

ORDINANCE NO. 100270

Repealing Ordinance No. 070595, condemning and taking standard sewer and temporary easements on private properties and enacting a new ordinance condemning and taking standard sewer and temporary easements on private properties for the construction and maintenance of sanitary sewers in the vicinity of 39th Street and Blue Ridge Cut Off in Kansas City, Jackson County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations by the Capital Improvement Management Office; and directing the City Clerk to file this ordinance with the Recorder of Deeds in Jackson County, Missouri.

WHEREAS, on June 7, 2007, the City Council passed Ordinance No. 070595 condemning and taking standard sewer and temporary easements on private properties for the construction and maintenance of sewers in the vicinity of 39th & Blue Ridge Cut Off, all in Kansas City, Jackson County, Missouri; and

WHEREAS, subsequent to the passage of said ordinance, easements located in tracts 1, 2, 6, 7, 11, 28, 29, 31, 47, 60, 62, 63, 65 and 73 have been acquired or removed from the sewer project; and

WHEREAS, the City Council now desires to repeal Ordinance No. 070595 and pass a new Ordinance condemning and taking standard sewer and temporary easements on private properties for the construction and maintenance of sewers in the vicinity of 39th Street & Blue Ridge Cut Off; and

WHEREAS, the Council finds that standard sewer and temporary easements located in tracts 27, 49, 50, 52, 55, 58, 59 and 66 must be condemned for the purpose of locating, constructing and maintaining sanitary sewers in Kansas City, Jackson County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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Section 1. That Ordinance No. 070595 passed by Council on June 7th 2007, is hereby repealed.

Section 2. Condemnation of lands for standard sewer and temporary easements: That private property is hereby condemned and taken for public use as standard sewer and temporary easements for the location, construction, reconstruction, maintenance, operation and repair of public sewers, and related appurtenances in the vicinity of 39th Street and Blue Ridge Cutoff, all in Kansas City, Jackson County, Missouri, in and upon the private lands hereinafter described in Kansas City, Jackson County, Missouri.

Section 3. 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 Water Services, identified as Project No. 89003370, , and as evidenced by plans being on file in the Office of the Director of Water Services and being incorporated herein by reference.

Section 4. The standard sewer easements shall be used by Kansas City as the permanent location of said sanitary sewer improvements including any necessary appurtenances to it; and Kansas City or its authorized agents, servants, employees or contractors shall have the right to enter in and upon, or authorize the entry in and upon, said right of way, for the purpose of construction, reconstruction, maintenance, operation and repair of said improvements.

Section 5. The temporary easements shall be used by Kansas City or its authorized agents, servants, employees or contractors during the construction for grading and sloping, removal and replacement of storage sheds, fencing, trees and shrubbery, sidewalks and driveways, utility construction work, the storage of materials, the operation of equipment, and the movement of a working force.

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, and said temporary easements shall terminate three (3) years after execution.

There shall be reserved to the owners of the land in which such sewer easements are taken and condemned the right to use the land in any way which will not interfere with the proper, safe and continuous use of the sewer facilities to be constructed in and upon such easements.

The standard sewer easements and temporary construction easements are hereby condemned and taken for public use and hereby described as follows:

Standard Sewer Easement, Tract 27

A parcel of land situated in a portion of Lot 37, Block 6, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Beginning at the Southwest corner of said Lot 37, said point being on the East right-of-way line of Ditzler Avenue, as now established; thence North 01 degree 58 minutes 01 seconds East 15.00 feet along said East right-of-way line; thence South 86 degrees 43 minutes 59 seconds East 77.64 feet along a line 15.00 feet North of and parallel with the South line of said Lot 37; thence North 40 degrees 25 minutes 44 seconds East 9.23 feet to a point on the East line of a certain tract of land conveyed by Quit Claim Deed recorded in Doc. No. 2004I0112678; thence South 03 degrees 16 minutes 01 seconds West 22.36 feet, along said East line, to a point on the South line of said Lot 37; thence North 86 degrees 43 minutes 59 seconds West 82.88 feet, along said South line, to the point of beginning of the parcel herein described, containing 1,266 square feet or 0.0291 acres, more or less.

and

A parcel of land situated in a portion of Lot 38, Block 6, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

Beginning at the Northeast corner of said Lot 38; thence South 01 degree 58 minutes 01 seconds West 12.34 feet along the East line of said Lot 38; thence South 40 degrees 25 minutes 44 seconds West 35.32 feet to a point on the South line of said Lot 38; thence North 88 degrees 01 minutes 59 seconds West 19.16 feet along said South line; thence North 40 degrees 25 minutes 44 seconds East 51.08 feet to a point on the North line of said Lot 38; thence South 88 degrees 01 minutes 59 seconds East 9.35 feet, along said North line, to the point of beginning of the parcel herein described, containing 706 square feet or 0.0162 acres, more or less.

Temporary Easement, Tract 27

A parcel of land situated in a portion of Lots 37 and 38, Block 6, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

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(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the Southwest corner of said Lot 37, said point being on the East right-of-way line of Ditzler Avenue, as now established; thence North 01 degree 58 minutes 01 seconds East 15.00 feet, along said East right-of-way line, to the true point of beginning; thence North 01 degree 58 minutes 01 seconds East 15.00 feet along said East right-of-way line; thence South 86 degrees 43 minutes 59 seconds East 73.66 feet along a line 30.00 feet North of and parallel with the South line of said Lot 37; thence North 40 degrees 25 minutes 44 seconds East 65.98 feet to a point on the North line of said Lot 38; thence South 88 degrees 01 minutes 59 seconds East 15.96 feet along said North line; thence South 40 degrees 25 minutes 44 seconds West 51.08 feet to a point on the South line of said Lot 38; thence North 88 degrees 01 minutes 59 seconds West 15.07 feet, along said South line, to a point on the East line of a certain tract of land conveyed by Quit Claim Deed recorded in Doc. No. 2004I0112678; thence South 03 degrees 16 minutes 01 seconds West 19.53 feet along said East line; thence South 40 degrees 25 minutes 44 seconds West 9.23 feet to a point being 15.00 feet North of and at right angles to the South line of said Lot 37; thence North 86 degrees 43 minutes 59 seconds West 77.64 feet, along a line 15.00 feet North of and parallel with said South line, to the true point of beginning of the parcel herein described, containing 1,933 square feet or 0.0444 acres, more or less, except that part lying in existing utility easements.

and

A parcel of land situated in a portion of Lot 38, Block 6, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

Commencing at the Northeast corner of said Lot 38; thence South 01 degrees 58 minutes 01 seconds West 12.34 feet, along the East line of said Lot 38, to the true point of beginning; thence South 01 degrees 58 minutes 01 seconds West 20.10 feet along the East line of said Lot 38; thence South 40 degrees 25 minutes 44 seconds West 9.66 feet to a point on the South line of said Lot 38; thence North 88 degrees 01 minutes 59 seconds West 15.96 feet along said South line; thence North 40 degrees 25 minutes 44 seconds East 35.52 feet to the true point of beginning of the parcel herein described, containing 281 square feet or 0.0065 acres, more or less, except that part lying in existing utility easements.

Standard Sewer Easement, Tract 49

A parcel of land situated in a portion of Lots 36, 37, and 38, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Beginning at the Southwest corner of said Lot 38, said point being the intersection of the East right-of-way line of Windsor Road, as now established, and the North right-of-way line of 39th Street, as now established; thence North 01 degree 58 minutes 01 seconds East 10.00 feet along said East right-of-way line; thence South 86 degrees 43 minutes 59 seconds East 91.40 feet along a line 10.00 feet North of and parallel with said North right-of-way line; thence North 55 degrees 34 minutes 53 seconds East 36.47 feet to a point on the East line of said Lot 36; thence South 03 degrees 16 minutes 01 seconds West 12.64 feet along said East line; thence South 55 degrees 34 minutes 53 seconds West 32.16 feet to a point on said North right-of-way line; thence North 86 degrees 43 minutes 59 seconds West 94.59 feet, along said North right-of-way line, to the point of beginning of the parcel herein described, containing 1,273 square feet or 0.0292 acres, more or less.

and

All of the East 15.00 feet of Lot 39, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, containing 645 square feet or 0.0148 acres, more or less.

Temporary Easement, Tract 49

A parcel of land situated in a portion of Lots 36, 37, and 38, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the Southwest corner of said Lot 38, said point being the intersection of the East right-of-way line of Windsor Road, as now established, and the North right-of-way line of 39th Street, as now established; thence North 01 degrees 58 minutes 01 seconds East 10.00 feet, along said East right-of-way line, to the true point of beginning;

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thence North 01 degrees 58 minutes 01 seconds East 15.00 feet along said East right-of-way line; thence South 86 degrees 43 minutes 59 seconds East 86.62 feet along a line 25.00 feet North of and parallel with said North right-of-way line; thence North 55 degrees 34 minutes 53 seconds East 42.94 feet to a point on the East line of said Lot 36; thence South 03 degrees 16 minutes 01 seconds West 18.95 feet along said East line; thence South 55 degrees 34 minutes 53 seconds West 36.47 feet to a point being 10.00 feet North of and at right angles to said North right-of-way line; thence North 86 degrees 43 minutes 59 seconds West 91.40 feet, along a line 10.00 feet North of and parallel with said North right-of-way line, to the true point of beginning of the parcel herein described, containing 1,931 square feet or 0.0443 acres, more or less, except that part lying in existing utility easements.

and

A parcel of land situated in a portion of Lot 36, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

Commencing at the Southeast corner of said Lot 36, said point being on the North right-of-way line of 39th Street, as now established; thence North 03 degrees 16 minutes 01 seconds East 0.71 feet, along the East line of said Lot 36, to the true point of beginning; thence South 55 degrees 34 minutes 53 seconds West 1.16 feet to a point on said North right-of-way line; thence North 86 degrees 43 minutes 59 seconds West 24.54 feet along said North right-of-way line; thence North 55 degrees 34 minutes 53 seconds East 32.16 feet to a point on said East line; thence South 03 degrees 16 minutes 01 seconds West 18.95 feet, along said East line, to the true point of beginning of the parcel herein described, containing 250 square feet or 0.0057 acres, more or less, except that part lying in existing utility easements.

and

A parcel of land situated in a portion of Lots 36 and 39, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

Commencing at the Northeast corner of said Lot 39; thence North 88 degrees 01 minutes 59 seconds West 15.00 feet, along the North line of said Lot 39, to the true point of beginning; thence South 01 degree 58 minutes 01 seconds West 42.84 feet, along a line 15.00 feet West of and parallel with the East line of said Lot 39, to a point on the South line of said Lot 39; thence North 86 degrees 43 minutes 59 seconds West 2.16

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feet, along said South line, to the Northeast corner of said Lot 36; thence South 03 degrees 16 minutes 01 seconds West 63.41 feet along the East line of said Lot 36; thence North 46 degrees 10 minutes 35 seconds West 15.31 feet; thence North 01 degree 58 minutes 01 seconds East 95.96 feet to a point on said North line; thence South 88 degrees 01 minutes 59 seconds East 15.00 feet, along said North line, to the true point of beginning of the parcel herein described, containing 1,352 square feet or 0.0310 acres, more or less, except that part lying in existing utility easements.

Standard Sewer Easement, Tract 50

All of the East 15.00 feet of Lots 40, 41, and 42, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, containing 1,800 square feet or 0.0413 acres, more or less.

Temporary Easement, Tract 50

All of the West 15.00 feet of the East 30.00 feet of Lots 40, 41, and 42, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, containing 1,800 square feet or 0.0413 acres, more or less, except that part lying in existing utility easements.

Standard Sewer Easement, Tract 52

A parcel of land situated in a portion of Lot 47, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the Southeast corner of said Lot 47; thence North 01 degrees 58 minutes 01 seconds East 21.62 feet, along the East line of said Lot 47, to the true point of beginning; thence North 17 degrees 58 minutes 51 seconds West, 3.43 feet to a point on the North line of the South One-half of said Lot 47; thence North 84 degrees 00 minutes 12 seconds East, 1.18 feet, along said North line, to a point on said East line; thence South 01 degrees 58 minutes 01 seconds West, 3.38 feet, along said East line, to the true point of beginning of the parcel herein described, containing 2 square feet or 0.0001 acres, more or less.

Temporary Easement, Tract 52

A parcel of land situated in a portion of Lot 46 and the Southerly One-half of Lot 47, Block 5, WOODLAND PARK, a subdivision of land in the City

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of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Beginning at the Southeast corner of said Lot 46; thence South 89 degrees 51 minutes 15 seconds West 12.51 feet, along the South line of said Lot 46, to a point being 12.50 feet West of and at right angles to the East line of said Lot 46; thence North 01 degrees 58 minutes 01 seconds East 69.88 feet along a line 12.50 feet West of and parallel with said East line; thence North 17 degrees 58 minutes 51 seconds West 3.88 feet to a point on the Northerly line of the South One-half of said Lot 47; thence North 84 degrees 00 minutes 12 seconds East, 12.78 feet along said Northerly line; thence South 17 degrees 58 minutes 51 seconds East 3.43 feet to a point on said East line; thence South 01 degrees 58 minutes 01 seconds West 71.62 feet, along said East line, to the point of beginning of the parcel herein described, containing 930 square feet or 0.0214 acres, more or less, except that part lying in existing utility easements.

Standard Sewer Easement, Tract 55

A parcel of land situated in a portion of the Lots 51 and 52, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Beginning at the Southeasterly line of said Lot 51; thence South 70 degrees 38 minutes 36 seconds West 15.65 feet along the Southerly line of said Lot 51; thence North 17 degrees 58 minutes 51 seconds West 97.85 feet to a point on the Northerly line of said Lot 52; thence North 63 degrees 11 minutes 49 seconds East 16.46 feet, along said Northerly line, to the Northeast corner of said Lot 52; thence South 17 degrees 37 minutes 29 seconds East 100.00 feet, along the Easterly line of said Lots 52 and 51, to the point of beginning of the parcel herein described, containing 1,578 square feet or 0.0362 acres, more or less.

Temporary Easement, Tract 55

A parcel of land situated in a portion of the Lots 51 and 52, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

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(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the Southeasterly line of said Lot 51; thence South 70 degrees 38 minutes 36 seconds West 15.65 feet, along the Southerly line of said Lot 51, to the true point of beginning; thence South 70 degrees 38 minutes 36 seconds West 12.50 feet along said Southerly line; thence North 17 degrees 58 minutes 51 seconds West 96.21 feet to a point on the Northerly line of said Lot 52; thence North 63 degrees 11 minutes 49 seconds East 12.65 feet along said Northerly line; thence South 17 degrees 58 minutes 51 seconds East 97.85 feet to the true point of beginning of the parcel herein described, containing 1,213 square feet or 0.0278 acres, more or less, except that part lying in existing utility easements.

Temporary Easement, Tract 58

A parcel of land situated in a portion of the Northwesterly 20.00 feet of Lot 60, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the most Easterly corner of said Lot 60; thence North 65 degrees 31 minutes 36 seconds West 21.72 feet, along the Northeasterly line of said Lot 60, to a point on the Southeasterly line of the Northwesterly 20.00 feet of said Lot 60, said point also being the true point of beginning; thence South 47 degrees 24 minutes 17 seconds West 16.29 feet, along said Southeasterly line, to a point being 15.00 feet Southwesterly of and at right angles to said Northeasterly line; thence North 65 degrees 31 minutes 36 seconds West 14.76 feet along a line 15.00 feet Southwesterly of and parallel with said Northeasterly line; thence North 24 degrees 28 minutes 24 seconds East 15.00 feet to a point on said Northeasterly line; thence South 65 degrees 31 minutes 36 seconds East 21.10 feet, along said Northeasterly line, to the point of beginning of the parcel herein described, containing 269 square feet or 0.0062 acres, more or less, except that part lying in existing utility easements.

Standard Sewer Easement, Tract 59

A parcel of land situated in a portion of Lots 4 and 5, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

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(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Beginning at the most Southerly corner of said Lot 5; thence North 42 degrees 35 minutes 43 seconds West 10.00 feet along the Southwesterly line of said Lot 5; thence North 65 degrees 31 minutes 36 seconds West 30.32 feet along said Southwesterly line; thence North 24 degrees 28 minutes 24 seconds East 15.00 feet; thence South 65 degrees 31 minutes 36 East 39.78 feet along a line 15.00 feet Northeasterly of and parallel with the Southwesterly line of said Lots 4 and 5; thence South 42 degrees 35 minutes 43 seconds East 2.80 feet to a point on the Southeasterly line of said Lot 5; thence South 33 degrees 29 minutes 33 seconds West 18.03 feet, along said Southeasterly line, to the point of beginning of the parcel herein described, containing 638 square feet or 0.0146 acres, more or less.

Temporary Easement, Tract 59

A parcel of land situated in a portion of Lots 4 and 5, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the most Southerly corner of said Lot 5; thence North 33 degrees 29 minutes 33 seconds East 18.03 feet, along the Southeasterly line of said Lot 5, to the true point of beginning; thence North 42 degrees 35 minutes 43 seconds West 2.80 feet; thence North 65 degrees 31 minutes 36 seconds West 39.78 feet along a line 15.00 feet Northeasterly of and parallel with the Southwesterly line of said Lots 5 and 4; thence South 24 degrees 28 minutes 24 seconds West 15.00 feet to a point on the Southwesterly line of said Lot 4; thence North 65 degrees 31 minutes 36 seconds West 12.50 feet along said Southwesterly line; thence North 24 degrees 28 minutes 24 seconds East 25.00 feet; thence South 65 degrees 31 minutes 36 seconds East 56.61 feet, along a line 25.00 feet Northeasterly of and parallel with the Southwesterly line of said Lots 4 and 5, to a point on said Southeasterly line; thence South 33 degrees 29 minutes 33 seconds West 11.23 feet, along said Southeasterly line, to the true point of beginning of the parcel herein described, containing 747 square feet or 0.0172 acres, more or less, except that part lying in existing utility easements.

Standard Sewer Easement, Tract 66

A parcel of land situated in a portion of Lots 33, 34, and 35, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the Southwest corner of said Lot 35, said point being on the North right-of-way line of 39th Street, as now established; thence North 03 degrees 16 minutes 01 seconds East 19.66 feet, along the West line of said Lot 35, to the true point of beginning; thence North 03 degrees 16 minutes 01 seconds East 12.64 feet along said West line; thence North 55 degrees 34 minutes 53 seconds East 35.50 feet; thence North 46 degrees 10 minutes 35 seconds West 36.98 feet to a point on said West line; thence North 03 degrees 16 minutes 01 seconds East 46.95 feet, along said West line, to the Northwest corner of said Lot 35; thence South 86 degrees 43 minutes 59 seconds East 14.66 feet along the North line of said Lot 35; thence South 01 degrees 58 minutes 01 seconds West 40.55 feet; thence South 46 degrees 10 minutes 35 seconds East 112.58 feet; thence South 02 degrees 51 minutes 24 seconds West 11.26 feet to a point on said North right-of-way line; thence North 86 degrees 43 minutes 59 seconds West 15.00 feet along said North right-of-way line; thence North 02 degrees 51 minutes 24 seconds East 4.31 feet; thence North 46 degrees 10 minutes 35 seconds West 66.21 feet; thence South 55 degrees 34 minutes 53 seconds West 45.31 feet to the true point of beginning of the parcel herein described, containing 2,879 square feet or 0.0661 acres, more or less.

and

A parcel of land situated in a portion of Lot 27, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

Beginning at the Northwest corner of said Lot 27; thence South 88 degrees 01 minutes 59 seconds East 11.04 feet along the North line of said Lot 27; thence South 52 degrees 07 minutes 13 seconds West 14.38 feet to a point on the West line of said Lot 27; thence North 01 degrees 58 minutes 01 seconds East 9.21 feet, along said West line, to the point of beginning of the parcel herein described, containing 51 square feet or 0.0012 acres, more or less.

Temporary Easement, Tract 66

A parcel of land situated in a portion of Lots 33, 34 and 35, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the Southwest corner of said Lot 35, said point being on the North right-of-way line of 39th Street, as now established; thence North 03degrees 16 minutes 01 seconds East 0.71 feet, along the West line of said Lot 35, to the true point of beginning; thence North 03 degrees 16 minutes 01 seconds East 18.95 feet along said West line; thence North 55 degrees 34 minutes 53 seconds East 45.31 feet; thence South 46 degrees 10 minutes 35 seconds East 66.21 feet; thence South 02 degrees 51 minutes 24 seconds West 4.31 feet to a point on said North right-of-way line; thence North 86 degrees 43 minutes 59 seconds West 14.22 feet along said North right-of-way line; thence North 46 degrees 10 minutes 35 seconds West 45.51 feet; thence South 55 degrees 34 minutes 53 seconds West 47.25 feet to the true point of beginning of the parcel herein described, containing 1,423 square feet or 0.0327 acres, more or less, except that part lying in existing utility easements.

and

A parcel of land situated in a portion of Lot 35, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri Coordinate System of 1983).

Commencing at the Southwest corner of said Lot 35, said point being on the North right-of-way line of 39th Street, as now established; thence North 03 degrees 16 minutes 01 seconds East 32.30 feet, along the West line of said Lot 35, to the true point of beginning; thence North 03 degrees 16 minutes 01 seconds East 18.95 feet along said West line; thence North 55 degrees 34 minutes 53 seconds East 8.02 feet; thence North 46 degrees 10 minutes 35 seconds West 8.36 feet to a point on said West line; thence North 03 degrees 16 minutes 01 seconds East 16.45 feet along said West line; thence South 46 degrees 10 minutes 35 seconds East 36.98 feet; thence South 55 degrees 34 minutes 53 seconds West 35.50 feet to the true point of beginning of the parcel herein described, containing 610 square

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feet or 0.0140 acres, more or less, except that part lying in existing utility easements.

and

A parcel of land situated in a portion of Lots 27, 28, 29, 30, 31, 32, 33, 34 and 35, Block 5, WOODLAND PARK, a subdivision of land in the City of Kansas City, Jackson County, Missouri, said parcel being more particularly described as follows:

Commencing at the Northwest corner of said Lot 27; thence South 88 degrees 01 minutes 59 seconds East 11.04 feet, along the North line of said Lot 27, to the true point of beginning; thence South 88 degrees 01 minutes 59 seconds East 16.46 feet along the North line of said Lot 27; thence South 01 degree 58 minutes 01 seconds West 2.55 feet; thence South 52 degrees 07 minutes 13 seconds West 22.79 feet to a point 10.00 feet East of and at right angles to the West line of said Lot 27; thence South 01 degrees 58 minutes 01 seconds West 220.94 feet, along a line 10.00 feet East of and parallel with the West line of said Lots 27, 28, 29, 30, and 31; thence South 46 degrees 10 minutes 35 seconds East 112.69 feet; thence South 02 degrees 51 minutes 24 seconds West 17.05 feet to a point on the North right-of-way line of 39th Street, as now established; thence North 86 degrees 43 minutes 59 seconds West 12.50 feet along said North right-of-way line; thence North 025124 East 11.26 feet; thence North 46 degrees 10 minutes 35 seconds West 112.58 feet; thence North 01 degrees 58 minutes 01 seconds East 40.55 feet to a point on the North line of said Lot 35; thence South 86 degrees 43 minutes 59 seconds East 2.50 feet, along said North line, to the Southwest corner of said Lot 31; thence North 01 degrees 58 minutes 01 seconds East 193.96 feet along the West line of said Lots 31, 30, 29, 28, and 27; thence North 52 degrees 07minutes 13 seconds East 14.38 feet to the true point of beginning of the parcel herein described, containing 4,209 square feet or 0.0966 acres, more or less, except that part lying in existing utility easements.

Section 6. Compensation. That just compensation for the properties to be condemned and taken as aforesaid shall be assessed and paid according to law. Payment of compensation for damages shall be made by Kansas City from funds appropriated or to be appropriated for said purpose, and proceedings therefore shall be instituted and prosecuted in the Circuit Court of Missouri, Jackson County, Missouri pursuant to the provision of Chapter 523 of the Revised Statutes of Missouri, as supplemented or amended by Section 86.01 to 86.10 of the Missouri Rules of Civil Procedure.

Section 7. Pending acquisition of the above described street right of way by condemnation, the Director of Water Services or his agents are hereby authorized to purchase said street right of way and to pay for it out of funds available or to be made available. The City Attorney is hereby authorized and directed to file the petition for

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condemnation on behalf of the City in the Jackson County Circuit Court. If any tracts be so acquired by purchase, the City Attorney is authorized to withdraw such tracts from the condemnation proceedings.

Section 8. That the sewer and temporary easements in tracts 27, 49, 50, 52, 55, 58, 59 and 66 be condemned and conveyed to Kansas City, Missouri

Section 9. That upon the effective date of this ordinance, the City Clerk is hereby direct cause this ordinance to be recorded in the office of the Recorder of Deeds for Jackson County Missouri.

Approved as to form and legality:

Theodore T. Anderson
Assistant City Attorney