

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING TEMPORARY CONSTRUCTION AND GRADING EASEMENTS AND GENERAL UTILITY EASEMENTS FOR THE RAYMOND, HACKLESS TO MILLS PROJECT (PROJECT NO. 70131806); AUTHORIZING THE NEGOTIATION AND EMINENT DOMAIN PROCEEDINGS IF NECESSARY; APPROVING THE PLANS AND SPECIFICATIONS FOR THE PROJECT; AUTHORIZING THE USE OF EXPERTS AS NEEDED; AUTHORIZING AND DIRECTING THE EXECUTION OF DOCUMENTS AND THE PAYMENT OF FUNDS TO PROPERTY OWNERS OR OTHERS HOLDING PROPERTY RIGHTS, IN CONJUNCTION WITH THE PROJECT.

WHEREAS, the City Council of the City of Independence, Missouri, pursuant to advice and recommendation of the Municipal Services Director, deems it necessary, advisable and in the public interest to obtain temporary construction and grading easements and general utility easements in accordance with the plans and specifications as approved for construction, operation and maintenance of Raymond, Hackless to Mills (No.70131806), together with all appurtenances, thereto, along, over, under, upon, across and through certain tracts of land within Independence, Jackson County, Missouri; and,

WHEREAS, since the enactment of Ordinance No. 19005, it has been determined that the acquisition of temporary construction and grading easements and general utility easements must be completed on twenty (20) more parcels for the project to be completed; and,

WHEREAS, the City has authority by virtue of Section 82.240 of the Revised Statutes of the State of Missouri, 1969, as amended, and Section 1.3 and 1.4 of the Charter of the City of Independence, Missouri, revised August 8, 1978, to acquire private property by eminent domain proceedings for any public or municipal use, including the uses or purposes stated herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That it is hereby found, determined and declared that it is necessary for the purpose of construction, operation and maintenance of improved Raymond, Hackless to Mills Improvements (No. 70131806) for the City of Independence, Missouri, to acquire by purchase or eminent domain proceedings temporary construction grading easements and general utility easements for such public improvements, including, but not limited to, the right to construct curbs, drives, trails, sidewalks and storm sewers, together with all appurtenances thereunto belonging along, over, under, upon, across and through the following described tracts of land, all of which are situated in Independence, Jackson County, Missouri; to wit:

Parcel 1

Temporary Construction Easement

Beginning at the Southeast corner of said Lot 97, thence North 87°30'53" West, along the South line of said Lot 97, a distance of 20.00 feet; thence departing said South line and along a line being parallel with the East line of said Lot 97, North 01°33'42" East, a distance of 7.00 feet; thence South 87°30'53" East, along a line being parallel with said South line, a distance of 10.00 feet; thence North 01°33'42" East, along a line being

parallel with said East line, a distance of 15.00 feet; thence South 87°30'53" East, along a line parallel with said South line, a distance of 10.00 feet, to a point on said East line; thence South 01°33'42" West, along said East line, a distance of 22.00 feet to the Point of Beginning, containing 290 square feet, more or less.

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*

Parcel 2

General Utility Easement

Beginning at the Southwest corner of said Lot 95; thence North 01°33'42" East, along the West line of said Lot 95, a distance of 38.61 feet; thence departing said West line, South 04°10'30" East, a distance of 38.87 feet, to a point on the South line of said Lot 95; thence North 87°26'14" West, along said South line, a distance of 3.89 feet to the Point of Beginning, containing 75 square feet, more or less.

Temporary Construction Easement

Beginning at the Northwest corner of said Lot 95, thence South 87°21'36" East, along the North line of said Lot 95, a distance of 7.00 feet; thence departing said North line and along a line parallel with the West line of said Lot 95, South 01°33'42" West, a distance of 50.22 feet, to a point on the South line of said Lot 95; thence North 87°27'47" West, along the South line of said Lot 95, a distance of 3.11 feet; thence departing said South line, North 04°10'30" West, a distance of 38.87 feet, to a point on the West line of said Lot 95; thence North 01°33'55" East, along said West line, a distance of 11.62 feet to the Point of Beginning, containing 276 square feet, more or less.

