

GENERAL UTILITY EASEMENT CONVEYANCE

Project name: Independence Mobile Home Park
Project # 04036
Parcel No. 2

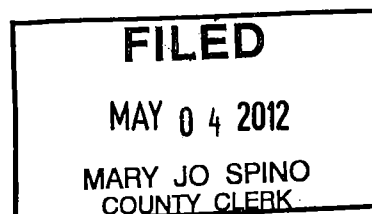
Res. 17848

Date of Document: May 4, 2012

KNOW ALL MEN BY THESE PRESENTS, that Jackson County, Missouri, GRANTOR(S), for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable considerations, the receipt and sufficiency, of which are hereby acknowledged, do hereby grant, bargain and sell, convey and confirm unto the City of Independence, Missouri, a Municipal Corporation, GRANTEE, 111 E. Maple Independence, Missouri 64050, and unto its successors and assigns, forever, a perpetual General Utility Easement for use by GRANTEE and those with GRANTEE's permission, including but not limited to utility companies franchised to operate in Independence, Missouri, to locate, install, construct, reconstruct, grade for, maintain grade for, operate, repair, replace and/or maintain utilities and/or facilities including, but not limited to water, gas, electricity, sanitary sewers, wastewater, storm sewers, drainage, underground conduits, telephone, cable television, pad mounted transformers, service pedestals, poles, pipes, ducts and wires, any and all of them and for any other utility purposes that the GRANTEE may deem necessary, said General Utility Easement being over, along, across, through, in and under the following lands in the County of Jackson, State of Missouri, to-wit:

GENERAL UTILITY EASEMENT

See attached Exhibit "A" for legal description of property.



Further granting unto said GRANTEE, and those with GRANTEE's permission, their agents, employees and/or independent contractors, full and free right and authority to go upon the above-described General Utility Easement and so much of GRANTOR(S) land adjacent thereto as may be reasonably necessary for purposes to include but not be limited to locating, installing, constructing, reconstructing, operating, repairing, replacing and/or maintaining such utilities and/or facilities as GRANTEE may deem necessary over, along, across, through, in and under the foregoing lands herein described, including, but not limited to the right and privilege at any time and from time to time to enter on said General Utility Easement and to include but not be limited to erecting, constructing, maintaining, repairing and relocating pipes, ducts and facilities for water, gas, sanitary sewer, wastewater, storm sewer and/or drainage facilities, and poles, wires and all appurtenances thereto, for the transmission and distribution of electrical energy and for communication purposes, and including, but not limited to the right and privilege at any time and from time to time to patrol said General Utility Easement, and to cut, clear, top and trim such brush and trees, if any, on or adjacent to said General Utility Easement as may be necessary or desirable to maintain any utilities, facilities and/or appurtenances thereon.

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

The granting of this easement shall not be construed to prohibit the GRANTOR(S) 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 General Utility Easement or any portion thereof; provided, however, said General Utility Easement shall be kept free from 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 General Utility Easement for the purposes allowed by the General Utility Easement including but not limited to laying, constructing, reconstructing, operating, repairing and/or maintaining improvements, utilities, facilities and/or appurtenances GRANTEE deems necessary.

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 and in favor of the successors and assigns of the respective parties hereto. GRANTOR(S) further warrant that GRANTOR(S) are lawfully seized of an indefeasible title in fee of the lands through which said General Utility Easement is granted, and that GRANTOR(S) have good and lawful title and right to convey said General Utility Easement to the GRANTEE.

IN WITNESS WHEREOF, the GRANTOR(S) has hereunto set his/her hand this 4 day of May, 2012.

JACKSON COUNTY, MISSOURI

By: Michael D. Sanders
Michael D. Sanders, County Executive

APPROVED AS TO FORM

By: W. Stephen Nixon
W. Stephen Nixon, County Counselor

ATTEST:

By: Mary Jo Spino
Mary Jo Spino, Clerk County Legislature

ACKNOWLEDGMENT

STATE OF)
) ss
COUNTY OF)

On this 4 day of May, 2012, before me, a Notary Public, personally appeared Michael D. Sanders, who is the County Executive of Jackson County, Missouri, and is to me known to be the person described in and who executed the foregoing instrument on behalf of Jackson County, Missouri, and acknowledged and executed the same as the free act and deed of Jackson County, Missouri.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, in the county and state aforesaid, the day and year first above written.

