

ORDINANCE NO. 160496

Amending Ordinance No. 140109 by repealing Section 1 to revise the tracts being authorized for condemnation; authorizing condemnation, and the taking of private property interests as noted for public use for street improvement Project No. 89008174, "North Chatham Avenue Improvements", all in Kansas City, Platte County, Missouri; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Platte County, Missouri.

WHEREAS, Sections 1 of Ordinance No. 140109, adopted by Council on March 06, 2014, has changed do to modifications to the plans of the original street project; and

WHEREAS, this ordinance replaces said Section 1, and will include the revised tracts and descriptions to be condemned; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Ordinance No. 140109 is hereby amended by repealing Section 1 and enacting a new Section 1 to read as follows:

Section 1. That the following described tracts of land are hereby authorized condemned and taken for public use as street right of way, permanent access easements, permanent gas easements, permanent storm drainage easements, permanent utility easements, permanent water main easements, and temporary construction easements for the construction of project number 89008174, North Chatham Avenue Improvements, in Kansas City, Platte County, Missouri, and hereby described as follows:

Street Right of Way

The street right of way shall be used by the City of Kansas City, Missouri as the location of North Chatham Avenue and associated improved intersections 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 said right of way for the purpose of constructing, reconstructing, maintaining, operating and repairing said improvements.

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Tract No. 7

A tract of land in part of Lot B, "PRAIRIE BUSINESS CENTER", a subdivision of land in Kansas City, Platte County, Missouri, being bounded and described as follows: Commencing at the Northeast corner of Lot 2, "PARK PLAZA COMMERCIAL - FIRST PLAT", a subdivision of land in said Kansas City, Platte County, Missouri; thence North 00 degrees 53 minutes 14 seconds West, 1.54 feet; thence Northerly, along a curve to the right, being tangent to the last described course with a radius of 295.00 feet, a central angle of 41 degrees 08 minutes 36 seconds and an arc distance of 211.84 feet; thence North 40 degrees 15 minutes 22 seconds East, 163.42 feet to a point on the West line of said Lot B, said point also being the Point of Beginning of the tract of land to be herein described; thence continuing North 40 degrees 15 minutes 22 seconds East, 67.94 feet to a point on the North line of said Lot B; thence South 89 degrees 07 minutes 54 seconds East, along said North line, 74.58 feet; thence Southwesterly, along a curve to the right, having an initial tangent bearing of South 33 degrees 24 minutes 13 seconds West with a radius of 330.00 feet, a central angle of 06 degrees 51 minutes 09 seconds and an arc distance of 39.47 feet; thence South 40 degrees 15 minutes 22 seconds West, 138.63 feet to a point on the South line of said Lot B; thence North 89 degrees 56 minutes 15 seconds West, along said South line, 5.25 feet to the Southwest corner of said Lot B; thence North 00 degrees 00 minutes 00 seconds East, along the West line of said Lot B, 86.64 feet to the Point of Beginning.

Containing 7,631 square feet or 0.18 acres, more or less.

Tract No. 8

A tract of land in part of Lot C, "PRAIRIE BUSINESS CENTER", a subdivision of land in Kansas City, Platte County, Missouri, being bounded and described as follows: Commencing at the Northeast corner of Lot 2, "PARK PLAZA COMMERCIAL - FIRST PLAT", a subdivision of land in said Kansas City, Platte County, Missouri; thence North 00 degrees 53 minutes 14 seconds West, 1.54 feet; thence Northerly, along a curve to the right, being tangent to the last described course with a radius of 295.00 feet, a central angle of 41 degrees 08 minutes 36 seconds and an arc distance of 211.84 feet; thence North 40 degrees 15 minutes 22 seconds East, 43.46 feet to a point on the South line of said Lot C, said point also being the Point of Beginning of the tract of land to be herein described; thence continuing North 40 degrees 15 minutes 22 seconds East, 73.54 feet to a point on the East line of said Lot C; thence South 00 degrees 00 minutes 00 seconds East, along said East line 56.17 feet to the Southeast corner of said Lot C; thence North 89 degrees 56 minutes 15

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seconds West, along the South line of said Lot C, 47.52 feet to the Point of Beginning.

Containing 1,335 square feet or 0.03 acres, more or less.

Tract No. 10

A tract of land in part of Lot D, "PRAIRIE BUSINESS CENTER", a subdivision of land in Kansas City, Platte County, Missouri, being bounded and described as follows: Beginning at the Northeast corner of Lot 2, "PARK PLAZA COMMERCIAL - FIRST PLAT", a subdivision of land in said Kansas City, Platte County, Missouri; thence North 00 degrees 53 minutes 14 seconds West, 1.54 feet; thence Northerly, along a curve to the right, being tangent to the last described course with a radius of 295.00 feet, a central angle of 41 degrees 08 minutes 36 seconds and an arc distance of 211.84 feet; thence North 40 degrees 15 minutes 22 seconds East, 43.46 feet to a point on the North of said Lot D; thence South 89 degrees 56 minutes 15 seconds East, along said North line, 47.52 feet; thence North 00 degrees 00 minutes 00 seconds East, continuing along said North line, 56.17 feet; thence North 40 degrees 15 minutes 22 seconds East, 46.42 feet; thence South 00 degrees 00 minutes 00 seconds East, along the North line of said Lot D, 86.64 feet to the Southwest corner of Lot B, said "PRAIRIE BUSINESS CENTER", thence South 89 degrees 56 minutes 15 seconds East, along the North line of said Lot D, said line also being the South line of said Lot B, 5.25 feet; thence South 40 degrees 15 minutes 22 seconds West, 100.69 feet; thence Southerly, along a curve to the left, being tangent to the last described course with a radius of 235.00 feet, a central angle of 41 degrees 08 minutes 36 seconds and an arc distance of 168.75 feet; thence South 00 degrees 53 minutes 14 seconds East, 2.53 feet to a point on the East right of way line of Chatham Road, as now established; thence North 89 degrees 56 minutes 15 seconds West, 60.01 feet to the Point of Beginning.

Containing 17,901 square feet or 0.41 acres, more or less.

Permanent Access Easements

The permanent access easements shall be for the exclusive and limited purpose of allowing vehicle and pedestrian access, ingress and egress by the Grantee, its suppliers and its business invitees. The right of ingress and egress is also hereby granted to the public for access to adjacent properties over upon, and across the following described tracts of land.

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Tract No. 8

Part of Lot C, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 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 C; thence South 89 degrees 07 minutes 54 seconds East, along the North line of said Lot C, 49.66 feet; thence Southeasterly, along a curve to the right, having an initial tangent bearing of South 80 degrees 15 minutes 20 seconds East with a radius of 167.00 feet, a central angle of 25 degrees 56 minutes 15 seconds and an arc distance of 75.60 feet; thence Easterly, along a curve to the left, having a common tangent with the last described course with a radius of 13.00 feet, a central angle of 84 degrees 02 minutes 02 seconds and an arc distance of 19.07 feet; thence Northeasterly, along a curve to the right, having a common tangent with the last described course with a radius of 42.00 feet, a central angle of 34 degrees 57 minutes 09 seconds and an arc distance of 25.62 feet; thence Northeasterly, along a curve to the left, having a common tangent with the last described course with a radius of 13.00 feet, a central angle of 75 degrees 01 minutes 03 seconds and an arc distance of 17.02 feet to a point on said North line; thence South 89 degrees 07 minutes 54 seconds East, along said North line, 2.28 feet to the Northeast corner of said Lot C; thence South 00 degrees 00 minutes 00 seconds East, along the East line of said Lot C, 38.73 feet; thence Westerly, along a curve to the right, having an initial tangent bearing of South 68 degrees 40 minutes 46 seconds West with a radius of 42.00 feet, a central angle of 05 degrees 29 minutes 20 seconds and an arc distance of 4.02 feet; thence Southerly, along a curve to the left, having a common tangent with the last described course with a radius of 13.00 feet, a central angle of 123 degrees 54 minutes 44 seconds and an arc distance of 28.11 feet; thence South 49 degrees 44 minutes 38 seconds East, 3.16 feet; thence Southeasterly, along a curve to the left, being tangent to the last described course with a radius of 23.00 feet, a central angle of 18 degrees 17 minutes 06 seconds and an arc distance of 7.34 feet to a point on said East line; thence South 00 degrees 00 minutes 00 seconds East, along said East line, 15.14 feet; thence South 40 degrees 15 minutes 22 seconds West, 31.11 feet; thence Northwesterly, along a curve to the left, having an initial tangent bearing of North 02 degrees 05 minutes 12 seconds West with a radius of 23.00 feet, a central angle of 47 degrees 39 minutes 27 seconds and an arc distance of 19.13 feet; thence North 49 degrees 44 minutes 38 seconds West, 45.13 feet; thence Westerly, along a curve to the left, being tangent to the last described course with a radius of 133.00 feet, a central angle of 39 degrees 23 minutes 16 seconds and an arc distance of 91.43 feet; thence North 89 degrees 07 minutes 54 seconds West, 23.40 feet to the West line

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of said Lot C; thence North 00 degrees 00 minutes 00 seconds East, along said West line, 32.00 feet to the Point of Beginning.

Containing 7,561 square feet or 0.17 acres, more or less.

Tract No. 9

Part of Lot E, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Beginning at the Northeast corner of said Lot E; thence South 00 degrees 00 minutes 00 seconds West, along the East line of said Lot E, 32.00 feet; thence North 89 degrees 07 minutes 54 seconds West, 8.52 feet; thence Westerly, along a curve to the right, being tangent to the last described course with a radius of 117.00 feet, a central angle of 20 degrees 56 minutes 43 seconds and an arc distance of 42.77 feet to a point on the North line of said Lot E; thence Easterly, along said North line, along a curve to the left, having an initial tangent bearing of South 83 degrees 17 minutes 20 seconds East with a radius of 140.74 feet, a central angle of 05 degrees 50 minutes 34 seconds and an arc distance of 14.35 feet; thence North 00 degrees 52 minutes 06 seconds East, continuing along said North line, 25.00 feet; thence South 89 degrees 07 minutes 54 seconds East, continuing along said North line, 35.53 feet to the Point of Beginning.

Containing 1,142 square feet or 0.03 acres, more or less.

Tract No. 10

Part of Lot D, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 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 D; thence South 89 degrees 07 minutes 54 seconds East, along the North line of said Lot D, 26.74 feet; thence South 02 degrees 45 minutes 49 seconds West, 1.23 feet; thence Southwesterly, along a curve to the right, being tangent to the last described course with a radius of 42.00 feet, a central angle of 65 degrees 54 minutes 57 seconds and an arc distance of 48.32 feet to a point hereafter known as Point "A", said point being on the West line of said Lot D; thence North 00 degrees 00 minutes 00 seconds East, along said West line, 38.73 feet to the Point of Beginning.

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Commencing at said Point "A"; thence South 00 degrees 00 minutes 00 seconds West, along said West line, 29.53 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 South 68 degrees 01 minutes 44 seconds East with a radius of 23.00 feet, a central angle of 29 degrees 22 minutes 21 seconds and an arc distance of 11.79 feet; thence South 40 degrees 15 minutes 22 seconds West, 17.90 feet to a point on said West line; thence North 00 degrees 00 minutes 00 seconds East, along said West line, 15.14 feet to the Point of Beginning.

Containing 825 square feet or 0.02 acres, more or less.

By the condemning of private property for this permanent access easement, it shall not be construed to prohibit the landowner of said condemned property from the safe and unrestricted use of the land adjacent to said easement, the developing of any adjoining property, or from laying out, establishing, and constructing pavement, surfacing of roadways, curbing, and gutters along, upon, over or across said easement or any portion thereof.

Permanent Gas Utility Easements

The permanent gas utility easements shall be used by gas utility companies franchised to operate in Kansas City, Missouri and by their authorized agents, employees or independent contractors, to locate, construct, reconstruct, operate, repair and maintain all related infrastructure and appurtenances for the safe transmission and distribution of gas energy.

Tract No. 7

Part of Lot B, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Northeast corner of said Lot B; thence North 89 degrees 07 minutes 54 seconds West, along the North line of said Lot B, 38.08 feet to the Point of Beginning of the tract of land to be herein described: thence Southwesterly, along a curve to the right having an initial tangent bearing of South 31 degrees 20 minutes 17 seconds West with a radius of 350.00 feet, a central angle of 08 degrees 55 minutes 04 seconds and an arc distance of 54.48 feet; thence South 40 degrees 15 minutes 22 seconds West, 121.73 feet to a point on the South line of said Lot B; thence North 89 degrees 56 minutes 15 seconds West, along said South line, 13.09 feet; thence North 40 degrees 15 minutes 22 seconds East, 130.18 feet; thence Northeasterly, along a curve to the left, being tangent to the last described course with a radius of 340.00 feet, a central angle of 07 degrees 55 minutes 17 seconds and an arc distance of 47.01 feet to a point on the

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North line of said Lot B; thence South 89 degrees 07 minutes 54 seconds East along said North line, 11.66 feet to the Point of Beginning.

Containing 1,767 square feet or 0.04 acres, more or less.

Tract No. 10

Part of Lot D, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 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 D; thence North 89 degrees 56 minutes 15 seconds West, along the South line of said Lot D, 400.40 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 89 degrees 56 minutes 15 seconds West along said South line, 10.00 feet; thence North 00 degrees 53 minutes 14 seconds West, 2.70 feet; thence Northerly, along a curve to the right, being tangent to the last described course with a radius of 225.00 feet, a central angle of 41 degrees 08 minutes 36 seconds and an arc distance of 161.57 feet; thence North 40 degrees 15 minutes 22 seconds East, 109.13 feet to a point on the North line of said Lot D; thence South 89 degrees 56 minutes 15 seconds East, along said North line, 13.09 feet; thence South 40 degrees 15 minutes 22 seconds West, 117.58 feet; thence Southerly, along a curve to the left being tangent to the last described course with a radius of 215.00 feet, a central angle of 41 degrees 08 minutes 36 seconds and an arc distance of 154.39 feet; thence South 00 degrees 53 minutes 14 seconds East, 2.86 feet to the Point of Beginning.

Containing 2,741 square feet or 0.06 acres, more or less.

The above described franchised gas utility companies, their agents, employees or independent contractors will have the right to go upon the described easement and so much of land adjacent thereto as may be reasonably necessary for the purpose of constructing, maintaining and repairing the improvements and appurtenances thereto, including the right to cut, and trim brush and trees, if any, on or adjacent to said easement, as may be necessary or desirable to safely install, operate, maintain, and or repair any facilities therein. Upon completion of such construction, maintenance or repair, the land shall be restored to approximately the same condition that existed prior to the entry upon it.

By the condemning of private property for this easement, it shall not be construed to prohibit the landowner of said condemned property from the safe and unrestricted use of the land adjacent to and above said easement or any portion thereof; provided, however, said easement shall be kept free from additional depth of overburden, buildings, and any other structure or obstruction (except sidewalks, roadways pavement, grass, shrubs, fences, or curbs), which will interfere with the safe operation of said gas utility or interfere with the above described franchised gas utility companies, their agents, employees or independent

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contractors in entering upon said adjacent land and easement for the purpose of laying, constructing, reconstructing, operating, repairing and maintaining the improvements and appurtenances thereto.

Permanent Storm Drainage Easements

The permanent storm drainage easements shall be used by the City of Kansas City, Missouri or its authorized agents, servants, employees or independent contractors to construct storm drainage facilities for the purpose of managing storm water runoff, and shall include the right to go upon said easement to build, construct, keep, maintain, repair and improve said drainage facilities as may be necessary.

Tract No. 8

Part of Lot C, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 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 C; thence South 00 degrees 00 minutes 00 seconds East, along the West line of said Lot C, 124.14 feet; thence North 90 degrees 00 minutes 00 seconds East, 35.59 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 90 degrees 00 minutes 00 seconds East, 102.09 feet to the West right-of-way line of Chatham Avenue, as now established; thence South 40 degrees 15 minutes 22 seconds West, along said West right-of-way line, 19.66 feet; thence South 90 degrees 00 minutes 00 seconds West, 89.39 feet; thence North 00 degrees 00 minutes 00 seconds East, along said West line, 15.00 feet to the Point of Beginning.

Containing 1,436 square feet or 0.03 acres, more or less.

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

Permanent Utility Easements

The permanent utility easements shall be used by the City of Kansas City, Missouri or its authorized agents, employees or independent contractors, and with Kansas City's permission, utility companies franchised to operate in Kansas City, Missouri and their authorized agents, employees or independent contractors, to locate, construct, reconstruct, operate, repair and maintain Public Utility facilities.

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Tract No. 7

Part of Lot B, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Commencing at the Northeast corner of said Lot B; thence North 89 degrees 07 minutes 54 seconds West, along the North line of said Lot B, 49.74 feet to the Point of Beginning of the tract of land to be herein described; thence Southwesterly, along a curve to the right, having an initial tangent bearing of South 32 degrees 20 minutes 05 seconds West with a radius of 340.00 feet, a central angle of 07 degrees 55 minutes 17 seconds and an arc distance of 47.01 feet; thence South 40 degrees 15 minutes 22 seconds West, 130.18 feet to a point on the South line of said Lot B; thence North 89 degrees 56 minutes 15 seconds West, along said South line, 13.09 feet to the Southeasterly right-of-way line of Chatham Road as now established; thence North 40 degrees 15 minutes 22 seconds East along said right-of-way, 138.63 feet; thence Northeasterly, continuing along said right-of-way on a curve to the left, being tangent to the last described course with a radius of 330.00 feet, a central angle of 06 degrees 51 minutes 09 seconds and an arc distance of 39.47 feet to a point on said North line of said Lot B; thence South 89 degrees 07 minutes 54 seconds East, along said North line, 11.79 feet to the Point of Beginning.

Containing 1,776 square feet or 0.04 acres, more or less.

Tract No. 10

Part of Lot D, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 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 D; thence North 89 degrees 56 minutes 15 seconds West, along the South line of said Lot D, 410.40 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 89 degrees 56 minutes 15 seconds West along said South line, 10.00 feet to a point on the Southeasterly right-of-way line of Chatham Road, as now established; thence North 00 degrees 53 minutes 14 seconds West, along said right-of-way, 2.53 feet; thence Northerly, along said right-of-way on a curve to the right, being tangent to the last described course with a radius of 235.00 feet, a central angle of 41 degrees 08 minutes 35 seconds and an arc distance of 168.75 feet; thence North 40 degrees 15 minutes 22 seconds East, along said right-of-way 100.69 feet to a point on the North line of said Lot D; thence South 89 degrees 56 minutes 15 seconds East, along said North line, 13.09 feet; thence South 40 degrees

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15 minutes 22 seconds West, 109.13 feet; thence Southerly, along a curve to the left, being tangent to the last described course with a radius of 225.00 feet, a central angle of 41 degrees 08 minutes 36 seconds and an arc distance of 161.57 feet; thence South 00 degrees 53 minutes 14 seconds East, 2.70 feet to the Point of Beginning.

Containing 2,727 square feet or 0.06 acres, more or less.

The City of Kansas City, Missouri and the above described franchised utility companies, their agents, employees or independent contractors will have the right to go upon the described easement and so much of land adjacent thereto as may be reasonably necessary for the purpose of constructing, maintaining and repairing the improvements and appurtenances thereto, including the right to cut, top and trim brush and trees, if any, on or adjacent to said easement, as may be necessary or desirable to maintain any facilities thereon. Upon completion of such construction, maintenance or repair, the land shall be restored to approximately the same condition that existed prior to the entry upon it.

By the condemning of private property for this easement, it shall not be construed to prohibit the landowner of said condemned property from the safe and unrestricted use of the land adjacent to and above said easement or any portion thereof; provided, however, said easement shall be kept free from additional depth of overburden, buildings, and any other structure or obstruction (except sidewalks, roadways pavement, grass, shrubs, fences, or curbs), which will interfere with the safe operation of said utilities or interfere with the City of Kansas City, Missouri, and the above described franchised utility companies, their agents, employees or independent contractors in entering upon said adjacent land and easement for the purpose of laying, constructing, reconstructing, operating, repairing and maintaining the improvements and appurtenances thereto.

Permanent Water Main Easements

The permanent water main easements shall be used by the City of Kansas City, Missouri or its authorized agents, servants, employees or independent contractors for the location, construction, reconstruction, maintenance, operation and repair of water main improvements and any and all appurtenances incidental thereto in, under, upon, over, across, and through the following described tracts of land situated in Kansas City, Clay County, Missouri, to-wit:

Tract No. 6

Part of Lot A, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 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 A, thence North 00 degrees 00 minutes 00 seconds East, along the East line of said Lot A, 49.05 feet to the Point of Beginning of the tract of land to be herein described; thence South 55 degrees 36 minutes 02

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seconds West, 1.24 feet; thence North 34 degrees 23 minutes 58 seconds West, 105.97 feet to a point on the North line of said Lot A; thence South 89 degrees 07 minutes 54 seconds East, along said North line, 30.62 feet to a point on the West right-of-way line of Interstate Highway 29, as now established; thence South 34 degrees 23 minutes 58 seconds East, along said West right-of-way line, 53.60 feet to a point on said East line; thence South 00 degrees 00 minutes 00 seconds West, along said East line, 42.05 feet to the Point of Beginning.

Containing 2,016 square feet or 0.05 acres, more or less.

By the granting of this easement, it shall not be construed to prohibit the Grantor from developing any adjoining property, or from the laying out, establishing and constructing pavement, surfacing of roadways, curbing and gutters along, upon, over or across said easement or any portion thereof; provided, however, said easement shall be kept free from additional depth of overburden, (no change in the earth cover over the water line will be made without the written approval of the Director of Water Services) buildings, and any other structure or obstruction (except sidewalks, roadways pavement, grass, shrubs, fences, or curbs), which will interfere with the Grantee in entering upon said adjacent land and easement for the purpose of laying, constructing, reconstructing, operating, repairing, improving, and maintaining said water main improvements and appurtenances.

The Grantee shall cause the surface of lands lying within this easement to be restored to substantially the same physical condition that existed at the time the Grantee or its agents entered upon it, subject to the aforementioned conditions, and with the exception of any appurtenances to said water main improvements and appurtenances that may need to be upon said surface.

Temporary Construction Easements

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.

Tract No. 3

All that part of Lot F, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 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 F; thence Westerly, along the South line of said Lot F, along a curve to the right, having an initial tangent bearing of

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North 89 degrees 07 minutes 54 seconds West with a radius of 140.74 feet, a central angle of 39 degrees 30 minutes 01 seconds, and an arc distance of 97.03 feet; thence North 49 degrees 37 minutes 55 seconds West, continuing along said South line, 1.26 feet; thence North 00 degrees 52 minutes 06 seconds East, 37.87 feet; thence South 89 degrees 07 minutes 54 seconds East, 90.49 feet to a point on the East line of said Lot F; thence South 00 degrees 52 minutes 06 seconds West, along said East line, 70.82 feet to the Point of Beginning.

Containing 5,466 square feet or 0.13 acres, more or less.

Tract No. 4

All that part of Lot 1, DONCRO CENTER, a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 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 52 minutes 06 seconds East, along the West line of said Lot 1, 17.00 feet; thence South 89 degrees 07 minutes 54 seconds East, 240.00 feet; thence North 00 degrees 52 minutes 06 seconds East, 158.00 feet to a point on the North line of said Lot 1; thence South 89 degrees 07 minutes 54 seconds East, along said North line, 10.00 feet to the Northeast corner of said Lot 1; thence South 00 degrees 52 minutes 06 seconds West, along the East line of said Lot 1, 175.00 feet to the Southeast corner of said Lot 1; thence North 89 degrees 07 minutes 54 seconds West, along the South line of said Lot 1, 250.00 feet to the Point of Beginning.

Containing 5,830 square feet or 0.13 acres, more or less.

Tract No. 6

Property Description "A-1"

All that part of Lot A, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 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 A; thence South 89 degrees 07 minutes 54 seconds East, along the North line of said Lot A, 94.73 feet to a point on the West right-of-way line of Interstate 29 as now established, said point also being the Northeasterly line of said Lot A; thence South 34 degrees 23 minutes 34 seconds East, along said West right-of-way, 53.61 feet to a point on the East line of said Lot A; thence South 00 degrees 00 minutes 00 seconds East, along said East line, 91.09 feet to a point on the South line of said Lot A; thence North 89 degrees 56 minutes 15 seconds West, along said South line, 15.88 feet; thence North 00 degrees 03 minutes 45 seconds

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East, 34.07 feet; thence North 25 degrees 40 minutes 13 seconds West, 29.68 feet; thence North 53 degrees 30 minutes 16 seconds West, 28.55 feet; thence South 90 degrees 00 minutes 00 seconds West, 43.73 feet; thence North 00 degrees 00 minutes 00 seconds East, 10.89 feet; thence South 90 degrees 00 minutes 00 seconds West, 29.61 feet to a point on the West line of said Lot A; thence North 00 degrees 00 minutes 00 seconds East, along said West line, 48.06 feet to the Point of Beginning.

Containing 8,083 square feet or 0.19 acres, more or less.

Property Description "A-2"

All that part of Lot A, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 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 A; thence North 00 degrees 03 minutes 45 seconds East, along the West line of said Lot A, 10.11 feet; thence South 89 degrees 56 minutes 15 seconds East, 9.45 feet; thence South 00 degrees 03 minutes 45 seconds West, 10.11 feet to a point on the South line of said Lot A; thence North 89 degrees 56 minutes 15 seconds West, along said South line, 9.45 feet to the Point of Beginning.

Containing 95 square feet or 0.00 acres, more or less.

Tract No. 7

Temporary Construction Easement #1

All that part of Lot B, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 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 B; thence South 89 degrees 07 minutes 54 seconds East, 14.45 feet; thence North 00 degrees 52 minutes 06 seconds East, 5.00 feet; thence South 89 degrees 07 minutes 54 seconds East, 29.38 feet; thence South 40 degrees 15 minutes 22 seconds West, 67.94 feet; thence North 00 degrees 00 minutes 00 seconds East, 47.51 feet to the Point of Beginning.

Containing 1,080 square feet or 0.02 acres, more or less.

Temporary Construction Easement #2

All that part of Lot B, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 West of the 5th Principal Meridian in Kansas City, Platte County,

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Missouri being bounded and described as follows: Beginning at the Southeast corner of said Lot B; thence North 89 degrees 56 minutes 15 seconds West, along the South line of said Lot B, 174.75 feet; thence North 40 degrees 15 minutes 22 seconds East, 138.63 feet; thence Northeasterly on a curve to the left being tangent to the last described course with a radius of 330.00 feet, a central angle of 06 degrees 51 minutes 09 seconds and an arc distance of 39.47 feet; thence South 89 degrees 07 minutes 54 seconds East, 61.53 feet; thence South 00 degrees 00 minutes 00 seconds East, 136.62 feet to the Point of Beginning.

Containing 16,037 square feet or 0.37 acres, more or less.

Tract No. 8

All that part of Lot C, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Beginning at the Northeast corner of said Lot C; thence South 00 degrees 00 minutes 00 seconds East, along the East line of said Lot C, 83.40 feet; thence South 40 degrees 15 minutes 22 seconds West, 73.54 feet to a point on the South line of said Lot C; thence North 89 degrees 56 minutes 15 seconds West, along said South line, 96.89 feet; thence North 00 degrees 00 minutes 00 seconds East, 27.85 feet; thence North 90 degrees 00 minutes 00 seconds East, 75.60 feet; thence North 40 degrees 15 minutes 22 seconds East, 17.36 feet; thence North 49 degrees 44 minutes 38 seconds West, 61.06 feet; thence Westerly, along a curve to the left, having an initial tangent bearing of North 66 degrees 51 minutes 07 seconds West with a radius of 113.00 feet, a central angle of 22 degrees 16 minutes 47 seconds and an arc distance of 43.94 feet; thence North 89 degrees 07 minutes 54 seconds West, 23.10 feet to a point on the West line of said Lot C; thence North 00 degrees 00 minutes 00 seconds East, along said West line, 52.01 feet to the Northwest corner of said Lot C; thence South 89 degrees 07 minutes 54 seconds East, along the North line of said Lot C, 170.02 feet to the Point of Beginning.

Containing 16,483 square feet or 0.38 acres, more or less.

Tract No. 9

All of Lot E, PRAIRIE BUSINESS CENTER, a subdivision of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 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 E; thence North 89 degrees 56 minutes 15 seconds West, along the South line of said Lot E, 72.76 feet; thence North 00 degrees 03

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minutes 45 seconds East, 92.18 feet; thence North 40 degrees 15 minutes 22 seconds East, 112.44 feet to a point on the East line of said Lot E; thence South 00 degrees 00 minutes 00 seconds East, along said East line, 178.07 feet to the Point of Beginning.

Containing 9,823 square feet or 0.22 acres, more or less.

Also,

Beginning at the Northeast corner of said Lot E; thence South 00 degrees 00 minutes 00 seconds East, along the East line of said Lot E, 52.01 feet; thence North 89 degrees 07 minutes 54 seconds West, 8.82 feet; thence Westerly, along a curve to the right, being tangent to the last described course with a radius of 137.00 feet, a central angle of 23 degrees 42 minutes 47 seconds and an arc distance of 56.70 feet; thence North 65 degrees 25 minutes 07 seconds West, 68.69 feet; thence North 00 degrees 52 minutes 06 seconds East, 20.76 feet to a point on the North line of said Lot E; thence Easterly, along said North line, along a curve to the left, having an initial tangent bearing of South 49 degrees 07 minutes 03 seconds East with a radius of 140.74 feet, a central angle of 40 degrees 00 minutes 51 seconds and an arc distance of 98.29 feet; thence North 00 degrees 52 minutes 06 seconds East, continuing along said North line, 25.00 feet; thence South 89 degrees 07 minutes 54 seconds East, continuing along said North line, 35.53 feet to the Point of Beginning.

Containing 3,449 square feet or 0.08 acres, more or less.

Tract No. 10

Property Description D-1:

All that part of Lot D, PRAIRIE BUSINESS CENTER a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 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 D; thence South 89 degrees 56 minutes 15 seconds East, along the North line of said Lot D, 122.48 feet; thence South 40 degrees 15 minutes 22 seconds West, 43.46 feet; thence Southerly on a curve to the left being tangent to the last described course with a radius of 295.00 feet, a central angle of 41 degrees 08 minutes 36 seconds and an arc distance of 211.84 feet; thence South 00 degrees 53 minutes 14 seconds East, 1.54 feet to a point on the South line of said Lot D; thence North 89 degrees 56 minutes 15 seconds West, along said South line, 24.59 feet to the Southwest corner of said Lot D; thence North 00 degrees 00 minutes 00 seconds East, along the West line of said Lot, 230.01 feet to the Point of Beginning.

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Containing 12,636 square feet or 0.29 acres, more or less.

Property Description D-2:

All that part of Lot D, PRAIRIE BUSINESS CENTER a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Beginning at the most Northerly Northeast corner of Lot D, said corner also being the Northwest corner of Lot B of said PRAIRIE BUSINESS CENTER; thence South 00 degrees 00 minutes 00 seconds East, along the East line of said Lot D, 47.51 feet; thence South 40 degrees 15 minutes 22 seconds West, 46.42 feet to a point on the West line of said Lot D, said point also being on the East Line of Lot C of said PRAIRIE BUSINESS CENTER; thence North 00 degrees 00 minutes 00 seconds East, along said West line, 83.40 feet to the Northerly most North line of said Lot D; thence South 89 degrees 07 minutes 54 seconds East, along said North line, 30.00 feet to the Point of Beginning.

Containing 1,964 square feet or 0.05 acres, more or less.

Property Description D-3:

All that part of Lot D, PRAIRIE BUSINESS CENTER a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 West of the 5th Principal Meridian in Kansas City, Platte County, Missouri being bounded and described as follows: Beginning at the Northeast corner of said Lot D; thence South 00 degrees 03 minutes 45 seconds West, along the East line of said Lot D, 54.89 feet; thence North 89 degrees 56 minutes 15 seconds West, 15.88 feet; thence North 00 degrees 03 minutes 45 seconds East, 54.89 feet to a point on the North line of said Lot D; thence South 89 degrees 56 minutes 15 seconds East, along the North line of said Lot D, 15.88 feet to the Point of Beginning.

Containing 872 square feet or 0.02 acres, more or less.

Property Description D-4:

All that part of Lot D, PRAIRIE BUSINESS CENTER a subdivision of land in the Southeast Quarter of Section 19 Township 51 North, Range 33 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 D; thence North 89 degrees 56 minutes 15 seconds West, along the South line of said Lot D, 298.13 feet to the Point of Beginning of the tract of land to be herein described; thence continuing

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North 89 degrees 56 minutes 15 seconds West along said line, 122.27 feet; thence North 00 degrees 53 minutes 14 seconds West, 2.53 feet; thence on a curve to the right being tangent to the last described course with a radius of 235.00 feet, a central angle of 41 degrees 08 minutes 36 seconds and an arc distance of 168.75 feet; thence North 40 degrees 15 minutes 22 seconds East, 100.69 feet to a point on the North line of said Lot D; thence South 89 degrees 56 minutes 15 seconds East, along said North line, 184.19 feet; thence South 00 degrees 03 minutes 45 seconds West, 13.00 feet; thence North 89 degrees 56 minutes 15 seconds West, 118.74 feet; thence South 00 degrees 03 minutes 45 seconds West, 53.92 feet; thence South 52 degrees 26 minutes 18 seconds West, 80.27 feet; thence South 00 degrees 03 minutes 45 seconds West, 119.08 feet to the Point of Beginning.

Containing 26,682 square feet or 0.61 acres, more or less.

The City of Kansas City, Missouri shall cause the surface of lands lying within said temporary construction easements to be restored to substantially the same physical condition that existed at the time Kansas City or its agents entered upon them. Temporary construction easements shall terminate three (3) years from the date said easement is acquired and recorded by the Recorder of Deeds in Platte County, or upon completion and acceptance of the improvements by the Director of Public Works, whichever occurs first.

The property obtained by condemnation shall be used by the City of Kansas City, Missouri as street right of way and easements for the location of improvements and utilities to be constructed therein including any necessary appurtenances to it; and Kansas City or its authorized agents, employees or independent contractors, and with Kansas City, Missouri's permission, utility companies franchised to operate in Kansas City, Missouri and their authorized agents, employees or independent contractors, shall have the right to enter in or authorize the entry in and upon said property for the purpose of constructing, reconstructing, maintaining, operating and repairing said improvements and utilities.

Section B. Upon the effective date of this ordinance, the City Clerk is hereby directed to record this ordinance in the office of the Recorder of Deeds for Platte County, Missouri.

Approved as to form and legality:

Dustin E. Johnson
Assistant City Attorney