Request for Legislative Action Res. #21183

Sponsor: Charlie Franklin Date: March 7, 2023

Completed by County Counselor's Office			
Action Requested:	Resolution	Res.Ord No.:	21183
Sponsor(s):	Charlie Franklin	Legislature Meeting Date:	3/7/2023

Introduction
Action Items: ['Authorize']
Project/Title:
A Resolution authorizing the County Executive to execute a permanent utility easement, in favor of the
Kansas City, Missouri Water Department on Jackson County Property for a fee payable to the County.

Request Summary

We are requesting that the County Executive be authorized to execute an easement with the Kansas City, Missouri Water Department, for a permanent sewer utility easement and a temporary construction easement. The permanent easement is 6,854.7 square feet. Kanasas City has agreed to pay the .20/square foot easement fee of \$1,370.94, the Administrative fee of \$2000, and the Tree Replacement fee of \$13,497.00 for a total of \$16,867.94, pursuant to Chapter 50 rules regarding easements. The easments are located on Jackson County owned property between Raytown Road and the Truman Sports Complex at approximately 4600 Raytown Road, Kansas City, Missouri 64129. This project is part of the KCMO Smart Sewer Program, aimed at improving outdated combined stormwater and wastewater sewer systems.

Contact Information			
Department:	Parks + Rec	Submitted Date:	2/24/2023
Name:	Matt Davis	Email:	mdavis@jacksongov.org
Title:	Rock Island Program Manager	Phone:	816-403-4849

Budget Information			
Amount authorized by th	is legislation this fiscal year	:	\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
!Unexpected End			
			Formula

Request for Legislative Action

Prior Legislation		
Prior Ordinances		
Ordinance:	Ordinance date:	
Prior Resolution		
Resolution:	Resolution date:	

Purchasing		
Does this RLA include the purchase or lease of	No	
supplies, materials, equipment or services?		
Chapter 10 Justification:		
Core 4 Tax Clearance Completed:		
Certificate of Foreign Corporation Received:		
Have all required attachments been included in		
this RLA?		

Compliance			
Certificate of Compliance			
Not Applicable			
Minority, Women and Ve	eteran Owned Business Program		
Goals Not Applicable for f	ollowing reason: Not spending money		
MBE:	.00%		
WBE:	.00%		
VBE:	.00%		
Prevailing Wage			
Not Applicable			

Fiscal Information

• This legislative action does not impact the County financially and does not require Finance/Budget approval.

Request for Legislative Action

History

Submitted by Parks + Rec requestor: Matt Davis on 2/24/2023. Comments: I am unsure if there is any budget relevant action that needs to be taken with this request. We do not intend to put the funds into a budget, so I did not think appropriation was necessary.

Approved by Department Approver Susan I. Kinnaman on 2/24/2023 3:22:32 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 2/24/2023 4:42:50 PM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 2/24/2023 7:56:55 PM. Comments:

Approved by Budget Office Approver Mark Lang on 2/27/2023 11:09:10 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 2/27/2023 1:55:43 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 3/2/2023 1:40:04 PM. Comments:



JACKSON COUNTY Parks + Rec

22807 Woods Chapel Road Blue Springs, Missouri 64015 MakeYourDayHere.com Michele Newman, Director (816) 503-4800 Fax: (816) 795-1234

Mr. Richard Snedegar Acquisition and Survey Group manager Permitting and Development Kansas City Water 1001 Harrison St. Kansas City, MO 64106

Mr. Snedegar,

I'm writing in response to your letter dated February 1, 2023 requesting easements on land owned by Jackson County, Missouri. We have reviewed your request and related documentation and are happy to inform you that your easement request is approved. To complete the easement process I will submit a request to the Jackson County Legislature seeking approval and execution of the easement documents. Upon execution, the City of Kansas City may submit payment for the easements and associated fees. A detailed breakout of fees can be found below. Once payment has been made, the easements will be recorded.

Administrative Fee: \$2000

Temporary Easement: Administrative Fee + Tree Removal Fee

Permanent Easement (Government Entity): 6,854.7 square feet X \$.20 = \$1,370.94

Tree Replacement Fee: \$13,497.00

Total Fee: \$16,867.94

I will notify you once the documents are sent for execution and payment may be submitted. In the meantime, please let me know if you have any questions.

