

## RESOLUTION NO. R-19-55

### **A RESOLUTION ACCEPTING EASEMENTS FROM CERTAIN PROPERTY OWNERS IN CONJUNCTION WITH THE NORTHEAST 76<sup>TH</sup> 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 76<sup>th</sup> 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 "S" through "BB" are hereby accepted. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-19-35, R-19-36, and R-19-44.

#### Temporary Construction Easements

"S" – Jenifer E. Loesing	1301 NE 76 <sup>th</sup> Street
"T" – Justin Sipe	1401 NE 76 <sup>th</sup> Street
"U" – Katy Thanh Nguyen Family Wealth Trust	1403 NE 76 <sup>th</sup> Street
"V" – Steven R. Ferro & Laura D. Giggy-Ferro	1709 NE 76 <sup>th</sup> Street
"W" – Tanya S. Galujsha	1305 NE 76 <sup>th</sup> Street

#### Permanent Easements

"X" – Jenifer E. Loesing	1301 NE 76 <sup>th</sup> Street
"Y" – Justin Sipe	1401 NE 76 <sup>th</sup> Street
"Z" – Katy Thanh Nguyen Family Wealth Trust	1403 NE 76 <sup>th</sup> Street
"AA" – Barbara J. Weber	1207 NE 76 <sup>th</sup> Street

#### Quit-Claim Deed

"BB" – Jenifer E. Loesing	1301 NE 76 <sup>th</sup> Street
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**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 14<sup>TH</sup> DAY OF OCTOBER, 2019.**

  
\_\_\_\_\_  
Mayor Carol J. Suter

ATTEST:

  
\_\_\_\_\_  
Ruth E. Bocchino, City Clerk



## *Request for Council Action*

RES ☒ # R-19-55

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 10/8/2019

Department: Public Works

Meeting Date Requested: 10/14/2019

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 resolutions R-19-35, R-19-36, and R-19-44. Easements for this project have been acquired from 20 of 42 property owners.

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

Timothy A. Nebergall  
Department Director/Administrator

City Attorney

City Manager



Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031829

Book: 8530 Page: 105

Type: EASE

Pages: 6

Fee: \$39.00 S 20190028437



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Permanent Utility Easement

2. **Date:**

10/14/19

3. **Grantors:** Katy Thanh Nguyen Family Wealth Trust

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

RL GE  
att: Ruth Bocchino

R-19-55

6

PERMANENT UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Katy Thanh Nguyen Family Wealth Trust  
(Names)

1403 NE 76<sup>th</sup> 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:

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 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 Katy Thanh Nguyen is 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 30 day of August, 2019.

CITY OF GLADSTONE, MO

GRANTOR:

BY Scott Wingerson  
Scott Wingerson, City Manager

Katy Thanh Nguyen  
Katy Thanh Nguyen, Trustee

ATTEST: Ruth Bocchino  
Ruth Bocchino, City Clerk

GRANTOR'S ACKNOWLEDGMENT

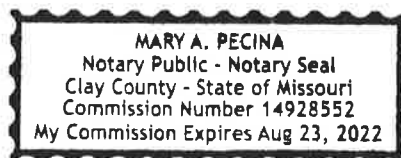
STATE OF MISSOURI )  
 ) ss.  
COUNTY OF Jackson )

On this 30th day of August, 2019, before me, the undersigned Notary Public, personally appeared Katy Thanh Nguyen, 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 on behalf of the Trust.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Jackson County, Missouri, the day and year last above written.

Mary A. Pecina  
Notary Public within said County/St.

My commission expires 08/23/2022.



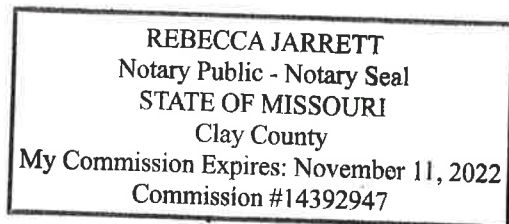
GRANTEE'S ACKNOWLEDGMENT

On this 21 day of October, 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: 11-11-22.



**Exhibit "A"**  
**(Page 1 of 1)**

**PROJECT NO. 018-1193 – TRACT NO. 38**

**DATE: 06/03/19**

**OWNER: KATY T. NGUYEN**

**PERMANENT UTILITY EASEMENT – 1403 NE 76<sup>TH</sup> STREET**

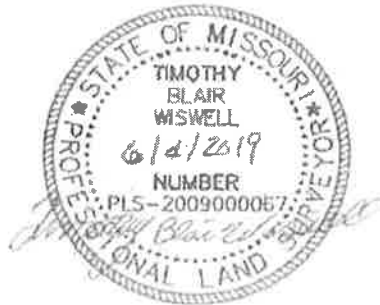
**PROJECT: NE 76TH STREET ROAD IMPROVEMENTS - GLADSTONE, MISSOURI**

**PARCEL I.D. NO. 13611000302000**

**5.00' WIDE PERMANENT UTILITY EASEMENT**

**The North 5.00 feet of Lot 31, Park Tower North, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, containing 385 square feet or 0.0088 acres, more or less.**

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



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

DWG: C:\Temp\A\publish\_16892\X\EXH1\_81193.dwg  
 DATE: Jun 03, 2019 4:32pm  
 USER: tvallentine  
 XREFS: T\_PBASE\_81193  
 V\_XTOPO\_81193

Total Property Area: ±10,395 sq. ft.

Temporary Construction =  
 1,694 S.F. or 0.0389 Ac., ±  
 Utility Easement = 385 S.F.  
 or 0.0088 Ac., ±

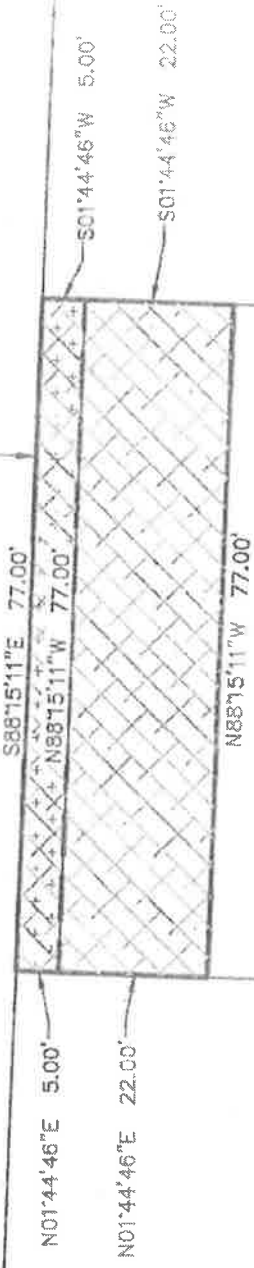
Property Line

Point of Beginning  
 Right-of-Way

POB  
 R/W

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

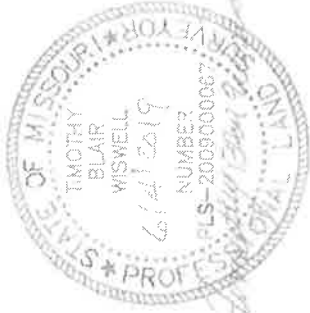
50' R/W



31  
 TRACT 38  
 KATY T. NGUYEN  
 1403 NE 76TH STREET

30' Bldg. Line

32



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

TRACT NO. 38  
 PERMANENT UTILITY EASEMENT &  
 TEMPORARY CONSTRUCTION EASEMENT  
 1403 NE 76TH STREET, GLADSTONE MISSOURI

