

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a permanent Gas Line Easement Conveyance in favor of Missouri Gas Energy of Kansas City, MO, for a 10-foot permanent easement in connection with the Kauffman Stadium Improvement Project.

RESOLUTION #16722, October 6, 2008

INTRODUCED BY Fred Arbanas, County Legislator

WHEREAS, Missouri Gas Energy of Kansas City, MO, has requested a 10-foot permanent gas line easement in connection with the Kauffman Stadium Improvement Project; and,

WHEREAS, the Jackson County Sports Complex Authority, which is managing the renovation project on the County's behalf, has recommended that the County grant the attached easement as in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

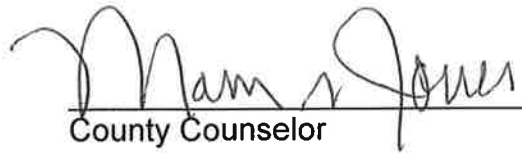
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the attached Easement Conveyance is hereby approved and that the County Executive is hereby authorized to execute the Easement on behalf of the County.

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

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #16722 of October 6, 2008, was duly passed on October 13, 2008 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

10.14.08
Date


Mary Jo Spino, Clerk of Legislature

GRANT OF RIGHT OF WAY

For and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the undersigned Grantor does hereby grant, convey and warrant unto MISSOURI GAS ENERGY, A DIVISION OF SOUTHERN UNION COMPANY, 3420 Broadway, Kansas City, Missouri 64111, hereinafter referred to as Grantee, its successors, assigns and lessees, the right, privilege and easement to lay, construct, maintain, alter, inspect, repair, replace, protect, relocate, change the size of, operate and remove a pipe line or lines, service taps, distribution facilities, valves, regulators, and other equipment appurtenant thereto, for the transportation and distribution of oil or gas in, under, upon, across, over and through certain lands owned by Grantor situated in Jackson County, State of Missouri and specifically described as follows:

A strip of land 10.00 feet in width situated in the Southeast Quarter of Section 19 and the Southwest Quarter of Section 20, Township 49 North, Range 32 West of the Fifth Principal Meridian in the City of Kansas City, Jackson County, Missouri, said strip of land lying 5.00 feet on each side of the following described center line:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the Southwest corner of the Southwest Quarter of said Section 20;

Thence South $86^{\circ}30'30''$ East 1,278.55 feet, along the South line of the Southwest Quarter of said Section 20, to a point on the West right-of-way line of Blue Ridge Cutoff, as now established;

Thence North $01^{\circ}47'47''$ East 273.02 feet, along said West right-of-way line, to the "true point of beginning" of the easement center line herein described;

Thence North $88^{\circ}04'43''$ West 120.01 feet, along said center line, to the beginning of a non-tangent curve concave to the Southwest, having a radius of 760.00 feet, and an initial tangent bearing of North $09^{\circ}17'57''$ West;

Thence Northwesterly 395.77 feet, along said center line and curve to the left, having a chord bearing North $24^{\circ}13'02''$ West 391.31 feet;

Thence North 39°08'08" West 146.59 feet along said center line;

Thence North 40°01'42" West 214.80 feet along said center line;

Thence North 71°18'13" West 214.49 feet along said center line;

Thence North 57°50'54" West 145.68 feet along said center line;

Thence North 47°00'36" West 33.48 feet along said center line;

Thence North 43°02'43" West 208.21 feet along said center line;

Thence South 46°57'17" West 86.49 feet along said center line;

Thence North 43°02'43" West 565.09 feet along said center line;

Thence South 46°57'17" West 216.85 feet, along said center line, to the "point of terminus" of said easement description, containing a total of 23,475 square feet or 0.5389 acres, more or less.

David L. King - Mo. L.S. No. 2602

See Gas Line Easement Exhibit, attached (9 pages)

together with the right of ingress to and egress from the above described land and contiguous land owned by Grantor. In exercising its right of access Grantee shall, whenever practicable, use existing roads or lanes. Pipelines shall be laid at a minimum depth of two and one half feet (2 1/2') below the surface of said land of Grantor.

Grantee shall have the right to clear and keep clear brush, trees, shrubbery, roots, buildings and other obstructions which, in Grantee's judgment, may interfere with the safe, proper and expeditious laying, construction, maintenance, alteration, inspection, repair, replacement, protection, relocation, operation and removal of said pipe line, lines and facilities, or any part thereof, within or upon the above described land.

