hereto and incorporated herein
7. **Reference Book & Page:** N/A

R-19-44

9/11/19

9

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, William T. & Ginger L. Hawthorne
(Names)

7515 N. Highland Avenue, Gladstone, MO
(Address)

of Clay County, Missouri, 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 acknowledge, do 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:

See Exhibit(s) A and B attached hereto and incorporated herein

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 24 day of August, 2019.

CITY OF GLADSTONE

By Scott Wingerson
Scott Wingerson, City Manager

Attest: Ruth E Bocchino
Ruth Bocchino, City Clerk

GRANTORS:

William T. Hawthorne
William T. Hawthorne

Ginger L. Hawthorne
Ginger L. Hawthorne

GRANTORS' ACKNOWLEDGMENT

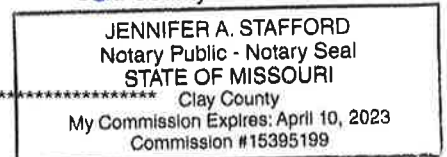
STATE OF MISSOURI
COUNTY OF Clay ss.

On this 24th day of August, 2019, before me, the undersigned Notary Public, personally appeared William T. & Ginger L. Hawthorne to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed. And the said William T. & Ginger L. Hawthorne further declared themselves to be married.

Clay IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal at my office in County, Missouri, the day and year last above written.

Jennifer A. Stafford
Notary Public Within Said County and State

My commission expires April 10, 2023.



GRANTEE'S ACKNOWLEDGMENT

On this 11 day of Sept, 2019, 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.

Rebecca Jarrett
Notary Public Within Said County and State

My Commission expires Nov 11, 2022.

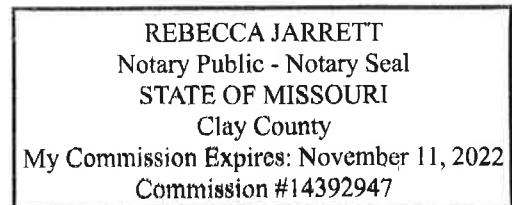


Exhibit "A"
(Page 1 of 2)

PROJECT NO. 018-1193 – TRACT NO. 33

DATE: 06/03/19

OWNER: WILLIAM T. & GINGER L. HAWTHORNE

TEMPORARY CONSTRUCTION EASEMENT – 7515 NORTH HIGHLAND AVENUE

PROJECT: NE 76TH STREET ROAD IMPROVEMENTS - GLADSTONE, MISSOURI

PARCEL I.D. NO. 13611000100900

10' WIDE TEMPORARY CONSTRUCTION EASEMENT

The North 10.00 feet of Lot 30, Rosewood, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, containing 1,250 square feet or 0.0287 acres, more or less.

(As depicted on Exhibit "B", attached and incorporated herein).



**Olsson Associates
7301 West 133rd Street
Suite 200
Overland Park, KS 66213
(913) 381-1170**

Exhibit 19A
Page 1 of 2

PROJECT NO. 018-1193 -- TRACT NO. 33

DATE: 08/03/19

OWNER: WILLIAM T. & GINGER L. HAWTHORNE

TEMPORARY CONSTRUCTION EASEMENT -- 7515 NORTH HIGHLAND AVENUE

PROJECT: NE 76TH STREET ROAD IMPROVEMENTS - GLADSTONE, MISSOURI

PARCEL I.D. NO. 13611000100900

10' WIDE TEMPORARY CONSTRUCTION EASEMENT

The North 10.00 feet of Lot 30, Rosewood, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, containing 1,250 square feet or 0.0287 acres, more or less.

(As depicted on Exhibit "B", attached and incorporated herein).



Olsson Associates
7301 West 133rd Street
Suite 200
Overland Park, KS 66213
(913) 381-1170

DWG: C:\Temp\AcPublish\9556\XEXH1_81193.dwg
 DATE: Jun 04, 2019 10:43am
 USER: tyvalentine
 XREFS: T_PBASE_81193
 V_XTPO_81193

North Wayne
 Avenue
 (60' Public R/W)

N00°25'23"E 10.00'

NE 76th Street
 (55' Public R/W)