7304 West 133rd Street  
 Suite 200  
 Overland Park, KS 66213-4750  
 TEL 913.351.1170

**olsson**

EXHIBIT

B





Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031830

Book: 8530 Page: 106

Type: EASE

Pages: 6

Fee: \$39.00 S 20190028437



Kalee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Permanent Utility Easement

2. **Date:**

10/14/19

3. **Grantors:** Barbara J. Weber

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

RL- GE

12-19-55

(6)

## PERMANENT UTILITY EASEMENT

### KNOW ALL MEN BY THESE PRESENTS:

THAT, Barbara J. Weber  
(Names)

1207 Northeast 76<sup>th</sup> 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:

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 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 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 Barbara J. Weber are lawfully seized and possessed of the real estate above described, that she 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 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 27 day of September, 2019.

CITY OF GLADSTONE, MO

GRANTORS:

BY Scott Wingerson  
Scott Wingerson, City Manager

Barbara J. Weber  
Barbara J. Weber

ATTEST: Ruth E Bocchino  
Ruth Bocchino, City Clerk

### GRANTOR'S ACKNOWLEDGMENT

STATE OF MISSOURI )  
COUNTY OF Clay ) ss.

On this 27<sup>th</sup> day of September, 2019, before me, the undersigned Notary Public, personally appeared Barbara J. Weber, to me known to be the person described herein and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed. And the said Barbara J. Weber 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.

Tammy J. Vassar  
Notary Public within said County/St.

My commission expires 8/15/20.

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 October, 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.

My commission expires: 11-11-22.

Rebecca Jarrett  
Notary Public Within Said County/St.



**Exhibit "A"**  
**(Page 1 of 1)**

**PROJECT NO. 018-1193 – TRACT NO. 43**

**DATE: 06/05/19**

**OWNER: BARBARA J. WEBER**

**PERMANENT UTILITY EASEMENT – 1207 NE 76<sup>TH</sup> STREET**

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

**PARCEL I.D. NO. 13611000501900**

**5.00' WIDE PERMANENT UTILITY EASEMENT**

**The North 5.00 feet of Lot 68, Park Tower North, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, containing 375 square feet or 0.0086 acres, more or less.**

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



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

Total Property Area: ±10,125 sq. ft.



Temporary Construction =  
1,500 S.F. or 0.0344 Ac. ±



Utility Easement = 375 S.F.  
or 0.0086 Ac. ±

Property Line  
Right-of-Way

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

50' R/W

S88°15'11"E 75.00'

N01°44'46"E 5.00'

N01°44'46"E 20.00'

S01°44'46"W 5.00'

S01°44'46"W 20.00'

N88°15'11"W 75.00'

30' Bldg. Line

69

68

TRACT 43  
BARBARA J. WEBER  
1207 NE 76TH STREET

Lower North  
Park

1" = 20'

0' 10' 20' 40'

SCALE IN FEET



USER: twolentine

DWG: C:\temp\AcPublish\_24756\XCH1\_81193.dwg

XREFS:

DATE: Jun 10, 2019 1:30pm

PROJECT NO: 018-1193

DRAWN BY: TMV

DATE: 06/05/19 REVISED:

TRACT NO. 43 - PERMANENT UTILITY EASEMENT &  
TEMPORARY CONSTRUCTION EASEMENT  
1207 NE 76TH STREET, GLADSTONE MISSOURI

olsson

7501 West 133rd Street  
Suite 205  
Overland Park, KS 66223-7753  
TEL 913.351.1170

EXHIBIT

B



Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031831

Book: 8530 Page: 107

Type: EASE

Pages: 6

Fee: \$39.00 S 20190028437



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:**

10/14/19

3. **Grantor (s):** Jenifer E. Loesing

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

**TEMPORARY CONSTRUCTION EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

THAT, Jenifer E. Loesing  
(Names)

1301 Northeast 76<sup>th</sup> 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 4<sup>th</sup> day of September, 2019

CITY OF GLADSTONE

By Scott Wingerson  
Scott Wingerson, City Manager

GRANTOR:

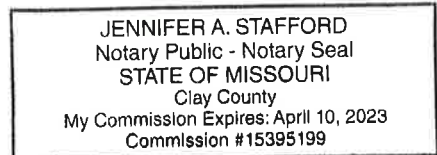
Jenifer E. Loesing  
Jenifer E. Loesing

Attest: Ruth E Bocchino  
Ruth Bocchino, City Clerk



**GRANTORS' ACKNOWLEDGMENT**

STATE OF MISSOURI  
COUNTY OF Clay ss.



On this 4th day of September, 2019, before me, the undersigned Notary Public, personally appeared Jenifer E. Loesing 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 Jenifer E. Loesing 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 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 21 day of October, 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 11-11-22.

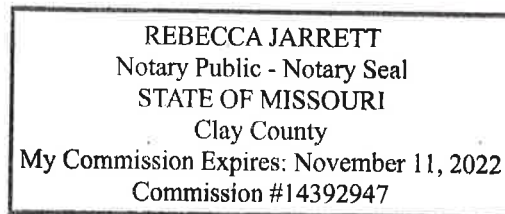


Exhibit "A"  
(Page 1 of 2)

PROJECT NO. 018-1193 – TRACT NO. 42

DATE: 06/05/19

OWNER: JENIFER E. LOESING

TEMPORARY CONSTRUCTION EASEMENT – 1301 NE 76<sup>TH</sup> STREET

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

PARCEL I.D. NO. 13611000501800

TEMPORARY CONSTRUCTION EASEMENT

A strip of land over a part of Lot 51, Park Tower North, 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 51, said point being on the South right-of-way line of NE 76<sup>th</sup> Street, as now established;

thence South 88 degrees 15 minutes 11 seconds East, along said South right-of-way line, a distance of 82.00 feet;

thence South 40 degrees 57 minutes 46 seconds East, departing said South right-of-way line, a distance of 17.69 feet, to a point on the West right-of-way line of North Virginia Avenue, as now established;

thence South 01 degrees 44 minutes 46 seconds West, along said West right-of-way line, a distance of 50.00 feet;

thence North 19 degrees 09 minutes 31 seconds West, departing said West right-of-way line, a distance of 52.45 feet;

thence North 88 degrees 15 minutes 11 seconds West, along a line 14.00 feet South of and parallel with said South right-of-way line, a distance of 47.00 feet;

thence South 01 degrees 44 minutes 49 seconds West, along a line perpendicular to said South right-of-way line, a distance of 14.00 feet;

thence North 88 degrees 15 minutes 11 seconds West, along a line 28.00 feet South of and parallel with said South right-of-way line, a distance of 28.28 feet, to a point on the West line of said Lot 51;

thence North 01 degrees 44 minutes 46 seconds East, along said West line, a distance of 28.00 feet, to the POINT OF BEGINNING, containing 2,093 square feet or 0.0480 acres, more or less.