Patricia Marie Murillo

Print Name:

Notary Public in and for said County and State

My commission expires:



PATRICIA MARIE MURILLO
My Commission Expires
September 16, 2012
Clay County
Commission #08463801

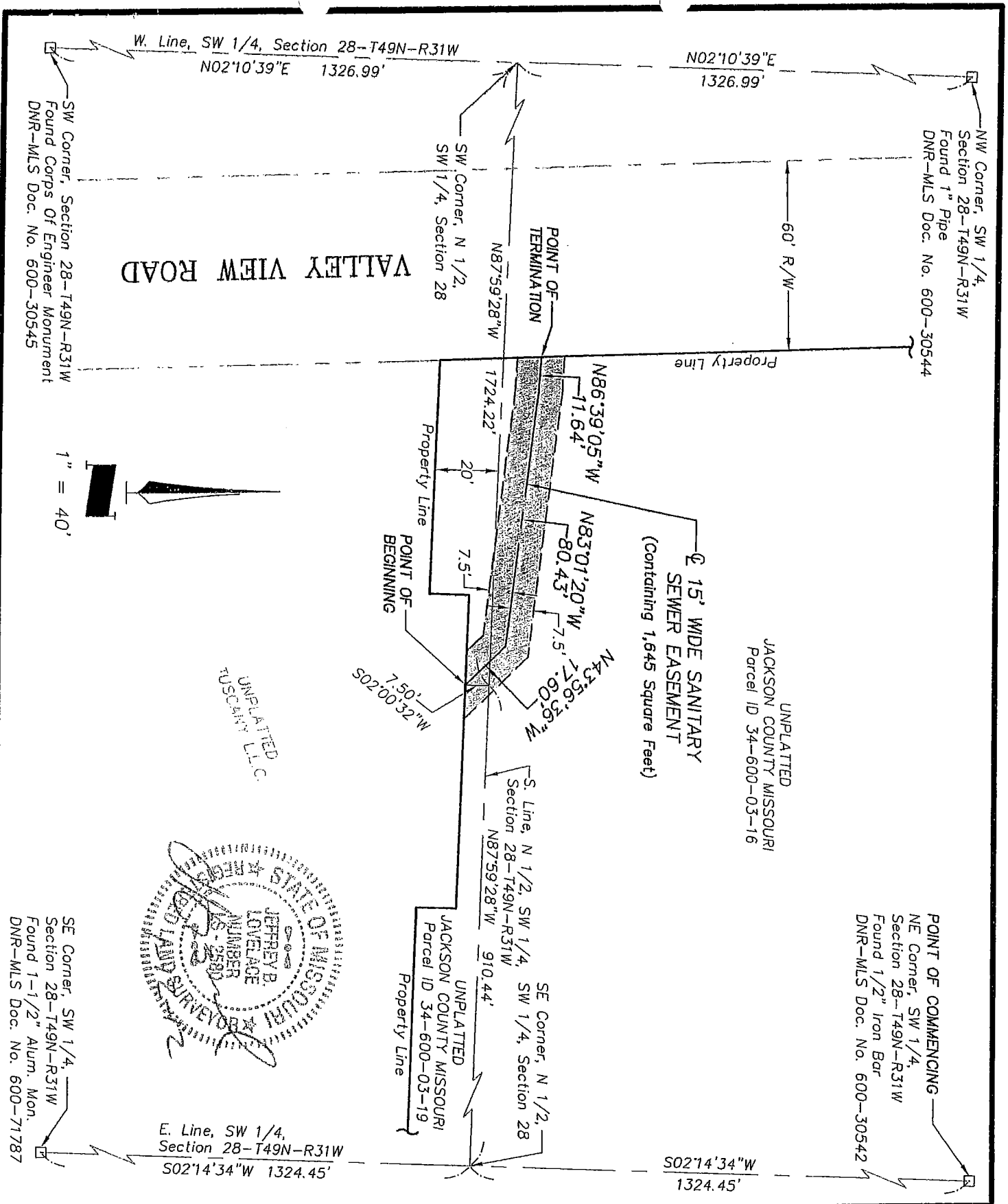
Exhibit "A"

