



Legislation Details (With Text)

File #: 210396 **Version:** 1 **Name:**
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File created: 4/30/2021 **In control:** Council
On agenda: 5/6/2021 **Final action:**

Title: Authorizing condemnation and taking of private property interests for public use for the construction, location and maintenance of the “Swope Park Industrial Area 75th Street Realignment”, Project No. 89005580, in Kansas City, Jackson County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Department of Public Works; authorizing the filing of the petition for condemnation by the City Attorney on behalf of the City; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Jackson County, Missouri.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 210396 fact sheet 04202021, 2. 210396 Swope Park Indstrl Area 75th St Relgnmnt Air Photo, 3. 210396 Swope Park Indstrl Area 75th St Relgnmnt Map, 4. 210396.Recorded Information 11.15.2021

Date	Ver.	Action By	Action	Result
5/5/2021	1	Transportation, Infrastructure and Operations Committee	Adv and Do Pass as Cmte Sub, Debate	Pass

ORDINANCE NO. 210396

Authorizing condemnation and taking of private property interests for public use for the construction, location and maintenance of the “Swope Park Industrial Area 75th Street Realignment”, Project No. 89005580, in Kansas City, Jackson County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Department of Public Works; authorizing the filing of the petition for condemnation by the City Attorney on behalf of the City; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Jackson County, Missouri.

WHEREAS, the Council finds that the property interests herein described must be condemned for public use for the “Swope Park Industrial Area 75th Street Realignment” project in Kansas City, Jackson County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY, MISSOURI:

Section 1. That the property interests herein described are hereby authorized condemned and taken for public use in and upon the land hereinafter described for Project No. 89005580, “Swope Park Industrial Area 75th Street Realignment”, including any necessary structures or appurtenances, all 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 under the supervision of the Director of the Department of Public Works, the same being on file in the Office of the Director of the Department of Public Works, and being incorporated herein by reference.

Section 3. That the properties 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 properties for the purpose of constructing, reconstructing, maintaining, operating and repairing the following said improvements and utilities:

Street Right-of-Way

The Street Right-of-Way shall be taken and used by Kansas City, Missouri for the location, construction and maintenance of East 75th Street, East 75th Terrace, Manchester Trafficway and associated improved intersections, drive approaches, bridge construction, and other infrastructure to be constructed therein, including any necessary appurtenances thereto; and Kansas City, Missouri shall have the right to enter in or authorize the entry in and upon said right of way for the

purpose of locating, constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto.

Permanent Access Easement

The Permanent Access Easement shall be used by the City of Kansas City, Missouri, its successors and assigns, for the operation and movement of equipment and supplies, and the movement of a working force to and from the adjoining public right of way to be known as "Manchester Trafficway" for the purposes of locating, constructing, inspecting, repairing, maintaining, reconstructing, and making improvements to city infrastructure located within said adjoining right of way, and for access by public safety and public service equipment and personnel.

The City of Kansas City, Missouri, its successors and assigns, shall have the right at all times to go upon the lands herein described to access said public right of way, and while nothing in the acquisition of this easement through eminent domain shall be construed so as to grant any right to the City which shall in any way interfere with the safe and unrestricted use by the property owner or owners of the land within said easement, except that the property owner or owners shall not use nor attempt to use said property in such manner as would interfere with the proper, safe and continuous maintenance and use of said easement and specifically shall not build thereon or there over any structure which may interfere with the use of the easement by the City of Kansas City, Missouri, its successors and assigns.

Temporary Construction Easement

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.

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 the City or its agents entered upon it, and said temporary construction easement shall terminate three (3) years from the date the easement is acquired through eminent domain, or upon completion and acceptance of the improvements by the Director of Department of Public Works.

Section 4. That said property interests are hereby authorized condemned and taken for public use and are described as follows:

Tract No. 1

All of LOT 31, SWOPE PARK GROVE, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, containing 37,763.4 square feet or 0.87 acres, more or less.

Tract No. 2

Right-of-Way:

All that part of LOT 30, SWOPE PARK GROVE, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, more particularly described as follows:

All of the South 60 feet of said LOT 30, containing 18,426.6 square feet or 0.423 acres, more or less.

