

**RESOLUTION NO. R-20-10**

**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 and quit-claim deed from the property owners attached hereto as Exhibits "JJ through "OO" 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, 19-55, R-20-02, and R-20-07.

Temporary Construction Easement

"JJ" – Norma L. Combs	7530 N. Tracy Avenue
"KK" – Shirley Birkeness & Brooke Allison	1104 NE 76 <sup>th</sup> Street
"LL" – Lisa J. Blumer	7525 N. Troost Avenue

Permanent Utility Easement

"MM" – Norma L. Combs	7530 N. Tracy Avenue
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Permanent Drainage Easement

"NN" – Norma L. Combs	7530 N. Tracy Avenue
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Quit-Claim Deed

"OO" – Lisa J. Blumer	7525 N. Troost Avenue
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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 9<sup>th</sup> DAY OF MARCH, 2020.**

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

ATTEST:

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



## *Request for Council Action*

RES ☒ # R-20-10

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/3/2020

Department: Public Works

Meeting Date Requested: 3/9/2020

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, R-19-44, R-19-55, R-20-02, and R-20-07. There are three (3) easements remaining in order to construct this project.

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

Timothy A. Nebergall  
Department Director/Administrator

PC  
City Attorney

SW  
City Manager

Recorded in Clay County, Missouri



Recording Date/Time: 04/20/2020 at 08:31:49 AM

Instr #: 2020011860

Book: 8654 Page: 7

Type: EASE

Pages: 3

Fee: \$30.00 S 20200010716



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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:** 3-9-20

3. **Grantor (s):** Norma L. Combs

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

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

6. **Legal Description:**

The north 25.00 feet and the west 25.00 feet of Lot 1, Park Tower North, a subdivision in Gladstone, Clay County, Missouri containing 5776.0 square feet, more or less.

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

R-20-10

Same

30

**TEMPORARY CONSTRUCTION EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

THAT, Norma L. Combs  
(Names)

7530 N. Tracy Avenue, Gladstone, MO  
(Address)

of Clay County, Missouri, hereinafter called the **GRANTORS**, for and in consideration of One Dollar (\$1.00) and the advantages to be gained from the construction on and adjacent to the lands hereafter described, the receipt of which is hereby acknowledge, do hereby grant, sell, convey and confirm unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, as temporary easement to construct, grade, regrade, or perform any and all other related necessary work on or across the following described land:

The north 25.00 feet and the west 25.00 feet of Lot 1, Park Tower North, a subdivision in Gladstone, Clay County, Missouri containing 5776.0 square feet, more or less.

**GRANTEE** will repair or replace any fences, pavement, and/or other appurtenances damaged or removed during construction. Upon completion of said construction and improvement, **GRANTORS** shall have full free and uninterrupted use and possession of said temporary construction easement and the easement rights therein shall cease and no longer be in effect.

**GRANTORS** make no warranties, expressed or implied to **GRANTEE**.

IN WITNESS WHEREOF the parties have hereunto set their names to the foregoing, this 11 day of March, 2020.

CITY OF GLADSTONE

By Scott Wingerson  
Scott Wingerson, City Manager

GRANTOR:

Norma L. Combs  
Norma L. Combs

Attest: Ruth E Bocchino  
Ruth Bocchino, City Clerk

**GRANTORS' ACKNOWLEDGMENT**

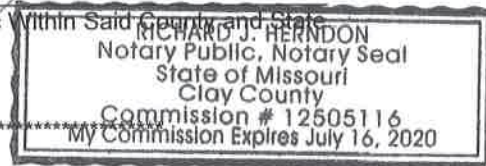
STATE OF MISSOURI  
COUNTY OF Clay ss.

On this 14<sup>th</sup> day of February, 2020, before me, the undersigned Notary Public, personally appeared Norma L. Combs to me known to be the persons described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed. And the said Norma L. Combs 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.

My commission expires July 16, 2020.

Notary Public Within Said County and State



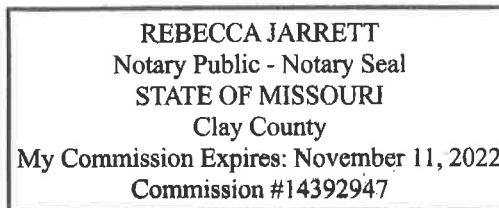
**GRANTEE'S ACKNOWLEDGMENT**

On this 11 day of March, 2020, 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.

