



**AGENDA  
CITY OF HARRISONVILLE  
BOARD OF ALDERMEN  
REGULAR MEETING  
CITY HALL  
JUNE 15, 2015  
7:00 PM**

- 1. Call to Order & Pledge of Allegiance**
- 2. Roll Call**
  - A. Roll Call**
- 3. Ceremonial Matters**
  - A. Re-appointments to Park Board**
- 4. Public Participation**
- 5. Agenda Items**
  - A. Hearing on Business License suspension**
  - B. Council Bill 045: AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A SALE AGREEMENT BY AND BETWEEN THE CITY OF HARRISONVILLE AND MFA OIL COMPANY FOR THE SALE OF CERTAIN CITY PROPERTY LOCATED IN HARRISONVILLE, MISSOURI.**
  - C. Council Bill 046: AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A SALE AGREEMENT BY AND BETWEEN THE CITY OF HARRISONVILLE AND MFA OIL COMPANY FOR THE PURCHASE OF CERTAIN CITY PROPERTY LOCATED IN HARRISONVILLE, MISSOURI.**
  - D. Review Mission, Goals and Values**
  - E. Council Bill 047: A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CHANGE ORDER TO YOUNG'S WATERPROOFING AND CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$90,000.00**

- F. **Council Bill 048: A RESOLUTION OF THE CITY OF HARRISONVILLE APPROVING THE PRELIMINARY PLAT OF CASEY'S GENERAL STORE A SUBDIVISION OF LAND IN THE WEST ONE-HALF OF THE WEST ONE-HALF OF LOT 4 OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 44 NORTH, RANGE 31 WEST IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.**
  - G. **Council Bill 049: AN ORDINANCE TO ACCEPT THE FINAL PLAT OF CASEY'S GENERAL STORE, A SUBDIVISION OF LAND IN THE WEST ONE-HALF OF THE WEST ONE-HALF OF LOT 4 OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 44 NORTH, RANGE 31 WEST, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI**
  - H. **Council Bill 050: AN ORDINANCE TO ALLOW THE CITY OF HARRISONVILLE TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION TO ALLOW THE CITY OF HARRISONVILLE POLICE DEPARTMENT TO PROVIDE TRAFFIC CONTROL IN WORK ZONES WITHIN THE CITY AND TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE THE ATTACHED AGREEMENT**
- 6. **Aldermen and Committee Reports**
  - 7. **Report from the City Administrator**
  - 8. **Report from the Mayor**
  - 9. **Questions from the Media**
  - 10. **Adjourn to Executive Session**
  - 11. **Adjourn From Regular Session**

**Posted on City Hall Bulletin Board this 12th day of June**

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**Kim Hubbard, City Clerk**

**The Board of Aldermen meeting is an open meeting but is not a meeting of the public. There is a place on the agenda for comments of citizens under PUBLIC PARTICIPATION. Our rule is that comments by any individual or group shall not exceed (4) minutes. The Board of Aldermen request that concerns be initially addressed at the appropriate action level before coming to the Board of Alderman**



**TO:** Board of Aldermen  
**FROM:** Sheryl Stanley, Deputy City Clerk  
**DATE:** June 11, 2015  
**SUBJECT:** Re-appointments to Park Board

**Type of Item:** *Appointment*

Mayor Hasek recommends re-appoint of Cathy Faris, David Atkinson, and Phil Rogers to full, three-year terms on the Park Board.

**A. Action Item (ID # 1917)**

Re-appointments to Park Board

Attachments:

Cathy Faris, Park Board (PDF)

David Atkinson, Park Board (PDF)

Phil Rogers, Park Board (PDF)

## COMMISSION

STATE OF MISSOURI     )  
COUNTY OF CASS        )  
CITY OF HARRISONVILLE)

THE CITY OF HARRISONVILLE TO ALL WHO SHALL SEE THESE PRESENTS-GREETING:

**KNOW YE**, that in pursuance of the Mayor and Board of Aldermen, and in pursuance of the Statute and Ordinances in such cases made and approved, and by virtue of the power and authority in us vested, we do hereby

## APPOINT AND COMMISSION

**Cathy Faris** TO THE OFFICE OF THE **Park Board** And she is hereby authorized and empowered to discharge the duties of said office according to law; to have and to hold said office with all privileges and emoluments to the same of right pertaining unto her the said **Park Board**.

For and during the term of 3 years ending June 2018 or until her successor in said office shall be duly appointed and qualified.

**IN TESTIMONY WHEREOF**, we have caused this to be signed by the Mayor of the City of Harrisonville and witnessed by the Clerk of said City, and the seal of said City to be affixed hereto.

Done at Harrisonville, in said County, this 15<sup>th</sup> day of June 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Attachment: Cathy Faris, Park Board (1917 : Re-appointments to Park Board)

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**Park Board**

\_\_\_\_\_

**for**

**Cathy Faris**

\_\_\_\_\_

=====

## COMMISSION

STATE OF MISSOURI     )  
COUNTY OF CASS        )  
CITY OF HARRISONVILLE)

THE CITY OF HARRISONVILLE TO ALL WHO SHALL SEE THESE PRESENTS-GREETING:

**KNOW YE**, that in pursuance of the Mayor and Board of Aldermen, and in pursuance of the Statute and Ordinances in such cases made and approved, and by virtue of the power and authority in us vested, we do hereby

### APPOINT AND COMMISSION

**David Atkinson** TO THE OFFICE OF THE **Park Board** And he is hereby authorized and empowered to discharge the duties of said office according to law; to have and to hold said office with all privileges and emoluments to the same of right pertaining unto him the said **Park Board**.

For and during the term of 3 years ending June 2018 or until his successor in said office shall be duly appointed and qualified.

**IN TESTIMONY WHEREOF**, we have caused this to be signed by the Mayor of the City of Harrisonville and witnessed by the Clerk of said City, and the seal of said City to be affixed hereto.

Done at Harrisonville, in said County, this 15<sup>th</sup> day of June 2015

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Attachment: David Atkinson, Park Board (1917 : Re-appointments to Park Board)

=====

**Park Board**

\_\_\_\_\_

**for**

**David Atkinson**

\_\_\_\_\_

=====

## COMMISSION

STATE OF MISSOURI     )  
COUNTY OF CASS        )  
CITY OF HARRISONVILLE)

THE CITY OF HARRISONVILLE TO ALL WHO SHALL SEE THESE PRESENTS-GREETING:

**KNOW YE**, that in pursuance of the Mayor and Board of Aldermen, and in pursuance of the Statute and Ordinances in such cases made and approved, and by virtue of the power and authority in us vested, we do hereby

### APPOINT AND COMMISSION

**Phil Rogers** TO THE OFFICE OF THE **Park Board** And he is hereby authorized and empowered to discharge the duties of said office according to law; to have and to hold said office with all privileges and emoluments to the same of right pertaining unto him the said **Park Board**.

For and during the term of 3 years ending June 2018 or until his successor in said office shall be duly appointed and qualified.

**IN TESTIMONY WHEREOF**, we have caused this to be signed by the Mayor of the City of Harrisonville and witnessed by the Clerk of said City, and the seal of said City to be affixed hereto.

Done at Harrisonville, in said County, this 15<sup>th</sup> day of June 2015

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Attachment: Phil Rogers, Park Board (1917 : Re-appointments to Park Board)

=====

**Park Board**

\_\_\_\_\_

**for**

**Phil Rogers**

\_\_\_\_\_

=====



**TO: Board of Aldermen**  
**FROM: Mike Tholen, Director**  
**DATE: June 11, 2015**  
**SUBJECT: Hearing on Business License suspension**

**Type of Item:** *Approval*

The State of Missouri Department of Revenue has asked the City to suspend the business license of Morgan Anne Inc. for being delinquent more than ninety days in the payment of various sales taxes, in accordance with state law. They have also asked the City to prohibit the merchant from operating the business until the delinquency has been settled.

The City policy in these cases is to hold a hearing before the Board of Aldermen in order for the merchant to make their case against suspension. The State does not participate in the hearing; they send us notice when a revocation is warranted, and they issue a no tax due certificate when it is settled.

Sales taxes are not like a bill due a vendor; they are monies held in trust from a group of customers to the various taxing agencies. The merchant received the money, because it was specifically and separately charged to the customer at the point of sale. The staff recommends that the City proceed with the suspension, and let the merchant work with the Department of Revenue for a settlement of the issue without the City in the middle.

**A. Discussion Item (ID # 1918)**

Hearing on Business License suspension

Attachments:

Morgan-Anne docs (PDF)



300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

May 28, 2015

Morgan-Anne Inc.  
2101 Plaza Dr.  
Harrisonville, MO 64701

Re: A Suspension Hearing has been set before the Board of Aldermen, due to Revocation Notice from State of Missouri Notice Number: 201433900011036

Lawrence and Tracy Goff owners of Morgan-Anne Inc.

The City of Harrisonville has received a sales tax license revocation notice from the State of Missouri due to delinquent payment of sales tax collected by Morgan-Anne, Inc. 2101 Plaza Dr., Harrisonville, MO. 64701.

A Business License Suspension hearing has been set for June 15, 2015 at 7:00pm in council chambers before the Board of Aldermen of the City of Harrisonville, MO at 300 E Pearl St, Harrisonville, MO. Lawrence and Tracy Goff will need to bring proof showing that he/she is actively attempting to negotiate an agreement resolving the delinquent sales tax payments with the Department of Revenue. If the dispute has been resolved a State of Missouri No Tax Due Letter should be presented.

The decision to toll the suspension or revocation of a business license is in the sole discretion of the Board of Aldermen (Ordinance 3258 Amend section 605.90 of the Harrisonville, Missouri Code or Ordinances).

You may contact the Department of Revenue in Jefferson City. All questions you may have regarding the delinquent taxes should be directed to them. The phone number for the main office in Jefferson City is 1-573-526-5102.

If you have any questions concerning the hearing you may contact the City Collector at 816-380-8908.

Sincerely,

Donna Crow  
City Collector  
City of Harrisonville, MO  
cc Attached copy Revocation Notice

Attachment: Morgan-Anne docs (1918 : Hearing on Business License suspension)



MISSOURI DEPARTMENT OF REVENUE  
PO BOX 1646  
JEFFERSON CITY MO 65105-1646  
(573) 526-5102

RECEIVED

MAY 28 2015

CITY OF HARRISONVILLE

REVOCATION NOTICE

|                                                   |                                     |
|---------------------------------------------------|-------------------------------------|
| FORM<br><b>P601</b><br><small>(Rev 02-14)</small> | Date<br><b>MAY 01, 2015</b>         |
|                                                   | MO Tax ID Number<br><b>19027427</b> |
| Notice Number: <b>201433900011036</b>             |                                     |
| PHONE<br>(573) 526-5102                           |                                     |

CITY CLERK  
PO BOX 367  
HARRISONVILLE MO 64701

The Missouri Department of Revenue is hereby notifying you that the Missouri sales tax license, previously issued to the debtor named below, has been revoked. The debtor is delinquent in the payment of tax as required to be paid under Chapters 143, 144, 66, 67, 70, 92, 94, 190, 238, 321, and 644, RSMo.

Name of Debtor(s): **MORGAN ANNE INC**

Business Name: **MORGAN ANNE INC**

Property Location: **2101 PLAZA DRIVE HARRISONVILLE MO**

Section 144.083.2, RSMo, states:

"The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

Therefore, the Department of Revenue requests that you inform the above individual that his occupational and/or merchants license is null and void, and note this on your records. If your ordinance provides you with authority to close a business that does not have a valid license, we request that you do so.

Attachment: Morgan-Anne docs (1918 : Hearing on Business License suspension)



## STAFF REPORT

**TO:** Board of Aldermen  
**FROM:** Rick Deluca, Director  
**DATE:** June 10, 2015  
**SUBJECT:** MFA Land Swap Ordinance - The Sale

**Type of Item:** *Approval*

**Type of Item:** Action

**Background:**

MFA Oil Company purchased the subject property in 1984. Since that time, MFA hired Bower's Survey to survey their site. MFA discovered that they own a portion of Cedar Street (Tract B - orange) and the City owns a portion of the property that MFA has been using (Tract A - blue). Therefore, MFA is requesting that the City and MFA exchange parcels of property.

**Attachments.**

General Map of area  
 Highlighted survey  
 Survey of MFA property  
 1984 Deed - MFA purchase  
 Quit Claim Deed to City  
 Quit Claim Deed to MFA  
 Letter of Request from MFA

**Recommendation:**

Approval

**Council Bill No. 045****Ordinance No.**

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A SALE  
AGREEMENT BY AND BETWEEN THE CITY OF HARRISONVILLE AND  
MFA OIL COMPANY FOR THE SALE OF CERTAIN CITY PROPERTY  
LOCATED IN HARRISONVILLE, MISSOURI.**

WHEREAS, MFA Oil Company discovered that the City of Harrisonville currently owns property that they currently use for doing business (Exhibit A - Tract A); and

WHEREAS, it has been discovered that MFA Oil Company owns property that is currently used for Cedar Street, a public street (Exhibit A - Tract B); and

WHEREAS, MFA Oil Company and the City desire to exchange property.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE  
CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:**

Section 1: That the Mayor of the City of Harrisonville is hereby authorized and directed to execute a contract for sale of real estate on behalf of the City of Harrisonville and that the City Clerk is hereby authorized and directed to attest thereto and the description of said property is attached and made a part of "Exhibit A".

Section 2: That The City of Harrisonville agrees to sell property to MFA Oil Company located adjacent to the existing MFA Oil Company site (Exhibit A - Tract A) and located within the site currently used by MFA Oil Company for conducting business.

Section 3: That this ordinance shall become effective immediately upon its passage and approval.

Vote taken as follows:

Ayes:

Nays:

Absent:

Abstain:

Read two times by title only on June 15, 2015 and passed by the Board of Aldermen of the City of Harrisonville, Missouri, this 15<sup>th</sup> day of June 2015.

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Mayor Brian Hasek

Chairman of the Board of Aldermen

ATTEST:

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Kim Hubbard, City Clerk

APPROVED by the Mayor this 15<sup>th</sup> day of June 2015.



# TRACT SKETCH



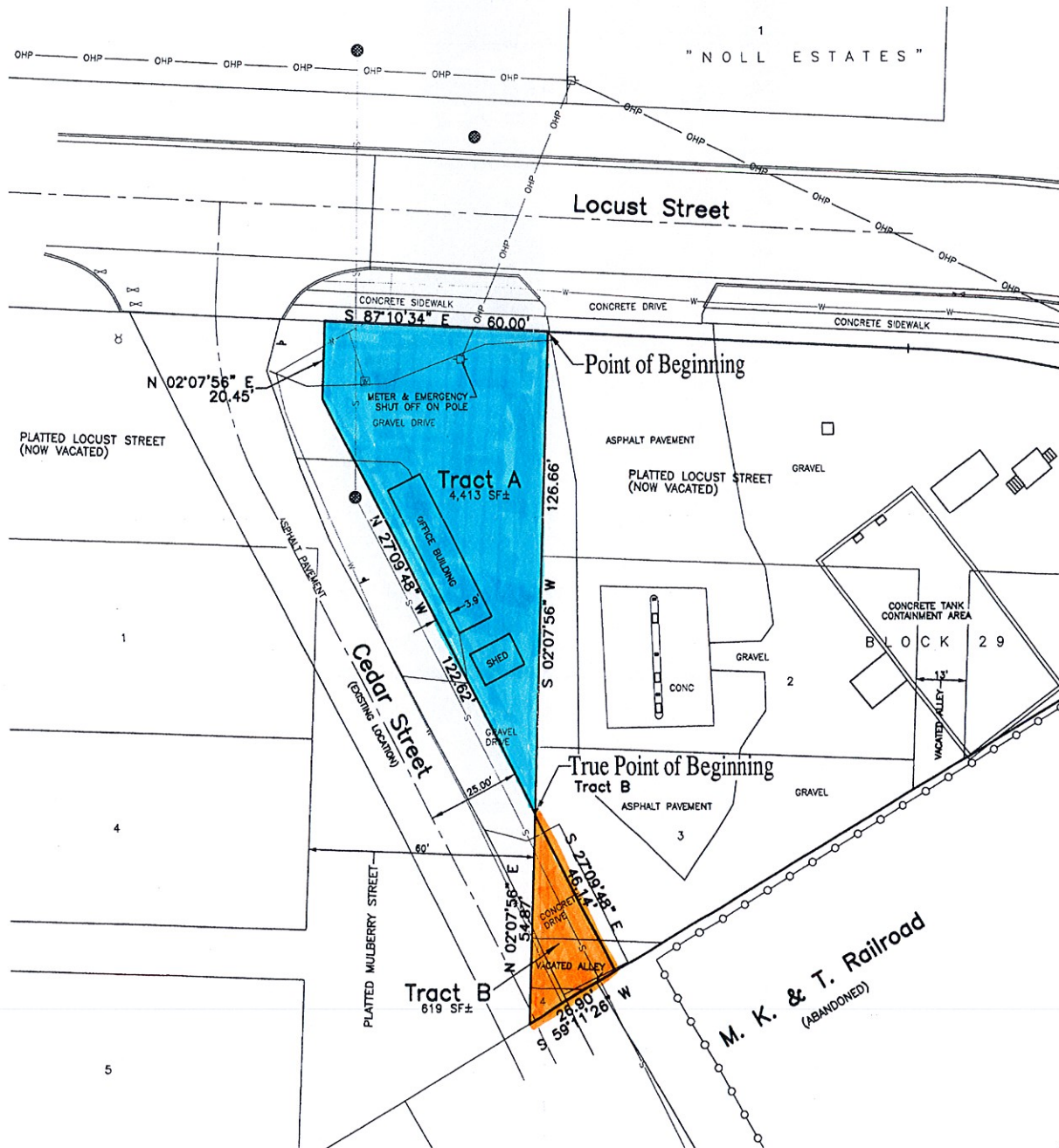
20' 0 20' 40'  
SCALE IN FEET SCALE: 1" = 20'

## Description: Tract A Public Right-of-Way to MFA

PART OF THE RIGHT-OF-WAY OF THE NOW VACATED LOCUST STREET AND PART OF THE RIGHT-OF-WAY OF MULBERRY STREET AS PLATTED IN DUTRO'S ADDITION TO THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS PRESENTLY LOCATED AND A NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AS PREVIOUSLY PLATTED AND RECORDED, THENCE SOUTH 2°07'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AND THE NORTHERLY PROJECTION THEREOF, 126.66 FEET; THENCE NORTH 27°09'48" WEST, 122.62 FEET; THENCE NORTH 2°07'56" EAST, 20.45 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS NOW LOCATED; THENCE SOUTH 87°10'34" EAST ALONG SAID RIGHT-OF-WAY LINE, 60.00 FEET TO THE POINT OF BEGINNING.