Temporary Construction Easement (3 year duration):

All that part of LOT 30, SWOPE PARK GROVE, a subdivision of land in the City of Kansas City, Jackson County, Missouri, according to the recorded plat thereof, more particularly described as follows:

All of the North 10.00 feet of the West 112.00 feet of the South 70.00 feet of said LOT 30, containing 1,118.5 square feet or 0.026 acres, more or less.

Tract No. 3

Right-of-Way:

All that part of the North half of the Northeast quarter of Section 15, Township 48, Range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

COMMENCING at the northeast corner of Section 15, Township 48, Range 33;

thence north 86 degrees 30 minutes 49 seconds west along the north line of said northeast quarter, a distance of 656.72 feet; thence south 04 degrees 13 minutes 30 seconds west, departing the north line of said northeast quarter, a distance of 25.00 feet, to a point on the south right-of-way line of East 75th Street, as now established, said point also being the POINT OF BEGINNING; thence continuing south 04 degrees 13 minutes 30 seconds west, departing said right-of-way line, a distance of 193.20 feet; thence north 76 degrees 30 minutes 26 seconds west, a distance of 392.79 feet; thence northwesterly along a curve to the right, having a radius of 590.00 feet, a central angle of 20 degrees 53 minutes 27 seconds and an arc length of 215.12 feet; thence north 02 degrees 15 minutes 08 seconds east, a distance of 50.20 feet, to a point on the south right-of-way line of said East 75th Street; thence south 86 degrees 30 minutes 49 seconds east, along said right-of-ORDINANCE NO.

way line, a distance of 590.83 feet, to the POINT OF BEGINNING, containing 80,742.8 square feet or 1.85 acres, more or less.

Tract No. 4

Right-of-Way:

All that part of the Northeast Quarter of Section 15, Township 48, Range 33, in the City of Kansas City, Jackson County, Missouri, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 15; thence North 86°30'49" West, along the North line of said Northeast Quarter section, a distance of 656.72 feet; thence South 04°13'30" West, departing the North line of said Northeast Quarter section, a distance of 75.01 feet, to the POINT OF BEGINNING; thence South 86°30'49" East, a distance of 310.64 feet; thence South 03°29'11" West, a distance of 136.58 feet; thence South 76°30'26" East, a distance of 103.88 feet; thence North 20°16'47" East, a distance of 31.54 feet; thence South 61°37'26" East, a distance of 143.17 feet; thence Southwesterly along a curve to the left having an initial tangent bearing of South 49°16'42" West, a radius of 1570.50 feet, a central angle of 03°21'48" and an arc length of 92.19 feet; thence Westerly along a curve to the left having an initial tangent bearing of North 59°16'32" West, a radius of 467.39 feet, a central angle of 17°13'54" and an arc length of 140.57 feet; thence North 76°30'26" West, a distance of 362.42 feet; thence North 04°13'30" East, a distance of 143.20 feet, to the POINT OF BEGINNING, containing 69,734.5 square feet or 1.60 acres, more or less.

Temporary Construction Easement (3 year duration):

All that part of the Northeast Quarter of Section 15, Township 48, Range 33, in the City of Kansas City, Jackson County, Missouri, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 15; thence North 86°30'49" West, along the North line of said Northeast Quarter section, a distance of 656.72 feet; thence South 04°13'30" West, departing the North line of said Northeast Quarter section, a distance of 75.01 feet; thence South 86°30'49" East, a distance of 310.64 feet; thence South 03°29'11" West, a distance of 136.58 feet; thence South 76°30'26" East, a distance of 103.88 feet; thence North 20°16'47" East, a distance of 31.54 feet; thence South 61°37'26" East, a distance of 36.59 feet, to the POINT OF BEGINNING; thence North 28°22'34" East, a distance of 10.00 feet; thence South 61°37'26" East, a distance of 66.00 feet; thence South 28°22'34" West, a distance of 10.00 feet; thence North 61°37'26" West, a distance of 66.00 feet, to the POINT OF BEGINNING, containing 660.0 square feet, more or less.