Thank You,

4

Matt Davis Rock Island Program Manager Jackson County Parks + Rec City-wide sewer rehabilitation within waterways
Project No. 81000756
Tract No. 36
Jackson County, Missouri
415 E. 12th
Kansas City, Missouri
64106

SEWER LINE EASEMENT

THIS EASEMENT is made this _____ day of ______, 2023, by and between **County of Jackson, Missouri**, a governmental entity organized and existing under the laws of the State of Missouri a Corporation organized and existing under the laws of the State of Missouri, **Grantor**, and the City of Kansas City, Missouri, a Municipal Corporation of Jackson County, Missouri, with a mailing address of 4800 E 63rd Street, Kansas City, MO 64130, **Grantee**.

WITNESSETH, that the **Grantor**, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it paid by the **Grantee**, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said **Grantee**, its successors and assigns, a permanent exclusive easement for the construction, operation, maintenance, repair, replacement and removal of sewer pipe lines, and appurtenances thereto, including the right and privilege at any time and from time to time to enter upon said easement, over, under, through, across, in and upon the following described lands in Jackson County, Missouri, hereinafter referred to as the "Easement Area", to-wit:

See Attached Exhibit "A" for Legal

GRANTEE, its successors and assigns, shall have the right of ownership, use and control of all sewer lines, underground pipe, and all necessary appurtenances on the above described property and for all proper purposes connected with the installation, use, maintenance, and replacement of lines.

Should **GRANTEE'S** activities in Easement Area cause any disturbance of surface of Easement Area, **GRANTEE** shall restore all said surfaces to prior condition. **GRANTEE**, its successors and assigns, shall not interfere in any way with **GRANTOR'S** ongoing use and enjoyment of the surface of the Easement Area. **GRANTEE** shall notify **GRANTOR** before work is done within Easement Area, which may impact **GRANTOR'S** use of the surface area.

The **GRANTOR** herein agrees for itself and its heirs, successors or assigns, that the tract of land over which the Easement is being granted shall be kept free from buildings or any other structures or obstructions (except grass, shrubs, fences, sidewalks, roadways, pavement or curbs) that would interfere with the **GRANTEE** in excavating upon said permanent easement for the purposes of laying, constructing, operating, maintaining or repairing sewer infrastructure and all appurtenances incidental thereto. The **GRANTOR** herein also agrees for itself and for its heirs, successors, or assigns, that the earth cover will not be increased without the written approval of the **GRANTEE'S** Director of Water Services.

GRANTEE agrees to relocate any pipe, lines and/or appurtenances thereto, within the Easement Area, at the request of **GRANTOR**, should **GRANTOR** require Easement Area for future improvements by **GRANTOR**, in the sole discretion of **GRANTOR**.

GRANTOR further states that it is lawfully seized of title to the land through which said easement is granted and that it has good and lawful right to convey said easements to the Grantee herein.

GRANTOR, to the fullest extent allowed by law, including, without limitation, section 527.188, RSMo 2016, hereby waives any right to request vacation of the easement herein granted. THIS GRANT and easement shall at all times be deemed to be and shall be, a continuing covenant running with the land and shall be binding upon the successors and assigns of the **Grantor**.

TO HAVE AND TO HOLD THE SAME, together with all appurtenances and immunities thereunto belonging or in any way appertaining, unto the City of Kansas City, Missouri, a Municipal Corporation, and to its successors and assigns forever.

instrument to be signed by its Cou	unty Executive, and attested b	of the State of Missouri, has caused this by its County Clerk, has caused these
presents to be signed, this	_ day or	,2023.
JACKSON COUNTY		
APPROVED AS TO FORM: JACKSOI	N COUNTY, MISSOURI	
By:	elor	Frank White, Jr., County Executive
bryan o. covinsky, county counts	.101	Traine write, 31., County Executive

ATTEST:

By:					
Mary Jo Spino, Clerk of	the County Le	gislature			
COUNTY ACKNOW	VLEDGMEN	I T			
STATE OF MISSOURI)				
)	SS.			
COUNTY OF JACKSON)				
		, 20			
appeared Frank White J County Executive of Jac	-	•			
on behalf of said Jackso voluntary act and deed	n County, Mis	ssouri, and acknow		_	_
IN WITNESS WH	HEREOF, I have	e hereunto set my	hand and affixed	my official seal th	he day and
year last above written.					
		Notary	Public		
My Commission Expires	::				

EXHIBIT A

KCMO Project No. 81000756
Site 36
JACKSON COUNTY MISSOURI
4501 Raytown Road
Kansas City, Mo
PARCEL NO. 32-410-02-01-00-0-000

PERMANENT SEWER EASEMENT

All that part of a tract of land located in the East half of the Northeast Quarter of Section 30 Township 49, Range 32, Kansas City, Jackson County, Missouri being more particularly described as follow:

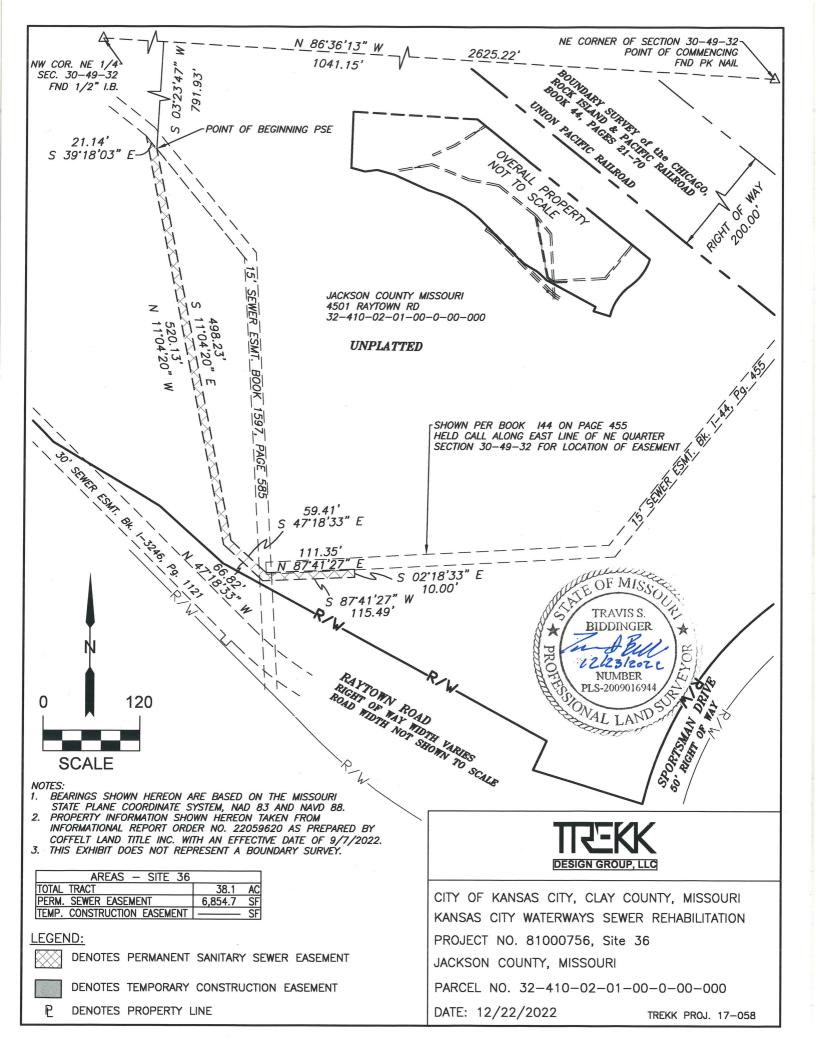
(Note: The bearings shown on the following description are based on Grid North, Missouri State Plane Coordinate System of 1983.)