## Description: Tract B MFA to Public Right-of-Way

PART OF LOT 3, ALL OF LOT 4, AND PART OF THE VACATED 20 FOOT ALLEY LYING BETWEEN LOTS 3 AND 4, IN BLOCK 29 OF DUTRO'S ADDITION TO THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS PRESENTLY LOCATED AND A NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AS PREVIOUSLY PLATTED AND RECORDED, THENCE SOUTH 2°07'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AND THE NORTHERLY PROJECTION THEREOF, 126.66 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE SOUTH 27°09'48" EAST, 46.14 FEET; THENCE SOUTH 59°11'26" WEST, 26.90 FEET; THENCE NORTH 2°07'56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MULBERRY STREET, 54.87 FEET TO THE TRUE POINT OF BEGINNING.



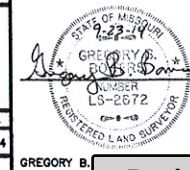
NOTE: THE PURPOSE OF THIS DRAWING IS TO AID IN A PROPOSED LAND TRANSACTION. IT DOES NOT CONSTITUTE A BOUNDARY SURVEY. PROPERTY CORNERS HAVE NOT BEEN SET AT THIS TIME.

FOR: MFA OIL COMPANY COLUMBIA, MISSOURI

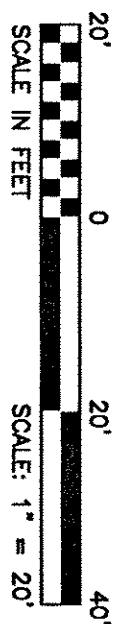
**BOWERS SURVEY LLC**  
ESTABLISHED 1962  
1908 W. MECHANIC STREET, SUITE 104  
P.O. BOX 71  
HARRISONVILLE, MISSOURI 64701  
PHONE (816) 380-4821 bowersurvey@earthlink.net

| SECTION | TOWNSHIP | RANGE | COUNTY | STATE    | DATE    | JOB NO.  |
|---------|----------|-------|--------|----------|---------|----------|
| 4       | 44       | 31    | CASS   | MISSOURI | 9/23/14 | 20981-14 |

DRAWING NO. 20981F.DWG DRAWN BY: GB CHECKED BY:



# TRACT SKETCH



## Description: Tract A

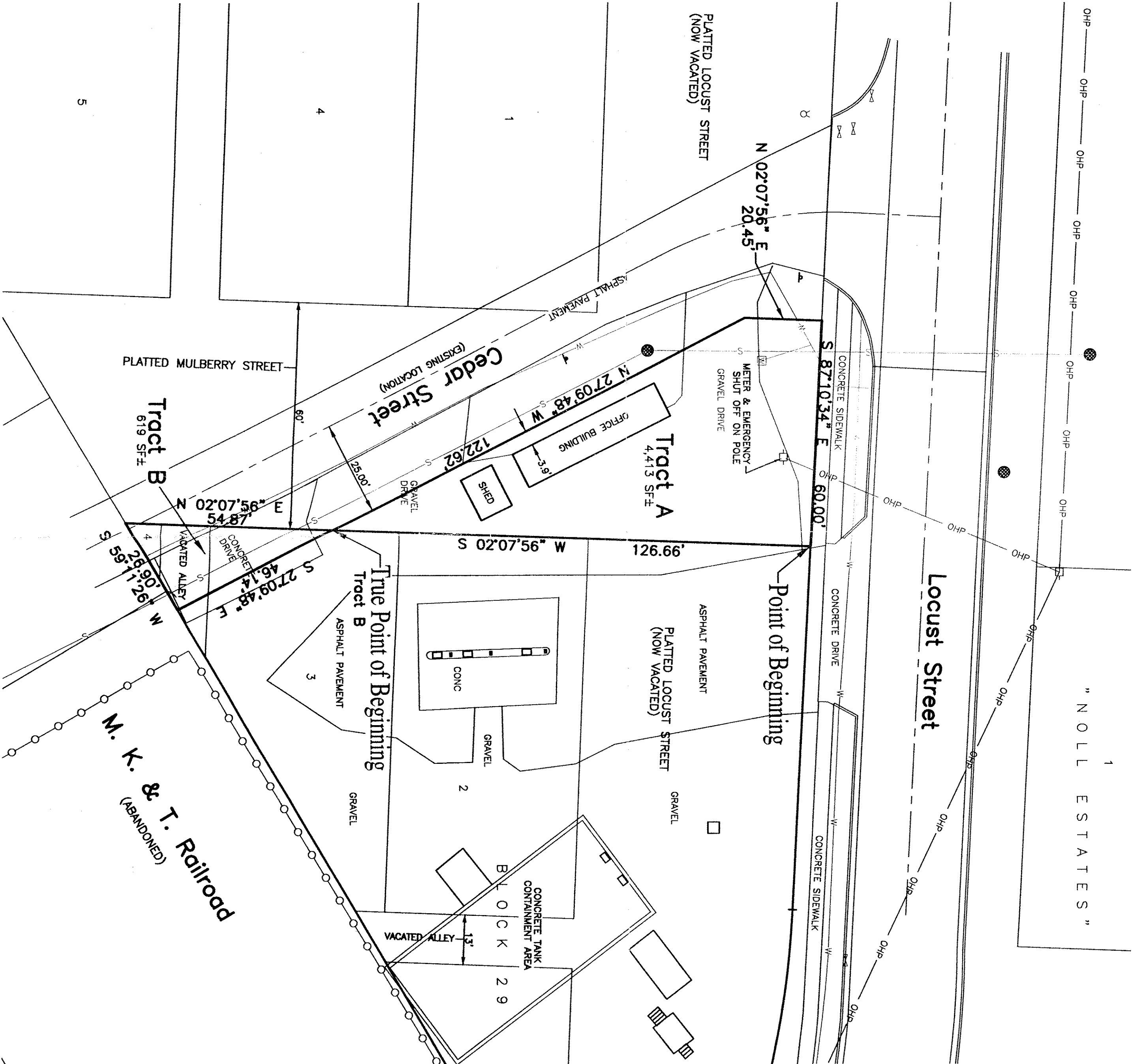
Public Right-of-Way to MFA

PART OF THE RIGHT-OF-WAY OF THE NOW VACATED LOCUST STREET AND PART OF THE RIGHT-OF-WAY OF MULBERRY STREET AS PLATTED IN DUTRO'S ADDITION TO THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS PRESENTLY LOCATED AND A NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AS PREVIOUSLY PLATTED AND RECORDED, THENCE SOUTH 2°07'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AND THE NORTHERLY PROJECTION THEREOF, 126.66 FEET; THENCE NORTH 27°09'48" WEST, 122.62 FEET; THENCE NORTH 2°07'56" EAST, 20.45 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS NOW LOCATED; THENCE SOUTH 87°10'34" EAST ALONG SAID RIGHT-OF-WAY LINE, 60.00 FEET TO THE POINT OF BEGINNING.

## Description: Tract B

MFA to Public Right-of-Way

PART OF LOT 3, ALL OF LOT 4, AND PART OF THE VACATED 20 FOOT ALLEY LYING BETWEEN LOTS 3 AND 4, IN BLOCK 29 OF DUTRO'S ADDITION TO THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS PRESENTLY LOCATED AND A NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AS PREVIOUSLY PLATTED AND RECORDED, THENCE SOUTH 2°07'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AND THE NORTHERLY PROJECTION THEREOF, 126.66 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE SOUTH 27°09'48" EAST, 46.14 FEET; THENCE SOUTH 59°11'26" WEST, 26.90 FEET; THENCE NORTH 2°07'56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MULBERRY STREET, 54.87 FEET TO THE TRUE POINT OF BEGINNING.



NOTE: THE PURPOSE OF THIS DRAWING IS TO AID IN A PROPOSED LAND TRANSACTION. IT DOES NOT CONSTITUTE A BOUNDARY SURVEY. PROPERTY CORNERS HAVE NOT BEEN SET AT THIS TIME.

FOR: MFA OIL COMPANY

COLUMBIA, MISSOURI

**BOWERS SURVEY LLC**

ESTABLISHED 1962



1908 W. MECHANIC STREET, SUITE 104  
P.O. BOX 71  
HARRISONVILLE, MISSOURI 64701  
PHONE (816) 360-4821

bowersurvey@earthlink.net

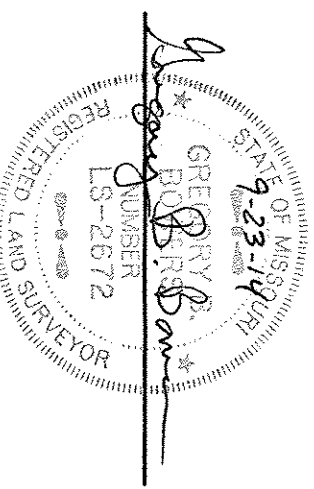
| SECTION | TOWNSHIP | RANGE | COUNTY | STATE    | DATE    | JOB NO.  |
|---------|----------|-------|--------|----------|---------|----------|
| 4       | 44       | 31    | CASS   | MISSOURI | 9/23/14 | 20981-14 |

DRAWING NO. 20981F.DWG

DRAWN BY: GB

CHECKED BY:

GREGORY B. BOWERS MO LS 2672



# Missouri Warranty Deed

This Indenture,

Made on the 10th

Day of December

A. D. One

Thousand Nine Hundred and Eighty-four

A. HAROLD SMITH and WILDERED M. SMITH, husband and wife

of the County of Cass

State of Missouri

part 1st of the first part, and

MFA OIL COMPANY

of the County of Boone

State of Missouri

part y of the second part,

(Mailing address of said first named grantee is P. O. Box 519, Columbia, Missouri 65205 )

WITNESSETH: THAT THE SAID PART IES OF THE FIRST PART, in consideration of the sum of One dollar and other valuable considerations DOLLARS to them paid by said part y of the second part (the receipt of which is hereby acknowledged), do by these presents, Grant, Bargain and Sell, Convey and Confirm unto the said part y of the second part its heirs and assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Cass and State of Missouri, to-wit:

All of Block 29, DUTRO'S ADDITION, to the City of Harrisonville, Cass County, Missouri, according to the recorded Plat thereof of record in Book 5 at Page 182, and all of the vacated Locust Street located southerly of Locust Street as now located, Northerly of said Block 29, DUTRO'S ADDITION, and Northwesterly of the right of way of the Missouri, Kansas, and Texas Railroad, and all of the vacated unnamed alley located in said Block 29, DUTRO'S ADDITION, and Northerly of the right of way of the Missouri, Kansas and Texas Railroad, and as shown on the recorded Plat of DUTRO'S ADDITION.

TO HAVE AND TO HOLD The premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said part y of the second part and unto its heirs and assigns forever; the said

First Parties hereby covenanting that they are lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear from any incumbrances done or suffered by them or those under whom they claim; and that they will warrant and defend the title to the said premises unto the said part y of the second part and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever

IN WITNESS WHEREOF, The said part y of the first part has hereunto set their hand & seal & the day and year above written.

*J. Harold Smith* (SEAL)  
J. Harold Smith

*Wildered M. Smith* (SEAL)  
Wildered M. Smith

*Wildered M. Smith* (SEAL)  
Wildered M. Smith

(SEAL)



---

### QUITCLAIM DEED

THIS INDENTURE is made as of \_\_\_\_\_, 2015, by and between MFA Oil Company, a Missouri cooperative, Grantor, and the City of Harrisonville, Missouri with a mailing address of \_\_\_\_\_, Harrisonville, Missouri \_\_\_\_\_, Grantee:

WITNESSETH: That Grantor, in consideration of the sum of Ten Dollars and other valuable consideration to it by Grantee, the receipt of which is hereby acknowledged, does by these presents, Remise, Release and forever Quitclaim unto Grantee, its successors and assigns, the following described real estate, situated in the County of Cass and the State of Missouri, to-wit:

Part of Lot 3, All of Lot 4, and part of the vacated 20 foot alley lying between Lots 3 and 4, in Block 29 of Dutro's Addition to the City of Harrisonville, Cass County, Missouri, described as follows: Beginning at the intersection of the south right-of-way line of Locust Street as presently located and a northerly projection of the east right-of-way line of Mulberry Street as previously platted and recorded, thence south 2°07'56" west along the east right-of-way line of Mulberry Street and the northerly projection thereof, 126.66 feet to the true point of beginning of the tract to be described; thence south 27°09'48" east, 46.14 feet; thence south 59°11'26" west, 26.90 feet; thence north 2°07'56" east along the east right-of-way line of said Mulberry Street, 54.87 feet to the true point of beginning.

TO HAVE AND TO HOLD the same with all the rights and immunities, privileges, and appurtenances thereto belonging unto the said Grantee, and its successors and assigns, FOREVER; so that neither the said Grantor nor any other person or persons for it or in its name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, Grantor executed and delivered this deed as of the day and year first above written.

Grantor: MFA Oil Company

By \_\_\_\_\_  
\_\_\_\_\_

Accepted by the City of Harrisonville.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF MISSOURI                    )  
                                                      ) ss.  
COUNTY OF BOONE                    )

On this \_\_\_\_ day of \_\_\_\_\_ in the year 2015, before me \_\_\_\_\_  
\_\_\_\_\_, a Notary Public in and for said state, personally appeared  
\_\_\_\_\_, \_\_\_\_\_ of MFA Oil Company, a Missouri  
cooperative, known to me to be the person who executed the within Quitclaim Deed in behalf of  
said cooperative, and acknowledged to me that he executed the same for the purposes therein  
stated. In witness whereof, I have hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My term expires:

---

### QUITCLAIM DEED

THIS INDENTURE is made as of \_\_\_\_\_, 2015, by and between the City of Harrisonville, Missouri, Grantor, and MFA Oil Company, a Missouri cooperative, with a mailing address of One Ray Young Drive, P.O. Box 519, Columbia, Missouri 65205-0519, Grantee:

WITNESSETH: That Grantor, in consideration of the sum of Ten Dollars and other valuable consideration to it by Grantee, the receipt of which is hereby acknowledged, does by these presents, Remise, Release and forever Quitclaim unto Grantee, its successors and assigns, the following described real estate, situated in the County of Cass and the State of Missouri, to-wit:

Part of the right-of-way of the now vacated Locust Street and part of the right-of-way of Mulberry Street as platted in Dutro's Addition to the City of Harrisonville, Cass County, Missouri, described as follows: Beginning at the intersection of the south right-of-way line of Locust Street as presently located and a northerly projection of the east right-of-way line of Mulberry Street as previously platted and recorded, thence South 2°07'56" west along the east right-of-way line of Mulberry Street and the northerly projection thereof, 126.66 feet; thence north 27°09'48" west, 122.62 feet; thence north 2°7'56" east, 20.45 feet to a point on the south right-of-way line of Locust Street as now located; thence south 87°10'34" east along said right-of-way line, 60.00 feet to the point of beginning.

