

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING GENERAL UTILITY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE LESLIE TO CRANE AT HEREFORD PROJECT (PROJECT NO. 132201); 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 general utility easements in accordance with the plans and specifications as approved for construction, operation and maintenance of the Leslie to Crane at Hereford Project (No.132201), together with all appurtenances, thereto, along, over, under, upon, across and through certain tracts of land within Independence, Jackson County, Missouri; 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 Leslie to Crane at Hereford Project (No. 132201) for the City of Independence, Missouri, to acquire by purchase or eminent domain proceedings temporary construction grading easements, general utility easements, and right of way 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:

Tract 1

All that part of Lot 142, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, Sate of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the East 8.50 feet of Lot 142, containing 548 square feet.

Tract 3:

General Utility Easement

All that part of Lots 139-141, inclusive, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at Northwest corner of said Lot 139; thence South 01°47'43" West, along the West line of said Lot 139, 119.63 feet; thence departing said West line and along a line parallel with and 15.00 feet distant from the South line of said Lot 139, South 48°48'00" East, 64.69 feet to a point on the East line of said Lot 139; thence South 01°47'43" West, along said East line, 19.41 feet to the Southeast corner thereof; thence North 48°48'00" West, along said South line, 63.13 feet, to the Southwest corner thereof; thence North 86°42'17" West, along the South line of said Lot 140, 16.00 feet; thence departing said South line, North 61°42'17" West, 95.17 feet, to a point on the West line of said Lot 141; thence North 01°47'43" East, along said West line, 22.37 feet; thence departing said West line, South 61°42'17" East, 94.94 feet, to a point on a line parallel with and 15.00 feet distant from the West line of said Lot 139; thence North 01°47'43" East, along said parallel line, 117.53 feet to a point on the North line of said Lot 140; thence South 86°42'17" East, along said North line, 15.01 feet to the Point of Beginning, containing 4,972 square feet.

Temporary Construction Easements

Three tracts of land in part of Lots 139-141, inclusive, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the Southwest corner of said Lot 141; thence North 01°47'43" East, along the West line of said Lot 141, 40.23 feet; thence departing said West line, South 61°42'17" East, 95.17 feet to a point on the South line of said Lot 140; thence North 86°42'17" West, along the South line of said Lot 140 & 141, 85.20 feet to the Point of Beginning, containing 1,713 square feet.

AND

Beginning at the Northwest corner of said Lot 141; thence South 86°42'17" East, along the North line of said Lot 141, 63.02 feet; thence departing said North line, South 01°47'43" West, 5.00 feet; thence North 86°42'17" West, 38.31 feet; thence South 01°47'43" West, 32.40 feet; thence North 89°36'26" West, 4.50 feet; thence South 01°09'52" West, 25.65 feet; thence South 89°19'02" East, 59.49 feet; thence North 01°47'43" East, 60.56 feet, to a point on the North line of said Lot 141; thence South 86°42'17" East, along said North line, 5.00 feet; thence South 01°47'43" West, 117.53 feet; thence North 61°42'17" West, 94.94 feet to a point on the West line of said Lot 141; thence North 01°47'43" East, along said West line, 77.39 feet to the Point of Beginning, containing 4,944 square feet.

AND

Beginning at the Northeast corner of said Lot 139; thence South 01°47'43" West, along the East line of said Lot 139, 5.00 feet; thence departing said East line, North 86°42'17" West, 17.51 feet; thence South 01°47'43" West, 121.05 feet; thence South 48°48'00" East, 22.65 feet to a point on said East line; thence South 01°47'43" West, along said East line, 19.41 feet; thence departing

said East line, North 48°48'00" West, 64.69 feet to a point on the West line of said Lot 139; thence North 01°47'43" East, along said West line, 119.63 feet to the Northwest corner thereof; thence South 86°42'17" East, along the North line of said Lot 139 50.00 feet to the Point of Beginning, containing 4,733 square feet.

Containing 11,390 square feet.

Tract 4:

General Utility Easement

All that part of Lot 128, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the Southeast corner of said Lot 128; thence North 01°47'43" East, along the West line of said Lot 128, 13.04 feet; thence departing said West line, South 54°46'29" East, 24.65 feet, to a point on the South line of said Lot 128; thence North 86°42'17" West, along said South line, 20.58 feet to the Point of Beginning, containing 134 square feet.

