

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a Permanent Easement and Temporary Construction Easement in favor of the Water Services Department of Kansas City, MO, granting a 31,716 square foot permanent easement and a 2.257 acre temporary construction easement across a portion of the Little Blue Trace Park to install a sewer interceptor line to upgrade existing service and provide service to property owners not currently served by public sewers.

RESOLUTION #16720, September 29, 2008

INTRODUCED BY Fred Arbanas, County Legislator

WHEREAS, the Kansas City Water Services Department has requested a 31,716 square foot permanent easement and a 2.257 acre temporary construction easement across a portion of the Little Blue Trace Park to install a sewer interceptor line to upgrade existing service and provide service to property owners not currently served by public sewers; and,

WHEREAS, the City will pay the County a fee of \$8,343.20 for the easement; and,

WHEREAS, the Director of Parks and Recreation has recommended that the County execute the attached easement as in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the attached Easement Conveyance and Temporary Construction Easement are hereby approved and that the County Executive is hereby authorized to execute the Easements on behalf of the County.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

[Signature] Chief Deputy County Counselor *[Signature]* County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #16720 of September 29, 2008, was duly passed on October 6, 2008 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

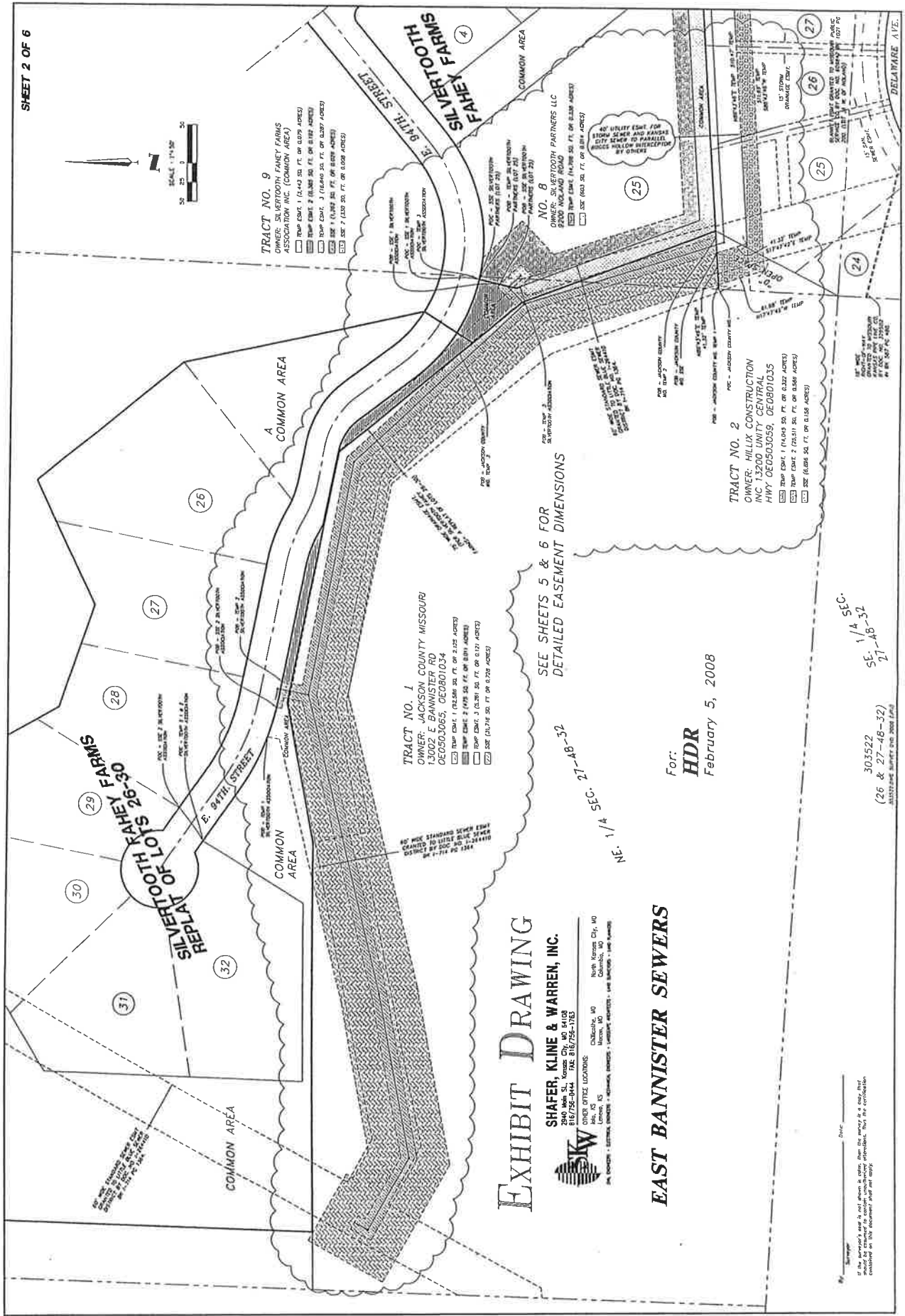
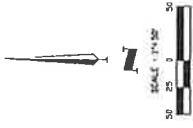
Nays 0

