

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE FINDING AND GRANTING TWO 10-FOOT GENERAL UTILITY EASEMENTS TO SPIRE MISSOURI, INC. ACROSS PART OF LOTS 1 & 2 OF MORNINGSIDE HEIGHTS.

WHEREAS, the City of Independence currently owns Lots 1 and 2 of Morningside Heights and is in the process of dedicating portions of said lots as public right of way; and,

WHEREAS, Spire Missouri Inc is upgrading their infrastructure to better provide gas service to the area; and,

WHEREAS, Spire Missouri Inc is requesting a General Utility Easement in order to install gas service over the City's property; and,

WHEREAS, Spire Missouri Inc has agreed to terminate the easement if the easement area would ever be dedicated as public right of way.

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

SECTION 1. That the City Council of the City of Independence Missouri does grant two 10 foot General Utility Easements for gas lines through the properties at 2222 E Necessary Road, 2218 E Necessary Road and 2216 E Necessary Road, as described below:

Easement 1

A tract of land being part of Lot 2 of "Morningside Heights" in the Southwest Quarter of the Northwest Quarter of Section 9, Township 49 North, Range 31 West of the 5th P.M., City of Independence, Jackson County, Missouri, to wit:
Commencing at the Northeast Corner of Lot 2 of "Morningside Heights", recorded on December 9, 1953 in Book 16, Page 210 of the Jackson County Recorder of Deeds, thence along said north line S60°-00'-00"W 50.00 ft. to the point of beginning; thence leaving said north line S57°-05'-39"E 29.38 ft. to a point on the east line of said Lot 2· thence along said east line along a curve deflecting to the left having a radius of 223.57 ft., an arc length of 10.31 ft., a chord bearing of S 18°-46'-28"E, a chord distance of 10.31 ft. to a point; thence leaving said east line N57°-05'-39"E 37.01 ft. to a point on the north line of said Lot 2· thence along said north line N60°-00'-00"E 11.23 ft. to the point of beginning, containing 0.01 acres.

Easement 2

A tract of land being part of Lot 1 and Lot 2 of "Morningside Heights" in the Southwest Quarter of the Northwest Quarter of Section 9, Township 49 North, Range 31 West of the 5th/ P.M., City of Independence, Jackson County, Missouri, to wit:
Commencing at the Southeast Corner of Lot 2 of "Morningside Heights", recorded on December 9, 1953 in Book 16, Page 210 of the Jackson County Recorder of Deeds, thence N86.°-56'-17"W 36.45 ft. to the point of beginning; thence along a curve deflecting to the left having a radius of

1018. 92 ft., an arc length of 249.18 ft., a chord bearing of S02' -20' -55"W, a chord distance of 248.56 ft. to a point; thence along a curve deflecting to the left having a radius of 520.46 ft., an arc length of 71.48 ft., a chord bearing of S02'-02'-45"E, a chord distance of 71.43 ft. to a point on the south line of said Lot 1 · thence along said south line; thence N86' -56' -17"W 10.1 2 ft. to a point; thence leaving said south line along a curve deflecting to the right having a radius of 530.46 ft., an arc length of 70.69 ft., a chord bearing of N01'-59'-27"W, a chord distance of 70.64 ft. to a point; thence along a curve deflecting to the right having a radius of 1028.94 ft., an arc length of 249.95 ft., a chord bearing of N02'-20'-02"E, a chord distance of 249.34 ft. to a point; thence along a curve deflecting to the right having a radius of 1172.92 ft., an arc length of 202.20 ft., a chord bearing of N14'-22'-29"E, a chord distance of 201.95 ft. to a point on the east line of said Lot 2; thence along said east line along a curve deflecting to the left having a radius of 223.57 ft., an arc length of 6.79 ft., a chord bearing of S01'-54'-27"W, a chord distance of 6. 79 ft. to a point, thence SO 1 '-02' -17"W 26.82 ft. to a point; thence leaving said east line along a curve deflecting to the left having a radius of 11 63. 18 ft., an arc length of 167.41 ft., a chord bearing of S13'-37'-00"W, a chord distance of 167.27 ft. to the point of beginning, containing 0.12 acres.

SECTION 2. That the City Municipal Services Department is directed to ensure that this General Utility Easement is recorded with the Division of Property Records for the County of Jackson, State of Missouri.

PASSED THIS _____ DAY OF _____, 2022, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

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: _ _____

Director of Finance
City of Independence, Missouri