

Request for Legislative Action

Res. #21531
Sponsor: Charlie Franklin
Date: February 19, 2024

Completed by County Counselor's Office			
Action Requested:	Resolution	Res.Ord No.:	21531
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 near the intersection of the Rock Island Corridor and 350 Highway. The permanent easement is 2,000 square feet. Kansas City has agreed to pay the \$2,000 administrative fee and the .20/square foot easment fee of \$400, bringing the total cost to \$2,400. The project will inot interrupt trail operations or cause any further disruption of Park Operations.

Contact Information			
Department:	Parks + Rec	Submitted Date:	1/29/2024
Name:	Matt M Davis	Email:	dmdavis2@gmail.com
Title:	Rock Island Program Manager	Phone:	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

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
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Request for Legislative Action

History

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

Approved by Department Approver Susan I. Kinnaman on 1/29/2024 1:39:16 PM. Comments:

Not applicable by Purchasing Office Approver Lisa Honn on 1/31/2024 8:30:09 AM. Comments: Approving for C Reich due to a technical issue. lh

Approved by Compliance Office Approver Ikeela Alford on 1/31/2024 8:35:57 AM. Comments:

Approved by Budget Office Approver David B. Moyer on 1/31/2024 8:44:04 AM. Comments:

Approved by Executive Office Approver Lisa Honn on 1/31/2024 9:57:16 AM. Comments: Approving for SS due to technical issue. lh

Approved by Counselor's Office Approver Jamesia Manning on 2/15/2024 12:11:56 PM. Comments:



KC Water

*Permitting and Development Division
Acquisition and Survey Group*

4800 E. 63rd 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 Emergency Water Main Replacement-Phase II-Along Highway 350 (Blue Parkway) Between 13117 Blue Parkway and Westridge Road; Project Number 80001964. The project will replace an existing 10-inch water main and an existing 6-inch water main with a new 12-inch main.

The easement request consists of 2,000 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 \$400.00 easement fee for a total of \$2,400.00. There will be no tree removal needed, as the easement is within the limits of the 350 Highway. 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

**KCMO Project No. 89008226
Jackson County, Missouri
Kansas City, Mo.**

EXHIBIT "A"

PERMANENT WATERLINE EASEMENT

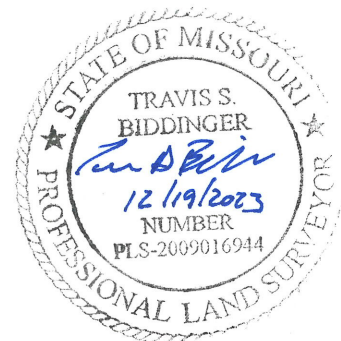
All that part of the Northeast Quarter of Section 22, Township 48, Range 32, in the City of Kansas City, Jackson County, Missouri, being more particularly described as follows:

(Note: The bearings shown on the following description are based on Grid North, Missouri State Plane Coordinate System, NAD83.)

COMMENCING at the Southeast corner of the Northeast Quarter of said Section 22; thence North 02°04'27" East, along the East line of said Northeast Quarter Section, a distance of 857.54 feet; thence North 87°55'33" West, departing said Quarter Section line, a distance of 477.77 feet, to a point on the East boundary line of the CHICAGO, ROCK ISLAND & PACIFIC RAILROAD, as shown on certificate of survey recorded in Book 44, Page 21, and as now established, also the POINT OF BEGINNING; thence South 31°22'18" West, along said East boundary line, a distance of 20.00 feet; thence North 58°37'42" West, departing said East boundary line a distance of 100.00 feet, to a point on the West boundary line of said CHICAGO, ROCK ISLAND & PACIFIC RAILROAD; thence North 31°22'18" East, along said West boundary line, a distance of 20.00 feet; thence South 58°37'42" East, departing said West boundary line, a distance of 100.00 feet, to the POINT OF BEGINNING, containing 2,000 square feet, more or less.

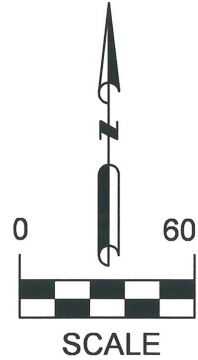
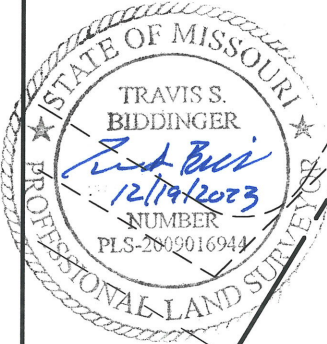
Subject to all easements and restrictions of record.