PARCEL 2

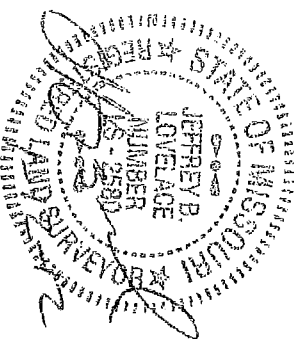
GENERAL UTILITY EASEMENT:

A 15 foot wide strip of land in all that part of the Southwest Quarter of Section 28, Township 49 North, Range 31 West of the Fifth Principal Meridian, being situated in the City of Independence, Jackson County, Missouri and lying 7.5 feet on each side of the following described centerline:

Commencing at the Northeast corner of said Southwest Quarter (found 1/2" iron bar); thence South 02°14'34" West along the East line of said Southwest Quarter a distance of 1324.45 feet to the Southeast corner of the North Half of said Southwest Quarter; thence North 87°59'28" West along the South line of said North Half a distance of 910.44 feet; thence South 02°00'32" West a distance of 7.50 feet to the **POINT OF BEGINNING** of said 15 foot wide strip; thence North 43°56'36" West a distance of 17.60 feet; thence North 83°01'20" West a distance of 80.43 feet to the centerline of an existing sanitary sewer manhole; thence North 86°39'05" West a distance of 11.64 feet to the East right-of-way line of Valley View Road as now established and the **POINT OF TERMINATION**, containing 1,645 square feet more or less.



VALLEY VIEW ROAD



LOVELACE & ASSOCIATES
 Land Surveying - Land Planning
 929 SE 3rd Street
 Lee's Summit, Missouri 64063
 Tel: (816) 347-9997 Fax: (816) 347-9979

Project No: 12016
 Drawn By: JWS
 Checked By: JBL
 Date: 01-10-2012
 Scale: 1" = 40'
 File Name:
 Easement Exhibit

EASEMENT EXHIBIT
SANITARY SEWER EASEMENT
 INDEPENDENCE, JACKSON COUNTY, MISSOURI

Prepared For:
 R. W. FARMER CONSTRUCTION COMPANY
 6609 Overhill Road
 Shawnee Mission, Kansas 66208

PROPERTY INFORMATION

Owner:
 JACKSON COUNTY MISSOURI
 415 E. 12th Street
 Kansas City, Missouri 64106

Parcel No.: 34-600-03-16 & 34-600-03-19
 Easement Tract No.: 2

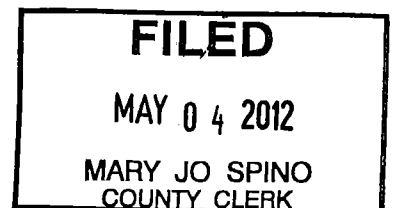
GRANT OF CONSTRUCTION AND GRADING EASEMENT

Independence Mobile Home Park
Project # 04036
Parcel No. 2

Res. 17848

THIS INDENTURE, made on the 4 day of May, 2012, by and between Jackson County, Missouri, GRANTOR(S), and R.W. Farmer Construction Company, County of Jackson, State of Missouri, GRANTEE, 4700 Glenview, Blue Springs, MO 64015.