Notary Public Within Said County and State



Recorded in Clay County, Missouri



Recording Date/Time: 04/20/2020 at 08:31:49 AM

Instr #: 2020011861

Book: 8654

Page: 8

Type: EASE

Pages: 4

Fee: \$33.00 S 20200010716



(Space above reserved for Recorder of Deeds certification)

1. **Title:** Drainage Easement

2. **Date:** 3-9-20

3. **Grantors:** Norma L. Combs

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

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

6. **Legal Description:**

The west 35.00 feet of north 35.00 feet and the west 20.00 feet of the south 61.00 of Lot 1, Park Tower North, a subdivision in Gladstone, Clay County, Missouri containing 2445.0 square feet, more or less.

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

Same

R-20-10  
④  
33

## DRAINAGE EASEMENT

### KNOW ALL MEN BY THESE PRESENTS:

THAT, Norma L. Combs  
(Names)

7530 N. Tracy, 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 west 35.00 feet of north 35.00 feet and the west 20.00 feet of the south 61.00 of Lot 1, Park Tower North, a subdivision in Gladstone, Clay County, Missouri containing 2445.0 square feet, more or less.

**TO HAVE AND TO HOLD** to same for the aforesaid use with all rights, privileges, appurtenances, and immunities thereto belonging unto the **GRANTEE**, its successors and assigns for so long as said use shall continue, the **GRANTOR** hereby covenanting for 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 Norma L. Combs 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 14th day of February, 2020.

CITY OF GLADSTONE, MO

GRANTOR:

BY Scott Wingerson  
Scott Wingerson, City Manager

Norma L. Combs  
Norma L. Combs

ATTEST: Ruth E. Bocchino  
Ruth Bocchino, City Clerk

#### GRANTOR'S ACKNOWLEDGMENT

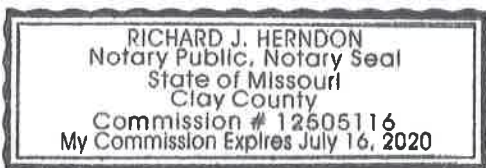
STATE OF MISSOURI )  
COUNTY OF Clay ) ss.

On this 14th day of February, 2020, before me, the undersigned Notary Public, personally appeared Norma L. Combs, to me known to be the persons described herein and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed. And the said Norma L. Combs 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.

[Signature]  
Notary Public within said County/St.

My commission expires July 16, 2020.





GRANTEE'S ACKNOWLEDGMENT

On this 11 day of March, 2020, 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.



Recorded In Clay County, Missouri



Recording Date/Time: 04/20/2020 at 08:31:49 AM

Instr #: 2020011862

Book: 8654 Page: 9

Type: EASE

Pages: 4

Fee: \$33.00 & 20200010716



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Permanent Utility Easement

2. **Date:** 3-9-20

3. **Grantors:** Norma L. Combs

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 1, Park Tower North, a subdivision in Gladstone, Clay County, Missouri containing 675.2 square feet, more or less.

Same

R-20-10  
(4)  
33

PERMANENT UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Norma L. Combs  
(NAME OR NAMES )  
7530 North Tracy, Gladstone, MO  
(ADDRESS)

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

The north 5.00 feet of Lot 1, Park Tower North, a subdivision in Gladstone, Clay County, Missouri containing 675.20 square feet, more or less.

**TO HAVE AND TO HOLD** to same for the aforesaid use with all rights, privileges, appurtenances, and immunities thereto belonging unto the **GRANTEE**, its successors and assigns for so long as said use shall continue, the **GRANTOR** hereby covenanting for 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 Norma L. Combs 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 14 day of February, 2020.

CITY OF GLADSTONE, MO

GRANTOR:

BY Scott Wingerson  
Scott Wingerson, City Manager

Norma L. Combs  
Norma L. Combs

ATTEST: Ruth Bocchino  
Ruth Bocchino, City Clerk

GRANTOR'S ACKNOWLEDGMENT

STATE OF MISSOURI )  
COUNTY OF Clay ) ss.

On this 14th day of February, 2020, before me, the undersigned Notary Public, personally appeared Norma L. Combs, 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 Norma L. Combs 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.

[Signature]  
Notary Public within said County/St.

My commission expires July 16, 2020.



