

ORDINANCE NO. 100789

Condemning and taking private property interests for public use; for the construction, location and maintenance of N. Brighton Avenue from Missouri Highway 210 to NE Parvin Road; providing for the payment of just compensation therefore; authorizing continued negotiations by the Capital Project Office; consenting to the filing of the petition for condemnation by the City Attorney on behalf of the City; and authorizing the City Clerk to cause this ordinance to be recorded in the office of the Recorder of Deeds for Kansas City, Clay County, Missouri.

WHEREAS, the Council finds that private property interests must be condemned for permanent, and temporary easements for the purpose of locating, relocating, constructing and maintaining streets, sewers, and necessary appurtenances, grades, slopes, and cutbacks in Kansas City, Clay County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Property interests are hereby authorized condemned and taken for public use in and upon the private lands hereinafter described, for Project Number 089008112.

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 by the City Engineer under the supervision of the Director of Public Works, the same being on file in the Office of the Director of Public Works and being incorporated herein by reference.

Section 3. That the areas herein called Total Fee Acquisition, Temporary Construction Easements, Storm Drainage Easement, Street Right-of-Way and Bicycle/Pedestrian Trail Easement shall be used by Kansas City as the permanent location of the, street, storm drainage, retaining wall, bicycle/pedestrian trail and grading improvements to be constructed therein including any necessary appurtenances to it; and Kansas City shall have the right to enter in or authorize the entry in and upon such property for the purpose of constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto.

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Section 4. The Temporary Easements shall be used by Kansas City or its authorized agents, servants, employees or contractors during the construction for utility construction work, the storage of materials, the operation of equipment, and the movement of a working force, as well as grading and sloping, and the removal and replacement of temporary structures (such as storage sheds, mail boxes, etc.), fencing, trees and shrubbery, sidewalks and driveways.

Kansas City shall cause the surface of lands lying within said temporary easements to be restored to substantially the same physical condition that existed at the time Kansas City or its agents entered upon it, excluding necessary grade and slope improvements; said temporary easements shall terminate upon completion and acceptance of the improvements by the Director of Public Works or for a period of three years after acquisition, whichever occurs first.

Section 5. That the property interests are hereby authorized condemned and taken for public use, described as follows:

Tract 9-Total Fee Acquisition

A part of the Northeast Quarter of Section 8, Township 50, Range 32, in Kansas City, Clay County, Missouri, described as follows: beginning at the Northwest corner of said Northeast Quarter; thence South 178.6 feet; thence East 200 feet; thence North 178.6 feet; thence West 200 feet to the beginning, except that part in roads

Tract 10-Temporary Construction Easement

A tract of land located in the Southwest Quarter of Section 5, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southeast corner of said Southwest Quarter of Section 5, Township 50 North, Range 32 West, being a found boat spike, according to certified land corner document number 600-54629; thence North 00 degrees 31 minutes 30 seconds East along the East line of said Southwest Quarter of Section 5, a distance of 99.70 feet; thence North 89 degrees 28 minutes 30 seconds West along a line that is perpendicular to said East line, a distance of 45.00 feet to a point on the West right-of-way line of Brighton Avenue, as now established, also being a point on the South line of the property described in Warranty Deed Book 5273, Page 43 and recorded at the Clay County, Missouri Recorder of Deeds Office in Liberty, Missouri, and being the point of beginning; thence North 89 degrees 20 minutes 57 seconds West along said South line, a distance of 80.00 feet; thence North 00 degrees 31 minutes 30 seconds East, a distance of 45.30 feet; thence South 89 degrees 28 minutes 30 seconds East, a distance of 80.00 feet to a point on the West right-of-way line of said Brighton Avenue; thence South

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00 degrees 31 minutes 30 seconds West along said West right-of-way line, a distance of 45.47 feet to the point of beginning. The tract described above contains 3,631 square feet or 0.0834 acres, more or less.

