

ORDINANCE NO. 160915

Authorizing condemnation and taking of private property, in fee simple, for public use for street right of way purposes and for pedestrian right of way, retaining wall, storm drainage, water main, and temporary construction easements; for the construction, location and maintenance of the Old Tiffany Springs Road and Donovan Drive, Project No. 89008153, from N. Congress Avenue to N. Skyview Avenue, in Kansas City, Platte County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Department of Public Works; authorizing the filing of the petition for condemnation by the City Attorney on behalf of the City; and directing the City Clerk to cause this ordinance to be recorded in the office of the Recorder of Deeds for Platte County, Missouri.

WHEREAS, the Council finds that the fee interest in private properties must be condemned for public use as street right of way and for pedestrian right of way, retaining wall, storm drainage, water main, and temporary construction easements required for the construction and maintenance of the Old Tiffany Springs Road and Donovan Drive, and associated improved intersections, drive approaches, and infrastructure in Kansas City, Platte County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the fee interest in private properties are hereby authorized condemned and taken, in fee simple, for public use as street right of way and for retaining wall, storm drainage, pedestrian right of way, water main, and temporary construction easements under, over, upon and across the land hereinafter described for the construction and maintenance of Project No. 89008153, including any necessary structures or appurtenances, said project more generally described as Old Tiffany Springs Road and Donovan Drive, all in Kansas City, Platte 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 Department of Public Works, the same being on file in the Office of the Director of the Department of Public Works, and being incorporated herein by reference.

Section 3. The street right of way shall be taken in fee and used by Kansas City, Missouri for the location, construction and maintenance of N.W. Old Tiffany Springs Road, Donovan Drive and associated improved intersections, drive approaches and 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 right of way for the purpose of locating, constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto.

Section 4. The pedestrian right of way easement is hereby acquired, under the conditions of RSMo 258.100, for public use and is part of the Metro Green Regional

ORDINANCE NO. 160915

Recreational Trails/Greenway System and shall include the rights to clear, cut, fell, remove, and dispose of any and all timber, trees, underbrush, and/or other obstructions there from, to grade, excavate, cut away, and remove any of said land and to replace thereon other material, to construct and maintain the Greenway System for trails for walking, running, bicycling, and other recreational purposes; and for such other purposes as may be required in connection with said work of improvement: reserving, however to the owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby established.

Section 5. The retaining wall easement shall be used by the City of Kansas City, Missouri for the location, construction and maintenance of retaining walls 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 easement for the purpose of locating, constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto. While nothing in the granting of this easement shall be construed so as to grant any right to said Grantee which shall in any way interfere with the safe and unrestricted use by Grantor of the land adjacent to and above said easement, the Grantor shall not use nor attempt to use said property in such manner as would interfere with the proper, safe and continuous maintenance and use of said easement and specifically shall not build thereon or there over any structure which may interfere with the maintenance and use of said retaining wall.

Section 6. The storm drainage easements shall be used by the City of Kansas City, Missouri for the location, construction and maintenance of storm drainage systems and associated improved infrastructure to be constructed therein, including any necessary appurtenances thereto for the purpose of managing storm water runoff; and Kansas City, Missouri shall have the right to enter in or authorize the entry in and upon said Storm Drainage Easements for the purpose of locating, constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto.

While nothing in the granting of this easement shall be construed so as to grant any right to said Grantee which shall in any way interfere with the safe and unrestricted use by Grantor of the land adjacent to and above said easement, the Grantor shall not use nor attempt to use said property in such manner as would interfere with the proper, safe and continuous maintenance and use of said easement and specifically shall not build thereon or there over any structure which may interfere with the maintenance and use of said storm drainage systems.

Section 7. The water line easement shall be used by the City of Kansas City, Missouri for the location, construction and maintenance of waterlines 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 Water Line Easement for the purpose of locating, constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto.

ORDINANCE NO. 160915

While nothing in the granting of this easement shall be construed so as to grant any right to said Grantee which shall in any way interfere with the safe and unrestricted use by Grantor of the land adjacent to and above said easement, the Grantor shall not use nor attempt to use said property in such manner as would interfere with the proper, safe and continuous maintenance and use of said easement and specifically shall not build thereon or there over any structure which may interfere with the maintenance and use of said waterlines and associated improved infrastructure.