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*

Parcel 3

General Utility Easement

Beginning at the Southwest corner of said Lot 96; thence North 01°33'42" East, along the West line of said Lot 96, a distance of 50.23 feet, to the Northwest corner of said Lot 96, thence South 87°26'14" East, along the North line of said Lot 96, a distance of 3.89 feet; thence departing said North line, South 04°10'30" East a distance of 50.56 feet, to a point on the South line of said Lot 96; thence South 87°30'53" East, along said South line, a distance of 8.94 feet to the Point of Beginning, containing 322 square feet, more or less.

Temporary Construction Easement

Commencing at the Southwest corner of said Lot 96; thence South 87°30'53" East, along the South line of said Lot 95, a distance of 8.94 feet, to the Point of Beginning; thence departing said South line, North 04°10'30" West, a distance of 50.56 feet, to a point on the North line of said Lot 96; thence South 87°26'14" East, along said North line, a distance of 6.12 feet; thence departing said North line and along a line parallel with the West line of said Lot 96, South 01°33'42" West, a distance of 50.22 feet, to a point on said South line; thence North 87°30'53" West, along said South line, a distance of 1.06 feet to the Point of Beginning, containing 180 square feet, more or less.

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*

Parcel 5

Temporary Construction Easement

Beginning at the Southwest corner of said Lot 48, thence North 01°32'55" East, along the West line of said Lot 48, a distance of 9.00 feet; thence departing said West line, South 53°13'32" East, a distance of 10.65 feet; thence South 87°30'53" East, along a line parallel with the South line of said Lot 48, a distance of 18.30 feet, thence South 01°32'55" West, a distance of 3.00 feet, to a point on said South line; thence North 87°30'53" West, along said South line, a distance of 27.00 feet to the Point of Beginning, containing 107 square feet, more or less.

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*

Parcel 6

General Utility Easement

Beginning at the Southwest corner of said Lot 1, thence North 87°30'53" West, along the South line of said Lot 1, a distance of 44.27 feet; thence departing said South line North 70°11'55" East, a distance of 47.46 feet, to a point on the East line of said Lot 1; thence South 01°21'50" West, along said East line, a distance of 18.00 feet to the Point of Beginning, containing 398 square feet, more or less.

Temporary Construction Easement

Commencing at the Southwest corner of said Lot 1, thence North 87°30'53" West, along the South line of said Lot 1, a distance of 44.27 feet to the Point of Beginning; thence continuing along said South line, North 87°30'53" West, a distance of 25.73 feet; thence departing said South line and along a line parallel with the East line of said Lot 1, North 01°21'50" East, a distance of 17.50 feet; thence South 87°30'53" East, along a line parallel with said South line, a distance of 68.77 feet; thence South 70°11'55" West, a distance of 46.14 feet to the Point of Beginning, containing 827 square feet, more or less.

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*

Parcel 7

General Utility Easement

Beginning at the Northeast corner of a tract of land as described in Tract I, recorded in Document Number 2009E0059503, recorded in the office of the Register of Deeds, Jackson County, Missouri; thence South 01°21'50" West, along the East line of said Tract I, a distance of 41.00 feet; thence departing said East line and along a line parallel with the North line of said Lot 37, North 87°30'53" West, a distance of 33.00 feet; thence North 01°21'50" East, along a line parallel with said East line, a distance of 41.00 feet, to a point on said North line; thence South 87°30'53" East, along said North line, a distance of 33.00 feet to the Point of Beginning, containing 1,353 square feet, more or less.

Temporary Construction Easement

Commencing at the Northeast corner of a tract of land as described in Tract I, recorded in Document Number 2009E0059503, recorded in the office of the Register of Deeds, Jackson County, Missouri; thence North 87°30'53" West, along the North line of said Lot 37, a distance of 33.00 feet to the Point of Beginning; thence departing said North line, South 01°21'50" West, a distance of 24.00 feet; thence North 87°30'53" West, along a line parallel with said North line, a distance of 4.00 feet; thence North 01°21'50" East, a distance of 24.00 feet, to a point on said North line; thence South 87°30'53" East, along said North line, a distance of 4.00 feet to the Point of Beginning, containing 96 square feet, more or less.