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



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

Total Property Area: ±12,690 sq. ft.

Permanent Road Right-of-Way =  
78 S.F. or 0.0018 Ac., ±

Temporary Construction =  
2,093 S.F. or 0.0480 Ac., ±

Utility Easement = 422 S.F.  
or 0.0097 Ac., ±

Property Line

Point of Beginning

Right-of-Way



NE 76th Street

(50' Public R/W)

POB TCE & UE  
(NW Cor. Lot 51)

POB R/W  
(NE Cor. Lot 51)

S88°15'11"E 12.00'

S88°15'11"E 82.00'

N01°44'46"E 5.00'

N01°44'46"E 28.00'

30' Bldg. Line

68

N19°09'31"W 52.45'

N88°15'11"W 28.28'

N88°15'11"W 47.00'

S40°57'46"E 17.69'

S01°44'49"W 14.00'

S01°44'46"W 13.00'

50' R/W

S01°44'46"W 50.00'

North Virginia  
Avenue  
(50' Public R/W)

TRACT 42  
JENIFER E. LOESING  
1301 NE 76TH STREET

Tower North  
30' Bldg. Line



SCALE IN FEET



PROJECT NO: 018-1193

DRAWN BY: TMV

DATE: 06/05/19 REVISED:

TRACT NO. 42 - PERMANENT ROAD RIGHT-OF-WAY &  
PERMANENT UTILITY EASEMENT &  
TEMPORARY CONSTRUCTION EASEMENT  
1301 NE 76TH STREET, GLADSTONE MISSOURI

EXHIBIT

7351 West 133rd Street  
Suite 203  
Overland Park, KS 66213-4750  
TEL 913.561.1170

olsson

B



Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031832

Book: 8530 Page: 108

Type: EASE

Pages: 6

Fee: \$39.00 S 20190028437



Kalee Porter  
Recorder of Deeds

---

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:**

10/14/19

3. **Grantor (s):** Justin Sipe

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

**TEMPORARY CONSTRUCTION EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

THAT, Justin Sipe  
(Names)

1401 NE 76<sup>th</sup> 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 25 day of September, 2019

CITY OF GLADSTONE

By Scott Wingerson  
Scott Wingerson, City Manager

GRANTOR:

Justin Sipe  
Justin Sipe

Attest: Ruth E Bocchino  
Ruth Bocchino, City Clerk

**GRANTORS' ACKNOWLEDGMENT**

STATE OF MISSOURI  
COUNTY OF Clay ss.

On this 25<sup>th</sup> day of September, 2019, before me, the undersigned Notary Public, personally appeared Justin Sipe to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed. And the said Justin Sipe further declared himself to be unmarried.

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. Sprink  
Notary Public Within Said County and State  
Notary Public - Notary Seal  
Clay County, State of Missouri  
My Commission Expires March 25, 2020  
12319212

**GRANTEE'S ACKNOWLEDGMENT**

On this 21 day of October, 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 11-11-22

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. 39**

**DATE: 06/03/19**

**OWNER: JUSTIN SIPE**

**TEMPORARY CONSTRUCTION EASEMENT – 1401 NE 76<sup>TH</sup> STREET**

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

**PARCEL I.D. NO. 13611000300100**

**TEMPORARY CONSTRUCTION EASEMENT**

**A strip of land over a part of Lot 32, Park Tower North, 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 32, said point being the intersection of the South right-of-way line of N.E. 76<sup>th</sup> Street and the East right-of-way line of North Lydia Avenue, as both streets are now established;**

**thence South 88 degrees 15 minutes 11 seconds East, along said South right-of-way line, a distance of 95.99 feet, to the Northeast corner of said Lot 32;**

**thence South 01 degrees 44 minutes 46 seconds West, departing said South right-of-way line and along the East line of said Lot 32, a distance of 13.00 feet;**

**thence North 88 degrees 15 minutes 11 seconds West, departing said East line and along a line 13.00 feet South of and parallel with said South right-of-way line, a distance of 37.68 feet;**

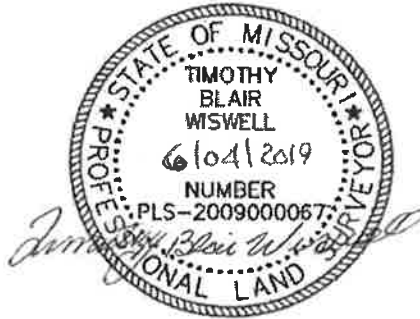
**thence North 01 degrees 44 minutes 49 seconds East, along a line perpendicular to said South right-of-way line, a distance of 8.00 feet;**

**thence North 88 degrees 15 minutes 11 seconds West, along a line 5.00 feet South of and parallel with said South right-of-way line, a distance of 58.19 feet, to a point on said East right-of-way line;**



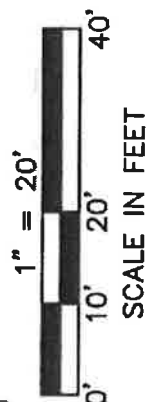
thence North 00 degrees 24 minutes 19 seconds East, along said East right-of-way line, a distance of 5.00 feet, to the POINT OF BEGINNING, containing 781 square feet or 0.0179 acres, more or less.

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



**Olsson Associates**  
**7301 West 133<sup>rd</sup> 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: tvalentine  
 XREFS: T\_PBASE\_81193  
 V\_XTOPO\_81193



North Lydia  
 Avenue  
 (50' Public R/W)

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

Total Property Area: ±11,245 sq. ft.