Section 8. 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 easement to be restored to substantially the same physical condition that existed at the time the City or its agents entered upon it, and said temporary construction easement shall terminate three (3) years from the date this document is recorded by the Recorder of Deeds in the county in which the lands are located, or upon completion and acceptance of the improvements by the Director of Department of Public Works.

Section 9. That said property interests are hereby authorized condemned and taken for public use and are described as follows:

Tract #3

Storm Drainage Easement #1

Part of Lot 1, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Southeast corner of said Lot 1; thence North 00 degrees 09 minutes 22 seconds East, along the East line of said Lot 1, 335.43 feet; thence North 89 degrees 50 minutes 38 seconds West, 2.37 feet to the Point of Beginning of the tract of land to be herein described: thence Westerly along a curve to the right having an initial tangent bearing of South 81 degrees 54 minutes 25 seconds West with a radius of 950.00 feet, a central angle of 00 degrees 57 minutes 09 seconds and an arc distance of 15.79 feet; thence North 25 degrees 49 minutes 46 seconds West, 8.89 feet; thence North 64 degrees 10 minutes 14 seconds East, 15.00 feet; thence South 25 degrees 49 minutes 46 seconds East, 13.82 feet to the point of beginning. Containing 171 square feet, more or less.

Storm Drainage Easement #2

ORDINANCE NO. 160915

Part of Lot 1, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Southeast corner of said Lot 1; thence North 00 degrees 09 minutes 22 seconds East, along the East line of said Lot 1, 125.36 feet to the Point of Beginning of the tract of land to be herein described; thence North 63 degrees 18 minutes 46 seconds West, 229.09 feet; thence Easterly, along a curve to the left, having an initial tangent bearing of South 86 degrees 13 minutes 28 seconds East with a radius of 1,050.00 feet, a central angle of 02 degrees 01 minutes 08 seconds and an arc distance of 37.00 feet; thence South 63 degrees 18 minutes 46 seconds East, 187.79 feet to a point on said East line; thence South 00 degrees 09 minutes 22 seconds West, along said East line, 16.77 feet to the point of beginning. Containing 3,123 square feet or 0.07 acres, more or less.

Street Right Of Way

Part of Lot 1, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Beginning at the Southwest corner of said Lot 1; thence North 00 degrees 05 minutes 12 seconds East, along the North right-of-way line of Old Tiffany Springs Road, as now established, said line also being the West line of said Lot 1, 7.38 feet; thence Easterly, along a curve to the right, having an initial tangent bearing of South 84 degrees 23 minutes 34 seconds East with a radius of 1,050.00 feet, a central angle of 12 degrees 36 minutes 05 seconds and an arc distance of 230.93 feet; thence Easterly, along a curve to the left, having a common tangent with the last described course with a radius of 950.00 feet, a central angle of 26 degrees 26 minutes 47 seconds and an arc distance of 438.50 feet; thence South 00 degrees 09 minutes 22 seconds West, 100.98 feet; thence Westerly, along a curve to the right, having an initial tangent bearing of South 82 degrees 33 minutes 59 seconds West with a radius of 1,050.00 feet, a central angle of 16 degrees 03 minutes 12 seconds and an arc distance of 294.19 feet to a point on said North right-of-way line; thence Northwesterly, along said North right-of-way line, on a curve to the left, having an initial tangent bearing of North 43 degrees 46 minutes 45 seconds West with a radius of 578.65 feet, a central angle of 40 degrees 59 minutes 10 seconds and an arc distance of 413.93 feet to the point of beginning. Containing 40,598 square feet or 0.93 acres, more or less.