Tract No. 6

Right-of-Way:

All that part of the north half of the northeast quarter of Section 15, township 48, range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 656.72 feet; thence south 04 degrees 13 minutes 30 seconds west, departing the north line of said northeast quarter, a distance of 25.00 feet, to a point on the south right-of-way line of East 75th Street, as now established; thence continuing south 04 degrees 13 minutes 30 seconds west, departing said right of way line, a distance of 193.20 feet, to the POINT OF BEGINNING; thence south 76 degrees 30 minutes 26 seconds east, a distance of 170.53 feet; thence south 80 degrees 53 minutes 04 seconds west, a distance of 87.52 feet; thence south 09 degrees 06 minutes 56 seconds east, a distance of 91.14 feet; thence north 85 degrees 50 minutes 52 seconds west, a distance of 104.17 feet; thence north 04 degrees 13 minutes 30 seconds east, a distance of 136.47 feet, to the POINT OF BEGINNING, containing 13,162.8 square feet or 0.30 acres, more or less.

Temporary Construction Easement (3 year duration):

All that part of the north half of the northeast quarter of Section 15, township 48, range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 656.72 feet; thence south 04 degrees 13 minutes 30 seconds west, departing the north line of said northeast quarter, a distance of 25.00 feet, to a point on the south right-of-way line of East 75th Street, as now established; thence continuing south 04 degrees 13 minutes 30 seconds west, departing said right-of-way line, a distance of 193.20 feet; thence south 76 degrees 30 minutes 26 seconds east, a distance of 170.53 feet, to the POINT OF BEGINNING; thence south 12 degrees 12 minutes 34 seconds west, a distance of 30.53 feet; thence south 05 degrees 08 minutes 02 seconds east, a distance of 66.69 feet; thence south 50 degrees 49 minutes 25 seconds west, a distance of 18.59 feet; thence north 85 degrees 50 minutes 52 seconds west, a distance of 57.23 feet; thence north 09 degrees 06 minutes 56 seconds west, a distance of 91.14 feet; thence north 80 degrees 53 minutes 04 seconds east, a distance of 87.52 feet, to the POINT OF BEGINNING, containing 7,488.6 square feet or 0.17 acres, more or less.

Tract No. 7

Permanent Access Easement 1:

All that part of the north half of the northeast quarter of Section 15, township 48, range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the Northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 169.92 feet; thence south 03 degrees 29 minutes 11 seconds west, departing the north line of said northeast quarter, a distance of 325.89 feet; thence southwesterly along a curve to the left having an initial tangent bearing of south 45 degrees 54 minutes 53 seconds west, a radius of 1570.50 feet, a central angle of 13 degrees 45 minutes 55 seconds and an arc length of 377.31 feet, to the POINT OF BEGINNING; thence continuing southwesterly along said curve to the left having a radius of 1570.50 feet, a central angle of 03 degrees 03 minutes 58 seconds and an arc length of 84.05 feet; thence north 45 degrees 44 minutes 50 seconds west, a distance of 28.75 feet; thence north 26 degrees 15 minutes 10 seconds east, a distance of 85.87 feet; thence south 45 degrees 44 minutes 50 seconds east, a distance of 35.47 feet, to the POINT OF BEGINNING, containing 2,591.0 square feet or 0.06 acres, more or less.

and

Permanent Access Easement 2:

All that part of the north half of the northeast quarter of Section 15, township 48, range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

COMMENCING at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 169.92 feet; thence south 03 degrees 29 minutes 11 seconds west, departing the north line of said northeast quarter, a distance of 325.89 feet; thence southwesterly along a curve to the left having an initial tangent bearing of south 45 degrees 54 minutes 53 seconds west, a radius of 1570.50 feet, a central angle of 18 degrees 45 minutes 20 seconds and an arc length of 514.10 feet, to the POINT OF BEGINNING; thence continuing southwesterly along said curve having a radius of 1570.50 feet, a

central angle of 03 degrees 22 minutes 43 seconds and an arc length of 92.61 feet; thence north 45 degrees 44 minutes 50 seconds west, a distance of 28.27 feet; thence north 26 degrees 15 minutes 10 seconds east, a distance of 92.18 feet; thence south 45

degrees 44 minutes 50 seconds east, a distance of 26.94 feet, to the POINT OF BEGINNING, containing 2,378.2 square feet or 0.06 acres, more or less.