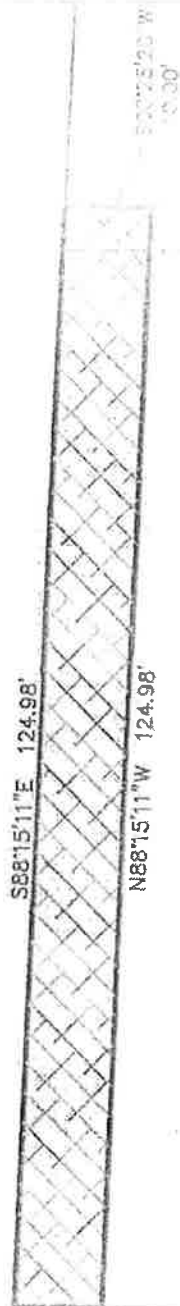
Total Property Area: ±12.571



Temperature of Station =
 1.250 3.0' 2.1287 Ac. ±

POB
 R/W

Point of Beginning
 Right-of-Way



30

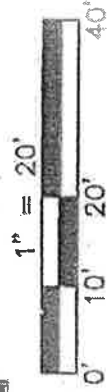
5.0' U/E
 (Per Plat)
 5.0' U/E
 (Per Plat)

TRACT 31
 WILLIAM T. & GINGER L. HAWTHORNE
 7515 N. HIGHLAND AVENUE



Rosewood

35' Bldg. Line



SCALE IN FEET

PROJECT NO: 018-1193
 DRAWN BY: TMV
 DATE: 06/01/19 REVISED:

TRACT NO. 33
 TEMPORARY CONSTRUCTION EASEMENT
 7515 NORTH HIGHLAND AVENUE, GLADSTONE MISSOURI

olsson

7301 West 134th St.
 Suite 250
 Overland Park, KS 66207
 TEL 913.591.1137

EXHIBIT
 B

Recorded in Clay County, Missouri



Recording Date/Time: 09/13/2019 at 10:20:49 AM

Instr #: 2019026680

Book: 8498 Page: 125

Type: EASE

Pages: 6

Fee: \$39.00 S 20190023636



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:** 9-9-19

3. **Grantor (s):** Judith A. Martin

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

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

6. **Legal Description:**

See Exhibit(s) A and B attached hereto and incorporated herein

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

12-19-44

9/13/19

9

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS

THAT, Judith A. Martin
(Names)

1204 Northeast 76th Street, Gladstone, MO
(Address)

of Clay County, Missouri, 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 acknowledge, do 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:

See Exhibit(s) A and B attached hereto and incorporated herein

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 August, 2019.

CITY OF GLADSTONE

By Scott Wingerson
Scott Wingerson, City Manager

GRANTOR:

Judith A. Martin
Judith A. Martin

Attest:

Ruth E Bocchino
Ruth Bocchino, City Clerk

GRANTORS' ACKNOWLEDGMENT

STATE OF MISSOURI
COUNTY OF Clay ss.

On this 23rd day of August, 2019, before me, the undersigned Notary Public, personally appeared Judith A. Martin 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 Judith A. Martin further declared herself to be unmarried.

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 April 10 2023

Jennifer A. Stafford
Notary Public Within Said County and State

JENNIFER A. STAFFORD
Notary Public - Notary Seal
STATE OF MISSOURI

Clay County
My Commission Expires: April 10, 2023
Commission #15395199

GRANTEE'S ACKNOWLEDGMENT

On this 11 day of Sept, 2019, 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 Nov 11 2022

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, 2022
Commission #14392947

Exhibit "A"
(Page 1 of 2)

PROJECT NO. 018-1193 -- TRACT NO. 5

DATE: 05/21/19

OWNER: JUDITH A. MARTIN

TEMPORARY CONSTRUCTION EASEMENT -- 1204 NE 76TH STREET

PROJECT: NE 76TH STREET ROAD IMPROVEMENTS - GLADSTONE, MISSOURI

PARCEL I.D. NO. 13607000901600

TEMPORARY CONSTRUCTION EASEMENT

A strip of land over a part of Lot 8, Terrace Gardens, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, said strip being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 7, said point being on the North right-of-way line of NE 76th Street, as now established;

thence North 88 degrees 15 minutes 11 seconds West, along said North right-of-way line, a distance of 88.84 feet;

thence North 01 degrees 44 minutes 49 seconds East, departing said North right-of-way line and along a line perpendicular to said North right-of-way line, a distance of 10.00 feet;

thence South 88 degrees 15 minutes 11 seconds East, along a line 10.00 feet North of and parallel with said North right-of-way line, a distance of 54.00 feet;

thence North 01 degrees 44 minutes 49 seconds East, along a line perpendicular to said North right-of-way line, a distance of 15.00 feet;

thence South 88 degrees 15 minutes 11 seconds East, along a line 25.00 feet North of and parallel with said North right-of-way line, a distance of 34.27 feet, to a point on the East line of said Lot 8;

thence South 00 degrees 26 minutes 54 seconds West, along said East line, a distance of 25.00 feet, to the POINT OF BEGINNING, containing 1,404 square feet or 0.0322 acres, more or less.

