



Legislation Details (With Text)

File #: 220256 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 3/14/2022 **In control:** Council
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Title: Authorizing condemnation and taking of private property interest for public use for Sewer Main and Appurtenances for a sewer improvement project “Little Blue River Basin Relief Sewer: Hardesty Avenue and 31st Street”, Project No. 81000837, in the City of Kansas City, Jackson County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Water Services Department; authorizing the filing of the petition for condemnation by the City Attorney; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Jackson County, Missouri.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 220256 Fact Sheet, 2. 220256 Fiscal Note, 3. 220256 TIO Presentation, 4. Authenticated Ordinance 220256, 5. 220256.Recorded Information 4.26.2022

Date	Ver.	Action By	Action	Result
4/14/2022	1	Council	Passed	Pass
3/31/2022	1	Council	Assigned to Third Read Calendar	
3/30/2022	1	Transportation, Infrastructure and Operations Committee	Do Pass	Pass
3/24/2022	1	Council	referred	

ORDINANCE NO. 220256

Authorizing condemnation and taking of private property interest for public use for Sewer Main and Appurtenances for a sewer improvement project “Little Blue River Basin Relief Sewer: Hardesty Avenue and 31st Street”, Project No. 81000837, in the City of Kansas City, Jackson County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Water Services Department; authorizing the filing of the petition for condemnation by the City Attorney; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Jackson County, Missouri.

WHEREAS, the Council finds that certain interests in private property must be condemned for public use for the construction of sewer improvement project “Little Blue River Basin Relief Sewer: Hardesty Avenue and 31st Street”, Project No. 81000837, in the City of Kansas City, Jackson County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the property interests herein described are hereby authorized condemned and taken for public use in and upon the land hereinafter described for Project No. 81000837, “Little Blue River Basin Relief Sewer: Hardesty Avenue and 31st Street”, including any necessary structures or appurtenances, in the City of

Kansas City, Jackson County, Missouri.

Section 2. Said improvements shall be of the nature described and specified in, and shall be done in accordance with, the plans and specifications certified under the supervision of the Director of the Water Services Department, the same being on file in the Office of the Director of the Water Services Department, and being incorporated herein by reference.

Section 3. That the properties obtained by condemnation shall be used by the City of Kansas City, Missouri as permanent and temporary easements for the location of improvements and utilities to be constructed therein including any necessary appurtenances to it; and Kansas City or its authorized agents, employees or independent contractors, shall have the right to enter in or authorize the entry in and upon said properties for the purpose of constructing, reconstructing, maintaining, operating and repairing the following said improvements and utilities:

Permanent Sewer Easement

The Permanent Sewer Easement shall be used by the City of Kansas City, Missouri for the location, construction and maintenance of sanitary sewer and combined sewer pipes and associated improved infrastructure to be constructed therein, including any necessary appurtenances thereto; and Kansas City, Missouri shall have the right to enter in or authorize the entry in and upon said Permanent Sewer Easement for the purpose of locating, constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto.

By the condemning of private property for this easement, it shall not be construed to prohibit the landowner of said condemned property from the safe and unrestricted use of the land adjacent to and above said Permanent Sewer Easement; provided, however, said easement shall be kept free from any structure or obstruction as would interfere with the proper, safe and continuous operation and maintenance of said sewer lines and associated improved infrastructure and specifically shall not build thereon or there over any structure which may interfere with the operation, maintenance and use thereof.

Temporary Construction Easement

The Temporary Construction Easements shall be used by the City of Kansas City, Missouri or its authorized agents, servants, employees, or independent contractors, during the construction of said project, for grading and sloping, removal of trees and shrubbery, removal and replacement of fencing, sidewalks and driveways, utility construction work, the storage of materials, the operation of equipment, and the movement of a working force.

The City of Kansas City, Missouri shall cause the surface of lands lying within said Temporary Construction Easements to be restored to substantially the same physical condition that existed at the time the City or its agents entered upon it.

Section 4. That the private property is hereby authorized condemned and taken for public use and hereby described as follows:

Tract No. 1

Permanent Sewer Easement

A Permanent easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A 30.00 foot wide strip of land over part of LOT 1, K.F.C. Addition, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof, being more particularly described as follows: Commencing at the Southwest corner of said LOT 1; thence North 87°49'56" East, along the South line of said LOT 1, a distance of 50.00 feet; thence North 74°54'10" East, continuing along the South line of said LOT 1, a distance of 21.80 feet, to the point of beginning, said point also being on the East line of an existing platted 30.00 foot wide Sanitary Sewer Easement; thence North 32°18'10" West, departing the South line of said LOT 1 and along the East line of said existing Sanitary Sewer Easement, a distance of 19.48 feet; thence North 57°35'43" East, departing said existing Sanitary Sewer Easement line, a distance of 30.00 feet; thence South 32°18'10" East, a distance of 28.82 feet, to a point on the South line of said LOT 1; thence South 74°54'10" West, along the South line of said LOT 1, a distance of 31.41 feet, to the point of beginning, containing 724.5 square feet, more or less.

Temporary Construction Easement (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: Commencing at the Southwest corner of said Lot 1; thence North 87°49'56" East, along the South line of said Lot 1, a distance of 50.00 feet; thence North 74°54'10" East, continuing along the South line of said LOT 1, a distance of 53.21 feet, to the point of beginning; thence North 32°18'10" West, departing the South line of said LOT 1, a distance of 28.82 feet; thence North 57°35'43" East, a distance of 21.12 feet; thence South 31°47'18" East, a distance of 35.30 feet, to a point on the South line of said LOT 1; thence South 74°54'10" West, along the South line of said LOT 1, a distance of 21.77 feet, to the point of beginning, containing 672.5 square feet, more or less.

Tract No. 2

Permanent Sewer Easement

A Permanent easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A 30.00 foot wide strip of land over part of Lot 2, K.F.C. Addition, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof, being more particularly described as follows: Commencing at the Southeast corner of said LOT 2, said point being on the West right of way line of Stadium Drive, as now established; thence South 57°02'38" West, departing said West right of way line and along the South line of said Lot 2, a distance of 66.17 feet, to the point of beginning; thence continuing South 57°02'38" West, continuing along the South line of said Lot 2, a distance of 30.00 feet, to a point on the East line of an existing platted 30.00 foot wide Sanitary Sewer Easement; thence North 32°18'10" West, departing the South line of said Lot 2 and along the East line of said existing Sanitary Sewer Easement, a distance of 315.93 feet, to a point on the North line of said Lot 2; thence North 74°54'10" East, departing said existing Sanitary Sewer Easement line and along the North line of said Lot 2, a distance of 31.41 feet; thence South 32°18'10" East, departing the North line of said Lot 2, a distance of 306.29 feet, to the point of beginning, containing 9,334.8 square feet, more or less.

Temporary Construction Easement (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A strip of land over part of Lot 2, K.F.C. Addition, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof, being more particularly described as follows: Commencing at the Southeast corner of said Lot 2, said point being on the West right of way line of Stadium Drive, as now established; thence South 57°02'38" West, departing said West right of way line and along the South line of said Lot 2, a distance of 26.17 feet, to the POINT OF BEGINNING; thence continuing South 57°02'38" West, along the South line of said Lot 2, a distance of 40.00 feet; thence North 32°18'10" West, departing the South line of said Lot 2, a distance of 306.29 feet; to a point on the North line of said Lot 2; thence North 74°54'10" East, along the North line of said Lot 2, a distance of 21.77 feet; thence South 31°47'18" East, departing the North line of said Lot 2, a distance of 25.55 feet; thence North 78°54'13" East, a distance of 20.84 feet; thence South 32°18'10" East, a distance of 266.31 feet to the point of beginning, containing 11,483.7 square feet, more or less.

Tract No. 3

Permanent Sewer Easement

A Permanent easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A 30.00 foot wide strip of land over part of Lot 3, K.F.C. Addition, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, being more particularly described as follows: Commencing at the Southeast corner of said Lot 3, said point being on the West right of way line of Stadium Drive, as now established; thence South 53°18'23" West, departing said West right of way line and along the South line of said Lot 3, a distance of 79.12 feet, to the point of beginning; thence continuing South 53°18'23" West, along the South line of said LOT 3, a distance of 30.09 feet, to a point on the East line of an existing platted 30.00 foot wide Sanitary Sewer Easement as shown on the recorded plat of said K.F.C. Addition; thence North 32°18'10" West, departing the South line of said Lot 3 and along the East line of said existing Sanitary Sewer Easement, a distance of 197.92 feet, to a point on the North line of said Lot 3; thence North 57°02'38" East, departing said existing Sanitary Sewer Easement line and along the North line of said Lot 3, a distance of 30.00 feet; thence South 32°18'10" East, departing the North line of said Lot 3, a distance of 195.96 feet, to the point of beginning, containing 5,908.1 square feet, more or less.

Temporary Construction Easement (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A 40.00 foot wide strip of land over part of Lot 3, K.F.C. Addition, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, being more particularly described as follows: Commencing at the Southeast corner of said LOT 3, said point being on the West right of way line of Stadium Drive, as now established; thence South 53°18'23" West, departing said West right of way line and

along the South line of said Lot 3, a distance of 39.00 feet, to the point of beginning; thence continuing South 53°18'23" West, along the South line of said Lot 3, a distance of 40.12 feet; thence North 32°18'10" West, departing the South line of said Lot 3, a distance of 195.96 feet, to a point on the North line of said Lot 3; thence North 57°02'38" East, along the North line of said Lot 3, a distance of 40.00 feet; thence South 32°18'10" East, departing the North line of said Lot 3, a distance of 193.34 feet, to the point of beginning, containing 7,786.0 square feet, more or less.

Tract No. 4

Permanent Sewer Easement

A Permanent easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A 30.00 foot wide strip of land over part of Lot 4, K.F.C. Addition, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, being more particularly described as follows: Commencing at the Northwest corner of said Lot 4; thence North 53°18'23" East, along the Northerly line of said Lot 4, a distance of 167.87 feet, to a point on the Easterly line of an existing platted 30.00 foot wide Sanitary Sewer Easement as shown on the recorded plat of said K.F.C. Addition, said point also being the point of beginning; thence continuing North 53°18'23" East, along the Northerly line of said Lot 4 and departing the Easterly line of said 30.00 foot wide Sanitary Sewer Easement, a distance of 30.09 feet; thence South 32°18'10" East, departing the Northerly line of said Lot 4, a distance of 6.21 feet; thence Southeasterly along a curve to the left having a radius of 10.00 feet, a central angle of 31°48'37" and an arc length of 5.55 feet; thence South 64°06'47" East, a distance of 170.47 feet, to a point on the Westerly right of way line of Stadium Drive, as now established; thence South 36°41'37" East, along said right of way line, a distance of 21.54 feet; thence Southeasterly along said right of way line and along a curve to the right having a radius of 825.00 feet, a central angle of 02°53'22" and an arc length of 41.61 feet, to a point on the Easterly line of said existing platted 30.00 foot wide Sanitary Sewer Easement; thence North 64°06'47" West, departing said right of way line and along said existing Sanitary Sewer Easement line, a distance of 226.01 feet; thence Northwesterly along said existing Sanitary Sewer Easement line and along a curve to the right having a radius of 40.00 feet, a central angle of 31°48'53" and an arc length of 22.21 feet; thence North 32°18'10" West, a distance of 3.92 feet, to the point of beginning, containing 6,533.8 square feet, more or less.

Temporary Construction Easement (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A 40.00 foot wide strip of land over part of Lot 4, K.F.C. Addition, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, being more particularly described as follows: Commencing at the Northwest corner of said Lot 4; thence North 53°18'23" East, along the Northerly line of said Lot 4, a distance of 197.96 feet, to the point of beginning; thence continuing North 53°18'23" East, along the Northerly line of said Lot 4, a distance of 40.12 feet; thence South 32°18'10" East, departing the Northerly line of said Lot 4, a distance of 0.73 feet; thence South 64°06'47" East, a distance of 84.81 feet, to a point on the Westerly right of way line of Stadium Drive, as now established; thence South 36°41'37" East, along said right of way line, a distance of 86.86

feet; thence North 64°06'47" West, departing said right of way line, a distance of 170.47 feet; thence Northwesterly along a curve to the right having a radius of 10.00 feet, a central angle of 31°48'37" and an arc length of 5.55 feet; thence North 32°18'10" West, a distance of 6.21 feet, to the point of beginning, containing 5,357.5 square feet, more or less.

Tract No. 5

Permanent Sewer Easement

A Permanent easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A strip of land over part of Lot 1, Block C, William Parish's Subdivision, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof, located in the Southeast Quarter of Section 14, Township 49, Range 33, being more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14; thence South 02°12'13" West, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 909.08 feet; thence North 87°47'47" West, departing said line, a distance of 30.00 feet, to a point on the West right of way line of said Topping Avenue; thence South 68°57'39" West, departing said right of way line and along the South line of said parcel, a distance of 55.19 feet, to the point of beginning; thence continuing South 68°57'39" West, along the South line of said parcel, a distance of 42.91 feet; thence North 00°10'55" East, departing the South line of said parcel, a distance of 50.80 feet; thence North 34°08'30" West, a distance of 366.72 feet; thence South 57°51'46" West, a distance of 116.34 feet; thence North 32°08'14" West, a distance of 10.00 feet; thence South 57°51'46" West, a distance of 200.28 feet, to a point on the East right of way line of Stadium Drive, as now established; thence Northwesterly along said right of way line and along a curve to the left having an initial tangent bearing of North 31°02'39" West, a radius of 1662.18 feet, a central angle of 01°20'51" and an arc length of 39.09 feet; thence North 57°36'07" East, departing the East right of way line of said Stadium Drive, a distance of 200.00 feet; thence South 32°08'34" East, a distance of 10.00 feet; thence North 57°51'46" East, a distance of 154.97 feet; thence South 34°08'30" East, a distance of 417.70 feet; thence South 00°10'55" West, a distance of 47.62 feet, to the point of beginning, containing 30,998.5 square feet, more or less.

Temporary Construction Easement No. 1 (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A strip of land over part of Lot 1, Block C, William Parish's Subdivision, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof, located in the Southeast Quarter of Section 14, Township 49, Range 33, being more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14; thence South 02°12'13" West, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 909.08 feet; thence North 87°47'47" West, departing said line, a distance of 30.00 feet, to a point on the West right of way line of said Topping Avenue; thence South 68°57'39" West, departing said right of way line and along the South line of said parcel, a distance of 33.73 feet, to the point of beginning; thence continuing South 68°57'39" West, along the South line of said parcel, a distance of 21.46 feet; thence North 00°10'55" East, departing the South line of

said parcel, a distance of 47.62 feet; thence North 34°08'30" West, a distance of 417.70 feet; thence South 57°51'46" West, a distance of 154.97 feet; thence North 32°08'34" West, a distance of 20.00 feet; thence North 57°51'46" East, a distance of 174.63 feet; thence South 34°05'47" East, a distance of 443.17 feet; thence South 00°10'55" West, a distance of 46.03 feet, to the point of beginning, containing 12,913.1 square feet, more or less.

Temporary Construction Easement No. 2 (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A strip of land over part of Lot 1, Block C, William Parish's Subdivision, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof, located in the Southeast Quarter of Section 14, Township 49, Range 33, being more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14; thence South 02°12'13" West, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 909.08 feet; thence North 87°47'47" West, departing said line, a distance of 30.00 feet, to a point on the West right of way line of said Topping Avenue; thence South 68°57'39" West, departing said right of way line and along the South line of said parcel, a distance of 98.10 feet, to the point of beginning; thence continuing South 68°57'39" West, along the South line of said parcel, a distance of 16.30 feet; thence North 00°08'49" East, departing the South line of said parcel, a distance of 43.54 feet; thence North 34°08'30" West, a distance of 349.69 feet; thence South 57°51'46" West, a distance of 96.79 feet; thence South 32°08'14" East, a distance of 10.00 feet; thence South 57°51'46" West, a distance of 201.77 feet, to a point on the East right of way line of Stadium Drive, as now established; thence Northwesterly along said right of way line and along a curve to the left having an initial tangent bearing of North 29°39'52" West, a radius of 1662.18 feet, a central angle of 01°22'46" and an arc length of 40.02 feet; thence North 57°51'46" East, departing the East right of way line of said Stadium Drive, a distance of 200.28 feet; thence South 32°08'14" East, a distance of 10.00 feet; thence North 57°51'46" East, a distance of 116.34 feet; thence South 34°08'30" East, a distance of 366.72 feet; thence South 00°10'55" West, a distance of 50.80 feet, to the point of beginning, containing 18,048.2 square feet, more or less.

Tract No. 6

Permanent Sewer Easement

A Permanent easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A 30.00 foot wide strip of land over part of Lot 1, Block C, William Parish's Subdivision, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof, located in the Southeast Quarter of Section 14, Township 49, Range 33, being more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14; thence South 02°12'13" West, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 909.08 feet; thence North 87°47'47" West, departing said line, a distance of 30.00 feet, to a point on the West right of way line of said Topping Avenue; thence South 68°57'39" West, departing said right of way line and along the North line of said parcel, a distance of 60.78 feet, to the point of beginning; thence South 00°08'49" West, a distance of

268.12 feet, to a point on the South line of said parcel; thence South 68°57'39" West, along said South line, a distance of 32.17 feet; thence North 00°08'49" East, departing the South line of said parcel, a distance of 268.12 feet, to a point on the North line of said parcel; thence North 68°57'39" East, along said North line, a distance of 32.17 feet, to the point of beginning, containing 8,042.4 square feet, more or less.

Temporary Construction Easement No. 1 (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A strip of land over part of Lot 1, Block C, William Parish's Subdivision, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof, located in the Southeast Quarter of Section 14, Township 49, Range 33, being more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14; thence South 02°12'13" West, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 909.08 feet; thence North 87°47'47" West, departing said line, a distance of 30.00 feet, to a point on the West right of way line of said Topping Avenue; thence South 68°57'39" West, departing said right of way line and along the North line of said parcel, a distance of 39.33 feet, to the point of beginning; thence South 00°08'49" West, departing the North line of said parcel, a distance of 268.12 feet, to a point on the South line of said parcel; thence South 68°57'39" West, along said South line, a distance of 21.45 feet; thence North 00°08'49" East, departing the South line of said parcel, a distance of 268.12 feet, to a point on the North line of said parcel; thence North 68°57'39" East, along said North line, a distance of 21.45 feet, to the point of beginning, containing 5,362.5 square feet, more or less.

Temporary Construction Easement No. 2 (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14; thence South 02°12'13" West, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 909.08 feet; thence North 87°47'47" West, departing said line, a distance of 30.00 feet, to a point on the West right of way line of said Topping Avenue; thence South 68°57'39" West, departing said right of way line and along the North line of said parcel, a distance of 92.95 feet, to the point of beginning; thence South 00°08'49" West, departing the North line of said parcel, a distance of 268.12 feet, to a point on the South line of said parcel; thence South 68°57'39" West, along said South line, a distance of 21.45 feet; thence North 00°08'49" East, a distance of 268.12 feet, to a point on the North line of said parcel; thence North 68°57'39" East, along said North line, a distance of 21.45 feet, to the point of beginning, containing 5,362.5 square feet, more or less.

Tract No. 7

Permanent Sewer Easement

A Permanent easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A strip of land over part of Lot 1, Block C, William Parish's

Subdivision, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof along with part of the Southeast Quarter of Section 14, Township 49, Range 33, being more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14; thence South 02°12'13" West, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 1181.16 feet; thence North 87°47'47" West, departing said line, a distance of 30.00 feet, to a point on the West right of way line of said Topping Avenue; thence South 68°57'39" West, departing said right of way line and along the North line of said parcel, a distance of 50.29 feet, to the point of beginning; thence South 00°09'21" West, departing the North line of said parcel, a distance of 79.52 feet; thence South 15°21'58" East, a distance of 143.68 feet, to a point on the West right of way line of said Topping Avenue; thence South 02°12'13" West, along said right of way line, a distance of 98.94 feet; thence North 15°16'03" West, departing said right of way line, a distance of 231.26 feet; thence South 71°41'35" West, a distance of 59.09; thence North 18°18'25" West a distance of 30.00 feet; thence North 71°41'35" East a distance of 65.51 feet; thence North 00°08'49" East a distance of 51.78 feet, to a point on the North line of said parcel; thence North 68°57'39" East, along said North line, a distance of 32.19 feet, to the point of beginning, containing 9,820.4 square feet, more or less.

Temporary Construction Easement No. 1 (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A strip of land over part of Lot 1, Block C, William Parish's Subdivision, a subdivision of land in the City of Kansas City, Jackson County, Missouri according to the recorded plat thereof along with part of the Southeast Quarter of Section 14, Township 49, Range 33, being more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14; thence South 02°12'13" West, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 1181.16 feet; thence North 87°47'47" West, departing said line, a distance of 30.00 feet, to a point on the West right of way line of said Topping Avenue; thence South 68°57'39" West, departing said right of way line and along the North line of said parcel, a distance of 28.77 feet, to the point of beginning; thence South 00°05'09" West, departing the North line of said parcel, a distance of 140.79 feet; thence South 15°19'25" East, a distance of 70.51 feet, to a point on the West right of way line of said Topping Avenue; thence South 02°12'13" West, along said right of way line, a distance of 17.00 feet, to a point hereinafter to be referred to as Point A; thence North 15°21'58" West, departing said right of way line, a distance of 143.68 feet; thence North 00°09'21" East, a distance of 79.52 feet, to a point on the North line of said parcel; thence North 68°57'39" East, along said line, a distance of 21.52 feet, to the point of beginning, containing 2771.0 square feet, more or less.

Temporary Construction Easement No. 2 (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14; thence South 02°12'13" West, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 1181.16 feet; thence North 87°47'47" West, departing said line, a distance of 30.00 feet, to a point on the West right of way line of said Topping Avenue; thence South 68°57'39" West, departing said right of way

line and along the North line of said parcel, a distance of 82.48 feet, to the point of beginning; thence South 00°08'49" West, departing the North line of said parcel, a distance of 51.78 feet; thence South 71°41'35" West, a distance of 65.51 feet; thence South 18°18'25" East a distance of 30.00 feet; thence South 71°41'35" West a distance of 15.00 feet; thence North 18°18'25" West a distance of 45.00 feet; thence North 71°41'35" East a distance of 56.10 feet; thence North 15°19'25" West, a distance of 32.30 feet, to a point on the North line of said parcel; thence North 68°57'39" East, along said North line, a distance of 39.16 feet, to the point of beginning, containing 2826.0 square feet, more or less.

Temporary Construction Easement No. 3 (3 years duration)

A temporary easement on a tract of land being a part of Section 14, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: Commencing at aforesaid Point A, said point being on the West right of way line of said Topping Avenue; thence South 02°12'13" West, along said right of way line, a distance of 128.79 feet, to the point of beginning; thence South 02°12'13" West, continuing along said right of way line, a distance of 36.83 feet; thence North 15°19'25" West, departing said right of way line, a distance of 35.47 feet; thence North 76°29'24" East, a distance of 11.10 feet, to the point of beginning, containing 196.7 square feet, more or less.

Tract No. 8

Permanent Sewer Easement

A Permanent easement on a tract of land being a part of Section 13, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A 30.00 foot wide strip of land over part of the Southwest Quarter of Section 13, Township 49, Range 33, being more particularly described as follows: Commencing at the Southwest corner of the Southwest Quarter of said Section 13; thence North 02°12'13" East, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 1057.03 feet; thence South 87°47'47" East, departing said line, a distance of 30.00 feet, to a point on the East right of way line of said Topping Avenue and the point of beginning; thence South 66°21'50" East, departing the East right of way line of said Topping Avenue, a distance of 376.69 feet; thence North 79°04'57" East, a distance of 317.12 feet; thence South 10°55'03" East, a distance of 30.00 feet; thence South 79°04'57" West, a distance of 326.45 feet; thence North 66°21'50" West, a distance of 374.25 feet, to a point on the East right of way line of said Topping Avenue; thence North 02°12'13" East, along said line, a distance of 32.23 feet, to the point of beginning, containing 20,917.5 square feet, more or less.

Temporary Construction Easement (3 years duration)

A temporary easement on a tract of land being a part of Section 13, Township 49, Range 33, a section of land in the City of Kansas City, Jackson County, Missouri, said tract being more particularly described as follows: A strip of land over part of the Southwest Quarter of Section 13, Township 49, Range 33, being more particularly described as follows: Commencing at the Southwest corner of the Southwest Quarter of said Section 13; thence North 02°12'13" East, along the East line of said Quarter Section and along the centerline of Topping Avenue, as now established, a distance of 1057.03 feet; thence South 87°47'47" East, departing said line, a distance of 30.00 feet, to a point on the East right of way line of said Topping Avenue and the

point of beginning; thence North 02°12'13" East, along said right of way line, a distance of 9.88 feet; thence North 57°23'09" East, departing said right of way line, a distance of 13.00 feet; thence South 66°21'50" East, a distance of 366.86 feet; thence North 79°04'57" East, a distance of 325.90 feet; thence South 10°55'03" East, a distance of 70.00 feet; thence South 79°04'57" West, a distance of 347.67 feet; thence North 66°21'50" West, a distance of 372.62 feet, to a point on the East right of way line of said Topping Avenue; thence North 02°12'13" East, along said right of way line, a distance of 21.49 feet; thence South 66°21'50" East, departing said right of way line, a distance of 374.25 feet; thence North 79°04'57" East, a distance of 326.45 feet; thence North 10°55'03" West, a distance of 30.00 feet; thence South 79°04'57" West, a distance of 317.12 feet; thence North 66°21'50" West, a distance of 376.69 feet, to the point of beginning, containing 28,880.3 square feet, more or less.

Section 5. That just compensation for the property taken shall be assessed and paid according to law; and the proceedings to determine compensation shall be prosecuted in one or more suits in the Circuit Court of Jackson County, Missouri, pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, as supplemented or amended by Section 86.01 to 86.10 of the Rules of Civil Procedure. Payment of compensation shall be made by Kansas City from funds appropriated for such purposes.

Section 6. That pending the acquisition of said property by condemnation, the Director of the Water Services Department is hereby authorized to continue negotiation on the purchase of said property and pay for it out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Section 7. That said property interests herein described be condemned and conveyed to the City of Kansas City, Missouri.

Section 8. That upon the effective date of this ordinance the City Clerk is hereby directed to record this ordinance in the office of the Recorder of Deeds for Jackson County, Missouri.

Approved as to form and legality:

Matthew Cooper
Assistant City Attorney