

**WATER LINE EASEMENT**

THIS EASEMENT is made this 26<sup>th</sup> day of JANUARY, 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 and non-exclusive easement for the construction, operation, maintenance, repair, replacement and removal of water 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 water 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 water lines.

**GRANTEE**, its successors and assigns, shall not interfere in any way with **GRANTOR'S** ongoing use and enjoyment of Easement Area as a public walking and bicycling facility and transportation corridor. **GRANTEE** shall notify **GRANTOR** before work is done on within Easement Area, either below, over, or upon ground level, which may impact **GRANTOR'S** use. For any work what **GRANTEE** may perform in Easement Area, **GRANTEE** shall at all times keep area open and safe for public use. If **GRANTEE** engages in activities on surface of Easement Area, **GRANTEE** shall implement all appropriate safety protocols, such as warning signage and access protection, to alert the public of **GRANTEE'S** activities. Should **GRANTEE'S** activities in Easement Area cause any disturbance of surface of Easement Area, **GRANTEE** shall restore all said surfaces to prior condition, including trail surfaces and landscaping.

**FILED**

JAN 26 2023

MARY JO SPINO  
COUNTY CLERK

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

**GRANTOR** agrees not to obstruct or interfere with Grantee's use and enjoyment of the easement granted hereunder by any means, including, without limitation, obstructing or interfering with the operation, maintenance or access to such pipelines and appurtenances thereto, by erecting, or causing or allowing to be erected, any habitable building on said easement.

**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.

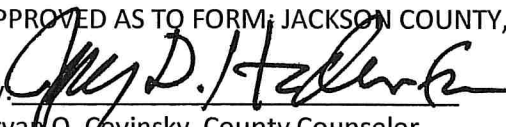
**GRANTOR**, to the fullest extent allowed by law, including, without limitation, section 527.188, RSMo 2016, hereby waives any right to request vacation of the easement herein granted. THIS GRANT and easement shall at all times be deemed to be and shall be, a continuing covenant running with the land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

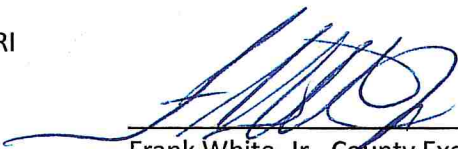
TO HAVE AND TO HOLD THE SAME, together with all appurtenances and immunities thereunto belonging or in any way appertaining, unto the City of Kansas City, Missouri, a Municipal Corporation, and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor, a political subdivision of the State of Missouri, has caused this instrument to be signed by its County Executive, and attested by its County Clerk, has caused these presents to be signed, this 26<sup>th</sup> day of January, 2023.


**JACKSON COUNTY**

APPROVED AS TO FORM: JACKSON COUNTY, MISSOURI

By:   
Bryan O. Govinsky, County Counselor

  
Frank White, Jr., County Executive

ATTEST:

By:   
Mary Jo Spino, Clerk of the County Legislature





December 2, 2022

Via electronic communication to [mnewman@jacksongov.org](mailto: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 98<sup>th</sup> 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](mailto:BPNowotny@jacksongov.org)  
Todd Hauser, via email at [todd@bushyheadlaw.com](mailto:todd@bushyheadlaw.com)  
Jay Healy, GBA, via email at [jhealy@gbateam.com](mailto: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:

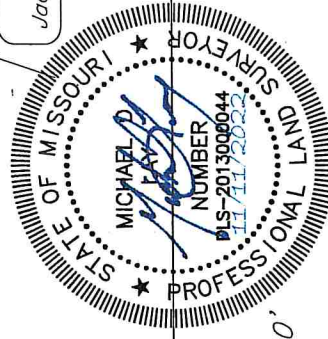
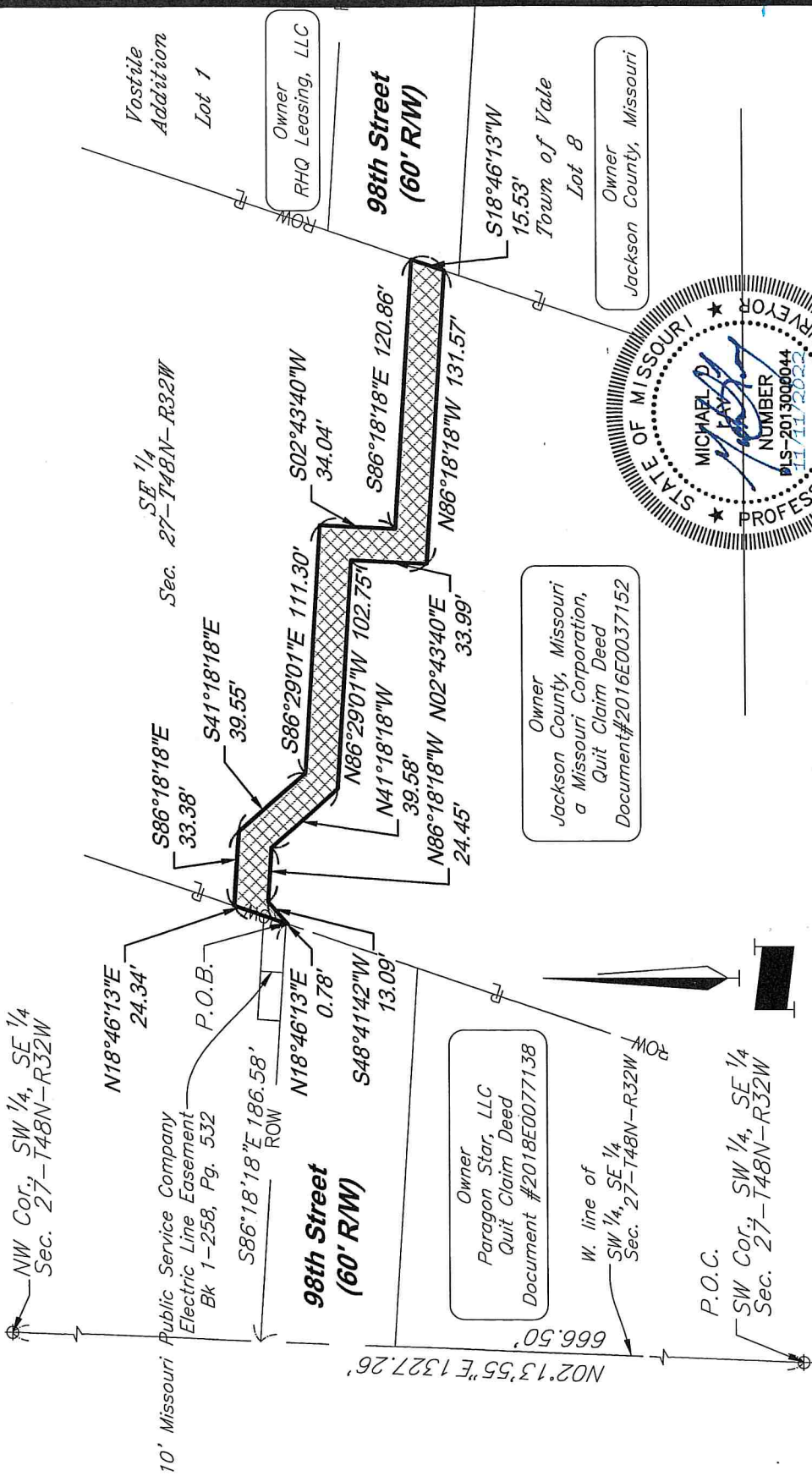
COMMENCING at Southwest corner of said Southwest Quarter; thence North 02°13'55" East, along the West line of said Southwest Quarter, a distance of 666.50 feet, to a point on the North Right-of-Way line of 98th Street, as now established; thence South 86°18'18" East, departing said West line and along 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.

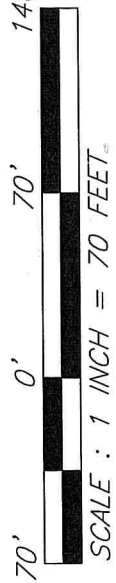


Michael D. Lay  
Missouri Professional Land Surveyor No. 2013000044

	9801 Renner Boulevard Lenexa, Kansas 66219 913.492.0400 www.gbateam.com mlay@gbateam.com	PROJECT NUMBER 12720.00	TITLE Exhibit "A" Perm. Water Esmt. Kansas City, Jackson Co., MO	SHEET NUMBER 1 of 2
	© George Butler Associates, Inc. 2022 Professional Land Surveyor 000059	DATE 11/11/2022		



Michael D. Lay  
 Missouri Professional Land Surveyor No. 2013000044



SHEET NUMBER  
**2 of 2**

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

PROJECT NUMBER 12720.05
DATE 11/11/2022

**GBA**  
**architects**  
**engineers**  
 9801 Renner Boulevard  
 Lenexa, Kansas 66219  
 913.492.0400  
 www.gbateam.com  
 ml@gbateam.com  
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P.O.C. - Point of Commencement  
 P.O.B. - Point of Beginning  
 Denotes Permanent Water Easement 5,117.27 Square Feet