WITNESSETH, that the said GRANTOR(S), in consideration of the sum of One Dollar and other good and valuable considerations, to GRANTOR(S) in hand paid by the said Grantee, the receipt and sufficiency of which is acknowledged, does by these presents, grant unto the said GRANTEE an easement of the following described land, lying, being and situated in the City of Independence, County of Jackson and State of Missouri for the purpose of constructing a public sanitary sewer improvement designated as "Independence Mobile Home Park Sewer Extension" and "Independence Mobile Home Park Sewage Treatment Plant Closure", Project No. 04036, and the said GRANTOR (S) does hereby grant to the GRANTEE the right to go upon the said premises for the purpose of sanitary sewer improvements. The location of said land lying, being and situated in the City of Independence, County of Jackson, and State of Missouri is as follows, to-wit:



PARCEL 2

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

Part of the Southwest Quarter of Section 28, Township 49 North, Range 31 West of the Fifth Principal Meridian, being situated in the City of Independence, Jackson County, Missouri, more particularly described as follows:

Commencing at the Northeast corner of said Southwest Quarter (found 1/2" iron bar); THENCE South 02°14'34" West on the East line of said Southwest Quarter, 1324.45 feet to the Southeast corner of the North Half of said Southwest Quarter; THENCE North 87°59'28" West on the South line of said North Half, 805.15 feet to the POINT OF BEGINNING; THENCE South 02°00'32" West, 7.50 feet; THENCE North 87°59'28" West, 30.86 feet to the Grantor's South property line; THENCE continuing North 87°59'28" West on Grantor's South property line and the Westerly prolongation thereof, 174.14 feet to the East Right-of-Way Line of Valley View Road; THENCE North 00°57'51" West on said East Right-of-Way Line, 165.00 feet; THENCE South 70°30'18" East, 223.90 feet; THENCE South 02°00'32" West, 90.00 feet to the POINT OF BEGINNING, containing 0.63 acres.


The temporary construction and grading easement shall terminate at the earlier of:

- 1) Two (2) years from the date construction begins; or
- 2) The date construction is completed and accepted by the City.

IN WITNESS WHEREOF, the said GRANTOR(S) have executed and delivered this indenture the day and year first above written.

JACKSON COUNTY, MISSOURI

APPROVED AS TO FORM:

By: 
Michael D. Sanders, County Executive

By: 
W. Stephen Nixon, County Counselor

ATTEST:

By: 
Mary Jo Spino, Clerk County Legislature

ACKNOWLEDGMENT

STATE OF Missouri)
) ss
COUNTY OF Jackson)

On this 4 day of May, 2012, before me, a Notary Public, personally appeared Michael D. Sanders, to me personally known, who, being by me duly sworn, did say that he/she is the County Executive of JACKSON COUNTY, MISSOURI, and that said Michael D. Sanders acknowledged said instrument to be the free act and deed of JACKSON COUNTY, MISSOURI.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, in the county and state aforesaid, the day and year first above written.

Patricia Marie Murillo

Print Name:

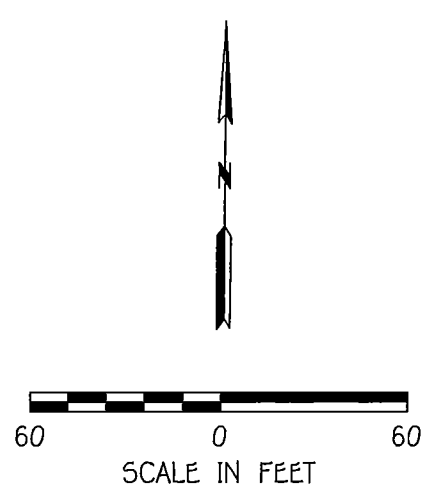
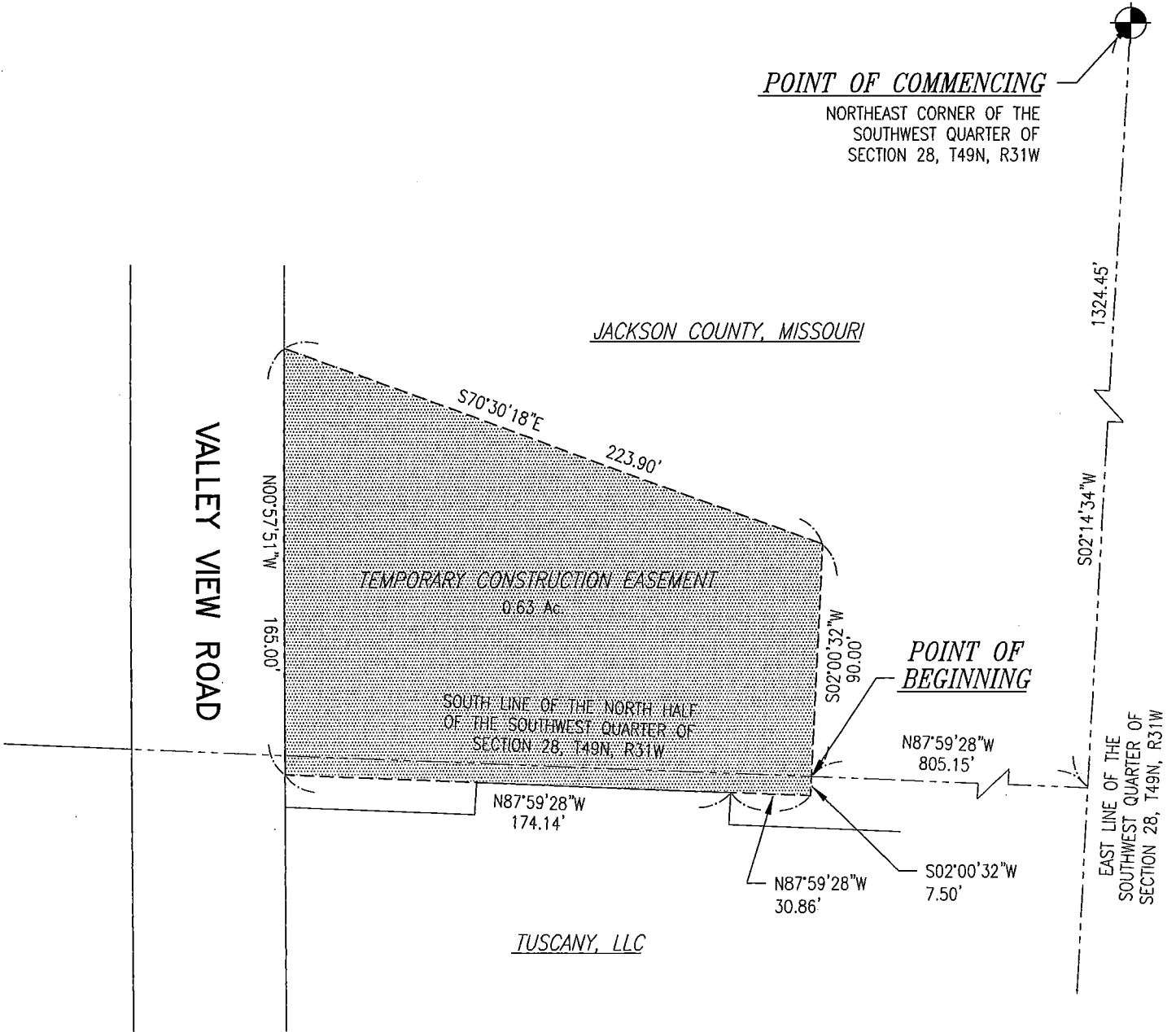
Notary Public in and for said County and State


My commission expires:



PATRICIA MARIE MURILLO
My Commission Expires
September 16, 2012
Clay County
Commission #08483801

CONSTRUCTION EASEMENT EXHIBIT





PHOENIX ENGINEERING & SURVEYING, LLC

Civil Engineers • Planners • Surveyors

3855 S. Northern Blvd. Independence, MO 64052
 Phone: (816) 743-9000 Fax: (816) 743-9700

DATE	DRAWN:	CHECKED:	PROJECT NO.	SCALE:
02-16-2012	MDO	WES	04036	1"=60'

© PHOENIX ENGINEERING AND SURVEYING, LLC 2012