#### **RESOLUTION NO. R-20-02**

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 "CC" through "FF" are hereby accepted. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-19-35, R-19-36, R-19-44, and R-19-55.

### **Temporary Construction Easements**

"CC" – Ronald B. & Deborah A. Rommel

"DD" -Sue Z. & Thomas J. Brennan

"EE" - James Brostrom

1300 NE 76<sup>th</sup> Street 1200 NE 76<sup>th</sup> Street

7530 N. Highland Avenue

#### Permanent Easements

"FF" – Sue Z. & Thomas J. Brennen

1200 NE 76<sup>th</sup> 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 13<sup>TH</sup> DAY OF JAUARY, 2020.

Mayor Carol J. Sute

ATTEST:

Ruth E. Bocchino, City Clerk



# Request for Council Action

RES ⊠# R-20-02	BILL □# City Cler	k Only	ORD # City (	Clerk Only
Date: 1/8/2020			Department:	Public Works
Meeting Date Requested: 1/	13/2020			
Public Hearing: Yes 🗆 Da	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				
<u>Public/Board/Staff Input:</u> 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, R-19-44 and R-19-55. Easements for this project have been acquired from 23 of 42 property owners.				
Provide Original Contracts,	Leases, Agreements, et	c. to: City Clerl	k and Vendor	
Timothy A. Nebergall Department Director/Admir	nistrator	PC City Attorney		SW City Manager

Recording Date/Time: 01/16/2020 at 08:06:38 AM

Instr #: 2020001677

Page: 121 8588 Book:

EASE Type:

Pages:

\$39.00 S 20200001506 Fee:



(Space above reserved for Recorder of Deeds certification)

- 1. Title: Temporary Construction Easement
- 1-13-20 2. Date:
- 3. Grantor (s): James Brostrom
- 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-20-00

Page 1 of 3

RE- GE- aHN: Rush

## TEMPORARY CONSTRUCTION EASEMENT

	KNOW ALL MEN BY THESE PR	RESENTS		
	THAT,	James Brostr	trom	
		(Names)		
		7530 N, Highland Avenu	iue, Gladstone, MO	
	advantages to be gained fro hereby acknowledge, do here the State of Missouri, hereafte	om the construction on and adj aby grant, sell, convey and con	ORS, for and in consideration of One Dollar (\$1.00) and djacent to the lands hereafter described, the receipt of which if the CITY OF GLADSTONE, a municipal corporation rary easement to construct, grade, regrade, or perform any and	h is n of
	See Ex	khibit(s) A and B attached here	reto and incorporated herein	
	construction. Upon completion	on of said construction and impr	nt, and/or other appurtenances damaged or removed du provement, GRANTORS shall have full free and uninterrupted and the easement rights therein shall cease and no longer b	use
	GRANTORS make no warran	ties, expressed or implied to GF	RANTEE.	
100	of WITNESS WHEREOF	the parties have hereunto	to set their names to the foregoing, this	day
J	CITY OF GLADSTONE		GRANTOR:	
	By Scott Wingerson,	City Manager	April Dames Brostrom	
	Attest: Ruth Bocchino,	Szehmi City Clerk		

#### **GRANTORS' ACKNOWLEDGMENT**

Tammy J. Vassar

Motary Public - Notary Seal

STATE OF MISSOURI

Clay County

My Commission Expires: August 15, 2020 Commission #16104366

STATE OF MISSOURI Commission #16104366
COUNTY OF Clay ss
On this day of December, 2019, before me, the undersigned Notary Public, personally appeared famors Brostrom to me known to be the person described in and who executed the
appeared <u>James Brostrom</u> to me known to be the person described in and who executed the foregoing instrument and acknowledged that <u>he</u> executed the same as <u>his</u> free act and deed. And the said <u>James Brostrom</u> further declared himself to be unmarried.
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.
Janus Mossan
County, Missouri, the day and year last above written.  My commission expires
**************************************
GRANTEE'S ACKNOWLEDGMENT
On this day of January , 20 , 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 1 /11 / // W Sold County and State