GRANTEE'S ACKNOWLEDGMENT

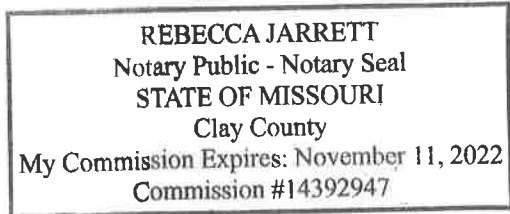
On this 11 day of March, 2020, before me, this undersigned Notary Public, personally appeared Scott Wingerson, to me personally known, who being by me duly sworn, did say that (s)he is the City Manager of the City of Gladstone, Missouri, a municipal corporation, and that the seal affixed to the foregoing 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.





Recording Date/Time: 04/20/2020 at 08:31:49 AM

Instr #: 2020011863

Book: 8654 Page: 10

Type: EASE

Pages: 6

Fee: \$39.00 \$ 20200010716



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:** 3-9-20

3. **Grantor (s):** Lisa J. Blumer

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

Same

R-20-10  
(6)  
3a

**TEMPORARY CONSTRUCTION EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

THAT, Lisa J. Blumer  
(Names)

7525 North Troost Avenue, Gladstone, MO  
(Address)

of Clay County, Missouri, hereinafter called the **GRANTORS**, for and in consideration of One Dollar (\$1.00) and the advantages to be gained from the construction on and adjacent to the lands hereafter described, the receipt of which is hereby acknowledge, do hereby grant, sell, convey and confirm unto the CITY OF GLADSTONE, a municipal corporation of the State of Missouri, hereafter called **GRANTEE**, as temporary easement to construct, grade, regrade, or perform any and all other related necessary work on or across the following described land:

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

**GRANTEE** will repair or replace any fences, pavement, and/or other appurtenances damaged or removed during construction. Upon completion of said construction and improvement, **GRANTORS** shall have full free and uninterrupted use and possession of said temporary construction easement and the easement rights therein shall cease and no longer be in effect.

**GRANTORS** make no warranties, expressed or implied to **GRANTEE**.

IN WITNESS WHEREOF the parties have hereunto set their names to the foregoing, this 11 day of March, 2020

CITY OF GLADSTONE

By Scott Wingerson  
Scott Wingerson, City Manager

GRANTOR:

Lisa J. Blumer  
Lisa J. Blumer

Attest: Ruth E Bocchino  
Ruth Bocchino, City Clerk

Connie M. Dixon  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Clay County  
My Commission Expires: March 18, 2022  
Commission #18935911

**GRANTORS' ACKNOWLEDGMENT**

STATE OF MISSOURI  
COUNTY OF Clay ss.

On this 19th day of February, 2020, before me, the undersigned Notary Public, personally appeared Lisa J. Blumer 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 Lisa J. Blumer 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.

Connie M. Dixon  
Notary Public Within Said County and State

My commission expires March 18, 2022

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**GRANTEE'S ACKNOWLEDGMENT**

On this 11 day of March, 2020, 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

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. 48**

**DATE: 06/03/19**

**OWNER: LISA J. BLUMER**

**TEMPORARY CONSTRUCTION EASEMENT – 7525 NORTH TROOST AVENUE**

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

**PARCEL I.D. NO. 13611000600400**

**TEMPORARY CONSTRUCTION EASEMENT**

**A strip of land over a part of Lot 1, East Thomas Heights, 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 1, said point being on the South right-of-way line of NE 76<sup>th</sup> Street, as now established;**

**thence South 00 degrees 24 minutes 47 seconds West, along the East line of said Lot 12, a distance of 25.01 feet;**

**thence North 17 degrees 53 minutes 06 seconds West, departing said East line, a distance of 15.93 feet;**

**thence North 88 degrees 15 minutes 11 seconds West, along a line 10.00 feet South of and parallel with said South right-of-way line, a distance of 75.86 feet;**

**thence South 01 degrees 44 minutes 49 seconds West, along a line perpendicular to said South right-of-way line, a distance of 6.00 feet;**

**thence North 88 degrees 15 minutes 11 seconds West, along a line 16.00 feet South of and parallel with said South right-of-way line, a distance of 74.04 feet, to a point on the East right-of-way line of North Troost Avenue, as now established;**

**thence North 00 degrees 24 minutes 47 seconds East, along said East right-of-way line, a distance of 6.00 feet;**

thence North 46 degrees 04 minutes 23 seconds East, along said East right-of-way line, a distance of 13.98 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 145.04 feet, to the POINT OF BEGINNING, containing 1,983 square feet or 0.0455 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: ±13,173 sq. ft.

