

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a Sidewalk and Pedestrian License conveying rights to the City of Kansas City for the construction of a KCATA Transit Station on county owned property located at 12th and Locust Streets, at no cost to the county.

RESOLUTION #17248, April 19, 2010

INTRODUCED BY Bob Spence, County Legislator

WHEREAS, the City of Kansas City has requested a Sidewalk and Pedestrian License to facilitate the construction of a KCATA Transit Station on county owned property located at 12th and Locust streets to replace the current bus stop station; and,

WHEREAS, the Director of Public Works recommends the Sidewalk and Pedestrian License and construction of a KCATA Transit Station; and,

WHEREAS, the Sidewalk and Pedestrian License is in the best interests, health, safety and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute the attached Sidewalk and Pedestrian License for the City of Kansas City, in a form to be approved by the County Counselor; and,

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

APPROVED AS TO FORM:

Pamela Lellin
Deputy/Assistant County Counselor

Wm G. Sledge
Acting County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17248 of April 19, 2010, was duly passed on April 26, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

4.27.10
Date

Mary Jo Spino
Mary Jo Spino Clerk of Legislature

MP 5.20.10

Project No. 09-5011-39
Jackson County Missouri
415 E. 12th Street
Kansas City, Missouri 64106

SIDEWALK AND PEDESTRIAN LICENSE

Res. #17248

THIS INDENTURE, made this May 6, 2010, by and between Jackson County, Missouri located in the County of Jackson, and State of Missouri, party of the first part (Grantor), and the City of Kansas City, a municipal corporation of the State of Missouri, party of the second part (Grantee), whose mailing address is 414 East 12th Street, Kansas City, Missouri, 64106.

WITNESSETH:

WHEREAS, Grantor is the owner of the real property described in Exhibit A attached hereto and incorporated herein by reference and as depicted on the drawing attached hereto as Exhibit B ("Sidewalk and Pedestrian License"); and

WHEREAS, Grantee desires to provide pedestrian access to a Kansas City Area Transportation Authority (KCATA) Troost Avenue Bus Rapid Transit Station as depicted on the site layout attached as Exhibit C (site layout) or similar Transit Station; and

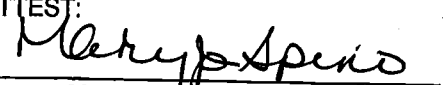
WHEREAS, Grantor has agreed to grant a Sidewalk and Pedestrian License to Grantee for the placement, location, maintenance and use of a sidewalk upon the terms and conditions herein set forth.

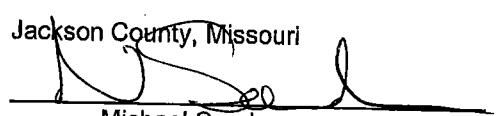
Now, therefore, in consideration of the sum of One Dollar (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are herewith acknowledged by Grantor, Grantor does hereby grant, convey, release and remise unto Grantee a Sidewalk and Pedestrian License over, under, along and across the real estate described in Exhibit A; provided, however, that the license shall be nonrevocable for as long as the sidewalk and KCATA Troost Avenue Bus Rapid Transit Station as depicted on Exhibit C or similar Transit Station are in place. Grantor acknowledges that Grantor may not revoke the easement for as long as the sidewalk and KCATA Transit Station are in place, and Grantee acknowledges by its acceptance hereof that this license is being granted solely for the purpose of pedestrian use and to provide access to the KCATA Transit Station.

KCATA shall indemnify and hold County harmless from any and all claims, liabilities, damages, and costs (including reasonable attorney's fees directly related thereto) arising out of the construction and operation of the Transit Station, if and to the extent caused by the negligence or misconduct of KCATA.

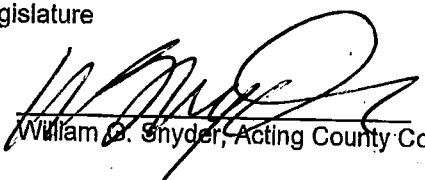
In Witness Whereof, Grantor has caused this Sidewalk and Pedestrian License to be duly executed the day and year first above written.

ATTEST:


Mary Jo Spino
Clerk of the County Legislature

Jackson County, Missouri

Michael Sanders
County Executive

Approved as to form:


William G. Snyder, Acting County Counselor

FILED

MAY 06 2010

MARY JO SPINO
COUNTY CLERK

ACKNOWLEDGEMENT

STATE OF MISSOURI)
)
COUNTY OF JACKSON) SS

On this 6 day of May, 2010, before me, a Notary Public appeared Michael Sanders, County Executive of Jackson County Missouri, a first class charter county in the state of Missouri, and that the seal affixed to the foregoing instrument is the seal of said county, and that said instrument was signed and sealed in behalf of said county by authority of its Legislature, and said Michael Sanders acknowledged said instrument to be the free act and deed of said county.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the above stated county and state the day and year last above written.



PATRICIA MARIE MURILLO
My Commission Expires
September 16, 2012
Clay County
Commission #08463601

Patricia Marie Murillo

Notary Public in and for
said County and State

My commission expires: _____

Project No.09-5011-39
Jackson County Missouri
415 E. 12th Street
Kansas City, Missouri 64106

Exhibit "A"

Sidewalk and Pedestrian License

A parcel of land situated in a portion of Lot 1105, Block 77, "McGees Addition", a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

All of the North 24.14 feet of the East 29.72 feet of said Lot 1105, containing 718 square feet more or less.

Sidewalk and Pedestrian License

EXHIBIT B

☉ E. 12TH ST.

24.0'

S87°20'22"E
29.72'

N02°16'30"E
24.14'

S02°16'30"W
24.14'

N87°20'22"W
29.72'

1105

1106

BLOCK 77
MCGEE'S ADDITION

12.0'

36.8'

28.0'

28.0'

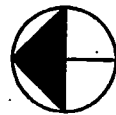
56.0'

28.0'

28.0'

28.0'

☉ LOCUST ST.



0' 10' 20'
SCALE: 1" = 20'



LEGEND:

Sidewalk and Pedestrian License Area

= 718 SQ. FT. MORE OR LESS



TALLAFERRO & BROWNE, INC.
CONSULTING ENGINEERS-SURVEYORS
KANSAS CITY, MISSOURI

KANSAS CITY AREA TRANSPORTATION AUTHORITY - KANSAS CITY, MISSOURI
TROOST AVENUE BUS RAPID TRANSIT STATIONS

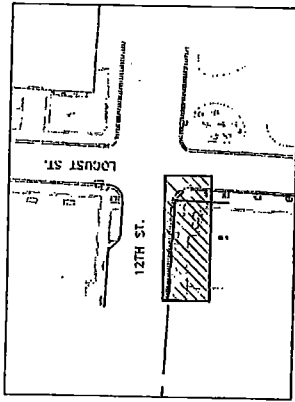
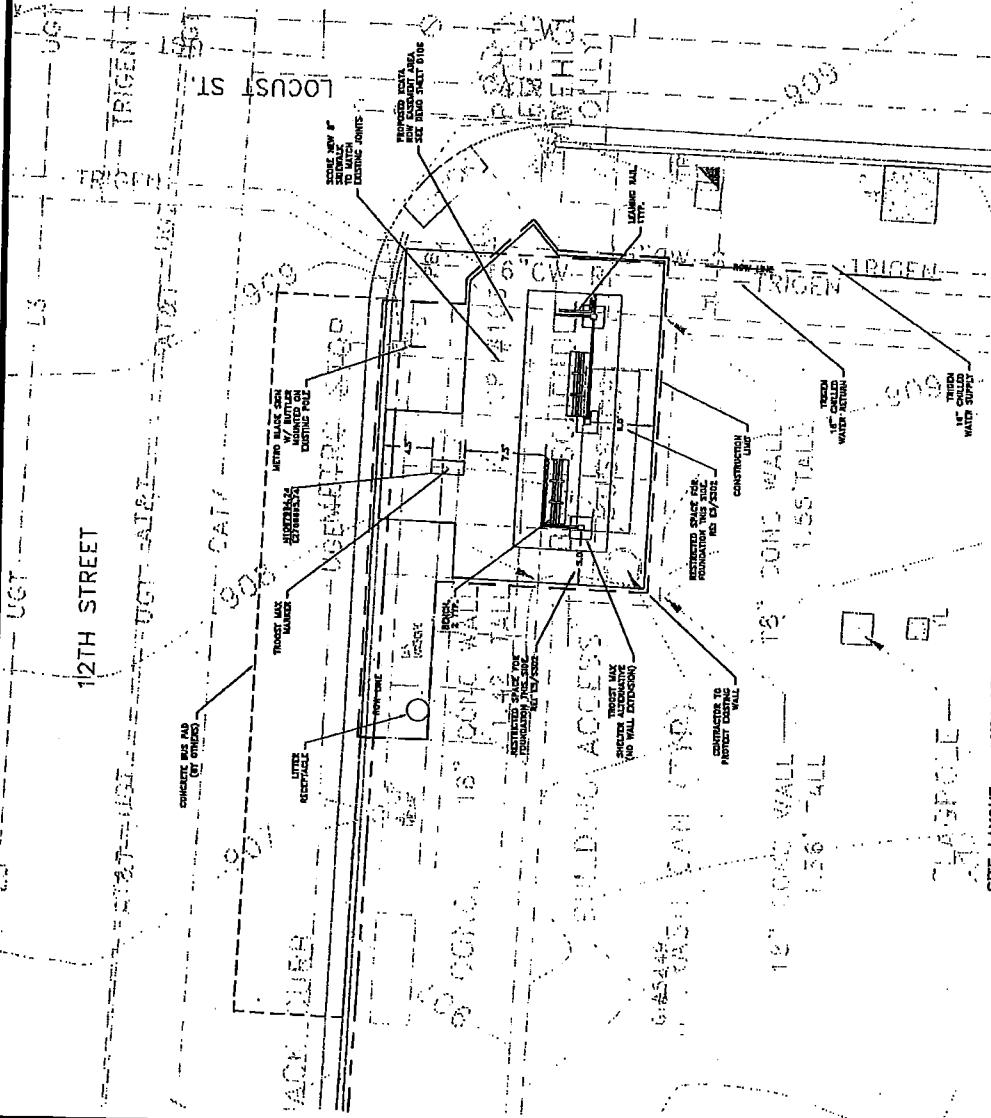
GOVERNMENT DISTRICT - 12TH AT LOCUST ST.

Sidewalk and Pedestrian License

- NOTES:
1. SEE SHEET 101 FOR TYPICAL STATION LAYOUT, SEE SHEETS 1001 & 1002 FOR MANHOLE CONSTRUCTION DETAILS, SEE SHEET 1003 FOR PORTION OF PLANTING AND RETENTION WITHIN IMPROVED MEDIA CURBOUT

SIDEWALK AND PEDESTRIAN LICENSE

EXHIBIT C



HNTB
 HNTB Corporation
 Engineers, Planners & Architects
 15 West Bank Planners
 Ph: (813) 273-5500 Fax: (813) 492-3988
 2000 NE 15th St, Suite 200
 Fort Lauderdale, FL 33304

Talafano & Rowley, Inc.
 Consulting Engineers, Landscaping & Architects
 11000 SW 11th St, Suite 100
 Miami, FL 33150
 Ph: (305) 551-1100 Fax: (305) 551-1100

DUPRE CONSULTANTS
 Civil & Structural Engineering
 11000 SW 11th St, Suite 100
 Miami, FL 33150
 Ph: (305) 551-1100 Fax: (305) 551-1100

DATE: 12/17/08
 DRAWING NO.: 101-1000
 PROJECT: GOVERNMENT DISTRICT - 12TH ST AT LOCUST ST
 DIVISION: CIVIL