Right-of-Way:

All that part of the North half of the Northeast quarter of Section 15, Township 48, Range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 399.56 feet; thence south 03 degrees 29 minutes 11 seconds west, departing the north line of said northeast quarter, a distance of 264.06 feet; thence south 50 degrees 49 minutes 25 seconds west, a distance of 136.45 feet; thence south 16 degrees 49 minutes 49 seconds west, a distance of 119.30 feet, to the POINT OF BEGINNING; thence southeasterly along a curve to the left having an initial tangent bearing of south 18 degrees 21 minutes 21 seconds east, a radius of 270.00 feet, a central angle of 27 degrees 23 minutes 29 seconds and an arc length of 129.08 feet; thence south 45 degrees 44 minutes 50 seconds east, a distance of 49.53 feet; thence south 26 degrees 15 minutes 10 seconds west, a distance of 85.87 feet; thence south 45 degrees 44 minutes 50 seconds east, a distance of 28.75 feet; thence southwesterly along a curve to the left having an initial tangent bearing of south 29 degrees 05 minutes 00 seconds west, a radius of 1570.50 feet, a central angle of 01 degrees 55 minutes 27 seconds and an arc length of 52.75 feet; thence north 45 degrees 44 minutes 50 seconds west, a distance of 26.94 feet; thence south 26 degrees 15 minutes 10 seconds west, a distance of 92.18 feet; thence north 45 degrees 44 minutes 50 seconds west, a distance of 128.50 feet; thence north 17 degrees 52 minutes 28 seconds east, a distance of 147.75 feet; thence north 86 degrees 08 minutes 57 seconds west, a distance of 48.81 feet; thence north 51 degrees 11 minutes 35 seconds east, a distance of 100.14 feet; thence north 16 degrees 49 minutes 49 seconds east, a distance of 56.48 feet, to the POINT OF BEGINNING, containing 35,999.4 square feet or 0.83 acres, more or less.

Temporary Construction Easement 1 (3 year duration):

All that part of the north half of the northeast quarter of Section 15, township 48, range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 399.56 feet; thence south 03 degrees 29 minutes 11 seconds west, departing the north line of said northeast quarter, a distance of 264.06 feet; thence south 50 degrees 49 minutes 25 seconds west, a distance of 117.86 feet, to the POINT OF BEGINNING; thence south 05 degrees 08 minutes

02 seconds east, a distance of 52.30 feet; thence south 80 degrees 53 minutes 04 seconds west, a distance of 33.31 feet; thence north 16 degrees 49 minutes 49 seconds east, a distance of 47.66 feet thence north 50 degrees 49 minutes 25 seconds east, a distance of 18.59 feet, to the POINT OF BEGINNING, containing 1,116.5 square feet, more or less.

and

Temporary Construction Easement 2 (3 year duration):

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 399.56 feet; thence south 03 degrees 29 minutes 11 seconds west, departing the north line of said northeast quarter, a distance of 264.06 feet; thence south 76 degrees 30 minutes 26 seconds east, a distance of 98.44 feet; thence easterly along a curve to the right having a radius of 467.39 feet, a central angle of 07 degrees 46 minutes 30 seconds and an arc length of 63.42 feet, to the POINT OF BEGINNING; thence continuing easterly along said curve to the right having a radius of 467.39 feet, a central angle of 07 degrees 59 minutes 11 seconds and an arc length of 65.15 feet; thence south 28 degrees 22 minutes 34 seconds west, a distance of 31.26 feet; thence north 61 degrees 37 minutes 26 seconds west, a distance of 65.00 feet; thence north 28 degrees 22 minutes 34 seconds east, a distance of 27.72 feet, to the POINT OF BEGINNING, containing 1,966.1 square feet or 0.05 acres, more or less.

and

Temporary Construction Easement 3 (3 year duration):

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 169.92 feet; thence south 03 degrees 29 minutes 11 seconds west, departing the north line of said northeast quarter, a distance of 325.89 feet; thence southwesterly along a curve to the left having an initial tangent bearing of south 45 degrees 54 minutes 53 seconds west, a radius of 1570.50 feet, a central angle of 08 degrees 06 minutes 54 seconds and an arc length of 222.43 feet, to the POINT OF BEGINNING; thence continuing along said curve to the left having a radius of 1570.50, a central angle of 05 degrees 39 minutes 01 seconds and an arc length of 154.88 feet; thence north 45 degrees 44 minutes 50 seconds west, a distance of 52.97 feet; thence north 40 degrees 16 minutes 19 seconds east, a distance of 150.48 feet; thence south 49 degrees 43 minutes 41 seconds east, a distance of 38.55 feet, to the POINT OF BEGINNING, containing 6,750.2 square feet, more or less.