Temporary Construction =  
 781 S.F. or 0.0179 Ac.,±  
 Utility Easement = 479 S.F.  
 or 0.0110 Ac.,±  
 Property Line  
 Point of Beginning  
 Right-of-Way



POB TCE  
 (NW Cor. Lot 32)

N00°24'19"E 5.00'  
 S88°15'11"E 95.99'  
 N88°15'11"W 95.87'  
 N88°15'11"W 58.19'  
 N01°44'49"E 8.00'  
 N88°15'11"W 37.68'  
 S01°44'46"W 5.00'  
 S01°44'46"W 13.00'

30' Bldg. Line

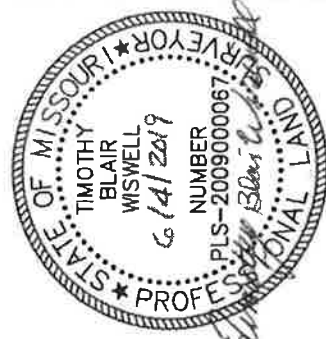
TRACT 39  
 JUSTIN SIPE  
 1401 NE 76TH STREET

32

30' Bldg. Line

Park  
 Tower  
 North

31



TRACT NO. 39  
 PERMANENT UTILITY EASEMENT &  
 TEMPORARY CONSTRUCTION EASEMENT  
 1401 NE 76TH STREET, GLADSTONE MISSOURI

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

**olsson**

7301 West 133rd Street  
 Suite 200  
 Overland Park, KS 66213-4750  
 TEL 913.381.1170

EXHIBIT

B



Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031833

Book: 8530 Page: 109

Type: EASE

Pages: 5

Fee: \$36.00 S 20190028437



Kalee Porter  
Recorder of Deeds

---

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:**

10/14/19

3. **Grantor (s):** Katy Thanh Nguyen Family Wealth Trust

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

**TEMPORARY CONSTRUCTION EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

THAT, Katy Thanh Nguyen Family Wealth Trust  
(Names)

1403 NE 76<sup>th</sup> 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 30 day of August, 2019

CITY OF GLADSTONE

By Scott Wingerson  
Scott Wingerson, City Manager

GRANTOR:

Katy Thanh Nguyen  
Katy Thanh Nguyen, Trustee

Attest: Ruth Bocchino  
Ruth Bocchino, City Clerk

**GRANTORS' ACKNOWLEDGMENT**

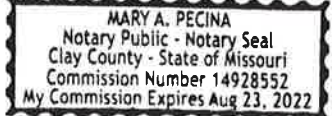
STATE OF MISSOURI  
COUNTY OF Jackson ss.

On this 30<sup>th</sup> day of August, 2019, before me, the undersigned Notary Public, personally appeared Katy Thanh Nguyen 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 on behalf of the Trust.

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

My commission expires August 23, 2022

Mary A. Pecina  
Notary Public Within Said County and State



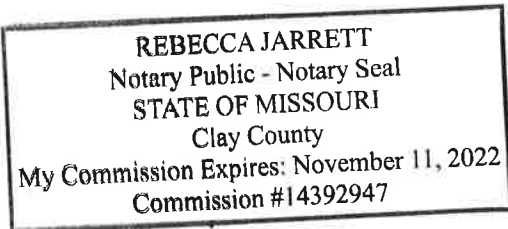
**GRANTEE'S ACKNOWLEDGMENT**

On this 21 day of October, 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 11-11-22

Rebecca Jarrett  
Notary Public Within Said County and State



**Exhibit "A"**  
**(Page 1 of 1)**

**PROJECT NO. 018-1193 – TRACT NO. 38**

**DATE: 06/03/19**

**OWNER: KATY T. NGUYEN**

**TEMPORARY CONSTRUCTION EASEMENT – 1403 NE 76<sup>TH</sup> STREET**

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

**PARCEL I.D. NO. 13611000302000**

**22' WIDE TEMPORARY CONSTRUCTION EASEMENT**

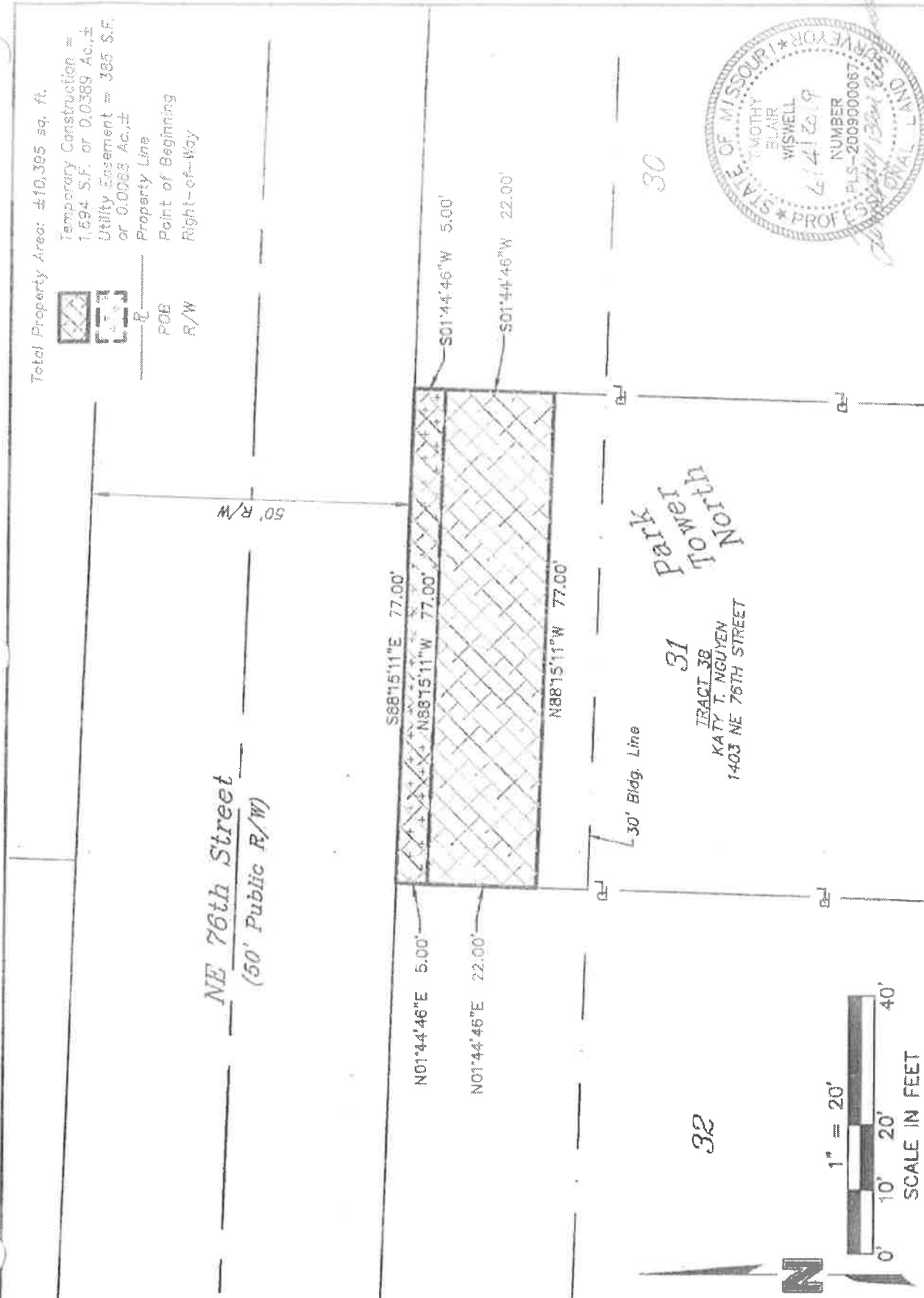
**The North 22.00 feet of Lot 31, Park Tower North, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, containing 1,694 square feet or 0.0389 acres, more or less.**

