

**RESOLUTION NO. R-24-33**

**A RESOLUTION ACCEPTING EASEMENTS FROM CERTAIN PROPERTY OWNERS IN CONJUNCTION WITH THE NORTHEAST 68<sup>TH</sup> TERRACE AND NORTH BELLEFONTAINE STORM DRAINAGE, PROJECT CP2432.**

**WHEREAS**, an easement from certain property owners is necessary for the City to construct public improvements in conjunction with the Northeast 68<sup>th</sup> Terrace and North Bellefontaine Storm Drainage, Project CP2432.

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

**THAT**, the easement from the property owners attached hereto as Exhibit "A" are hereby accepted.

Temporary Construction Easement

"A" – James and Veronica Vanderleeuw

6701 N. Agnes Avenue

**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 24TH DAY OF JUNE, 2024.**

  
Tina M. Spallo, Mayor

ATTEST:

  
Kris Keller, City Clerk



## ***Request for Council Action***

**RES** ☒ # R-24-33

**BILL** ☐ # City Clerk Only

**ORD** # City Clerk Only

Date: 6/17/2024

Department: Public Works

Meeting Date Requested: 6/24/2024

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

**Subject:** Drainage Easement, NE 68<sup>th</sup> Terrace and N. Bellefontaine Storm Drainage, Project CP2432

**Background:** The proposed project includes the replacement of a culvert under NE 68<sup>th</sup> Terrace and miscellaneous bank stabilization in the vicinity of N. Bellefontaine and N. Agnes. A bid alternate will be included to replace the culvert under NE 67<sup>th</sup> Terrace if funds allow. The project is being partially funded with \$395,000 ARPA grant from the Missouri Department of Natural Resources. The majority of the project will be located within the public right-of-way and/or a platted drainage easement, however, a drainage easement was required from 6701 N. Agnes Avenue.

**Budget Discussion:** Funds are budgeted in the amount of \$650,000.00 in the CIST Fund. Ongoing costs are estimated to be \$ 500 annually. Previous years' funding was \$70,000.

**Public/Board/Staff Input:** Staff requests that the easement listed on the attached Resolution be submitted to the City Council for acceptance. This is the only easement required to complete the project.

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

Timothy A. Nebergall  
Department Director/Administrator

JM  
City Attorney

BB  
City Manager



Recording Date/Time: 06/26/2024 at 04:01:59 PM

Book: 9759

Page: 102

Instr #: 2024013921

Pages: 4

Fee: \$33.00 S

CITY OF GLADSTONE



Sandra Brock  
Recorder of Deeds

---

(Space above reserved for Recorder of Deeds certification)

1. **Title:** Drainage Easement

2. **Date:** June 26, 2024

3. **Grantors:** James & Veronica Vanderleeuw

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

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

6. **Legal Description:**

The east 40 feet of Lot 14, Block 25, of Meadowbrook North, a subdivision of land located in Gladstone, Clay County, Missouri.

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

## DRAINAGE EASEMENT

### KNOW ALL MEN BY THESE PRESENTS:

THAT, James and Veronica Vanderleeuw  
(Names)

6701 N. Agnes, 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 feet of Lot 14, Block 25, of Meadowbrook North, a subdivision of land located in 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 James and Veronica Vanderleeuw are lawfully seized and possessed of the real estate above described, that they have 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 they 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 their hand and subscribed their name to the foregoing, this 12<sup>th</sup> day of June, 2024.

CITY OF GLADSTONE, MO

BY:

[Signature]  
Robert M. Baer, City Manager

GRANTORS:

[Signature]  
James Vanderleeuw

ATTEST:

[Signature]  
Kris Keller, City Clerk

[Signature]  
Veronica Vanderleeuw

GRANTOR'S ACKNOWLEDGMENT

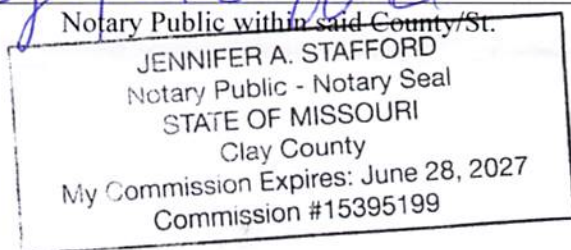
STATE OF MISSOURI )

COUNTY OF Clay ) ss.

On this 12<sup>th</sup> day of June, 2024, before me, the undersigned Notary Public, personally appeared James and Veronica Vanderleeuw, 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 James and Veronica Vanderleeuw further declared themselves to be married.

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 June 28, 2027.





GRANTEE'S ACKNOWLEDGMENT

On this 26th day of July, 2024, before me, this undersigned Notary Public, personally appeared Robert M. Baer, 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: 11-11-26.

