

Request for Legislative Action

Res. #21143

Sponsor: Charlie Franklin

Date: January 17, 2023

Completed by County Counselor's Office

| | | | |
|-------------------|------------------|---------------------------|-----------|
| Action Requested: | Resolution | Res.Ord No.: | 21143 |
| Sponsor(s): | Charlie Franklin | Legislature Meeting Date: | 1/17/2023 |

Introduction**Action Items:** ['Authorize']**Project/Title:**

Authorize a permanent utility easement to the City of Kansas City Water Department across the Rock Island Corridor.

Request Summary

We are requesting that the County Executive be authorized to execute an easement with Kansas City, Missouri Water Department on behalf of Paragon Star, LLC, for a permanent waterline utility easement. The Easement is .12 acres (5,117.27 square feet). Paragon Star, LLC has agreed to pay the .20/square foot easement fee of \$1,023.45 and the \$2000 processing fee for a total of \$3,023.45, pursuant to Chapter 50 rules regarding easements. Appropriation of these funds will be taken up after the adoption of the 2023 budget. Waterline construction will impact trail operations for one day, but a detour will be made available by the contractor. The easement will not cause further disruption of Park Operations.

Contact Information

| | | | |
|--------------------|-----------------------------|------------------------|-----------------------|
| Department: | Parks + Rec | Submitted Date: | 12/19/2022 |
| Name: | Matt Davis | Email: | mdavis@jacksongov.org |
| Title: | Rock Island Program Manager | Phone: | 816-403-4849 |

Budget Information

| | | | |
|---|-----------------------------------|--------------------|-----------------------------------|
| Amount authorized by this legislation this fiscal year: | !Unexpected End of Formula | | |
| 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 of 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 supplies, materials, equipment or services? | No |
| 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 Veteran Owned Business Program | |
| Goals Not Applicable for following reason: Not spending money | |
| MBE: | .00% |
| WBE: | .00% |
| VBE: | .00% |
| Prevailing Wage | |
| Not Applicable | |

| |
|---------------------------|
| Fiscal Information |
| • |

Request for Legislative Action

Submitted by Parks + Rec requestor: Matt Davis on 12/19/2022. Comments: The attachment has all the required documents. I am happy to split them out if necessary.

Approved by Department Approver Michele Newman on 12/29/2022 9:56:25 AM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 12/29/2022 10:30:12 AM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 12/29/2022 11:00:57 AM. Comments:

Approved by Budget Office Approver David B. Moyer on 1/3/2023 1:33:03 PM. Comments:

Approved by Executive Office Approver Sylvania Stevenson on 1/3/2023 1:45:58 PM. Comments:

Returned for more information by Counselor's Office Approver Katherine Henry on 1/4/2023 11:04:03 AM. Comments: Please remove the request for appropriation. You may recite the fee and say that will be appropriated once the county has adopted a 2023 budget.

Submitted by Requestor Matt Davis on 1/4/2023 1:03:05 PM. Comments: Removed the appropriation and noted appropriation will come after adoption of the 2023 budget.

Approved by Department Approver Susan I. Kinnaman on 1/4/2023 1:39:01 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 1/4/2023 1:58:39 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 1/5/2023 9:11:30 AM. Comments:

Returned for more information by Budget Office Approver Mark Lang on 1/5/2023 9:56:47 AM. Comments: On the budget info tab, please remove the \$ amounts under single source funding.

Submitted by Requestor Matt Davis on 1/5/2023 10:01:49 AM. Comments: Removed \$ amount from the budget info.

Approved by Department Approver Susan I. Kinnaman on 1/9/2023 1:39:55 PM. Comments:

January 12, 2023

eRLA #762

Page 3 of 3

Not applicable by Purchasing Office Approver Barbara J. Casamento on 1/10/2023 11:52:16 AM. Comments:



December 2, 2022

Via electronic communication to mnewman@jacksongov.org

Michele Newman
Director of the Parks and Recreation Department
Jackson County, Missouri
22807 Woods Chapel Road
Blue Springs, Missouri 64015

RE: Easement Request across a portion of Jackson County Park Land
Located near 98th Street as it crosses the Rock Island Trail
Pursuant to Jackson County Code Section 5099.1

Dear Ms. Newman,

Pursuant to Section 5099.1 of the Jackson County Code of Ordinances, persons interested in requesting an easement from impacting park lands shall make a request in writing to the Director of Parks and Recreation Department with the following information.