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*

Parcel 8

Temporary Construction Easement

Commencing at the Northwest corner of said Southeast Quarter; thence South 87°30'53" East, along the north line of said Southeast Quarter, a distance of 25.49 feet; thence departing said North line, South 02°29'07" West, a distance of 25.00 feet, to a point on the South right-of-way line of East Sea Avenue, as it now exists, said point being the Point of Beginning; thence South 87°30'53" East, along said South right-of-way line, a distance of 5.00 feet; thence departing said South right-of-way line South 01°21'50" West, a distance of 21.00 feet; thence North 87°30'53" West, along a line parallel with said South right-of-way line, a distance of 5.00 feet, to a point on the East right-of-way line of South Savage Street as it now exists; thence North 01°21'50" East, along said East right-of-way line, a distance of 21.00 feet to the Point of Beginning, containing 105 square feet, more or less.

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*

Parcel 9

Temporary Construction Easement

Beginning at the Southwest corner of said Lot 12; thence North 01°21'50" East along the West line, of said Lot 12, a distance of 49.93 feet to the Northwest corner of said Lot 12; thence South 87°31'21" East, along the North line of said Lot 12, a distance of 8.00 feet; thence departing said North line, South 01°21'50" West, along a line parallel with said West line, a distance of 49.93 feet, to a point on the South line of said Lot 12; thence North 87°30'53" West, along said South line, a distance of 8.00 feet to the Point of Beginning, containing 399 square feet, more or less.

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*

Parcel 10

Temporary Construction Easement

Beginning at the Southwest corner of said Lot 11; thence North 01°21'50" East along the West line, of said Lot 11, a distance of 49.93 feet to the Northwest corner of said Lot 11; thence South 87°31'48" East, along the North line of said Lot 11, a distance of 20.00 feet; thence departing said North line, South 01°21'50" West, along a line parallel with said West line, a distance of 32.00 feet; thence North 87°31'48" West, along a line parallel with said North line, a distance of 12.00 feet; thence South 01°21'50" West, along a line parallel with side West line, a distance of 17.93 feet, to a point on the South line of said Lot 11; thence North 87°31'21" West, along said South line, a distance of 8.00 feet to the Point of Beginning, containing 783 square feet, more or less.

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*

Parcel 11

Temporary Construction Easement

The West 20.00 feet of Lot 10, COOPER'S ADDITION, a subdivision in the City of Independence, Jackson County, Missouri, containing 799 square feet, more or less.

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*

Parcel 12

General Utility Easement

Beginning at the Northwest corner of said Lot 8; thence South 01°21'50" West, along the West line of said Lot 8; thence departing said West line, North 73°38'47" East, a distance of 42.18 feet; northeasterly, along a curve to the left having a radius of 65.00 feet and a central angle of 22°58'22" for a distance of 26.06 feet, to a point on the North line of said Lot 8; thence North 87°33'11" West, along the North line of said Lot 8, a distance of 62.79 feet to the Point of Beginning, containing 968 square feet, more or less.

Temporary Construction Easement

Commencing at Southwest corner of said Lot 9; thence North 01°21'50" East, along the West line said Lot 9, a distance of 19.93 feet to the Point of Beginning; thence continuing along said West line, and the West line of said Lot 8 North 01°21'50" East, a distance of 53.28 feet; thence departing said West line, North 73°38'47" East, a distance of 42.18 feet; northeasterly, along a curve to the left having a radius of 65.00 feet and a central angle of 22°58'22" for a distance of 26.06 feet, to a point on the North line of said Lot 8; thence South 87°33'11" East, along said North line, a distance of 20.33 feet; thence southwesterly, along a non-tangent curve to the right having a radius of 80.00 feet a chord bearing of South 56°41'37" West, and a chord length of 46.65 feet for a distance of 47.34 feet; thence South 73°38'47" West a distance of 10.22; thence South 01°21'50" West, along a line parallel with the West line of said Lots 8 and 9, a distance of 49.38 feet; thence North 87°32'43" West, along a line parallel with said south line, a distance of 35.01 feet to the Point of Beginning, containing 2,743 square feet, more or

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*

Parcel 13

Temporary Construction Easement

The East 5.00 feet of the North 27.25 feet of Lot 4 and the East 5.00 feet of the South 34.35 feet of Lot 5, all in EDEN PARK, a subdivision in the City of Independence, Jackson County, Missouri, containing 308 square feet, more or less.