TO HAVE AND TO HOLD the same with all the rights and immunities, privileges, and appurtenances thereto belonging unto the said Grantee, and its successors and assigns, FOREVER; so that neither the said Grantor nor any other person or persons for it or in its name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, Grantor executed and delivered this deed as of the day and year first above written.

Grantor: City of Harrisonville, Missouri

By \_\_\_\_\_  
\_\_\_\_\_

STATE OF MISSOURI                    )  
                                                  ) ss.  
COUNTY OF CASS                    )

On this \_\_\_\_ day of \_\_\_\_\_ in the year 2015, before me \_\_\_\_\_  
\_\_\_\_\_, a Notary Public in and for said state, personally appeared  
\_\_\_\_\_, \_\_\_\_\_ of the City of Harrisonville,  
Missouri, known to me to be the person who executed the within Quitclaim Deed in behalf of  
said city, and acknowledged to me that he executed the same for the purposes therein stated. In  
witness whereof, I have hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My term expires:

Attachment: MFA Land Swap Attachments (1912 : MFA Land Swap Ordinance - The Sale)

**SMITH LEWIS, LLP**

ATTORNEYS AT LAW

P.O. BOX 918  
COLUMBIA, MISSOURI 65205-0918...  
CITY CENTRE111 SOUTH NINTH STREET, SUITE 200  
COLUMBIA, MISSOURI 65201-4891

(573) 443-3141 • Fax (573) 442-6686

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BETHANY R. FINDLEY  
MATTHEW R. QUETSCHOF COUNSEL  
ROBERT C. SMITHPARALEGAL  
CHERYL L. LOBB  
DAWN KLEMPKELEGAL NURSE CONSULTANT  
KAREN ASHRAFAZADEH, RN

April 16, 2015

*Via Email (rdeluca@ci.harrisonville.mo.us)*

Rick DeLuca

Director of Community Development

City of Harrisonville, Missouri

RE: MFA Oil Company—Proposed Property Exchange

Dear Mr. DeLuca:

As you know, our firm represents MFA Oil Company ("MFA Oil"). MFA Oil purchased a tract of land in the City of Harrisonville in 1984 and has been occupying it since that time. There is currently a Petro Card station on the property, located at the intersection of Locust and Cedar Streets.

Recently MFA Oil became aware that its deed description does not exactly match what is being occupied. For your review, I am attaching a copy of MFA Oil's 1984 deed, as well as a signed and sealed Tract Sketch for your review. The legal description, recently surveyed by Bowers Survey LLC in Harrisonville, includes Blocks 1, 2, 3, and 4, on the right hand side of the sketch. MFA Oil has also possessed and occupied a portion of platted Locust and Mulberry Streets, identified as Tract A in the sketch. And part of the property described in MFA Oil's deed is actually in the Cedar Street right of way—this is identified as Tract B.

MFA Oil proposes that it and the City exchange quitclaim deeds, with the City conveying Tract A to MFA Oil and MFA Oil conveying Tract B to the City. The legal descriptions for those conveyances are set out at the top of the Tract Sketch. I am also enclosing drafts of the quitclaim deeds we propose to exchange.

I look forward to hearing from you.

Sincerely,



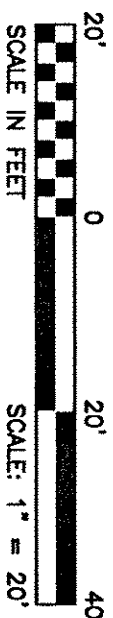
Amanda Allen Miller

Enclosures

Attachment: MFA Land Swap Attachments (1912 : MFA Land Swap Ordinance - The Sale)

**Description: Tract B**  
MFA to Public Right-of-Way

PART OF LOT 3, ALL OF LOT 4 AND PART OF THE VACATED 20  
 FOOT ALLEY LYING BETWEEN LOTS 3 AND 4, IN BLOCK 29 OF  
 DUTROS ADDITION TO THE CITY OF HARRISONVILLE, CASS COUNTY,  
 MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE  
 INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LOCUST  
 STREET AS PRESENTLY LOCATED AND A NORTHERLY PROJECTION OF  
 THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AS  
 PREVIOUSLY PLATTED AND RECORDED, THENCE SOUTH 207°56' WEST  
 ALONG THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AND  
 THE NORTHERLY PROJECTION THEREOF, 126.66 FEET TO THE TRUE  
 POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE  
 SOUTH 27°09'48" EAST, 46.14 FEET; THENCE SOUTH 59°11'26" WEST,  
 26.90 FEET; THENCE NORTH 2°07'56" EAST ALONG THE EAST  
 RIGHT-OF-WAY LINE OF SADD MULBERRY STREET, 54.87 FEET TO  
 THE TRUE POINT OF BEGINNING.



12-23-14  
 STATE OF MISSOURI  
 CLERK OF COURTS  
 J. GREGORY B. BOWERS  
 SUPERVISOR  
 REGISTERED LAND  
 BOUBSER  
 LS-2672  
 MO LS 2672

NOTE: THE PURPOSE OF THIS DRAWING IS TO AID IN A PROPOSED LAND TRANSACTION. IT DOES NOT CONSTITUTE A BOUNDARY SURVEY. PROPERTY CORNERS HAVE NOT BEEN SET AT THIS TIME.



## STAFF REPORT

**TO:** Board of Aldermen  
**FROM:** Rick Deluca, Director  
**DATE:** June 10, 2015  
**SUBJECT:** MFA Land Swap Ordinance - The Purchase

**Type of Item:** *Approval*

**Type of Item:** Action

**Background:**

MFA Oil Company purchased the subject property in 1984. Since that time, MFA hired Bower's Survey to survey their site. MFA discovered that they own a portion of Cedar Street (Tract B - orange) and the City owns a portion of the property that MFA has been using (Tract A - blue). Therefore, MFA is requesting that the City and MFA exchange parcels of property.

**Attachments.**

General Map of area

Highlighted survey

Survey of MFA property

1984 Deed - MFA purchase

Quit Claim Deed to City

Quit Claim Deed to MFA

Letter of Request from MFA

**Recommendation:**

Approval

**Council Bill No. 046****Ordinance No.**

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A SALE  
AGREEMENT BY AND BETWEEN THE CITY OF HARRISONVILLE AND  
MFA OIL COMPANY FOR THE PURCHASE OF CERTAIN CITY PROPERTY  
LOCATED IN HARRISONVILLE, MISSOURI.**

WHEREAS, MFA Oil Company discovered that the City of Harrisonville currently owns property that they currently use for doing business (Exhibit A - Tract A); and

WHEREAS, it has been discovered that MFA Oil Company owns property that is currently used for Cedar Street, a public street (Exhibit A - Tract B); and

WHEREAS, MFA Oil Company and the City desire to exchange property.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE  
CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:**

Section 1: That the Mayor of the City of Harrisonville is hereby authorized and directed to execute a contract for purchase of real estate on behalf of the City of Harrisonville and that the City Clerk is hereby authorized and directed to attest thereto and the description of said property is attached and made a part of "Exhibit A".

Section 2: That The City of Harrisonville agrees to purchase property from MFA Oil Company located adjacent to the existing MFA Oil Company site (Exhibit A - Tract B) and within a tract of land currently used for Cedar Street.

Section 3: That this ordinance shall become effective immediately upon its passage and approval.

Vote taken as follows:

Ayes:

Nays:

Absent:

Abstain:

Read two times by title only on June 15, 2015 and passed by the Board of Aldermen of the City of Harrisonville, Missouri, this 15<sup>th</sup> day of June 2015.

---

Mayor Brian Hasek

Chairman of the Board of Aldermen

ATTEST:

---

Kim Hubbard, City Clerk

APPROVED by the Mayor this 15<sup>th</sup> day of June 2015.



# TRACT SKETCH



20' 0 20' 40'  
SCALE IN FEET SCALE: 1" = 20'

## Description: Tract A

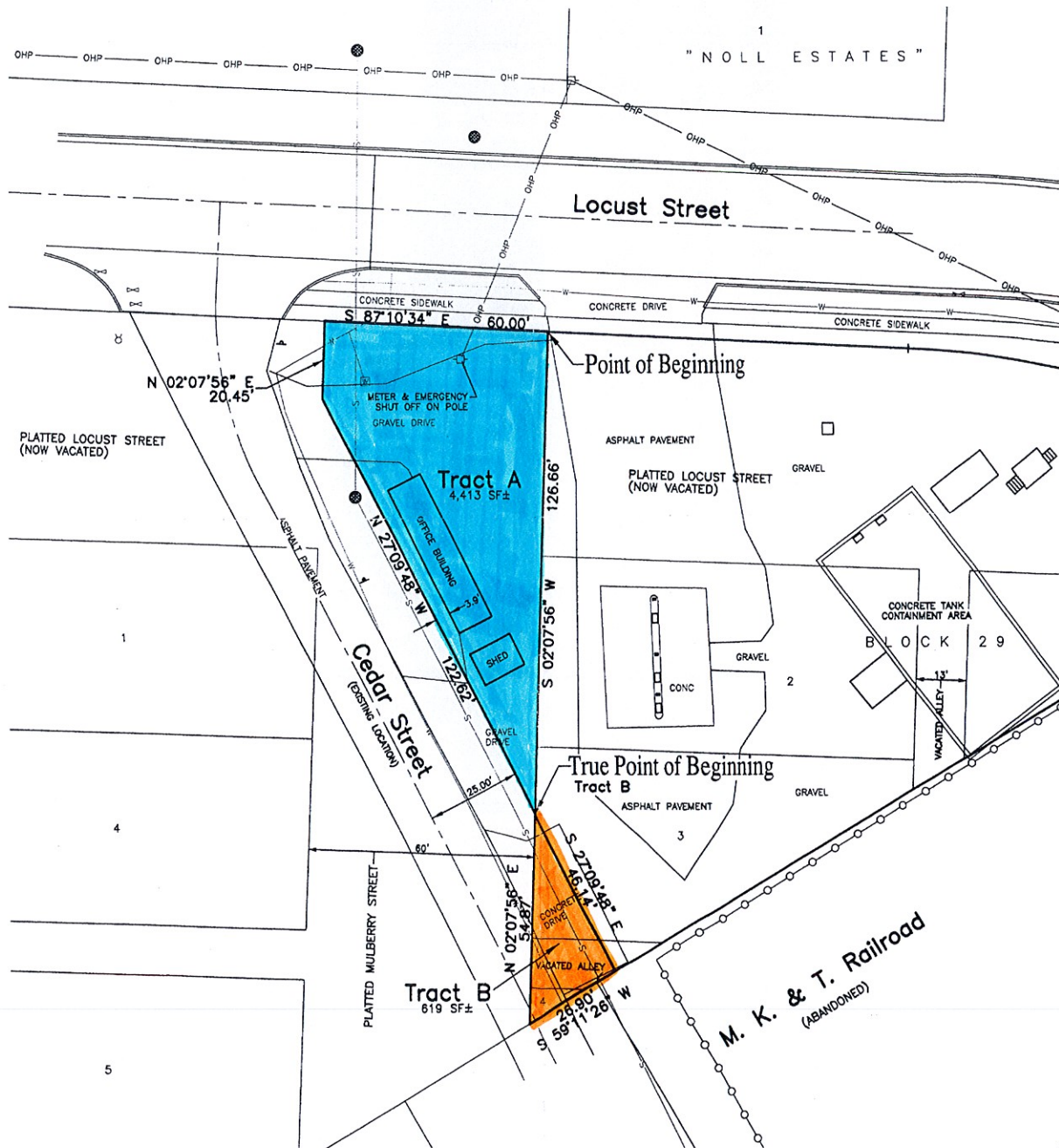
### Public Right-of-Way to MFA

PART OF THE RIGHT-OF-WAY OF THE NOW VACATED LOCUST STREET AND PART OF THE RIGHT-OF-WAY OF MULBERRY STREET AS PLATTED IN DUTRO'S ADDITION TO THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS PRESENTLY LOCATED AND A NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AS PREVIOUSLY PLATTED AND RECORDED, THENCE SOUTH 2°07'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AND THE NORTHERLY PROJECTION THEREOF, 126.66 FEET; THENCE NORTH 27°09'48" WEST, 122.62 FEET; THENCE NORTH 2°07'56" EAST, 20.45 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS NOW LOCATED; THENCE SOUTH 87°10'34" EAST ALONG SAID RIGHT-OF-WAY LINE, 60.00 FEET TO THE POINT OF BEGINNING.

## Description: Tract B

### MFA to Public Right-of-Way

PART OF LOT 3, ALL OF LOT 4, AND PART OF THE VACATED 20 FOOT ALLEY LYING BETWEEN LOTS 3 AND 4, IN BLOCK 29 OF DUTRO'S ADDITION TO THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS PRESENTLY LOCATED AND A NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AS PREVIOUSLY PLATTED AND RECORDED, THENCE SOUTH 2°07'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AND THE NORTHERLY PROJECTION THEREOF, 126.66 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE SOUTH 27°09'48" EAST, 46.14 FEET; THENCE SOUTH 59°11'26" WEST, 26.90 FEET; THENCE NORTH 2°07'56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MULBERRY STREET, 54.87 FEET TO THE TRUE POINT OF BEGINNING.



NOTE: THE PURPOSE OF THIS DRAWING IS TO AID IN A PROPOSED LAND TRANSACTION. IT DOES NOT CONSTITUTE A BOUNDARY SURVEY. PROPERTY CORNERS HAVE NOT BEEN SET AT THIS TIME.

FOR: MFA OIL COMPANY COLUMBIA, MISSOURI

**BOWERS SURVEY LLC**  
ESTABLISHED 1982  
1908 W. MECHANIC STREET, SUITE 104  
P.O. BOX 71  
HARRISONVILLE, MISSOURI 64701  
PHONE (816) 380-4821 bowersurvey@earthlink.net

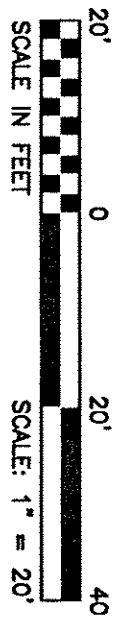
| SECTION | TOWNSHIP | RANGE | COUNTY | STATE    | DATE    | JOB NO.  |
|---------|----------|-------|--------|----------|---------|----------|
| 4       | 44       | 31    | CASS   | MISSOURI | 9/23/14 | 20981-14 |

DRAWING NO. 20981F.DWG DRAWN BY: GB CHECKED BY:



GREGORY B.