(As depicted on Exhibit "B", attached and incorporated herein).

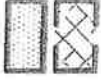


Olsson Associates
7301 West 133rd Street
Suite 200
Overland Park, KS 66213
(913) 381-1170

DWG: C:\Temp\AcPublish-78096\X\XEXH1-8193.dwg
DATE: May 20, 2019 1:20pm
USER: twalentine
XREFS: T_PBASE_81193
V_XTOP0_81193

Total Property Area: 11.14

Permitted Easement:
135 S.F. of Ac. ±
Temporary Construction:
1,404 S.F. of Ac. ±
10,322 Ac. ±



POB

Point

Terrace
Gardens

50' Bldg. Line

TRACT 5
JUDITH A. MARTIN
1204 NE 76TH STREET

8

S88°15'11"E 11.37'

N00°26'54"E 12.00'

POB PDE
(SW Cor. Lot 8)

S01°44'49"W 12.00'

N88°15'11"W 11.10'

N01°44'49"E 15.00'

S88°15'11"E 54.00'

N01°44'49"E 10.00'

N88°15'11"W 88.84'

S88°15'11"E 34.27'

S00°26' 3.00'

POB TCB
(SE Cor. Lot)

NE 76th Street
(50' Public R/W)

50' R/W

1" = 20'

0' 10' 20' 40'

SCALE IN FEET



PROJECT NO: 018-1193

DRAWN BY: TMV

DATE: 05/21/19 REVISED:

TRACT NO. 5 - PERMANENT DRAINAGE EASEMENT &
TEMPORARY CONSTRUCTION EASEMENT
1204 NE 76TH STREET, GLADSTONE MISSOURI

olsson

7301 West 13th
Suite 200
Overland Park, MO 66211
TEL 913.561.1177

EXHIBIT:

B

Recorded in Clay County, Missouri



Recording Date/Time: 09/13/2019 at 10:20:49 AM

Instr #: 2019026678

Book: 8498 Page: 123

Type: EASE

Pages: 6

Fee: \$39.00 S 20190023636



(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement
2. **Date:** 9-9-19
3. **Grantor (s):** John O. Hall Trust, UTA
4. **Grantee (s):** City of Gladstone, Missouri
5. **Mailing Address:** 7010 N. Holmes, Gladstone, MO 64118
6. **Legal Description:**
See Exhibit(s) A and B attached hereto and incorporated herein
7. **Reference Book & Page:** N/A

dAD =

12-19-44
9

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, John O. Hall Trust, UTA
(Names)

1703 Northeast 76th Street, Gladstone, MO
(Address)

of Clay County, Missouri, 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 acknowledge, do 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:

See Exhibit(s) A and B attached hereto and incorporated herein

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 8 day of August, 2019.

CITY OF GLADSTONE

By Scott Wingerson
Scott Wingerson, City Manager

GRANTORS:

John O. Hall
John O. Hall, Trustee

Attest: Ruth E Bocchino
Ruth Bocchino, City Clerk

GRANTORS' ACKNOWLEDGMENT

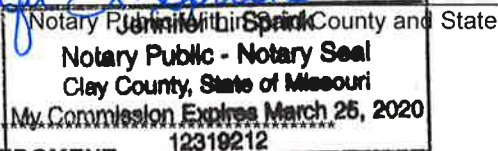
STATE OF MISSOURI
COUNTY OF Clay ss.

On this 8th day of August, 2019, before me, the undersigned Notary Public, personally appeared John O. Hall to me known to be the persons described in and who executed the foregoing instrument on behalf of the Trust and acknowledged that he executed the same as his free act and deed.

Clay IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal at my office in _____ County, Missouri, the day and year last above written.

My commission expires March 25, 2020

Jennifer L. Sprick



GRANTEE'S ACKNOWLEDGMENT

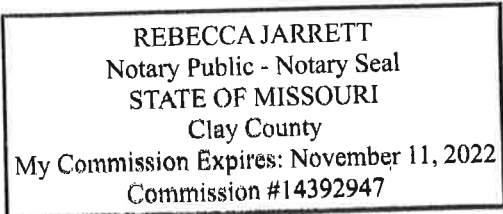
On this 11 day of September, 2019, before me, this undersigned Notary Public, personally appeared Scott Wingerson, to me personally known, who being by me duly sworn, did say that he is the City Manager of the City of Gladstone, Missouri, a municipal corporation, and that the seal affixed to the foregoing 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 _____ County, Missouri, the day and year last above written.