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*

Parcel 14

General Utility Easement

Beginning at the Southwest corner of said Lot 7; thence North 01°21'50" East, along the west line of said West line of said Lot 7, a distance of 4.84 feet; thence departing said West line, North 73°38'47" East a distance of 32.60; thence northeasterly, along a curve to the left having a radius of 35.00 feet and a central angle of 34°41'20" for a distance of 21.19 feet; thence North 38°57'27" East a distance of 67.65 feet; thence northeasterly, along a curve to the right having a radius of 65.00 feet and a central angle of 21°07'51" for a distance of 23.97 feet to a point of the East line of said Lot 6; thence South 01°29'32" West, along said East line a distance of 42.13 feet; thence departing said East line, South 38°57'27" West a distance of 57.64 feet; thence southwesterly, along a non-tangent curve to the right having a radius of 65.00 feet and a central angle of 11°42'58" for a distance of 13.29 feet to a point on the South line of said Lot 7; thence North

87°33'11" West, along said South line, a distance of 62.79 feet to the Point of Beginning, containing 3,332 square feet, more or less.

Temporary Construction Easement

Beginning at the Southwest corner of said Lot 7; thence North 01°21'50" East, along the west line of said West line of said Lot 7, a distance of 20.59 feet; thence departing said West line, North 73°38'47" East a distance of 27.80 feet; thence northeasterly, along a curve to the left having a radius of 20.00 feet and a central angle of 34°41'20" for a distance of 12.11 feet; thence North 38°57'27" East a distance of 16.61 feet, to a point on the North line of said Lot 7; thence South 87°33'38" East, along said North line, a distance of 2.27 feet; thence departing said North line, North 30°16'48" East a distance of 56.47 feet to a point on the North line of said Lot 6; thence along said North line, South 87°34'05" East a distance of 31.22 feet to the Northeast corner of said Lot 6; thence South 01°29'38" West, along the East line of said Lot 6 and Lot 7, a distance of 68.40 feet; thence departing said East line, South 38°58'09" West a distance of 38.09 feet; thence southwesterly, along a curve to the right having a radius of 80.00 feet and a central angle of 00°46'17" a distance of 1.08 feet to a point on the South line of said Lot 7; thence North 87°33'11" West, along said South line, a distance of 83.12 feet to the Point of Beginning,

LESS AND EXCEPT

That portion of Lots 6 & 7 more particularly described as follows;

Beginning at the Southwest corner of said Lot 7; thence North 01°21'50" East, along the west line of said West line of said Lot 7, a distance of 4.84 feet; thence departing said West line, North 73°38'47" East a distance of 32.60; thence northeasterly, along a curve to the left having a radius of 35.00 feet and a central angle of 34°41'20" for a distance of 21.19 feet; thence North 38°57'27" East a distance of 67.65 feet; thence northeasterly, along a curve to the right having a radius of 65.00 feet and a central angle of 21°07'51" for a distance of 23.97 feet to a point of the East line of said Lot 6; thence South 01°29'32" West, along said East line a distance of 42.13 feet; thence departing said East line, South 38°57'27" West a distance of 57.64 feet; thence southwesterly, along a non-tangent curve to the right having a radius of 65.00 feet and a central angle of 11°42'58" for a distance of 13.29 feet to a point on the South line of said Lot 7; thence North 87°33'11" West, along said South line, a distance of 62.79 feet to the Point of Beginning, containing 3,332 square feet, more or less. Containing 2,976 square feet. More or less.

