

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute an easement in favor of the City of Lee's Summit, to install sanitary sewer force main across a portion of Little Blue Trace Park.

RESOLUTION #17946, July 30, 2012

INTRODUCED BY Fred Arbanas, County Legislator

WHEREAS, the City of Lee's Summit has requested an easement across a portion of Little Blue Trace Park property located at U.S. Highway 40 to install a sanitary sewer force main to serve the Arbores subdivision; and,

WHEREAS, the Director of Parks and Recreation has recommended that the County execute the attached permanent easement with the City of Lee's Summit for the installation of a sanitary sewer force main; and,

WHEREAS, the City has agreed to pay the County easement and processing fees required by the County Code, totaling \$6,683.80, and

WHEREAS, the execution of the attached easement and supporting documents is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

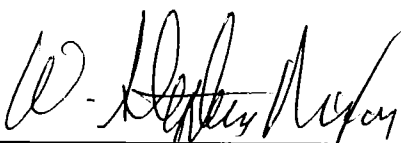
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the attached Permanent Easement is hereby approved and that the County Executive is

hereby authorized to execute on behalf of the County the Agreements and any other documents necessary to give effect to this Resolution.

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

APPROVED AS TO FORM:


Senior Deputy County Counselor


County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17946 of July 30, 2012, was duly passed on July 30, 2012 by the Jackson County Legislature. The votes thereon were as follows:


Yeas 7

Nays 0

Abstaining 0

Absent 2

7/30/12
Date


Mary Jo Spino, Clerk of Legislature

SANITARY SEWER EASEMENT

Res. 17946

THIS EASEMENT is made this ____ day of _____, 2012 by and between the 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 Lee's Summit, Missouri, a Municipal Corporation of Jackson County, Missouri, with a mailing address of 220 S.E. Green Street, Lee's Summit, Missouri 64063, 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 exclusive easement for the construction, operation, maintenance, repair, replacement and removal of sewer pipe lines, manholes, 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, to-wit:

All that part of the northwest quarter of Section 33, Township 49 North, Range 31 West, in the City of Lee's Summit, Jackson County, Missouri, more particularly described as follows:

Commencing at the northwest corner of the northwest quarter of said Section 33, thence S87°59'50"E, along the north line of said Section 33, 1316.52 feet to the northeast corner of Arbores First Plat, a subdivision in Lee's Summit, Jackson County, Missouri; thence departing said north line, S02°09'11"W, along the east line of said Arbores First Plat, 80.00 feet to the Point of Beginning; thence continue S02°09'11"W, along said east line, 74.00 feet; thence departing said east line, N57°50'31"E, 96.15 feet; thence S87°59'50"E, 316.62 feet; thence S02°00'10"W, 10.00 feet; thence S87°59'50"E, 40.00 feet; thence S60°29'59"E, 40.00 feet; thence N29°30'01"E, 10.00 feet; thence S60°29'59"E, 202.65 feet; thence S29°30'01"W, 10.00 feet; thence S60°29'59"E, 67.26 feet; thence N29°30'01"E, 10.00 feet; thence S60°29'59"E, 158.81 feet to the west line of Golf Park, a subdivision in Lee's Summit, Jackson County, Missouri; thence N02°13'55"E, along said west line, 22.50 feet; thence departing said west line, N60°29'59"W, 148.50 feet; thence N16°59'16"W, 14.52 feet; thence N60°29'59"W, 56.72 feet; thence S29°30'01"W, 10.00 feet; thence N60°29'59"W, 202.65 feet; thence N29°30'01"E, 10.00 feet; thence N60°29'59"W, 49.79 feet; thence N87°59'50"W, 49.79 feet; thence S02°00'10"W, 10.00 feet; thence N87°59'50"W, 396.00 feet to the Point of Beginning.

Containing 23,419 square feet, or 0.54 acres, more or less.

Project: Multiple Sanitary Sewer
Project No.:38807
Tract: Jackson County, Missouri

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 pipe lines, manholes, and appurtenances thereto, by erecting, or causing or allowing to be erected, any building or structure 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. (2006), 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 Lee's Summit, 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, and its Corporate Seal to be hereunto affixed this _____ day of _____, 2012.

County of Jackson, Missouri:

By: _____
Mike Sanders, County Executive

ATTEST:

Mary Jo Spino / County Clerk

Corporate Seal

APPROVED AS TO FORM:

By _____
W. Stephen Nixon
County Counselor

Project: Multiple Sanitary Sewer
Project No.:38807
Tract: Jackson County, Missouri

ACKNOWLEDGMENT

STATE OF MISSOURI

COUNTY OF JACKSON

On this ____ day of _____, 2012, before me, a Notary Public in and for said County and State, personally appeared **Mike Sanders**, to me personally known, who being by me duly sworn, did say that he is the County Executive, and said **Mary Jo Spino** is the County Clerk of the County of Jackson, a political subdivision of the State of Missouri, that executed the foregoing instrument and that the seal affixed to the foregoing instrument is the Corporate Seal of said County and that said instrument was signed, sealed and delivered in the name and on behalf of said County by authority of its legislative body, and said County Clerk acknowledges said deed to be the free act and deed of said County.

IN WITNESS WHEREOF, I hereunto set my hand and affixed my seal at my office in Jackson County, Missouri, the day and year first above written.

Notary Public Signature

Printed or Typed Name

My Commission Expires:

Acquisition Agreement City of Lee's Summit, MO

This agreement made and entered into this ____ day of _____, 2012, 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 **Owner** and the City of Lee's Summit, Missouri, hereinafter called the **City**.

1. In consideration of the conditions set forth in paragraphs 2 and 3 hereof, the **Owner** agrees to grant to the **City** an Easement upon the following described tracts of land:

See "Exhibit A" Attached

2. Upon delivery of the executed grants of the **City's** standard easement documents, the **City** agrees to pay the **Owner** the total sum of **\$6,683.80**, which is full compensation for the easements described in "Exhibit A" which is attached.

• Permanent Easement	=	\$4,683.80
• Administrative Settlement	=	\$2,000.00

3. The **Owner** agrees to grant the **City** possession of the attached described easements upon the payment of the total amount shown above by the **City**.

Owner(s)

Lee's Summit, Missouri

MICHAEL D. SANDERS
Jackson County Executive

By: _____
City Representative

County Representative

Date: _____, 2012

Address: 22807 Woods Chapel Road

Blue Springs, MO 64015

Phone #: 816-795-1234

"Exhibit A"

PERMANENT SEWER EASEMENT:

All that part of the northwest quarter of Section 33, Township 49 North, Range 31 West, in the City of Lee's Summit, Jackson County, Missouri, more particularly described as follows:

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