Commencing at the Northeast corner of the Northeast Quarter; thence North 86°36'13" West, along the North line of said Quarter, a distance of 1041.15 feet; thence South 03°23'47" West, departing said North line, a distance of 791.93 feet, to a point on the Southerly line of an existing 15 foot wide sewer easement as shown in Book 1597 on Page 585 at the Jackson County, Missouri recorder of deeds and point also being the POINT OF BEGINNING; thence South 11°04'20" East, departing said existing easement, a distance of 498.23 feet; thence South 47°18'33" East, a distance of 59.41 feet; thence North 87°41'27" East, a distance of 111.35; thence South 02°18'33" East, a distance of 10.00 feet; thence South 87°41'27" West, a distance of 115.49 feet; thence North 47°18'33" West, a distance of 66.82 feet; thence North 11°04'20" West, a distance of 520.13 feet, to a point the Southerly line of said existing easement; thence South 39°18'03" East, along said existing easement, a distance of 21.14 feet, to the POINT OF BEGINNING, containing 6,854.7 square feet, more or less.

Subject to all easements and restrictions of record.

m & Bull-Travis S. Biddinger

Mo. PLS No. 2009016944





KC Water • 4800 East 63rd Street • Kansas City, Missouri 64130 • 816-513-0568

DATE: February 1, 2023

TO: Troy Schulte

County Administrator

FROM: Richard Snedegar, Acquisition & Survey Group Manager

SUBJECT: KCMO SmartSewer Program-City-Wide Sewer Infrastructure Rehabilitation within

Waterways, Project No. 81000756, Site 36

The Smart Sewer Program (SSP) is undertaking a Design-Build project to reduce excessive inflow and infiltration by rehabilitating sewer infrastructure, including manholes and sewer pipes buried beneath or immediately adjacent to, or exposed in natural waterway channels. The sewer infrastructure is experiencing excessive inflow and infiltration due to the age of the infrastructure, close proximity to the streams, and damage from exposure.

Rehabilitation of sewer infrastructure will also include elements of stream stabilization, bank stabilization, sewer CIPP lining, manhole armament, realignment of sewers and manholes, and encasement of exposed sewer pipes to stabilize sewer infrastructure to protect against stream migration and hydrodynamic forces.

There are multiple sites that are being rehabilitated this project year within the City limits of Kansas City, Missouri. Site 36 is located Northwest of the intersection of Raytown Road and Sportsman Drive at 4601 Raytown Road and being Jackson County parcel identification number 32-410-02-01-00-0-000. There is a 33-inch sewer main that crosses the property with several manholes impacted by infiltration from a creek crossing the property. A portion of the existing main will be taken out of service and a new 36-inch main will be constructed. There will be some stream stabilization along a portion of the project as well.

We are requesting the attached temporary and permanent easements to facilitate construction and future maintenance. We understand and agree to the acquisition agreement attached.

Regards,

Richard Snedegar

Senior Acquisition Specialist

KC Water

81000756 S-1600 City-wide sewer rehabilitation within waterways **Project No. 81000756** Tract No. 36 Jackson County, Missouri 415 E. 12th Kansas City, Missouri 64106

TEMPORARY EASEMENT FOR WASTE WATER AND APPURTENANCES

Let it be known County of Jackson, Missouri, a governmental entity organized and ex	cisting
under the laws of the State of Missouri a Corporation organized and existing under the la	ıws of
the State of Missouri, Grantor, on thisday of, 20, for a	nd in
consideration of \$1.00, the receipt of which is acknowledged, does grant, remise, releas	se and
unto Kansas City, a Missouri Municipal Corporation, whose mailing address is:	

Water Services Department **Systems Engineering** c/o Right-of-way Agent 4800 E. 63rd Street Kansas City, MO 64130

and hereafter called the GRANTEE, a TEMPORARY EASEMENT for the operation and movement of equipment, and the movement of a working force, in connection with the location, construction, reconstruction, maintenance, operation and repair of a Waste Water main and any appurtenances thereto, over under and through the following described tract of land situated in Kansas City, Jackson County, Missouri, to-wit:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

The GRANTEE, its agents, employees or independent contractors shall have the right to go upon the above described tracts of land, for the purpose of constructing, maintaining, and repairing the Sewer main improvements and appurtenances thereto, and shall upon completion of such construction, maintenance or repair, cause the land of the **GRANTOR** to be restored to substantially the same condition that existed prior to the **GRANTEE'S** entry upon it.