and

Temporary Construction Easement 4 (3 year duration):

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 399.56 feet; thence south 03 degrees 29 minutes 11 seconds west, departing the north line of said northeast quarter, a distance of 264.06 feet; thence south 50 degrees 49 minutes 25 seconds west, a distance of 136.45 feet; thence south 16 degrees 49 minutes 49 seconds west, a distance of 175.78 feet; thence south 51 degrees 11 minutes 35 seconds west, a distance of 100.14 feet; thence south 86 degrees 08 minutes 57 seconds east, a distance of 48.81 feet; thence south 17 degrees 52 minutes 28 seconds west, a distance of 147.75 feet; thence south 45 degrees 44 minutes 50 seconds east, a distance of 27.12 feet, to the POINT OF BEGINNING; thence continuing South 45 degrees 44 minutes 50 seconds east, a distance of 126.93 feet; thence north 85 degrees 36 minutes 57 seconds west, a distance of 97.42 feet; thence north 04 degrees 23 minutes 03 seconds east, a distance of 81.36 feet, to the POINT OF BEGINNING, containing 3,963.1 square feet or 0.09 acres, more or less.

Tract No. 8

Permanent Access Easement No. 1:

All that part of the northeast quarter of Section 15, township 48, range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

COMMENCING at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 154.95 feet: thence south 03 degrees 29 minutes 11 seconds west, departing said north line, a distance of 334.35 feet, to a point on the south right-of-way line of East 75th Terrace, as established by Ordinance No. 25234 and the POINT OF BEGINNING; thence south 57 degrees 03 minutes 07 seconds east, along said right-of-way line, a distance of 35.01 feet; thence south 34 degrees 21 minutes 13 seconds west, departing said right-of-way line, a distance of 390.90 feet; thence south 45 degrees 44 minutes 50 seconds east, a distance of 18.28 feet, to a point on the west right-of-way line of the Union Pacific Railroad, as surveyed; thence southwesterly along said right-of-way line and along a curve to the left having an initial tangent bearing of south 31 degrees 18 minutes 46 seconds west, a radius of 1470.50 feet, a central angle of 03 degrees 17 minutes 18 seconds and an arc length of 84.80 feet, to a point hereinafter to be referred to as POINT "A"; thence north 45 degrees 44 minutes 50 seconds west, departing said right-of-way line, a distance of 103.87 feet; thence northeasterly along a curve to the right having an initial tangent bearing of north 29 degrees 05 minutes 00 seconds east, a radius of 1570.50 feet, a central angle of 03 degrees 03 minutes 58 seconds and an arc length of 84.05 feet; thence south 45 degrees 44 minutes 50 seconds east, a distance of 48.62 feet; thence north 34 degrees 21 minutes 13 seconds east, a distance of 383.93 feet, to the

POINT OF BEGINNING, containing 21,980.9 square feet or 0.50 acres, more or less.

and

Permanent Access Easement No. 2:

Commencing at aforesaid POINT "A"; thence southwesterly along the west line of said Union Pacific Railroad and along a curve to the left having an initial tangent bearing of south 28 degrees 01 minutes 28 seconds west, a radius

of 1470.50 feet, a central angle of 02 degrees 04 minutes 03 seconds and an arc length of 53.05 feet, to the POINT OF BEGINNING; thence continuing along said right-of-way line and along a curve to the left having a radius of 1470.50, a central angle of 03 degrees 38 minutes 18 seconds and an arc length of 93.36 feet; thence north 45 degrees 44 minutes 50 seconds west, departing said right-of-way line, a distance of 107.25 feet; thence northeasterly along a curve to the right having an initial tangent bearing of north 23 degrees 46 minutes 50 seconds east, a radius of 1570.50 feet, a central angle of 03 degrees 22 minutes 43 seconds and an arc length of 92.60 feet; thence south 45 degrees 44 minutes 50 seconds east, a distance of 104.96 feet, to the POINT OF BEGINNING, containing 9,298.0 square feet or 0.21 acres, more or less.

