

AGENDA ITEM
January 8, 2019

Subject: Drainage Easement

Department: Public Works

During rainy conditions surface water from the street empties into the backyards of 721 and 725 W Maple. A permanent easement was secured to construct an enclosed storm drain between the properties.

BILL NO. 2019-003

ORDINANCE NO.

A SPECIAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, ACCEPTING THE DRAINAGE EASEMENT AT 725 W. MAPLE, BEING PART OF LOT 4, BLOCK THIRTEEN OF TUCKER'S SECOND ADDITION AS GRANTED BY JAMES M. FARRIS AND LESIA J. FARRIS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

Section 1. The easement attached hereto and incorporated herein by reference granting a drainage easement and temporary construction easement at 725 W. Maple Street is hereby accepted.

Section 2. The City Clerk is authorized to have the easement recorded with the Recorder of Deeds, Vernon County, Missouri.

This ordinance shall be in full force and effect after its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Nevada, Missouri, this ___ day of _____ 2018.

Brian L. Leonard, Mayor

(seal)
ATTEST

Johnna Williams, Deputy City Clerk

**DRAINAGE EASEMENT
AND TEMPORARY CONSTRUCTION EASEMENT**

THIS INDENTURE, made on the 17th day of December 2018, by and between JAMES M. FARRIS and LESIA J. FARRIS husband and wife, of Vernon County, Missouri, whose mailing address is 725 W MAPLE, NEVADA MO 6477, hereafter called Grantor(s) and the City of Nevada, Missouri, a Missouri Home Rule Constitutional Charter municipality, whose address is City Hall, 110 South Ash Street, Nevada, Missouri 64772, hereafter called Grantee,

WITNESSETH, that Grantor, in consideration of the sum of One Dollar and Other Good and Valuable Consideration, the receipt and adequacy of which is hereby acknowledged, does hereby **GRANT, BARGAIN, SELL, CONVEY and CONFIRM** unto the Grantee and unto its successors and assigns forever, an easement for storm sewer drainage line (rainwater) and a temporary easement for construction allowing city to enter upon the lands of the Grantor(s) situated in Nevada, Vernon County, Missouri and described as follows:

Land Owned by Grantors upon which the drain is to be located:

ALL OF LOT FOUR (4) IN BLOCK THIRTEEN (13), OF TUCKER'S
SECOND ADDITION


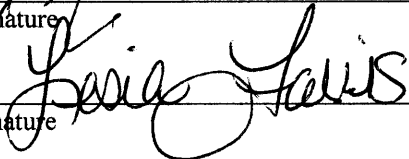
The **Permanent Drainage Line Easement** is restricted to the following tract:

See Exhibit A attached hereto and incorporated herein by reference.

The Temporary construction easement on Grantors property is restricted to a tract extending ten feet on either side of the permanent drainage line easement. See Exhibit A attached hereto and incorporated herein by reference. This temporary easement will expire and be of no further force and effect upon completion of construction.

The rights herein granted will permit the Grantee to construct, operate, inspect, maintain, repair, rebuild, replace, or remove a drainage pipeline, and the right to patrol and inspect the lines and appliances necessary in connection therewith, and to go in and upon said easement at reasonable times for said purposes. Grantors agree to permit and designate reasonable access routes therefore.

TO HAVE AND TO HOLD said easement and rights unto said City of Nevada, Missouri, and unto its successors and assigns.

Signature 
Signature 

James Farris
Print Name
Lesia Farris
Print Name

STATE OF MISSOURI)
) ss.
COUNTY OF VERNON)

ACKNOWLEDGEMENT

On this 17th day of December, 2018, before me a Notary Public in and for Vernon County, Missouri, personally appeared JAMES M. FARRIS to me known to be the Grantor(s) described in and who executed the foregoing instrument and acknowledged that the execution thereof was a free and voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Vernon County, Missouri, the day and year first above written.



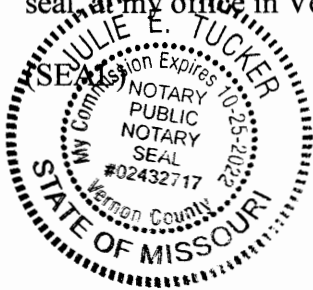
Julie E. Tucker
Notary Public, State of Missouri

STATE OF MISSOURI)
) ss.
COUNTY OF VERNON)

ACKNOWLEDGEMENT

On this 17th day of December, 2018, before me a Notary Public in and for Vernon County, Missouri, personally appeared LESIA J. FARRIS, to me known to be the Grantor(s) described in and who executed the foregoing instrument and acknowledged that the execution thereof was a free and voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Vernon County, Missouri, the day and year first above written.



Julie E. Tucker
Notary Public, State of Missouri

EXHIBIT A

PERM:

A Tract of Land being part of Lot 4 in Tucker's 2nd Addition to the City of Nevada, Vernon County, Missouri. Being described more fully as follows:

Beginning at the Northeast Corner of said Lot 4;
Thence S01°59'02"W a distance of 5.86 feet along the East Line of said Lot 4;
Thence S23°48'00"W a distance of 1.44 feet;
Thence S04°12'09"W a distance of 150.92 feet to the South Line of said Lot 4;
Thence N88°15'50"W a distance of 10.00 feet along said South Line;
Thence N04°12'09"E a distance of 153.08 feet;
Thence N23°48'00"E a distance of 5.47 feet to the North Line of said Lot;
Thence S88°00'58"E a distance of 8.43 feet along said North Line to the Point of Beginning;

Containing 0.04 Acres (1579.2 Square Feet) more or less.

TEMP:

A Tract of Land being part of Lot 4 in Tucker's 2nd Addition to the City of Nevada, Vernon County, Missouri. Being described more fully as follows:

All of the East Twenty-five Feet (25') of Lot 4 in Tucker's 2nd Addition to the City of Nevada, Vernon County, Missouri.

Containing 0.09 Acres (3950.6 Square Feet) more or less.

