

## Request for Legislative Action

Res. #21530

Sponsor: Charlie Franklin

Date: February 19, 2024

### Completed by County Counselor's Office

Action Requested:	Resolution	Res.Ord No.:	21530
Sponsor(s):	Charlie Franklin	Legislature Meeting Date:	2/19/2024

### 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 across a portion of the Rock Island Corridor, for a fee payable to the County.

### Request Summary

We are requesting that the County Executive be authorized to execute an easement with the City of Kansas City, Missouri, for a permanent Water Line easement. The permanent easement is 6,245 square feet. Kansas City has agreed to pay the \$2,000 administrative fee and the .20/square foot easment fee of \$1,249, bringing the total cost to \$3,249. The project will not interrupt trail operations or cause any further disruption of Park Operations.

### Contact Information

<b>Department:</b>	Parks + Rec	<b>Submitted Date:</b>	1/29/2024
<b>Name:</b>	Matt Davis	<b>Email:</b>	mdavis@jacksongov.org
<b>Title:</b>	Rock Island Program Manager	<b>Phone:</b>	816-403-4849

### Budget Information

Amount authorized by this 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 of Formula

## Request for Legislative Action

<b>Prior Legislation</b>	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
<b>Prior Resolution</b>	
Resolution:	Resolution date:

<b>Purchasing</b>	
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?	

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
Not Applicable	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>
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## Request for Legislative Action

### History

Submitted by Parks + Rec requestor: Matt Davis on 1/29/2024. Comments:

Approved by Department Approver Susan I. Kinnaman on 1/29/2024 1:38:46 PM. Comments:

Not applicable by Purchasing Office Approver Lisa Honn on 1/31/2024 8:29:39 AM. Comments: Approving for C Reich due to a technical issue. lh

Approved by Compliance Office Approver Ikeela Alford on 1/31/2024 8:34:25 AM. Comments:

Approved by Budget Office Approver David B. Moyer on 1/31/2024 8:42:24 AM. Comments:

Approved by Executive Office Approver Lisa Honn on 1/31/2024 9:56:38 AM. Comments: Approving for SS due to technical issue. lh

Approved by Counselor's Office Approver Jamesia Manning on 2/15/2024 12:09:14 PM. Comments:

**KC Water**

*Permitting and Development Division  
Acquisition and Survey Group*

4800 E. 63<sup>rd</sup> St.  
Kansas City, Missouri 64130

816-513-0297

Date: January 25, 2024

To: Michele Newman  
Director of Jackson County Parks + Rec

From: Richard Snedegar  
Acquisition and Survey Group Manager

Subject: Permanent Water Easement Request

KC Water is requesting a permanent water easement on property owned by Jackson County in support of the replacement of an existing water main. The work is part of the Water Main Replacement in the area of E. 27<sup>th</sup> Street to E. 63<sup>rd</sup> Street, Prospect Avenue to U.S. 40 HWY Project Number 80002275. The project will replace an existing 12-inch water main with a new 12-inch water main in Blue Ridge Cutoff.

The easement request consists of 6,245 square feet of permanent water easement and is described in Exhibit A of the attached permanent easement document. There is a drawing of the easement included within the permanent easement document as well. The cost of the easement per guidelines we have received from Matt Davis, Rock Island Program Manager, would include a \$2,000.00 handling fee and a \$1,249.00 easement fee for a total of \$3,249.00. There will be no tree removal needed, as the easement is within the limits of Blue Ridge Cutoff. There is no viable alternative to this easement location.



## WATER LINE EASEMENT

THIS EASEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, 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.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2024.