Abstaining 0

Absent 1

10.7.08
Date

[Signature]
Mary Jo Spino, Clerk of Legislature



TRACT NO. 9
 OWNER: SILVERTOOTH FAHEY FARMS ASSOCIATION INC. (COMMON AREA)
 [] TRAP EXHIB. 1 (2,440 SQ. FT. OR 0.055 ACRES)
 [] TRAP EXHIB. 2 (8,800 SQ. FT. OR 0.202 ACRES)
 [] TRAP EXHIB. 3 (16,600 SQ. FT. OR 0.384 ACRES)
 [] SEE 1 (1,000 SQ. FT. OR 0.023 ACRES)
 [] SEE 7 (1,000 SQ. FT. OR 0.023 ACRES)

TRACT NO. 1
 OWNER: JACKSON COUNTY, MISSOURI
 13002 E. BANNISTER RD
 6450303065, 6450301034
 [] TRAP EXHIB. 1 (10,500 SQ. FT. OR 0.242 ACRES)
 [] TRAP EXHIB. 2 (10,500 SQ. FT. OR 0.242 ACRES)
 [] TRAP EXHIB. 3 (10,500 SQ. FT. OR 0.242 ACRES)
 [] SEE (10,500 SQ. FT. OR 0.242 ACRES)

TRACT NO. 2
 OWNER: HILLIX CONSTRUCTION INC 13200 UNITY CENTRAL HWY 6450303059, 6450301035
 [] TRAP EXHIB. 1 (10,500 SQ. FT. OR 0.242 ACRES)
 [] TRAP EXHIB. 2 (10,500 SQ. FT. OR 0.242 ACRES)
 [] SEE (10,500 SQ. FT. OR 0.242 ACRES)

TRACT NO. 8
 OWNER: SILVERTOOTH PARTNERS LLC
 9200 WINDLAND ROAD
 [] TRAP EXHIB. (10,500 SQ. FT. OR 0.242 ACRES)
 [] SEE (10,500 SQ. FT. OR 0.242 ACRES)

SEE SHEETS 5 & 6 FOR DETAILED EASEMENT DIMENSIONS

NE 1/4 SEC. 27-48-32

EXHIBIT DRAWING

SHAHER, KLINE & WARREN, INC.
 2840 Main St., Kansas City, MO 64108
 816/756-3444 FAX 816/756-1783