My Commission expires Nov 11, 2022

Rebecca Jarrett

Notary Public Within Said County and State



PROJECT NO. 010-1193 - TRACT NO. 28

DATE: 05/25/19

OWNER: JOHN O. & MARJORIE HALL

TEMPORARY CONSTRUCTION EASEMENT - 1703 NE 76TH STREET

PROJECT: NE 76TH STREET ROAD IMPROVEMENTS - GLADSTONE, MISSOURI

PARCEL I.D. NO. 13611000100400

TEMPORARY CONSTRUCTION EASEMENT

A strip of land over a part of Lot 35, Rosewood, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, said strip being more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 35, said point being on the South right-of-way line of NE 76th Street, as now established;

thence South 88 degrees 15 minutes 11 seconds East, along said South right-of-way line, a distance of 74.97 feet, to the Northeast corner of said Lot 35;

thence South 01 degrees 45 minutes 09 seconds West, departing said South right-of-way line and along the East line of said Lot 35, a distance of 5.00 feet;

thence North 88 degrees 15 minutes 11 seconds West, departing said East line and along a line 5.00 feet South of and parallel with said South right-of-way line, a distance of 26.35 feet;

thence South 01 degrees 44 minutes 49 seconds West, along a line perpendicular to said South right-of-way line, a distance of 13.00 feet;

thence North 88 degrees 15 minutes 11 seconds West, along a line 18.00 feet South of and parallel with said South right-of-way line, a distance of 45.00 feet;

thence South 01 degrees 44 minutes 49 seconds West, along a line perpendicular to said South right-of-way line, a distance of 20.00 feet;

thence North 86 degrees 15 minutes 17 seconds West, along said line 28.00 feet South of and parallel with said South right-of-way line, a distance of 3.83 feet, to a point on the West line of said Lot 35;

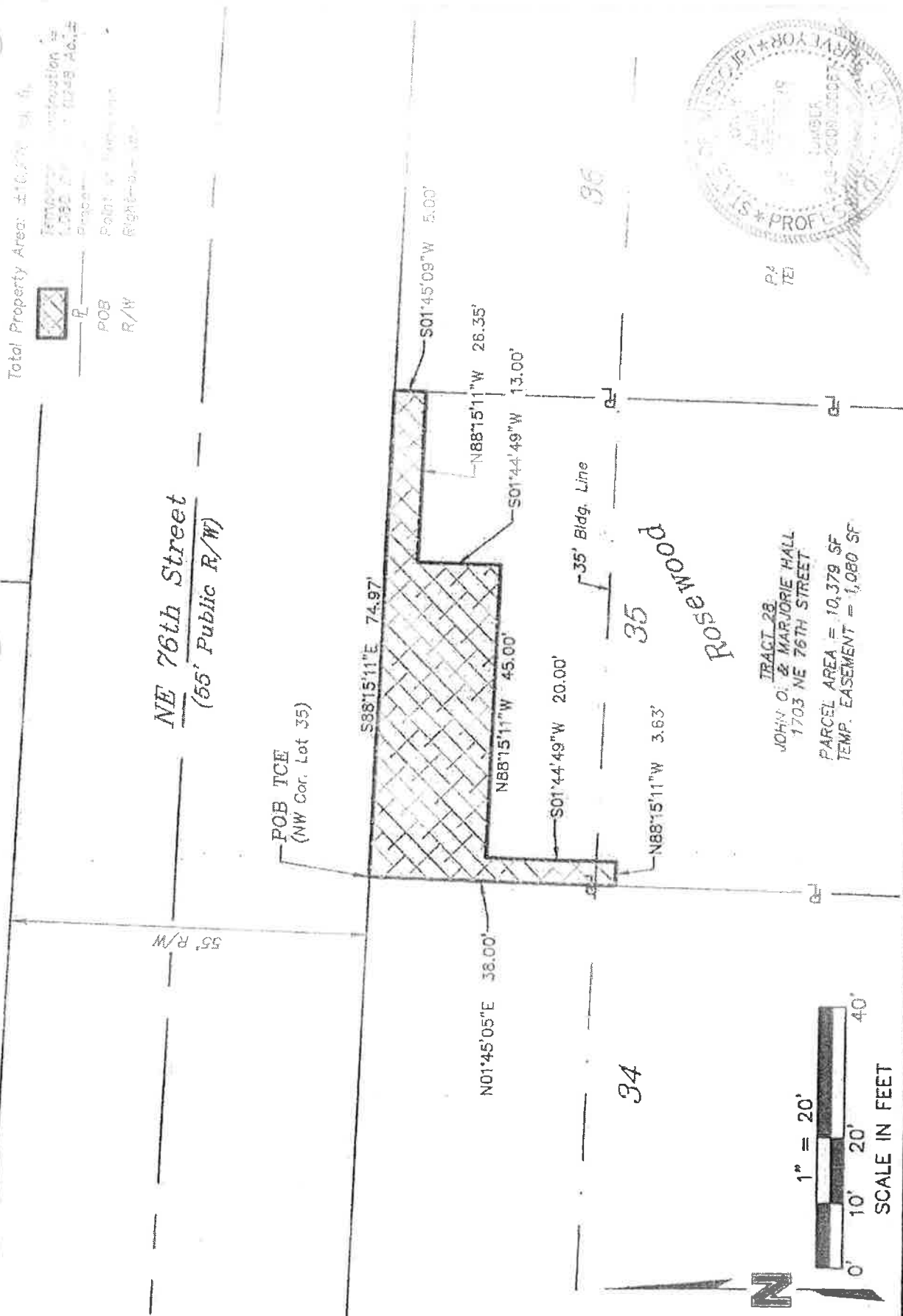
thence North 01 degrees 45 minutes 05 seconds East, along said West line, a distance of 38.00 feet, to the POINT OF BEGINNING, containing 1,080 square feet or 0.0248 acres, more or less.