***JACKSON COUNTY***

APPROVED AS TO FORM: JACKSON COUNTY, MISSOURI

By: \_\_\_\_\_  
Bryan O. Covinsky, County Counselor

\_\_\_\_\_  
Frank White, Jr., County Executive

ATTEST:

By: \_\_\_\_\_  
Mary Jo Spino, Clerk of the County Legislature

## COUNTY ACKNOWLEDGMENT

STATE OF MISSOURI                    )  
  )       ss.  
COUNTY OF JACKSON                )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, a Notary Public, personally appeared Frank White Jr., to me personally known, who, being by me duly sworn, did say that he is the County Executive of Jackson County, Missouri, and that he executed the above and foregoing instrument on behalf of said Jackson County, Missouri, and acknowledged the execution of same as the free and voluntary act and deed of Jackson County, Missouri.

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

\_\_\_\_\_  
Notary Public

My Commission Expires:

**EXHIBIT "A"**

**PERMANENT WATERLINE EASEMENT**

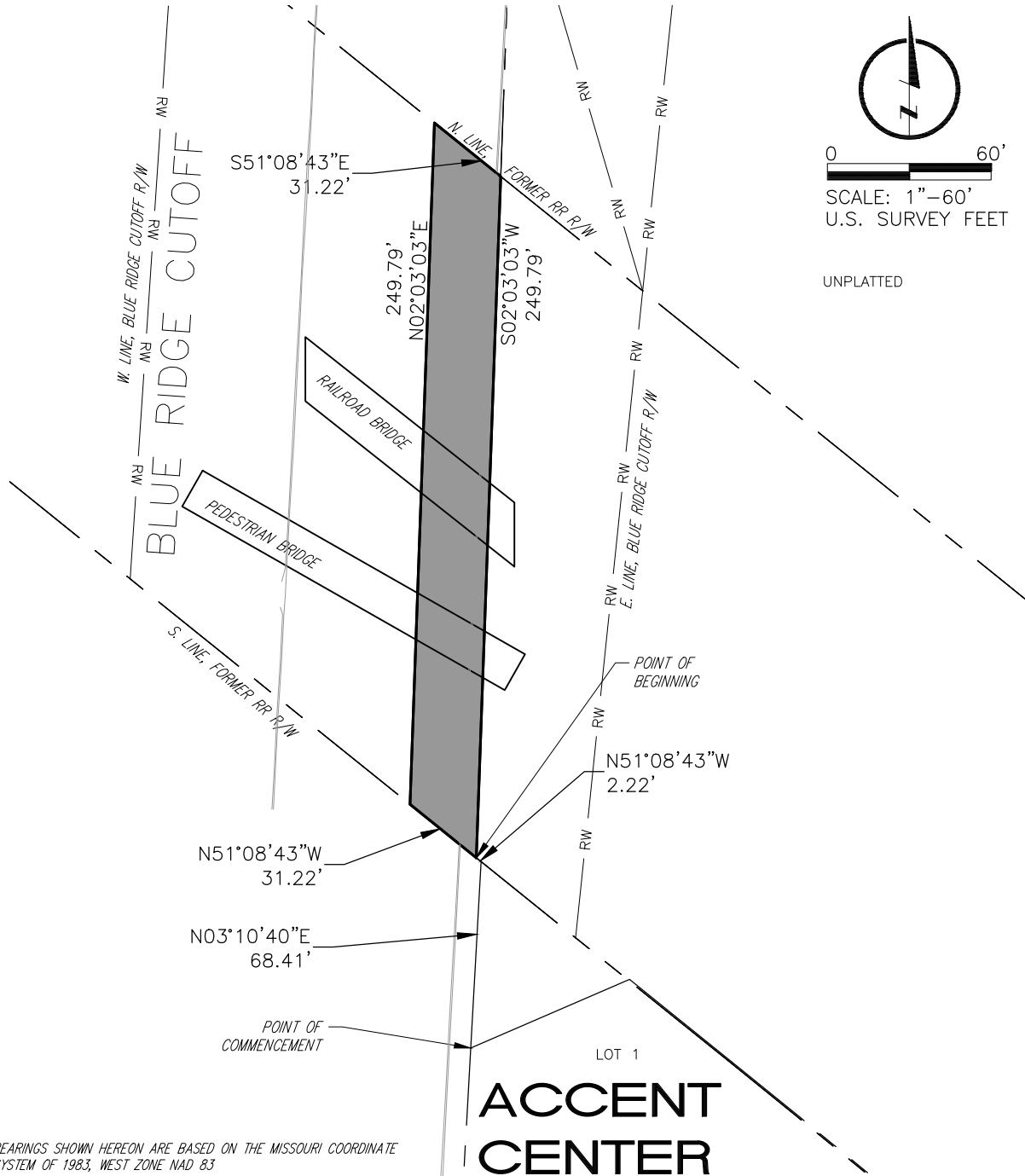
All that part of the Northwest Quarter of Section 29, Township 49 North, Range 32 West of the Fifth Principal Meridian, situate in the City of Kansas City, Jackson County, Missouri, being described as follows:

Commencing at the North end of the Westernmost line of Lot 1, ACCENT CENTER, a subdivision of record filed with the Jackson County, Missouri Recorder of Deeds in Book 39 at Page 72 on December 23, 1981; thence North 3°10'40" East (basis of bearing: Grid North, Missouri Coordinate System of 1983, West Zone, NAD83), along the Northerly prolongation of the Westernmost line of said Lot 1, a distance of 68.41 feet to the intersection with the South line of the former Chicago Rock Island and Pacific Railroad Company railroad right-of-way, as referenced in an Easement for Relocated Blue Ridge Cutoff, filed with said Recorder of Deeds as Instrument No. 1971I0082653 on April 13, 1971; thence North 51°08'43" West, along the South line of said railroad right-of-way, a distance of 2.22 feet to the Point of Beginning; thence North 51°08'43" West, continuing along the South line of said railroad right-of-way, a distance of 31.22 feet; thence North 2°03'03" East, departing the South line of said railroad right-of-way, a distance of 249.79 feet to the intersection with the North line thereof; thence South 51°08'43" East, along the North line of said railroad right-of-way, a distance of 31.22 feet; thence South 2°03'03" West, departing the North line of said railroad right-of-way, a distance of 249.79 feet to the Point of Beginning. Containing 6,245 square feet, more or less.

Prepared by:  
Kellan M. Gregory, MO PLS #2011001372  
Lamp Rynearson, MO CLS #2019043127  
9001 State Line Road, Suite 200  
KCMO 64114







NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE NAD 83
- THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY.