Grantor hereby covenants and agrees that no building, structure, engineering works or any other obstructions will be created, built, erected or constructed on, over or within the above described tract, and after pipe lines are in place, Grantor shall not

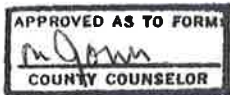
change the topography of the terrain over the pipe lines without the prior written consent of the Grantee.

Grantee shall repair any physical damage to property of Grantor, or pay any substantial damages on account of physical injury to property of Grantor, by the laying, construction, maintenance, alteration, inspection, repair, replacement, protection, relocation, operation and removal of said pipe line, lines, and facilities. Said damage, if not mutually agreed upon, shall be ascertained and determined by three disinterested persons, one to be appointed by the Grantor, one to be appointed by the Grantee, and the third to be chosen by the two so appointed. The damages determined by such persons, or a majority of them shall be conclusive as to the facts.

The Grantor, its successors, assigns and lessees, may use and enjoy the above described land, provided such use does not, in the judgment of the Grantee, interfere with the uses and purposes thereof herein granted to Grantee.

This grant shall be binding upon the successors and assigns of the undersigned.

WITNESS the hand of the Grantor this 21 day of October, 2008.



JACKSON COUNTY

Attest: Mary Jo Spino
MARY JO SPINO
CLERK OF COUNTY LEGISLATURE
Prin _____

By: MSa
Printed Name: Michael D. Sanders
JACKSON COUNTY EXECUTIVE
Title: _____

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

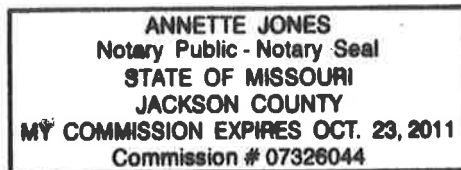
On this 21st day of October, 2008, before me, a Notary Public, personally appeared Michael D. Sanders, who is County Executive of JACKSON COUNTY,

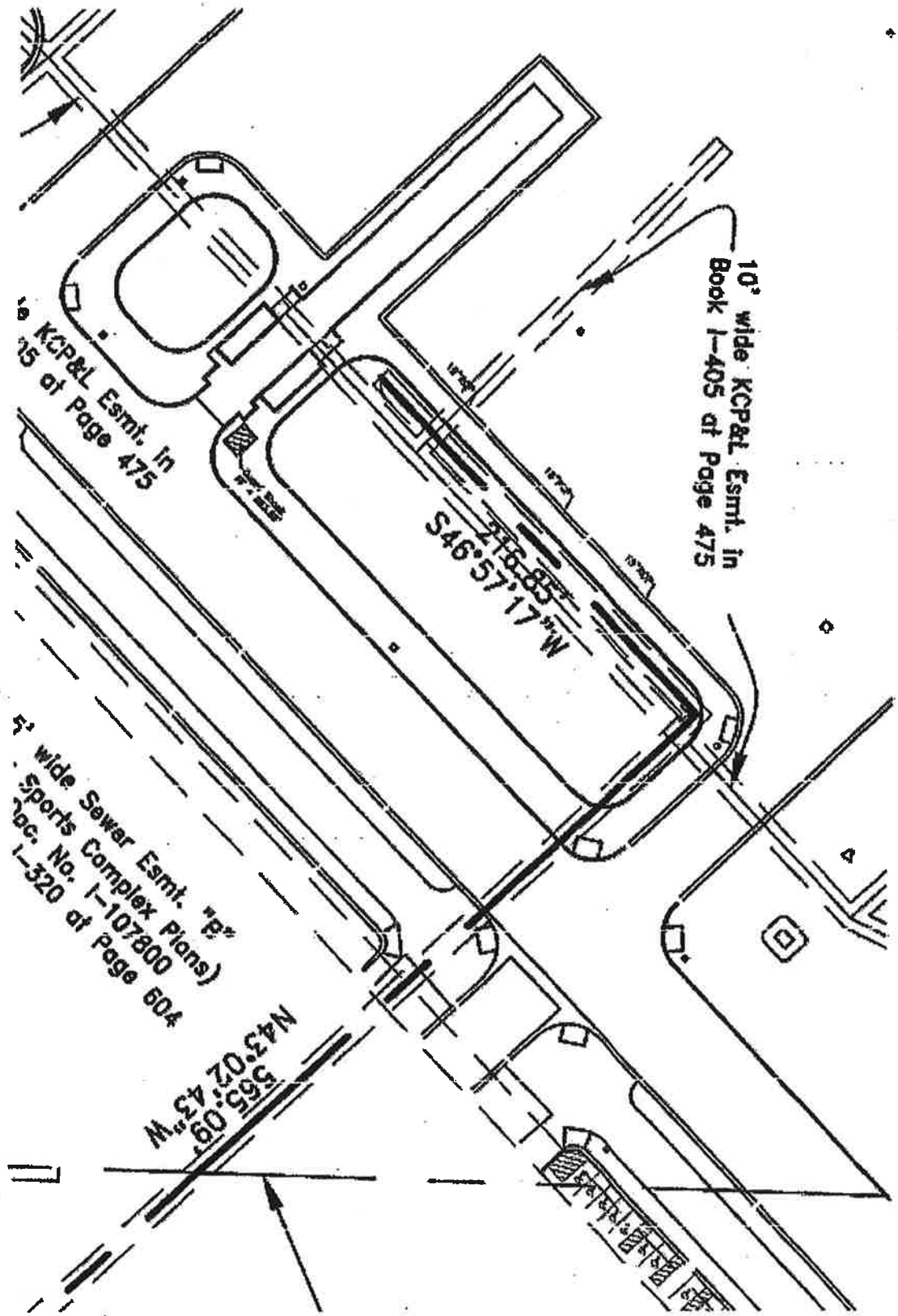
MISSOURI, and is known to me to be the person who executed the within document in behalf of JACKSON COUNTY, MISSOURI, and acknowledged to me that s/he executed the same for the purposes therein stated.

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

Annette Jones
Notary Public
Printed Name: Annette Jones

My Commission Expires: Oct. 23, 2011





10' wide KCP&L Esmt. in
Book I-405 at Page 475

10' wide KCP&L Esmt. in
Book I-405 at Page 475

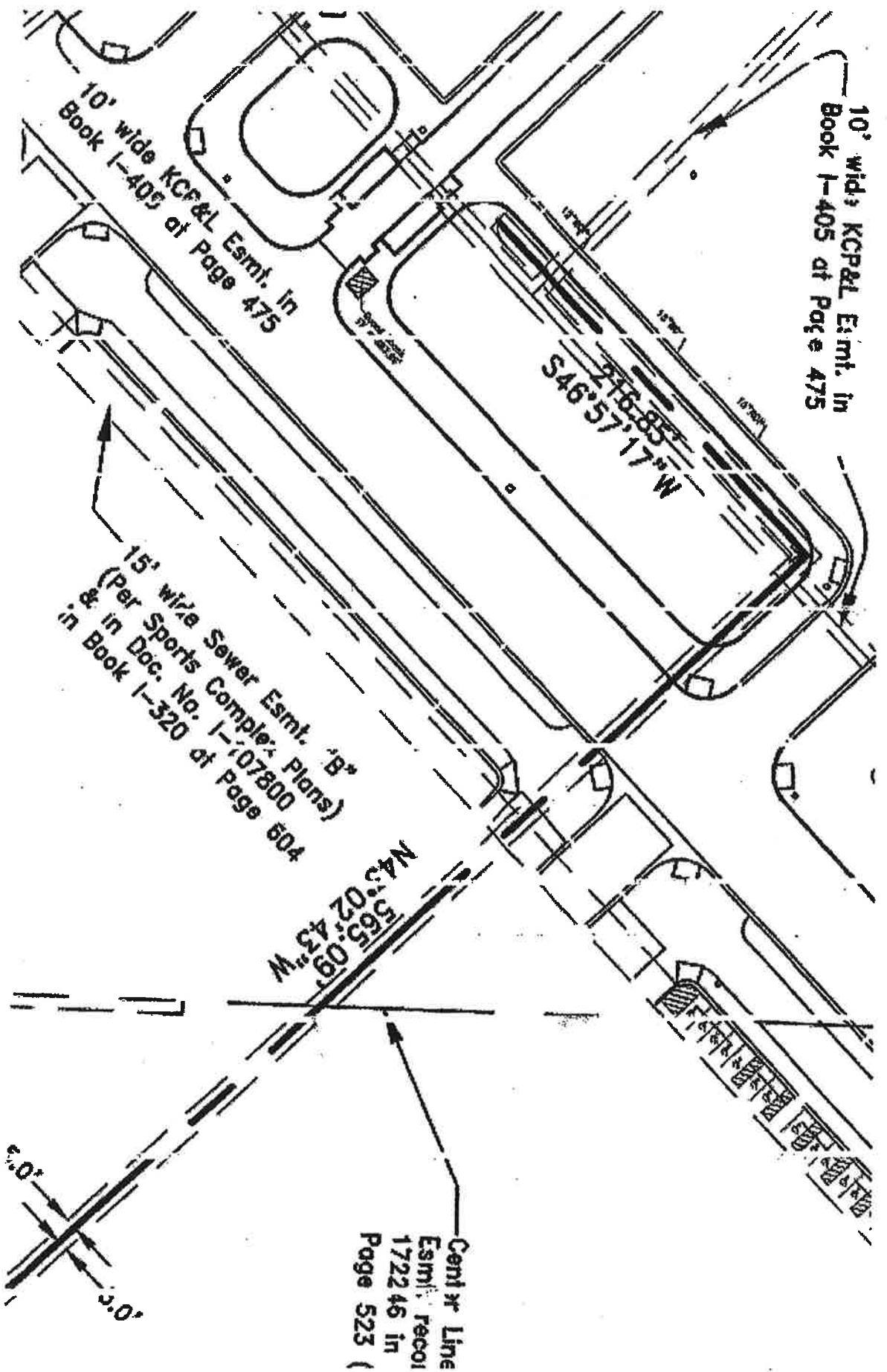
15' wide Sewer Esmt. "B"
(Per Sports Complex Plans)
& in Doc. No. I-07800
in Book I-320 at Page 604

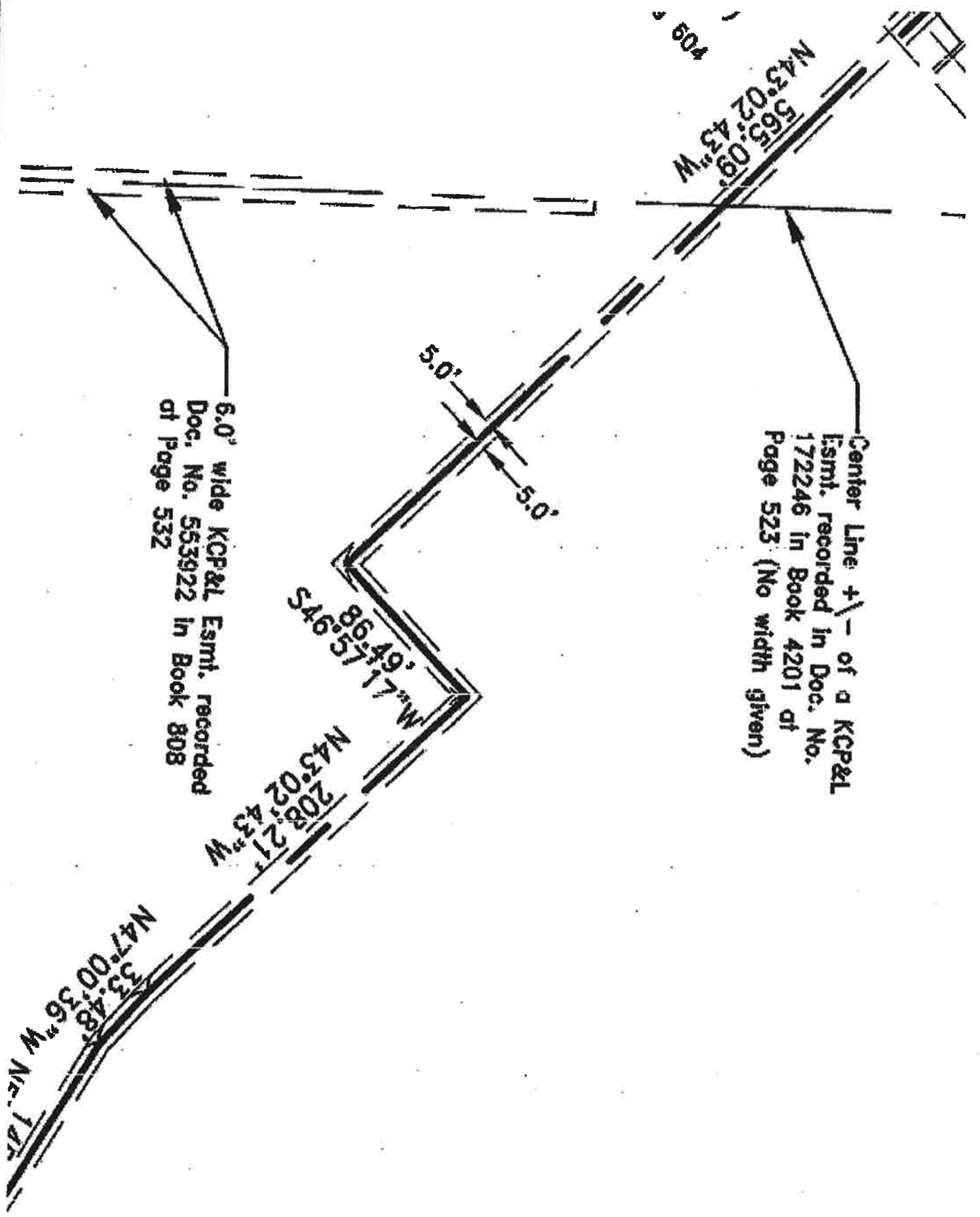
N43°02'43"W
565.09'

N71°16'55"
2716.85'
S46°57'17"W

Center Line
Esmt. rec'd
172246 in
Page 523

10'-0"
10'-0"





KCP&L Esmt. recorded
55:922 in Book 808
532

S46°57'17"W
86.49'

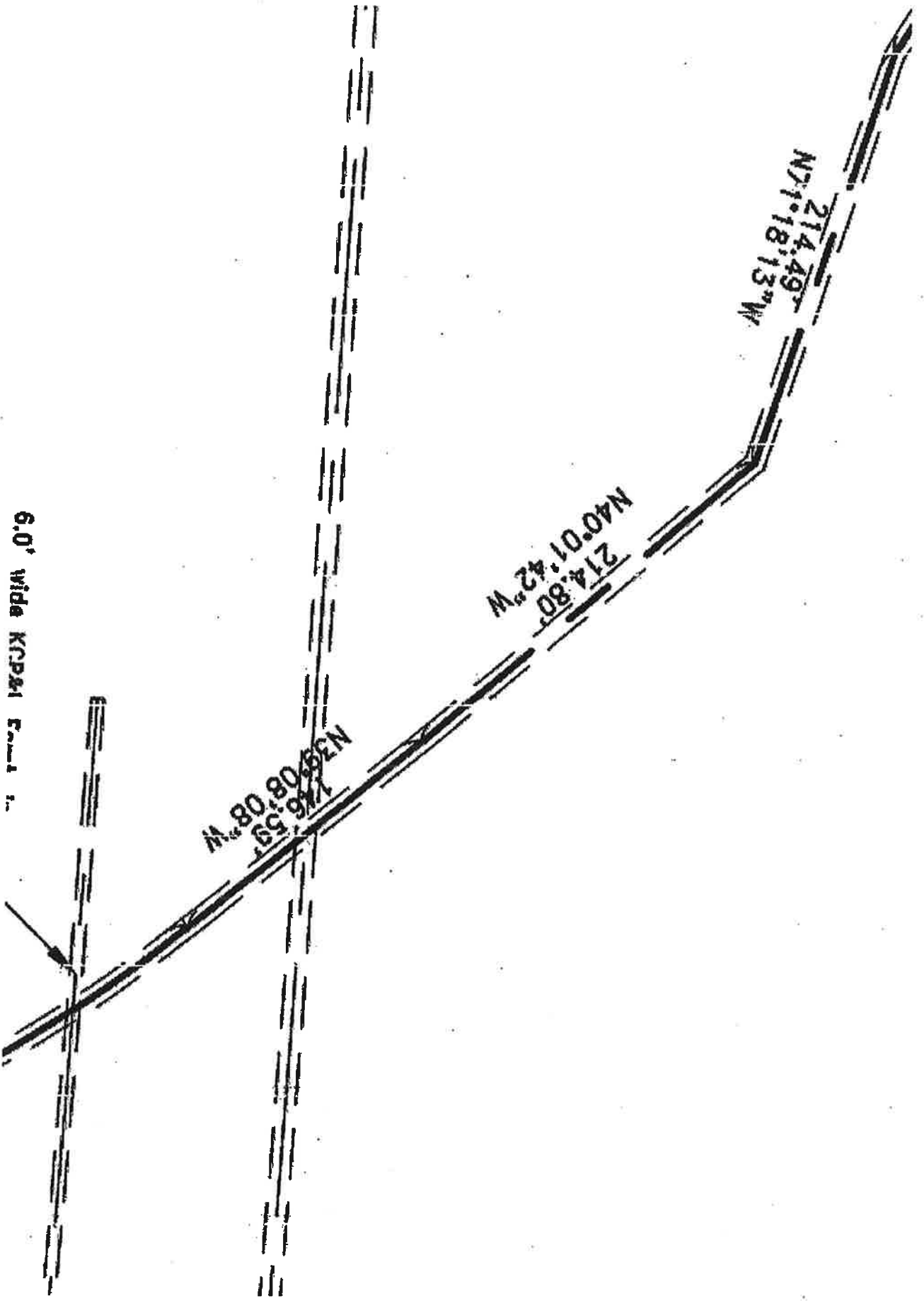
N43°02'43"W
228.21'

N47°00'36"W
33.48'

145.68'
N57°50'54"W

214.49'
N71°18'13"W

N42



214.49'
N71°18'13\"/>

214.80'
N40°01'42\"/>

246.59'
N39°08'08\"/>

6.0' wide KCP&I Canal

See KCP&L Esmt. in
No. 13354 in Book
Page 551

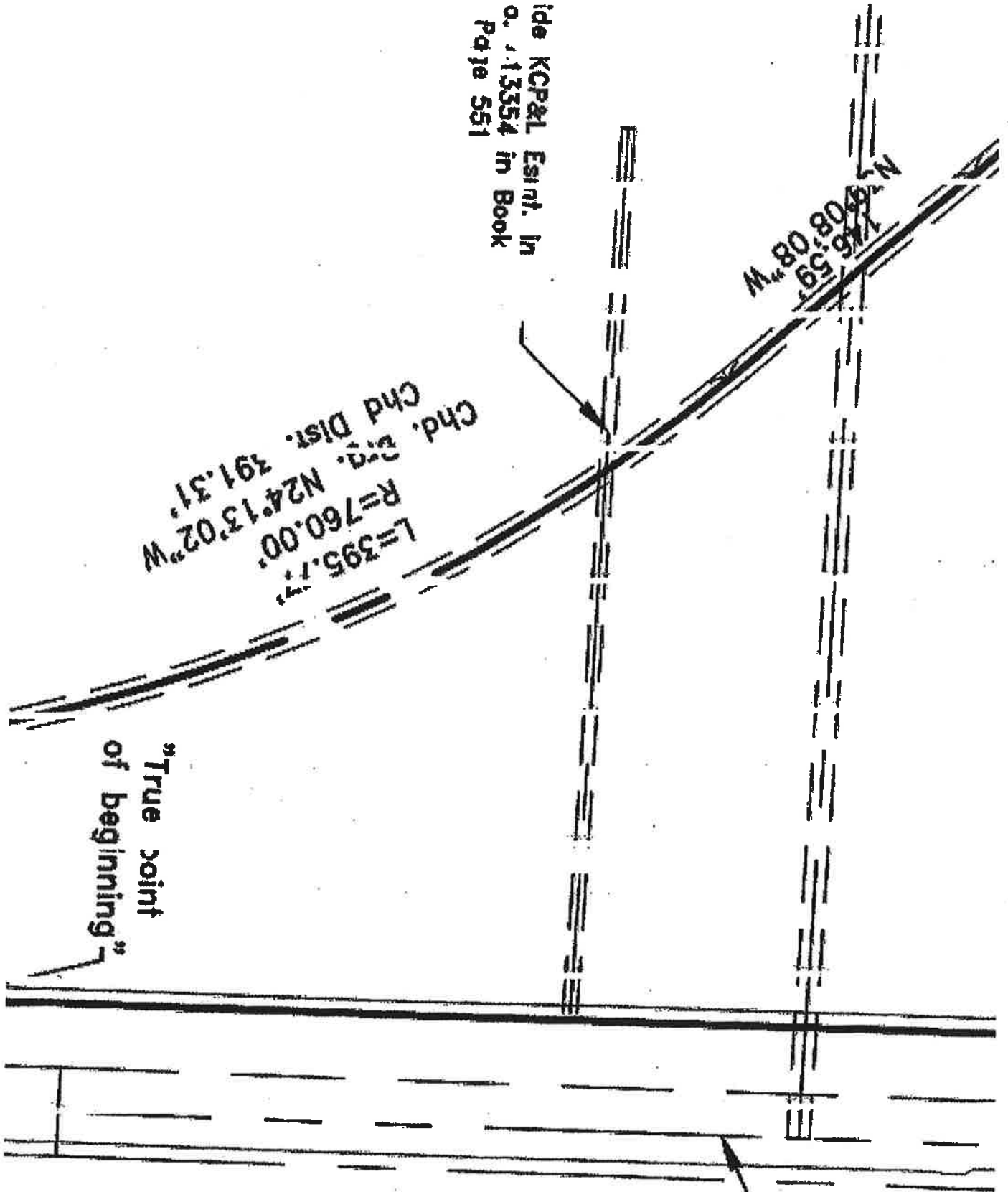
N 80° 08' 59" W
746.59'

Chd. seg. N24°13'02"W
L=395.77'
R=760.00'
Chd Dist. 391.31'

"True point
of beginning"

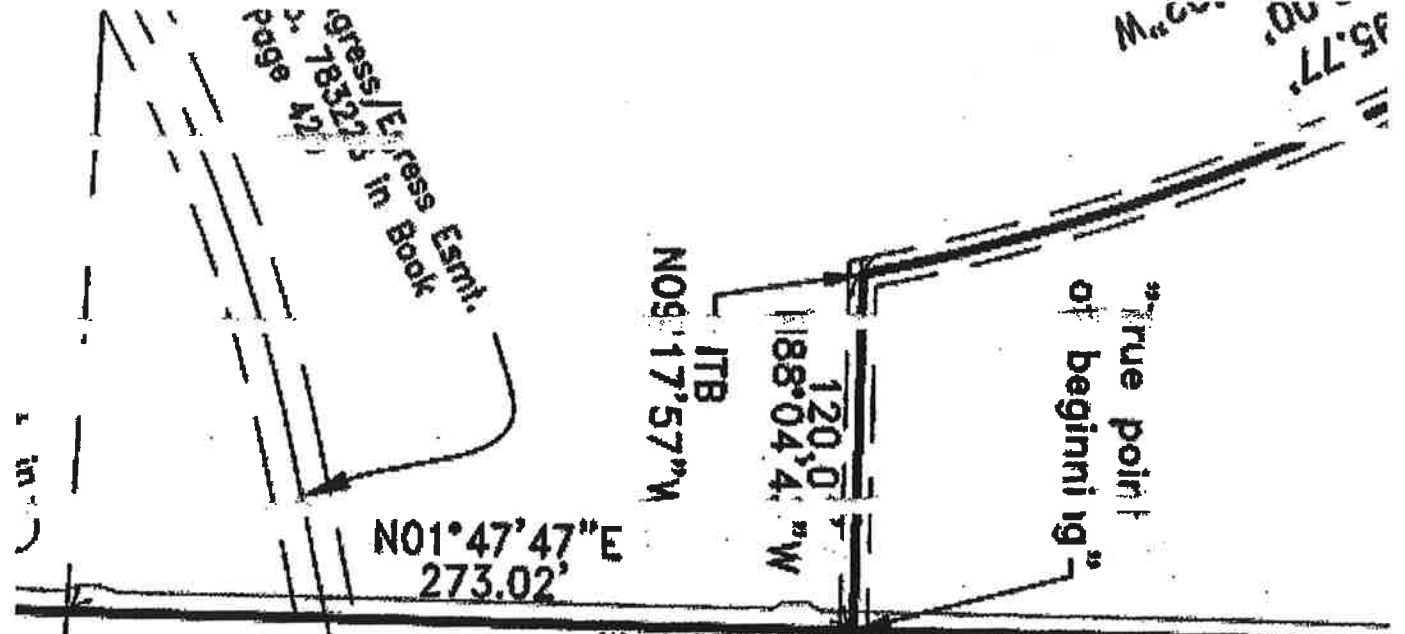
Right-of-Way for
in Doc. No.
572 at Page 632

40' wide Road
Blue Ridge C



M. G. 00
75.77
77.95

Progress/E. res. East.
783225 in Book
page 47



"True point
of beginning"

ITB
N09°17'57"W

N01°47'47"E
273.02'

West R/W Line

1 in =

40' wide Road Right-of-Way for
Blue Ridge Cutoff in Doc. No.
306313 in Book 572 at Page 632

NE cor., S 11/4,
Sec. 20-41-32
nd. 1" refer

CG 20701722