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



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

DWG: C:\Temp\AcPublish\16892\X\EXH1\_B1193.dwg  
 DATE: Jun 03, 2019 4:32pm  
 XREFS: T\_PBASE\_B1193  
 USER: tvolentine V\_XTOP0\_B1193



PROJECT NO: 018-1193	TRACT NO. 38	<b>olsson</b> 7331 West 135th Street Suite 200 Overland Park, KS 66215-4750 TEL: 913.331.1170	EXHIBIT
DRAWN BY: TMV	PERMANENT UTILITY EASEMENT & TEMPORARY CONSTRUCTION EASEMENT 1403 NE 76TH STREET, GLADSTONE MISSOURI		B
DATE: 06/04/19	REVISED:		

Recorded in Clay County, Missouri



Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031834

Book: 8530 Page: 110

Type: EASE

Pages: 6

Fee: \$39.00 S 20190028437



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement
2. **Date:** 10/14/19
3. **Grantor (s):** Steven R. Ferro and Laura D. Giggy-Ferro, 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



## TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Steven R. Ferro and Laura D. Giggy-Ferro  
(Names)

1709 Northeast 76<sup>th</sup> 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 27 day  
of September, 2019

CITY OF GLADSTONE

By Scott Wingerson  
Scott Wingerson, City Manager

Attest: Ruth E Bocchino  
Ruth Bocchino, City Clerk

GRANTORS:

Steven R. Ferro  
Steven R. Ferro

Laura D. Giggy-Ferro  
Laura D. Giggy-Ferro

**GRANTORS' ACKNOWLEDGMENT**

STATE OF MISSOURI  
COUNTY OF Clay ss.



On this 27<sup>th</sup> day of September, 2019, before me, the undersigned Notary Public, personally appeared Steven R. Ferro & Laura D. Giggy-Ferro 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 Steven R. Ferro & Laura D. Giggy-Ferro further declared themselves 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.

Jennifer A. Stafford  
Notary Public Within Said County and State

My commission expires April 10, 2023.

\*\*\*\*\*  
**GRANTEE'S ACKNOWLEDGMENT**

On this 21 day of October, 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 11-11-22.

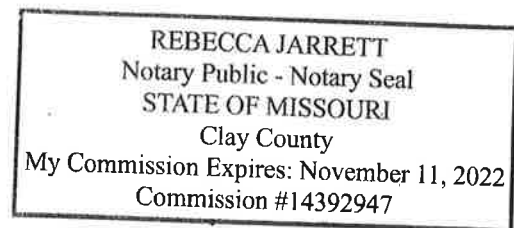


Exhibit "A"  
(Page 1 of 2)

PROJECT NO. 018-1193 – TRACT NO. 26

DATE: 05/25/19

OWNER: STEVEN R. FERRO & LAURA D. GIGGY

TEMPORARY CONSTRUCTION EASEMENT – 1709 NE 76<sup>TH</sup> STREET

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

PARCEL I.D. NO. 13611000100200

TEMPORARY CONSTRUCTION EASEMENT

A strip of land over a part of Lot 37, 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 37, said point being on the South right-of-way line of NE 76<sup>th</sup> 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 37;

thence South 01 degrees 44 minutes 49 seconds West, departing said South right-of-way line and along the East line of said Lot 37, a distance of 10.00 feet;

thence North 88 degrees 15 minutes 11 seconds West, departing said East line and along a line 10.00 feet South of and parallel with said South right-of-way line, a distance of 33.29 feet;

thence North 01 degrees 44 minutes 49 seconds East, along a line perpendicular to said South right-of-way line, a distance of 8.00 feet;

thence North 88 degrees 15 minutes 11 seconds West, along a line 2.00 feet South of and parallel with said South right-of-way line, a distance of 41.68 feet, to a point on the West line of said Lot 37;

thence North 01 degrees 45 minutes 13 seconds East, along said West line, a distance of 2.00 feet, to the POINT OF BEGINNING, containing 416 square feet or 0.0096 acres, more or less.

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



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

DWG: C:\Temp\AcPublish\11544\XEXH1-B1193.dwg  
 DATE: May 28, 2019 6:36am  
 USER: twentine  
 XREFS: T\_PBASE\_81193  
 V\_XTOPO\_81193

Total Property Area: ±10,174 sq. ft.

Temporary Construction =  
 416 S.F. or 0.0096 Ac.±



- P — Property Line
- POB Point of Beginning
- U/E Utility Easement
- R/W Right-of-Way

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

POB TCE  
 (NW Cor. Lot 37)

S88°15'11"E 74.97'

N88°15'11"W 41.68'

N01°44'49"E 8.00'

N88°15'11"W 33.29'

S01°44'49"W 10.00'

5.0' U/E  
 (Per Plat)

38

25' Bldg. Line

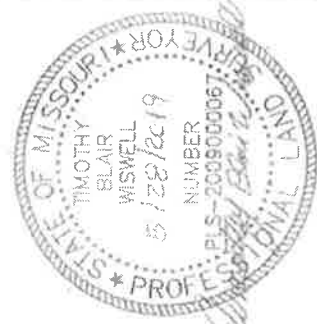
37

36

35' Bldg. Line

Rosewood

TRACT 26  
 STEVEN R. FERRO & LAURA D. GIGGY  
 1709 NE 76TH STREET  
 PARCEL AREA = 10,174 SF  
 TEMP. EASEMENT = 416 SF



PROJECT NO: 018-1193

DRAWN BY: TMV

DATE: 05/24/19 REVISED:

TRACT NO. 26  
 TEMPORARY CONSTRUCTION EASEMENT  
 1709 NE 76TH STREET, GLADSTONE MISSOURI

EXHIBIT

B

7301 West 133rd Street  
 Suite 200  
 Overland Park, KS 66215-475C  
 TEL 913.381.1170

**olsson**



Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031835

Book: 8530

Page: 111

Type: EASE

Pages: 3

Fee: \$30.00 S 20190028437



Kalee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:**

10/14/19

3. **Grantor (s):** Tanya S. Galusha

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

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

6. **Legal Description:**

The north 10.00 feet and the east 10.00 of Lot 33, Park Tower North, a subdivision in Gladstone,  
Clay County, Missouri

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

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Tanya S. Galusha  
(Name)

1305 NE 76<sup>th</sup> Street, 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:

The north 10.00 feet and the east 10.00 of Lot 33, Park Tower North, a subdivision in 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, **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 26 day of September, 2019.

