

**RESOLUTION NO. R-21-14**

**A RESOLUTION ACCEPTING AN EASEMENT FROM A CERTAIN PROPERTY OWNER 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 easement from the property owner attached hereto as Exhibit "YY" is 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, R-20-56, and R-21-04.

Temporary Construction Easement

"YY" – John Ramirez

1406 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 document 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 22<sup>nd</sup> DAY OF FEBRUARY, 2021.**

  
Jean B. Moore, Mayor

ATTEST:

  
Ruth E. Bocchino, City Clerk



## *Request for Council Action*

RES ☒ # R-21-14

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/17/2021

Department: Public Works

Meeting Date Requested: 2/22/2021

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, R-20-56, and R-21-04. This represents the final easement needed to complete the project.

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: 02/24/2021 at 12:55:44 PM

Instr #: 2021007981

Book: 8972 Page: 8

Type: EASE

Pages: 3

Fee: \$30.00 S 20210007094



Katee Porter  
Recorder of Deeds

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(Space above reserved for Recorder of Deeds certification)

1. **Title:** Temporary Construction Easement

2. **Date:**

2/22/21

3. **Grantor (s):** John Ramirez

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

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

6. **Legal Description:**

The south 35 feet and the east 20 feet of Lot 34, Terrace Gardens No. 2, a subdivision of land in Gladstone, Clay County, Missouri

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

RE- Glad =

R-21-14 ③

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, John Ramirez  
(Names)

1406 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 landscape easement to construct, grade, regrade, or perform any and all other related necessary work on or across the following described land:

The south 35 feet and the east 20 feet of Lot 34, Terrace Gardens No. 2, a subdivision of land 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, **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 24 day of Feb, 2021.

CITY OF GLADSTONE

By Scott Wingerson  
Scott Wingerson, City Manager

GRANTOR: John Ramirez  
John Ramirez

Attest: Ruth E Bocchino  
Ruth Bocchino, City Clerk

**GRANTORS' ACKNOWLEDGMENT**

STATE OF MISSOURI  
COUNTY OF Clay ss.



On this 3rd day of February, 2021, before me, the undersigned Notary Public, personally appeared John Ramirez to me known to be the persons described in and who executed the foregoing instrument and acknowledged that he executed the same as his 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.

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**GRANTEE'S ACKNOWLEDGMENT**

On this 24 day of Feb, 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.

Rebecca Jarrett  
Notary Public Within Said County and State

My Commission expires 11-11-22.

