

### PERMANENT EASEMENT ACQUISITION AGREEMENT

This **AGREEMENT** made and entered into this 19 day of January, 2018, by and between **Jackson County, Missouri** hereinafter referred to as **OWNER** and Kansas City, A Missouri Municipal Corporation, hereinafter called the **CITY**.

- 1. The Owner agrees to grant the City a Permanent Easement upon a tract of land described in the following document:

Permanent Easement S-1541 dated January 19th

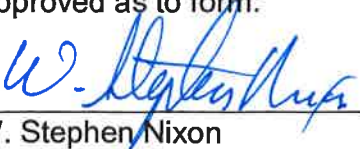
- 2. The **CITY** agrees to the following: The City's contractor will provide a certificate of insurance naming Jackson County as an additional insured. Liability Insurance indemnifying Jackson County, Missouri will be required before construction can begin. Minimum amount of insurance shall be \$2 million per occurrence with a \$2 million aggregate naming Jackson County, Missouri as an **ADDITIONAL INSURED**.
- 3. Erosion Control measures will be installed prior to the work; including silt fencing and temporary seeding
- 4. Tree clearing will be completed by April 1 to avoid nesting season of the endangered Indiana Brow Bat per requirements of the Missouri Department of Natural resources and US Fish and Wildlife Service.
- 5. Tree stumps and debris shall be removed from the site.
- 6. The City's contractor will provide fencing and/or barriers around excavations left open overnight.
- 7. Restoration, season permitting, will include a permanent seeding and hay matting. Erosion control and restoration plans for the site will be provided to Jackson County in advance of the work.
- 8. The **CITY** agrees to pay Jackson County Parks + Rec \$6,957.76, (\$0.20 x 34,788.8 sf) and \$2,000.00 easement processing fee.


**Jackson County, Missouri**

**CITY**

  
 \_\_\_\_\_ (Sign)  
**Frank White, Jr.**  
 County Executive

  
 \_\_\_\_\_  
**Andy Shively**  
 Special Assistant City Manager

Approved as to form:  
  
 \_\_\_\_\_ (Sign)  
**W. Stephen Nixon**  
 County Counselor

Approved as to form:  
  
 \_\_\_\_\_  
**Mark Jones**  
 Assistant City Attorney

Project Name: City-Wide Sewer Rehab in Waterways  
 Project Number: 81000756

**FILED**  
 JAN 22 2018  
 MARY JO SPINO  
 COUNTY CLERK

S-1541 ATTEST:

  
 \_\_\_\_\_  
 Clerk of the County Legislature

**Project No. 81000756**  
**City-wide sewer rehabilitation within waterways**  
**Tract No. 13**  
**Jackson County, Missouri**  
**415 E. 12<sup>th</sup>**  
**Kansas City, Missouri**  
**64106**

**PERMANENT EASEMENT  
FOR  
WASTEWATER IMPROVEMENTS AND APPURTENANCES**

That, **Jackson County, Missouri** hereafter called the **GRANTOR**, on this 19 day of January, 2018, for and in consideration of \$1.00, the receipt of which is acknowledged, does grant, remise, release and forever Quit-Claim unto Kansas City, a Missouri Municipal Corporation, whose mailing address is:

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

and hereafter called the **GRANTEE**, a **Permanent Easement** for the location, construction, reconstruction, maintenance, and repair of wastewater improvements 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 tract of land, for the purpose of constructing, maintaining, and repairing the wastewater 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.

The **GRANTOR** herein agrees for itself and its heirs, successors or assigns, that the tract of land over which a permanent wastewater improvement 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 storm water infrastructure and all appurtenances incidental thereto.

The **GRANTOR** herein also agree 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.

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 that it has good and lawful right to convey said easement to the **GRANTEE** herein.

**Signature page to follow**

BY: Frank White, Jr.  
Frank White, Jr.  
County Executive

APPROVED AS TO FORM  
BY: W. Stephen Nixon  
W. Stephen Nixon  
County Counselor

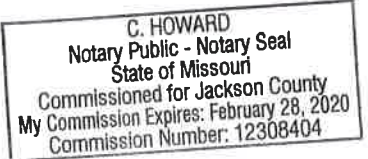
\*\*\*\*\*  
STATE OF Missouri )  
  ) ss  
COUNTY OF Jackson )

On this 19th day of January, 20 18 before me appeared **Frank White, Jr.**,  
County Executive, Jackson County Missouri, who executed the foregoing instrument;  
and acknowledged that he executed the same as a free act and deed and on behalf of  
said County.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed my official seal, the  
day and year last above written.