Temporary Construction Easement #1

ORDINANCE NO. 160915

Part of Lot 1, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Southwest corner of said Lot 1; thence North 00 degrees 05 minutes 12 seconds East, along the North right-of-way line of Old Tiffany Springs Road, as now established, said line also being the West line of said Lot 1, 7.38 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 00 degrees 05 minutes 12 seconds East along said West line, 50.22 feet; thence Easterly, along a curve to the right, having an initial tangent bearing of South 84 degrees 38 minutes 40 seconds East with a radius of 1,100.00 feet, a central angle of 12 degrees 51 minutes 11 seconds and an arc distance of 246.76 feet; thence Easterly, along a curve to the left, having a common tangent with the last described course with a radius of 900.00 feet, a central angle of 28 degrees 18 minutes 02 seconds and an arc distance of 444.54 feet; thence North 79 degrees 54 minutes 29 seconds East, 12.67 feet to a point on the East line of said Lot 1; thence Westerly, along said East line, on a curve to the right, having an initial tangent bearing of South 71 degrees 27 minutes 09 seconds West with a radius of 318.00 feet, a central angle of 07 degrees 53 minutes 07 seconds and an arc distance of 43.76 feet; thence South 10 degrees 39 minutes 44 seconds East, continuing along said East line, 44.63 feet; thence South 00 degrees 09 minutes 22 seconds West, continuing along said East line, 1.46; thence Westerly, along a curve to the right, having an initial tangent bearing of South 81 degrees 45 minutes 43 seconds West with a radius of 950.00 feet, a central angle of 26 degrees 26 minutes 47 seconds and an arc distance of 438.50 feet; thence Westerly, along a curve to the left, having a common tangent with the last described course with a radius of 1,050.00 feet, a central angle of 12 degrees 36 minutes 05 seconds and an arc distance of 230.93 feet to the point of beginning. Containing 33,353 square feet or 0.77 acres, more or less.

Temporary Construction Easement #2

Part of Lot 1, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows; Beginning at the Southeast corner of said Lot 1; thence Westerly, along a curve to the right, having an initial tangent bearing of North 89 degrees 41 minutes 45 seconds West with a radius of 1,460.00 feet, a central angle of 01 degrees 03 minutes 46 seconds, and an arc distance of 27.08 feet to a point on the East right-of-way line of Old Tiffany Spring Road, as now established; thence North 44 degrees 59 minutes 16 seconds West, along said East right-of-way line, 302.59 feet; thence South 46 degrees 34 minutes 05 seconds West, continuing along said East right-of-way line, 21.30 feet; thence North 43 degrees 29

ORDINANCE NO. 160915

minutes 20 seconds West, continuing along said East right-of-way line, 52.47 feet; thence Easterly along a curve to the left having an initial tangent bearing of South 81 degrees 22 minutes 49 seconds East with a radius of 1,050.00 feet, a central angle of 16 degrees 03 minutes 12 seconds and an arc distance of 294.19 feet to a point on the East line of said Tract B; thence South 00 degrees 09 minutes 22 seconds West, along said East line, 234.79 feet to the point of beginning. Containing 33,119 square feet or 0.76 acres, more or less.

Pedestrian Right of Way Easement

Part of Lot 1, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Southeast corner of said Lot 1; thence Westerly, along the South line of said Lot 1, on a curve to the right having an initial tangent bearing of North 89 degrees 41 minutes 45 seconds West, with a radius of 1,460.00 feet, a central angle of 01 degrees 03 minutes 46 seconds and an arc distance of 27.08 feet to a point on the North right-of-way line of Old Tiffany Springs Road, as now established; thence North 44 degrees 59 minutes 16 seconds West, along said North right-of-way line, 258.23 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 44 degrees 59 minutes 16 seconds West, along said North right-of-way line, 20.89 feet; thence Northeasterly, along a curve to the right, having an initial tangent bearing of North 30 degrees 16 minutes 10 seconds East with a radius of 90.00 feet, a central angle of 16 degrees 43 minutes 35 seconds and an arc distance of 26.27 feet; thence North 03 degrees 56 minutes 24 seconds East, 10.22 feet; thence Easterly, along a curve to the left, having an initial tangent bearing of South 86 degrees 03 minutes 36 seconds East with a radius of 1,050.00 feet, a central angle of 03 degrees 17 minutes 10 seconds and an arc distance of 60.22 feet; thence South 00 degrees 39 minutes 14 seconds West, 3.60 feet; thence Southwesterly, along a curve to the left, having an initial tangent bearing of South 89 degrees 32 minutes 38 seconds West with a radius of 70.00 feet, a central angle of 63 degrees 37 minutes 49 seconds and an arc distance of 77.74 feet to the point of beginning. Containing 1,231 square feet or 0.03 acres, more or less.