Tract 31-Storm Drainage Easement

A tract of land located in the Northwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Northeast corner of the Northwest Quarter of said Section 8, Township 50 North, Range 32 West, being a found boat spike, according to certified land corner document number 600-54629; thence South 01 degrees 04 minutes 39 seconds West along the East line of said Northwest Quarter, a distance of 757.62 feet; thence North 88 degrees 55 minutes 21 seconds West along a line that is perpendicular to said East line, a distance of 30.00 feet to a point on the West right-of-way line of Brighton Avenue, as now established, also being a point on the South line of the property described in Warranty Deed Book 1920, Page 420 and recorded at the Clay County, Missouri Recorder of Deeds Office in Liberty, Missouri, and being the point of beginning; thence North 89 degrees 23 minutes 26 seconds West along said South line, a distance of 4.00 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 98.82 feet to a point on the North line of the Southeast Quarter of the Northeast Quarter of the Northwest Quarter of said Section 8; thence South 89 degrees 23 minutes 26 seconds East along said North line, a distance of 4.00 feet to a point on the West right-of-way line of said Brighton Avenue; thence South 01 degrees 04 minutes 39 seconds West along said West right-of-way line, a distance of 98.82 feet to the point of beginning. The tract described above contains 395 square feet, more or less.

Tract 31-Temporary Construction Easement

A tract of land located in the Northwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Northeast corner of the Northwest Quarter of said Section 8, Township 50 North, Range 32 West, being a found boat spike, according to certified land corner document number 600-54629; thence South 01 degrees 04 minutes 39 seconds West along the East line of said Northwest Quarter, a distance of 757.62 feet; thence North 88 degrees 55 minutes 21 seconds West along a line that is perpendicular to said East line, a distance of 30.00 feet to a point on the West right-of-way line of Brighton Avenue, as now established, also being a point on the South line of the property described in Warranty Deed Book 1920, Page 420 and recorded at the

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Clay County, Missouri Recorder of Deeds Office in Liberty, Missouri; thence North 89 degrees 23 minutes 26 seconds West along said South line, a distance of 4.00 feet to the point of beginning; thence continuing North 89 degrees 23 minutes 26 seconds West along said South line, a distance of 8.04 feet; thence North 00 degrees 28 minutes 02 seconds East, a distance of 27.89 feet; thence South 88 degrees 55 minutes 21 seconds East, a distance of 8.34 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 27.82 feet to the point of beginning. The tract described above contains 228 square feet, more or less.

Tract 41-Temporary Construction Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Northwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found boat spike, according to certified land corner document number 600-54629; thence South 01 degrees 04 minutes 39 seconds West along the West line of said Northeast Quarter, a distance of 969.05 feet; thence South 88 degrees 55 minutes 21 seconds East along a line that is perpendicular to said West line, a distance of 30.00 feet to a point on the East right-of-way line of Brighton Avenue, as now established, also being a point on the South line of the property described in Quit Claim Deed Book 3898, Page 821 and recorded at the Clay County, Missouri Recorder of Deeds Office in Liberty, Missouri, and being the point of beginning; thence North 01 degrees 04 minutes 39 seconds East along said East right-of-way line, a distance of 177.61 feet to a point on the North line of said Quit Claim Deed Book 3898, Page 821; thence South 89 degrees 24 minutes 30 seconds East along said North line, a distance of 30.00 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 177.61 feet to a point on the South line of said Quit Claim Deed Book 3898, Page 821; thence North 89 degrees 24 minutes 30 seconds West along said South line, a distance of 30.00 feet to the point of beginning. The tract described above contains 5,328 square feet or 0.1223 acres, more or less

Tract 42-Temporary Construction Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Northwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found boat spike, according to certified land corner document number 600-54629; thence South 01 degrees 04