CITY OF GLADSTONE

By Scott Wingerson  
Scott Wingerson, City Manager

Attest: Ruth Bocchino  
Ruth Bocchino, City Clerk

GRANTOR:

Tanya S. Galusha  
Tanya S. Galusha

GRANTOR'S ACKNOWLEDGMENT

STATE OF MISSOURI

COUNTY OF Clay ss.



On this 26<sup>th</sup> day of September, 2019, before me, the undersigned Notary Public, personally appeared Tanya S. Galusha to me known to be the person described in and who executed the foregoing instrument and acknowledged that her executed the same as her free act and deed. And the said Tanya S. Galusha 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.

Jennifer A. Stafford  
Notary Public Within Said County and State

My commission expires April 10 2023

\*\*\*\*\*

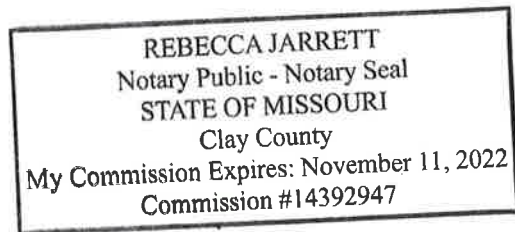
GRANTEE'S ACKNOWLEDGMENT

On this 21 day of October, 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 11-11-22





Recorded in Clay County, Missouri



Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031836

Book: 8530 Page: 112

Type: EASE

Pages: 7

Fee: \$42.00 S 20190028437



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Utility Easement

2. **Date:**

10/14/19

3. **Grantors:** Jenifer E. Loesing

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

RL-GE

R-19-55

⑦

## UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Jenifer E. Loesing  
(Names)

1301 Northeast 76<sup>th</sup> 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 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:

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 Jenifer E. Loesing is 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 which

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

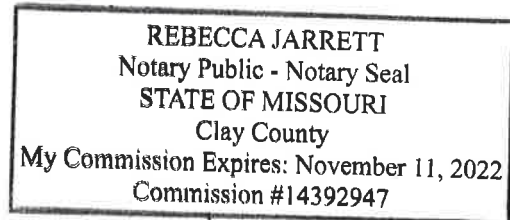
GRANTEE'S ACKNOWLEDGMENT

On this 21 day of October, 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: 11-11-22.



**Exhibit "A"**  
**(Page 1 of 2)**

**PROJECT NO. 018-1193 – TRACT NO. 42**

**DATE: 06/05/19**

**OWNER: JENIFER E. LOESING**

**PERMANENT UTILITY EASEMENT – 1301 NE 76<sup>TH</sup> STREET**

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

**PARCEL I.D. NO. 13611000501800**

**PERMANENT UTILITY EASEMENT**

**A strip of land over a part of Lot 51, Park Tower North, 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 51, said point being on the South right-of-way line of NE 76<sup>th</sup> Street, as now established;**

**thence South 88 degrees 15 minutes 11 seconds East, along said South right-of-way line, a distance of 82.00 feet,**

**thence South 40 degrees 57 minutes 46 seconds East, departing said South right-of-way line, a distance of 6.80 feet;**

**thence North 88 degrees 15 minutes 11 seconds West, along a line 5.00 feet South of and parallel with said South right-of-way line, a distance of 86.62 feet, to a point on the West line of said Lot 51;**

thence North 01 degrees 44 minutes 46 seconds East, along said West line, a distance of 5.00 feet to the POINT OF BEGINNING, containing 422 square feet or 0.0097 acres, more or less.

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



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

Total Property Area: ±12,690 sq. ft.

- Permanent Road Right-of-Way = 78 S.F. or 0.0018 Ac., ±
- Temporary Construction = 2,093 S.F. or 0.0480 Ac., ±
- Utility Easement = 422 S.F. or 0.0097 Ac., ±
- Property Line
- Point of Beginning
- Right-of-Way



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

POB TCE & UE  
(NW Cor. Lot 51)

POB R/W  
(NE Cor. Lot 51)

S88°15'11"E 12.00'

S88°15'11"E 82.00'

N01°44'46"E 5.00'

N01°44'46"E 28.00'

30' Bldg. Line

68

S40°57'46"E 17.69'

S40°57'46"E 6.80'

N88°15'11"W 47.00'

S40°57'46"E 14.00'

N88°15'11"W 28.28'

N19°09'31"W 52.45'

1" = 20'

0' 10' 20' 40'

SCALE IN FEET

North Virginia Avenue  
(50' Public R/W)

TRACT 42  
JENIFER E. LOESING  
1301 NE 76TH STREET  
Tower North  
30' Bldg. Line



TRACT NO. 42 - PERMANENT ROAD RIGHT-OF-WAY &  
PERMANENT UTILITY EASEMENT &  
TEMPORARY CONSTRUCTION EASEMENT  
1301 NE 76TH STREET, GLADSTONE, MISSOURI

PROJECT NO: 018-1193  
DRAWN BY: TMV  
DATE: 06/05/19 REVISED:

EXHIBIT  
B

7361 West 133rd Street  
Suite 203  
Overland Park, KS 66213-4750  
TEL 813.361.1770

olsson

DWG: C:\Temp\AcPublish\24756\XEXH1\_81193.dwg

DATE: Jun 10, 2019 1:30pm

USER: tvallentine



Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031837

Book: 8530 Page: 113

Type: EASE

Pages: 6

Fee: \$39.00 S 20190028437



Kalee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Permanent Utility Easement

2. **Date:**

10/14/19

3. **Grantors:** Justin Sipe

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



PERMANENT UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Justin Sipe  
(NAME OR NAMES )  
1401 NE 76<sup>th</sup> 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:

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 his 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 Justin Sipe is lawfully seized and possessed of the real estate above described, that he 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 he 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 his hand and subscribed his name to the foregoing, this 25 day of September, 2019.