Retaining Wall Easement

Part of Lot 1, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Southwest corner of said Lot 1; thence North 00 degrees 05 minutes 12 seconds East, along the

ORDINANCE NO. 160915

North right-of-way line of Old Tiffany Springs Road, as now established, 7.38 feet; thence Easterly, along a curve to the right, having an initial tangent bearing of South 84 degrees 23 minutes 34 seconds East with a radius of 1,050.00 feet, a central angle of 09 degrees 53 minutes 28 seconds and an arc distance of 181.26 feet to the Point of Beginning of the tract of land to be herein described; thence North 15 degrees 29 minutes 54 seconds East, 9.00 feet; thence Easterly, along a curve to the right, having an initial tangent bearing of South 74 degrees 30 minutes 06 seconds East with a radius of 1,059.00 feet, a central angle of 02 degrees 42 minutes 08 seconds and an arc distance of 49.95 feet; thence Easterly, along a curve to the left, having a common tangent with the last described course with a radius of 1,000.00 feet, a central angle of 24 degrees 57 minutes 19 seconds and an arc distance of 435.55 feet to a point on the East line of said Lot 1; thence South 10 degrees 39 minutes 44 seconds East, along said East line, 1.85 feet; thence South 00 degrees 09 minutes 22 seconds West, continuing along said East line, 1.46 feet; thence Westerly, along a curve to the right, having an initial tangent bearing of South 81 degrees 45 minutes 44 seconds West with a radius of 950.00 feet, a central angle of 26 degrees 26 minutes 47 seconds and an arc distance of 438.50 feet; thence Westerly, along a curve to the left, having a common tangent with the last described course with a radius of 1,050.00 feet, a central angle of 02 degrees 42 minutes 37 seconds and an arc distance of 49.67 feet to the point of beginning. Containing 3,554 square feet or 0.08 acres, more or less.

Tract #5

Storm Drainage Easement #1

Part of Tract A, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Southeast corner of said Tract A; thence North 19 degrees 26 minutes 06 seconds West, along the West right-of-way line of U.S. Interstate 29, as now established, 136.63 feet to the Point of Beginning of the tract of land to be herein described; thence South 50 degrees 03 minutes 45 seconds West, 62.72 feet; thence South 64 degrees 18 minutes 34 seconds West, 26.24 feet; thence North 25 degrees 41 minutes 26 seconds West, 25.00 feet; thence North 64 degrees 18 minutes 34 seconds East, 5.00 feet; thence North 25 degrees 41 minutes 26 seconds West, 129.02 feet; thence Easterly along a curve to the left having an initial tangent bearing of North 81 degrees 02 minutes 15 seconds East with a radius of 1,050.00 feet, a central angle of 00 degrees 51 minutes 10 seconds and an arc distance of 15.63 feet; thence South 25 degrees 41 minutes 26 seconds East, 124.64 feet; thence North 64 degrees 18 minutes 34 seconds East, 33.59 feet; thence North 50 degrees 03

ORDINANCE NO. 160915

minutes 45 seconds East, 36.61 feet to a point on said West right-of-way line; thence South 19 degrees 26 minutes 06 seconds East, along said West right-of-way line, 18.68 feet to the point of beginning. Containing 3,769 square feet or 0.09 acres, more or less.

Storm Drainage Easement #2

Part of Tract A, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Southwest corner of said Tract A; thence North 00 degrees 09 minutes 22 seconds East, along the West line of said Tract A, 125.36 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 00 degrees 09 minutes 22 seconds East along said West line, 16.77 feet; thence South 63 degrees 18 minutes 46 seconds East, 23.76 feet; thence South 26 degrees 41 minutes 14 seconds West, 15.00 feet; thence North 63 degrees 18 minutes 46 seconds West, 16.27 feet to the point of beginning. Containing 300 square feet or 0.01 acres, more or less.