Temporary Construction Easement

All that part of Lot 128, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S., January 31, 2024, as follows:

Beginning at the Southeast corner of said Lot 128; thence North 01°47'43" East, along the West line of said Lot 128, 19.03 feet; thence departing said West line, South 54°46'29" West, 35.97 feet, to a point on the South line of said Lot 128; thence North 86°42'17" West, along said South line, 30.03 feet to the Point of Beginning, containing 286 square feet, including 134 square feet of proposed general utility easement.

Tract 5:

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2022E0061826 of the records of Jackson County, Missouri, said TRACT described as Lot 127 and the East One Half of Lot 126, FAIRWAY PARK, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 5.20 feet of said TRACT, containing 312 square feet.

Tract 6:

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2000I0033428 of the records of Jackson County, Missouri, said TRACT described as Lot 125 and the West 1/2 of Lot 126, FAIRWAY PARK, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 5.20 feet of said TRACT,
containing 312 square feet.

Tract 7:

Temporary Construction Easement

All that part of Lots 123 and 124, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the South 5.20 feet of Lots 123 and 124, containing 416 square feet.

Tract 8:

Temporary Construction Easement

All that part of Lot 122, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the South 10.00 feet of said Lot 122. Containing 400 square feet.

Tract 9:

Temporary Construction Easement

All that part of Lot 121, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 10.00 feet of the North 40.00 feet and all of the South 10.00 feet. Containing 800 square feet.

Tract 10:

General Utility Easement

All that part of Lot 185, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the Northeast corner of said Lot 185; thence South 01°47'43" West, along the East line of said Lot 185, 26.02 feet; thence departing said East line, North 26°42'17" West, 30.03 feet, to a point on the North line of said Lot 185; thence South 86°42'17" East, along said North line, 14.33 feet to the Point of Beginning, containing 186 square feet.

Temporary Construction Easement

All that part of Lot 185, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the Northeast corner of said Lot 185; thence South 01°47'43" West, along the East line of said Lot 185, 105.29 feet; thence departing said East line, North 88°12'17" West, 5.00 feet; thence North 01°47'43" East, 78.00 feet; thence North 26°42'17" West, 31.65 feet to a point

on the North line of said Lot 185; thence South 86°42'17" East, along said North line, 20.11 feet to the Point of Beginning, containing 734 square feet, including 186 square feet of proposed general utility easement.

Tract 11:

Temporary Construction Easement

All that part of Lot 188, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of the West 10.00 feet of said Lot 188, containing 50 square feet.

Tract 12:

Temporary Construction Easement

All that part of Lots 189 and 190, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of said Lot 189 and lot 190, containing 325 square feet.

Tract 13:

Temporary Construction Easement

All that part of Lots 191 and 192, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of said Lot 191 and Lot 192, containing 250 square feet.

Tract 14:

Temporary Construction Easement

All that part of Lots 193-195, inclusive, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of said Lots 193-195, inclusive, containing 375 square feet.

Tract 15:

General Utility Easement

All that part of Lots 118-120, inclusive, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 7.50 feet and the East 7.50 feet of said tract of land, containing 1,286 square feet.

Temporary Construction Easement

All that part of Lots 118-120, inclusive, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the South 5.00 feet of the North 12.50 feet and the West 5.00 feet of the East 12.50 feet of said tract of land, containing 795 square feet.

Tract 16:

Temporary Construction Easement

All that part of Lots 108 and 109, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the East 7.00 feet of the North 40.00 feet of Lot 108; and all of the east 8.00 feet of the South 70.00 feet of Lot 108; and all of the South 5.00 feet of Lots 108 and 109. Containing 1,200 square feet.

Tract 17:

Temporary Construction Easement

All that part of Lot 107, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 10.00 feet of said Lot 107, containing 1,240 square feet.

Tract 18:

Temporary Construction Easement

All that part of Lot 78, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 5.00 feet and all of the West 20.00 feet of the South 17.5 feet. Containing 883 square feet.