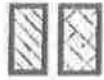
Permanent Road Right-of-Way =  
45 S.F. or 0.0010 Ac. ±

Temporary Construction =  
1,983 S.F. or 0.0455 Ac. ±

Property Line

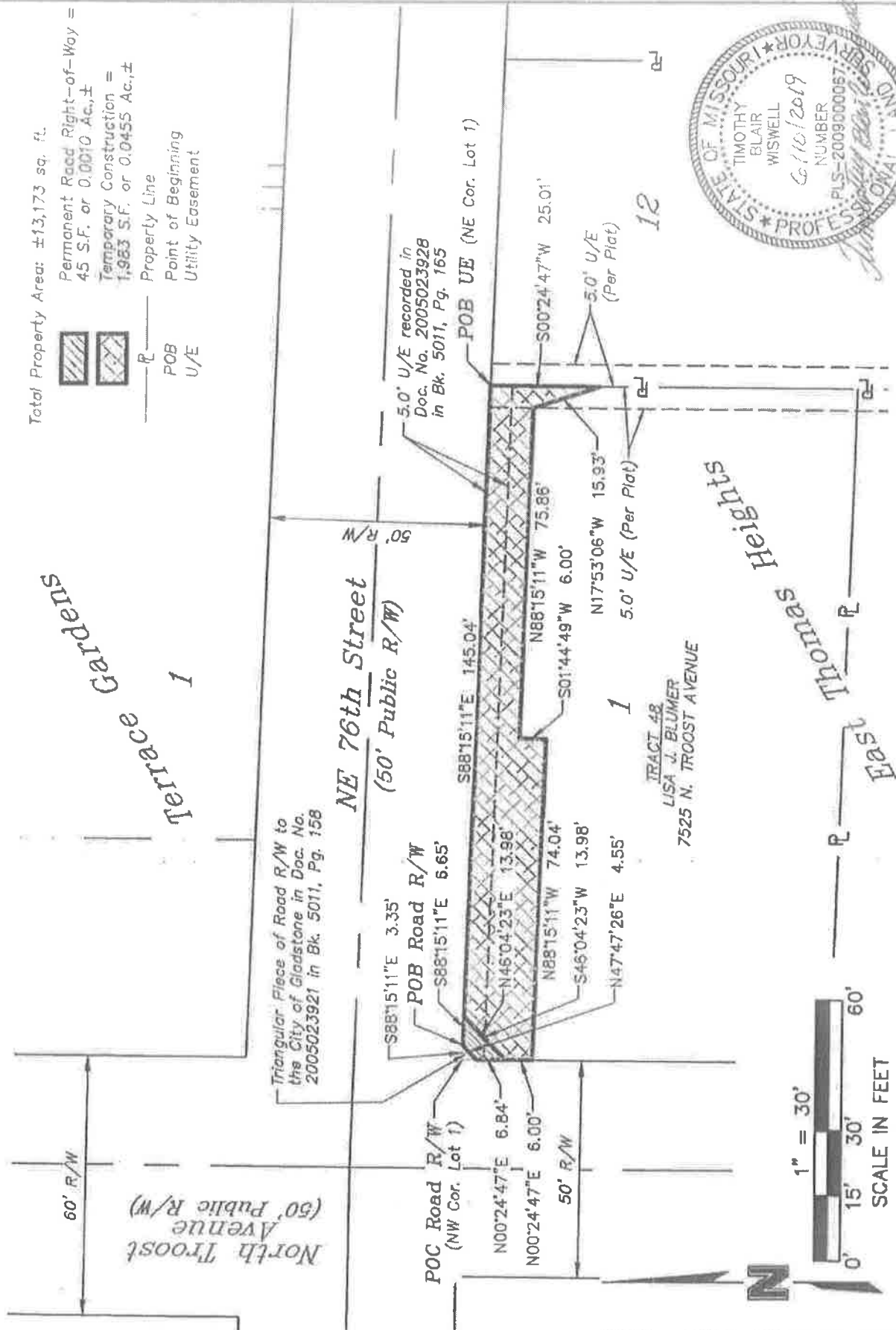
Point of Beginning

Utility Easement



POB

U/E



PROJECT NO: 018-1193	EXHIBIT
DRAWN BY: TMV	B
DATE: 06/05/19	
REVISED:	
TRACT NO. 48 - PERMANENT ROAD RIGHT-OF-WAY & TEMPORARY CONSTRUCTION EASEMENT 7525 NORTH TROOST AVENUE, GLADSTONE MISSOURI	