REBECCA JARRETT Notary Public - Notary Seal STATE OF MISSOURI Clay County

My Commission Expires: November 11, 2022 Commission #14392947

# Patern Art 20

PROJECT NO. 018-1193 - TRACT NO. 34

DATE: 06/03/19

OWNER: JAMES BROSTROM

**TEMPORARY CONSTRUCTION EASEMENT - 7530 NORTH HIGHLAND AVENUE** 

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

PARCEL I.D. NO. 13611000201800

#### TEMPORARY CONSTRUCTION EASEMENT

A strip of land over a part of Lot 19, 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 19, 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-ofway line, a distance of 10.39 feet;

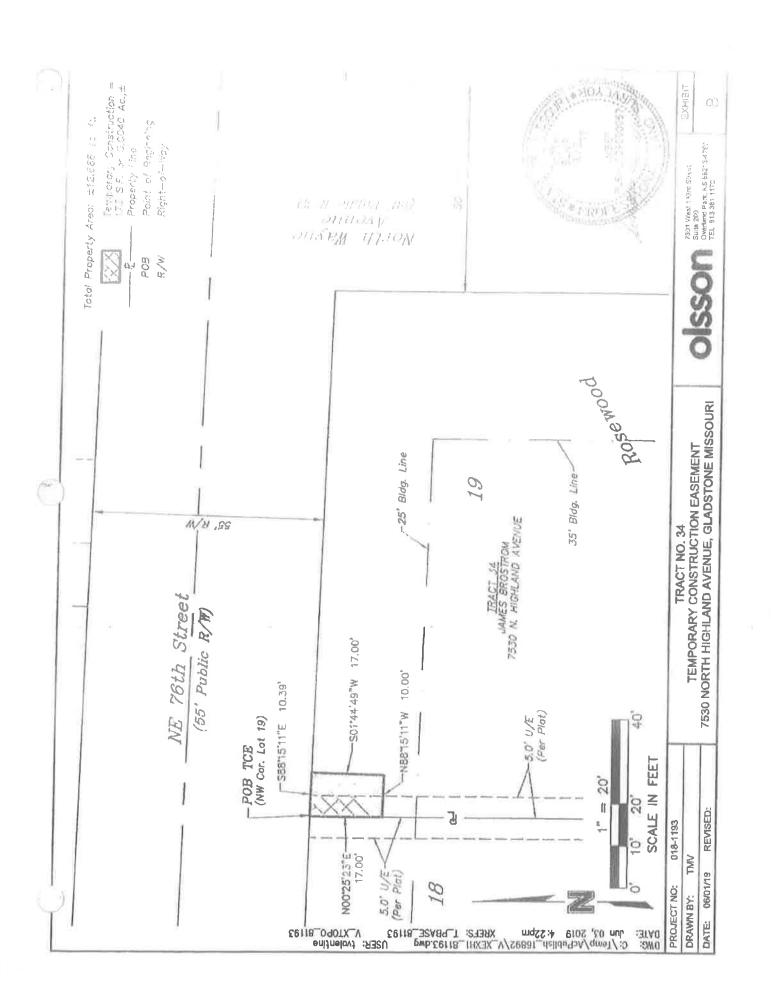
thence South 01 degrees 44 minutes 49 seconds West, departing said South rightof-way line and along a line perpendicular to said South right-of-way line, a distance of 17.00 feet;

thence North 88 degrees 15 minutes 11 seconds West, along a line 17.00 feet South of and parallel with sald South right-of-way line, a distance of 10.00 feet, to a point on the West line of said Lot 19; thence Nove, 00 degrees 25 minutes 23 ascends Emil, along sold West fine, a distance of 17.00 feet, to the POINT OF BEGINNING, containing 173 square feet as 0.0040 acres, more or less.

