

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING GENERAL UTILITY EASEMENTS, PERMANENT SIDEWALK EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE COLLEGE STREET IMPROVEMENTS PHASE 1 PROJECT (NO. 70111805); AUTHORIZING THE NEGOTIATION AND EMINENT DOMAIN PROCEEDINGS IF NECESSARY; APPROVING THE PLANS AND SPECIFICATIONS FOR THE PROJECT; AUTHORIZING THE USE OF EXPERTS AS NEEDED; AUTHORIZING AND DIRECTING THE EXECUTION OF DOCUMENTS AND THE PAYMENT OF FUNDS TO PROPERTY OWNERS OR OTHERS HOLDING PROPERTY RIGHTS, IN CONJUNCTION WITH THE PROJECT; AND DECLARING AN EMERGENCY

WHEREAS, the City Council of the City of Independence, Missouri, pursuant to advice and recommendation of the Public Works Director, deems it necessary, advisable and in the public interest to obtain general utility easements, permanent sidewalk easements and temporary construction easements in accordance with the plans and specifications as approved for construction, operation and maintenance of an the College Street Improvements Phase 1, Project No. 70111805 together with all appurtenances, thereto, along, over, under, upon, across and through certain tracts of land within Independence, Jackson County, Missouri; and,

WHEREAS, the City has authority by virtue of Section 82.240 of the Revised Statutes of the State of Missouri, 1969, as amended, and Section 1.3 and 1.4 of the Charter of the City of Independence, Missouri, revised August 8, 1978, to acquire private property by eminent domain proceedings for any public or municipal use, including the uses or purposes stated herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That it is hereby found, determined and declared that it is necessary for the purpose of construction, operation and maintenance the College Street Improvements Phase 1, Project No. 70111805 for the City of Independence, Missouri, to acquire by purchase or eminent domain proceedings, general utility easements, permanent sidewalk easements and temporary construction easements for such public improvements, including, but not limited to, the right to construct curbs, drives, sidewalks, streetscape improvements and storm sewers, together with all appurtenances thereunto belonging along, over, under, upon, across and through the following described tracts of land, all of which are situated in Independence, Jackson County, Missouri; to wit:

Parcel 37

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement, being a part of Lot 9, NORMAN PLACE, a subdivision recorded February 21, 1921 in Book 7, Page 34, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the South line of Lot 9, NORMAN PLACE, having a bearing of South 65° 08' 16" West as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the Southwest corner of said Lot 9;

Thence North 03° 01' 16" East, 11.31 feet, on the West line of said Lot 9;

Thence North 65° 08' 16" East, 56.57 feet, parallel with and 10.00 feet North of the South line of said Lot 9, to the East line of said Lot 9;

Thence South 03° 01' 16" West, 11.31 feet, on said East line, to the Southeast corner of said Lot 9;

Thence South 65° 08' 16" West, 56.57 feet, on the South line of said Lot 9, to the POINT OF BEGINNING,

said Tract containing 566 square feet or 0.0130 acres

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

Parcel 41

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement, being a part of Lot 5, NORMAN PLACE, a subdivision recorded February 21, 1921 in Book 7, Page 34, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East line of Lot 5, NORMAN PLACE, having a bearing of North 03° 01' 16" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the Southeast corner of said Lot 5, being monumented by found 1/2-inch reinforcing rod;

Thence on a curve, concave to the Northwest, said curve having a radius of 292.00 feet, an arc length of 49.61 feet, said curve having a chord bearing South 60° 66' 14" West, and a chord distance of 49.55 feet;

Thence South 65° 08' 16" West, 9.42 feet, Tangent to the last described course, to the Southwest corner of said Lot 5;

Thence North 03° 01' 16" East, 11.22 feet, on the West line, to the beginning of a non-tangent curve concave to the Northwest, having a radius of 297.68 feet;

Thence Northeasterly on said curve, an arc length of 59.85 feet, said curve having a chord bearing North 59° 49' 16" East, and a chord distance of 59.75 feet, to the East line of said Lot 5;

Thence South 03° 01' 16" West, 12.73 feet, on said East line, to the POINT OF BEGINNING, said said Tract containing 593 square feet or 0.0136 acres.

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

Parcel 42

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement, being a part of Lot 4, NORMAN PLACE, a subdivision recorded February 21, 1921 in Book 7, Page 34, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the West line of Lot 4, NORMAN PLACE, having a bearing of North 03° 01' 16" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the South corner of said Lot 4, monumented by found 1/2-inch reinforcing rod; Thence North 03° 01' 16" East, 19.25 feet, on the West line of said Lot 4, to the beginning of a non-tangent curve, concave to the Northwest, having a radius of 277.00 feet; Thence Northeasterly on said curve, an arc length of 177.50 feet, said curve having a chord bearing North 34° 36' 52" East, and a chord distance of 174.48 feet, parallel with and 15.00 feet West of the East line of said Lot 4, to the North Line of said Lot 4; Thence South 86° 58' 44" East, 15.39 feet, on said North line, to the Northeast corner of said Lot 4, and the beginning of a non-tangent curve concave to the Northwest, having a radius of 292.00 feet; Thence Southwesterly on said curve, an arc length of 203.03 feet, said curve having a chord bearing South 35° 29' 04" West, and a chord distance of 198.96 feet, on the East line of said Lot 4, to the POINT OF BEGINNING,

said Tract containing 2,855 square feet or 0.0655 acres.