Background

Paragon Star is developing a project, the Paragon Star Village and Sports Complex, to be located at and near the northeast corner of the intersection of I-470 and View High Drive, in Jackson County, Missouri. This easement request is for the northeast portion of the project located near 98th Street as it crosses the Rock Island Trail.

Request Code Requirements

Identify Applicant: Paragon Star, LLC

The easement will be dedicated to the City of Kansas City, including the KCMO Water Department.

For profit or non-profit: Beneficiary of the easement is Kansas City, Missouri, a public entity

A statement of alternatives explored and explanation of feasibility: This application was a requirement from the City of Kansas City; thus, no alternatives were explored.

A map of the proposed site for construction of the easement: See attached Exhibit B: "Water Main Extension Plan and Profile- Line B"



An aerial photography of the area: See attached Exhibit C

Plan Sheet: See attached Exhibit B

Profiles:

Size of Easement: 5,117.27 square feet or 0.12 acres, more or less.

Legal Description for the purpose of assessing each request. See attached Exhibit A "Permanent Water Easement Kansas City, Jackson County, Missouri

Also, included in this Request is the acknowledgement by the Applicant that approved applications will be assessed a \$2,000.00 administrative fee and for permanent easement for governmental entities a \$0.20 per square foot fee. As requested that easement fee is estimated to be approximately \$1,023.45.

Thank you for your favorable consideration of this Request.

Paragon Star, LLC

William Brown
Chief Operating Officer

c: Brian Nowotny, via email at BPNowotny@jacksongov.org
Todd Hauser, via email at todd@bushyheadlaw.com
Jay Healy, GBA, via email at jhealy@gbateam.com

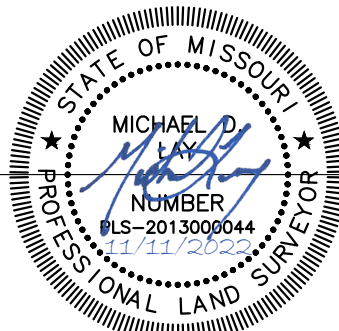
Attachments

PERMANENT WATER EASEMENT:

A permanent water easement over part of a tract of land, in the Southwest Quarter of the Southeast Quarter of Section 27, Township 48 North, Range 32 West of the 5th P.M. in Jackson County, Missouri, as proposed by Michael Dean Lay, PLS-2013000044, on November 11, 2022, being more particularly described as follows:

COMMENCING at Southwest corner of said Southwest Quarter; thence North 02°13'55" East, along the West line of said Southwest Quarter, a distance of 666.50 feet, to a point on the North Right-of-Way line of 98th Street, as now established; thence South 86°18'18" East, departing said West line and along said North Right-of-Way line, a distance of 186.58 feet, to a point of the West property line of Jackson County, Missouri, a Missouri Corporation, recorded in Quit Claim Deed in Document #2016E0037152, said property also formerly the West Right-of-Way line of Chicago Rock Island and Pacific, as now established, said point also being the POINT OF BEGINNING; thence North 18°46'13" East, departing said North Right-of-Way line and said West property line, a distance of 24.34 feet; thence South 86°18'18" East, departing said West property line, a distance of 33.38 feet; thence South 41°18'18" East, a distance of 39.55 feet; thence South 86°29'01" East, a distance of 111.30 feet; thence South 02°43'40" West, a distance of 34.04 feet; thence South 86°18'18" East, a distance of 120.86 feet, to a point on the East property line of said Document #2016E0037152; thence South 18°46'13" West, along said East property line, a distance of 15.53 feet; thence North 86°18'18" West, departing said East property line, a distance of 131.57 feet; thence North 02°43'40" East, a distance of 33.99 feet; thence North 86°29'01" West, a distance of 102.75 feet; thence North 41°18'18" West, a distance of 39.58 feet; thence North 86°18'18" West, a distance of 24.45 feet; thence South 48°41'42" West, a distance of 13.09 feet, to a point of said West property line; thence North 18°46'13" East, along said West property line, a distance 0.78 feet, to the POINT OF BEGINNING, containing 5,117.27 square feet or 0.12 acres, more or less.

This is to certify that this real property legal description has been prepared by me or under my direct supervision.



Michael D. Lay
Missouri Professional Land Surveyor No. 2013000044



9801 Renner Boulevard
Lenexa, Kansas 66219
913.492.0400
www.gbateam.com
mlay@gbateam.com

PROJECT NUMBER
12720.00

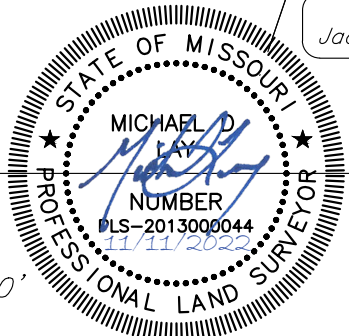
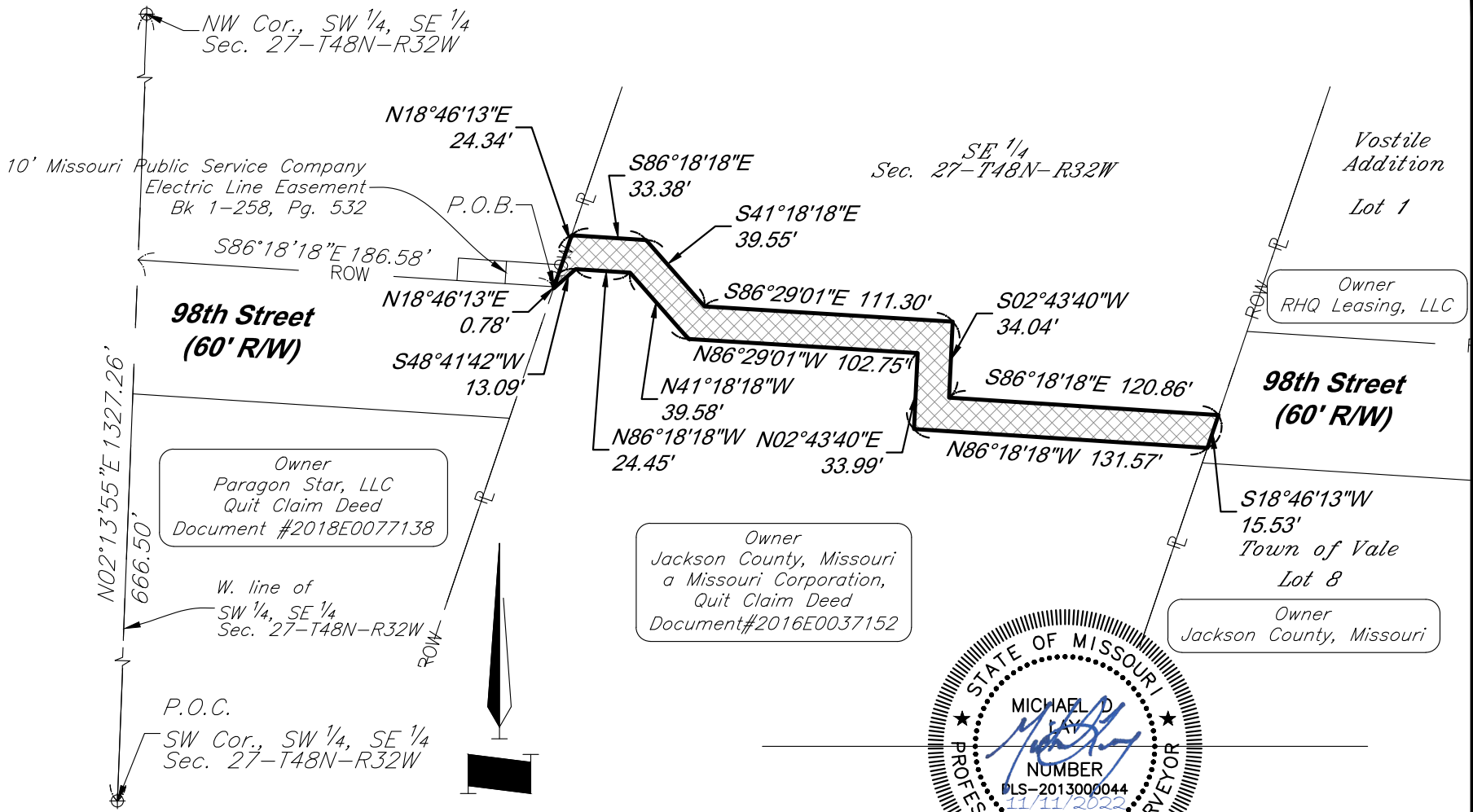
DATE
11/11/2022

TITLE
Exhibit "A"
Perm. Water Esmt.
Kansas City, Jackson Co., MO

SHEET NUMBER

1 of 2

G:\12720\DW_3D\Drawings\Survey\12720\3009-Jackson County Water Easement Layout: MO-62811-4 -- Friday, November 11, 2022, 10:47am -- Copyright 2022, George Butler Associates, Inc.



Michael D. Lay
 Missouri Professional Land Surveyor No. 2013000044

P.O.C. - Point of Commencement
 P.O.B. - Point of Beginning

Denotes Permanent Water Easement 5,117.27 Square Feet

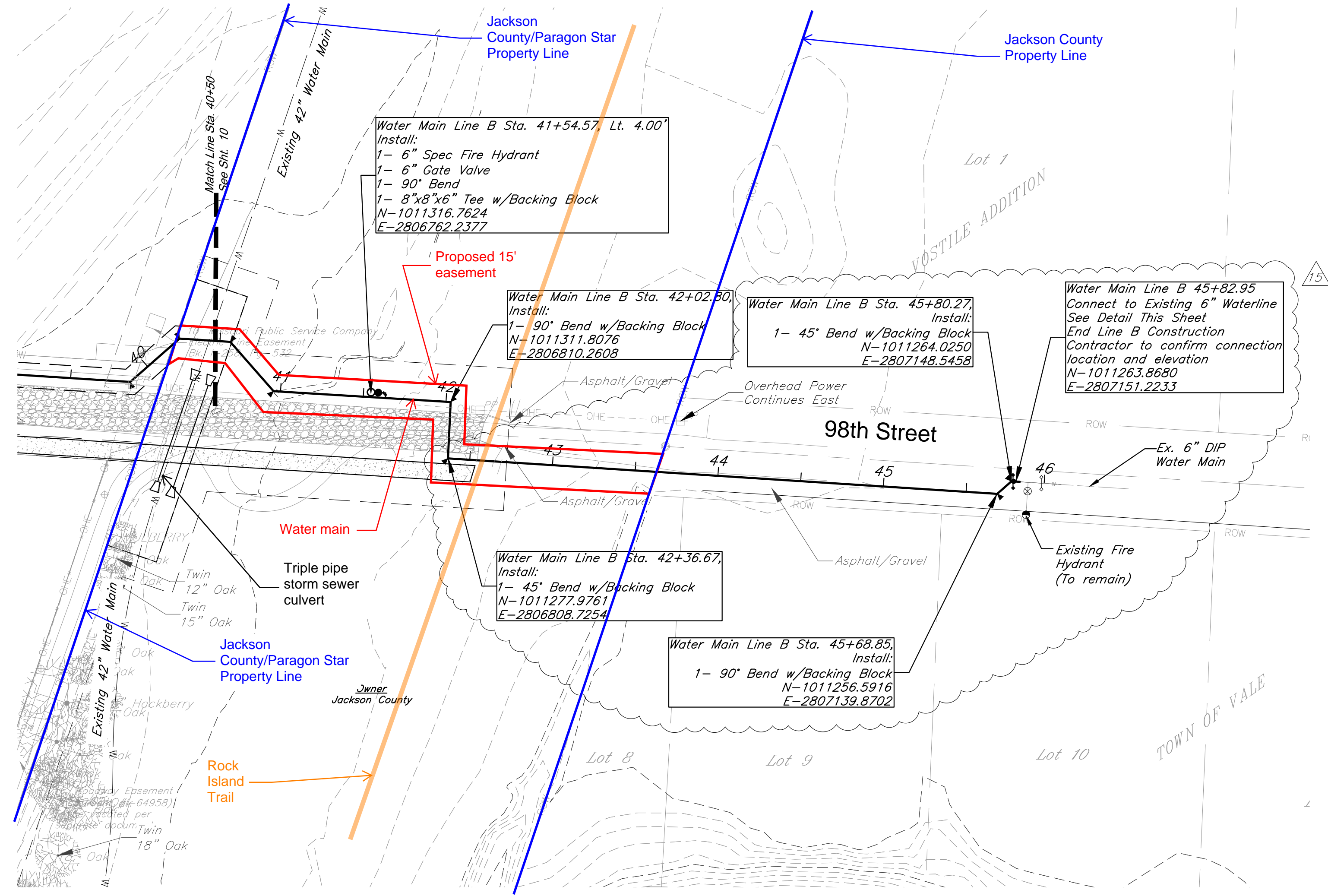
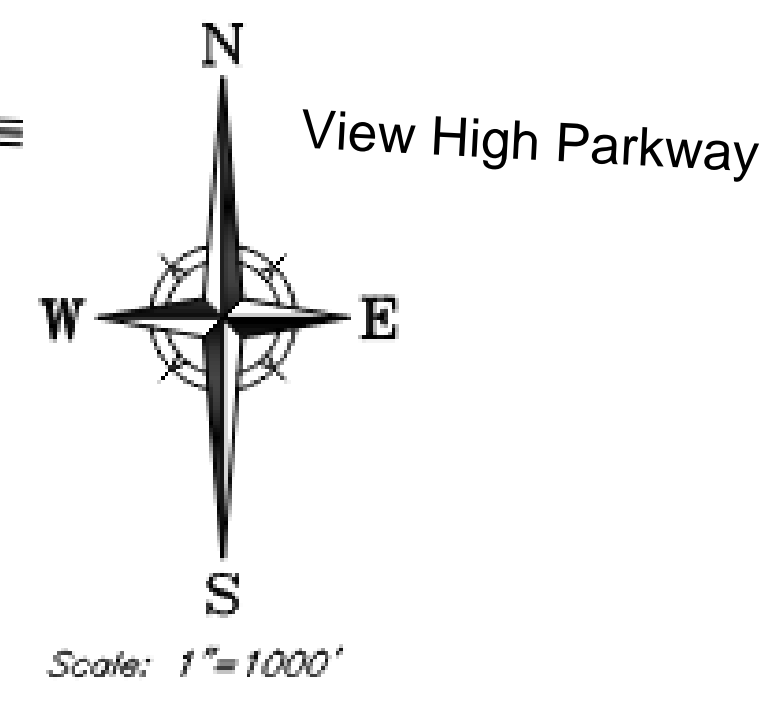
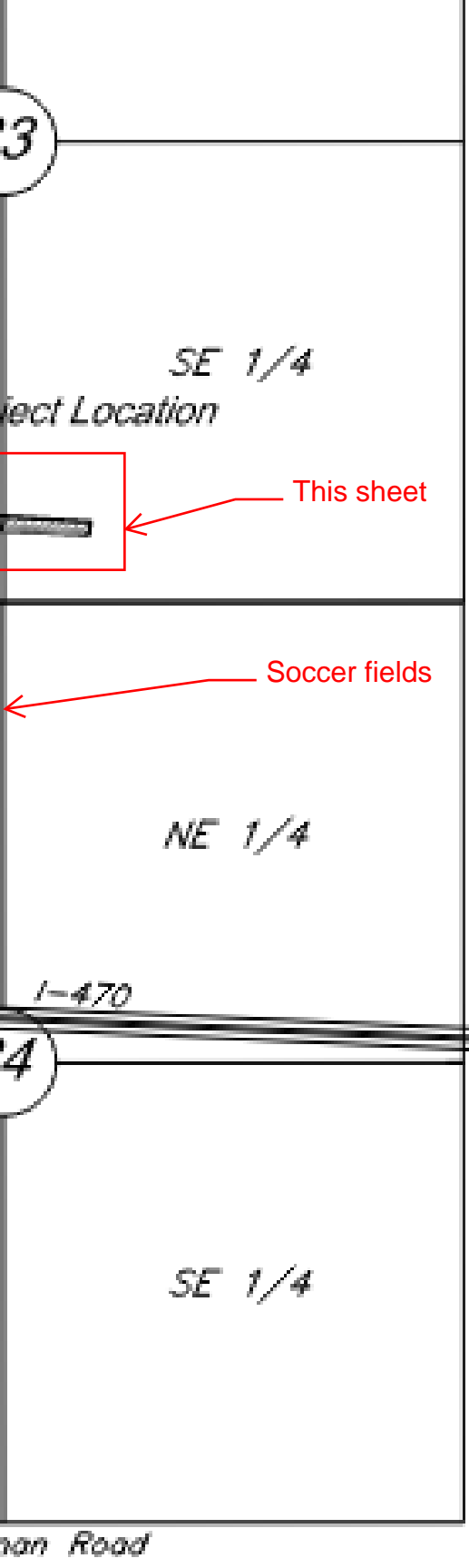


9801 Renner Boulevard
 Lenexa, Kansas 66219
 913.492.0400
 www.gbateam.com
 mlay@gbateam.com

PROJECT NUMBER
 12720.05
 DATE
 11/11/2022

TITLE
Exhibit "A"
 Permanent Water Easement
 Kansas City, Jackson County, Missouri

SHEET NUMBER
2 of 2



- NOTE:**
- Waterline shall be installed 4' off of back of curb, except where noted otherwise.
 - Water Main shall maintain 3 feet of separation from Light Poles.
 - Mass Grading to be in place prior to Water Main installation.
- NOTE:**
- Fire Hydrants shall be spaced every 300' along the paved section of View High Parkway, which is the mixed use area. Fire Hydrants shall be spaced at 600' minimum along the gravel section of View High Parkway, which is residential use area

GBA
architects
engineers

9801 Renner Boulevard
Lenexa, Kansas 66219
913.492.0400
www.gbateam.com

DATE: 8/1/2019
DESIGN BY: CEL
DRAWN BY: JMS
PROJECT NO.: 12720
SHEET NO.: 11
TOTAL SHEETS: 12

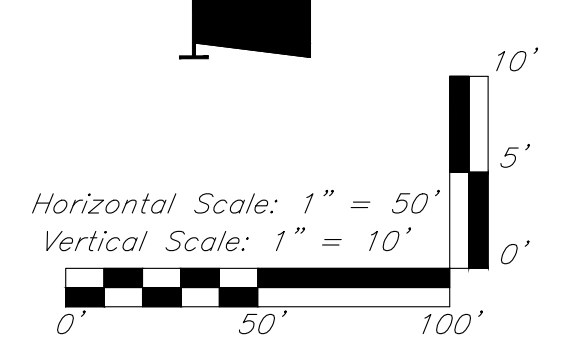
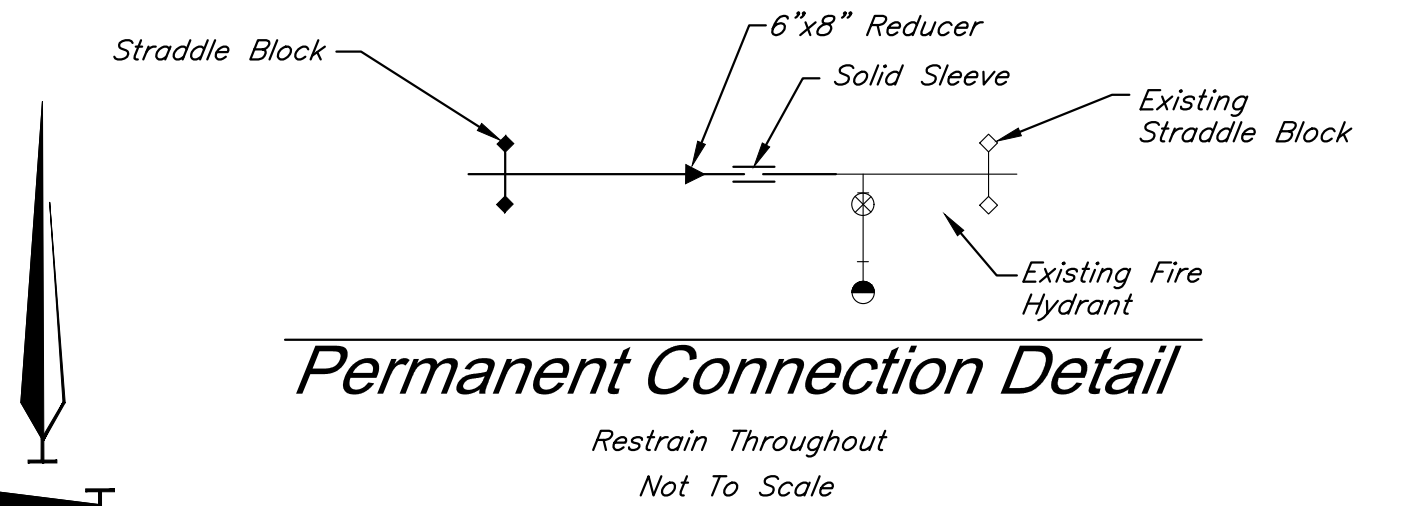
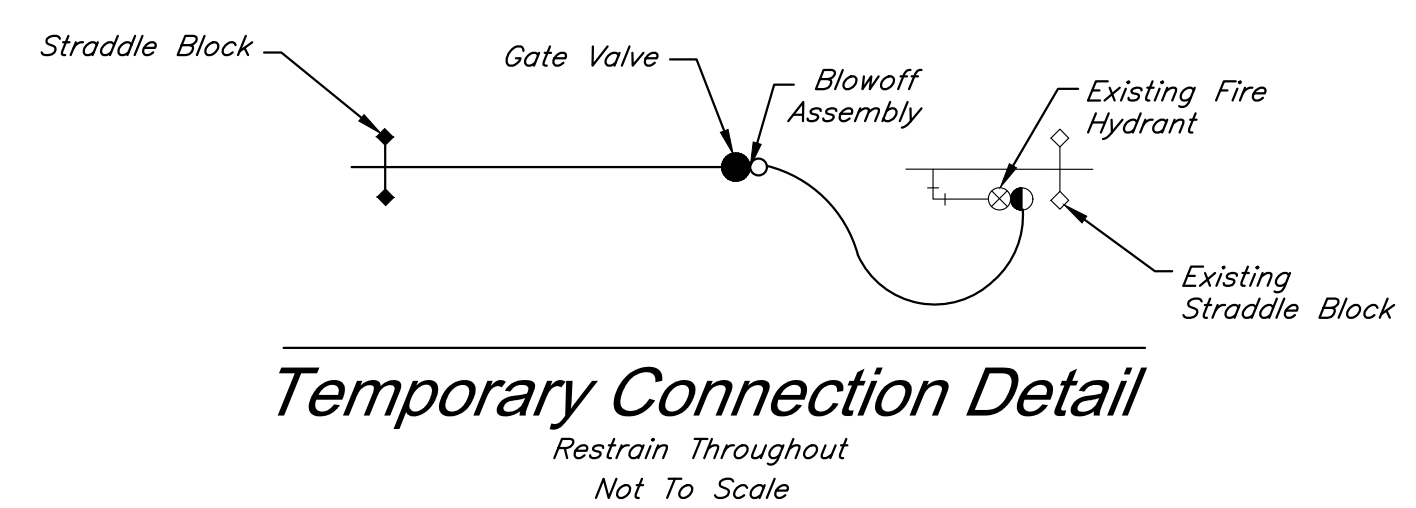
Clint Loumaster
Professional Engineer
License No. 2011009651