Street Right Of Way

Part of Tract A, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Northwest corner of said Tract A; thence South 10 degrees 39 minutes 44 seconds East, along the West line of said Tract A, 44.63 feet; thence South 00 degrees 09 minutes 22 seconds West, continuing along said West line, 1.46 feet to the Point of Beginning of the tract of land to be herein described; thence Easterly, along a curve to the left, having an initial tangent bearing of North 81 degrees 45 minutes 44 seconds East with a radius of 950.00 feet, a central angle of 01 degrees 51 minutes 15 seconds and an arc distance of 30.74 feet; thence North 79 degrees 54 minutes 29 seconds East, 60.83 feet to a point on the West right-of-way line of U.S. Interstate 29, as now established; thence South 19 degrees 26 minutes 06 seconds East, along said West right-of-way line, 101.34 feet; thence South 79 degrees 54 minutes 29 seconds West, 77.28 feet; thence Westerly, along a curve to the right, being tangent to the last described course with a radius of 1,050.00 feet, a central angle of 02 degrees 39 minutes 30 seconds and an arc distance of 48.72 feet to a point on said West line; thence North 00 degrees 09 minutes 22 seconds East, along said West line 100.98 feet to the point of beginning. Containing 10,878 square feet or 0.25 acres, more or less.

Temporary Construction Easement #1

ORDINANCE NO. 160915

Part of Tract A, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Beginning at the Northwest corner of said Tract A, thence Easterly, along the North line of said Tract A, on a curve to the left, having an initial tangent bearing of North 79 degrees 20 minutes 16 seconds East with a radius of 318.00 feet, a central angle of 07 degrees 53 minutes 07", and an arc distance of 43.76 feet; thence North 79 degrees 54 minutes 29 seconds East, 39.93 feet to a point on the West right-of-way line of U.S. Interstate 29, as now established; thence South 19 degrees 26 minutes 06 seconds East, along said West right-of-way line, 50.67 feet; thence South 79 degrees 54 minutes 29 seconds West, 20.27 feet; thence South 79 degrees 54 minutes 29 seconds West, 40.56 feet; thence Westerly, along a curve to the right, being tangent to the last described course with a radius of 950.00 feet, a central angle of 01 degrees 51 minutes 15 seconds and an arc distance of 30.74 feet to a point on the West line of said Tract A; thence North 00 degrees 09 minutes 22 seconds East, along said West line, 1.46 feet; thence North 10 degrees 39 minutes 44 seconds West, continuing along said West line, 44.63 feet to the point of beginning. Containing 4,270 square feet or 0.10 acres, more or less.

Temporary Construction Easement #2

Part of Tract A, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Beginning at the Southwest corner of said Tract A; thence North 00 degrees 09 minutes 22 seconds East, along the East line of Lot 1, Tiffany Springs Auto Plaza III, a subdivision of land in Kansas City, Platte County, Missouri, 234.79 feet; thence Easterly along a curve to the left having an initial tangent bearing of North 82 degrees 33 minutes 59 seconds East with a radius of 1,050.00 feet, a central angle of 02 degrees 39 minutes 30 seconds and an arc distance of 48.72 feet; thence North 79 degrees 54 minutes 29 seconds East, 77.28 feet to a point on the West right-of-way line of US Highway 169, as now established; thence South 19 degrees 26 minutes 06 seconds East, 249.35 feet; thence Westerly along a curve to the right having an initial tangent bearing of South 75 degrees 59 minutes 45 seconds West with a radius of 660.00 feet, a central angle of 11 degrees 06 minutes 40 seconds and an arc distance of 127.99 feet; thence Westerly along a curve to the right having a common tangent with the last described course with a radius of 1,460.00 feet, a central angle of 03 degrees 11 minutes 50 seconds and an arc distance of 81.47 feet to the point of beginning. Containing 40,760 square feet or 0.94 acres, more or less.

ORDINANCE NO. 160915

Retaining Wall Easement #1

Part of Tract A, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Northwest corner of said Tract A; thence South 10 degrees 39 minutes 44 seconds East, along the West line of said Tract A, 42.78 feet to the Point of Beginning of the tract of land to be herein described; thence Easterly, along a curve to the left, having an initial tangent bearing of North 83 degrees 14 minutes 43 seconds East with a radius of 1,000.00 feet, a central angle of 01 degrees 11 minutes 51 seconds and an arc distance of 20.90 feet; thence North 82 degrees 02 minutes 53 seconds East, 50.07 feet; thence South 19 degrees 26 minutes 06 seconds East, 0.92 feet; thence South 79 degrees 54 minutes 29 seconds West, 40.56 feet; thence Westerly, along a curve to the right, being tangent to the last described course with a radius of 950.00 feet, a central angle of 01 degrees 51 minutes 15 seconds and an arc distance of 30.74 feet to a point on said West line; thence North 00 degrees 09 minutes 22 seconds East, along said West line, 1.46 feet; thence North 10 degrees 39 minutes 44 seconds West, continuing along said West line, 1.85 feet to the point of beginning. Containing 155 square feet more or less.