These easements shall not be construed to prohibit the **GRANTOR** from developing any adjoining property or from the laying out, establishing and constructing of pavement, surfacing of roadways, curbing and gutters along, upon, over or across said easement or any portion thereof.

GRANTOR further states that it is lawfully seized of title to the land through which said easement is granted, and it has good and lawful right to convey said easement to the **GRANTEE** herein. This temporary easement expires two years from the signature date of this document.

SIGNATURE PAGE TO FOLLOW

JACKSON COUNTY

APPROVED AS TO FORM: JACKSON COUNTY, MISSOURI

By:	
Bryan O. Covinsky, County Counselor County Executive	Frank White, Jr.,
ATTEST:	
By: Mary Jo Spino, Clerk of the County Legislature	
COUNTY ACKNOWLEDGMENT	
STATE OF MISSOURI) ss. COUNTY OF JACKSON)	
On this day of	personally known, who, being ecutive of Jackson County, oing instrument on behalf of the execution of same as the Missouri.
Notary Publ	ic
My Commission Expires:	

EXHIBIT A

KCMO Project No. 81000756
Site 36
JACKSON COUNTY MISSOURI
4501 Raytown Road
Kansas City, Mo
PARCEL No. 32-410-02-01-00-0-000

TEMPORARY CONSTRUCTION EASEMENT #1

All that part of a tract of land located in the East half of the Northeast Quarter of Section 30 Township 49, Range 32, Kansas City, Jackson County, Missouri being more particularly described as follow:

(Note: The bearings shown on the following description are based on Grid North, Missouri State Plane Coordinate System of 1983.)

Commencing at the Northeast corner of the Northeast Quarter; thence North 86°36'13" West, along the North line of said Quarter, a distance of 1012.48 feet; thence South 03°23'47" West, departing said North line, a distance of 823.01 feet, to a point on the Southerly line of an existing 15 foot wide sewer easement as shown in Book 1597 on Page 585 at the Jackson County, Missouri recorder of deeds, said point being hereinafter referred to as POINT "A" and also being the POINT OF BEGINNING; thence South 11°04'20" East, departing said existing easement, a distance of 454.43 feet; thence South 47°18'33" East, a distance of 44.58 feet; thence North 87°41'27" East, a distance of 103.06; thence South 02°18'33" East, a distance of 20.00 feet; thence South 87°41'27" West, a distance of 111.35 feet; thence North 47°18'33" West, a distance of 59.41 feet; thence North 11°04'20" West, a distance of 498.23 feet, to a point the Southerly line of said existing easement; thence South 39°18'03" East, along said existing easement, a distance of 42.28 feet, to the POINT OF BEGINNING, containing 12,713.9 square feet, more or less.

AND ALSO:

Page 2 of 2 EXHIBIT A

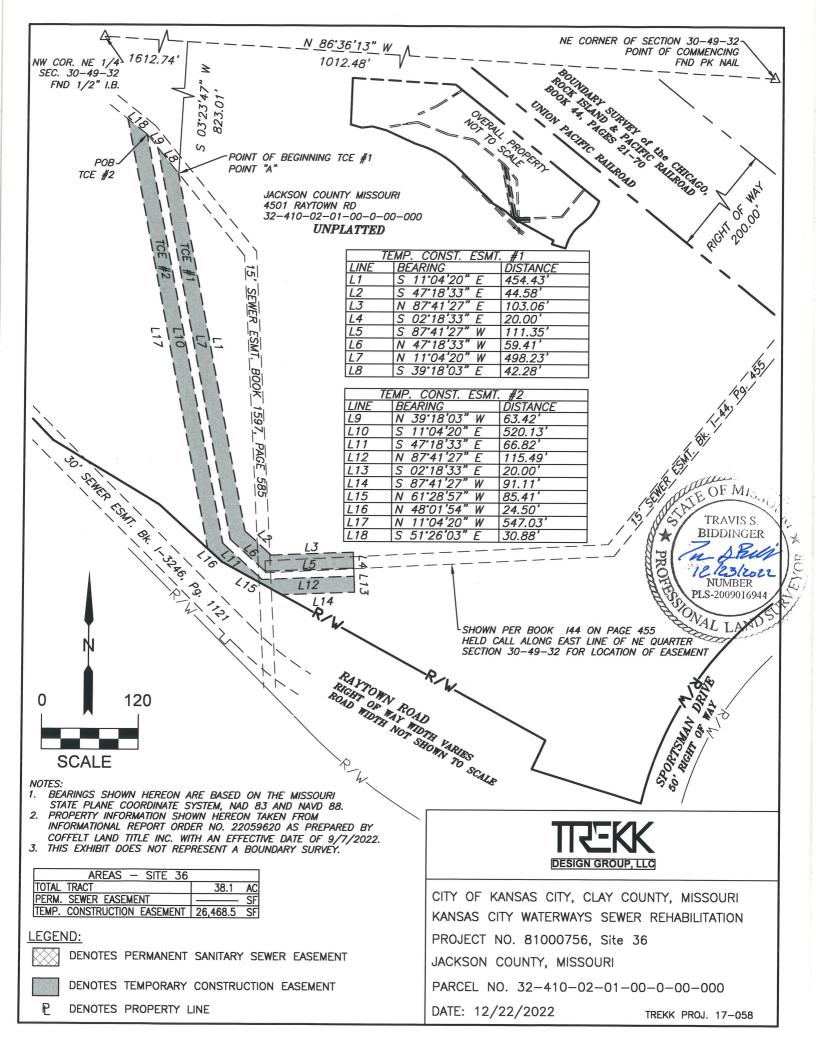
TEMPORARY CONSTRUCTION EASEMENT #2

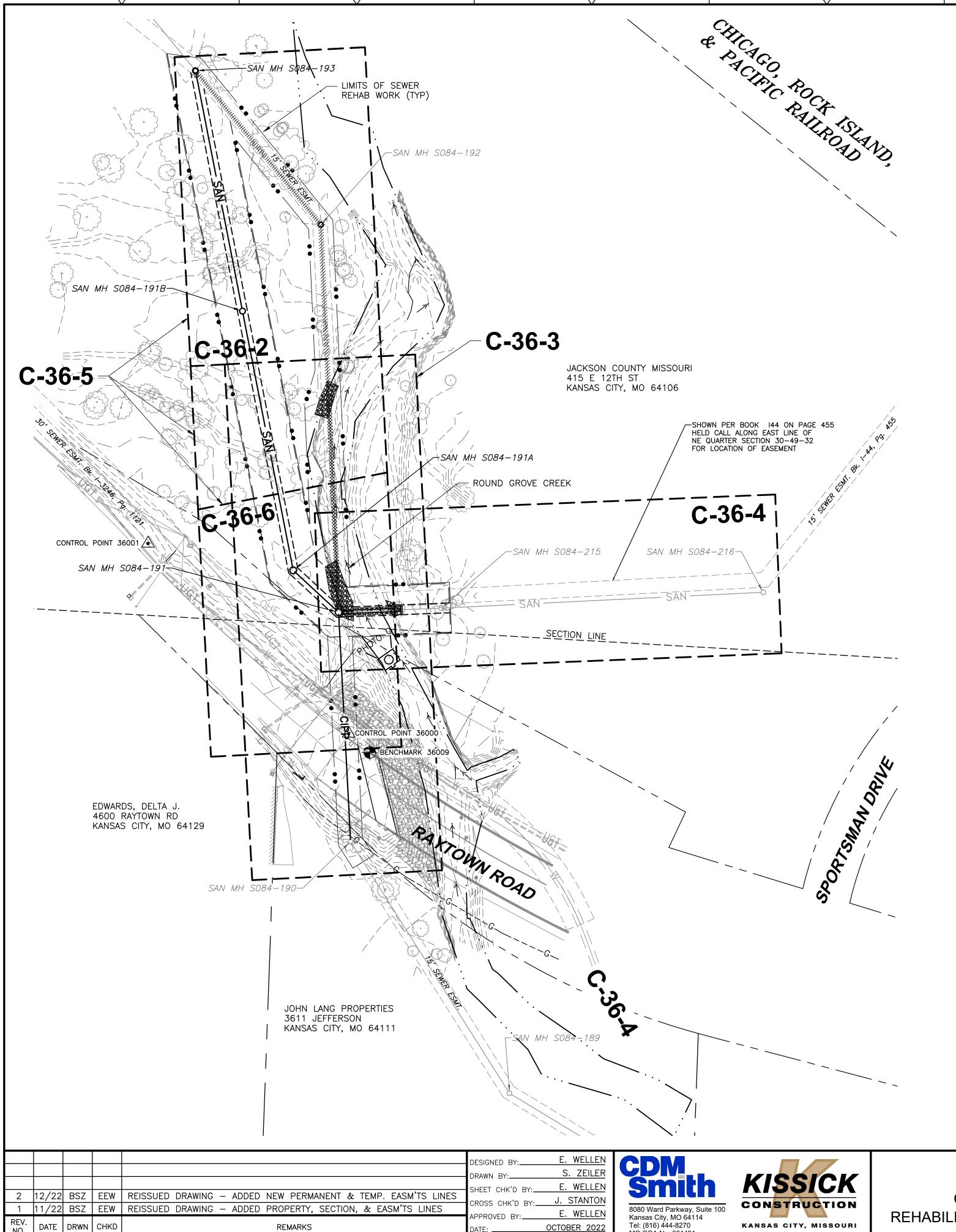
COMMENCING at aforesaid POINT "A"; thence North 39°18'03" West, along the Southerly line of said existing easement, a distance of 63.42 feet, to the POINT OF BEGINNING; thence South 11°04'20" East, departing said existing easement, a distance of 520.13 feet; thence South 47°18'33" East, a distance of 66.82 feet; thence North 87°41'27" East, a distance of 115.49 feet; thence South 02°18'33" East, 20.00 feet; thence South 87°41'27" West, a distance of 91.11 feet, this point and subsequent calls being on the Northerly right of way line of RAYTOWN ROAD, as now established; thence North 61°28'57" West, a distance of 85.41 feet; thence North 48°01'54" West, a distance of 24.50 feet; thence North 11°04'20" West, departing said right of way line, a distance of 547.03 feet, to a point on the Southerly line of said existing easement; thence South 51°26'03" East, along said existing easement, a distance of 30.88 feet, to the POINT OF BEGINNING, containing 13,754.6 square feet, more or less.