(As depicted on Exhibit "B", attached and incorporated herein).



Olsson Associates
7301 West 133rd Street
Suite 200
Overland Park, KS 66213
(913) 381-1170

DWG: C:\Temp\AcPublish_11544\X\XCH11_81193.dwg
 DATE: May 28, 2019 6:37am
 USER: tvallentine
 XREFS: T_PBASE_81193
 V_XTOP0_81193



PROJECT NO: 018-1193		TRACT NO. 28	
DRAWN BY: TMV		TEMPORARY CONSTRUCTION EASEMENT	
DATE: 05/24/19		1703 NE 76TH STREET, GLADSTONE MISSOURI	
REVISED:		EXHIBIT	
		B	

7301 West 33rd Street
 Suite 202
 Overland Park, KS 66213-1709
 TEL 913.261.1170

olsson



TRACT 28
 JOHN O. & MARJORIE HALL
 1703 NE 76TH STREET
 PARCEL AREA = 10,379 SF
 TEMP. EASEMENT = 1,080 SF



Total Property Area: ± 0.27 AC

POB
 R/W
 Point of Beginning
 Right of Way

NE 76th Street
 (55' Public R/W)

35
 Rosewood

34

Recorded in Clay County, Missouri



Recording Date/Time: 09/13/2019 at 09:22:24 AM

Instr #: 2019026662

Book: 8498 Page: 107

Type: EASE

Pages: 4

Fee: \$33.00 S 20190023622



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Permanent Utility Easement

2. **Date:** 9-9-19

3. **Grantors:** Jeffrey R. Ryan and April Ryan

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

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

6. **Legal Description:**

The north 5.00 feet of Lot 13, East Thomas Heights, a subdivision in Gladstone, Clay County, Missouri containing 350 square feet, more or less.

91A-P=

R-19-44
4

PERMANENT UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT,

Jeffrey R. Ryan & April Ryan

(NAME OR NAMES)

1109 NE 76th Street, Gladstone, MO

(ADDRESS)

of Gladstone, Clay County, MO hereinafter called the **GRANTOR**, for and in consideration of One Dollar (\$1.00) and the advantages to be gained from the existence of the facilities and appurtenances through the lands hereafter described, the receipt of which is hereby acknowledged, does hereby grant, sell and convey unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, an easement for the location, construction, reconstruction, maintenance, removal, operation and repair of utilities including water, sewer, gas, phone, and electricity, under, through and over the following described tract of land lying, being and situated in the City of Gladstone, Clay County, Missouri, to-wit:

The north 5.00 feet of Lot 13, East Thomas Heights, a subdivision in Gladstone, Clay County, Missouri containing 350 square feet, more or less.

TO HAVE AND TO HOLD to same for the aforesaid use with all rights, privileges, appurtenances, and immunities thereto belonging unto the **GRANTEE**, its successors and assigns for so long as said use shall continue, the **GRANTOR** hereby covenanting for their heirs and successors and assigns unto the **GRANTEE**, its successors and assigns the following:

1. Said easement will be kept free from buildings and any other structures or obstructions (except sidewalks, roadways, pavement, or curbs) which will interfere with the **GRANTEE** in constructing, reconstructing, operating, repairing, and maintaining said facilities and appurtenances; and no excavation or fill shall be made and no other operations of any kind or nature shall be performed or authorized by the **GRANTOR** to be performed which will reduce or increase the earth coverage in such manner and to such extent so as to interfere with, or jeopardize or threaten the normal and proper operation and maintenance of said facilities and appurtenances, and the **GRANTEE** will repair any damage to fences, pavement, curb or sod in any way arising in connection with the constructing and repairing of said facilities and appurtenances. By granting this easement, same shall not be considered or construed as prohibiting the **GRANTOR** in the developing of any adjoining property from the laying out, establishing and the constructing of pavement surfacing of roadways, curbing and gutters along, upon, over or across said easement or any portion thereof.