C. Howard (Sign)

C. Howard (Print)



My Commission expires February 28, 2020  
\*\*\*\*\*

**EXHIBIT A**

**OWNER: JACKSON COUNTY, MISSOURI**

**PERMANENT STANDARD SEWER EASEMENT**

**PROJECT: City-Wide Sewer Rehabilitation within Waterways**

**PARCEL ID NO. 65-600-03-15-00-0-00-000**

**A strip of land over a part of the Southwest Quarter of Section 9, Township 47, Range 33, in the City of Kansas City, Jackson County, Missouri, said strip being 80.00 feet wide, more particularly described as follows:**

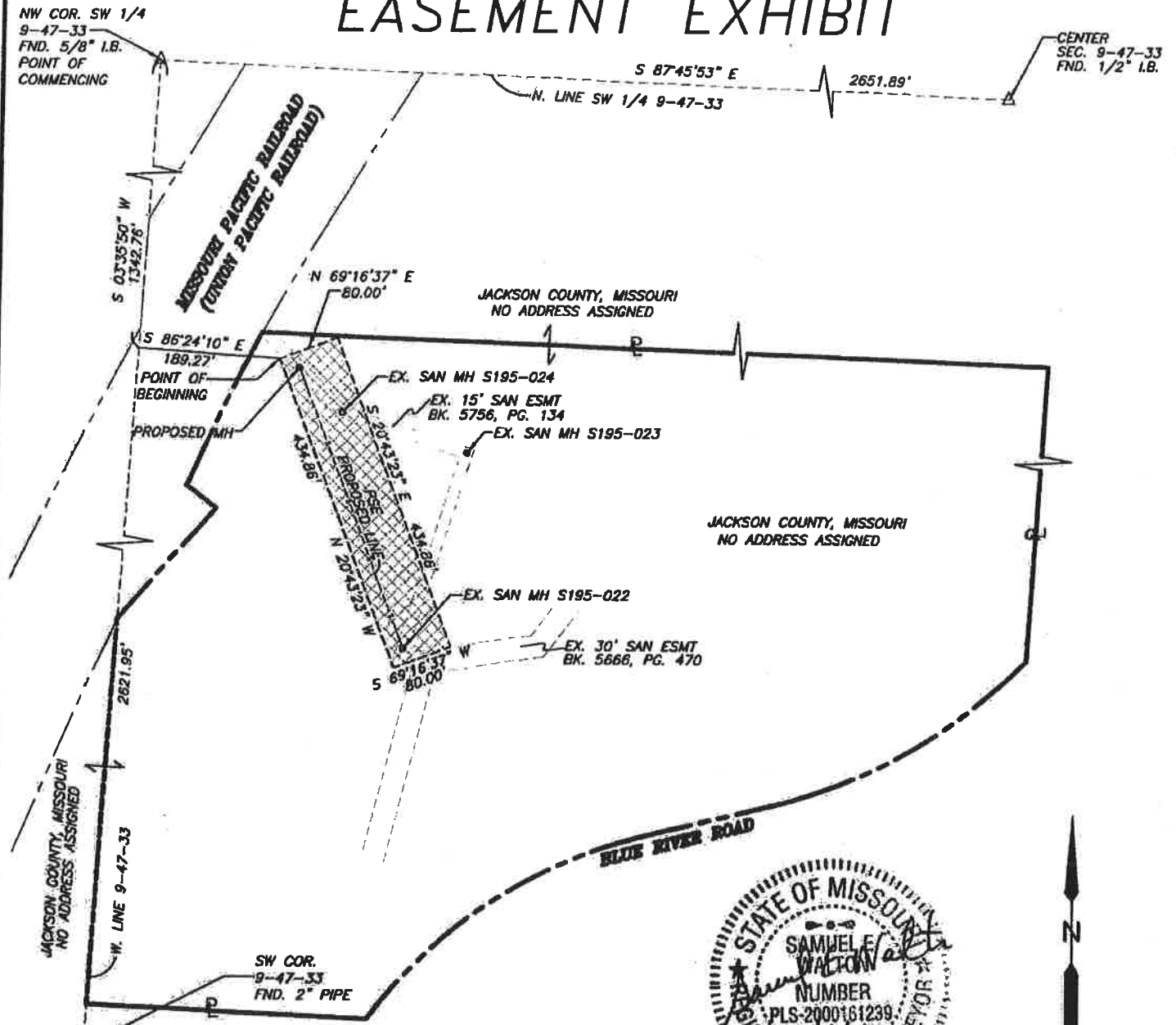
**COMMENCING at the Northwest corner of the Southwest Quarter of said Section 9; thence South 03°35'50" West, along the West line of said Quarter Section, a distance of 1342.76 feet; thence South 86°24'10" East, departing said Section line, a distance of 189.27 feet, to the POINT OF BEGINNING; thence North 69°16'37" East, a distance of 80.00 feet; thence South 20°43'23" East, a distance of 434.86 feet; thence South 69°16'37" West, a distance of 80.00 feet; thence North 20°43'23" West, a distance of 434.86 feet, to the POINT OF BEGINNING, containing 34,788.8 square feet or 0.80 acres, more or less.**