Right-of-way:

All that part of the northeast quarter of Section 15, township 48, range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 154.95 feet: thence south 03 degrees 29 minutes 11 seconds west, departing said north line, a distance of 334.35 feet, to a point on the south right-of-way line of East 75th Terrace, as established by Ordinance No. 25234; thence south 57 degrees 03 minutes 07 seconds east, along said right-of-way line, a distance of 35.01 feet; thence south 34 degrees 21 minutes 13 seconds west, departing said right-of-way line, a distance of 390.90 feet; thence south 45 degrees 44 minutes 50 seconds east, a distance of 18.28 feet, to a point on the west right-of-way line of the Union Pacific Railroad, as surveyed; thence southwesterly along said right-of-way line and along a curve to the left having an initial tangent bearing of south 31 degrees 18 minutes 46 seconds west, a radius of 1470.50 feet, a central angle of 03 degrees 17 minutes 18 seconds and an arc length of 84.80 feet, to the POINT OF BEGINNING; thence continuing along said right-of-way line and along a curve to the left having a radius of 1470.50, a central angle of 02 degrees 04 minutes 03 seconds and an arc length of 53.05 feet; thence north 45 degrees 44 minutes 50 seconds west, departing said right-of-way line, a distance of 104.96 feet; thence northeasterly along a curve to the right having an initial tangent bearing of north 27 degrees 09 minutes 33 seconds east,

a radius of 1570.50 feet, a central angle of 01 degrees 55 minutes 27 seconds and an arc length of 52.74 feet; thence south 45 degrees 44 minutes 50 seconds east, a distance of 103.87 feet, to the POINT OF BEGINNING, containing 5,289.7 square feet or 0.12 acres, more or less.

Tract No. 10

Right-of-way:

All that part of the north half of the northeast quarter of Section 15, township 48, range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 656.72 feet; thence south 04 degrees 13 minutes 30 seconds west, departing the north line of said northeast quarter, a distance of 354.68 feet, to the POINT OF BEGINNING; thence south 85 degrees 50 minutes 52 seconds east, a distance of 104.17 feet; thence south 09 degrees 06 minutes 56 seconds east, a distance of 77.05 feet; thence southeasterly along a curve to the left having a radius of 270.00 feet, a central angle of 09 degrees 14 minutes 25 seconds and an arc length of 43.54 feet; thence south 16 degrees 49 minutes 49 seconds west, a distance of 56.48 feet; thence south 51 degrees 11 minutes 35 seconds west, a distance of 100.14 feet; thence north 86 degrees 08 minutes 57 seconds west, a distance of 49.84 feet; thence north 04 degrees 13 minutes 30 seconds east, a distance of 240.00 feet, to the POINT OF BEGINNING, containing 26,804.5 square feet or 0.62 acres, more or less.

Temporary Construction Easement (3 year duration):

All that part of the north half of the northeast quarter of Section 15, township 48, range 33, in Kansas City, Jackson County, Missouri, more particularly described as follows:

Commencing at the northeast corner of Section 15, township 48, range 33; thence north 86 degrees 30 minutes 49 seconds west, along the north line of said northeast quarter, a distance of 656.72 feet; thence south 04 degrees 13 minutes 30 seconds west, departing the north line of said northeast quarter, a distance of 354.68 feet; thence south 85 degrees 50 minutes 52 seconds east, a distance of 104.17 feet, to the POINT OF BEGINNING; thence continuing south 85 degrees 50 minutes 52 seconds east, a distance of 57.23 feet; thence south 16 degrees 49 minutes 49

seconds west, a distance of 47.66 feet; thence south 80 degrees 53 minutes 04 seconds west, a distance of 34.85 feet; thence north 09 degrees 06 minutes 56 seconds west, a distance of 55.99 feet, to the POINT OF BEGINNING, containing 2,306.1 square feet or 0.05 acres, more or less.

Section 5. That just compensation for the property interests taken shall be assessed and paid according to law; and the proceedings to determine compensation shall be prosecuted in one or more suits in the Circuit Court of Jackson County, Missouri, pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, as supplemented or amended by Section 86.01 to 86.10 of the Rules of Civil Procedure. Payment of compensation shall be made by Kansas City from funds appropriated, or to be appropriated, for such purposes.

Section 6. That pending the acquisition of said lands by condemnation, the Director of the Department of Public Works is hereby authorized to negotiate the purchase of said land and pay for them out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Section 7. That said tracts and interests be condemned and conveyed to Kansas City, Missouri.

Section 8. 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 Jackson County, Missouri.

Approved as to form and legality:

Matthew Cooper
Assistant City Attorney