

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 18713

Sponsor(s): Greg Grounds

Date: February 9, 2015

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>A resolution conveying permanent easement rights to Kansas City Power & Light Co. along Lee's Summit Road south of Gregory.</u></p>												
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="310 541 1190 856"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$0.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0.00</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$0.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0.00</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT NA</td> </tr> <tr> <td>NA</td> <td>TO ACCT NA</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$0.00	Amount previously authorized this fiscal year:	\$0.00	Total amount authorized after this legislative action:	\$0.00	Amount budgeted for this item * (including transfers):	\$0.00	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT NA	NA	TO ACCT NA
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): NONE</p> <p>Prior resolutions and (date): NONE</p>												
<p>CONTACT INFORMATION</p>	<p>RLA drafted by John McClernon, Public Works, Engineering, 881-4532:</p>												
<p>REQUEST SUMMARY</p>	<p>The City of Lee's Summit Missouri is preparing plans for improvements to Lee's Summit Road, from Colbern Road to Gregory. Jackson County holds property on both sides of Lee's Summit Road, south of Gregory (Truman Medical Center Complex). Realignment of Lee's Summit Road will require all utility companies to relocate their existing facilities within the new right-of-way. Construction of new sidewalks, multi-use trails, streetlights and enclosed drainage structures takes up space previously occupied by utilities. Kansas City Power and Light Co. has requested that Jackson County furnish them a 15'-wide by 2100± easement along the County's frontage, contiguous with the new right-of-way line; 1273' being on the east side of the road and 827' lying on the west. See attached drawings. This easement will allow extra room for utilities to fit within the roadway corridor.</p> <p>Therefore, Public Works recommends that the County Executive be authorized to execute the easement in favor of Kansas City Power & Light Co.</p>												

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	1) Easement Conveyance Documents 2) Map of easement layout	
REVIEW	Department Director: <i>Earl Newill</i> Earl Newill Finance (Budget Approval): <i>If applicable</i> Division Manager: <i>[Signature]</i> County Counselor's Office:	Date: 02/02/15 Date: Date: <i>2-3-15</i> Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____.
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
NA	NA	NA

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



January 26, 2015

Jackson County, Missouri
John McClernon

Subject: MoDOT Project STP 3301 (405) – Lee's Summit Road

Dear Mr. McClernon

Due to proposed Lee's Summit Road improvement, Kansas City Power and Light is seeking an easement on Jackson County property in the southwest $\frac{1}{4}$ of Section 18, Township 18 North and Range 31 West to install overhead facilities. The location is near the intersection of Lee's Summit Road and Gregory, along the east side of the Lee's Summit Right of Way, south of Gregory.

The proposed Right of Way will be occupied with sewer lines, water lines, sidewalk and City of Kansas City street lights, thus limiting sufficient room for KCPL to relocate facilities.

Attached are proposed KCPL design, easement descriptions and exhibits for your review.

Please complete the following before returning the easement to this office.

- 1.) Signature on lower right corner of easement.
- 2.) Type or print the name below each signature.
- 3.) Have notarized at the proper place on acknowledgment page.
- 4.) Affix the corporate seal. If applicable.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeff Williams".

Jeff Williams

KCP&L

1300 Hamblen Road

Lee's Summit, MO 64081

(o) 816 347 4310

S 18	/SW	QQ/Q
T 48	Jackson	County
R 31	Missouri	State

Res. 18713

EASEMENT CONVEYANCE

THIS EASEMENT, made and entered into this _____ day of _____, 2015, by and between **Jackson County** of Jackson County, Missouri "**GRANTOR**" and **Kansas City Power & Light Co. (KCP&L)** whose mailing address is PO Box 418679, Kansas City, MO. 64141-9679, and its and their affiliates, lessees, licensees, designees, successors and assigns, of **Jackson County, Missouri "GRANTEE"**.

After recording mail to: **KCP&L**
 Right of Way Dept. F&M-2
 PO Box 418679
 Kansas City, MO 64141-9679

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby GRANTS, BARGAINS, SELLS AND CONVEYS to Grantee, its lessees, successors and assigns, the right, privilege and perpetual easement to enter upon the lands of Grantor as described below, to survey, construct, operate, patrol, inspect, maintain, alter, add wires, poles, cables, conduits, and pipes, repair, rebuild and remove, on, under and over the easement described below and in and upon all streets, roadways or highways abutting said lands, now or at any future time, lines for the transmission and distribution of electric energy, and for communication purposes, and all appurtenances and appliances necessary in connection therewith, together with the right of ingress and egress to and from said lines of GRANTEE over the lands of Grantor so that Grantee may go to and from said lines from the public roads adjacent to Grantors lands, which said lands of Grantor, situated in the County of Jackson, in the State of Missouri.