olsson

7201 West 123rd Street  
Suite 250  
Overland Park, KS 66213-4750  
TEL 913.261.1170



Recording Date/Time: 04/20/2020 at 08:31:49 AM

Instr #: 2020011864

Book: 8654 Page: 11

Type: QC

Pages: 6

Fee: \$39.00 S 20200010716



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

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

2. **Date:** 3/9/2020

3. **Grantor (s):** Lisa J. Blumer

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

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

Same

R-20-10  
39

## Quit-Claim Deed

**This Indenture,**  
**made on this** march 9 **day of 2020, by and between**

Lisa J. Blumer  
7525 North Troost Avenue  
Gladstone, MO

**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.*

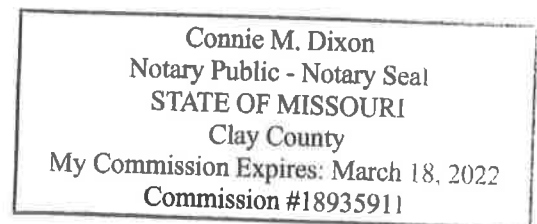
IN WITNESS WHEREOF, the said party of the first part has hereunto set their hands the day and year above written.

(Attest: )

Lisa J. Blumer  
Lisa J. Blumer

**ACKNOWLEDGMENT**

STATE OF Missouri  
COUNTY OF Clay }} ss



On this 19th day of February, 2020  
Before me, the undersigned Notary Public, personally appeared, Lisa J. Blumer,  
to me known to be the person(s) described herein and who executed the foregoing instrument and  
acknowledged that she executed same as her free act and deed.

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

Connie M. Dixon  
Notary Public within said County/St.

My commission expires March 18, 2022

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

**PROJECT NO. 018-1193 – TRACT NO. 48**

**DATE: 06/03/19**

**OWNER: LISA J. BLUMER**

**PERMANENT ROAD RIGHT-OF-WAY – 7525 NORTH TROOST AVENUE**

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

**PARCEL I.D. NO. 13611000600400**

**PERMANENT ROAD RIGHT-OF-WAY**

**A strip of land over a part of Lot 1, East Thomas Heights, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, said strip being more particularly described as follows:**

**COMMENCING at the Northwest corner of said Lot 1, said point was the Intersection of the South right-of-way line of NE 76<sup>th</sup> Street and the East right-of-way line of North Troost Avenue, as both streets were established;**

**thence South 88 degrees 15 minutes 11 seconds East, along said South right-of-way line, a distance of 3.35 feet, to a point on the South right-of-way line of said NE 76<sup>th</sup> Street as recorded in Doc. No. 200523921 in Book 5011 at Page 158, said point also being the POINT OF BEGINNING;**

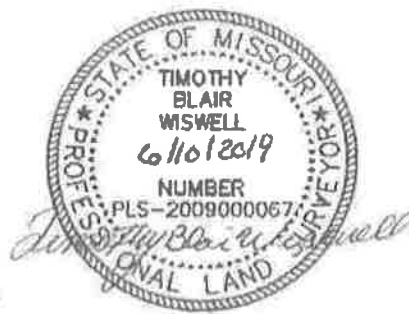
**thence continuing South 88 degrees 15 minutes 11 seconds East, along said South right-of-way line, a distance of 6.65 feet;**

**thence South 46 degrees 04 minutes 23 seconds West, departing said South right-of-way line, a distance of 13.98 feet, to a point on said East right-of-way line;**

thence North 00 degrees 24 minutes 47 seconds East, along said East right-of-way line, a distance of 6.84 feet, to a point on said East right-of-way line, as recorded in Doc. No. 200523921 in Book 5011 at Page 158;

thence North 47 degrees 47 minutes 26 seconds East, along said East right-of-way line, a distance of 4.55 feet, to the POINT OF BEGINNING, containing 45 square feet or 0.0010 acres, more or less.