Travis S. Biddinger
Mo. PLS No. 2009016944



EXHIBIT

QUALITY HOLDINGS, LLC
 12902 BLUE PKWY
 51-310-01-05-00-0-00-000



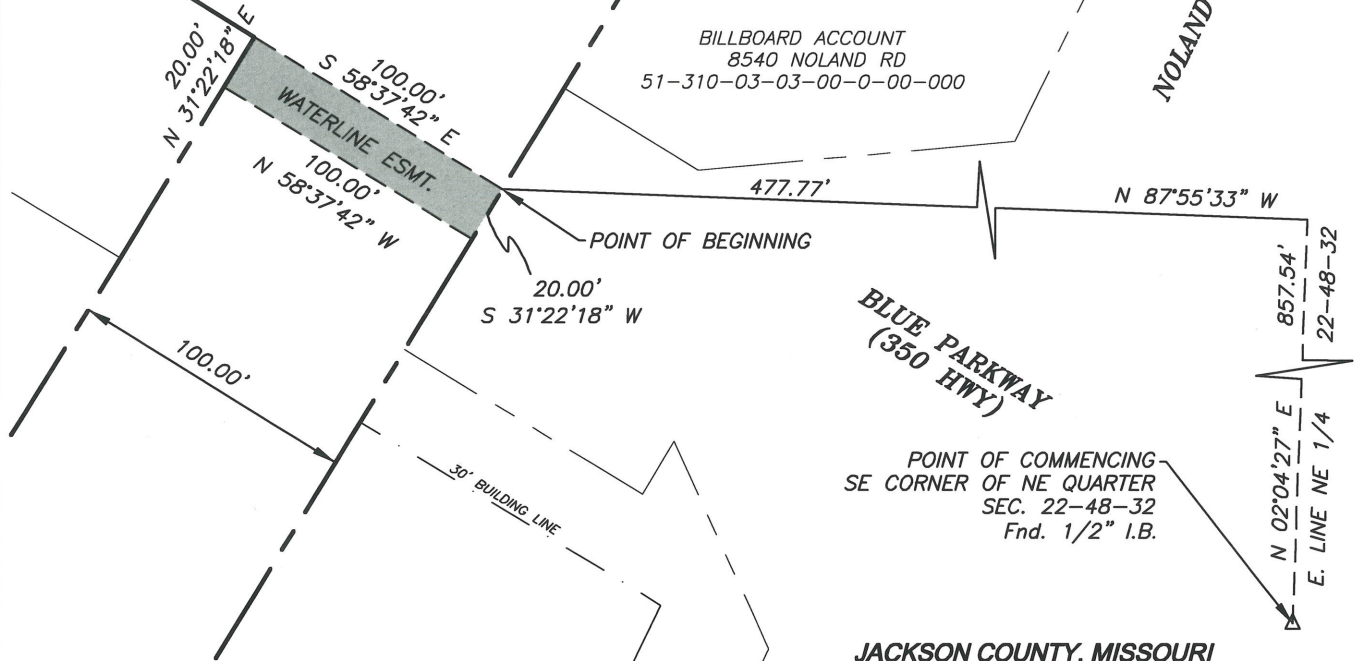
JACKSON COUNTY, MISSOURI
 BOUNDARY SURVEY of the CHICAGO,
 ROCK ISLAND & PACIFIC RAILROAD
 BOOK 44, PAGE 21-70

REMAINING LAND
 8530 NOLAND RD
 51-310-03-02-00-0-00-000

BUILDING ONLY ACCOUNT
 8540 NOLAND RD
 51-310-03-04-00-0-00-000

BILLBOARD ACCOUNT
 8540 NOLAND RD
 51-310-03-03-00-0-00-000

NOLAND ROAD



BLUE PARKWAY
 (350 HWY)

POINT OF COMMENCING
 SE CORNER OF NE QUARTER
 SEC. 22-48-32
 Fnd. 1/2" I.B.

JACKSON COUNTY, MISSOURI

NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 83 AND NAVD 88.
- THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY.