An easement over Grantor's land described as follows:

Various 15 feet wide tracts of land across a portion of the SW Quarter of Section 18, Township 48 North, Range 31 West, lying in both Kansas City and Jackson County, Missouri, more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter of said Section 18; thence S 88° 13' 11" E along the North line of the Southwest Quarter of said Section 18, a distance of 235.70 feet; thence S 50° 49' 12" W, a distance of 131.10 feet to a point on the Easterly right-of-way line of Lee's Summit Road, as established on MoDOT Project STP 3301 (455), said point being 56.50 feet right or Easterly distant and opposite of centerline station 135+44.43 on Lee's Summit Road and the Point of Beginning of the tract of land to be herein described; thence along said Easterly right-of-way line the following courses and distances: thence S 8° 24' 06" W, a distance of 435.94 feet to a point of curvature; thence along a curve to the left, having a radius of 1593.50 feet, a central angle of 29° 31' 24", an arc distance of 821.09 feet to a point on the South line of the Northwest Quarter of the Southwest Quarter of said Section 18; thence S 88° 15' 35" E, along the South line of the Northwest Quarter of the Southwest Quarter of said Section 18 and no longer along said Easterly right of way line, a distance of 16.29 feet; thence Northerly and Northwesterly, 15 feet distant Easterly from and concentric with said Easterly right of way line, along a curve to the right, having an initial tangent bearing of N 21° 21' 05" W, a radius of 1578.5 feet, a central angle of 29° 45' 11", an arc distance of 819.70 feet to a point of tangency; thence continuing 15 feet distant Easterly from and parallel with said Easterly right of way line, N 8° 24' 06" E, a distance of 452.35 feet to a point on the existing Southerly right of way line of Little Blue Road, as it now exists; thence S 50° 49' 12" W, along said Southerly right of way line, a distance of 22.24 feet to the Point of Beginning, depicted in EXHIBIT A and incorporated herein.

And also,

Commencing at the Northwest corner of the Southwest Quarter of said Section 18; thence S 1° 56' 17" W, along the West line of the Southwest Quarter of said Section 18, a distance of 1107.14 feet; thence perpendicular to said West line, S 88° 03' 43" E, a distance of 19.63 feet to a point on the West right of way line of Lee's Summit Road, as established on MoDOT Project STP 3301 (455), said point being 51.50 feet left or Westerly distant and opposite of centerline station 125+21.80 on Lee's Summit Road and the Point of Beginning of the tract of land to be herein described; thence the following courses and distances along said Westerly right of way line; thence Southerly and Southeasterly, along a curve to the left, having an initial tangent bearing of S 11° 58' 17" E, a radius of 1701.50 feet, a central angle of 20° 33' 11", an arc distance of 610.36 feet to a point of tangency; thence S 32° 31' 28" E, a distance of 100.00 feet to a point of curvature; thence Southerly and Southeasterly, along a curve to the right, having a radius of 1148.50 feet, a central angle of 8° 21' 35", an arc distance of 167.57 feet to a point on the Northerly existing right of way line of Strother Road, as it now exists, said point being 51.50 feet left or Westerly distant and opposite of centerline station 116+53.15 on Lee's Summit Road, as established on MoDOT Project STP 3301 (455); thence along said Northerly right of way line of Strother Road, along a curve to the left, having an initial tangent bearing of S 60° 45' 51" W, a radius of 450 feet, a central angle of 1° 55' 15", an arc distance of 15.09 feet; thence Northerly and Northwesterly, along a curve to the left, being 15 feet distant Westerly from and concentric with the Westerly right of way line of Lee's Summit Road, having an initial tangent bearing of N 24° 05' 05" W, a

radius of 1133.50 feet, a central angle of $8^{\circ} 26' 23''$, an arc distance of 166.97 feet to a point of tangency; thence 15 feet distant and parallel with said Westerly right of way line, $N 32^{\circ} 31' 28'' W$, a distance of 100.00 feet to a point of curvature; thence 15 feet distant Westerly from and concentric with said Westerly right of way line, having a radius of 1716.50 feet, a central angle of $18^{\circ} 56' 02''$, an arc distance of 567.23 feet to a point on the existing Easterly right of way line of Lee's Summit Road according to the Jackson County Highway Engineering Department Project 23 (1929) and that portion of Lee's Summit Road to be relocated according to MoDOT Project STP 3301 (455); thence along said Easterly right of way line, $N 4^{\circ} 28' 17'' East$, a distance of 50.57 feet to the Point of Beginning, depicted in EXHIBIT B and incorporated herein.