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



Olsson Associates 7301 West 133d Street Suite 200 Overland Park, K\$ 66213 (913) 381-1170



Recording Date/Time: 01/16/2020 at 08:06:38 AM

Instr #: 2020001676

Book: 8588 Page: 120

Type: EASE Pages: 3

se: \$30.00 S 20200001506



(Space above reserved for Recorder of Deeds certification)

1. Title: Temporary Construction Easement

1-13-20

2. Date:

\_\_\_\_\_

- 3. Grantor (s): Sue Z. & Thomas J. Brennan, husband and wife
- 4. Grantee (s): City of Gladstone, Missouri
- 5. Mailing Address: 7010 N. Holmes, Gladstone, MO 64118
- 6. Legal Description:

The south 18.00 feet of Lot 6, Terrace Gardens, a subdivision in the City of Gladstone, Clay County, Missouri containing approximately 1,800.00 square feet.

7. Reference Book & Page: N/A

### TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE	PRESENTS:	
THAT,		mas J. Brennan
	(Name	(2t
	1200 Northeast 76 <sup>th</sup> S	
advantages to be gained hereby acknowledge, do the State of Missouri, here	i, hereinafter called the <b>GRAN</b> from the construction on and hereby grant, sell, convey and o	ATORS, for and in consideration of One Dollar (\$1.00) and the adjacent to the lands hereafter described, the receipt of which is confirm unto the CITY OF GLADSTONE, a municipal corporation of corary easement to construct, grade, regrade, or perform any and all escribed land:
		rrace Gardens, a subdivision in the City of Gladstone, g approximately 1,800.00 square feet.
construction. Upon comp	letion of said construction and in	nent, and/or other appurtenances damaged or removed during mprovement, <b>GRANTORS</b> shall have full free and uninterrupted use at and the easement rights therein shall cease and no longer be in
GRANTORS make no wa	rranties, expressed or implied to	GRANTEE.
of WITNESS WHERE	the parties have here	unto set their names to the foregoing, thisday
CITY OF GLADSTONE		GRANTORS:
By Scott Winger	on, City Manager	Sue Z. Brennan
Attest: Ruth & Ruth Bocch	Bocchisto nino, City Clerk	Thomas J. Brennan

## **GRANTORS' ACKNOWLEDGMENT**

)	STATE OF MISSOURI COUNTY OF Clay ss.
	On this
	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 April 10 , 2023 . Notary Public Within Said County and State  Notary Public - Notary Seal STATE OF MISSOURI Clay County
	GRANTEE'S ACKNOWLEDGMENT Gentriasion #15395199
	On this
)	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
	REBECCA JARRETT  Notary Public - Notary Seal  STATE OF MISSOURI  Clay County  My Commission Expires: November 11, 2022

Recording Date/Time: 01/16/2020 at 08:06:38 AM

Instr #: 2020001678

Book: 8588 Page: 122

Type: EASE Pages: 4

Fee: \$33.00 S 20200001506



(Space above reserved for Recorder of Deeds certification)

- 1. Title: Permanent Drainage Easement
- 2. Date: 1-13-20
- 3. Grantors: Sue Z. & Thomas J. Brennan, husband and wife
- 4. Grantee (s): City of Gladstone, Missouri
- 5. Mailing Address: 7010 N. Holmes; Gladstone, MO 64118
- 6. Legal Description:

The east 40.00 feet of the south 10.00 feet and all of the east 20.00 feet of Lot 6, Terrace Gardens, a subdivision in the City of Gladstone, Clay County, Missouri.

7. Reference Book & Page: N/A

R-20-00

#### PERMANENT DRAINAGE EASEMENT

#### KNOW ALL MEN BY THESE PRESENTS:

THAT,	Sue Z. & Thomas J. Brennan	
	(Names)	
	1200 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 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:

The east 40.00 feet of the south 10.00 feet and all of the east 20.00 feet of Lot 6, Terrace Gardens, a subdivision in the City of 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 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 <u>Sue Z. and Thomas J. Brennan</u> are lawfully seized and possessed of the real estate above described, that <u>they</u> have a good and lawful right to convey the same; that it is free from all

hand and subscribed the name to
GRANTORS:
Sue Z. Brennan
Thomas Brennan
ACKNOWLEDGMENT
ore me, the undersigned Notary Public, personally
_, to me known to be the persons described herein
ledged that they executed the same as their free act n further declare themselves to be married.
tutulei declare themselves to be married.
d and affixed my notarial seal at my office in year last above written.
en a De A Shallon of
Notary Public within said County/St.
JENNIFER A. STAFFORD Notary Public - Notary Seal STATE OF MISSOURI
Clay County My Commission Expires: April 10, 2023 Commission #15395199

encumbrances done or suffered by them which would interfere with the rights granted hereunder; and that forever warrant and defend the title thereto against the lawful claims of all affecting the right and easement

## GRANTEE'S ACKNOWLEDGMENT

150	
On this day of Vunu	, 2021, before me, this undersigned
Notary Public, personally appeared Scott Wingers	on, 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 in	
and that said instrument was signed and sealed in behal	
and said City Manager acknowledged said instrument to	be the free act and deed of said corporation.
IN WITNESS WHEDEOF I have homewate set my	hand and affixed my Notarial Scal at my office
IN WITNESS WHEREOF, I have hereunto set my	•
in County, Missouri, the day and y	ear last above written.
V	Melley pro
A	Notary Public Within Said County/St.
My commission expires: $MV 11, 2022$ .	
	REBECCA JARRETT
	Notary Public - Notary Seal
	STATE OF MISSOURI
	Clay County
	My Commission Expires: November 11, 2022
	Commission #14392947

Recording Date/Time: 02/03/2020 at 12:48:27 PM

Instr #: 2020003541

Book: 8599

Page: 141

Type: EASE Pages: 8

Fee:

\$45.00 S 20200003199

COUNT

Katee Porter Recorder of Deeds

Rerecord

(Space above reserved for Recorder of Deeds certification)

- 1. Title: Temporary Construction Easement
- 2. Date: 1 [13 2020
- 3. Grantor (s): Ronald B. & Deborah A. Rommel, 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-20-02

Recording Date/Time: 01/16/2020 at 08:06:38 AM

Instr #: 2020001675

Book: 8588 Page: 119

Type: EASE Pages: 3

Fee: \$30.00 S 20200001506



(Space above reserved for Recorder of Deeds certification)

- 1. Title: Temporary Construction Easement
- 2. Date: 1-13-20
- 3. Grantor (s): Ronald B. & Deborah A. Rommel, 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 PRESI	1N15:		
THAT,	Ronald B. & De	eborah A. Rommel	
		Street, Gladstone, MO	
advantages to be gained from the hereby acknowledge, do hereby	the construction on and a grant, sell, convey and co alled <b>GRANTEE</b> , as tempo	FORS, for and in consideration of One Dollar (\$1.00) idjacent to the lands hereafter described, the receipt of onfirm unto the CITY OF GLADSTONE, a municipal corporary easement to construct, grade, regrade, or perform ar	which is oration of
See Exhib	it(s) A and B attached he	ereto and incorporated herein	
construction. Upon completion of	of said construction and imp	ent, and/or other appurtenances damaged or remove provement, <b>GRANTORS</b> shall have full free and uninterrulation and the easement rights therein shall cease and no long	ipted use
GRANTORS make no warranties	s, expressed or implied to G	GRANTEE.	
of 01000 , 2019	e parties have hereur	nto set their names to the foregoing, this	day
CITY OF GLADSTONE  By Scott Wingerson, Cit	y Manager	GRANTORS:  Ronald B. Rommel	E
Attest: Ruth & - B	to Clerk	Deborah A. Rommel	ŧ

## **GRANTORS' ACKNOWLEDGMENT**

ĺ	STATE OF MISSOURI COUNTY OF ss.
	On this day of ctool , 20 , before me, the undersigned Notary Public, personally appeared Ronald B. & Deborah Rommel 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 Ronald B. & Deborah Rommel further declared themselves to be married.
(	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 Much 25, 2020.  My Corondson Expires March 25, 2020  12319212
	GRANTEE'S ACKNOWLEDGMENT 12518212
	On this
	County, Missouri, the day and year last above written.  Notary Public Within Said County and State
	My Commission expires REBECCA JARRETT  Notary Public - Notary Seal  STATE OF MISSOURI  Clay County  My Commission Expires: November 11, 2022
	Commission #14392947