AREAS: JACKSON COUNTY, MISSOURI	
PERM. WATERLINE EASEMENT	2,000.0 SF

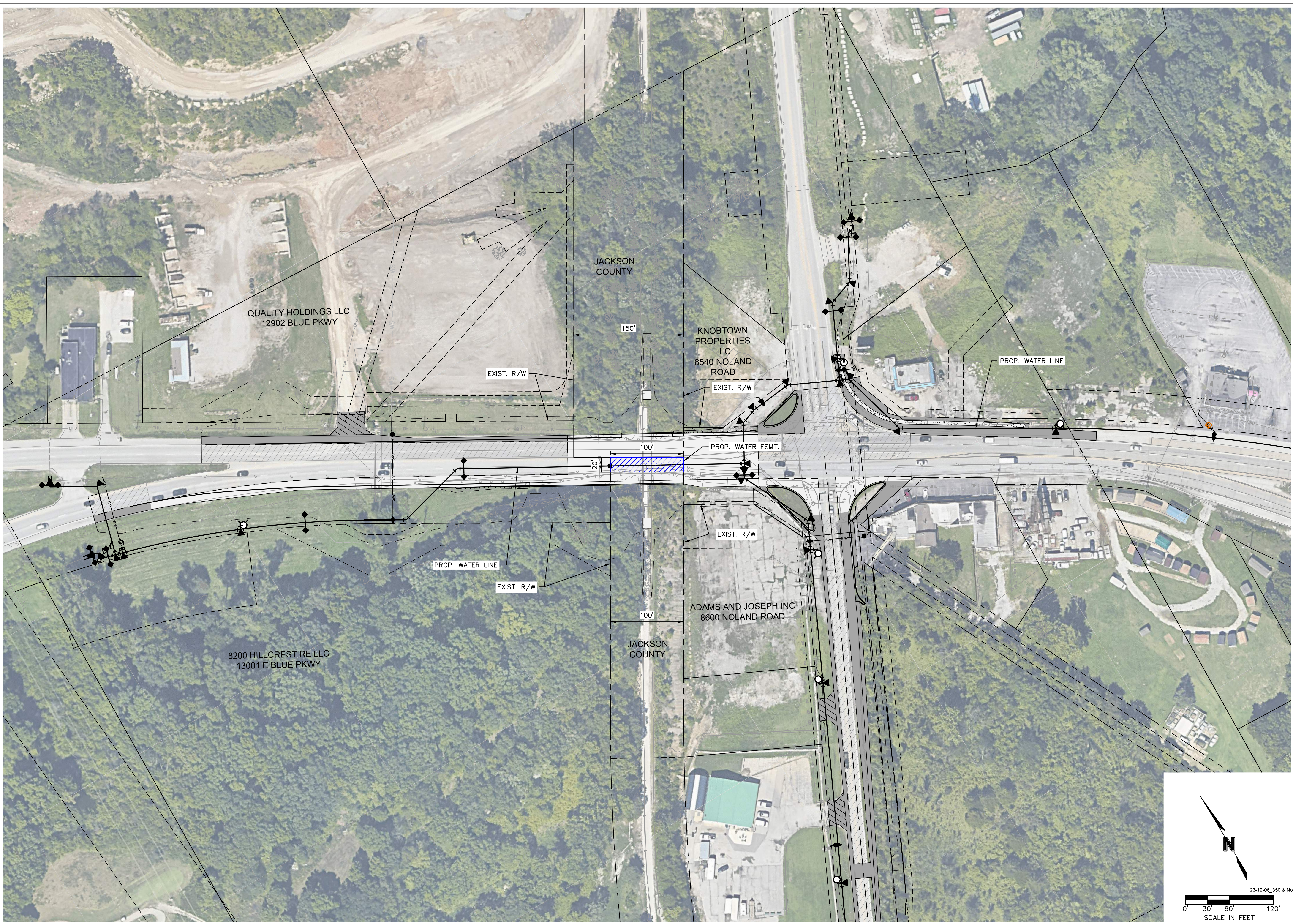
LEGEND:

- DENOTES PERMANENT WATERLINE EASEMENT
- DENOTES PROPERTY LINE



CITY OF KANSAS CITY, JACKSON COUNTY, MISSOURI
 KCMO 350 AND NOLAND ROAD IMPROVEMENTS
 KCMO PROJECT NO. 89008226
 JACKSON COUNTY, MISSOURI
 PARCEL ID: 00-000-00-00-00-0-00-000
 DATE: 11/16/2023

DWG: F:\Projects\A12-2374\40-Design\AutoCAD\Exhibits\TRNS\2023\12-06-Water Easement Exhibit\23-12-06_350 & Noland-Water Easement Exhibit_recover.dwg
 DATE: Dec 08, 2023 2:19pm XREFS: 22374_TRNS_TBLK T_XBNDY_22374 T_P_WAT_22374 T_PBASE_22374 T_P_PATT_22374 T_PRWAY_22374 T_XBASE_22374 USER: jgallaicher AERIAL 122374-PIMAG 122374-PIMAG GoogleAerial



<p>olsson Olsson Inc. Missouri Certificate of Authority #001592 7301 West 133rd Street, Suite 200 Overland Park, KS 66213-4750 TEL 913.381.1170 FAX 913.381.1174 www.olsosn.com</p>	
<p>REID B. CATT MO. NO. PE-200X022960</p>	
BY	
REVISIONS DESCRIPTION	NOT FOR CONSTRUCTION PRELIMINARY PLANS
DATE	
REV. NO.	
<p>KCMO HWY 350 AND NOLAND ROAD ROADWAY IMPROVEMENTS FEDERAL PROJECT STP-3337(411) CITY OF KANSAS CITY, MISSOURI</p>	
2023	
<p>C.O.A. NO.: 001592 DRAWN BY: MLW CHECKED BY: JPG APPROVED BY: RBC QA/QC BY: RBC PROJECT NO.: A12-2374 DATE: 12/19/2022</p>	
<p>SHEET of 125</p>	