

RESOLUTION NO. R-20-33

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

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

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

THAT, the easements from the property owners attached hereto as Exhibits “SS” through “TT” 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, R-20-07, R-20-10, and R-20-15.

Temporary Construction Easement

“SS” – Debbie L. Freeman	1603 NE 76 th Street
“TT” – Edward J. Meginnies & Sandra F. Meginnies Trust	1400 NE 76 th Street

FURTHER, THAT, the City Manager of the City of Gladstone is hereby authorized to execute and undertake and perform on behalf of the City of Gladstone, Missouri, the obligations and undertakings set forth in said conveyances; and

FURTHER, THAT, the City Clerk is hereby directed to record said documents in the Office of the Recorder of Deeds, Clay County, Missouri.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 27th DAY OF JULY, 2020.



Jean B. Moore, Mayor

ATTEST:



Ruth E. Bocchino, City Clerk



Request for Council Action

RES # R-20-33

BILL # City Clerk Only

ORD # City Clerk Only

Date: 7/22/2020

Department: Public Works

Meeting Date Requested: 7/27/2020

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, R-20-07, R-20-10, and R-20-15. There are two (2) 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



Recording Date/Time: 08/03/2020 at 10:09:45 AM

Instr #: 2020026747

Book: 8753 Page: 146

Type: EASE

Pages: 6

Fee: \$39.00 S 20200023904



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement
2. **Date:** 7/27/2020
3. **Grantor (s):** Debbie L. Freeman
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-20-33

RE-~~BE~~

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TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Debbie L. Freeman
(Names)

1603 NE 76th Street, Gladstone, MO
(Address)

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

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 3rd day of June, 2020

CITY OF GLADSTONE

By Scott Wingerson
Scott Wingerson, City Manager

GRANTOR:
Debbie L. Freeman
Debbie L. Freeman

Attest: Ruth Bocchino
Ruth Bocchino, City Clerk

GRANTORS' ACKNOWLEDGMENT

STATE OF MISSOURI
COUNTY OF Clay ss.

JENNIFER A. STAFFORD
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: April 10, 2023
Commission #15395193

On this 3rd day of June, 2020, before me, the undersigned Notary Public, personally appeared Debbie L. Freeman 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 Debbie L. Freeman 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 29 day of July, 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 Nov 11, 2022.

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. 32

DATE: 06/03/19

OWNER: DEBBIE L. FREEMAN

TEMPORARY CONSTRUCTION EASEMENT – 1603 NE 76TH STREET

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

PARCEL I.D. NO. 13611000100800

TEMPORARY CONSTRUCTION EASEMENT

A strip of land over a part of Lot 31, 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 31, said point being on the South right-of-way line of NE 76th Street, as now established;

thence South 88 degrees 15 minutes 11 seconds East, along said South right-of-way line, a distance of 79.97 feet, to the Northeast corner of said Lot 31;

thence South 01 degrees 44 minutes 49 seconds West, departing said South right-of-way line and along the East line of said Lot 31, a distance of 7.00 feet;

thence South 18 degrees 34 minutes 09 seconds West, departing said East line and a distance of 29.25 feet;

thence North 88 degrees 15 minutes 11 seconds West, along a line 35.00 feet South of and parallel with said South right-of-way line, a distance of 27.00 feet;

thence North 01 degrees 44 minutes 49 seconds East, along a line perpendicular to said South right-of-way line, a distance of 28.00 feet;

thence North 88 degrees 15 minutes 11 seconds West, along a line 7.00 feet South of and parallel with said South right-of-way line, a distance of 44.34 feet, to a point on the West line of said Lot 31;

thence North 00 degrees 25 minutes 20 seconds East, along said West line, a distance of 7.00 feet, to the POINT OF BEGINNING, containing 1,434 square feet or 0.0329 acres, more or less.

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



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

Total Property Area: ±11,296 sq. ft.

Temporary Construction =
1.434 S.F. or 0.0329 Ac., ±
Property Line
Point of Beginning
Right-of-Way



POB
R/W

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

POB TCE
(NW Cor. Lot 31)

S88°15'11"E 79.97'

N00°25'20"E 7.00'

N88°15'11"W 44.34'

S01°44'49"W 7.00'

25' Bldg. Line

N01°44'49"E 28.00'

S18°34'09"W 29.25'

30

31

N88°15'11"W 27.00'

32

35' Bldg. Line

TRACT 32
DEBBIE L. FREEMAN
1603 NE 76TH STREET

ROSEWOOD



1" = 20'

SCALE IN FEET

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

TRACT NO. 32
TEMPORARY CONSTRUCTION EASEMENT
1603 NE 76TH STREET, GLADSTONE MISSOURI



7301 West 133rd Street,
Suite 200
Overland Park, KS 66213-4760
TEL 913.381.1170

EXHIBIT
B

DWG: C:\Temp\AcPublish_1692\XEXH1_81193.dwg
USER: tvolentine
DATE: Jun 03, 2019 4:22pm
XREFS: T_PBASE_81193 V_XTOPO_81193



Recording Date/Time: 08/03/2020 at 10:09:45 AM

Instr #: 2020026746

Book: 8753 Page: 145

Type: EASE

Pages: 3

Fee: \$30.00 S 2020023904



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:** 7/27/2020

3. **Grantor (s):** Edward J. Meginnies and Sandra F. Meginnies Trust

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 31, Terrace Gardens No. 2, a subdivision in the City of Gladstone, Clay County, Missouri containing approximately 1,800.00 square feet.

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

R-20-33

RL-65

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TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Edward J. Meginnies and Sandra F. Meginnies Trust
(Names)

1400 Northeast 76th Street, Gladstone, MO
(Address)

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

The south 18.00 feet of Lot 31, Terrace Gardens No. 2, a subdivision in the City of Gladstone, Clay County, Missouri containing approximately 1,800.00 square feet.

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 16 day of June, 2020

CITY OF GLADSTONE

By Scott Wingerson
Scott Wingerson, City Manager

Attest: Ruth Bocchino
Ruth Bocchino, City Clerk

GRANTORS:

Edward J. Meginnies
Edward J. Meginnies

Sandra F. Meginnies
Sandra F. Meginnies

Pamela Meginnies Haggatt
Power of Attorney
Pamela Meginnies Haggatt

GRANTORS' ACKNOWLEDGMENT

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

STATE OF MISSOURI
COUNTY OF Clay ss.

On this 16th day of June, 2020, before me, the undersigned Notary Public, personally appeared Edward J. Meginnies and Sandra F. Meginnies Trust to me known to be the persons described in and who executed the foregoing LPOA Pamela Meginnies Hoggatt 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 29 day of July, 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 Nov 11, 2022.

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