# TRACT SKETCH



## Description: Tract A

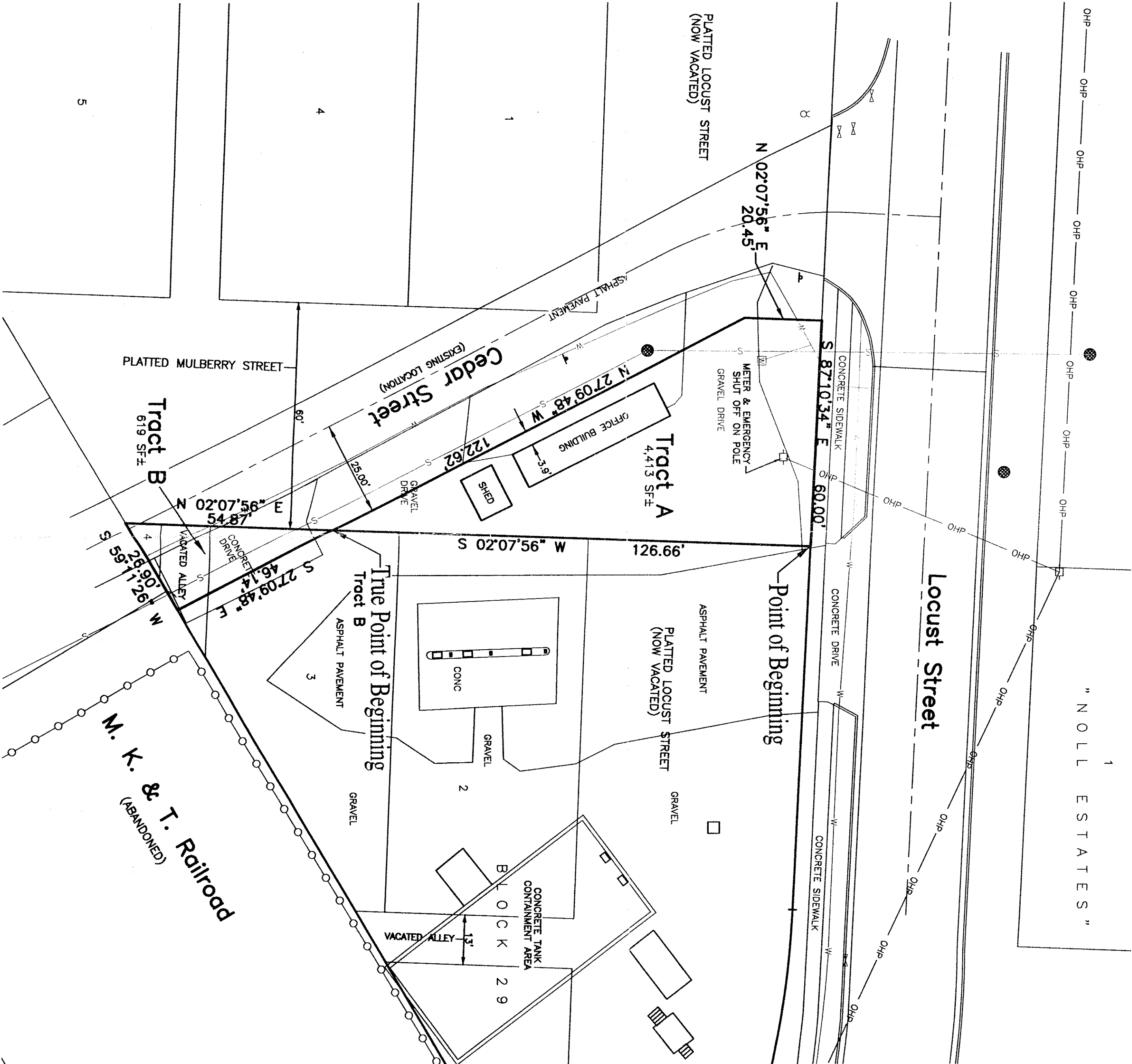
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## Description: Tract B

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**BOWERS SURVEY LLC**  
ESTABLISHED 1962  
1908 W. MECHANIC STREET, SUITE 104  
P.O. BOX 71  
HARRISONVILLE, MISSOURI 64701  
PHONE (816) 360-4821  
bowersurvey@earthlink.net

| SECTION | TOWNSHIP | RANGE | COUNTY | STATE    | DATE    | JOB NO.  |
|---------|----------|-------|--------|----------|---------|----------|
| 4       | 44       | 31    | CASS   | MISSOURI | 9/23/14 | 20981-14 |

DRAWING NO. 20981F.DWG    DRAWN BY: GB    CHECKED BY:

GREGORY B. BOWERS  
MO LS 2672

# Missouri Warranty Deed

This Subenture.

Thousand Nine Hundred and Eighty-four by and between

A. HAROLD SMITH and WILDERED M. SMITH, husband and wife

of the County of Cass, State of Missouri part 1st of the first part, and

MFA OIL COMPANY

of the County of Boone, State of Missouri part y of the second part,

(Mailing address of said first named grantee is P. O. Box 519, Columbia, Missouri 65205 )

WITNESSETH: THAT THE SAID PART IES OF THE FIRST PART, in consideration of the sum of One dollar and other valuable considerations DOLLARS to them paid by said part y of the second part (the receipt of which is hereby acknowledged), do by these presents, Grant, Bargain and Sell, Convey and Confirm unto the said part y of the second part its heirs and assigns, the following described lots, tracts or parcels of land lying, being and situate in the County of Cass and State of Missouri, to-wit:

All of Block 29, DUTRO'S ADDITION, to the City of Harrisonville, Cass County, Missouri, according to the recorded Plat thereof of record in Book 5 at Page 182, and all of the vacated Locust Street located southerly of Locust Street as now located, Northerly of said Block 29, DUTRO'S ADDITION, and Northwesterly of the right of way of the Missouri, Kansas, and Texas Railroad, and all of the vacated unnamed alley located in said Block 29, DUTRO'S ADDITION, and Northerly of the right of way of the Missouri, Kansas and Texas Railroad, and as shown on the recorded Plat of DUTRO'S ADDITION.

TO HAVE AND TO HOLD The premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said part y of the second part and unto its heirs and assigns forever; the said First Parties hereby covenanting that they are lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear from any incumbrances done or suffered by them or those under whom they claim; and that they will warrant and defend the title to the said premises unto the said part y of the second part and unto his heirs and assigns forever, against the lawful claims and demands of all persons whomsoever

IN WITNESS WHEREOF, The said part ies of the first part ha ve hereunto set their hand & seal & the day and year above written.

*J. Harold Smith* (SEAL)  
J. Harold Smith

*Wildered M. Smith* (SEAL)

*Wildered M. Smith* (SEAL)

(SEAL)

## Packet Pg. 34

---

### QUITCLAIM DEED

THIS INDENTURE is made as of \_\_\_\_\_, 2015, by and between MFA Oil Company, a Missouri cooperative, Grantor, and the City of Harrisonville, Missouri with a mailing address of \_\_\_\_\_, Harrisonville, Missouri \_\_\_\_\_, Grantee:

WITNESSETH: That Grantor, in consideration of the sum of Ten Dollars and other valuable consideration to it by Grantee, the receipt of which is hereby acknowledged, does by these presents, Remise, Release and forever Quitclaim unto Grantee, its successors and assigns, the following described real estate, situated in the County of Cass and the State of Missouri, to-wit:

Part of Lot 3, All of Lot 4, and part of the vacated 20 foot alley lying between Lots 3 and 4, in Block 29 of Dutro's Addition to the City of Harrisonville, Cass County, Missouri, described as follows: Beginning at the intersection of the south right-of-way line of Locust Street as presently located and a northerly projection of the east right-of-way line of Mulberry Street as previously platted and recorded, thence south 2°07'56" west along the east right-of-way line of Mulberry Street and the northerly projection thereof, 126.66 feet to the true point of beginning of the tract to be described; thence south 27°09'48" east, 46.14 feet; thence south 59°11'26" west, 26.90 feet; thence north 2°07'56" east along the east right-of-way line of said Mulberry Street, 54.87 feet to the true point of beginning.

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IN WITNESS WHEREOF, Grantor executed and delivered this deed as of the day and year first above written.

Grantor: MFA Oil Company

By \_\_\_\_\_  
\_\_\_\_\_

Accepted by the City of Harrisonville.

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

STATE OF MISSOURI                    )  
                                                  ) ss.  
COUNTY OF BOONE                    )

On this \_\_\_\_ day of \_\_\_\_\_ in the year 2015, before me \_\_\_\_\_  
\_\_\_\_\_, a Notary Public in and for said state, personally appeared  
\_\_\_\_\_, \_\_\_\_\_ of MFA Oil Company, a Missouri  
cooperative, known to me to be the person who executed the within Quitclaim Deed in behalf of  
said cooperative, and acknowledged to me that he executed the same for the purposes therein  
stated. In witness whereof, I have hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My term expires:

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Grantor: City of Harrisonville, Missouri

By \_\_\_\_\_  
\_\_\_\_\_

STATE OF MISSOURI                    )  
                                                  ) ss.  
COUNTY OF CASS                    )

On this \_\_\_\_ day of \_\_\_\_\_ in the year 2015, before me \_\_\_\_\_  
\_\_\_\_\_, a Notary Public in and for said state, personally appeared  
\_\_\_\_\_, \_\_\_\_\_ of the City of Harrisonville,  
Missouri, known to me to be the person who executed the within Quitclaim Deed in behalf of  
said city, and acknowledged to me that he executed the same for the purposes therein stated. In  
witness whereof, I have hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My term expires:

**SMITH LEWIS, LLP**

ATTORNEYS AT LAW

P.O. BOX 918  
COLUMBIA, MISSOURI 65205-0918...  
CITY CENTRE111 SOUTH NINTH STREET, SUITE 200  
COLUMBIA, MISSOURI 65201-4891

(573) 443-3141 • Fax (573) 442-6686

BRUCE H. BECKETT  
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BETHANY R. FINDLEY  
MATTHEW R. QUETSCHOF COUNSEL  
ROBERT C. SMITHPARALEGAL  
CHERYL L. LOBB  
DAWN KLEMPKELEGAL NURSE CONSULTANT  
KAREN ASHRAFAZADEH, RN

April 16, 2015

*Via Email (rdeluca@ci.harrisonville.mo.us)*Rick DeLuca  
Director of Community Development  
City of Harrisonville, Missouri

RE: MFA Oil Company—Proposed Property Exchange

Dear Mr. DeLuca:

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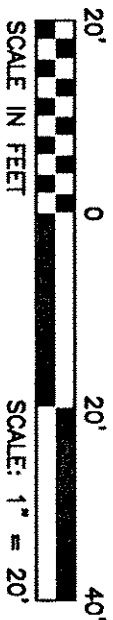


Amanda Allen Miller

Enclosures

Attachment: MFA Land Swap Attachments (1913 : MFA Land Swap Ordinance - The Purchase)

# TRACT SKETCH

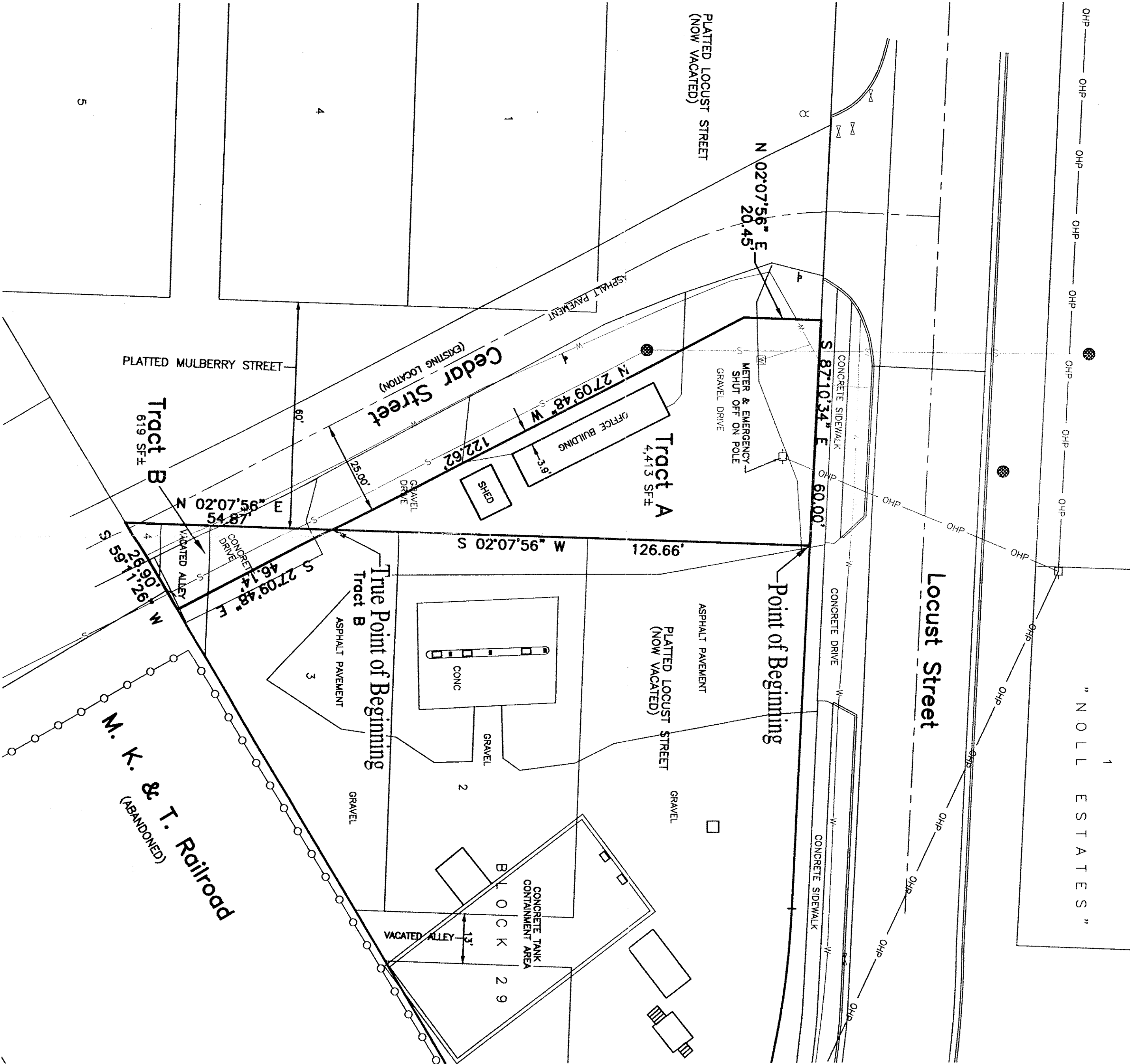


## Description: Tract A Public Right-of-Way to MFA

PART OF THE RIGHT-OF-WAY OF THE NOW VACATED LOCUST STREET AND PART OF THE RIGHT-OF-WAY OF MULBERRY STREET AS PLATTED IN DUTRO'S ADDITION TO THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS PRESENTLY LOCATED AND A NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AS PREVIOUSLY PLATTED AND RECORDED, THENCE SOUTH 2'07'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AND THE NORTHERLY PROJECTION THEREOF, 126.66 FEET; THENCE NORTH 27'09'48" WEST, 122.62 FEET; THENCE NORTH 2'07'56" EAST, 20.45 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS NOW LOCATED; THENCE SOUTH 87'10'34" EAST ALONG SAID RIGHT-OF-WAY LINE, 60.00 FEET TO THE POINT OF BEGINNING.

## Description: Tract B MFA to Public Right-of-Way

PART OF LOT 3, ALL OF LOT 4, AND PART OF THE VACATED 20 FOOT ALLEY LYING BETWEEN LOTS 3 AND 4, IN BLOCK 29 OF DUTRO'S ADDITION TO THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF LOCUST STREET AS PRESENTLY LOCATED AND A NORTHERLY PROJECTION OF THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AS PREVIOUSLY PLATTED AND RECORDED, THENCE SOUTH 2'07'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF MULBERRY STREET AND THE NORTHERLY PROJECTION THEREOF, 126.66 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE SOUTH 27'09'48" EAST, 46.14 FEET; THENCE SOUTH 59'11'26" WEST, 26.90 FEET; THENCE NORTH 2'07'56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MULBERRY STREET, 54.87 FEET TO THE TRUE POINT OF BEGINNING.



NOTE: THE PURPOSE OF THIS DRAWING IS TO AID IN A PROPOSED LAND TRANSACTION. IT DOES NOT CONSTITUTE A BOUNDARY SURVEY. PROPERTY CORNERS HAVE NOT BEEN SET AT THIS TIME.

FOR: MFA OIL COMPANY

**BOWERS SURVEY LLC**  
ESTABLISHED 1962  
1908 W. MECHANIC STREET, SUITE 104  
P.O. BOX 71  
HARRISONVILLE, MISSOURI 64701  
PHONE (816) 360-4821  
bowersurvey@earthlink.net

FOR: COLUMBIA, MISSOURI

| SECTION | TOWNSHIP | RANGE | COUNTY | STATE    | DATE    | JOB NO.  |
|---------|----------|-------|--------|----------|---------|----------|
| 4       | 44       | 31    | CASS   | MISSOURI | 9/23/14 | 20981-14 |

DRAWING NO. 20981F.DWG    DRAWN BY: GB    CHECKED BY:

STATE OF MISSOURI  
JANUARY 23-14  
REGISTERED LAND SURVEYOR  
GREGORY B. BOWERS  
LS-2672

GREGORY B. BOWERS  
MO LS 2672



**TO:** Board of Aldermen  
**FROM:** Keith Moody, City Administrator  
**DATE:** June 10, 2015  
**SUBJECT:** Review Mission, Goals and Values

**Type of Item:** *Approval*

**D. Action Item (ID # 1910)**

Review Mission, Goals and Values

Attachments:

BA- Review Mission-Goals-Values (DOC)

Mission-Goals-Values(PDF)

## LETTER TO THE BOARD OF ALDERMEN Harrisonville, Missouri

**FROM:** Keith Moody, City Administrator

**AGENDA ITEM:** Review of Mission, Goals, and Core Values

**DATE OF REVIEW:** June 15, 2015

**Background:** It is appropriate to review the Mission Statement, Organization Goals, and Core Values each year as we begin the budget development process. Though revision to these statements would not be anticipated each year, it is a good idea to give thought to changes that have occurred in the community that may have an impact on the accuracy of these elements. The results of the Citizen Satisfaction Survey, Strategic Planning Directives, ICMA Performance Measures and the Single Family Cost of Living Comparison should also be considered.