Subject to all easements and restrictions of record.

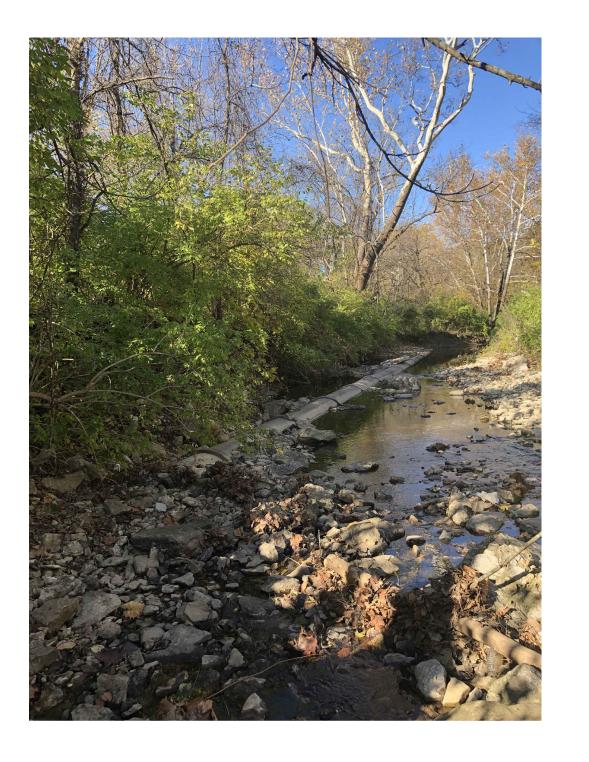
Travis S. Biddinger

Mo. PLS No. 2009016944





MO COA No. 001431



SITE 36 - MH S084-191 LOOKING NORTH PHOTO

HORIZONTAL AND VERTICAL CONTROL

CP 36000 SET 5/8" IRON BAR W/ ALUMINUM CAP STAMPED TREKK, LOCATED AT THE NORTHEAST CORNER OF RAYTOWN RD. BRIDGE OVER ROUND GROVE CREEK.