*Samuel E. Walton*

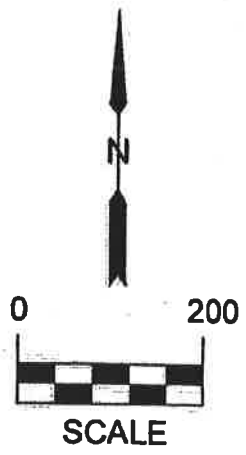
**SAMUEL E. WALTON  
MO PLS NO. 2000161239**



# EASEMENT EXHIBIT



- NOTES:**
1. BEARINGS SHOWN HEREON ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 83 AND NAVD 88.
  2. THIS EXHIBIT HAS BEEN PREPARED FOR THE SOLE PURPOSE OF OBTAINING EASEMENTS OVER THE PROPERTY SHOWN HEREON.
  3. THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY.
  4. PROPERTY INFORMATION SHOWN HEREON TAKEN FROM INFORMATIONAL REPORT ORDER NO. 17019136 AS PREPARED BY COFFELT LAND TITLE, INC. WITH AN EFFECTIVE DATE OF 10/19/2017.

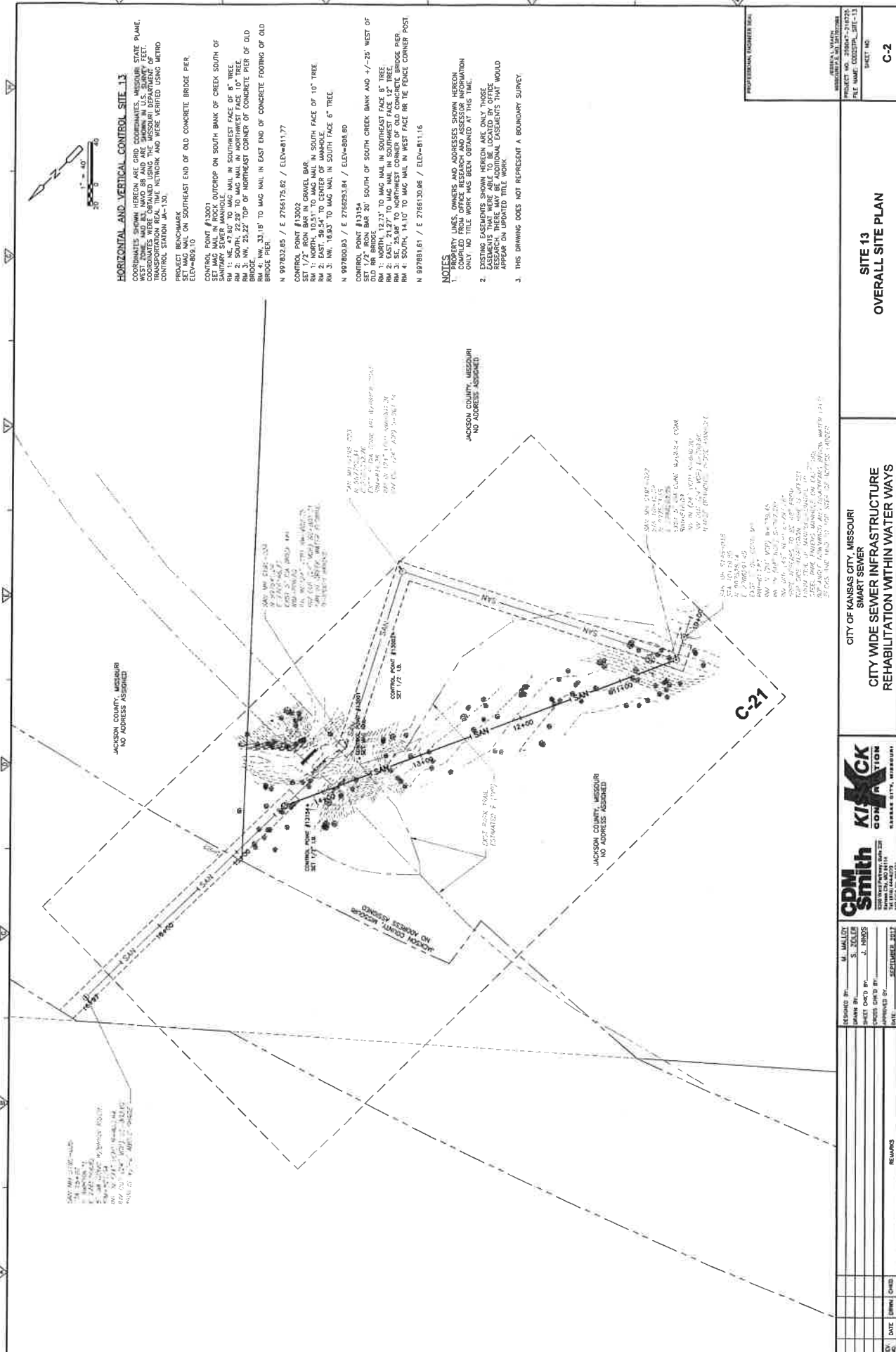


AREAS PARCEL 65-600-03-15	
TOTAL TRACT	_____ SF
PERM. STANDARD SEWER ESMT.	34,788.8 SF
PERM. STORM DRAINAGE ESMT.	_____ SF
TEMP. CONSTRUCTION EASEMENT	_____ SF

- LEGEND:**
- DENOTES PERMANENT STANDARD SEWER EASEMENT
  - DENOTES PERMANENT STORM DRAINAGE EASEMENT
  - DENOTES TEMPORARY CONSTRUCTION EASEMENT
  - DENOTES PROPERTY LINE



CITY OF KANSAS CITY, JACKSON COUNTY, MISSOURI  
 CITY-WIDE SEWER REHABILITATION WITHIN WATERWAYS  
 PROJECT NO. 81000756  
 JACKSON COUNTY, MISSOURI  
 PARCEL ID NO. 65-600-03-15-00-0-00-000  