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*

Parcel 15

Temporary Construction Easement

Beginning at the Southeast corner of said Lot 5; thence South 87°34'05" East, along the South line of said Lot 5, a distance of 31.22 feet; thence departing said South line, North 30°16'48" East, a distance of 20.00 feet; thence South 87°34'05" East, along a line parallel with said South line, a distance of 21.58 feet, to a point on the East line of said Lot 5; thence South 01°29'32" West, along said East line, a distance of 17.69 feet to the Point of Beginning, containing 467 square feet, more or less.

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*

Parcel 16

General Utility Easement

Commencing at the Southwest corner of said Lot 20; thence South 87°34'05" East, along the South line of said Lot 20, a distance of 2.72 feet to the Point of Beginning; thence departing said South line, thence easterly, along a non-tangent curve to the right having a radius of 65.00 feet a chord bearing of North 72°47'37" East, and a chord length of 22.44 feet for a distance of 22.56 feet; thence South 88°28'55" East, a distance of 68.01 feet; thence North 47°23'07" East, a distance of 21.21 feet, to a point on the East line of said Lot 20; thence South 01°37'13" West, along said East line, a distance of 23.64 feet to the southeast corner of said Lot 20; thence North 87°34'05" West, a distance of 104.47 feet to the Point of Beginning, containing 890 square feet, more or less.

Temporary Construction Easement 1

Beginning at the Southwest corner of said Lot 20; thence North 01°29'32" East, along the West line of said Lot 20, a distance of 17.69 feet; thence departing said Lot 20, South 87°34'01" East, a distance of 41.53 feet; thence South 00°32'30" East, a distance of 9.87 feet; thence North 88°28'55" West, a distance of 17.90 feet; thence westerly, along a non-tangent curve to the left having a radius of 65.00 feet a chord bearing of South 72°47'37" West, and a chord length of 22.44 feet for a distance of 22.56 feet, to a point on said South line; thence North 87°34'05" West, a distance of 2.72 to the Point of Beginning, containing 507 square feet, more or less.

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*

Temporary Construction Easement 2

Commencing at the Southwest corner of said Lot 20; thence South 87°34'05" East, along the South line of said Lot 20, a distance of 72.07 feet; thence departing said South line, North 02°25'55" East, a distance of 8.31 feet to the Point of Beginning; thence North 00°54'44" East, a distance of 12.62 feet; thence South 88°47'08" East, a distance of 9.99 feet; thence North 01°04'30" East, a distance of 2.50 feet; thence South 87°34'05" East, a distance of 25.19 feet, to a point on the East line of said Lot 20; thence South 47°23'07" West, a distance of 21.21 feet; thence North 88°28'55" West, a distance of 19.79 feet to the Point of Beginning, containing 390 square feet, more or less.

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*

Parcel 17

General Utility Easement

Commencing at the Northwest corner of said Lot 19; thence South 87°34'05" East, along the North line of said Lot 19, a distance of 2.72 feet to the Point of Beginning; thence continuing along said North line, South 87°34'05" East, a distance of 104.47 feet, to the Northeast corner of said Lot 19; thence South 01°37'13" West, along the East line of said Lot 19, a distance of 19.45 feet; thence departing said East line, North 89°11'49" West a distance of 73.68 feet; thence southwesterly, along a curve to the left having a radius of 35.00 feet and a central angle of 51°50'44" for a distance of 31.67 feet; thence South 38°57'27" West, a distance of 10.01 feet, to a point on the West line of said Lot 19; thence North 01°29'32" East, along said West line, a distance of 42.13 feet; thence northeasterly, along a non-tangent curve to the right having a radius of 65.00 feet a chord bearing of North 61°28'14" East, and a chord length of 3.14 feet for a distance of 3.14 feet, to the Point of Beginning, containing 2,461 square feet, more or less.