2. The right of **GRANTEE**, its agents, servants, employees, or independent contractor to go upon said land, and so much of the **GRANTOR'S** adjoining land as may be reasonably necessary, at any time to excavate or perform other operations for the purpose of laying, constructing, reconstructing, operating, removing, replacing, repairing, or maintaining said facilities and all appurtenances incidental thereto.

3. That Jeffrey R. Ryan & April Ryan are lawfully seized and possessed of the real estate above described, that they have a good and lawful right to convey the same; that it is free from all encumbrances done or suffered by them which would interfere with the rights granted hereunder; and that they forever warrant and defend the title thereto against the lawful claims of all affecting the right and easement granted hereunder.

IN WITNESS WHEREOF, said Grantors do hereunto set their hand and subscribed their name to the foregoing, this 28 day of August, 2019

CITY OF GLADSTONE, MO

GRANTOR:

BY Scott Wingerson
Scott Wingerson, City Manager

Jeffrey R. Ryan
Jeffrey R. Ryan

ATTEST: Ruth E. Bocchino
Ruth Bocchino, City Clerk

April Ryan
April Ryan

GRANTOR'S ACKNOWLEDGMENT

STATE OF MISSOURI)

COUNTY OF Clay) ss.

On this 28th day of August 28, 2019, before me, the undersigned Notary Public, personally appeared Jeffrey R. Ryan & April Ryan, to me known to be the person described herein and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed. And the said Jeffrey R. Ryan and April Ryan further declared themselves to be married.

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.

Cheryl Lamb

Notary Public within said County/St.

My commission expires August 6, 2021.

Cheryl A. Lamb
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: Aug. 6, 2021
Commission #17419175

GRANTEE'S ACKNOWLEDGMENT

On this 11 day of Sept 20 19 before me, this undersigned Notary Public, personally appeared Scott Wingerson, to me personally known, who being by me duly sworn, did say that (s)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 it 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.

Rebecca Jarrett
Notary Public Within Said County/St.

My commission expires: Nov 11, 2022

REBECCA JARRETT
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: November 11, 2022
Commission #14392947

Recorded in Clay County, Missouri



Recording Date/Time: 09/13/2019 at 09:22:24 AM

Instr #: 2019026663

Book: 8498 Page: 108

Type: EASE

Pages: 3

Fee: \$30.00 S 20190023622



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:** 9-9-19

3. **Grantor (s):** Jeffrey R. Ryan and April Ryan

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

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

6. **Legal Description:**

The north 80.00 feet of the east 30.00 and the north 10.00 feet of Lot 13, East Thomas Heights, a subdivision located in the City of Gladstone, Clay County, Missouri

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

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS,

THAT, Jeffrey R. Ryan & April Ryan
(Names)

1109 NE 76th Street, Gladstone, MO
(Address)

of Clay County, Missouri, 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 acknowledge, do 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:

The north 80.00 feet of the east 30.00 and the north 10.00 feet of Lot 13, East Thomas Heights, a subdivision located in the City of Gladstone, Clay County, Missouri

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 28 day of August, 2019.

CITY OF GLADSTONE

By Scott Wingerson
Scott Wingerson, City Manager

Attest: Ruth Bocchino
Ruth Bocchino, City Clerk

GRANTOR:

Jeffrey R. Ryan
Jeffrey R. Ryan
April Ryan
April Ryan

GRANTORS' ACKNOWLEDGMENT

STATE OF MISSOURI
COUNTY OF Clay SS

Cheryl A. Lamb
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: Aug. 6, 2021
Commission #17419175

On this 28th day of August, 2019, before me, the undersigned Notary Public, personally appeared Jeffrey R. Ryan & April Ryan to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed. And the said Jeffrey R. Ryan & April Ryan further declared himself to be married.

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.

Cheryl Lamb
Notary Public Within Said County and State

My commission expires August 6, 2021

GRANTEE'S ACKNOWLEDGMENT

On this 11 day of Sept, 2019, 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.