The six Organizational Goals provide direction to the department heads and elected officials as they work on specific objectives for the up coming fiscal year. These goals identify performance areas common to municipal organizations.

**Review:** In reviewing the Mission Statement, ask yourself if you find that it still reflect the status of Harrisonville.

Does our “Mission” to “serve” and “ensure safety and well-being” remain applicable?

Do the “Core Values” still represent a cornerstone to how we should conduct business?

The Organizational Goals should be broad in nature so that all departments may contribute to each. These goals generated 16 objectives for 2015. Consider if the goals are consistent with the “Major Categories of Service” and “City Services That Should Receive the Most Emphasis Over the Next Two Years” which were areas measured in the Citizen Satisfaction Survey.

**Recommendation:** I recommend adoption of these items with any proposed revisions. This will reaffirm the Board’s commitment and again establish direction for all as we prepare objectives and budgets.

Attachment: BA- Review Mission-Goals-Values (1910 : Review Mission, Goals and Values)



## ***Mission***

*The **Mission** of the City of Harrisonville is to objectively serve the citizens, provide the services necessary to ensure the safety and well-being of all, and provide the quality of life expected by the Community.*

## ***Organizational Goals***

***Enhance Communication and Engagement with the Community*** – by expanding opportunities to inform and engage citizens in an open and participatory manner.

***Improve Community Assets*** – through timely maintenance and replacement as well as improving assets to modern standards.

***Keep Our Community Safe & Secure*** – for all citizens, businesses, and visitors.

***Provide Great Customer Service*** – with professional, timely and friendly staff.

***Cultivate a Rewarding Work Environment***- where creativity, efficiency and productivity are continuous pursuits.

***Encourage Investment in Our Community*** – whether it be redevelopment, new development or maintenance.

## ***Core Values***

*Utilized by the Board of Aldermen and staff in striving to achieve our Mission and Goals*

***Transparency   Honesty   Accessibility   Impartiality   Efficiency   Courtesy***



**TO:** Board of Aldermen  
**FROM:** Eric Patterson, Asst. Director  
**DATE:** June 10, 2015  
**SUBJECT:** 2015 Curb and Sidewalk Program

**Type of Item:** *Change Order*

**Type of Item:** This item is for the award of a Change order to the 2014 Sidewalk & Curb Program contract that will allow for the same contractor to complete the 2015 program.

**Issue:** Staff is requesting approval to add the 2015 Sidewalk and Curb Replacement Program to Young's Waterproofing and Construction 2014 contract through a change order. Young's has agreed to hold the same prices on everything except Type 1 Straight back (commercial style curb) and we would see a slight increase in that line item, there is only 200 feet of this style planned. Young's Waterproofing and Construction has done our Sidewalk & Curb program since 2012 and have been great to work with if we have a change in priority or if we need them to hold off on an area while something else is going on.

**Background:** The General Fund budget contains \$90,000.00 for the Program. Last year's costs were:

- Remove and Replace 4" thick sidewalk      \$5.99/sq ft
- Remove and Replace Curb and Gutter      \$19.98/lf
- ADA Ramps      \$1,350.00/each

**Recommendations:** Based on this information and a recommendation from the Board on 6-04-15, staff request the Board of Alderman approve a Change Order in an amount not to exceed \$90,000 to Young's Waterproofing and Construction.

**Council Bill No. 047**

**Resolution No.**

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO  
EXECUTE A CHANGE ORDER TO YOUNG'S WATERPROOFING AND  
CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$90,000.00**

**WHEREAS**, the City of Harrisonville has determined that Young's Waterproofing and Construction is competent to perform services for the City of Harrisonville; and

**WHEREAS**, Young's Waterproofing and Construction agrees to perform services for the City of Harrisonville;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF  
THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:**

Section 1: That the City Administrator of the City of Harrisonville is hereby authorized and directed to execute a Change Order with Young's Waterproofing and Construction in an amount not to exceed \$90,000.00

Section 2: That this resolution shall become effective immediately upon its passage and approval.

**PASSED AND RESOLVED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Harrisonville, Missouri this 15<sup>th</sup> day of June 2015.

---

Brian Hasek, Mayor and Ex-Officio  
Chairman of the Board of Aldermen

ATTEST:

---

Kim Hubbard, City Clerk

**WITNESS** my hand and seal this 15<sup>th</sup> day of June 2015.



City of  
**Harrisonville**  
STAFF REPORT

**TO:** Board of Aldermen  
**FROM:** Rick Deluca, Director  
**DATE:** June 10, 2015  
**SUBJECT:** A Resolution for the Preliminary Plat of Casey's General Store

**Type of Item:** Approval

**Issue:** Approval of Casey's Preliminary and Final Plats

**Background:**

**Request:** Approval of Casey's General Store - Preliminary and Final Plats

**Location:** The southwest corner of West Mechanic & Westchester Avenue.

**Applicant:** Casey's Marketing Company

**Owner:** Bowling Services Unlimited, LLC

**Engineer/Surveyor:** Phelps Engineering; Judd Claussen, PE

**Existing Zoning:** "C-2" Service Business District

**Acres:** Approximately 2.05 acres +/-

**Number of Lots:** 1 lot

*Since this is a single lot subdivision, and the infrastructure is in place, staff is recommending proceeding with both the preliminary and final plats. Staff occasionally does this to help expedite the development process when the construction of infrastructure is not necessary and it is a small subdivision.*

Casey's General Store is in the process of developing a new store on the southwest corner of West Mechanic and Westchester Avenue. The zoning needed for the development ("C-2" -

Service Business District) is already in place. The infrastructure improvements are in place. The subject property is not platted. Therefore platting is necessary for re-development of the site. The site development plan is currently being reviewed by Staff. They will be constructing a 5,000 SF store, a canopy with gas pumps for cars, gas pumps for trucks and parking for trucks will. The storm water will be managed with underground detention.

**Options:** The Board may:

- Approve the request for plat approval.
- Conditionally approve the application for plat approval.
- Deny the request for plat approval.

**Recommendations:**

*Planning and Zoning Commission:*

Approval (May 21, 2015)

*Staff Recommendation:*

Approval

**Council Bill No. 048**

**Resolution No.**

**A RESOLUTION OF THE CITY OF HARRISONVILLE APPROVING THE  
PRELIMINARY PLAT OF CASEY'S GENERAL STORE A SUBDIVISION OF  
LAND IN THE WEST ONE-HALF OF THE WEST ONE-HALF OF LOT 4 OF  
THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 44 NORTH,  
RANGE 31 WEST IN THE CITY OF HARRISONVILLE, CASS COUNTY,  
MISSOURI.**

**WHEREAS**, after review by the city staff, the application was submitted to the Planning and Zoning Commission for their recommendation; and,

**WHEREAS**, the Planning and Zoning Commission reviewed the preliminary plat for the above proposed development on May 21, 2015, and hereby recommends approval to the Board of Aldermen; and,

**WHEREAS**, after a recommendation of approval had been submitted by the Planning and Zoning Commission, the Board of Aldermen reviewed the proposed preliminary plat and has determined the plat is consistent with the City of Harrisonville Zoning Ordinance, Subdivision Regulation and Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:**

Section 1: That the preliminary plat of Casey's General Store, filed with the City of Harrisonville, is hereby approved and that the preliminary plat comprises the following described real estate in Cass County, Missouri, to-wit:

*All that part of the West One-half of the West One-half of Lot 4 of the Northeast Quarter of Section 5, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:*

*Commencing at the Northeast corner of the West One-half of the West One-half of said Lot 4; thence N 88°14'51" W, along the North line of said Lot 4, a distance of 15.00 feet; thence S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4, a distance of 57.20 feet to a point on the Southerly right-of-way line of West Mechanic Street (Missouri State Highway 2 & 7), as now established, said point also being the Northwesternly most plat corner of WESTCHESTER BUSINESS PARK, a platted subdivision of land in the City of Harrisonville, Cass County, Missouri, said point also being the point of beginning; thence continuing S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4 and along the Westerly plat line 2 of said WESTCHESTER BUSINESS PARK, a distance of 424.35 feet; thence N 89°53'31" W, along the Westerly plat line of said WESTCHESTER BUSINESS PARK, a distance of 164.91 feet to a point on the Easterly right-of-way line of U.S. Highway No. 71, as now established; thence along the Easterly right-of-way line of said U.S. Highway No. 71, for the following two (2) courses; thence N 13°19'12" W, a distance of 352.78 feet to a point on the Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7); thence N 33°32'40" E, Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7), a distance of 72.58 feet; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 80°20'46" E and a radius of 1,372.40 feet, an arc distance of 146.48 feet; thence along a spiral curve with a chord bearing on N 87°24'24" E and a distance of 72.41 feet to the point of beginning, containing 2.0492 acres, more or less.*

Section 2. That approval of the preliminary plat is contingent upon compliance with the zoning and subdivision regulations.

Section 3: That this ordinance shall be effective immediately upon its passage and approval.

**PASSED AND RESOLVED** by the Board of Aldermen of the City of Harrisonville, Missouri this 15<sup>th</sup> day of June 2015.

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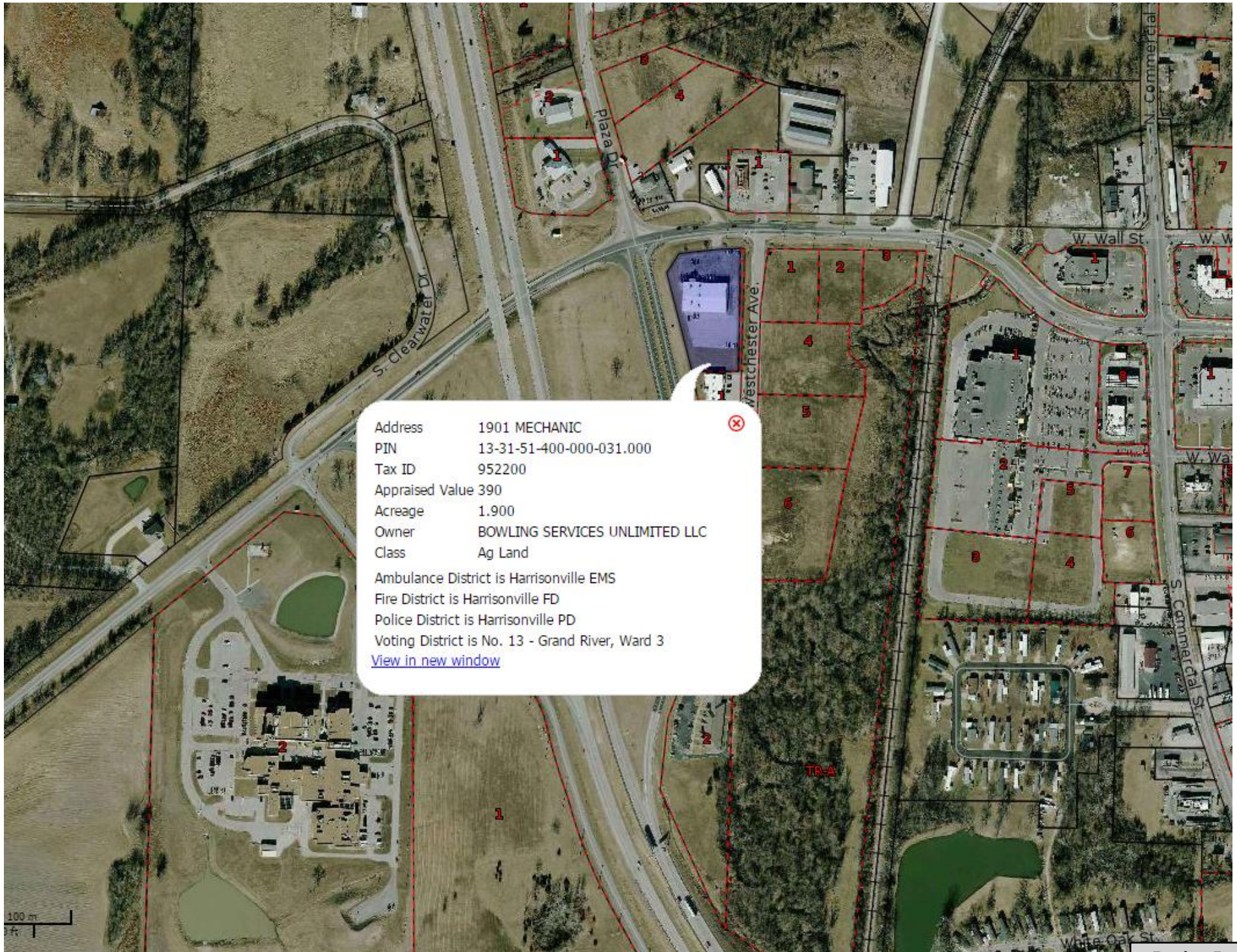
Brian Hasek, Mayor and Ex-Officio  
Chairman of the Board of Aldermen

ATTEST:

---

Kim Hubbard, City Clerk

WITNESS my hand and seal this 15<sup>th</sup> day of June 2015.



PRELIMINARY PLAT OF  
**CASEY'S GENERAL STORE**  
A SUBDIVISION OF LAND IN THE WEST ONE-HALF OF THE WEST  
ONE-HALF OF LOT 4 OF THE NORTHEAST QUARTER OF SECTION 5,  
TOWNSHIP 44 NORTH, RANGE 31 WEST, IN THE CITY OF  
HARRISONVILLE, CASS COUNTY, MISSOURI

**LEGAL DESCRIPTION:**

All that part of the West One-half of the West One-half of Lot 4 of the Northeast Quarter of Section 5, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the West One-half of the West One-half of said Lot 4; thence N 88°14'51" W, along the North line of said Lot 4, a distance of 15.00 feet; thence S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4, a distance of 57.20 feet to a point on the Southerly right-of-way line of West Mechanic Street (Missouri State Highway 2 & 7), as now established, said point also being the Northeast corner of WESTCHESTER BUSINESS PARK, a platted subdivision of land in the City of Harrisonville, Cass County, Missouri, said point also being the point of beginning; thence continuing S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4, a distance of 424.35 feet; thence N 89°53'31" W, along the Westerly plot line of said WESTCHESTER BUSINESS PARK, a distance of 164.91 feet to a point on the Easterly right-of-way line of U.S. Highway No. 71, as now established; thence along the Easterly right-of-way line of said U.S. Highway No. 71, for the following two (2) courses; thence N 13°19'12" W, a distance of 352.78 feet to a point on the Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7); thence N 33°32'40" E, Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7), a distance of 72.58 feet; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 80°20'46" E and a radius of 1,372.40 feet, an arc distance of 146.48 feet; thence along a spiral curve with a chord bearing of N 87°24'24" E and a distance of 72.41 feet to the point of beginning, containing 2.0492 acres, more or less.

**TOTAL GROSS AREA = ±2.0492 ACRES**

**FLOOD NOTE:**

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF HARRISONVILLE, COMMUNITY NO. 290068, CASS COUNTY, MISSOURI, MAP NO. 29037C0188F, AND DATED JANUARY 2, 2013.

**ZONING:**

THIS PROPERTY AND SURROUNDING PROPERTIES ARE ZONED C-2 (SERVICE BUSINESS DISTRICT) PER CITY OF HARRISONVILLE WEBSITE.