 DATE: 10/31/2017



PROJECT NO. 2004-21873  
 SHEET NO. C-2

**SITE 13  
 OVERALL SITE PLAN**

CITY OF KANSAS CITY, MISSOURI  
 SMART SEWER  
 CITY WIDE SEWER INFRASTRUCTURE  
 REHABILITATION WITHIN WATERWAYS



DESIGNED BY: M. MALCOLM  
 DRAWN BY: S. JONES  
 CHECKED BY: J. JONES  
 APPROVED BY: J. JONES  
 DATE: SEPTEMBER 2011

NO.	DATE	BY	CHKD	REMARKS

- NOTES**
- PROPERTY LINES, OWNERS AND ADDRESSES SHOWN HEREON ARE BASED ON RECORD PLATS AND FIELD SURVEY DATA. ONLY NO TITLE WORK HAS BEEN OBTAINED AT THIS TIME.
  - EXISTING EASEMENTS SHOWN HEREON ARE ONLY THOSE EASEMENTS THAT WERE ABLE TO BE LOCATED BY OFFICE RESEARCH. THERE MAY BE ADDITIONAL EASEMENTS THAT WOULD APPEAR ON UPDATED TITLE WORK.
  - THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.

DATE: 09/20/11  
 TIME: 10:00 AM  
 PROJECT: SMART SEWER  
 SHEET: C-2





NO.	DATE	BY	CHKD	REMARKS

DESIGNED BY: M. WALLEZ  
 CHECKED BY: E. JONES  
 DATE: 02/08/21  
 APPROVED BY: J. JONES  
 DATE: 02/08/21

**CDP Smith**  
 CIVIL ENGINEERING & ARCHITECTURE  
 200 WEST WASHINGTON STREET, SUITE 200  
 ST. LOUIS, MISSOURI 63103  
 PH: (314) 441-4371  
 FAX: (314) 441-4371