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minutes 39 seconds West along the West line of said Northeast Quarter, a distance of 969.05 feet; thence South 88 degrees 55 minutes 21 seconds East along a line that is perpendicular to said West line, a distance of 30.00 feet to a point on the East right-of-way line of Brighton Avenue, as now established, also being a point on the North line of the property described in Quit Claim Deed Book 3096, Page 413 and recorded at the Clay County, Missouri Recorder of Deeds office in Liberty, Missouri, and being the point of beginning; thence South 89 degrees 24 minutes 30 seconds East along said North line, a distance of 10.00 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 140.83 feet to a point on the South line of said Quit Claim Deed Book 3096, Page 413; thence North 89 degrees 38 minutes 54 seconds West along said South line, a distance of 10.00 feet to a point on the East right-of-way line of said Brighton Avenue; thence North 01 degrees 04 minutes 39 seconds East along said East right-of-way line, a distance of 140.87 feet to the point of beginning. The tract described above contains 1,409 square feet or 0.0323 acres, more or less.

Tract 47-Temporary Construction Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the West line of said Northeast Quarter, a distance of 887.85 feet; thence South 88 degrees 55 minutes 21 seconds East along a line that is perpendicular to said West line, a distance of 30.00 feet to a point on the East right-of-way line of Brighton Avenue, as now established, also being a point on the South line of the property described in Warranty Deed Book 3318, Page 613 and recorded at the Clay County, Missouri Recorder of Deeds Office in Liberty, Missouri, and being the point of beginning; thence North 01 degrees 04 minutes 39 seconds East along said East right-of-way line, a distance of 100.09 feet to a point on the North line of said Warranty Deed Book 3318, Page 613; thence South 89 degrees 31 minutes 44 seconds East along said North line, a distance of 48.00 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 15.00 feet; thence North 89 degrees 31 minutes 44 seconds West, a distance of 18.00 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 85.06 feet to a point on the South line of said Warranty Deed Book 3318, Page 613; thence North 89 degrees 35 minutes 06 seconds West along said South line, a distance of 30.00 feet to the point of beginning. The tract described above contains 3,272 square feet or 0.0751 acres, more or less.

Tract 48-Storm Drainage Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the West line of said Northeast Quarter, a distance of 738.11 feet; thence South 88 degrees 55 minutes 21 seconds East along a line that is perpendicular to said West line, a distance of 30.00 feet to a point on the East right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence South 48 degrees 19 minutes 19 seconds East, a distance of 47.48 feet to a point on the Northerly right-of-way line of 37th Street, as now established; thence Southwesterly along said Northerly right-of-way line and along a non-tangent curve to the right, having an initial tangent bearing of South 84 degrees 03 minutes 56 seconds West, a central angle of 03 degrees 50 minutes 38 seconds and a radius of 539.55 feet, for an arc distance of 36.20 feet to a point on the East right-of-way line of said Brighton Avenue; thence North 01 degrees 04 minutes 39 seconds East along said East right-of-way line, a distance of 34.11 feet to the point of beginning. The tract described above contains 622 square feet, more or less.

Tract 48-Temporary Construction Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the West line of said Northeast Quarter, a distance of 738.11 feet; thence South 88 degrees 55 minutes 21 seconds East along a line that is perpendicular to said West line, a distance of 30.00 feet to a point on the East right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence North 01 degrees 04 minutes 39 seconds East along said East right-of-way line, a distance of 149.74 feet to a point on the South line of the property described in Warranty Deed Book 3318, Page 613 and recorded at the Clay County, Missouri Recorder of Deeds Office in Liberty, Missouri; thence South 89 degrees 35 minutes 06 seconds East along said South line, a distance of 30.00 feet; thence South 01 degrees 04 minutes 39 seconds

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West, a distance of 170.82 feet; thence South 88 degrees 55 minutes 21 seconds East, a distance of 63.15 feet to a point on the Northerly right-of-way line of 37th Street, as now established; thence Southwesterly along said Northerly right-of-way line and along a non-tangent curve to the right, having an initial tangent bearing of South 77 degrees 54 minutes 14 seconds West, a central angle of 06 degrees 09 minutes 43 seconds and a radius of 539.55 feet, for an arc distance of 58.03 feet; thence North 48 degrees 19 minutes 19 seconds West, a distance of 47.48 feet to the point of beginning. The tract described above contains 5,249 square feet or 0.1205 acres, more or less.

Tract 49-Storm Drainage Easement

A tract of land located in the Northwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southeast corner of the Northwest Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the East line of said Northwest Quarter, a distance of 701.96 feet; thence North 88 degrees 55 minutes 21 seconds West along a line that is perpendicular to said East line, a distance of 30.00 feet to a point on the West right-of-way line of Brighton Avenue, also being a point on the North right-of-way line of 37th Street, both as now established, and being the point of beginning; thence North 89 degrees 26 minutes 41 seconds West along said North right-of-way line of 37th Street, a distance of 40.00 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 44.00 feet; thence South 89 degrees 26 minutes 41 seconds East, a distance of 36.00 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 545.88 feet to a point on the South right-of-way line of 38th Street, as now established; thence South 89 degrees 25 minutes 55 seconds East along said South right-of-way line, a distance of 4.00 feet to a point on the West right-of-way line of said Brighton Avenue; thence South 01 degrees 04 minutes 39 seconds West along said West right-of-way line, a distance of 589.88 feet to the point of beginning. The tract described above contains 3,943 square feet or 0.0905 acres, more or less.

Tract 49-Temporary Construction Easement

A tract of land located in the Northwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southeast corner of the Northwest Quarter of said Section 8, Township 50

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North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the East line of said Northwest Quarter, a distance of 701.96 feet; thence North 88 degrees 55 minutes 21 seconds West along a line that is perpendicular to said East line, a distance of 30.00 feet to a point on the West right-of-way line of Brighton Avenue, also being a point on the North right-of-way line of 37th Street, both as now established; thence North 89 degrees 26 minutes 41 seconds West along said North right-of-way line of 37th Street, a distance of 40.00 feet to the point of beginning; thence continuing North 89 degrees 26 minutes 41 seconds West along said North right-of-way line, a distance of 5.00 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 49.00 feet; thence South 89 degrees 26 minutes 41 seconds East, a distance of 15.01 feet; thence North 23 degrees 24 minutes 03 seconds East, a distance of 52.63 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 145.00 feet; thence North 05 degrees 02 minutes 17 seconds West, a distance of 140.80 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 120.00 feet; thence North 88 degrees 55 minutes 21 seconds West, a distance of 5.00 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 72.19 feet; thence North 89 degrees 25 minutes 55 seconds West, a distance of 104.66 feet; thence South 00 degrees 34 minutes 05 seconds West, a distance of 10.00 feet; thence North 89 degrees 25 minutes 55 seconds West, a distance of 40.00 feet; thence North 00 degrees 34 minutes 05 seconds East, a distance of 10.00 feet; thence North 89 degrees 25 minutes 55 seconds West, a distance of 25.00 feet; thence North 00 degrees 34 minutes 05 seconds East, a distance of 15.00 feet to a point on the South right-of-way line of 38th Street, as now established; thence South 89 degrees 25 minutes 55 seconds East along said South right-of-way line, a distance of 195.80 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 545.88 feet; thence North 89 degrees 26 minutes 41 seconds West, a distance of 36.00 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 44.00 feet to the point of beginning. The tract described above contains 11,697 square feet or 0.2685 acres, more or less.

Tract 50-Storm Drainage Easement

A tract of land located in the Northwest Quarter and the Southwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southeast corner of the Northwest Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the East line of said Northwest Quarter, a distance of 645.96 feet; thence North 88 degrees

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55 minutes 21 seconds West along a line that is perpendicular to said East line, a distance of 30.00 feet to a point on the West right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence South 01 degrees 04 minutes 39 seconds West along said West right-of-way line, a distance of 646.27 feet to a point on the North line of said Southwest Quarter of Section 8; thence South 01 degrees 02 minutes 27 seconds West continuing along said West right-of-way line, a distance of 185.41 feet; thence North 88 degrees 57 minutes 33 seconds West, a distance of 13.87 feet; thence North 03 degrees 31 minutes 12 seconds West, a distance of 258.23 feet; thence North 24 degrees 02 minutes 12 seconds West, a distance of 18.42 feet; thence North 01 degrees 40 minutes 38 seconds West, a distance of 162.04 feet; thence North 24 degrees 34 minutes 28 seconds West, a distance of 20.37 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 225.67 feet; thence North 33 degrees 31 minutes 26 seconds East, a distance of 35.19 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 121.66 feet; thence South 89 degrees 26 minutes 41 seconds East, a distance of 40.00 feet to the point of beginning. The tract described above contains 34,955 square feet or 0.8025 acres, more or less.

and

A tract of land located in the Southwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Northeast corner of the Southwest Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence South 01 degrees 02 minutes 27 seconds West along the East line of said Southwest Quarter, a distance of 386.38 feet; thence North 88 degrees 57 minutes 33 seconds West along a line that is perpendicular to said East line, a distance of 30.00 feet to a point on the West right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence South 01 degrees 02 minutes 27 seconds West along said West right-of-way line, a distance of 22.00 feet to the Northeast corner of Lot 18, Block 1, "CHOUTEAU ESTATES SECONDS, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof; thence North 89 degrees 35 minutes 50 seconds West along the North line of said Lot 18, Block 1, "CHOUTEAU ESTATES SECONDS, a distance of 14.00 feet; thence North 01 degrees 02 minutes 27 seconds East, a distance of 22.00 feet; thence South 89 degrees 35 minutes 50 seconds East, a distance of 14.00 feet to the point of beginning. The tract described above contains 308 square feet, more or less.

Tract 50-Street Right of Way- NE 37th Street

A tract of land located in the Northwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southeast corner of the Northwest Quarter of said Section 8, Township 50n, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the East line of said Northwest Quarter, a distance of 645.96 feet; thence North 88 degrees 55 minutes 21 seconds West along a line that is perpendicular to said East line, a distance of 30.00 feet to a point on the West right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence North 89 degrees 26 minutes 41 seconds West, a distance of 80.00 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 6.00 feet to a point on the South right-of-way line of 37th Street, as now established; thence South 89 degrees 26 minutes 41 seconds East along said South right-of-way line, a distance of 80.00 feet to a point on the West right-of-way line of said Brighton Avenue; thence South 01 degrees 04 minutes 39 seconds West, a distance of 6.00 feet to the point of beginning. The tract described above contains 480 square feet, more or less.

Tract 50-Temporary Construction Easement

A tract of land located in the Northwest Quarter and the Southwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Northeast corner of the Southwest Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence South 01 degrees 02 minutes 27 seconds West along the East line of said Southwest Quarter, a distance of 386.38 feet; thence North 88 degrees 57 minutes 33 seconds West along a line that is perpendicular to said East line, a distance of 30.00 feet to a point on the West right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence North 89 degrees 35 minutes 50 seconds West, a distance of 14.00 feet; thence South 01 degrees 02 minutes 27 seconds West, a distance of 22.00 feet to a point on the North line of Lot 18, Block 1, "CHOUTEAU ESTATES SECONDS, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof; thence North 89 degrees 35 minutes 50 seconds West along said North line, a distance of 6.00 feet; thence North 01 degrees 02 minutes 27 seconds East, a distance of 107.10 feet; thence North 12 degrees 51 minutes 49 seconds West, a distance of 116.07 feet; thence North 01 degrees 22 minutes 13

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seconds East, a distance of 246.28 feet; thence North 07 degrees 03 minutes 08 seconds West, a distance of 59.95 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 116.01 feet; thence North 24 degrees 34 minutes 28 seconds West, a distance of 36.70 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 195.11 feet; thence North 15 degrees 46 minutes 25 seconds East, a distance of 105.95 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 77.12 feet; thence North 89 degrees 26 minutes 41 seconds West, a distance of 40.96 feet; thence North 00 degrees 33 minutes 19 seconds East, a distance of 11.00 feet to a point on the South right-of-way line of 37th Street, as now established; thence South 89 degrees 26 minutes 41 seconds East along said South right-of-way line, a distance of 5.05 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 6.00 feet; thence South 89 degrees 26 minutes 41 seconds East, a distance of 40.00 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 121.66 feet; thence South 33 degrees 31 minutes 26 seconds West, a distance of 35.19 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 225.67 feet; thence South 24 degrees 34 minutes 28 seconds East, a distance of 20.37 feet; thence South 01 degrees 40 minutes 38 seconds East, a distance of 162.04 feet; thence South 24 degrees 02 minutes 12 seconds East, a distance of 18.42 feet; thence South 03 degrees 31 minutes 12 seconds East, a distance of 258.23 feet; thence South 88 degrees 57 minutes 33 seconds East, a distance of 13.87 feet to a point on the West right-of-way line of said Brighton Avenue; thence South 01 degrees 02 minutes 27 seconds West along said West right-of-way line, a distance of 200.68 feet to the point of beginning. The tract described above contains 17,368 square feet or 0.3987 acres, more or less.

Tract 50-Bicycle/Pedestrian Trail Easement

A tract of land located in the Northwest Quarter and the Southwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Northeast corner of the Southwest Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence South 01 degrees 02 minutes 27 seconds West along the East line of said Southwest Quarter, a distance of 303.22 feet; thence North 88 degrees 57 minutes 33 seconds West along a line that is perpendicular to said East line, a distance of 30.00 feet to a point on the West right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence South 01 degrees 02 minutes 27 seconds West along said West right-of-way line, a distance of 37.45 feet; thence North 12 degrees 51 minutes 49 seconds West, a distance of 186.12 feet; thence North 01 degrees 22 minutes 13 seconds East, a distance of 217.66 feet;

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thence North 07 degrees 03 minutes 08 seconds West, a distance of 59.96 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 116.48 feet; thence North 24 degrees 34 minutes 28 seconds w, a distance of 36.70 feet; thence North 01 degrees 04 minutes 39 seconds East, a distance of 177.78 feet; thence North 14 degrees 14 minutes 54 seconds East, a distance of 78.54 feet; thence North 38 degrees 11 minutes 03 seconds East, a distance of 60.17 feet; thence North 16 degrees 14 minutes 04 seconds East, a distance of 52.32 feet to a point on the West right-of-way line of said West Brighton Avenue; thence South 01 degrees 04 minutes 39 seconds West along said right-of-way line, a distance of 47.34 feet; thence South 38 degrees 11 minutes 03 seconds West, a distance of 69.04 feet; thence South 14 degrees 14 minutes 54 seconds West, a distance of 75.59 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 174.69 feet; thence South 24 degrees 34 minutes 28 seconds East, a distance of 36.70 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 117.89 feet; thence South 07 degrees 03 minutes 08 seconds East, a distance of 59.98 feet; thence South 01 degrees 22 minutes 13 seconds West, a distance of 217.20 feet; thence South 12 degrees 51 minutes 49 seconds East, a distance of 148.64 feet to the point of beginning. The tract described above contains 8,573 square feet or 0.1968 acres, more or less.

Tract 51-Storm Drainage Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the West line of said Northeast Quarter, a distance of 175.00 feet; thence South 88 degrees 55 minutes 21 seconds East along a line that is perpendicular to said West line, a distance of 30.00 feet to a point on the East right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence South 43 degrees 55 minutes 21 seconds East, a distance of 35.36 feet to a point on the North right-of-way line of 36th Street, as now established; thence North 88 degrees 55 minutes 21 seconds West along said North right-of-way line a distance of 25.00 feet to a point on the East right-of-way line of said Brighton Avenue; thence North 01 degrees 04 minutes 39 seconds East along said East right-of-way line, a distance of 25.00 feet to the point of beginning. The tract described above contains 313 square feet, more or less.

Tract 51-Temporary Construction Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the West line of said Northeast Quarter, a distance of 175.00 feet; thence South 88 degrees 55 minutes 21 seconds East along a line that is perpendicular to said West line, a distance of 30.00 feet to a point on the East right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence North 01 degrees 04 minutes 39 seconds East along said East right-of-way line, a distance of 478.93 feet to a point on the South right-of-way line of 37th Street, as now established; thence North 88 degrees 03 minutes 15 seconds East along said South right-of-way line, a distance of 1.28 feet; thence Northeasterly continuing along said South right-of-way line and along a curve to the left, tangent to the last described course, having a central angle of 06 degrees 29 minutes 40 seconds and a radius of 589.55 feet, for an arc distance of 66.83 feet; thence South 08 degrees 26 minutes 25 seconds East, a distance of 5.00 feet; thence South 74 degrees 53 minutes 07 seconds West, a distance of 60.91 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 130.00 feet; thence South 88 degrees 55 minutes 21 seconds East, a distance of 20.00 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 319.38 feet; thence South 88 degrees 55 minutes 21 seconds East, a distance of 23.68 feet; thence Southeasterly along a curve to the right, tangent to the last described course, having a central angle of 17 degrees 56 minutes 21 seconds and a radius of 306.79 feet, for an arc distance of 96.05 feet; thence South 31 degrees 11 minutes 04 seconds East, a distance of 61.05 feet; thence South 28 degrees 57 minutes 15 seconds West, a distance of 5.00 feet to a point on the Northerly right-of-way line of 36th Street, as now established; thence Northwesterly along said Northerly right-of-way line and along a non-tangent curve to the left, having an initial tangent bearing of n61 degrees 02 minutes 45 seconds West, a central angle of 27 degrees 52 minutes 36 seconds and a radius of 266.79 feet, for an arc distance of 129.80 feet to the point of tangent; thence North 88 degrees 55 minutes 21 seconds West continuing along said Northerly right-of-way line, a distance of 28.68 feet; thence North 43 degrees 55 minutes 21 seconds West, a distance of 35.36 feet to the point of beginning. The tract described above contains 18,039 square feet or 0.4141 acres, more or less.

Tract 52-Storm Drainage Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence South 89 degrees 38 minutes 54 seconds East along the South line of said Northeast Quarter, a distance of 30.00 feet to a point on the East right-of-way line of Brighton Avenue, as now established, and being the point of beginning; thence North 01 degrees 04 minutes 39 seconds East along said East right-of-way line, a distance of 99.62 feet to a point on the South right-of-way line of 36th Street, as now established; thence South 88 degrees 55 minutes 21 seconds East along said South right-of-way line, a distance of 53.68 feet; thence Easterly continuing along said South right-of-way line and along a curve to the right, tangent to the last described course, having a central angle of 01 degrees 43 minutes 23 seconds and a radius of 216.79 feet, for an arc distance of 6.52 feet; thence South 03 degrees 10 minutes 04 seconds West, a distance of 98.87 feet to a point on the South line of said Northeast Quarter; thence North 89 degrees 38 minutes 54 seconds West along said South line, a distance of 56.60 feet to the point of beginning. The tract described above contains 5,796 square feet or 0.1331 acres, more or less.