Owner  
 Paragon Star, LLC  
 Quit Claim Deed  
 Document #2018E0077138

Owner  
 Jackson County, Missouri  
 a Missouri Corporation,  
 Quit Claim Deed  
 Document #2016E0037152

**GBA Architects Engineers**  
 8000 Beech Bend Road  
 Independence, MO 64055  
 www.gbaarch.com

**Water Main Extension Plans**  
**Paragon Star Development**  
 Kansas City, Missouri

Client: Lumbar Professional Engineer License No. 201100081

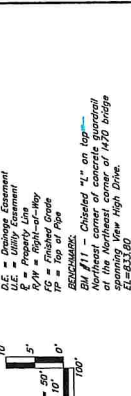
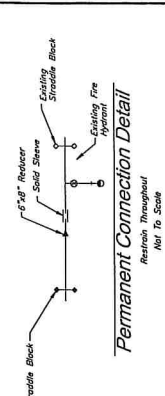
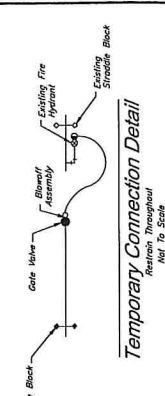
DATE: 8/1/2019  
 DRAWN BY: CEJ  
 PROJECT NO.: 12202  
 SHEET: 11 OF 12

DATE: 8/1/2019  
 DRAWN BY: CEJ  
 PROJECT NO.: 12202  
 SHEET: 11 OF 12

NO.	DATE	ISSUE FOR	BY
1	4/17/19	Issue For Bid	BT
2	6/27/19	City Comments	BT
3	8/23/19	City Comments	BT
4	9/11/19	City Comments	BT
5	9/24/19	City Comments	BT
6	10/20/19	City Comments	BT
7	11/22/19	City Comments	BT
8	12/23/19	City Comments	BT
9	1/21/20	City Comments	BT
10	9/29/20	City Comments	BT
11	11/27/20	Survey Comments	BT
12	12/22/20	Survey Comments	BT
13	1/20/21	Connection to LS Water Main	BT
14	7/27/21	Site Revisions	BT
15	10/13/22	Existing connection revision	BT

**CAUTION!**  
 Numerous Utilities on Site. Location and elevation of all utilities prior to commencing construction.

- NOTE:**
- Water Main shall maintain 3 feet of clearance from all high voltage lines.
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- NOTE:**  
 Fire Hydrants shall be spaced every 200' along the main. Fire Hydrants shall be spaced at 200' minimum intervals along the main. Fire Hydrants shall be spaced at 200' minimum intervals along the main. Fire Hydrants shall be spaced at 200' minimum intervals along the main.



KANSAS CITY, MISSOURI, WATER SERVICES DEPARTMENT  
**WATER MAIN EXTENSION**  
 VIEW HIGH DRIVE, VIEW HIGH PARKWAY,  
 AND RIVER ROAD  
 FOR PARAGON STAR  
 JACKSON COUNTY, MISSOURI

PROFESSIONAL ENGINEER SEAL

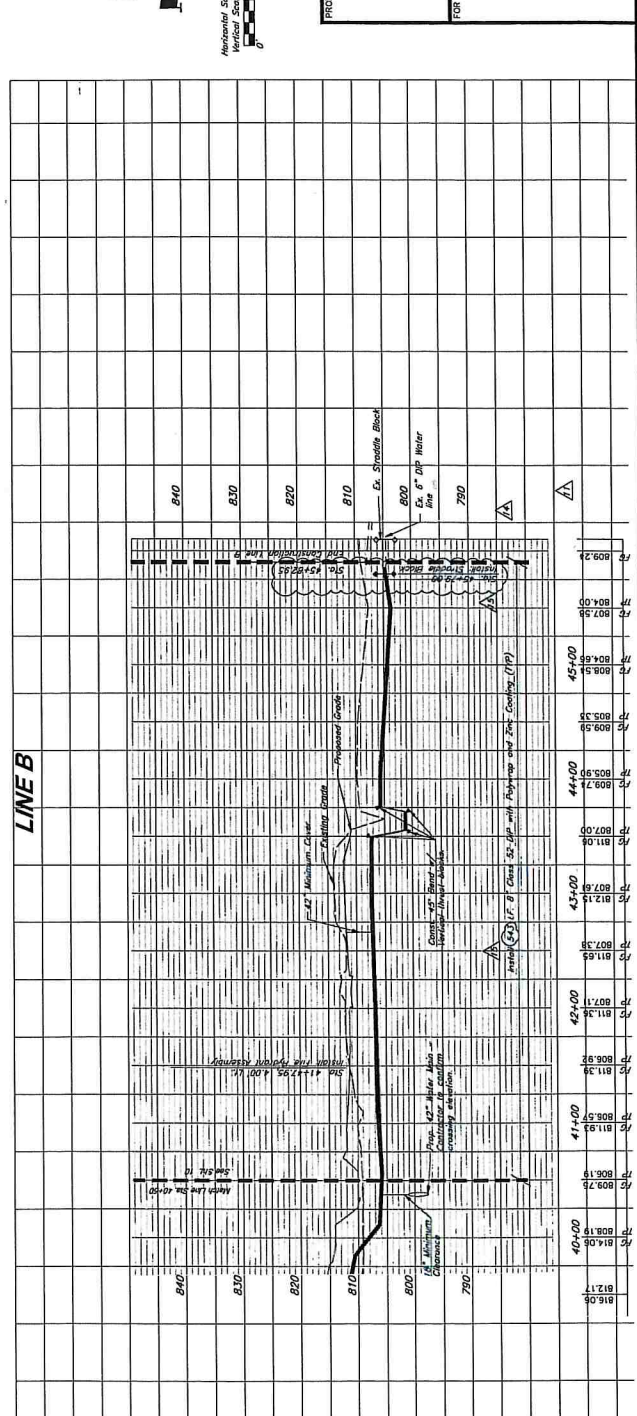
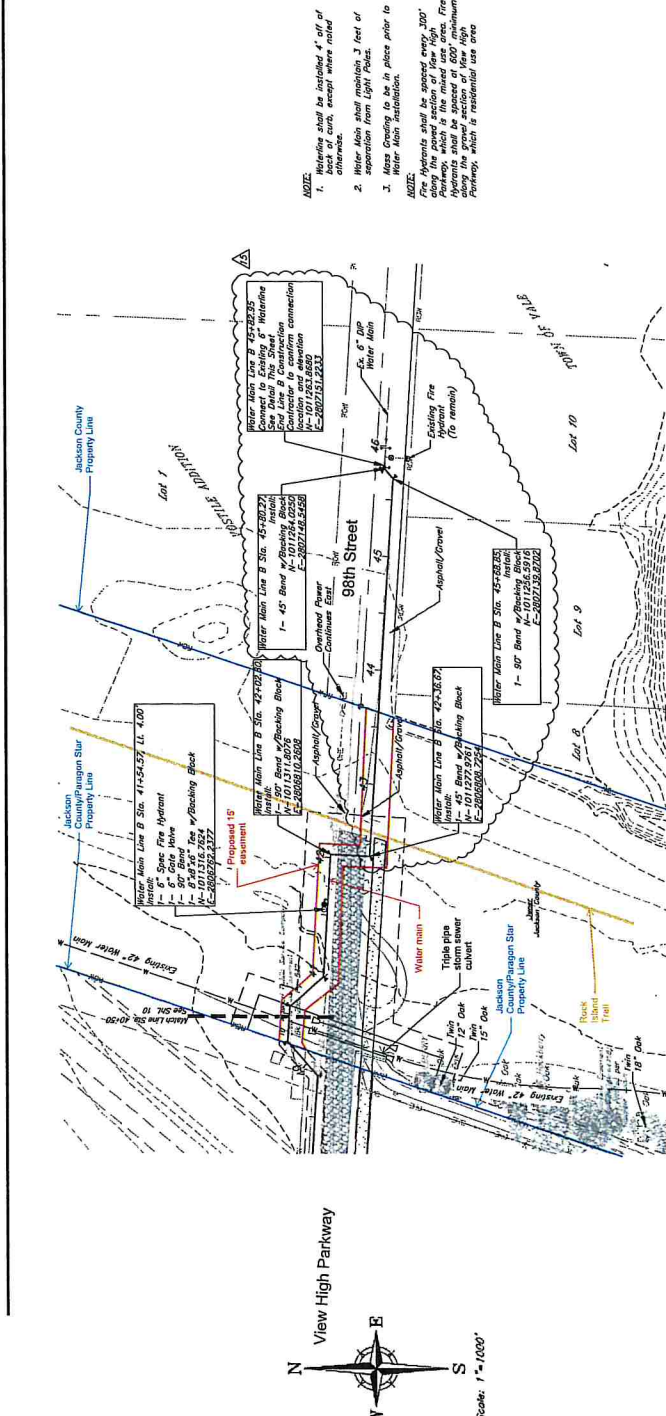
FOR WEB USE

MAP NO. 1001  
 J-5639  
 DRAWN BY: CEJ  
 DATE: 8/1/2019

CONTRACT NO. 201100081

DATE COMPLETED

Sheet 11 of 12



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Google Maps  
Paragon Star  
Exhibit C



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