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

Parcel 43

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement, being a part of Lot 3, NORMAN PLACE, a subdivision recorded February 21, 1921 in Book 7, Page 34, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the South line of Lot 3, NORMAN PLACE, having a bearing of North 86° 58' 44" West as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the Southeast corner of said Lot 3;

Thence North 86° 58' 44" West, 15.39 feet, on the South line of said Lot 3, to the beginning of a non-tangent curve concave to the Northwest, having a radius of 277.00 feet;

Thence Northeasterly on said curve, an arc length of 42.88 feet, said curve having a chord bearing North 11° 49' 20" East, and a chord distance of 42.83 feet, parallel with and 15.00 feet West of the East line of said Lot 3;

Thence North 07° 23' 16" East, 57.84 feet, continuing parallel with and 15.00 feet west of said East line, to the North line of said Lot 3;

Thence South 86° 58' 44" East, 15.04 feet, on said North line, to the Northeast corner of said Lot 3,

Thence South 07° 23' 16" West, 58.98 feet, on the East line of said Lot 3 being the existing West Right-of-Way line of College Street, to the beginning of a tangent curve concave to the Northwest, having a radius of 292.00 feet;

Thence Southwesterly on said curve, an arc length of 41.68 feet, said curve having a chord bearing South 11° 28' 35" West, and a chord distance of 41.64 feet, on said East line of Lot 3, to the POINT OF BEGINNING,

said Tract containing 1,510 square feet, or 0.0347 acres.

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

Parcel 72

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement, being a part of Lot 9, HIGHLAND PARK, a subdivision recorded January 23, 1923, in Book 7, Page 48, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of Lot 9, HIGHLAND PARK, having a bearing of North 77° 54' 09" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the Northwest corner of said Lot 9;

Thence North 77° 54' 09" East, 50.00 feet, on the North line of said Lot 9, to the Northeast corner of said Lot 9;

Thence South 17° 07' 51" East, 7.03 feet, on the East line of said Lot 9;

Thence South 77° 54' 09" West, 50.00 feet, parallel with and 7.00 feet South of said North line, to the West line of said Lot 9;

Thence North 17° 07' 51" West, 7.03 feet, on said West Lot Line, to the POINT OF BEGINNING, said Tract containing 350 square feet, or 0.0080 acres.

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

Parcel 79

GENERAL UTILITY EASEMENT:

A Tract of land for the purpose of a drainage easement, being a part of Lot 16, HIGHLAND PARK, a subdivision recorded January 24, 1923, in Book 7, Page 48, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of Lot 16, HIGHLAND PARK, having a bearing of North 65° 03' 09" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the Northwest corner of said Lot 16;

Thence North 65° 03' 09" East, 15.14 feet, on the North line of said Lot 16;

Thence South 17° 07' 51" East, 60.00 feet;

Thence South 72° 52' 09" West, 15.00 feet, to the West line of said Lot 16;

Thence North 17° 07' 51" West, 57.94 feet, on said West line, to the POINT OF BEGINNING, said Tract containing 885 square feet, or 0.0203 acres.

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement, being a part of Lot 16, HIGHLAND PARK, a subdivision recorded January 24, 1923, in Book 7, Page 48, in the City of Independence, Jackson County, Missouri, said Tract being more particularly

described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of Lot 16, HIGHLAND PARK, having a bearing of North 65° 03' 09" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the Northeast corner of said Lot 16;

Thence South 17° 07' 51" East, 60.56 feet, on the East line of said Lot 16;

Thence South 65° 03' 09" West, 50.00 feet, parallel with and 60.00 feet South of the North line of said Lot 16, to the West line of said Lot 16;

Thence North 17° 07' 51" West, 2.62 feet, on said West line;

Thence North 72° 52' 09" East, 15.00 feet;

Thence North 17° 07' 51" West, 60.00 feet, parallel with and 34.54 feet West of said East line, to said North line;

Thence North 65° 03' 09" East, 34.86 feet, on said North line, to the POINT OF BEGINNING, said Tract containing 2,115 square feet, or 0.0486 acres.