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

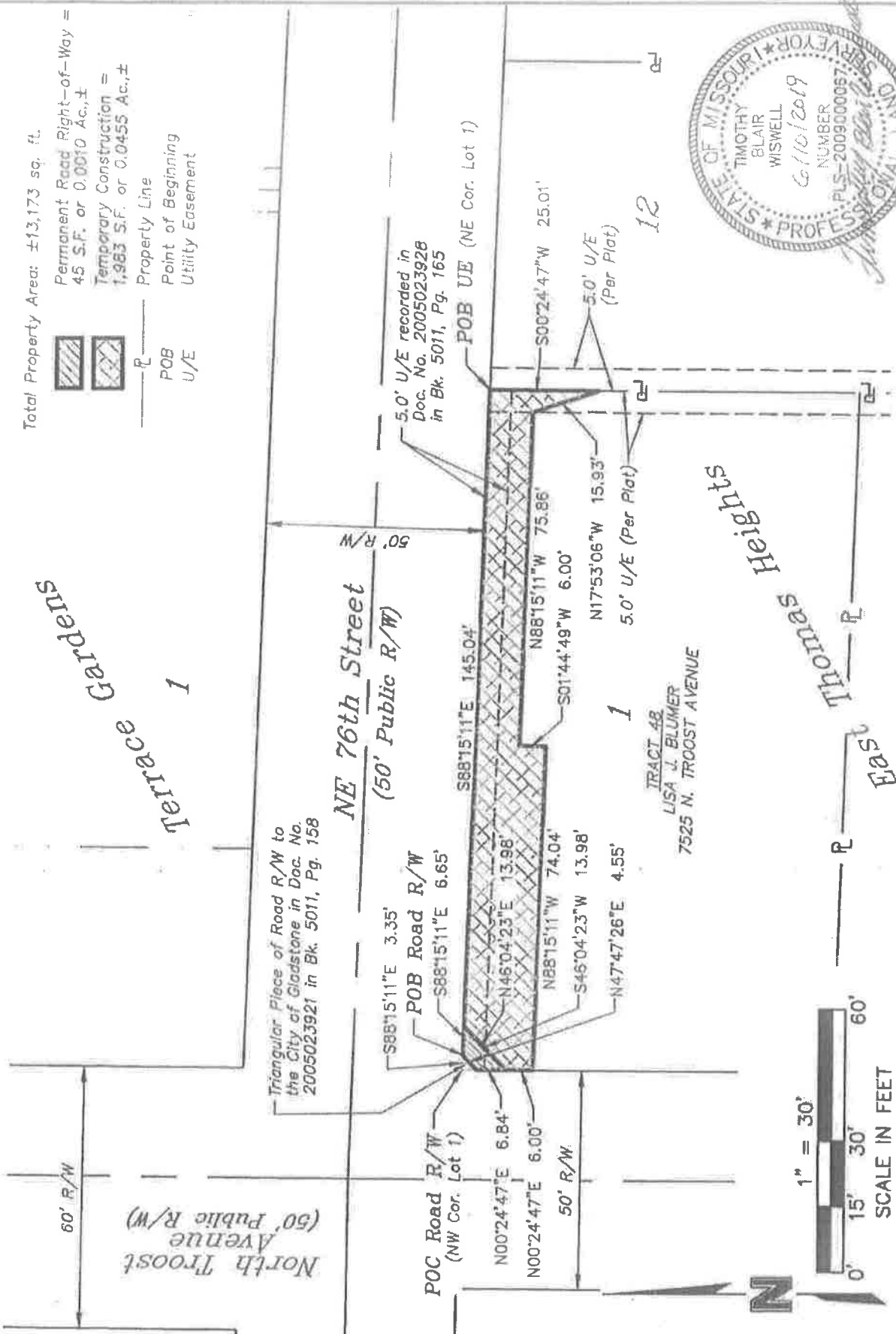


**Olsson Associates**  
**7301 West 133<sup>rd</sup> Street**  
**Suite 200**  
**Overland Park, KS 66213**  
**(913) 381-1170**



Total Property Area: ±13,173 sq. ft.