### Exame (A) (fogether 2)

PROJECT NO. 018-1193 - TRACT NO. 7

DATE: 09/21/19

OWNER: RONALD B. & DEBORAH A. ROMMEL

TEMPORARY CONSTRUCTION EASEMENT - 1300 NE 7614 STREET

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

PARCEL I.D. NO. 13607000901800

#### TEMPORARY CONSTRUCTION PASEMENT

A strip of land over a part of Lot 10, 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 10, 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-ofway line and along the West line of said Lot 10, a distance of 15.00 feet;

thence South 88 degrees 15 minutes 11 seconds East, departing said West line and along a line 15.00 feet North of and parallel with said North right-of-way line, a distance of 59.56 feet:

thence North 61 degrees 44 minutes 49 southes East, along a line perpendicular to said North right-of-way line, a distance of 15:00 feet;

thence South 60 degrees 15 minutes 11 seconds East, along a line 30.00 feet North of and parallel with said North right-of-way line, a distance of 40.04 feet, to a point on the East line of said Lot 10;

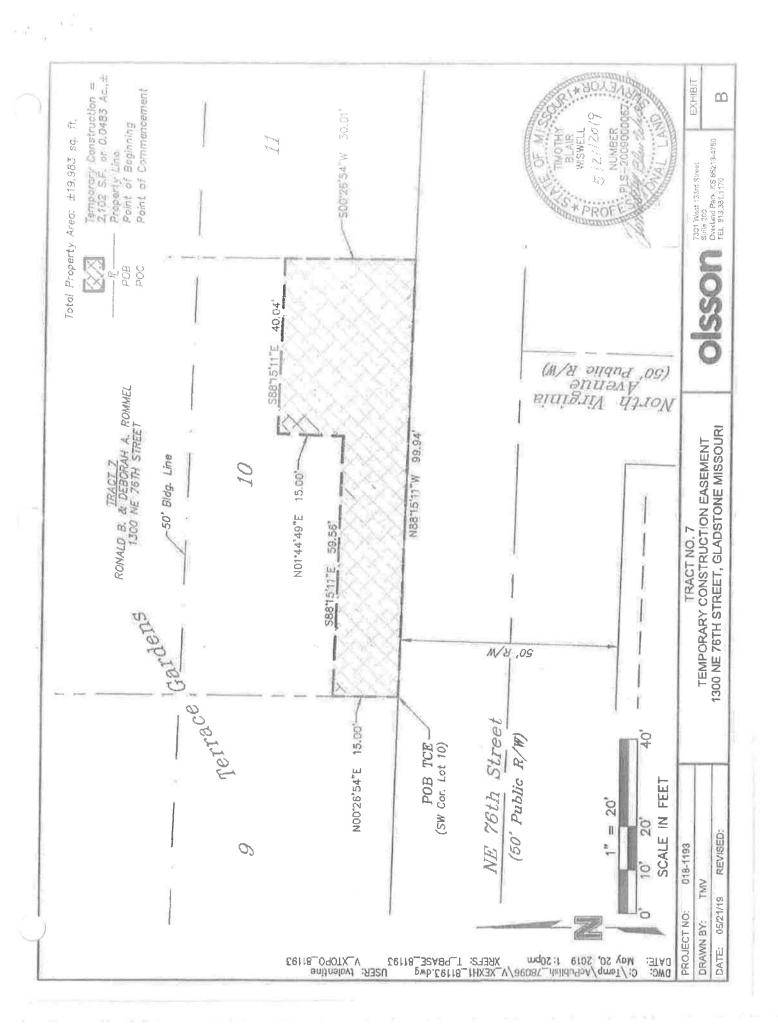
thence South 00 degrees 26 minutes 54 seconds West, along said East line, a distance of 30.01 feet, to a point on said North right-of-way line;

thence North 68 degrees 15 minutes 11 seconds West, along sald North right-orway line, a distance of 99.94 feet, to the POINT OF BEGINNING, containing 2,102 square feet or 0.0483 acres, more or less.

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



Olsson Associatos 7301 West 133<sup>rd</sup> Street Suite 200 Overland Park, KS 66213 (913) 381-1176



## NOTARY RE-ACKNOWLEDGEMENT PAGE