Tract 23:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 1976I0239961 of the records of Jackson County, Missouri, said TRACT described as Lot 5, except the South 6 feet thereof, FAIRWAY PARK,, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Commencing at the Northeast corner of said Lot 5, thence South 86°42'17" East, along the North line of said Lot 5, 29.97 feet to the Point of Beginning; thence departing said North line, South 51°21'47" East, 21.05 feet; thence South 14°22'54" East, 39.68 feet, to a point on the South line of said Tract of land; thence North 86°42'17" West, along said South line, 36.19 feet; thence

departing said South line, North 14°22'54" West, 17.96 feet; thence North 51°21'47" West, 56.82 feet to a point on said North line; thence South 86°42'17" East, along said North line, 58.77 feet to the Point of Beginning, containing 2317 square feet.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 1976I0239961 of the records of Jackson County, Missouri, said TRACT described as Lot 5, except the South 6 feet thereof, FAIRWAY PARK, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the Northeast corner of said Lot 5, thence South 01°47'43" West, along the East line of said Lot 5, 50.00 feet to the Southeast corner of said Tract; thence North 86°42'17" West, along the South line of said Tract, 59.33 feet; thence departing said South line, North 51°21'47" West, 86.40 feet to a point on the North line of said Lot 5; thence South 86°42'17" East, along said North line, 128.50 feet to the Point of Beginning, containing 4,694 square feet, including 2,317 square feet of proposed utility easement.

Tract 24:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 2004I0065443 of the records of Jackson County, Missouri, said TRACT described as FAIRWAY PARK, Lot 4 (Ex 5 6" & 5 6" Lot 5, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the Northeast corner of said Tract; thence South 01°47'43" West, along the East line of said Tract, 56.00 feet to the Southeast corner thereof; thence North 86°42'17" West, along the South line of said Tract, 21.87 feet; thence departing said South line, North 14°22'54" West, 58.76 feet to the North line of said Tract; thence South 86°42'17" East, along said North line, 38.25 feet to the Point of Beginning, containing 1,683 square feet, including 129 square feet of existing utility easement.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2004I0065443 of the records of Jackson County, Missouri, said TRACT described as FAIRWAY PARK, Lot 4 (Ex 5 6" & 5 6" Lot 5, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the Northeast corner of said Tract; thence South 01°47'43" West, along the East line of said Tract, 56.00 feet to the Southeast corner thereof; thence North 86°42'17" West, along the South line of said Tract, 37.62 feet; thence departing said South line, North 14°22'54" West, 53.62 feet; thence North 51°21'47" West, 8.45 feet to the North line of said Tract; thence South 86°42'17" East, along said North line, 59.33 feet to the Point of Beginning, containing 2,577 square feet, including 1,848 square feet of existing utility easement.

Tract 25:

Temporary Construction Easement

All that part of Lot 20, A&R ADDITION, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 20 feet of said Lot 20, containing 1,000 square feet, including 200 square feet of existing platted utility easement.

Tract 26:

Temporary Construction Easement

All that part of Lot 19, A&R ADDITION, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 20 feet of said Lot 19, containing 1,120 square feet, including 288 square feet of existing platted utility easement.

Tract 27:

General Utility Easement

All that part of Lot 6, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the Southwest corner of said Lot 6; thence North 01°47'43" East, along the West line of said Lot 6, 32.85 feet; thence South 81°21'47" East, 64.10 feet; thence South 51°21'47" East, 46.45 feet to a point on the South line of said Lot 6; thence North 86°42'17" West, along said South line, 100.85 feet to the Point of Beginning, containing 2,400 square feet.

Temporary Construction Easement

All that part of Lots 6 and 7, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Commencing at the Southwest corner of said Lot 6; thence North 01°47'43" East, along the West line of said Lot 6, 32.85 feet to the Point of Beginning; thence continuing along said West line, North 01°47'43" East, 27.30 feet; South 86°42'17" East, 68.21 feet; thence South 51°21'47" East, 103.96 feet to a point on the South line of said Lot 6; thence North 86°42'17" West, along said South line, 50.58 feet; thence departing said South line, North 51°21'47" West, 46.45 feet; thence North 81°21'47" West, 64.10 feet to the Point of Beginning, containing 4,204 square feet.

Tract 28:

General Utility Easement

All that part of Lot 169, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the South 37.50 feet of the East 35.00 feet of said Lot 169, containing 1,313 square feet.

Temporary Construction Easement

All that part of Lots 169 and 170, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 35.00 feet of said Lots 169 and 170. AND All of the South 45.00 feet of the East 45.00 feet EXCEPT for the South 37.50 feet of the East 35.00 feet. Containing 4,213 square feet.

Tract 29:

Temporary Construction Easement

All that part of Lot 158, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the South 5.00 feet of said Lot 158, containing 700 square feet.

Tract 30:

General Utility Easement

All that part of Lot 241, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the Southeast corner of said Lot 241; thence North 86°42'17" West, along the South line of said Lot 241, 5.00 feet; thence departing said South line, North 47°32'43" East, 6.98 feet to a point on the East line of said Lot 241 said point being 5.00 feet north of said Southeast corner; thence South 01°47'43" West, along the East line of said Lot 241, 5.00 feet to the Point of Beginning, containing 12 square feet.

Temporary Construction Easement

All that part of Lot 241, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Commencing at the Southeast corner of said Lot 241; thence North 86°42'17" West, along the South line of said Lot 241, 5.00 feet to the Point of Beginning; thence along said South line, North 86°42'17" West, 12.50 feet; thence departing said South line, North 47°32'43" East, 24.42 feet to a point on the East line of said Lot 241; thence South 01°47'43" West, along the East line of said Lot 241, 12.50; thence South 47°32'43" West, 6.98 feet to the Point of Beginning, containing 141 square feet.

Tract 33:

Temporary Construction Easement

All that part of Lot 258, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of said Lot 258, containing 250 square feet.

Tract 34:

Temporary Construction Easement

All that part of Lot 257, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of said Lot 257. AND All of the South 10.00 feet of said Lot 258. Containing 750 square feet.

Tract 35:

Temporary Construction Easement

All that part of Lot 257, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of said Lot 256. AND All of the East 7.50 feet of said Lot 256. AND All of the South 10.00 feet of said Lot 256. Containing 1,635 square feet.

Tract 36:

General Utility Easement

All that part of Lot 159, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 5.00 feet said Lot 159, containing 280 square feet.

Temporary Construction Easement

All that part of Lot 159, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of said Lot 158, EXCEPT for the West 5.00 feet thereof, containing 700 square feet.

Tract 37:

General Utility Easement

All that part of Lot 160, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 5.00 feet of said Lot 160, containing 280 square feet.

Tract 38:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 2020E0070793 of the records of Jackson County, Missouri, said TRACT described as FAIRWAY PARK, Lot 161 & N 1/2 Lot 162, Independence Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 5.00 feet of said Tract, containing 420 square feet.

Tract 39:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 2022E0063752 of the records of Jackson County, Missouri, said TRACT described as Lot 163 and the South 1/2 of Lot 162, FAIRWAY PARK, a subdivision in Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the West 5.00 feet of said Tract, containing 420 square feet.

Tract 40:

General Utility Easement

All that part of Lots 274 and 275, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of said Lots 274 and 275, containing 500 square feet.

Temporary Construction Easement

All that part of Lots 274 and 275, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the South 5.00 feet of said Lot 275. AND All of the South 5.00 feet of the East 25.00 feet of said Lot 247. Containing 375 square feet.

Tract 41:

General Utility Easement

All that part of Lot 273, FAIRWAY PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

All of the North 5.00 feet of the East 15.00

Tract 48:

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2018E0042351 of the records of Jackson County, Missouri, said TRACT described as all that part of the Lot 188, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The North 5 feet of Lot 188, GUDGELL PARK, containing 249 S.F.

Tract 50:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 2008E0079496 of the records of Jackson County, Missouri, said TRACT described as all that part of Lots 191-192, and the North half of Lot B, inclusive, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Commencing at the NE. corner of lot 191; thence North 87°33'38" West, along the North line of said Lot 191, 6.30 feet to the Point of Beginning; thence departing said North line South 05°57'15" West, 115.29 feet; thence South 70°55'20" West, 50.22 feet to a point on the South line of Lot 192; thence along the South line of Lot 192 North 87°41'32" West, 41.14 feet, thence departing said South line of Lot 192 North 70°55'20" East, 78.97 feet, thence North 05°57'15" East, 104.86 feet to a point along the North line of Lot 191, thence along said North line South 87°23'22" East, 15.03 feet to the Point of Beginning containing 2,620 S.F.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2008E0079496 of the records of Jackson County, Missouri, said TRACT described as All that part of Lots 191-192, and the North half of Lot B, inclusive, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at Northeast corner of Lot 191; thence South 87°23'27" East, along the North line of said Lot 191, 28.68 feet; thence departing said North line South 05°57'15" West, 104.86 feet; thence South 70°55'20" West, 78.98 feet to a point on the South line of Lot 192; thence North 87°41'32" West, 18.52 feet to the Southwest corner of lot 192, thence departing said South line North 01°49'26" East, along the west line of lot 192, 50.00 feet, then departing said West line South 87°41'33" East, 71.18 feet, to a point on the East line of Lot 192, thence North 01°49'25" East along said East line, 83.60 feet to the Point of Beginning containing 2,620 S.F.

Tract 51:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 2023E0084152 of the records of Jackson County, Missouri, said TRACT described as all that part of Lots 181-182, and the South half of Lot B, inclusive, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Commencing at the NE. corner of lot 182, thence North 87°41'32" West along the North line of Lot 182 and Lot 181 61.52 feet to the Point of Beginning, being a point on the North line of lot 181; thence departing said North line South 70°55'20" West, 46.85 feet; thence South 07°47'05" West, 124.25 feet to a point on the South line of Lot 181; thence North 87°22'05" West, 15.06 feet, thence departing the South line of Lot B North 07°47'05" East, 134.82 feet, thence North 70°55'20" East, 17.76 feet to a point along the North line of Lot 181, thence along said North line South 87°41'32" East, 41.14 feet to the Point of Beginning containing 2,428 square feet.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2023E0084152 of the records of Jackson County, Missouri, said TRACT described as all that part of Lots 181-182, and the South half of Lot B, inclusive, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Beginning at the NE. corner of lot 182, thence South 01°49'26" West along the East line of Lot 182 25.00 feet; thence North 87°41'33" West, 86.39 feet; thence South 01°49'28" West, 115.95 feet to a point on the South line of Lot 181; thence North 87°22'05" West, 31.80 feet along the South line of Lot 181, thence departing the South line of Lot 181 North 07°47'05" East, 124.25 feet, thence North 70°55'20" East, 46.85 feet to a point on the North line of Lot 181, thence South 87°41'32" East, 61.52 feet to the Point of Beginning containing 5,247 S.F.

Tract 52

General Utility Easement

A part of a "TRACT" of land as described in Document Number 1981I0468727 of the records of Jackson County, Missouri, said TRACT described as all that part of Lot 180, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Commencing at the NE. corner of lot 180, thence North 87°21'48" West along the North line of Lot 180 18.54 feet to the Point of Beginning, being a point on the North line of lot 180; thence departing said North line South 00°22'19" East, 144.90 feet to a point along the South line of Lot 180; thence along said South line North 87°39'53" West, 57.57 feet; thence north along the West line of Lot 180, North 01°49'14" East, 7.50 feet, thence departing said West line South 87°39'46" East, 42.27 feet, thence North 00°22'19" West, 137.48 feet to a point on the North line of Lot 180; thence along said North line South 87°21'48" East, 15.02 feet to the Point of Beginning containing 2,492 S.F.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 1981I0468727 of the records of Jackson County, Missouri, said TRACT described as all that part of Lot 180, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

Commencing at the NE. corner of lot 180, thence North 87°21'48" West along the North line of Lot 180 33.56 feet to the Point of Beginning; thence departing said North line South 00°22'19" East, 137.48 feet; thence North 87°39'46" West, 42.27 feet to a point on the West line of Lot 180; thence along the West line of Lot 180, North 01°49'14" East, 7.50 feet, thence departing said West line South 87°39'53" East, 20.56 feet, thence North 01°49'26" East, 129.91 feet to a point on the North line of Lot 180; thence along the North line South 87°21'48" East, 16.44 feet to the Point of Beginning containing 2,775 S.F.

Tract 53:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 2015E0061330 of the records of Jackson County, Missouri, said TRACT described as All of the North Half of Lot A and all of Lot 155, Except the West 50 feet, GUDGELL PARK, a subdivision in Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 7.5 feet of the said "TRACT" in GUDGELL PARK, containing 369 S.F. more or less.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2015E0061330 of the records of Jackson County, Missouri, said TRACT described as All of the North Half of Lot A and all of Lot 155, Except the West 50 feet, GUDGELL PARK, a subdivision in Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The North 7.5 feet of the South 15 feet of the said "TRACT" in GUDGELL PARK, containing 369 S.F.

Tract 54:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 1974I0178281 of the records of Jackson County, Missouri, said TRACT described as The West 50 feet of Lot 155, GUDGELL PARK, a subdivision in Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 7.5 feet of the said "TRACT" in GUDGELL PARK, containing 379 S.F.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 1974I0178281 of the records of Jackson County, Missouri, said TRACT described as The West 50 feet of Lot 155, GUDGELL PARK, a subdivision in Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The North 7.5 feet of the South 15 feet of the said "TRACT" in GUDGELL PARK, containing 379 S.F.

Tract 55:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 2010E0067248 of the records of Jackson County, Missouri, said TRACT described as Lot 156 and East 1/2 of Lot 157, GUDGELL PARK, a subdivision in the City of Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 7.5 feet of the said "TRACT" in GUDGELL PARK, containing 576 S.F.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2010E0067248 of the records of Jackson County, Missouri, said TRACT described as Lot 156 and East 1/2 (25 feet) of Lot 157, GUDGELL PARK, a subdivision in the City of Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The North 7.5 feet of the South 15 feet of the said "TRACT" in GUDGELL PARK, containing 576 S.F.

Tract 56:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 2020E0096759 of the records of Jackson County, Missouri, said TRACT described as all that part of Lot 169 and 170, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The north 7.5 feet of Lot 169, GUDGELL PARK, containing 530 S.F. more or less.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2020E0096759 of the records of Jackson County, Missouri, said TRACT described as all that part of Lot 169 and 170, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 42.5 feet of the North 50 feet of Lot 169, GUDGELL PARK, containing 3000 S.F. more or less.

Tract 57:

General Utility Easement

A part of a "TRACT" of land as described in Document Number 2022E0110784 of the records of Jackson County, Missouri, said TRACT described as all that part of the South half of Lot A, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The north 7.5 feet of the South half of Lot A, GUDGELL PARK, containing 295 S.F.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2022E0110784 of the records of Jackson County, Missouri, said TRACT described as all that part of the South half of Lot A, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 42.5 feet of the North 50 feet of the South half of Lot A, GUDGELL PARK, containing 1,679 S.F. more or less.

Tract 58:**General Utility Easement**

A part of a "TRACT" of land as described in Document Number 2018E0042351 of the records of Jackson County, Missouri, said TRACT described as all that part of the Lot 168, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The north 7.5 feet of the Lot 168, GUDGELL PARK, containing 453 S.F.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2018E0042351 of the records of Jackson County, Missouri, said TRACT described as all that part of the Lot 168, GUDGELL PARK, a subdivision in the City of Independence, County of Jackson, State of Missouri, being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 42.5 feet of the North 50 feet of Lot 168, GUDGELL PARK, containing 2,565 S.F. more or less.

Tract 59:**General Utility Easement**

A part of a "TRACT" of land as described in Document Number 2017E0016824 of the records of Jackson County, Missouri, said TRACT described as All of the East 10 feet of Lot 166 and all of Lot 167, GUDGELL PARK, an addition to the City of Independence, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The North and West 7.5 feet of the said "Tract" in GUDGELL PARK, containing 1463 S.F. more or less.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2017E0016824 of the records of Jackson County, Missouri, said TRACT described as All of the East 10 feet of Lot 166 and all of Lot 167, GUDGELL PARK, an addition to the City of Independence, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 42.5 feet of the North 50 feet and the East 7.5 feet of the West 15 feet of the said "Tract" in GUDGELL PARK, containing 2,971 S.F. more or less.

Track 60:**General Utility Easement**

A part of a "TRACT" of land as described in Document Number 2017E0016824 of the records of Jackson County, Missouri, said TRACT described as All of Lot 165 and Lot 166, excluding the East 10 feet of Lot 166, GUDGELL PARK, an addition to the City of Independence, said

part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The North and West 7.5 feet of the said "Tract" in GUDGELL PARK, containing 1070 S.F.

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2022E0067530 of the records of Jackson County, Missouri, said TRACT described as Lot 165 and all Except the East 10 feet of Lot 166, GUDGELL PARK, an addition to the City of Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S.

#2018016442, January 31, 2024, as follows:

The South 15 feet of Lot 165, and the South 15 feet of a part of Lot 166, described in the "Tract", and the West 7.5 feet of the east 15 feet of the said "Tract" in GUDGELL PARK, containing 2,211 S.F. more or less.

Tract 61:

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2022E0106128 of the records of Jackson County, Missouri, said TRACT described as Lot 164, GUDGELL PARK, a subdivision in Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 15 feet of lot 164, GUDGELL PARK, containing 724 S.F.

Tract 62:

Temporary Construction Easement

A part of a "TRACT" of land as described in Document Number 2006E0125243 of the records of Jackson County, Missouri, said TRACT described as Lot 163, GUDGELL PARK, a subdivision in Independence, Jackson County, Missouri, said part being more particularly described by Randy G. Zerr, Missouri P.S. #2018016442, January 31, 2024, as follows:

The South 15 feet of lot 163, GUDGELL PARK, containing 739 S.F.

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 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 here by 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.

PASSED THIS _____ DAY OF _____, 2024, 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