Tract 52-Temporary Construction Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence South 89 degrees 38 minutes 54 seconds East along the South line of said Northeast Quarter, a distance of 86.60 feet to the point of beginning; thence North 03 degrees 10 minutes 04 seconds East, a distance of 98.87 feet to a point on the Southerly right-of-way line of 36th Street, as now established; thence Southeasterly along said Southerly right-of-way line and along a non-tangent curve to the right, having an initial tangent bearing of South 87 degrees 11 minutes 58 seconds East, a central angle of 26 degrees 09 minutes 13 seconds and a radius of 216.79 feet, for an arc distance of 98.96 feet; thence South 00 degrees 21 minutes 06 seconds West, a distance of 72.49 feet to a point on the South line of said Northeast Quarter; thence North 89 degrees 38 minutes 54 seconds West

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along said South line, a distance of 99.38 feet to the point of beginning. The tract described above contains 8,701 square feet or 0.1997 acres, more or less.

Tract 61-Temporary Construction Easement

A tract of land lying in Lot 11, Block 1, "CHOUTEAU ESTATES SECONDS, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof, and located in the Southwest Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: beginning at the Southeast corner of said Lot 11, Block 1, "CHOUTEAU ESTATES SECONDS, also being a point on the West right-of-way line of Brighton Avenue, as now established; thence n89 degrees 31 minutes 46 seconds w along the South line of said Lot 11, Block 1, a distance of 8.00 feet; thence n01 degrees 02 minutes 27 seconds e, a distance of 35.00 feet; thence s89 degrees 31 minutes 46 seconds e, a distance of 8.00 feet to a point on the West right-of-way line of said Brighton Avenue; thence s01 degrees 02 minutes 27 seconds w along said West right-of-way line, a distance of 35.00 feet to the point of beginning. The tract described above contains 280 square feet, more or less.

Tract 70-Temporary Construction Easement

A tract of land located in the Northeast Quarter of Section 8, Township 50 North, Range 32 West, in Kansas City, Clay County, Missouri, bearings are referenced to grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and described as follows: commencing at the Southwest corner of the Northeast Quarter of said Section 8, Township 50 North, Range 32 West, being a found #4 iron bar, according to certified land corner document number 600-58074; thence North 01 degrees 04 minutes 39 seconds East along the West line of said Northeast Quarter, a distance of 1152.94 feet; thence South 88 degrees 55 minutes 21 seconds East along a line that is perpendicular to said West line, a distance of 30.00 feet to a point on the East right-of-way line of Brighton Avenue, as now established, also being a point on the South line of the property described in Quit Claim Deed Book 4981, Page 137 and recorded at the Clay County, Missouri Recorder of Deeds Office in Liberty, Missouri, and being the point of beginning; thence North 01 degrees 04 minutes 39 seconds East along said East right-of-way line, a distance of 24.47 feet to a point on the North line of said Quit Claim Deed Book 4981, Page 137; thence South 89 degrees 31 minutes 44 seconds East along said North line, a distance of 18.00 feet; thence South 01 degrees 04 minutes 39 seconds West, a distance of 24.47 feet to a point on the South line of said Quit Claim Deed Book 4981, Page 137; thence North 89 degrees 31 minutes 44

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seconds West along said South line, a distance of 18.00 feet to the point of beginning. The tract described above contains 440 square feet, more or less.

Section 6. 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 Clay 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 7. That pending acquisition of said property interest by condemnation, the Director of Public Works or his agents are hereby authorized to negotiate for, and purchase, said property interest and to pay out of funds available or to be made available. The City Attorney is hereby authorized and directed to file the petition for condemnation on behalf of the City in the Clay County Circuit Court. If any tract be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw such tract from the condemnation proceedings.

Section 8. That said tracts be condemned and conveyed to Kansas City, Missouri, in fee simple.

Section 9. 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 Kansas City, Clay County, Missouri.

Approved as to form and legality:

Theodore T Anderson
Assistant City Attorney