Water Main Extension Plans
Paragon Star Development
Kansas City, Missouri

| NO. | DATE | REVISIONS | BY | APPROVED |
|-----|----------|------------------------------|----|----------|
| 1 | 4/1/19 | Issue For Bid | | |
| 2 | 4/29/19 | City Submittal | | |
| 3 | 6/27/19 | City Comments | | |
| 4 | 8/1/19 | City Comments | | |
| 5 | 2/24/20 | City Comments | | |
| 6 | 3/30/20 | City Comments | | |
| 7 | 6/30/20 | City Comments | | |
| 8 | 7/28/20 | City Comments | | |
| 9 | 8/21/20 | City Comments | | |
| 10 | 9/02/20 | City Comments | | |
| 11 | 12/2/20 | Survey Comments | | |
| 12 | 2/18/21 | Connection to Complex Water | | |
| 13 | 7/02/21 | Connection to LS Water Main | | |
| 14 | 12/1/21 | Site Revisions | | |
| 15 | 10/12/22 | Existing connection revision | | |

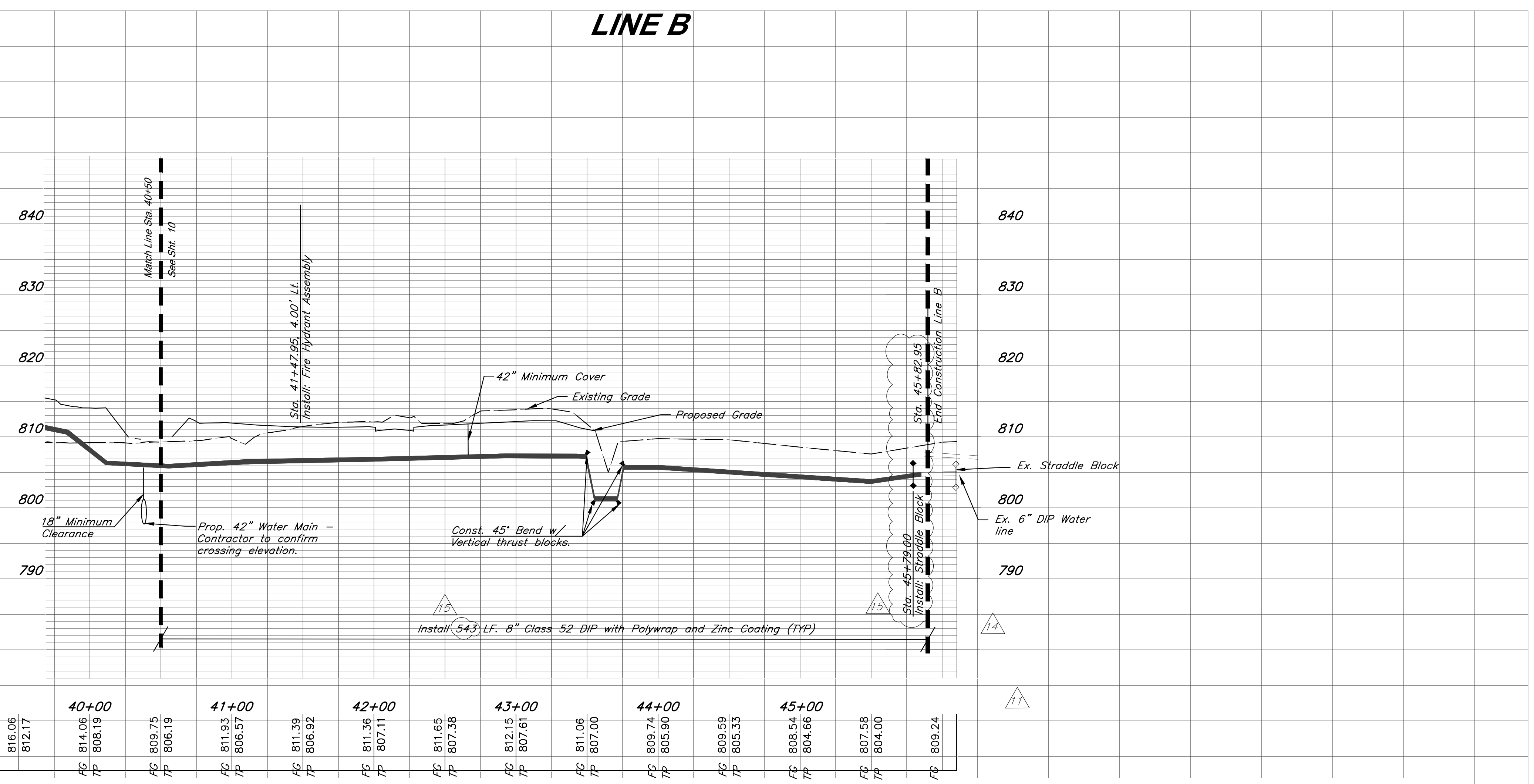
CAUTION!

Numerous Utilities on Site.
Contractor to verify location and elevation of all utilities prior to commencing construction.



- NOTES:**
- D.E. = Drainage Easement
 - U.E. = Utility Easement
 - PL = Property Line
 - R/W = Right-of-Way
 - FG = Finished Grade
 - TP = Top of Pipe
- BENCHMARK:**
- BM #11 - Chiseled "L" on top Northeast corner of concrete guardrail at the Northeast corner of 1470 bridge spanning View High Drive. EL=833.80

LINE B



PROFESSIONAL ENGINEER SEAL

KANSAS CITY, MISSOURI, WATER SERVICES DEPARTMENT

WATER MAIN EXTENSION

VIEW HIGH DRIVE, VIEW HIGH PARKWAY,
AND RIVER ROAD
FOR PARAGON STAR
KANSAS CITY,
JACKSON COUNTY, MISSOURI

Plan and Profile - Line B

| DRAWN BY: | CHKD BY: | MAP NO. | RANGE | TWP | SEC |
|-----------|----------|---------|-------|-----|-----|
| CEL/DRV | CEL | J-5637 | 32W | 48N | 34 |
| | | J-5637 | 32W | 48N | 33 |

CONTRACTOR: DATE COMPLETED:

| CONTRACT NO. | CON. DATE | DATE | WORK ORDER NO. | DWG NO. |
|--------------|-----------|------|----------------|---------|
| | | | M-20-04 | 20590 |

PROJECT NO. 80002212

Sheet 11 of 12

C:\12720\Civil_3D\Production Drawings\Water Main Plans\KCMO_Road_51_12720C1600.dwg Layout: 11 Water Main Plan & Profiles - Line B - Wednesday, October 12, 2022, 3:46pm



Paragon Star
Exhibit C



Imagery ©2022 Maxar Technologies, Map data ©2022 100 ft