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

Parcel 81

PERMANENT SIDEWALK EASEMENT:

A Tract of land for the purpose of a sidewalk easement, being a part of Lot 18, HIGHLAND PARK, a subdivision recorded January 24, 1923, in Book 7, Page 48, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of Lot 18, HIGHLAND PARK, having a bearing of North 65° 03' 09" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the Northwest corner of said Lot 18;

Thence North 65° 03' 09" East, 50.00 feet, on the North line of said Lot 18, to the Northeast corner of said Lot 18;

Thence South 17° 07' 51" East, 6.06 feet, on the East line of said Lot 18;

Thence South 65° 03' 09" West, 50.00 feet, parallel with and 6.00 feet South of said North line, to the West line of said Lot 18;

*Thence North 17° 07' 51" West, 6.06 feet, on said West line, to the POINT OF BEGINNING,
said Tract containing 300 square feet, or 0.0069 acres*

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement, being a part of Lot 18, HIGHLAND PARK, a subdivision recorded January 24, 1923, in Book 7, Page 48, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of Lot 18, HIGHLAND PARK, having a bearing of North 65° 03' 09" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

COMMENCING at the Northwest corner of said Lot 18;

Thence South 17° 07' 51" East, 6.06 feet, on the West line of said Lot 18, to the POINT OF BEGINNING of said Tract herein described;

Thence North 65° 03' 09" East, 50.00 feet, parallel with and 6.00 feet South of the North line of said Lot 18, to the East line of said Lot 18;

Thence South 17° 07' 51" East, 14.13 feet, on said East line;

Thence South 65° 03' 09" West, 50.00 feet, parallel with and 20.00 feet South of said North line, to the West line of said Lot 18;

*Thence North 17° 07' 51" West, 14.13 feet, on said West line, to the POINT OF BEGINNING,
said Tract containing 700 square feet, or 0.0161 acres.*

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

Parcel 82

PERMANENT SIDEWALK EASEMENT:

A Tract of land for the purpose of a sidewalk easement, being a part of Lot 19, HIGHLAND PARK, a subdivision recorded January 24, 1923, in Book 7, Page 48, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph

H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of Lot 19, HIGHLAND PARK, having a bearing of North 65° 03' 09" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the Northwest corner of said Lot 19;

Thence North 65° 03' 09" East, 50.00 feet, on the North line of said Lot 19, to Northeast corner of said Lot 19;

Thence South 17° 07' 51" East, 6.06 feet, on the East line of said Lot 19;

Thence South 65° 03' 09" West, 50.00 feet, parallel with and 6.00 feet South of said North line, to the West line of said Lot 19;

Thence North 17° 07' 51" West, 6.06 feet, on said West line, to the POINT OF BEGINNING, said Tract containing 300 square feet, or 0.0069 acres.

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement, being a part of Lot 19, HIGHLAND PARK, a subdivision recorded January 24, 1923, in Book 7, Page 48, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the West line of Lot 19, HIGHLAND PARK, having a bearing of South 17° 07' 51" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

COMMENCING at the Northwest corner of said Lot 19;

Thence South 17° 07' 51" East, 6.06 feet, on the West line of said Lot 19, to the POINT OF BEGINNING of said Tract herein described;

Thence North 65° 03' 09" East, 50.00 feet, parallel with and 6.00 feet South of the North line of said Lot 19, to the East line of said Lot 19;

Thence South 17° 07' 51" East, 14.13 feet, on said East line;

Thence South 65° 03' 09" West, 50.00 feet, parallel with and 20.00 feet South of said North line, to the West line of said Lot 19;

Thence North 17° 07' 51" West, 14.13 feet, on said West line, to the POINT OF BEGINNING, said Tract containing 700 square feet, or 0.0161 acres.

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

Parcel 83

PERMANENT SIDEWALK EASEMENT:

A Tract of land for the purpose of a sidewalk easement, being a part of Lot 20, HIGHLAND PARK, a subdivision recorded January 24, 1923, in Book 7, Page 48, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of Lot 20, HIGHLAND PARK, having a bearing of North 65° 03' 09" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

BEGINNING at the Northwest corner of said Lot 20;

Thence North 65° 03' 09" East, 62.30 feet, on the North line of said Lot 20, to the Northeast corner of said Lot 20;

Thence South 01° 45' 32" West, 6.72 feet, on the East line of said Lot 20;

Thence South 65° 03' 09" West, 60.11 feet, parallel with and 6.00 feet South of said North line, to the West line of said Lot 20;

Thence North 17° 07' 51" West, 6.06 feet, on said West line, to the POINT OF BEGINNING,

said Tract containing 367 square feet, or 0.0084 acres.