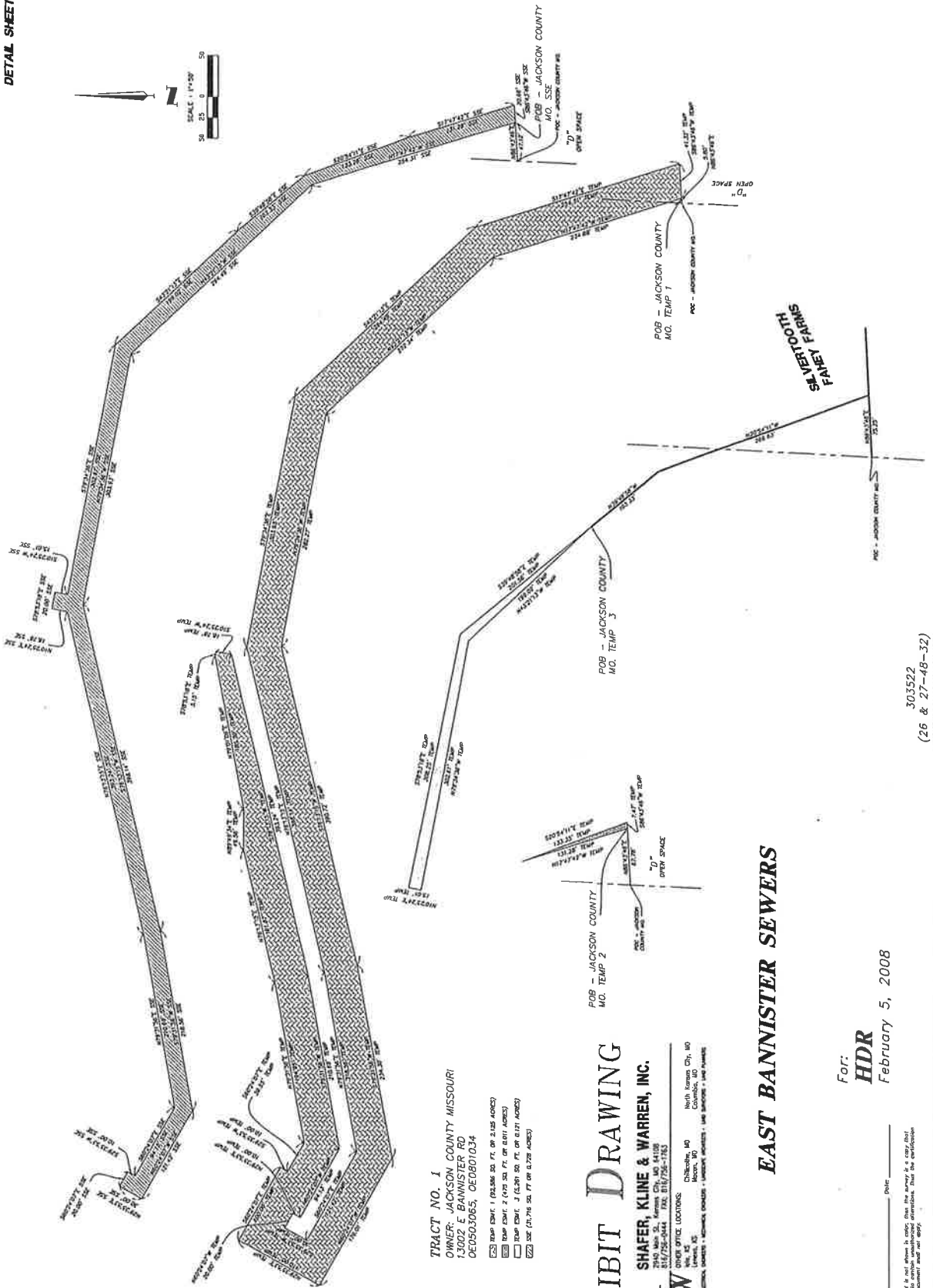
OTHER OFFICE LOCATIONS: Olathe, MO; North Kansas City, MO; Columbia, MO; Leawood, MO; Lenexa, MO; Overland Park, MO; Shawnee, MO; Springdale, MO; West Plains, MO

EAST BANNISTER SEWERS

For: **HDR**
 February 5, 2008

303522
 (26 & 27-48-32)
 NE 1/4 SEC. 27-48-32

If any discrepancy is noted between this drawing and other drawings, this drawing shall prevail. This drawing is not to be used for any other purpose without the written consent of HDR Engineering and may not be used.



TRACT NO. 1
OWNER: JACKSON COUNTY MISSOURI
13002 E BANNISTER RD
OE0503065, OE0801034

- 2" PIPE (30" I.D. OR 24" I.D. ADJUST)
- 3" PIPE (36" I.D. OR 30" I.D. ADJUST)
- 4" PIPE (42" I.D. OR 36" I.D. ADJUST)
- 6" PIPE (54" I.D. OR 48" I.D. ADJUST)

EXHIBIT DRAWING

SHAFFER, KLINE & WARREN, INC.

2150 Main St., Warren, MO 64108
816/752-3444 FAX: 816/752-1183
COLUMBIAN, MO
COLUMBIAN, MO
COLUMBIAN, MO



ONE SERVICE - DESIGN, CONSTRUCTION, OPERATIONS - LANDSCAPE ARCHITECTURE - LAND SURVEYING - LAND PLANNING

EAST BANNISTER SEWERS

For:
HDR
February 5, 2008

By: Surveyor _____ Date: _____
If the surveyor and I are not shown in color, this is a copy of a drawing that has been scanned from a hard copy. The original drawing is available on the CD-ROM provided with this drawing.