RM-1 SOUTH 28.65' TO NE CORNER OF WALL @ NE CORNER OF BRIDGE RM-2 WSW 3.90' TO BACK OF CURB AT END OF BRIDGE RM-3 NORTH 71.58' TO TOP NUT OF FIRE HYDRANT

NORTHING 1046874.202 / EASTING 2793355.108 / ELEVATION 788.71

CP 36001 SET 5/8" IRON BAR W/ ALUMINUM CAP STAMPED TREKK, LOCATED ON EAST SIDE OF RAYTOWN ROAD & ACROSS FROM NORTH END OF PROPERTY ADDRESS #4600 ON WEST SIDE OF ROAD.

31.07' TO NE CORNER OF GUARDRAIL END CAP RM-2 SE 37.70' TO NW FACE OF UTILITY POLE RM-3 NORTH 67.41' TO SOUTH FACE OF LIGHT POLE

NORTHING 1047068.241 / EASTING 2793150.131 / ELEVATION 781.19

BENCHMARK 36009 CHISELED SQUARE

NORTHING 1046855.195 / EASTING 2793376.608 / ELEVATION 792.58

- 1. PROPERTY LINES, OWNERS, AND ADDRESSES SHOWN HEREON WERE OBTAINED FROM TITLE WORK.
- 2. EXISTING EASEMENTS SHOWN HEREON ARE ONLY THOSE EASEMENTS OBTAINED FROM TITLE WORK. ANY NEW AND TEMPORARY CONSTRUCTION EASEMENTS ARE TO BE NEGOTIATED FOR PURCHASE WITH THE CITY.
- 3. THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.
- 4. UTILITIES AS PORTRAYED ON THIS DRAWING ARE APPROXIMATE IN LOCATION AND MAY NOT BE COMPLETE. CONSULTANT AND/OR CONTRACTOR TO FIELD VERIFY BEFORE ANY EXCAVATION. THIS SURVEYOR MAKES NO GUARANTEE AS TO ACCURACY OR COMPLETENESS OF SAID LOCATES.

SITE 36 REHABILITATION NOTES

- ABANDON/REMOVE EXST SEWER BETWEEN EXST MH S084-191 TO MH
- 2. ENCASE SEWER SEGMENT UNDER THE WATERWAY BETWEEN EXST MH S084-191 TO MH S084-215.
- 3. INSTALL CIPP LINING IN EXST:
- 33" RCP FROM MH S084-190 TO MH S084-191 (234 LF)
- MH S084-191B BETWEEN NEW MH S084-191A AND EXST MH S084-193

MH S084-191A BETWEEN EXST MH S084-191 AND NEW MH S084-191B

- 5. INSTALL 63 LF 36" PVC FROM EXST MH S084-191 TO NEW MH S084-191A.
- 6. INSTALL 270 LF 36" PVC FROM NEW MH S084-191A TO NEW MH S084-191B. 7. INSTALL 250 LF 36" PVC FROM NEW MH S084-191B TO NEW MH S084-193.

EXST MH S084-193 WITH NEW MH. EXST MH S084-191 WITH NEW MH.

- 1. USE THE FOLLOWING ADDRESS TO LOCATE THE SITE: 4609 RAYTOWN RD KANSAS CITY, MO 64129
- 2. KISSICK CLEARED AND FLAGGED A PATH TO MH S084-193 FROM MH S084-191 IN OCTOBER 2020.

KANSAS CITY PROJECT NUMBER: 81000756

PROFESSIONAL ENGINEER SEAL ERICA ELISE WELLEN PE-2021008207 ERICA ELISE WELLEN MISSOURI P.E. NO. PE-2021008207

PROJECT NO. 259047-242839 FILE NAME: C024STPL_SITE-3 SHEET NO.

SITE 36

CITY OF KANSAS CITY, MISSOURI SMART SEWER

CITY-WIDE SEWER INFRASTRUCTURE REHABILITATION WITHIN WATER WAYS RENEWAL NO. 1 **OVERALL SITE PLAN**

C-36-1

 \overline{A}

\H\