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement, being a part of Lot 20, HIGHLAND PARK, a subdivision recorded January 24, 1923, in Book 7, Page 48, in the City of Independence, Jackson County, Missouri, said Tract being more particularly described by Joseph H. McLaughlin, PLS 2012018392, of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of Lot 20, HIGHLAND PARK, having a bearing of North 65° 03' 09" East as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

COMMENCING at the Northwest corner of said Lot 20;

Thence South 17° 07' 51" East, 6.06 feet, on the West line of said Lot 20, to the POINT OF BEGINNING of said Tract herein described;

Thence North 65° 03' 09" East, 60.11 feet, parallel with and 6.00 feet South of the North line of said Lot 20, to the East line of said Lot 20;

Thence South 01° 45' 32" West, 15.67 feet, on said East line;

Thence South 65° 03' 09" West, 54.98 feet, parallel with and 20.00 feet South of said North line, to said West line;

Thence North 17° 07' 51" West, 14.18 feet, on said West line, to the POINT OF BEGINNING, said Tract containing 806 square feet, or 0.0185 acres.

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

Parcel 84

TEMPORARY CONSTRUCTION AND GRADING EASEMENT:

A Tract of land for the purpose of a temporary construction and grading easement lying and situated in the Northeast Quarter of Section 2, Township 49 North, Range 32 West of the Fifth Principal Meridian, in the City of Independence, Jackson County, Missouri, as described by Joseph H. McLaughlin, PLS 2012018392 of BHC RHODES, CLS 2006009875-F, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the South Right-of-Way line of T C Lea Road, having a bearing of North 86° 51' 07" West as determined by Global Positioning System observations and referenced to the Missouri State Plane Coordinate System, West Zone, NAD83.)

COMMENCING at the Northwest corner of Lot 110, WESTWOOD HILLS, said corner being 656.00 feet South of the Northeast corner of the Northeast Quarter of said Section 2;

Thence North 86° 51' 07" West, 222.88 feet, on the North line of a Parcel of land described by Trustee's Deed recorded as document number 2018E0019038, also being the South Right-of-Way line of T C Lea Road, to the POINT OF BEGINNING of said Tract herein described;

Thence departing said North line, South 03° 08' 53" West, 20.00 feet, perpendicular to the last described course;

Thence North 86° 51' 07" West, 25.00 feet, perpendicular to the last described course, to the West line of said Parcel, also being the East line of a 25.00 foot alley dedicated by HIGHLAND PARK, a subdivision in said city, county, and state, recorded as document number 192310167500 in Plat Book 7, Page 78;

Thence North 01° 45' 32" East, 15.03 feet, on said West line and said East line, to the South Right-of-Way line of College Street;

Thence North 65° 03' 09" East, 10.56 feet, on said South Right-of-Way line of College Street, to said North line and said South Right-of-Way line of T C Lea Road;

Thence South 86° 51' 07" East, 16.05 feet, on said South Right-of-Way line of T C Lea Road and said North parcel line, to the POINT OF BEGINNING,

said tract containing 481 square feet, or 0.0110 acres.

The temporary construction and grading easement shall terminate at the earlier of:

- 1: Two (2) years from the date construction begins, or*
- 2: The date construction is completed and accepted by the City.*

SECTION 2. That the City Manager and his designates are hereby authorized and directed to negotiate with the owners of the properties herein described for the purchase of general utility easements, permanent sidewalk easements and temporary construction easements relating to said lands.

SECTION 3. That in the event of failure to negotiate the proper compensation to be paid for such general utility easements, permanent sidewalk easements and temporary construction easements and the acquisition thereof by purchase, the City Counselor and his designates are hereby authorized and directed to institute eminent domain proceedings for the purpose of acquiring such general utility easements, permanent sidewalk easements and temporary construction easements in the manner provided by law.

SECTION 4. That the City Manager is hereby authorized to request proposals, if required, for surveys, appraisals, and necessary title reports for said property.

SECTION 5. That the improvements herein referred to shall be of the nature described herein and shall be done in accordance with the plans and specifications as completed, hereby approved, and on file in the office of the Public Works Director.

SECTION 6. That the City Manager of the City of Independence, Missouri, is hereby authorized and directed to execute necessary documents, to pay and disburse funds, within appropriations authorized for this project, to property owners, others holding property rights and escrow agents pursuant to negotiated agreements for purchase of said sidewalk easements, all in accordance with established acquisition procedure and approved appraisals.

SECTION 7. That this ordinance, in the judgement of the City Council, is deemed to be of an urgent nature and that its immediate passage is necessary for the preservation of public peace, property, health, safety and welfare of residents of the City of Independence and should become effective immediately upon the date of its passage.

PASSED THIS _____ DAY OF _____, 2019, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the

College Street Improvements Phase I
Project 70111805
3/28/2019

City Counselor

REVIEWED BY:

City Manager

treasury, to the credit of the fund from which payment is to be made, sufficient to meet the obligation hereby incurred.

Source is: Community Development Block Grant, Water, Sanitary Sewer, Stormwater Sales Tax & IPL

Director of Finance