R. 16720

Tract 1
Proj. 0215
Jackson County

STANDARD SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That **Jackson County, Missouri** hereinafter called GRANTOR for and in consideration of one dollar (\$1.00) and other valuable considerations the receipt of which is hereby acknowledged, does hereby grant, remise, release and forever quitclaim unto **City of Kansas City**, a Missouri municipality, hereinafter called GRANTEE, whose mailing address is, 414 East 12th Street, Kansas City, Missouri, 64106, an easement for the location, construction, reconstruction, maintenance, operation and repair of sewerage improvements and any and all appurtenances incidental thereto in, under, upon, over and through the following-described tract of land lying, being and situate in Kansas City, Jackson County, Missouri, to-wit:

All that part of the Southwest Quarter of the Northwest Quarter of Section 26 and the Southeast Quarter of the Northeast Quarter of Section 27, Township 48, Range 32, in Kansas City, Jackson County Missouri, being more particularly described as follows:

Commencing at the Northwesterly Corner of Tract D (Open Space), CEDAR VALLEY – 1ST PLAT, a recorded subdivision in said City, County and State; thence North 86 degrees 43 minutes 46 seconds East along the Northerly line of said Tract D (Open Space), a distance of 47.12 feet to the Point of Beginning of the tract of land to be described herein; thence North 17 degrees 47 minutes 42 seconds West and no longer along the Northerly line of said Tract D (Open Space), a distance of 254.31 feet; thence North 43 degrees 21 minutes 13 seconds West, a distance of 294.49 feet; thence North 79 degrees 34 minutes 36 seconds West, a distance of 303.93 feet; thence South 76 degrees 13 minutes 15 seconds West, a distance of 398.14 feet; thence South 79 degrees 31 minutes 56 seconds West, a distance of 218.56 feet; thence North 60 degrees 24 minutes 07 seconds West, a distance of 121.42 feet; thence North 29 degrees 35 minutes 53 seconds East, a distance of 30.00 feet; thence South 60 degrees 24 minutes 07 seconds East, a distance of 20.00 feet; thence South 29 degrees 35 minutes 53 seconds West, a distance of 10.00 feet; thence South 60 degrees 24 minutes 07 seconds East, a distance of 94.13 feet; thence North 79 degrees 31 minutes 56 seconds East, a distance of 210.69 feet; thence

MARY JO SPINO
COUNTY CLERK

North 76 degrees 13 minutes 15 seconds East, a distance of 393.24 feet; thence North 10 degrees 25 minutes 24 seconds East, a distance of 18.78 feet to a point on the Southerly line of Tract B (Common Area), SILVERTOOTH FAHEY FARMS, Replat of Lots 26-30, a recorded subdivision in said City, County and State; thence South 78 degrees 53 minutes 18 seconds East along the Southerly line of said Tract B (Common Area), a distance of 20.00 feet; thence South 10 degrees 25 minutes 24 seconds East and no longer along the Southerly line of said Tract B (Common Area), a distance of 15.01 feet; thence South 79 degrees 34 minutes 36 seconds East, a distance of 302.61 feet; thence South 43 degrees 21 minutes 13 seconds East, a distance of 199.02 feet to a point on the Westerly line of said Tract B (Common Area); thence South 39 degrees 48 minutes 58 seconds East along the Westerly line of said Tract B (Common Area), a distance of 103.33 feet; thence South 20 degrees 54 minutes 11 seconds East continuing along the Westerly line of said Tract B (Common Area), a distance of 133.28 feet; thence South 17 degrees 47 minutes 42 seconds East and no longer along the Westerly line of said Tract B (Common Area), a distance of 131.28 feet to a point on the Northerly line of said Tract D (Open Space); thence South 86 degrees 43 minutes 46 seconds West along the Northerly line of said Tract D (Open Space), a distance of 20.66 feet to the Point of Beginning. Containing 31,716 square feet or 0.728 acres, more or less.

By the granting of this easement, it shall not be construed to prohibit the GRANTOR from developing any adjoining property or from the laying out, establishing and constructing pavement, surfacing of roadways, curbing and gutters along, upon, over or across said easement or any portion thereof; provided, however, said easement shall be kept free from additional depth of overburden, buildings, and any other structure or obstruction (except sidewalks, roadways pavement, grass, shrubs, fences, or curbs), which will interfere with the GRANTEE in entering upon said adjacent land and easement for the purpose of laying, constructing, reconstructing, operating, repairing and maintaining such sewerage improvements and appurtenances.