Rebecca Jarrett
Notary Public Within Said County and State

My Commission expires Nov 11, 2022

REBECCA JARRETT
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: November 11, 2022
Commission #14392947

Recorded in Clay County, Missouri



Recording Date/Time: 09/13/2019 at 09:22:24 AM

Instr #: 2019026664

Book: 8498 Page: 109

Type: EASE

Pages: 9

Fee: \$48.00 S 20190023622



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Drainage Easement

2. **Date:** 9-9-19

3. **Grantors:** Judith A. Martin

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

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

6. **Legal Description:**

See Exhibit(s) A and B attached hereto and incorporated herein

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

9/11/19

R-19-44 9

DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Judith A. Martin
(Names)

1204 Northeast 76th Street, Gladstone, MO
(Address)
(ADDRESS)

of Gladstone, Clay County, MO hereinafter called the **GRANTOR**, for and in consideration of One Dollar (\$1.00) and the advantages to be gained from the existence of the facilities and appurtenances through the lands hereafter described, the receipt of which is hereby acknowledged, does hereby grant, sell and convey unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, an easement or right of way for the location, construction, reconstruction, maintenance, removal, operation and repair of any open drainageway, storm drainage structure, utility, or municipal facility and any and all appurtenances incidental thereto over, under and through the following described tract of land lying, being and situated in the City of Gladstone, Clay County, Missouri, to-wit:

See Exhibit(s) A and B attached hereto and incorporated herein

TO HAVE AND TO HOLD to same for the aforesaid use with all rights, privileges, appurtenances, and immunities thereto belonging unto the **GRANTEE**, its successors and assigns for so long as said use shall continue, the **GRANTOR** hereby covenanting for her heirs and successors and assigns unto the **GRANTEE**, its successors and assigns the following:

1. Said easement will be kept free from buildings and any other structures or obstructions (except sidewalks, roadways, pavement, or curbs) which will interfere with the **GRANTEE** in excavating upon said land for the purpose of laying, constructing, reconstructing, operating, repairing, and maintaining said facilities and appurtenances; and no excavation or fill shall be made and no other operations of any kind or nature shall be performed or authorized by the **GRANTOR** to be performed which will reduce or increase the earth coverage in such manner and to such extent so as to interfere with, or jeopardize or threaten the normal and proper operation and maintenance of said facilities and appurtenances, said facilities at all times to be laid and constructed at a proper depth below any pavement or street surfacing laid out or established at any time along, upon, or over said easement or any portion thereof, and the **GRANTEE** will repair any damage to fences, pavement, curb or sod in any way arising in connection with the laying, constructing, and repairing of said facilities and appurtenances. By granting this easement, same shall not be considered or construed as prohibiting the **GRANTOR** in the developing of any adjoining property from the laying out, establishing and the constructing of pavement surfacing of roadways, curbing and gutters along, upon, over or across said easement or any portion thereof.

2. The right of **GRANTEE**, its agents, servants, employees, or independent contractor to go upon said land, and so much of the **GRANTOR'S** adjoining land as may be reasonably necessary, at any time to excavate or perform other operations for the purpose of laying, constructing, reconstructing, operating, removing, replacing, repairing, or maintaining said facilities and all appurtenances incidental thereto.

3. That Judith A. Martin are lawfully seized and possessed of the real estate above described, that she has a good and lawful right to convey the same; that it is free from all encumbrances done or suffered by them which would interfere with the rights granted hereunder; and that she forever warrant

and defend the title thereto against the lawful claims of all affecting the right and easement granted hereunder.

IN WITNESS WHEREOF, said Grantors do hereunto set her hand and subscribed her name to the foregoing, this 23 day of August, 2019

CITY OF GLADSTONE, MO

GRANTOR:

BY Scott Wingerson
Scott Wingerson, City Manager

Judith A. Martin
Judith A. Martin

ATTEST: Ruth E Bocchino
Ruth Bocchino, City Clerk

GRANTOR'S ACKNOWLEDGMENT

STATE OF MISSOURI)
COUNTY OF Clay) ss.

On this 23rd day of August, 2019, before me, the undersigned Notary Public, personally appeared Judith A. Martin, to me known to be the persons described herein and who executed the foregoing instrument and acknowledged that she executed the same as their free act and deed. And the said Judith A. Martin further declared herself to be unmarried.

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.

Jennifer A. Stafford
Notary Public within said County/St.

My commission expires April 10, 2023.

JENNIFER A. STAFFORD
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: April 10, 2023
Commission #15395199

GRANTEE'S ACKNOWLEDGMENT

On this 11 day of Sept, 2019, before me, this undersigned Notary Public, personally appeared Scott Wingerson, to me personally known, who being by me duly sworn, did say that (s)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 it 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.

Rebecca Jarrett
Notary Public Within Said County/St.

My commission expires: Nov 11, 2022



Exhibit "A"
(Page 1 of 2)

PROJECT NO. 018-1193 – TRACT NO. 5

DATE: 05/21/19

OWNER: JUDITH A. MARTIN

TEMPORARY CONSTRUCTION EASEMENT – 1204 NE 76TH STREET

PROJECT: NE 76TH STREET ROAD IMPROVEMENTS - GLADSTONE, MISSOURI

PARCEL I.D. NO. 13607000901600

TEMPORARY CONSTRUCTION EASEMENT

A strip of land over a part of Lot 8, Terrace Gardens, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, said strip being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 7, said point being on the North right-of-way line of NE 76th Street, as now established;

thence North 88 degrees 15 minutes 11 seconds West, along said North right-of-way line, a distance of 88.84 feet;

thence North 01 degrees 44 minutes 49 seconds East, departing said North right-of-way line and along a line perpendicular to said North right-of-way line, a distance of 10.00 feet;

thence South 88 degrees 15 minutes 11 seconds East, along a line 10.00 feet North of and parallel with said North right-of-way line, a distance of 54.00 feet;

thence North 01 degrees 44 minutes 49 seconds East, along a line perpendicular to said North right-of-way line, a distance of 15.00 feet;

thence South 88 degrees 15 minutes 11 seconds East, along a line 25.00 feet North of and parallel with said North right-of-way line, a distance of 34.27 feet, to a point on the East line of said Lot 8;

thence South 00 degrees 26 minutes 54 seconds West, along said East line, a distance of 25.00 feet, to the POINT OF BEGINNING, containing 1,404 square feet or 0.0322 acres, more or less.

(As depicted on Exhibit "B", attached and incorporated herein).



Olsson Associates
7301 West 133rd Street
Suite 200
Overland Park, KS 66213
(913) 381-1170

Exhibit "A"
(Page 1 of 2)

PROJECT NO. 018-1193 – TRACT NO. 5

DATE: 05/21/19

OWNER: JUDITH A. MARTIN

PERMANENT DRAINAGE EASEMENT – 1204 NE 76TH STREET

PROJECT: NE 76TH STREET ROAD IMPROVEMENTS - GLADSTONE, MISSOURI

PARCEL I.D. NO. 13607000901600

PERMANENT DRAINAGE EASEMENT

A strip of land over a part of Lot 8, Terrace Gardens, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, said strip being more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 8, said point being on the North right-of-way line of NE 76th Street, as now established;

thence North 00 degrees 26 minutes 54 seconds East, departing said North right-of-way line and along the West line of said Lot 8, a distance of 12.00 feet;

thence South 88 degrees 15 minutes 11 seconds East, departing said West line and along a line 12.00 feet North of and parallel with said North right-of-way line, a distance of 11.37 feet;

thence South 01 degrees 44 minutes 49 seconds East, along a line perpendicular to said North right-of-way line, a distance of 12.00 feet, to a point on said North right-of-way line;

thence North 88 degrees 15 minutes 11 seconds West, along said North right-of-way line, a distance of 11.10 feet, to the POINT OF BEGINNING, containing 135 square feet or 0.0031 acres, more or less.

(As depicted on Exhibit "B", attached and incorporated herein).



Olsson Associates
7301 West 133rd Street
Suite 200
Overland Park, KS 66213
(913) 381-1170

DWG: C:\Temp\AcPublish_78096\XEXH1_81193.dwg
 USER: twalentine
 DATE: May 20, 2019 1:20pm
 XREFS: T_PBASE_81193
 V_XTOPO_81193

Total Property Area: ±10.00 ± .04

Permanent Easement
 100' ± Ac. ±
 Temporary Construction =
 1.404 ± Ac. ±
 1.000022 Ac. ±



POB

POB

POB

Terrace Gardens

50' Bldg. Line

TRACT 5
 JUDITH A. MARTIN
 1204 NE 76TH STREET

8

S88°15'11"E 11.37'

N01°44'49"E 15.00'

N00°26'54"E 12.00'

POB PDE
 (SW Cor. Lot 8)

S88°15'11"E 54.00'

N01°44'49"E 10.00'

S01°44'49"W 12.00'

N88°15'11"W 11.10'

N88°15'11"W 88.84'

POB TCE
 (SE Cor. Lot 8)

S00°26'11"E 15.00'

50' R/W

NE 76th Street
 (50' Public R/W)

1" = 20'

0' 10' 20' 40'

SCALE IN FEET



PROJECT NO: 018-1193

DRAWN BY: TMV

DATE: 05/21/19 REVISED:

TRACT NO. 5 - PERMANENT DRAINAGE EASEMENT &
 TEMPORARY CONSTRUCTION EASEMENT
 1204 NE 76TH STREET, GLADSTONE MISSOURI

olsson

EXHIBIT

B

7301 West 133rd St.
 Suite 200
 Overland Park, KS 66204
 TEL 913 381 4477