- Permanent Road Right-of-Way = 45 S.F. or 0.0010 Ac., ±
- Temporary Construction = 1,983 S.F. or 0.0455 Ac., ±
- Property Line
- POB Point of Beginning
- U/E Utility Easement



PROJECT NO: 018-1193		TRACT NO. 48 - PERMANENT ROAD RIGHT-OF-WAY & TEMPORARY CONSTRUCTION EASEMENT	
DRAWN BY: TMV		7525 NORTH TROOST AVENUE, GLADSTONE MISSOURI	
DATE: 06/05/19		REVISD:	
DWS: C:\Temp\AcPublish\24756\XEXH1_81193.dwg		EXHIBIT	
DATE: Jun 10, 2019 1:30pm		B	
XREFS:		7301 West 133rd Street	
USER: tvallentine		Suite 250	
		Overland Park, KS 66213-4750	
		TEL 913.301.1170	



Recording Date/Time: 04/20/2020 at 08:31:49 AM

Instr #: 2020011865

Book: 8654 Page: 12

Type: EASE

Pages: 6

Fee: \$39.00 \$ 20200010716



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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement
2. **Date:** 3-9-20
3. **Grantor (s):** Shirley Birkeness & Brooke Allison
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, Shirley Birkeness & Brooke Allison  
(Names)

1104 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 11 day of March, 2020.

CITY OF GLADSTONE

By Scott Wingerson  
Scott Wingerson, City Manager

Attest: Ruth E Bocchino  
Ruth Bocchino, City Clerk

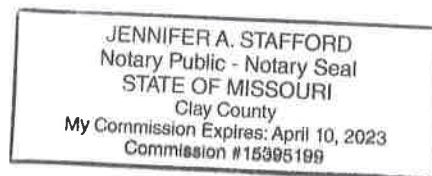
GRANTORS:

Shirley Birkeness  
Shirley Birkeness

Brooke L. Allison  
Brooke Allison

**GRANTORS' ACKNOWLEDGMENT**

STATE OF MISSOURI  
COUNTY OF Clay ss.



On this 24<sup>th</sup> day of February, 2020, before me, the undersigned Notary Public, personally appeared Shirley Birkeness & Brook Allison 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.

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.

\*\*\*\*\*

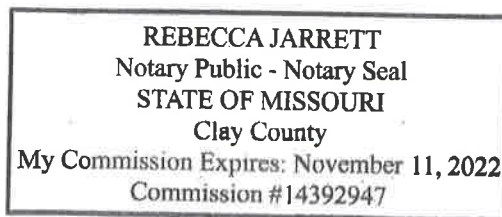
**GRANTEE'S ACKNOWLEDGMENT**

On this 11 day of March, 2020, 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. 2**

**DATE: 02/17/20**

**OWNER: SHIRLEY BIRKENESS & BROOKE ALLSION**

**TEMPORARY CONSTRUCTION EASEMENT – 1104 NE 76<sup>TH</sup> STREET**

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

**PARCEL I.D. NO. 13607000901300**

**TEMPORARY CONSTRUCTION EASEMENT**

**A strip of land over a part of Lot 5, Terrace Gardens, a subdivision in the City of Gladstone, Clay County, Missouri, according to the recorded plat thereof, said strip being more particularly described as follows:**

**BEGINNING at the Southeast corner of said Lot 5, said point being on the North right-of-way line of NE 76<sup>th</sup> Street, as now established;**

**thence North 88 degrees 15 minutes 11 seconds West, along said North right-of-way line, a distance of 99.75 feet, to the Southwest corner of said Lot 5;**

**thence North 00 degrees 26 minutes 54 seconds East, departing said North right-of-way line and along the West line of said Lot 5, a distance of 5.00 feet;**

**thence South 88 degrees 15 minutes 11 seconds East, departing said West line and along a line 5.00 feet North of and parallel with said North right-of-way line, a distance of 18.84 feet;**

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

**thence South 88 degrees 15 minutes 11 seconds East, along a line 18.00 feet North of and parallel with said North right-of-way line, a distance of 15.00 feet;**

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

thence South 88 degrees 15 minutes 11 seconds East, along a line 5.00 feet North of and parallel with said North right-of-way line, a distance of 40.00 feet;

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

thence South 88 degrees 15 minutes 11 seconds East, along a line 18.00 feet North of and parallel with said North right-of-way line, a distance of 25.61 feet, to a point on the East line of said Lot 5;

thence South 00 degrees 26 minutes 54 seconds West, along said East line, a distance of 18.00 feet, to the POINT OF BEGINNING, containing 1,028 square feet or 0.0236 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**

USER: tvalentine

REFS:

DWG: F:\2018\1001-1500\018-1193\40-Design\Survey\SRV\Exhibits\XEXH1\_81193.dwg

DATE: Feb 17, 2020 9:53am

PROJECT NO: 018-1193

DRAWN BY: TMV

DATE: 05/21/19

REVISED: 02/17/20

TRACT NO. 2

TEMPORARY CONSTRUCTION EASEMENT  
1104 NE 76TH STREET, GLADSTONE MISSOURI

EXHIBIT

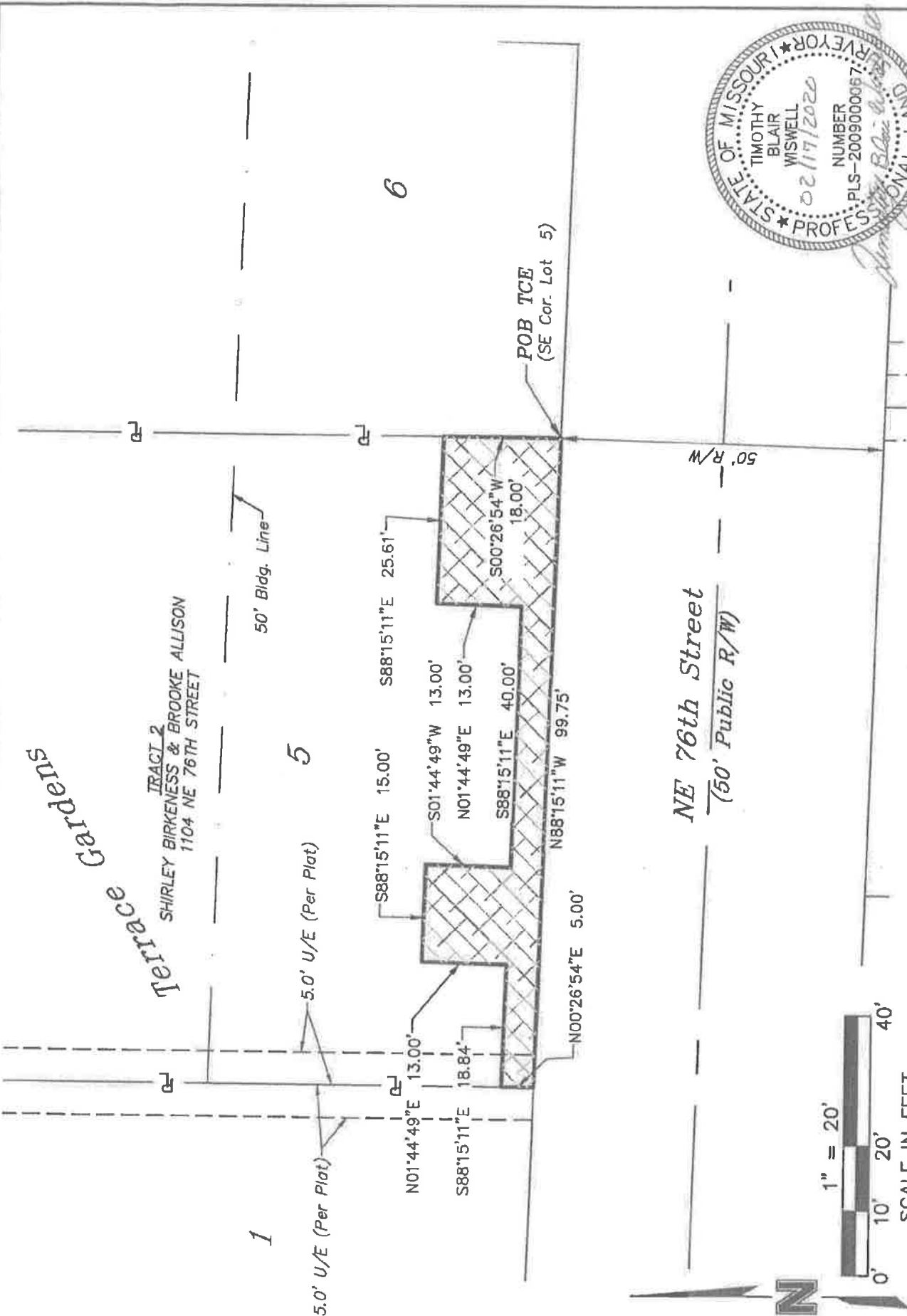
B

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

olsson



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



Tract 2  
Shirley Birkeness & Brooke Allison  
1104 NE 76TH STREET