GRANTORS further state that they are lawfully seized of any indefeasible title in fee to the lands through which said easement is granted, and that they have good and lawful title and right to convey said easement to the GRANTEE aforesaid.

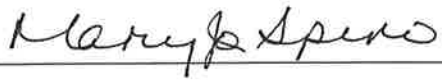


IN TESTIMONY WHEREOF, the said GRANTOR(S) has hereunto set its hand and seal this
21 day of November 2008.

JACKSON COUNTY


Michael D. Sanders, County Executive

ATTEST:


Mary Jo Spino, County Clerk

APPROVED AS TO FORM:

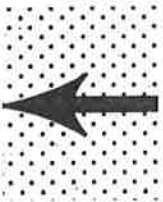

Mark S. Jones, County Counselor

ATTEST:

COUNTY ACKNOWLEDGMENT

STATE OF MISSOURI)
)
COUNTY OF JACKSON)

ss.



On this 21st day of November, 2005, before me, a Notary Public, personally appeared Michael D. Sanders, to me personally known, who, being by me duly sworn, did say that she is the County Executive of Jackson County, Missouri, and that she 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.



MICHAEL A. WELLS
My Commission Expires
September 24, 2012
Jackson County
Commission #08499225

Michael A. Wells

Notary Public

Michael A. Wells
(notary printed name)

My Commission Expires: Sept 24, 2012

R. 16720

Tract 1
Proj. 0215
Jackson County
13002 E Bannister Rd.
Kansas City, MO

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That **Jackson County, Missouri**, Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and sufficient consideration to be paid (the receipt of which is hereby acknowledged) by **City of Kansas City**, a Municipal Corporation of the State of Missouri, Grantee, whose mailing address is, 414 East 12th Street, Kansas City, Missouri, 64106), hereby grant, and convey unto the said grantee, a temporary easement for grading and sloping, construction of driveway and sidewalk pavements, removal and replacement of fencing, removal of trees and shrubbery, utility construction work, the storage of materials, the operation of equipment, and the movement of a working force, in connection with the following described construction project number 0215, E. Bannister Rd. Interceptor, over, upon and across the following described tracts of land situated in Kansas City, Jackson County, and State of Missouri, to-wit:

TEMP 1

All that part of the Southwest Quarter of the Northwest Quarter of Section 26 and the Southeast Quarter of the Northeast Quarter of Section 27, Township 48, Range 32, in Kansas City, Jackson County Missouri, being more particularly described as follows:

Commencing at the Northwesterly Corner of Tract D (Open Space), a recorded subdivision in said City, County and State; thence North 86 degrees 43 minutes 46 seconds East along the Northerly line of said Tract D (Open Space), a distance of 5.80 feet to the Point of Beginning of the tract of land to be described herein; thence North 17 degrees 47 minutes 42 seconds West, a distance of 234.88 feet; thence North 43 degrees 21 minutes 13 seconds West, a distance of 272.34 feet; thence North 79 degrees 34 minutes 36 seconds West, a distance of 282.27 feet; thence South 76 degrees 13 minutes 15 seconds West, a distance of 390.72 feet; thence 79 degrees 31 minutes 56 seconds

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MARY JO SPINNEY
COUNTY CLERK