**BENCHMARK:** VERTICAL DATUM = NAVD88 BASED ON GPS OBSERVATION USING MODOT VRS

- SET "I" CUT ON BACK OF CURB AT CORNER OF PARKING LOT BY NORTHEAST CORNER OF BUILDING #502 BY LIGHT POLE AT SOUTHEAST CORNER OF SURVEYED PROPERTY.  
ELEVATION = 890.54
- SET "I" CUT ON TOP OF CURB ON WEST SIDE WESTCHESTER BY FIRE HYDRANT MID LOT OF SURVEYED PROPERTY.  
ELEVATION = 885.39
- SET "I" CUT ON CENTER FRONT FACE OF CURB INLET ON WEST SIDE OF WESTCHESTER JUST SOUTH OF 7 HIGHWAY.  
ELEVATION = 882.99
- SET "I" CUT WITH "H" CUT IN "I" CUT ON CENTER FRONT FACE OF CURB INLET ON EAST SIDE OF WESTCHESTER JUST SOUTH OF 7 HIGHWAY.  
ELEVATION = 883.05

**TITLE NOTE:**

TITLE INFORMATION SHOWN HEREON WAS TAKEN FROM STEWART TITLE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 01109-27437 AND WITH AN EFFECTIVE DATE OF DECEMBER 08, 2014 AT 8:00 A.M.

PROPERTY IS SUBJECT TO:

- AN OIL, GAS AND MINERAL LEASE, BY AND BETWEEN G.R. THISLER, LESSOR, AND F.W. WHEELER AND H.W. KRANE, LESSEE, FILED 05/21/1923, IN BOOK 255 AT PAGE 265. THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF THIS LEASEHOLD INTEREST. (AFFECTS THIS PROPERTY, BLANKET IN NATURE)
- DECREE OF INCORPORATION OF A PUBLIC WATER SUPPLY DISTRICT, AS MORE FULLY SET FORTH IN THE INSTRUMENT RECORDED IN INDENTURE BOOK 178. (AFFECTS THIS PROPERTY, BLANKET IN NATURE)
- ASSIGNMENT, AS MORE FULLY SET FORTH IN THE INSTRUMENT RECORDED IN INDENTURE BOOK 337. (DOES NOT AFFECT THIS PROPERTY)
- EASEMENT GRANTED TO THE STATE OF MISSOURI AS MORE FULLY SET FORTH IN THE INSTRUMENT RECORDED IN ROAD BOOK 8 AT PAGE 1. (DOES NOT AFFECT THIS PROPERTY)

**SURVEY NOTES:**

- THERE IS NO VISIBLE EVIDENCE OF PARKING STALLS.
- THERE IS NO VISIBLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- THERE IS NO VISIBLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.
- NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY.
- CONTOURS SHOWN HEREON ARE AT 1 FOOT INTERVALS.
- FINAL PLAT OF WESTCHESTER BUSINESS PARK STATES THE USE OF THIS PLATTED ACCESS EASEMENT BY AN ADJACENT PROPERTY OWNER MAY ONLY OCCUR IF THE EXISTING ACCESS TO MISSOURI STATE HIGHWAY NO. 2 APPROXIMATELY 155 FEET TO THE WEST OF WESTCHESTER AVENUE IS PERMANENTLY REMOVED.
- APPARENT ENCROACHMENT OF WATERLINE, GAS LINE AND OVERHEAD POWER AT THE NORTHEAST CORNER OF PROPERTY; APPARENT ENCROACHMENT OF BURIED TELEPHONE LINE AT THE SOUTHEAST CORNER OF PROPERTY (NO EASEMENT FURNISHED IN THE COMMITMENT)
- 5' CONCRETE SIDEWALK ALONG THE WEST SIDE OF WESTCHESTER AVENUE IS FOR PUBLIC USE.

**EXISTING LEGEND**

- I = FOUND "H" CUT

● = FOUND SURVEY MONUMENT (ORIGIN UNKNOWN UNLESS DESCRIBED)

□ = SET CURB CHIP IN CONCRETE

○ = SET 5/8"x24" REBAR WITH "PHELPS MOLDS-2458" PLASTIC CAP

BGM △ = BURIED GAS MARKER

BM# ⊕ = BENCHMARK

BWM ⊕ = BURIED WATER MARKER

C/O ○ = CLEAN OUT

EO ○ = ELECTRIC OUTLET

FH ⊕ = FIRE HYDRANT

GM ○ = GAS METER

GV ⊕ = GAS VALVE

GW ⊕ = GUY WIRE

LP ⊕ = LIGHT POLE

LPP ⊕ = LIGHT POWER POLE

POST ⊕ = POST

PP ⊕ = POWER POLE

PPTR ⊕ = POWER POLE WITH TRANSFORMER(S)

RWM ⊕ = RIGHT OF WAY MARKER

SS ⊕ = STREET SIGN

SSMH ⊕ = SANITARY SEWER MANHOLE

STLB ⊕ = STREET LIGHT BOX

STW# ⊕ = STORM SEWER MANHOLE

TR ⊕ = TELEPHONE RISER

TWR ⊕ = TELEVISION RISER

WM ⊕ = WATER METER

WV ⊕ = WATER VALVE

⊙ = BUSH

⊙ = CEDAR OR EVERGREEN TREE

⊙ = DECIDUOUS TREE

F.F. = FINISH FLOOR

(P) = PLATTED

(D) = DEEDED

(M) = MEASURED

AE ⊕ = APPARENT ENCROACHMENT

BT ⊕ = BURIED TELEPHONE LINE

W ⊕ = BURIED WATER LINE

FO ⊕ = BURIED FIBER OPTIC LINE

G ⊕ = BURIED GAS LINE

OWP ⊕ = OVERHEAD POWER LINE

CATV ⊕ = BURIED CABLE TELEVISION LINE

— = PROPERTY LINE

— = RIGHT OF WAY LINE

SS ⊕ = SANITARY SEWER LINE

— = STORM SEWER LINE
- SCALE: 1"=30'

0' 30' 60'

SCALE: 1"=2000'

SCALE: 1"=2000'

VICINITY MAP SEC. 5-44-31

CERTIFICATE OF AUTHORIZATION  
MISSOURI LAND SURVEYING-2007001128  
ENGINEERING-2007005058

PE# 141133

Consultant Information:

PEI

PLANNING  
ENGINEERING  
IMPLEMENTATION

Project:  
HARRISONVILLE, MISSOURI  
'Q' Style Store

Location:  
Hwy. No. 71 &  
W. Mechna St.  
Harrisonville, Missouri

CASEY'S CONSTRUCTION DIVISION  
One Convenience Blvd., Ankeny, IA 50021  
Phone: 515-965-6100

Licensed:  
Judd D. Clausen, P.E.  
License Number:  
E-20850  
Licensed As:  
Professional Engineer

PHILIPS ENGINEERING INC.  
1020 N. Winchester  
Olathe, Kansas 66061  
Tel: (913) 899-1166  
www.philipsengineering.com

Publication Date:  
04.15.15  
With Revisions On:

PRLIMINARY  
PLAT

Sheet Information:  
1

FINAL PLAT OF  
**CASEY'S GENERAL STORE**  
A SUBDIVISION OF LAND IN THE WEST ONE-HALF OF THE WEST ONE-HALF OF LOT 4 OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 44 NORTH, RANGE 31 WEST, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI

**LEGAL DESCRIPTION**  
All that part of the West One-half of the West One-half of Lot 4 of the Northeast Quarter of Section 5, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the West One-half of the West One-half of said Lot 4; thence N 88°14'51" W, along the North line of said Lot 4, a distance of 15.00 feet; thence S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4, a distance of 57.20 feet to a point on the Southerly right-of-way line of West Mechanic Street (Missouri State Highway 2 & 7), as now established, said point also being the Northwesterly most plat corner of WESTCHESTER BUSINESS PARK, a platted subdivision of land in the City of Harrisonville, Cass County, Missouri, said point also being the point of beginning; thence continuing S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4 and along the Westerly plot line of said WESTCHESTER BUSINESS PARK, a distance of 424.35 feet; thence N 89°53'31" W, along the Westerly plot line of said WESTCHESTER BUSINESS PARK, a distance of 164.91 feet to a point on the Easterly right-of-way line of U.S. Highway No. 71, as now established; thence along the Easterly right-of-way line of said U.S. Highway No. 71, for the following two (2) courses; thence N 13°19'12" W, a distance of 352.78 feet to a point on the Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7); thence N 33°32'40" E, Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7), a distance of 72.58 feet; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 80°20'46" E and a radius of 1,372.40 feet, an arc distance of 146.48 feet; thence along a spiral curve with a chord bearing of N 87°24'24" E and a distance of 72.41 feet to the point of beginning, containing 2.0492 acres, more or less.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "CASEY'S GENERAL STORE".

**DEDICATION**  
An easement is hereby granted to the City of Harrisonville, Missouri, to locate, construct, operate, and maintain or to authorize the location, construction, operation and maintenance of poles, wires, anchors, pipes, conduits, transformers, pedestals, and/or structures for water, gas, electricity, storm sewer, sanitary sewer, telephone, cable television, surface drainage and/or other necessary public utility or service, any or all of them upon, over, under and along those areas outlined and designated on this plat as "Utility Easement" or "U.E." Where an easement is designated for a particular purpose, the use thereof shall be limited to that purpose only. All of the above easements shall be kept free from any and all obstructions which would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses and specifically there shall not be built thereon or there over any structure (except driveways, paved areas, grass, shrubs and fences) nor shall there be any obstruction to interfere with the agents and employees of the City of Harrisonville, Missouri and its franchised utilities from going upon said easement in exercising the rights granted by the easement.

Building Lines or setback lines are hereby established as shown on the accompanying plat and no building of portion thereof shall be located or constructed between this line and the street right of way line or lot line nearest thereto.

**EXECUTION**  
IN TESTIMONY WHEREOF, undersigned proprietors has caused this instrument to be executed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
Casey's Marketing Company, an Iowa corporation

By: \_\_\_\_\_  
Michael R. Richardson, President

**ACKNOWLEDGEMENT**  
STATE OF IOWA )  
COUNTY OF POLK ) SS

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for said County and State, came Michael R. Richardson, President of Casey's Marketing Company, an Iowa corporation, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_

Print Name: \_\_\_\_\_

**APPROVALS**  
**City Planning and Zoning Commission:**  
This plat of Casey's General Store addition has been submitted to and approved by the Harrisonville Planning and Zoning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Panning and Zoning Commission Chairman \_\_\_\_\_

**City of Harrisonville, Missouri:**  
**Board of Aldermen:**

This plat of Casey's General Store including easements and rights-of-way accepted by the Board of Aldermen has been submitted to and approved by the Harrisonville Board of Aldermen by Ordinance No. \_\_\_\_\_, duly passed and approved by the Mayor of Harrisonville, Missouri, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Mayor \_\_\_\_\_ ATTEST: \_\_\_\_\_  
City Clerk

City Engineer \_\_\_\_\_ Community Development Director \_\_\_\_\_

**Cass County, Missouri:**

Entered on transfer record this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Deputy County Recorder of Deeds \_\_\_\_\_

CERTIFICATE OF AUTHORIZATION  
KANSAS  
LAND SURVEYING - LS-82  
ENGINEERING - E-391  
CERTIFICATE OF AUTHORIZATION  
MISSOURI  
LAND SURVEYING-2007001128  
ENGINEERING-2007005068

I, HEREBY CERTIFY THAT THE PLAT OF "CASEY'S GENERAL STORE" IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

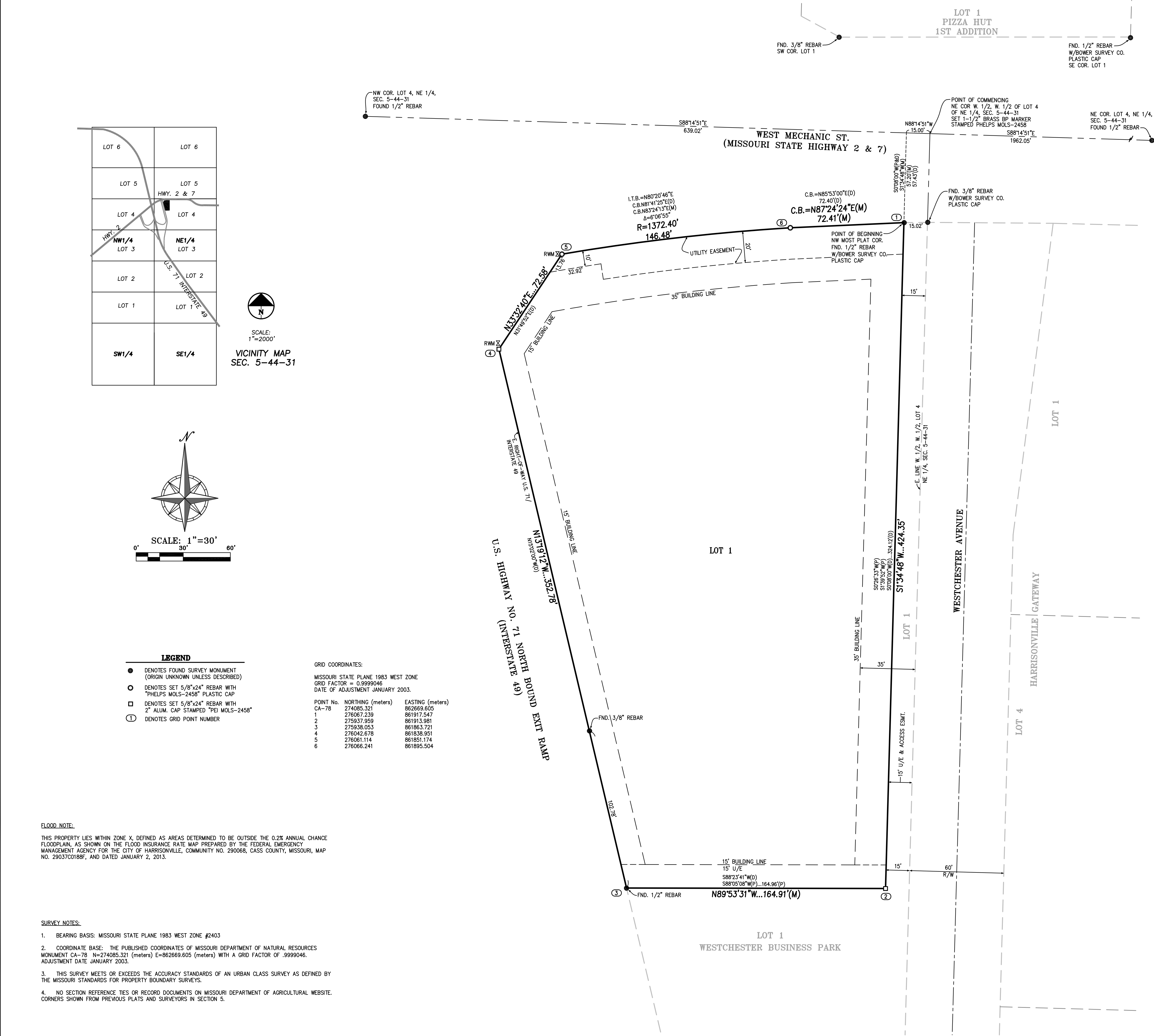
By: \_\_\_\_\_  
THOMAS D. PHELPS, MO. LS-2458



PLANNING  
ENGINEERING  
IMPLEMENTATION

PHELPS ENGINEERING, INC

1270 N. Winchester  
Olathe, Kansas 66061  
(913) 393-1155  
Fax (913) 393-1166



CASE NO.: PP-1501  
PC DATE: 5/21/15  
(STAFF USE ONLY)

- NOTES:**
- SEE ATTACHED "GUIDE TO PLATTING" FOR INFORMATION REGARDING HARRISONVILLE'S PLATTING PROCESS.
  - TEN (10) COPIES OF THE PROPOSED PLAT MUST ACCOMPANY THIS APPLICATION FOR STAFF REVIEW.
  - AFTER STAFF REVIEW, FIVE (5) REVISED PLATS WILL BE REQUIRED INCLUDING A REVISED 8½" X 11" COPY.
  - IT RECOMMENDED THAT THE APPLICANT OBTAIN A COPY OF THE STAFF REPORT PRIOR TO THE PLANNING AND ZONING MEETING.
  - IT IS THE APPLICANTS RESPONSIBILITY TO BECOME FAMILIAR WITH THE APPLICABLE CITY LAND USE ORDINANCES AND REQUIREMENTS PRIOR TO SUBMITTING AN APPLICATION FOR PLAT.