AREAS: JACKSON COUNTY, MISSOURI	
PERM. WATERLINE EASEMENT	6245.0 SF

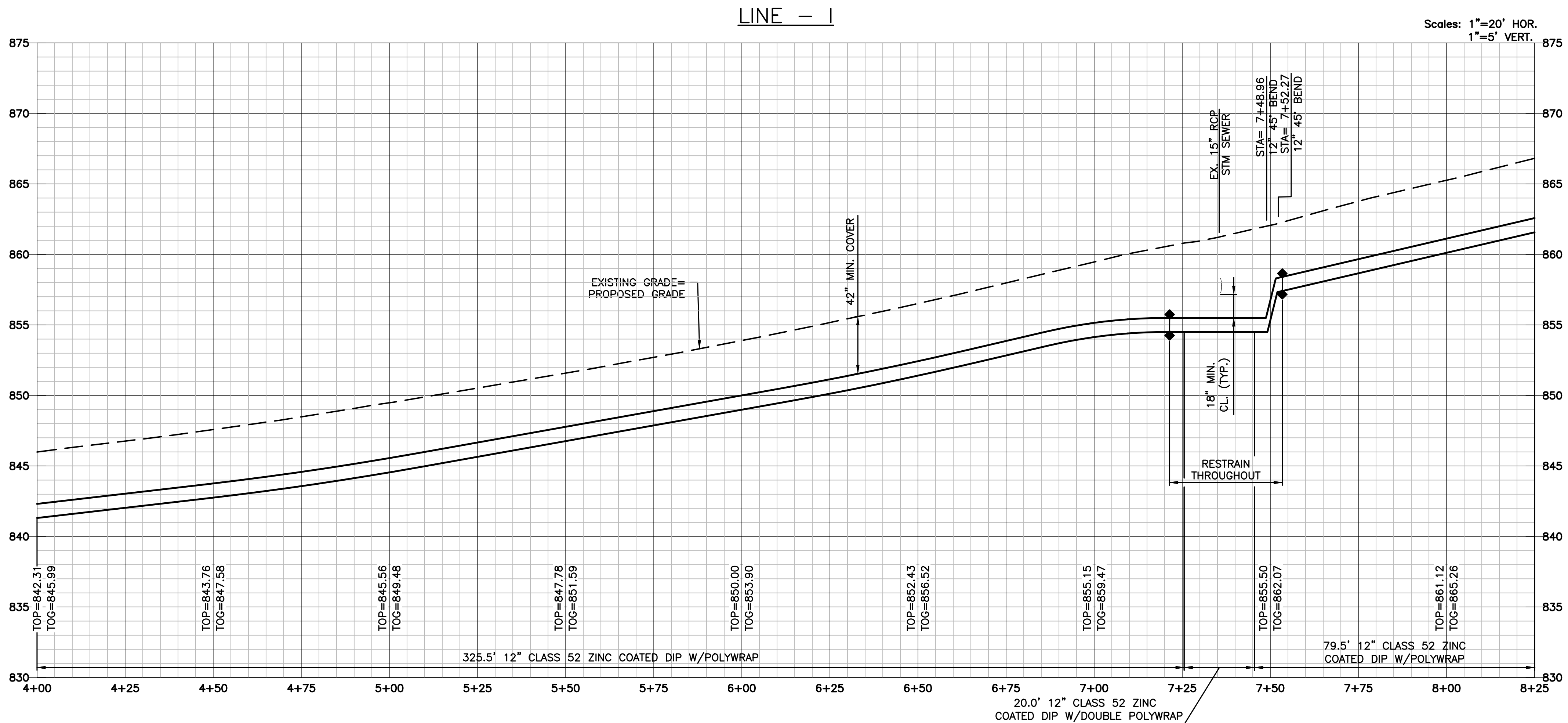
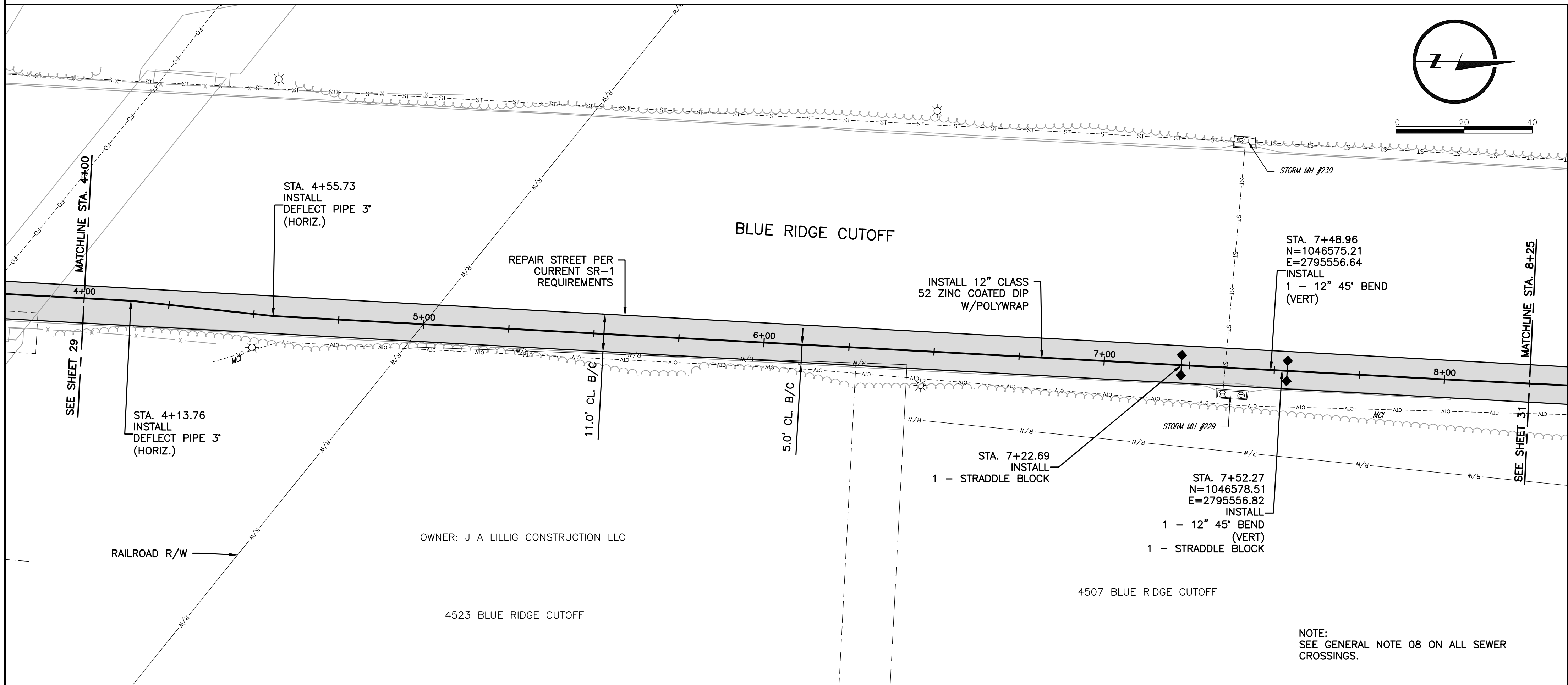
LEGEND	
	EASEMENT HATCH
	EASEMENT LINE
	LOT LINE
	SECTION LINE
	EASEMENT

JACKSON COUNTY, MISSOURI

**LAMP  
RYNEARSON**

CITY OF KANSAS CITY, JACKSON COUNTY, MISSOURI  
BLUE RIDGE CUT-OFF WATERLINE IMPROVEMENTS  
KCMO PROJECT NO. 80002275  
JACKSON COUNTY, MISSOURI  
PARCEL ID: 00-000-00-00-00-0-00-000  
DATE: 1/09/2024

L:\Engineering\0321114\_KCWO\_FY21\_WMF\DRAWINGS\BASE MODELS\0321114 - BASE - I.dwg September 26, 2023 - 10:09am JamieM



**LAMP RYNEARSON**

9001 State Line Rd., Ste. 200  
Kansas City, MO 64114  
816.361.0440  
LampRynearson.com

Contact Person: **CHAD A. HARRINGTON**  
LAMP RYNEARSON - ENGINEERS  
MO CERTIFICATE OF AUTHORITY NO. F01294734

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**PROFESSIONAL ENGINEER SEAL**

CHAD A. HARRINGTON  
NUMBER  
PE-2012003558  
9-26-2023

**KANSAS CITY, MISSOURI WATER SERVICES DEPARTMENT**

WATER MAIN REPLACEMENT  
IN THE AREA OF  
E. 27TH STREET TO E. 63RD STREET,  
PROSPECT AVENUE TO U.S. 40 HWY  
KANSAS CITY, JACKSON COUNTY, MISSOURI

LINE I PLAN/PROFILE  
8" WATER MAIN BLUE RIDGE CUTOFF  
ROYAL WAY SOUTH 850'

DRAWN BY:	CHECKED BY:	DATE SUBMITTED	RANGE	TOWNSHIP	SECTION
AJM	APO	09-26-2023	32W	48N	29

CONTRACTOR		DATE COMPLETED	
-		-	

CONTRACT NO.	CONTRACT DATE	MAP NO.	WM EXTENSION #	DRAWING NO.
DPS - 9599 CCN - 9600	-	C-147	-	D-20871

PROJECT NO. 80002275

SHEET 30 OF 65