West, a distance of 234.30 feet; thence North 60 degrees 24 minutes 07 seconds West, a distance of 176.01 feet; thence North 29 degrees 35 minutes 53 seconds East, a distance of 110.00 feet; thence South 60 degrees 24 minutes 07 seconds East, a distance of 100.00 feet; thence South 29 degrees 35 minutes 53 seconds West, a distance of 10.00 feet; thence South 60 degrees 24 minutes 07 seconds East, a distance of 39.55 feet; thence North 79 degrees 31 minutes 56 seconds East, a distance of 194.95 feet; thence North 76 degrees 13 minutes 15 seconds East, a distance of 161.87 feet to a point on the Southerly line of said Tract B (Common Area); thence North 89 degrees 49 minutes 34 seconds East along the Southerly line of said Tract B (Common Area), a distance of 49.56 feet; thence North 79 degrees 01 minutes 06 seconds East continuing along the Southerly line of said Tract B (Common Area), a distance of 185.30 feet; thence South 78 degrees 53 minutes 18 seconds East, a distance of 5.15 feet; thence South 10 degrees 25 minutes 24 seconds West and no longer along the Southerly line of said Tract B (Common Area), a distance of 18.78 feet; thence South 76 degrees 13 minutes 15 seconds West, a distance of 393.24 feet; thence South 79 degrees 31 minutes 56 seconds West, a distance of 210.69 feet; thence North 60 degrees 24 minutes 07 seconds West, a distance of 94.13 feet; thence North 29 degrees 35 minutes 53 seconds East, a distance of 10.00 feet; thence North 60 degrees 24 minutes 07 seconds West, a distance of 20.00 feet; thence South 29 degrees 35 minutes 53 seconds West, a distance of 30.00 feet; thence South 60 degrees 24 minutes 07 seconds East, a distance of 121.42 feet; thence North 79 degrees 31 minutes 56 seconds East, a distance of 218.56 feet; thence North 76 degrees 13 minutes 15 seconds East, a distance of 398.14 feet; thence South 79 degrees 34 minutes 36 seconds East, a distance of 303.93 feet; thence South 43 degrees 21 minutes 13 seconds East, a distance of 294.49 feet; thence South 17 degrees 47 minutes 42 seconds East, a distance of 254.31 feet to a point on the Northerly line of said Tract D (Open Space); thence South 86 degrees 43 minutes 46 seconds West along the Northerly line of said Tract D (Open Space), a distance of 41.32 feet to the Point of Beginning. Containing 92,586 square feet or 2.125 acres, more or less.

TEMP 2

Commencing at the Northwesterly Corner of Tract D (Open Space), CEDAR VALLEY – 1ST PLAT, a recorded subdivision in said City, County and State; thence North 86 degrees 43 minutes 46 seconds East along the Northerly line of said Tract D, a distance of 67.78 feet to the Point of Beginning of the tract of land to be described herein; thence North 17 degrees 47 minutes 42 seconds West and no longer along the Northerly line of said Tract D, a distance of 131.28 feet to a point on the West line of said Tract B (Common Area); thence South 20 degrees 54 minutes 11 seconds East along the Westerly line of said Tract B (Common Area), a distance of 133.35 feet to a point on the Northerly line of said Tract D (Open Space); thence South 86 degrees 43 minutes 46 seconds West along the Northerly line of said Tract D (Open Space), a distance of 7.47 feet to the Point of Beginning. Containing 475 square feet or 0.011 acres, more or less.

TEMP 3

Commencing at the Northwestern Corner of Tract D (Open Space), CEDAR VALLEY – 1ST PLAT, a recorded subdivision in said City, County and State; thence North 86 degrees 43 minutes 46 seconds East along the Northerly line of said Tract D (Open Space), a distance of 75.25 feet to the Southwesterly Corner of said Tract B (Common Area); thence North 20 degrees 54 minutes 11 seconds West along the Westerly line of said Tract B (Common Area), a distance of 266.63 feet; thence North 39 degrees 48 minutes 58 seconds West along the Southwesterly line of said Tract B (Common Area), a distance of 103.33 feet to the Point of Beginning of the tract of land to be described herein; thence North 43 degrees 21 minutes 13 seconds West and no longer along the Southwesterly line of said Tract B (Common Area), a distance of 199.02 feet; thence North 79 degrees 34 minutes 36 seconds West, a distance of 302.61 feet; thence North 10 degrees 25 minutes 24 seconds East, a distance of 15.01 feet to a point on the Southerly line of said Tract B (Common Area); thence South 78 degrees 53 minutes 18 seconds East along the Southerly line of said Tract B (Common Area), a distance of 308.25 feet; thence South 39 degrees 48 minutes 58 seconds East along the Southwesterly line of said Tract B (Common Area), a distance of 201.56 feet to the Point of Beginning. Containing 5,261 square feet or 0.121 acres, more or less.

Kansas City shall cause the surface of lands lying within said temporary easement to be restored to substantially the same physical condition that existed at the time Kansas City or its agents entered upon it, and said temporary easement shall terminate 5 (five) years from the date this document is recorded by the Recorder of Deeds in the county in which the lands are located, or upon completion and acceptance of the improvements by the Director of Public Works.