APR 13 2015

**Attachment: Caseys platting attachments (1) (1908 : A Resolution for the Preliminary Plat of Casey's General Store)**

**DESCRIPTION:**

All that part of the West One-half of the West One-half of Lot 4 of the Northeast Quarter of Section 5, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the West One-half of the West One-half of said Lot 4; thence N 88°14'51" W, along the North line of said Lot 4, a distance of 15.00 feet; thence S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4, a distance of 57.20 feet to a point on the Southerly right-of-way line of West Mechanic Street (Missouri State Highway 2 & 7), as now established, said point also being the Northwesternmost plat corner of WESTCHESTER BUSINESS PARK, a platted subdivision of land in the City of Harrisonville, Cass County, Missouri, said point also being the point of beginning; thence continuing S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4 and along the Westerly plat line of said WESTCHESTER BUSINESS PARK, a distance of 424.35 feet; thence N 89°53'31" W, along the Westerly plat line of said WESTCHESTER BUSINESS PARK, a distance of 164.91 feet to a point on the Easterly right-of-way line of U.S. Highway No. 71, as now established; thence along the Easterly right-of-way line of said U.S. Highway No. 71, for the following two (2) courses; thence N 13°19'12" W, a distance of 352.78 feet to a point on the Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7); thence N 33°32'40" E, Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7), a distance of 72.58 feet; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 80°20'46" E and a radius of 1,372.40 feet, an arc distance of 146.48 feet; thence along a spiral curve with a chord bearing of N 87°24'24" E and a distance of 72.41 feet to the point of beginning, containing 2.0492 acres, more or less.

FEE: \$105.<sup>00</sup>  
REC'D BY: *ALC*  
(STAFF USE ONLY)

**APPLICATION  
FOR  
PLATS  
CITY OF HARRISONVILLE  
PLEASE PRINT**

CASE NO.: FP-1502  
PC DATE: 5/21/15  
(STAFF USE ONLY)

PLEASE ☒ APPLICABLE      ☒ PRELIMINARY      ☒ FINAL      ☐ SMALL SUBDIVISION

NAME OF PROPOSED SUBDIVISION: Casey's General Store  
LOCATION OR ADDRESS OF SUBJECT PROPERTY: 1901 <sup>W</sup> Mechanic Street  
LEGAL DESCRIPTION: see attached legal description  
  
ZONING ON SUBJECT PROPERTY: C-2 CURRENT LAND USE: vacant  
TOTAL ACREAGE: 2.05 acres NUMBER OF LOTS: 1

|                                              |  |                            |                 |
|----------------------------------------------|--|----------------------------|-----------------|
| DEVELOPER'S NAME(S): <u>Melani Samora</u>    |  | PHONE: <u>515-965-6521</u> |                 |
| COMPANY: <u>Casey's Marketing Company</u>    |  | FAX: <u>515-965-6107</u>   |                 |
| MAILING ADDRESS: <u>One Convenience Blvd</u> |  | <u>Ankeny</u>              | <u>IA 50021</u> |
| STREET                                       |  | CITY                       | STATE ZIP       |

PROPERTY OWNER'S NAME(S) Bowling Services Unlimited, LLC PHONE: \_\_\_\_\_

COMPANY: \_\_\_\_\_ FAX: \_\_\_\_\_

MAILING ADDRESS: 15901 Harold Drive Belton MO 64012

STREET CITY STATE ZIP

ENGINEER'S NAME(S): Judd Claussen, P.E. PHONE: 913-393-1155

COMPANY: Phelps Engineering, Inc. FAX: \_\_\_\_\_

MAILING ADDRESS: 1270 N Winchester Rd Olathe KS 66061

STREET CITY STATE ZIP

## NOTES:

- SEE ATTACHED "GUIDE TO PLATTING" FOR INFORMATION REGARDING HARRISONVILLE'S PLATTING PROCESS.
- TEN (10) COPIES OF THE PROPOSED PLAT MUST ACCOMPANY THIS APPLICATION FOR STAFF REVIEW.
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- IT IS RECOMMENDED THAT THE APPLICANT OBTAIN A COPY OF THE STAFF REPORT PRIOR TO THE PLANNING AND ZONING MEETING.
- IT IS THE APPLICANTS RESPONSIBILITY TO BECOME FAMILIAR WITH THE APPLICABLE CITY LAND USE ORDINANCES AND REQUIREMENTS PRIOR TO SUBMITTING AN APPLICATION FOR PLAT.

**SIGNATURE OF APPLICANT:**

DATE: 4.16.15

APR 13 2015

CITY OF HARRISONVILLE

Packet Pg. 55

**Attachment: Caseys platting attachments (1) (1908 : A Resolution for the Preliminary Plat of Casey's General Store)**

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## STAFF REPORT

**TO:** Board of Aldermen  
**FROM:** Rick Deluca, Director  
**DATE:** June 10, 2015  
**SUBJECT:** An Ordinance to Accept the Final Plat of Casey's General Store

**Type of Item:** Approval

**Issue:** Approval of Casey's Preliminary and Final Plats

**Background:**

**Request:** Approval of Casey's General Store - Preliminary and Final Plats

**Location:** The southwest corner of West Mechanic & Westchester Avenue.

**Applicant:** Casey's Marketing Company

**Owner:** Bowling Services Unlimited, LLC

**Engineer/Surveyor:** Phelps Engineering; Judd Claussen, PE

**Existing Zoning:** "C-2" Service Business District

**Acres:** Approximately 2.05 acres +/-

**Number of Lots:** 1 lot

*Since this is a single lot subdivision, and the infrastructure is in place, staff is recommending proceeding with both the preliminary and final plats. Staff occasionally does this to help expedite the development process when the construction of infrastructure is not necessary and it is a small subdivision.*

Casey's General Store is in the process of developing a new store on the southwest corner of West Mechanic and Westchester Avenue. The zoning needed for the development ("C-2" - Service Business District) is already in place. The infrastructure improvements are in place. The

subject property is not platted. Therefore platting is necessary for re-development of the site. The site development plan is currently being reviewed by Staff. They will be constructing a 5,000 SF store, a canopy with gas pumps for cars, gas pumps for trucks and parking for trucks will. The storm water will be managed with underground detention.

**Options:**      The Board may:

- Approve the request for plat approval.
- Conditionally approve the application for plat approval.
- Deny the request for plat approval.

**Recommendations:**

*Planning and Zoning Commission:*

Approval      (May 21, 2015)

*Staff Recommendation:*

Approval

**Council Bill No. 049**

**Ordinance No.**

**AN ORDINANCE TO ACCEPT THE FINAL PLAT OF CASEY'S GENERAL STORE, A SUBDIVISION OF LAND IN THE WEST ONE-HALF OF THE WEST ONE-HALF OF LOT 4 OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 44 NORTH, RANGE 31 WEST, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI**

WHEREAS, the Planning and Zoning Commission on May 21, 2015 recommended approval of the final plat; and

WHEREAS, after considering the property for the purpose of promoting the public health, safety, morals and considering the general welfare of the community, it is determined that this final plat be approved contingent upon staff recommendations.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:**

Section 1. That the final plat and dedication of easements of the City of Harrisonville for Casey's General Store, as shown by the plat filed with the City Clerk of the City of Harrisonville, is hereby accepted and approved.

Section 2. That the final plat comprises the following described real estate in Cass County, Missouri, to wit:

*All that part of the West One-half of the West One-half of Lot 4 of the Northeast Quarter of Section 5, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:*

*Commencing at the Northeast corner of the West One-half of the West One-half of said Lot 4; thence N 88°14'51" W, along the North line of said Lot 4, a distance of 15.00 feet; thence S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4, a distance of 57.20 feet to a point on the Southerly right-of-way line of West Mechanic Street (Missouri State Highway 2 & 7), as now established, said point also being the Northwesternly most plat corner of WESTCHESTER BUSINESS PARK, a platted subdivision of land in the City of Harrisonville, Cass County, Missouri, said point also being the point of beginning; thence continuing S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4 and along the Westerly plat line of said WESTCHESTER BUSINESS PARK, a distance of 424.35 feet; thence N 89°53'31" W, along the Westerly plat line of said WESTCHESTER BUSINESS PARK, a distance of 164.91 feet to a point on the Easterly right-of-way line of U.S. Highway No. 71, as now established; thence along the Easterly right-of-way line of said U.S. Highway No. 71, for the following two*

*(2) courses; thence N 13°19'12" W, a distance of 352.78 feet to a point on the Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7); thence N 33°32'40" E, Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7), a distance of 72.58 feet; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 80°20'46" E and a radius of 1,372.40 feet, an arc distance of 146.48 feet; thence along a spiral curve with a chord bearing on N 87°24'24" E and a distance of 72.41 feet to the point of beginning, containing 2.0492 acres, more or less.*

Section 3. *Effective Date.* That this ordinance shall become effective immediately upon its passage and approval.

Section 4. *Severability.* If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Vote taken as follows:**

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

**READ FOR THE FIRST TIME BY TITLE ONLY ON THE 15th DAY OF JUNE 2015 AND WAS READ FOR A SECOND TIME, AS AMENDED, BY TITLE ONLY ON THE 15th DAY OF JUNE 2015 AND PASSED BY THE BOARD OF ALDERMEN THIS 15th DAY OF JUNE 2015.**

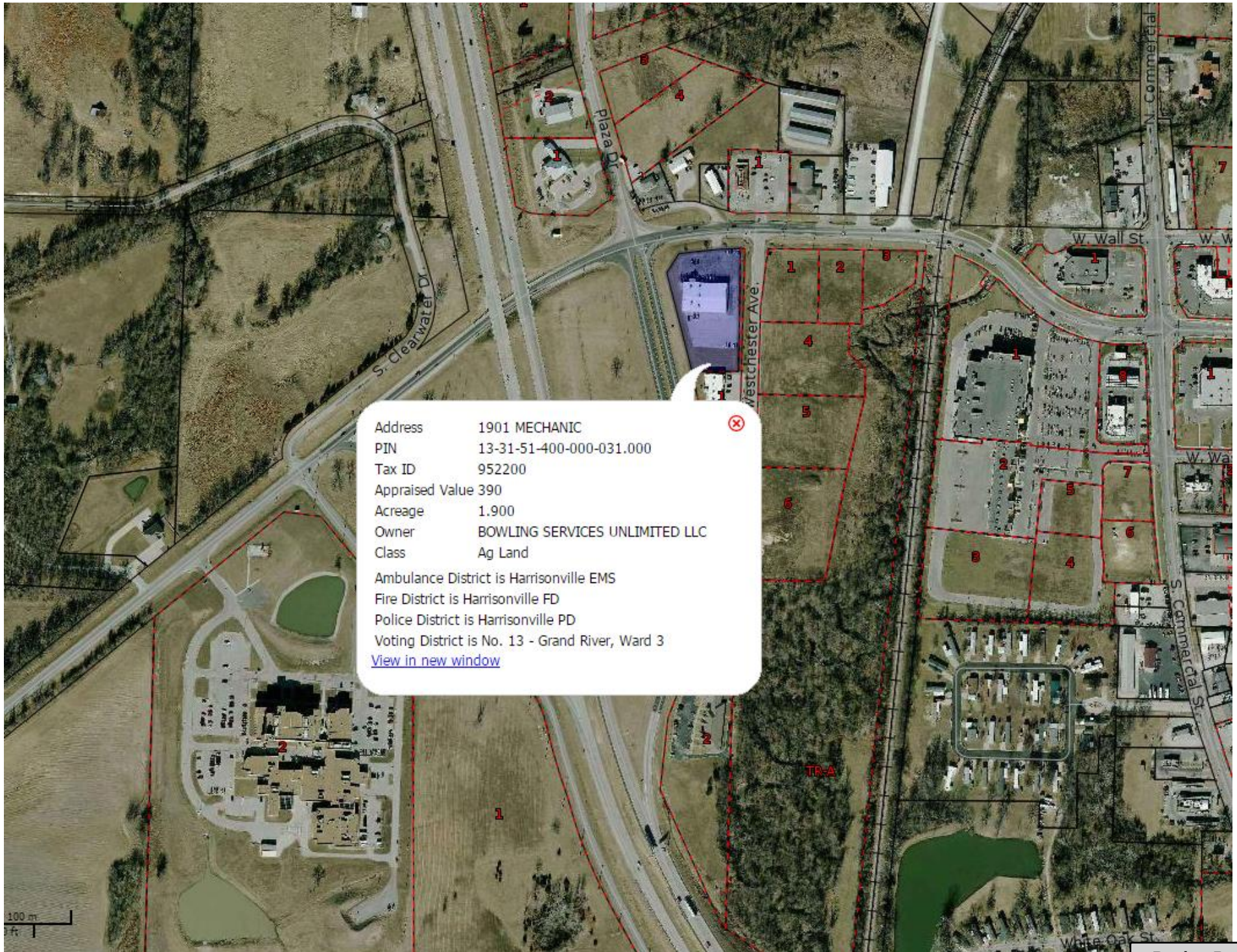
Brian Hasek, Mayor and Ex-Officio

Chairman of the Board of Aldermen

**ATTEST:**

Kim Hubbard, City Clerk

**APPROVED** by the Mayor this \_\_\_\_ day of June 2015.



PRELIMINARY PLAT OF  
**CASEY'S GENERAL STORE**  
A SUBDIVISION OF LAND IN THE WEST ONE-HALF OF THE WEST  
ONE-HALF OF LOT 4 OF THE NORTHEAST QUARTER OF SECTION 5,  
TOWNSHIP 44 NORTH, RANGE 31 WEST, IN THE CITY OF  
HARRISONVILLE, CASS COUNTY, MISSOURI

**LEGAL DESCRIPTION:**

All that part of the West One-half of the West One-half of Lot 4 of the Northeast Quarter of Section 5, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

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**TOTAL GROSS AREA = ±2.0492 ACRES**

**FLOOD NOTE:**

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF HARRISONVILLE, COMMUNITY NO. 290068, CASS COUNTY, MISSOURI, MAP NO. 29037C0188F, AND DATED JANUARY 2, 2013.

**ZONING:**

THIS PROPERTY AND SURROUNDING PROPERTIES ARE ZONED C-2 (SERVICE BUSINESS DISTRICT) PER CITY OF HARRISONVILLE WEBSITE.

**BENCHMARK:** VERTICAL DATUM = NAVD88 BASED ON GPS OBSERVATION USING MODOT VRS

- SET "I" CUT ON BACK OF CURB AT CORNER OF PARKING LOT BY NORTHEAST CORNER OF BUILDING #502 BY LIGHT POLE AT SOUTHEAST CORNER OF SURVEYED PROPERTY.  
ELEVATION = 890.54
- SET "I" CUT ON TOP OF CURB ON WEST SIDE WESTCHESTER BY FIRE HYDRANT MID LOT OF SURVEYED PROPERTY.  
ELEVATION = 885.39
- SET "I" CUT ON CENTER FRONT FACE OF CURB INLET ON WEST SIDE OF WESTCHESTER JUST SOUTH OF 7 HIGHWAY.  
ELEVATION = 882.99
- SET "I" CUT WITH "H" CUT IN "I" CUT ON CENTER FRONT FACE OF CURB INLET ON EAST SIDE OF WESTCHESTER JUST SOUTH OF 7 HIGHWAY.  
ELEVATION = 883.05

**TITLE NOTE:**

TITLE INFORMATION SHOWN HEREON WAS TAKEN FROM STEWART TITLE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 01109-27437 AND WITH AN EFFECTIVE DATE OF DECEMBER 08, 2014 AT 8:00 A.M.

