

RESOLUTION NO. R-21-04

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, R-20-15, R-20-33, and R-20-56.

Temporary Construction Easement

"UU" – Glenn J. and Janice K. Hochstatter

1402 NE 76th 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 11th DAY OF JANUARY, 2021.


Jean B. Moore, Mayor

ATTEST:


Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # 21-04

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 1/6/2021

Department: Public Works

Meeting Date Requested: 1/11/2021

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, R-20-15, R-20-33 and R-20-56. Acquisition of these easements will enhance the project scope.

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

Timothy A. Nebergall
Department Director/Administrator

JM
City Attorney

SW
City Manager



Recording Date/Time: 01/25/2021 at 09:20:29 AM

Instr #: 2021003315

Book: 8940 Page: 89

Type: EASE

Pages: 3

Fee: \$30.00 S 20210002958



Katee Porter
Recorder of Deeds

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:**

January 11, 2021

3. **Grantor (s):** Glenn J. and Janice K. Hochstatter, 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 32, 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

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, Glenn J. and Janice K. Hochstatter

(Names)

805 NE 115th Street, Kansas City, MO 64155

(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 32, 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 17 day
of December, 2020.

CITY OF GLADSTONE

By Scott Wingerson
Scott Wingerson, City Manager

Attest: Ruth E Bocchino
Ruth Bocchino, City Clerk

GRANTOR:

Glenn J. Hochstatter
Glenn J. Hochstatter

Janice K. Hochstatter
Janice K. Hochstatter

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 #15395199

On this 17th day of December, 2020, before me, the undersigned Notary Public, personally appeared Glenn J. and Janice Hochstatter, husband and wife 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.

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 April 10, 2020.

Jennifer A. Stafford
Notary Public Within Said County and State

GRANTEE'S ACKNOWLEDGMENT

On this 20 day of January, 2021, 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