Temporary Construction Easement 1

Commencing at the Northwest corner of said Lot 19; thence South 01°29'32" West, along the West line of said Lot 19, a distance of 43.74 feet to the Point of Beginning; thence continuing along said West line, South 01°29'32" West, a distance of 16.18 feet to a point on a line 10.00 feet southerly and parallel with the South line of said Lot 19; thence South 87°33'33" East, along said parallel line, a distance of 6.42 feet; thence departing said parallel line, North 38°57'27" East, a distance of 19.04 feet; thence northeasterly on a curve to the right having a radius of 20.00 feet and a central angle of 51°50'44" for a distance of 18.10 feet; thence South 89°11'49" East, a distance of 26.56 feet; thence North 00°48'11" East, a distance of 15.00 feet; thence North 89°11'49" West, a distance of 26.56 feet; thence southwesterly, along a curve to the left having a radius of 35.00 feet and a central angle of 51°50'44" for a distance of 31.67 feet; thence South 38°57'27" West, a distance of 10.01 feet, to the Point of Beginning, containing 1,041 square feet, more or less.

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*

Temporary Construction Easement 2

Commencing at the Northeast corner of said Lot 19; thence South 01°37'13" West, along the East line of said Lot 19, a distance of 19.45 feet to the Point of Beginning; thence departing said East line, North 89°11'49" West, a distance of 20.00 feet; thence South 01°37'13" West, a distance of 4.00 feet; thence South 89°11'49" East, a distance of 20.00 feet, to a point on said East line; thence North 01°37'13" East, along said East line, a distance of 4.00 feet to the Point of Beginning, containing 80 square feet, more or less.

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*

Temporary Construction Easement 3

Beginning at the Northwest corner of said Lot 19; thence South 87°34'05" East, along the North line of said Lot 19, a distance of 2.72 feet; thence departing said North line, southwesterly, along a non-tangent curve to the left having a radius of 65.00 feet a chord bearing of South 61°28'14" West, and a chord length of 3.14 feet for a distance of 3.14 feet, to a point on the West line of said Lot 19; thence North 01°29'32" East, a distance of 1.61 feet to the Point of Beginning, containing 2 square feet, more or less.

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*

Parcel 19

Temporary Construction Easement

All of the West 40.00 feet of Lot 29, COOPER'S ADDITION, a subdivision in the City of Independence, Jackson County, Missouri, containing 1,602 square feet more or less.

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*

Parcel 20

Temporary Construction Easement

All of the West 35.00 feet of the South 5.00 feet of Lot 28, COOPER'S ADDITION, a subdivision in the City of Independence, Jackson County, Missouri, containing 175 square feet, more or less.

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*

SECTION 2. That the City Manager and his designates are hereby authorized and directed to negotiate with the owners of the properties herein described for the purchase of general utility easements and temporary construction and grading easements relating to said lands.

SECTION 3. That in the event of failure to negotiate the proper compensation to be paid for such general utility easements and temporary construction and grading easements and the acquisition thereof by purchase, the City Counselor and his designates are hereby authorized and directed to institute eminent domain proceedings for the purpose of acquiring such general utility easements and temporary construction and grading easements in the manner provided by law.

SECTION 4. That the City Manager is hereby authorized to request proposals, if required, for surveys, appraisals, and necessary title reports for said property.

SECTION 5. That the improvements herein referred to shall be of the nature described herein and shall be done in accordance with the plans and specifications as completed, hereby approved, and on file in the office of the Municipal Services Director.

SECTION 6. That the City Manager of the City of Independence, Missouri, is hereby authorized and directed to execute necessary documents, to pay and disburse funds, within appropriations authorized for this project, to property owners, others holding property rights and escrow agents pursuant to negotiated agreements for purchase of said general utility easements and temporary construction and grading easements, all in accordance with established acquisition procedure and approved appraisals.

Raymond, Hackless to Mills
City Project No. 70131806
Easements
05/03/2021
05/19/21 – JF

PASSED THIS _____ DAY OF _____, 2021, BY THE CITY COUNCIL
OF THE CITY OF INDEPENDENCE, MISSOURI.

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

Presiding Officer of the City Council
of the City of Independence, Missouri

I hereby certify that there is a balance,
otherwise, unencumbered, to the credit of
the appropriation to which the foregoing
expenditure is to be charged, and a cash
balance, otherwise unencumbered, in the
treasury, to the credit of the fund from
which payment is to be made, sufficient
to meet the obligation hereby incurred.

Source is: Stormwater

Director of Finance and Administration
City of Independence, Missouri