Retaining Wall Easement #2

Part of Tract A, Tiffany Springs Auto Plaza III, a subdivision of land in the West half of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Southeast corner of said Tract A; thence North 19 degrees 26 minutes 06 seconds West, along the West right-of-way line of U.S. Interstate 29, as now established, 197.26 feet; thence South 70 degrees 33 minutes 54 seconds West, 20.00 feet to the Point of Beginning of the tract of land to be herein described; thence continuing South 70 degrees 33 minutes 54 seconds West, 16.09 feet; thence North 19 degrees 26 minutes 06 seconds West, 58.03 feet; thence North 79 degrees 54 minutes 29 seconds East, 16.31 feet; thence South 19 degrees 26 minutes 06 seconds East, 55.38 feet to the point of beginning. Containing 912 square feet or 0.02 acres, more or less.

Tract #11

Temporary Construction Easement

Part of Lot 1, The Lakes, Executive Hills North, a subdivision of land in the Southeast Quarter of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Beginning at the Northwest corner of said Lot 1; thence North 89 degrees 59 minutes 46 seconds East, along the South right-of-way line of Donovan Drive, as now established, 604.76 feet; thence Easterly, continuing along said South right-of-way line, on a curve to the left, being tangent with the last described course with a radius of 230.00 feet, a central angle of 16 degrees 47 minutes 56 seconds and an arc distance of 67.44 feet; thence North 73 degrees 11 minutes 50 seconds East, 82.40 feet; thence Easterly along a curve to the right being tangent to the last described course with a radius of 270.00 feet, a central angle of 47 degrees 13 minutes 50 seconds and an arc distance of 222.57 feet; thence South 30 degrees 25 minutes 40 seconds West, 25.00 feet; thence Westerly along a curve to the left having an initial tangent bearing of North 59 degrees 34 minutes 20 seconds West with a radius of 245.00 feet, a central angle of 47 degrees 13 minutes 50 seconds and an arc distance of 201.96 feet; thence South 73 degrees 11 minutes 50 seconds West, 82.40 feet; thence Westerly along a curve to the right being tangent to the last described course with a radius of 255.00 feet, a central angle of 16 degrees 47 minutes 56 seconds and an arc distance of 74.76 feet; thence North 00 degrees 00 minutes 14 seconds West, 10.00 feet; thence South 89 degrees 59 minutes 46 seconds West, 604.83 feet; thence North 00 degrees 16 minutes 08 seconds East, 15.00 feet to the point of beginning. Containing 18,216 square feet or 0.42 acres, more or less.

Water Main Easement

Part of Lot 1, The Lakes, Executive Hills North, a subdivision of land in the Southeast Quarter of Section 1, Township 51 North, Range 34 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Northwest corner of said Lot 1; thence North 89 degrees 59 minutes 46 seconds East, along the South right-of-way line of Donovan Drive, as now established, 16.00 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 89 degrees 59 minutes 46 seconds East, along said South right-of-way line, 14.43 feet; thence South 00 degrees 00 minutes 14 seconds East, 23.00 feet; thence South 89 degrees 59 minutes 46 seconds West, 14.43 feet; thence North 00 degrees 00 minutes 14 seconds West, 23.00 feet to the point of beginning. Containing 332 square feet or 0.01 acres, more or less.

ORDINANCE NO. 160915

Section 10. That just compensation for the property interests 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 Platte 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, or to be appropriated, for such purposes.

Section 11. That pending the acquisition of said lands by condemnation, the Director of the Department of Public Works is hereby authorized to negotiate the purchase of said land and pay for them 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 12. That said tracts and interests be condemned and conveyed to Kansas City, Missouri.

Section 13. That upon the effective date of this ordinance, the City Clerk is hereby directed to cause this ordinance to be recorded in the office of the Recorder of Deeds for Platte County, Missouri.

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney