

ORDINANCE NO. 061247

Condemning and taking street and temporary right-of-way on private properties for the construction and maintenance of Red Bridge Road, between Holmes Road and Blue River Road, said properties all in Kansas City, Jackson County, Missouri, providing for the payment of just compensation therefore; authorizing continued negotiations by the City of Kansas City; consenting to the filing of the petition for condemnation by the City Attorney, on behalf of the City; and authorizing the City Clerk to file this ordinance with the Recorder of Deeds in Jackson County, Missouri.

WHEREAS, the Council finds that warranty deeds, permanent and temporary easements must be condemned for the purpose of locating, constructing and maintaining a street, in Kansas City, Jackson County, Missouri; NOW, THEREFORE.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Condemnation of Warranty Deeds, Permanent and Temporary Easements: That warranty deeds, permanent and temporary easements are hereby condemned and taken for public use for the location, construction, reconstruction, maintenance, operation and repair of street, and appurtenances in and upon the private lands hereinafter described, for Project Number 8054 in Kansas City, Jackson County, Missouri.

Section 2. Said improvements shall be of the nature described and specified in, and shall be done in accordance with the plans and specifications certified by the City Engineer under the supervision of the Capital Improvement Management Office and identified as Project Number 8054, the same being on file in the Office of the Director of Public Works and being incorporated herein by reference.

Section 3. The warranty deeds, shall be used by Kansas City as the permanent location of the street 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 right of way, and easements for the purpose of constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto.

Section 4. The permanent easements shall be used by Kansas City as to change the grade of the land and to establish slopes and cutbacks adjacent to the road right-of-way and to keep and maintain the slope and cutbacks of the street improvements to be constructed. Permanent easements shall be used for the construction and maintenance of drainage structures. Kansas City shall have the right to enter in or authorize the entry in and upon such right of way, and easements for the purpose of constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto.

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 upon completion and acceptance of the improvements by the Director of Public Works.

The street right of way and temporary easements are hereby condemned and taken for public use and hereby described as follows:

Tract 3A Temporary Construction Easement

A tract of land being a portion of Tract "B", RED BRIDGE GREENS, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: the South 5.00 feet of said Tract "B". Said tract containing  $\pm 715$  square feet more or less.

Tract 3B Temporary Construction Easement

A tract of land being a portion of Tract "C", RED BRIDGE GREENS, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: the South 5.00 feet of said Tract "C". Said tract containing  $\pm 260$  square feet more or less.

Tract 4A Temporary Construction Easement

A tract of land being a portion of Lot 17, RED BRIDGE GREENS, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: the South 5.00 feet of said Lot 17. Said tract containing  $\pm 440$  square feet more or less.

Tract 4B Temporary Construction Easement

A tract of land being a portion of Lot 18, RED BRIDGE GREENS, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: the South 5.00 feet of said Lot 18. Said tract containing  $\pm 610$  square feet more or less.

Tract 4C Temporary Construction Easement

A tract of land being a portion of Lot 19, RED BRIDGE GREENS, a subdivision in the City of Kansas City, Jackson County, Missouri. being described as follows: the South 5.00 feet of said Lot 19. Said tract containing  $\pm 610$  square feet more or less.

Tract 4D Temporary Construction Easement

A tract of land being a portion of Lot 20, RED BRIDGE GREENS, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: the South 5.00 feet of said Lot 20. Said tract containing  $\pm 459$  square feet more or less.

Tract 6 Temporary Construction Easement

A tract of land being a portion of Lot 1, RED BRIDGE, all of Block 31, Plat No.15, a subdivision in the City of Kansas City, Jackson County, Missouri, being described as follows: beginning at the Southeast Corner of said Lot 1; thence West along the South line of said Lot 1, said line also being the North right of way line of Red Bridge Road with a bearing of N.85°31'12"W., a distance of 114.93 feet; thence Northwesterly along said line along a curve to the right having a radius of 20.00 feet an arc length of 14.45 feet; thence East parallel with the South line of said Lot 1 with a bearing of S.85°31'12"E., a distance of 88.05 feet; thence North with a bearing of N.03°17'00"E., a distance of 15.00 feet; thence East parallel with the South line of said Lot 1 with a bearing of S.85°31'12"E., a distance of 40.00 feet to a point on the east line of said Lot 1; thence South along the East line of said Lot 1 with a bearing of S.03°15'13"W., a distance of 20.00 feet to the point of beginning. Said tract containing  $\pm 1,220$  square feet more or less.

Tract 7 General Warranty Deed

A tract of land being a portion of Lot 4, WOODSLAND, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: the South 10.00 feet of said Lot 4. Said tract containing  $\pm 1,500$  square feet more or less.

Tract 7 Temporary Construction Easement

A tract of land being a portion of Lot 4, WOODSLAND, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: the North 20.00 feet of the South 30.00 feet of said Lot 4. Said tract containing  $\pm 3,001$  square feet more or less.

Tract 9 Temporary Construction Easement

A tract of land being a portion of Lot 259, RED BRIDGE, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: the South 20.00 feet of said Lot 259, except the East 5.00 feet thereof. Said tract containing  $\pm 1,805$  square feet more or less.

Tract 10 Temporary Construction Easement

A tract of land being a portion of Lot 259 & 260, RED BRIDGE, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: the South 10.00 feet of Lot 260 and the South 10.00 feet of the East 5.00 feet of Lot 259. Said tract containing  $\pm 898$  square feet more or less.

Tract 11 Grading Easement

A tract of land being a portion of Lot 26, Block 27, RED BRIDGE, Plat No. 12, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: commencing at the Southeast corner of said Lot 26; thence West along the South line of said Lot 26 with a bearing of  $N.87^{\circ}47'35''W.$ , a distance of 27.76 feet to the point of beginning; thence continuing West along said South line with a bearing of  $N.87^{\circ}47'35''W.$ , a distance of 100.76 feet; thence  $N.39^{\circ}45'43''E.$ , a distance of 59.34 feet; thence Southeasterly with a bearing of  $S.51^{\circ}43'40''E.$ , a distance of 79.91 feet to the point of beginning. Said tract containing  $\pm 2,370$  square feet more or less.

Tract 11 Storm Drainage Easement

A tract of land being a portion of Lot 26, Block 27, RED BRIDGE, Plat No. 12, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: beginning at the Southeast corner of said Lot 26; thence West along the South line of said Lot 26 with a bearing of  $N.87^{\circ}47'35''W.$ , a distance of 27.76 feet; thence Northwesterly with a bearing of  $N.51^{\circ}43'40''W.$ , a distance of 79.91 feet; thence  $N.39^{\circ}45'43''E.$ , a distance of 54.20 feet to a point on the East line of said Lot 26; thence Southeasterly along said East line with a bearing of  $S.16^{\circ}49'37''E.$ , a distance of 10.00 feet; thence continuing Southeasterly along said East line with a bearing of  $S.32^{\circ}37'22''E.$ , a distance of 98.14 feet to the point of beginning. Said tract containing  $\pm 3,281$  square feet more or less.

Tract 11 Temporary Construction Easement

A tract of land being a portion of Lot 26, Block 27, RED BRIDGE, Plat No. 12, a subdivision in the City of Kansas City, Jackson County, Missouri being described as follows: commencing at the Southeast corner of said Lot 26; thence West along the South line of said Lot 26 with a bearing of N.87°47'35"W., a distance of 128.52 feet to the point of beginning; thence continuing West along said South line with a bearing of N.87°47'35"W., a distance of 30.00 feet; thence N.32°21'38"E., a distance of 162.70 feet to the most Northeast corner of said Lot 26; thence Southeasterly along the east line of said Lot 26 with a bearing of S.16°49'37"E., a distance of 53.60 feet; thence Southwesterly with a bearing of S.39°45'43"W., a distance of 113.54 feet to the point of beginning. Said tract containing ±4,650 square feet more or less.

Tract 15 General Warranty Deed

A tract of land including adjacent parcels 1 and 2, both being a portion of Lot 18, Block 27, RED BRIDGE, Plat No. 12, a subdivision in the City of Kansas city, Jackson County, Missouri, being described as follows: parcel 1; beginning at the most Southeasterly rear corner of said Lot 18; thence North along the East line of said Lot 18 with a bearing of N.03°34'33"E., a distance of 50.0 feet to point "a", said point being on deeded reservation line, (book, page); thence West on said reservation line, with a bearing of N.87°47'35"W., a distance of 207.43 feet to a point on the West line of said lot 18; thence South along said West line with a bearing of S.11°52'21"E., a distance of 103.08 feet; thence East along the South line of said Lot 18 with a bearing of S.87°47'35"E., a distance of 51.49 feet; thence north with a bearing of N.03°17'33"E., a distance of 50.00 feet; thence East along the South line of said Lot 18 with a bearing of S.87°47'35"E., a distance of 129.05 feet to the point of beginning. Said tract containing ±12,955 square feet more or less.

Together with parcel 2 described as follows: beginning at afformentioned point "a"; thence West along said reservation line with a bearing of N87°47'23"W, a distance of 64.26 feet; thence East with a bearing of N76°44'44"E, a distance of 64.30 feet to a point on the East line of said Lot 18; thence South along said East line of Lot 18, with a bearing of S39°22'43"E, a distance of 4.43 feet; thence South along said East line of Lot 18, with a bearing of S03°34'33"W, a distance of 13.84 feet to the point of beginning. Said tract containing ±575 square feet more or less.

Tract 15 Grading Easement

A tract of land being a portion of Lot 18, Block 27, RED BRIDGE, Plat No. 12, a subdivision in the City of Kansas City, Jackson County, Missouri, being described as follows: commencing at the most Southeasterly rear corner of said Lot 18; thence North along the East line of said Lot 18 with a bearing of N.03°34'33"E., a distance of 63.84 feet;

thence Northwest along said East line with a bearing of N.39°22'43"W., a distance of 4.43 feet to the point of beginning; thence West with a bearing of S.76°44'44"W., a distance of 64.30 feet; thence West with a bearing of N.87°47'35"W., a distance of 143.17 feet to a point on the West line of said Lot 18; thence North along said West line with a bearing of N.11°52'21"W., a distance of 25.00 feet; thence East with a bearing of S.85°51'57"E., a distance of 211.35 feet to the point of beginning. Said tract containing ±3,766 square feet more or less.

#### Tract 15 Temporary Construction Easement

A tract of land being a portion of Lot 18, Block 27, RED BRIDGE, Plat No. 12, a subdivision in the City of Kansas City, Jackson County, Missouri, being described as follows: commencing at the most Southeasterly rear corner of said Lot 18; thence North along the East line of said Lot 18 with a bearing of N.03°34'33"E., a distance of 63.84 feet; thence Northwest along said East line with a bearing of N.39°22'43"W., a distance of 4.43 feet to the point of beginning; thence West with a bearing of N.85°51'57"W., a distance of 211.35 feet to a point on the West line of said Lot 18; thence North along said West line with a bearing of N.11°52'21"W., a distance of 26.13 feet; thence East with a bearing of S.85°50'10"E., a distance of 194.80 to a point on the East line of said Lot 18; thence South along said East line with a bearing of S.39°22'43"E., a distance of 34.49 feet to the point of beginning. Said tract containing ±5,089 square feet more or less.

#### Tract 18 General Warranty Deed

A tract of land, for permanent right-of-way, being all that part of the Southwest Quarter of Section 4 Township 47 North, Range 33 West, in Kansas City, Jackson County, Missouri lying North of the North right-of-way line of Red Bridge Road and west of the 100 foot wide railroad right-of-way deeded in Book B-313 at page 42 to the Kansas City and Southwest Railway, more particularly described as follows:

Beginning at the most Easterly Southeast Corner of Lot 18, Block 27, RED BRIDGE Plat No. 12, a subdivision in Kansas City, Jackson County, Missouri; thence S87°47'35"E, along the North line of said Southwest Quarter Section, a distance of 5.20 feet, to a point on the West line of said railroad right-of-way, said point also being the beginning of a non-tangent curve concave to the Northwest, having an initial tangent bearing of S09°14'59"W, having a radius of 1477.89 feet; thence Southwesterly 96.48 feet, along the West line of said of railroad right-of-way and along said curve through a central angle of 3°44'25"; thence S12°59'25"W, continuing along the West line of said railroad right-of-way, a distance of 146.40 feet to the beginning of a curve concave to the Southeast, having a radius of 1812.95 feet; thence Southwesterly 64.67 feet, continuing along the West line of said railroad right-of-way, and along said curve through a

central angle of  $2^{\circ}02'37''$  to a point on the North right-of-way line of Red Bridge Road as now established, said point also being the beginning of a non-tangent curve concave to the Northeast, having an initial tangent bearing of  $N83^{\circ}28'43''W$ , having a radius of 174.63 feet; thence Northwesterly 91.92 feet, along said North right-way-line of Red Bridge Road, and along said curve through a central angle of  $30^{\circ}09'32''$ ; thence  $N53^{\circ}19'12''W$ , a distance of 0.49 feet, to a point on the East line of Lot 6, WOODSLAND, a subdivision in Kansas City, Jackson County, Missouri; thence  $N3^{\circ}17'33''E$ , along the East line of said Lot 6 and along a jog in the South line of said Lot 18, a distance of 272.44 feet to a point of jog in the South line of said Lot 18; thence  $S87^{\circ}47'35''E$ , continuing along the South line of said Lot 18, a distance of 129.05 feet to the point of beginning. Said tract containing  $\pm 32,736$  square feet more or less.

#### Tract 21 General Warranty Deed

A tract of land, for permanent right-of-way, in the Southeast Quarter of the Northwest Quarter and in the Southwest Quarter of the Northeast Quarter of Section 4 Township 47 North, Range 33 West, in Kansas City, Jackson County, Missouri more particularly described as follows:

Tract #1 commencing at the Southeast corner of the Southeast Quarter of said Northwest Quarter; thence  $N87^{\circ}47'35''W$ , along the South line of said Quarter Section, a distance of 310.25 feet to the Southeast corner of the tract of land recorded in Warranty Deed, Book K128 at Page 1892, said point also being the beginning of a non-tangent curve concave to the Northeast, having an initial tangent bearing of  $N18^{\circ}41'24''W$ , having a radius of 1700.50 feet; thence Northwesterly 31.22 feet along the West line of the tract of land recorded in said Warranty Deed and along said curve through a central angle of  $1^{\circ}03'07''$  to a point on the North right-of-way line of Red Bridge Road as now established, said point also being the point of beginning of the herein described tract; thence continuing Northwesterly 328.30 feet along the West line of the tract of land recorded in said Warranty Deed and along said curve through a central angle of  $11^{\circ}03'42''$ ; thence  $S66^{\circ}46'24''E$ , a distance of 481.09 feet, to a point hereinafter referred to as point "A"; said point also being on the North right-of-way line of Red Bridge Road as now established and the beginning of a non-tangent curve concave to the Southeast having an initial tangent bearing of  $S52^{\circ}54'13''W$ , having a radius of 236.75 feet; thence Southwesterly 39.54 feet, along said North right-of-way line and along said curve through a central angle of  $9^{\circ}34'04''$ ; thence  $S43^{\circ}20'09''W$ , continuing along said North right-of-way line, a distance of 67.79 feet to the beginning of a curve concave to the Northwest having a radius of 192.19 feet; thence Southwesterly 162.99 feet, continuing along said North right-of-way line and along said curve through a central angle of  $48^{\circ}35'25''$ ; thence  $N88^{\circ}04'26''W$ , continuing along said right-of-way line, a distance of 150.81 feet to the point of beginning.

## Together with Tract 2

Commencing at the aforesaid point "A", said point also being a point on the North right-of-way line of Red Bridge Road as now established and the beginning of a non-tangent curve concave to the Southeast, having an initial tangent bearing of N52°54'13"E, having a radius of 236.75 feet; thence Northeasterly, Easterly, and Southeasterly, 211.35 feet, along said North right-of-way line and along said curve through a central angle of 51°08'56"; thence S75°56'51"E, continuing along said North right-of-way line, a distance of 62.30 feet to the beginning of a curve concave to the Southwest having a radius of 471.59 feet; thence Southeasterly 211.67 feet, continuing along said North right-of-way line and along said curve through a central angle of 25°43'00"; thence S50°13'51"E, continuing along said North right-of-way line, a distance of 83.00 feet to the beginning of a curve concave to the Northeast having a radius of 210.47 feet; thence Southeasterly 37.68 feet, continuing along said North right-of-way line and along said curve, through a central angle of 10°15'29" to the beginning of non-tangent curve concave to the North having an initial tangent bearing of S86°10'58"E, having a radius of 1745.00 feet, said point also being the point of beginning of the herein described tract; thence Easterly 38.21 feet along said curve through a central angle of 1°15'17"; thence S87°26'15"E, a distance of 292.97 feet, to a point on the Northwesterly right-of-way line of Blue River Road as now established, said point also being the beginning of a non-tangent curve concave to the Southeast, having an initial tangent bearing of S37°41'24"W, having a radius of 622.96 feet; thence Southwesterly 23.38 feet, along said Northwesterly right-of-way line and along said curve through a central angle of 2°09'02" to a point on the North right-of-way line of Red Bridge Road as now established; thence N88°13'51"W, along said North right-of-way line, a distance of 219.81 feet to the beginning of curve concave to the Northeast having a radius of 210.47 feet; thence Northwesterly 101.91 feet, continuing along said North right-of-way line and along said curve through a central angle of 27°44'31" to the point of beginning. Said tracts containing 88,033 square feet more or less.

### Tract 21 Temporary Construction Easement

A tract of land, for temporary construction easement, in the Southeast Quarter of the Northwest Quarter and in the Southwest Quarter of the Northeast Quarter of Section 4 Township 47 North, Range 33 West, in Kansas City, Jackson County, Missouri more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of said Northwest Quarter Section; thence N87°47'35"W, along the South line of said Quarter Section, a distance of 310.25 feet to the Southeast Corner of the tract of land recorded in Warranty Deed, Book K128 at Page 1892, said point also being the beginning of a non-tangent curve concave to the

Northeast having an initial tangent bearing of N18°41'24"W, having a radius of 1700.50 feet; thence Northwesterly 31.22 feet along the West line of the tract of land recorded in said Warranty Deed and along said curve through a central angle of 1°03'07" to a point on the North right-of-way line of Red Bridge Road as now established; thence continuing Northwesterly 328.30 feet along the West line of the tract of land recorded in said Warranty Deed and along said curve through a central angle of 11°03'42" to the point of beginning of the herein described tract; thence continuing Northwesterly 45.75 feet along the West line of the tract of land recorded in said Warranty Deed and along said curve through a central angle of 1°32'29"; thence S66°46'24"E a distance of 450.00 feet; thence N76°03'31"E, a distance of 111.40 feet; thence S13°56'29"E, a distance of 30.00 feet to the beginning of a non-tangent curve concave to the South, having an initial tangent bearing of N76°03'31"E, having a radius of 251.75 feet; thence Northeasterly, Easterly, and Southeasterly 123.00 feet along said curve through a central angle of 27°59'38"; thence S75°56'51"E, a distance of 62.30 feet to the beginning of a curve concave to the Southwest, having a radius 486.59 feet; thence Southeasterly 218.40 feet along said curve through a central angle of 25°43'00"; thence S50°13'51"E, a distance of 93.46 feet; thence S88°13'51"E, a distance of 172.51 feet; thence N09°16'44"W, a distance of 410.43 feet; thence N80°28'34"E, a distance of 79.20 feet; thence S09°16'02"E, a distance of 48.62 feet to the beginning of a curve concave to the Northeast having a radius of 150.00 feet; thence Southeasterly 211.01 feet along said curve through a central angle of 80°35'57"; thence S89°51'59"E, a distance of 81.40 feet to the beginning of a curve concave to the Southwest having a radius of 225.00 feet; thence Southeasterly 151.79 feet along said curve through a central angle of 38°39'11" to the beginning of a non-tangent curve concave to the Northwest having an initial tangent bearing of N47°17'36"E, having a radius of 565.38 feet; thence Northeasterly 140.25 feet through a central angle of 14°12'47"; thence S56°55'12"E, a distance of 25.00 feet, to a point on the Northwesterly right-of-way line of Blue River Road as now established, said point being the beginning of non-tangent curve concave to the Northwest, having an initial tangent bearing of S33°04'49"W, having a radius of 590.38 feet; thence Southwesterly 187.15 feet along said right-of-way line and along said curve through a central angle of 18°09'47"; thence S51°14'35"W, continuing along said North right-of-way line, a distance of 78.13 feet to the beginning of a non-tangent curve concave to the Southwest, having an initial tangent bearing of N50°57'25"W, a radius of 105.00 feet; thence Northwesterly 71.31 feet along said curve through a central angle of 38°54'34"; thence N0°08'01"E, a distance of 30.00 feet; thence N89°51'59"W, a distance of 81.40 feet to the beginning of curve concave to the Northeast, having a radius of 240.00 feet, thence Northwesterly 148.34 feet along said curve through a central angle of 35°24'52"; thence S09°16'44"E, a distance of 203.62 feet; thence S88°13'51"E, a distance of 135.45 feet to a point on the Northwesterly

right-of-way line of Blue River Road as now established; said point also being the beginning of a non-tangent curve concave to the Southeast having an initial tangent bearing of S41°16'22"W, having a radius of 622.96 feet; thence Southwesterly 38.95 feet along said right-of-way line and along said curve through a central angle of 3°34'58"; thence N87°26'15"W, a distance of 292.97 feet to the beginning of a curve concave to the North having a radius of 1745.00 feet; thence Westerly 38.21 feet along said curve through a central angle of 1°15'17" to a point on the Northeasterly right-of-way line of Red Bridge Road as now established, said point also being the beginning of non-tangent curve concave to the Northeast, having an initial tangent bearing of N60°29'20"W, having a radius of 210.47 feet; thence Northwesterly 37.68 feet along said right-of-way line and along said curve through a central angle of 10°15'29"; thence N50°13'51"W, along said right-of-way line a distance of 83.00 feet to the beginning of a curve concave to the Southwest, having a radius of 471.59 feet; thence Northwesterly 211.67 feet, along said right-of-way line and along said curve through a central angle of 25°43'00"; thence N75°56'51"W, along said right-of-way line a distance of 62.30 feet to the beginning of a curve concave to the South, having a radius of 236.75 feet; thence Northwesterly, Westerly and Southwesterly 198.09 feet along said right-of-way line and along said curve through a central angle of 47°56'24"; thence N66°46'24"W, a distance of 481.09 feet to the point of beginning. Said tract containing ±109,662 square feet more or less.

#### Tract 22 Storm Drainage Easement

A tract of land, for permanent drainage easement, in the Southwest Quarter of the Northeast Quarter of Section 4 Township 47 North, Range 33 West, Kansas City, Jackson County, Missouri more particularly described as follows:

Commencing at a point on the East line of Lot 9, CEDAR HEIGHTS, a subdivision in Kansas City, Jackson County, Missouri, said point also being on the North right-of-way line of Red Bridge Road as now established; thence N87°51'51"W, along said right-of-way line, a distance of 235.90 feet; thence continuing along said North right-of-way line, N43°32'34"W, a distance of 29.10 feet, to a point on the Southeasterly right-of-way line of Blue River Road as now established, said point also being the beginning of a non-tangent curve concave to the Southeast, having an initial tangent bearing of N47°53'36"E, having a radius of 522.96 feet; thence Northeasterly 30.57 feet along said curve through a central angle of 3°20'58", to the point of beginning of the herein described tract; thence N51°14'35"W a distance of 129.12 feet; thence S38°45'25"E, a distance of 15.00 feet; thence S51°14'35"W, a distance of 129.12 feet; thence N38°45'25"W, a distance of 15.00 feet to the point of beginning. Said tract containing ±1,937 square feet more or less.

Tract 22 Temporary Construction Easement

A strip of land, for temporary construction easement, in the Southwest Quarter of the Northeast Quarter of Section 4, Township 47 North, Range 33 West, Kansas City, Jackson County, Missouri more particularly described as follows:

Commencing at a point on the East line of Lot 9, CEDAR HEIGHTS, a subdivision in Kansas City, Jackson County, Missouri, said point also being on the North right-of-way line of Red Bridge Road as now established; thence N87°51'51"W, a distance of 235.90 feet along said North right-of-way line; thence continuing along said North right-of-way line, N43°32'34"W, a distance of 4.09 feet to the point of beginning of the herein described strip; thence continuing N43°32'34"W, along said North right-of-way line, a distance of 25.01 feet, to a point on the Southeasterly right-of-way line of Blue River Road as now established and the beginning of a non-tangent curve concave to the Southeast, having an initial tangent bearing of N47°53'36"E, having a radius of 522.96 feet, thence Northeasterly 30.57 feet along said curve through a central angle of 3°20'58", thence S38°45'25"E a distance of 15.00 feet: thence N51°14'35"E a distance of 129.12 feet: thence S38°45'25"E a distance of 10.00 feet: thence S51°14'35"W a distance of 129.12 feet to the beginning of a curve concave to the Southeast having a radius of 497.96 feet; thence Southwesterly 28.48 feet through a central angle of 3°16'39" to the point of beginning of said strip. Said tract containing ±2,029 square feet more or less.

Section 6. That just compensation for the property taken or damaged shall be assessed and paid according to law; and the proceedings to determine compensation shall be prosecuted in one or more suits in the Circuit Court of Jackson County, Missouri at Kansas City, pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, 1994, 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 the acquisition of said lands by condemnation, the Director of City Development is hereby authorized to purchase said land out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Section 8. That the warranty deeds, permanent and temporary easements in Tracts 3A, 3B, 4A, 4B, 4C, 4D, 6, 7, 9, 10, 11, 15, and 18 be condemned and conveyed to Kansas City, Missouri.

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, Jackson County, Missouri

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Approved as to form and legality:

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Theodore T. Anderson  
Assistant City Attorney