And also,

Commencing at the Southwest corner of the Southwest Quarter of said Section 18; thence $N 1^{\circ} 56' 17'' E$, along the West line of said Southwest Quarter, a distance of 669.37 feet; thence perpendicular to said West line, $S 88^{\circ} 03' 43'' E$, a distance of 448.25 feet to a point on the Westerly right of way line of Lee's Summit Road, as established on MoDOT Project STP 3301 (455), said point being 51.50 feet left or Westerly distant and opposite of centerline station 115+53.68 on Lee's Summit Road and the Point of Beginning of the tract of land to be herein described; thence along said Westerly right of way line and along a curve to the right, having an initial tangent bearing of $S 19^{\circ} 20' 08'' E$, a radius of 1148.50 feet, a central angle of $4^{\circ} 22' 53''$, an arc distance of 87.83 feet; thence along a curve to the left, having an initial tangent bearing of $N 35^{\circ} 55' 02'' W$, a radius of 487.43 feet, a central angle of $3^{\circ} 44' 17''$, an arc distance of 31.80 feet; thence $S 50^{\circ} 20' 41'' W$, a distance of 3.31 feet; thence along a curve to the left, having an initial tangent bearing of $N 16^{\circ} 21' 56'' W$, a radius of 1133.50, a central angle of $2^{\circ} 55' 49''$, an arc distance of 57.97 feet to a point on the Southerly right of way line of Strother Road; thence $N 67^{\circ} 40' 06'' E$, along said Southerly right of way line, a distance of 15.02 feet to the Point of Beginning, depicted in EXHIBIT C and incorporated herein.

Grantee may erect and use gates in all fences which cross or which shall hereinafter cross the route of said lines. Grantee is given the right to trim, cut and clear away any trees, limbs and brush on or adjacent to the above-described easement whenever, in its judgment, such will interfere with or endanger the construction, operation or maintenance of said lines. In exercising its rights of ingress or egress Grantee shall, whenever practicable, use existing roads or lands and shall repair any damage caused by its use thereof. All logs, limbs, or brush cut or trimmed by KCP&L shall be removed by KCP&L unless Grantee otherwise requests.

It being the intention of the parties hereto that Grantor is hereby granting the uses herein specified without divesting Grantor and heirs or assigns of the right to cultivate, use and enjoy the above-described premises: PROVIDED, however, such use shall not, in the judgment of said Grantee, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no building shall be constructed on the easement without Grantee's written permission.

Title to said lines shall be and remain in said Grantee

TO HAVE AND TO HOLD said easement and rights aforesaid with all and singular, the rights, privileges, appurtenances, and immunities thereto belonging or in anyway appertaining unto Grantee its lessees, licensee, successors or assigns forever. This easement conveyance shall run with the land and shall be binding upon Grantor and Grantor's heirs, administrators, executors, successors and assigns. Grantor hereby covenants that Grantor is the owner(s) of the above-described land, subject to existing liens and right-of-way easements of record.

JACKSON COUNTY, MISSOURI

By: _____

Print Name: _____

Title: _____

ATTEST:

COUNTY CLERK (Seal)

ACKNOWLEDGMENT

STATE OF MISSOURI)
) Ss.
COUNTY OF JACKSON)

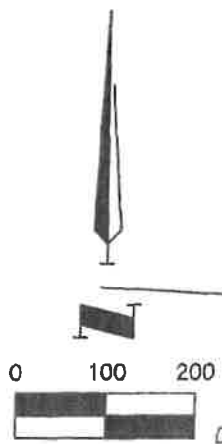
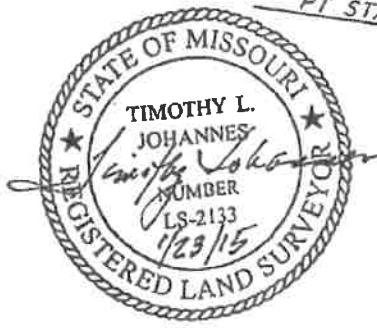
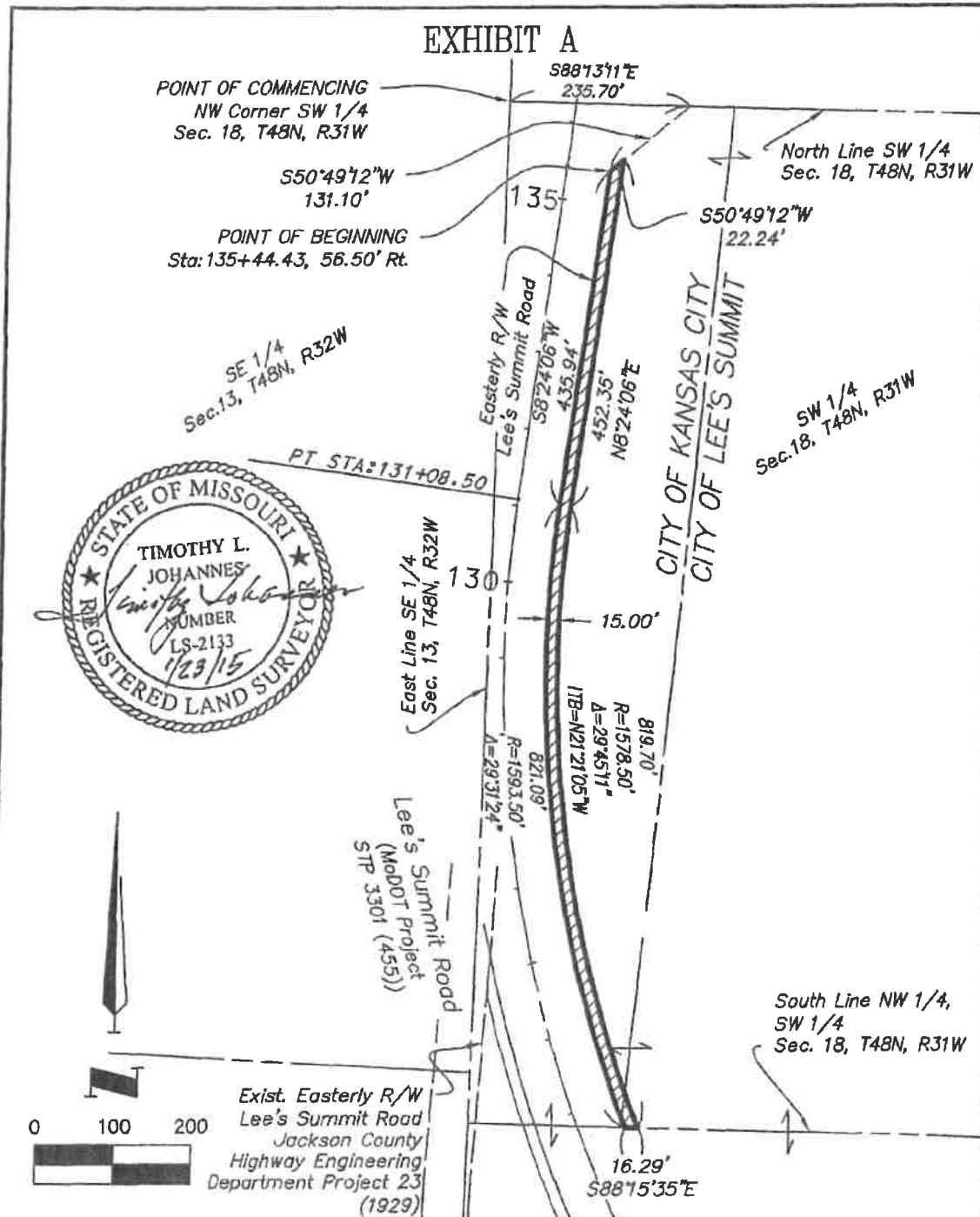
On this _____ day of _____, 2015, before me, the undersigned, a Notary Public within and for the County and State aforesaid, came _____ of the **Jackson County, Missouri, and _____, County Clerk of said County,** who are personally known to me (or proved to me on the basis of satisfactory evidence) as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of same to be the act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

My Appointment Expires _____

Notary Public

EXHIBIT A



Exist. Easterly R/W
Lee's Summit Road
Jackson County
Highway Engineering
Department Project 23
(1929)

SHAFER, KLINE & WARREN, INC.
 11250 CORPORATE AVENUE, LENEXA, KANSAS 66219
 PHONE: 913-888-7800 FAX: 913-888-7868
<http://www.skw-inc.com>

PROJECT NO. 304619-090	DATE 01/13/2015	BY JOB
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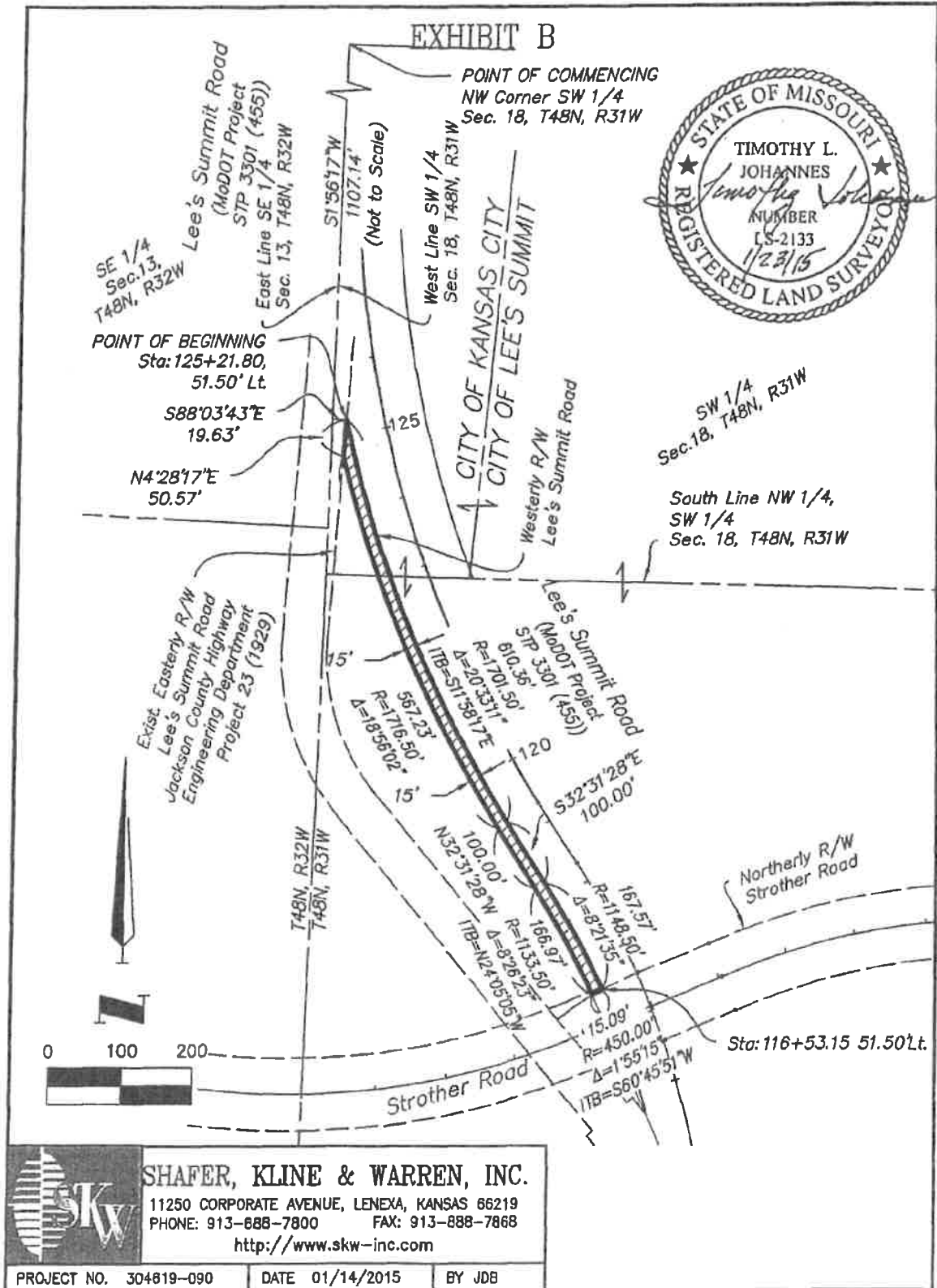


EXHIBIT C