**KISSICK**  
 CONSULTANT  
 MISSOURI DIVISION  
 1111 NORTH WASHINGTON STREET, SUITE 100  
 ST. LOUIS, MISSOURI 63102

CITY OF KANSAS CITY, MISSOURI  
 SMART SEWER  
 CITY WIDE SEWER INFRASTRUCTURE  
 REHABILITATION WITHIN WATERWAYS

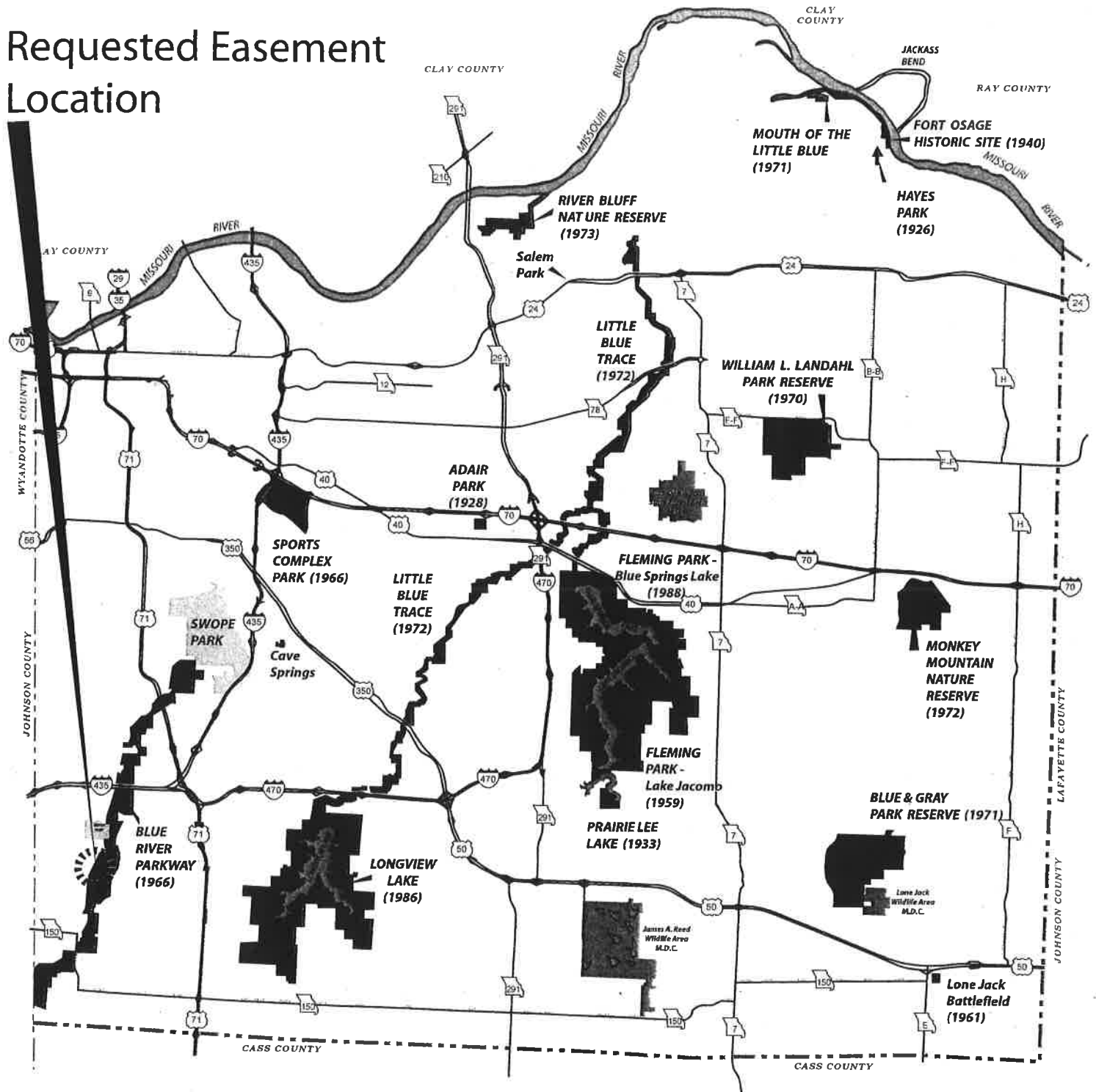
**SITE 13  
 ACCESS PLAN**

PROFESSIONAL ENGINEER SEAL  
 PROJECT NO. 2724-02-08/21-01-17-17  
 FILE NAME: CADD/2724-02-08/21-01-17-17  
 SHEET NO. 13  
 FIGURE



# Jackson County Park System

## Requested Easement Location



Jackson County, Missouri