CITY OF GLADSTONE, MO

GRANTOR:

BY Scott Wingerson  
Scott Wingerson, City Manager

Justin Sipe  
Justin Sipe

ATTEST: Ruth E Bocchino  
Ruth Bocchino, City Clerk

GRANTOR'S ACKNOWLEDGMENT

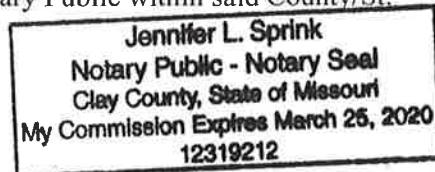
STATE OF MISSOURI )  
COUNTY OF Clay ) ss.

On this 25<sup>th</sup> day of September, 2019, before me, the undersigned Notary Public, personally appeared Justin Sipe, 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 Justin Sipe further declares himself 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 L. Sprink  
Notary Public within said County/St.

My commission expires March 25, 2020



GRANTEE'S ACKNOWLEDGMENT

On this 21 day of October, 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: 11-11-22.

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

**Exhibit "A"**  
**(Page 1 of 1)**

**PROJECT NO. 018-1193 – TRACT NO. 39**

**DATE: 06/03/19**

**OWNER: JUSTIN SIPE**

**PERMANENT UTILITY EASEMENT – 1401 NE 76<sup>TH</sup> STREET**

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

**PARCEL I.D. NO. 13611000302000**

**5.00' WIDE PERMANENT UTILITY EASEMENT**

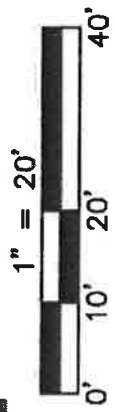
**The North 5.00 feet of Lot 32, Park Tower North, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, containing 479 square feet or 0.0110 acres, more or less.**

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



**Olsson Associates  
7301 West 133<sup>rd</sup> 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: tvallentine  
XREFS: T\_PBASE\_81193  
V\_XTOP0\_81193



North Lydia  
Avenue  
(50' Public R/W)

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

Total Property Area: ±11,245 sq. ft.

Temporary Construction =  
781 S.F. or 0.0179 Ac., ±  
Utility Easement = 479 S.F.  
or 0.0110 Ac., ±

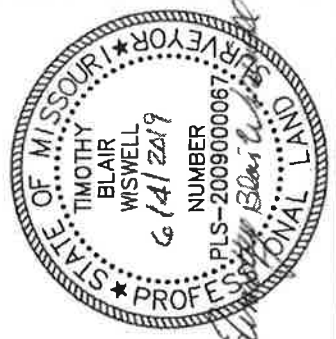


Property Line  
POB  
Point of Beginning  
R/W  
Right-of-Way

POB TCE  
(NW Cor. Lot 32)

N00°24'19"E 5.00'  
S88°15'11"E 95.99'  
N88°15'11"W 95.87'  
N88°15'11"W 58.19'  
N01°44'49"E 8.00'  
N88°15'11"W 37.68'  
S01°44'46"W 5.00'  
S01°44'46"W 13.00'

30' Bldg. Line  
TRACT 39  
JUSTIN SIPE  
1401 NE 76TH STREET



30' Bldg. Line  
Park Tower North

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

TRACT NO. 39  
PERMANENT UTILITY EASEMENT &  
TEMPORARY CONSTRUCTION EASEMENT  
1401 NE 76TH STREET, GLADSTONE MISSOURI

**olsson**

7301 West 133rd Street  
Suite 200  
Overland Park, KS 66213-4750  
TEL 913.381.1170

EXHIBIT  
B



Recording Date/Time: 10/24/2019 at 11:50:08 AM

Instr #: 2019031838

Book: 8530 Page: 114

Type: QC

Pages: 6

Fee: \$39.00 S 20190028437



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Quit-Claim Deed

2. **Date:**

10/14/19

3. **Grantor (s):** Jenifer E. Loesing

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

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

6. **Legal Description:**

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

## Quit-Claim Deed

**This Indenture,**  
**made on this** 14th October **day of 2019, by and between**

Jenifer E. Loesing

**County of Clay, State of Missouri, party of the first part, and**

City of Gladstone

**of the County of Clay, State of Missouri, party of the second part,**

(Mailing address of the first named grantee is 7010 N. Holmes, Gladstone, Missouri 64118)

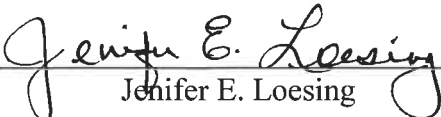
*WITNESSETH, THAT THE SAID PARTY OF THE FIRST PART, in consideration of the sum of ..... One (\$1.00) ..... dollar and other good and valuable considerations, to it in hand paid by the party of the second part, the receipt for which is hereby acknowledged, does by these presents, REMISE, RELEASE and FOREEVER CONVEY RIGHT-OF-WAY unto the said party of the second part, the following described lots, tracts or parcels of land lying, being and situated in the County of CLAY, and State of Missouri to-wit:*

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

*TO HAVE AND TO HOLD THE SAME, with all the rights, immunities, privileges and appurtenances, thereto belonging unto the said party of the second part and unto its heirs and assigns forever; so that neither party of the first part, nor any other person or persons, for them or in their name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred.*

*IN WITNESS WHEREOF, the said party of the first part has hereunto set their hands the day and year above written.*

(Attest: )

  
Jenifer E. Loesing

ACKNOWLEDGMENT

STATE OF Missouri  
}} ss  
COUNTY OF Clay

On this 2<sup>th</sup> day of September, 2019  
Before me, the undersigned Notary Public, personally appeared, Jenifer E. Loesing,  
to me known to be the person(s) described herein and who executed the foregoing instrument.  
And the said Jenifer E. Loesing 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.





**Exhibit "A"**  
**(Page 1 of 2)**

**PROJECT NO. 018-1193 – TRACT NO. 42**

**DATE: 06/05/19**

**OWNER: JENIFER E. LOESING**

**PERMANENT ROAD RIGHT-OF-WAY – 1301 NE 76<sup>TH</sup> STREET**

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

**PARCEL I.D. NO. 13611000501800**

**PERMANENT ROAD RIGHT-OF-WAY**

**A strip of land over a part of Lot 51, Park Tower North, 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 Northeast corner of said Lot 51, said point being the intersection of the West right-of-way line of North Virginia Avenue and the South right-of-way line of NE 76<sup>th</sup> Street, as both streets are now established;**

**thence South 01 degrees 44 minutes 46 seconds West, along said West right-of-way line, a distance of 13.00 feet;**

**thence North 40 degrees 57 minutes 46 seconds West, departing said West right-of-way line, a distance of 17.69 feet, to a point on said South right-of-way line;**

thence South 88 degrees 15 minutes 11 seconds East, along said South right-of-way line, a distance of 12.00 feet, to the POINT OF BEGINNING, containing 78 square feet or 0.0018 acres, more or less.

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



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

DWG: C:\Temp\AcPublish\_24756\V\_XEXH1\_81193.dwg  
DATE: Jun 10, 2019 1:30pm XREFS:

USER: tvalentine

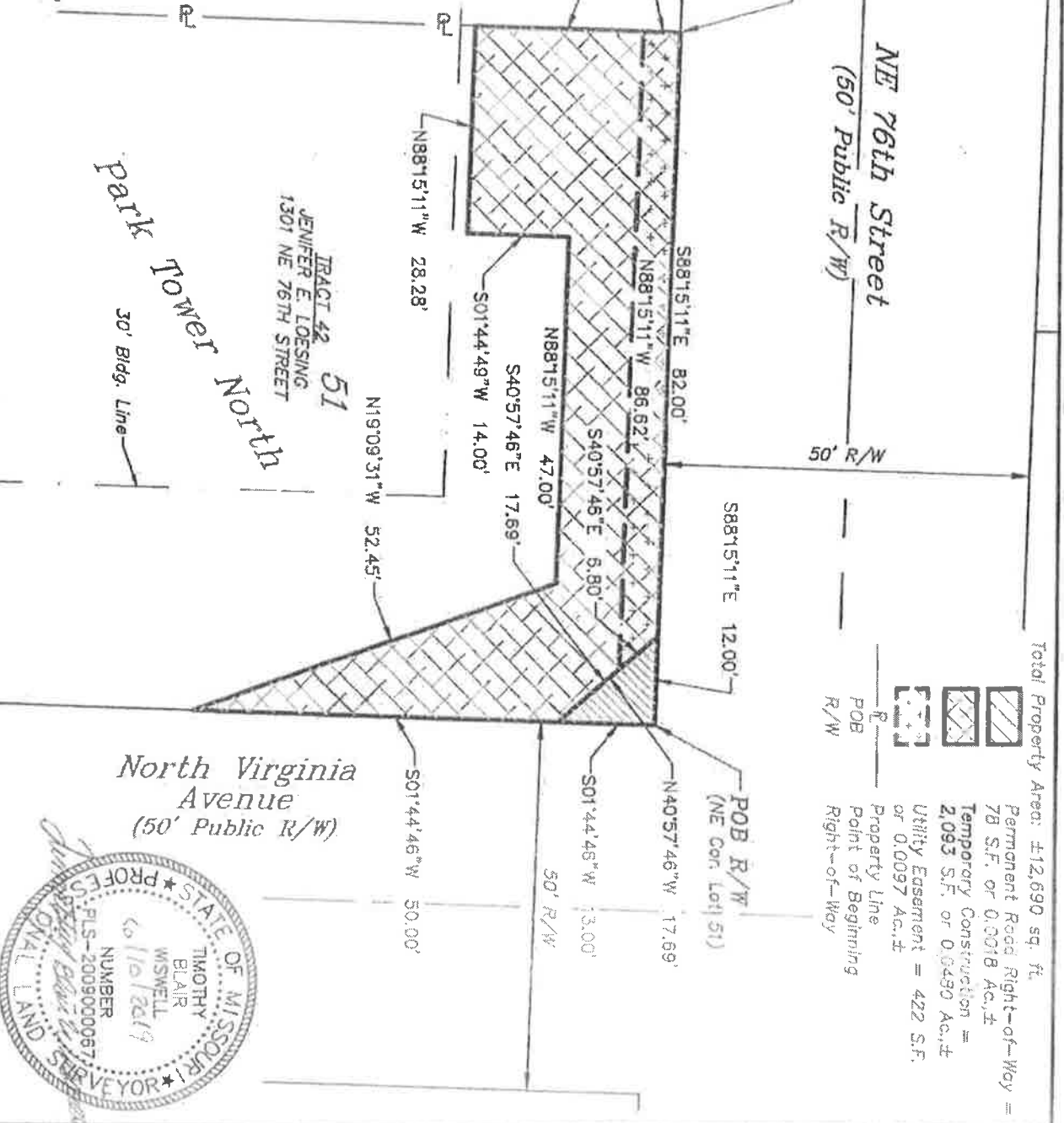
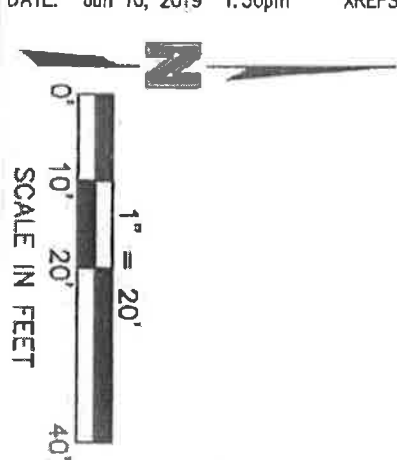
PROJECT NO:	018-1193
DRAWN BY:	TMY
DATE:	06/05/19
REVISED:	

TRACT NO. 42 - PERMANENT ROAD RIGHT-OF-WAY &  
PERMANENT UTILITY EASEMENT &  
TEMPORARY CONSTRUCTION EASEMENT  
1301 NE 76TH STREET, GLADSTONE MISSOURI

**Olsson**

2201 West 43rd St.  
Suite 205  
Overland Park, KS 66213-4750  
Tel. 313.384.1779

EXHIBIT





Recording Date/Time: 05/11/2021 at 09:16:20 AM

Instr #: 2021020328

Book: 9052 Page: 6

Type: EASE

Pages: 4

Fee: \$33.00 S 20210018203



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Sidewalk and Utility Easement

2. **Date:** 5-4-21

3. **Grantors:** Tanya S. Galusha

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 33, Park Tower North, a subdivision in Gladstone, Clay County, Missouri

R-19-55

RE-GE

## SIDEWALK AND UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT,

Tanya S. Galusha

(NAME OR NAMES )

1305 NE 76<sup>th</sup> 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 a public sidewalk and 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 33, Park Tower North, a subdivision in Gladstone, Clay County, Missouri

**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 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 Tanya S. Galusha is 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.

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 26 day of September, 2019.

CITY OF GLADSTONE, MO

BY Scott Wingerson  
Scott Wingerson, City Manager

GRANTOR:

Tanya S. Galusha  
Tanya S. Galusha

ATTEST: Ruth E. Bocchino  
Ruth Bocchino, City Clerk

GRANTOR'S ACKNOWLEDGMENT

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF Clay )

On this 26<sup>th</sup> day of September, 2019, before me, the undersigned Notary Public, personally appeared Tanya S. Galusha, 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 Tanya S. Galusha further declares 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.



GRANTEE'S ACKNOWLEDGMENT

On this 5 day of May, 2021, 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 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/St.

My commission expires: 11-11-22