PROPERTY IS SUBJECT TO:

- AN OIL, GAS AND MINERAL LEASE, BY AND BETWEEN G.R. THISLER, LESSOR, AND F.W. WHEELER AND H.W. KRANE, LESSEE, FILED 05/21/1923, IN BOOK 255 AT PAGE 265. THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF THIS LEASEHOLD INTEREST. (AFFECTS THIS PROPERTY, BLANKET IN NATURE)
- DECREE OF INCORPORATION OF A PUBLIC WATER SUPPLY DISTRICT, AS MORE FULLY SET FORTH IN THE INSTRUMENT RECORDED IN INDENTURE BOOK 178. (AFFECTS THIS PROPERTY, BLANKET IN NATURE)
- ASSIGNMENT, AS MORE FULLY SET FORTH IN THE INSTRUMENT RECORDED IN INDENTURE BOOK 337. (DOES NOT AFFECT THIS PROPERTY)
- EASEMENT GRANTED TO THE STATE OF MISSOURI AS MORE FULLY SET FORTH IN THE INSTRUMENT RECORDED IN ROAD BOOK 8 AT PAGE 1. (DOES NOT AFFECT THIS PROPERTY)

**SURVEY NOTES:**

- THERE IS NO VISIBLE EVIDENCE OF PARKING STALLS.
- THERE IS NO VISIBLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- THERE IS NO VISIBLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.
- NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY.
- CONTOURS SHOWN HEREON ARE AT 1 FOOT INTERVALS.
- FINAL PLAT OF WESTCHESTER BUSINESS PARK STATES THE USE OF THIS PLATTED ACCESS EASEMENT BY AN ADJACENT PROPERTY OWNER MAY ONLY OCCUR IF THE EXISTING ACCESS TO MISSOURI STATE HIGHWAY NO. 2 APPROXIMATELY 155 FEET TO THE WEST OF WESTCHESTER AVENUE IS PERMANENTLY REMOVED.
- APPARENT ENCROACHMENT OF WATERLINE, GAS LINE AND OVERHEAD POWER AT THE NORTHEAST CORNER OF PROPERTY; APPARENT ENCROACHMENT OF BURIED TELEPHONE LINE AT THE SOUTHEAST CORNER OF PROPERTY (NO EASEMENT FURNISHED IN THE COMMITMENT)
- 5' CONCRETE SIDEWALK ALONG THE WEST SIDE OF WESTCHESTER AVENUE IS FOR PUBLIC USE.

**EXISTING LEGEND**

- I

=

FOUND "H" CUT

●

=

FOUND SURVEY MONUMENT (ORIGIN UNKNOWN UNLESS DESCRIBED)

□

=

SET CURB CHIP IN CONCRETE

○

=

SET 5/8"x24" REBAR WITH "PHELPS MOLDS-2458" PLASTIC CAP

BGM

△

=

BURIED GAS MARKER

BM#

⊕

=

BENCHMARK

BWM

⊕

=

BURIED WATER MARKER

C/O

○

=

CLEAN OUT

EO

○

=

ELECTRIC OUTLET

FH

⊕

=

FIRE HYDRANT

GM

○

=

GAS METER

GV

⊕

=

GAS VALVE

GW

⊕

=

GUY WIRE

LP

⊕

=

LIGHT POLE

LPP

⊕

=

LIGHT POWER POLE

POST

⊕

=

POST

PP

⊕

=

POWER POLE

PPTR

⊕

=

POWER POLE WITH TRANSFORMER(S)

RWM

⊕

=

RIGHT OF WAY MARKER

SS

⊕

=

STREET SIGN

SSMH

⊕

=

SANITARY SEWER MANHOLE

STLB

⊕

=

STREET LIGHT BOX

STW#

⊕

=

STORM SEWER MANHOLE

TR

⊕

=

TELEPHONE RISER

TVR

⊕

=

TELEVISION RISER

WM

⊕

=

WATER METER

WV

⊕

=

WATER VALVE

⊕

=

BUSH

⊕

=

CEDAR OR EVERGREEN TREE

⊕

=

DECIDUOUS TREE

F.F.

⊕

=

FINISH FLOOR

(P)

=

PLATTED

(D)

=

DEEDED

(M)

=

MEASURED

AE

=

APPARENT ENCROACHMENT

BT

=

BURIED TELEPHONE LINE

W

=

BURIED WATER LINE

FO

=

BURIED FIBER OPTIC LINE

G

=

BURIED GAS LINE

OWP

=

OVERHEAD POWER LINE

CATV

=

BURIED CABLE TELEVISION LINE

---

=

PROPERTY LINE

---

=

RIGHT OF WAY LINE

---

=

SANITARY SEWER LINE

---

=

STORM SEWER LINE
- STW#

⊕

=

STORM SEWER MANHOLE
- TR

⊕

=

TELEPHONE RISER
- TVR

⊕

=

TELEVISION RISER
- WM

⊕

=

WATER METER
- WV

⊕

=

WATER VALVE
- ⊕

=

BUSH
- ⊕

=

CEDAR OR EVERGREEN TREE
- ⊕

=

DECIDUOUS TREE
- F.F.

⊕

=

FINISH FLOOR
- (P)

=

PLATTED
- (D)

=

DEEDED
- (M)

=

MEASURED
- AE

=

APPARENT ENCROACHMENT
- BT

=

BURIED TELEPHONE LINE
- W

=

BURIED WATER LINE
- FO

=

BURIED FIBER OPTIC LINE
- G

=

BURIED GAS LINE
- OWP

=

OVERHEAD POWER LINE
- CATV

=

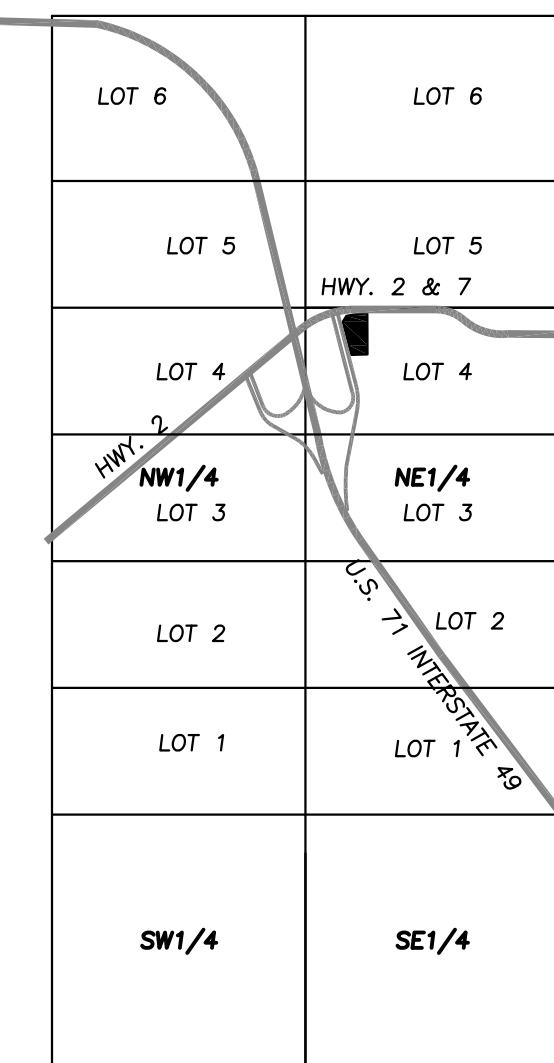
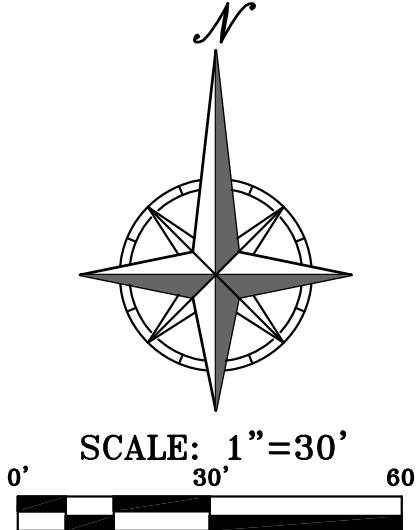
BURIED CABLE TELEVISION LINE
- =

PROPERTY LINE
- =

RIGHT OF WAY LINE
- =

SANITARY SEWER LINE
- =

STORM SEWER LINE



SCALE:  
1"=2000'  
**VICINITY MAP**  
SEC. 5-44-31

**LOT 1**  
**WESTCHESTER BUSINESS PARK**  
OWNER: PLANNER, PATRIC O' SHAUGHNESSY

**LOT 5**  
OWNER: HAWTHORN BANK

CERTIFICATE OF AUTHORIZATION  
MISSOURI  
LAND SURVEYING-2007001128  
ENGINEERING-2007005058  
**PE# 141133**

Consultant Information:

PEI

PLANNING  
ENGINEERING  
IMPLEMENTATION

Project:

HARRISONVILLE, MISSOURI  
'Q' Style Store

Location:

Hwy. No. 71 &  
W.Mechanic St.  
Harrisonville, Missouri

Licensee:

Judd D. Clausen, P.E.

License Number:

E-29850

Licensed As:

Professional Engineer

PHILIPS ENGINEERING, INC.

1020 N. Winchester  
Olathe, Kansas 66061  
(913) 391-1165  
Fax (913) 391-1165  
www.philipsengineering.com

Publication Date:

04.15.15

With Revisions On:

PRLIMINARY  
PLAT

Sheet Information:

1

CASEY'S CONSTRUCTION DIVISION

One Convenience Blvd., Ankeny, IA 50021  
Phone: 515-965-6100

FINAL PLAT OF  
**CASEY'S GENERAL STORE**  
A SUBDIVISION OF LAND IN THE WEST ONE-HALF OF THE WEST  
ONE-HALF OF LOT 4 OF THE NORTHEAST QUARTER OF SECTION 5,  
TOWNSHIP 44 NORTH, RANGE 31 WEST, IN THE CITY OF  
HARRISONVILLE, CASS COUNTY, MISSOURI

LEGAL DESCRIPTION

All that part of the West One-half of the West One-half of Lot 4 of the Northeast Quarter of Section 5, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the West One-half of the West One-half of said Lot 4; thence N 88°14'51" W, along the North line of said Lot 4, a distance of 15.00 feet; thence S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4, a distance of 57.20 feet to a point on the Southerly right-of-way line of West Mechanic Street (Missouri State Highway 2 & 7), as now established, said point also being the Northwesterly most plat corner of WESTCHESTER BUSINESS PARK, a platted subdivision of land in the City of Harrisonville, Cass County, Missouri, said point also being the point of beginning; thence continuing S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4 and along the Westerly plot line of said WESTCHESTER BUSINESS PARK, a distance of 424.35 feet; thence N 89°53'31" W, along the Westerly plot line of said WESTCHESTER BUSINESS PARK, a distance of 164.91 feet to a point on the Easterly right-of-way line of U.S. Highway No. 71, as now established; thence along the Easterly right-of-way line of said U.S. Highway No. 71, for the following two (2) courses; thence N 13°19'12" W, a distance of 352.78 feet to a point on the Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7); thence N 33°32'40" E, Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7), a distance of 72.58 feet; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 80°20'46" E and a radius of 1,372.40 feet, an arc distance of 146.48 feet; thence along a spiral curve with a chord bearing of N 87°24'24" E and a distance of 72.41 feet to the point of beginning, containing 2.0492 acres, more or less.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "CASEY'S GENERAL STORE".

DEDICATION

An easement is hereby granted to the City of Harrisonville, Missouri, to locate, construct, operate, and maintain or to authorize the location, construction, operation and maintenance of poles, wires, anchors, pipes, conduits, transformers, pedestals, and/or structures for water, gas, electricity, storm sewer, sanitary sewer, telephone, cable television, surface drainage and/or other necessary public utility or service, any or all of them upon, over, under and along those areas outlined and designated on this plat as "Utility Easement" or "U.E." Where an easement is designated for a particular purpose, the use thereof shall be limited to that purpose only. All of the above easements shall be kept free from any and all obstructions which would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses and specifically there shall not be built thereon or there over any structure (except driveways, paved areas, grass, shrubs and fences) nor shall there be any obstruction to interfere with the agents and employees of the City of Harrisonville, Missouri and its franchised utilities from going upon said easement in exercising the rights granted by the easement.

Building Lines or setback lines are hereby established as shown on the accompanying plat and no building of portion thereof shall be located or constructed between this line and the street right of way line or lot line nearest thereto.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietors has caused this instrument to be executed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Casey's Marketing Company, an Iowa corporation

By: \_\_\_\_\_  
Michael R. Richardson, President

ACKNOWLEDGEMENT

STATE OF IOWA )  
COUNTY OF POLK ) SS

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for said County and State, came Michael R. Richardson, President of Casey's Marketing Company, an Iowa corporation, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_

Print Name: \_\_\_\_\_

APPROVALS

City Planning and Zoning Commission:

This plat of Casey's General Store addition has been submitted to and approved by the Harrisonville Planning and Zoning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Panning and Zoning Commission Chairman \_\_\_\_\_

City of Harrisonville, Missouri:  
Board of Aldermen:

This plat of Casey's General Store including easements and rights-of-way accepted by the Board of Aldermen has been submitted to and approved by the Harrisonville Board of Aldermen by Ordinance No. \_\_\_\_\_, duly passed and approved by the Mayor of Harrisonville, Missouri, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Mayor \_\_\_\_\_ ATTEST: \_\_\_\_\_  
City Clerk

City Engineer \_\_\_\_\_ Community Development Director \_\_\_\_\_

Cass County, Missouri:

Entered on transfer record this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Deputy County Recorder of Deeds \_\_\_\_\_

CERTIFICATE OF AUTHORIZATION  
KANSAS  
LAND SURVEYING - LS-82  
ENGINEERING - E-391  
CERTIFICATE OF AUTHORIZATION  
MISSOURI  
LAND SURVEYING-2007001128  
ENGINEERING-2007005068

I, HEREBY CERTIFY THAT THE PLAT OF "CASEY'S GENERAL STORE" IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

By: \_\_\_\_\_  
THOMAS D. PHELPS, MO. LS-2458

PHELPS ENGINEERING, INC.  
1270 N. Winchester  
Olathe, Kansas 66061  
(913) 393-1155  
Fax (913) 393-1166



PLANNING  
ENGINEERING  
IMPLEMENTATION

**APPLICATION  
FOR  
PLATS  
CITY OF HARRISONVILLE**  
PLEASE PRINT

FEE: \$105.<sup>00</sup>  
REC'D BY: ALC  
(STAFF USE ONLY)

CASE NO.: PP-1501  
PC DATE: 5/21/15  
(STAFF USE ONLY)

PLEASE ☒ APPLICABLE      ☒ PRELIMINARY      ☒ FINAL      ☐ SMALL SUBDIVISION

NAME OF PROPOSED SUBDIVISION: Casey's General Store

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 1901<sup>W</sup> Mechanic Street

LEGAL DESCRIPTION: see attached legal description

ZONING ON SUBJECT PROPERTY: C-2 CURRENT LAND USE:: vacant

TOTAL ACREAGE: 2.05 acres NUMBER OF LOTS: 1

|                                              |  |                            |           |
|----------------------------------------------|--|----------------------------|-----------|
| DEVELOPER'S NAME(S): <u>Melani Samora</u>    |  | PHONE: <u>515-965-6521</u> |           |
| COMPANY: <u>Casey's Marketing Company</u>    |  | FAX: <u>515-965-6107</u>   |           |
| MAILING ADDRESS: <u>One Convenience Blvd</u> |  | <u>50021</u>               |           |
| STREET                                       |  | CITY                       | STATE ZIP |

PROPERTY OWNER'S NAME(S) Bowling Services Unlimited, LLC PHONE: \_\_\_\_\_

COMPANY: \_\_\_\_\_ FAX: \_\_\_\_\_

MAILING ADDRESS: 15901 Harold Drive Belton MO 64012

STREET CITY STATE ZIP

ENGINEER'S NAME(S): Judd Claussen, P.E. PHONE: 913-393-1155

COMPANY: Phelps Engineering, Inc. FAX: \_\_\_\_\_

MAILING ADDRESS: 1270 N Winchester Rd Olathe KS 66061

STREET CITY STATE ZIP

**NOTES:**

- SEE ATTACHED "GUIDE TO PLATTING" FOR INFORMATION REGARDING HARRISONVILLE'S PLATTING PROCESS.
- TEN (10) COPIES OF THE PROPOSED PLAT MUST ACCOMPANY THIS APPLICATION FOR STAFF REVIEW.
- AFTER STAFF REVIEW, FIVE (5) REVISED PLATS WILL BE REQUIRED INCLUDING A REVISED 8½" X 11" COPY.
- IT RECOMMENDED THAT THE APPLICANT OBTAIN A COPY OF THE STAFF REPORT PRIOR TO THE PLANNING AND ZONING MEETING.
- IT IS THE APPLICANTS RESPONSIBILITY TO BECOME FAMILIAR WITH THE APPLICABLE CITY LAND USE ORDINANCES AND REQUIREMENTS PRIOR TO SUBMITTING AN APPLICATION FOR PLAT.

SIGNATURE OF APPLICANT:  DATE: 4.16.16

APR 13 2015

**DESCRIPTION:**

All that part of the West One-half of the West One-half of Lot 4 of the Northeast Quarter of Section 5, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the West One-half of the West One-half of said Lot 4; thence N 88°14'51" W, along the North line of said Lot 4, a distance of 15.00 feet; thence S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4, a distance of 57.20 feet to a point on the Southerly right-of-way line of West Mechanic Street (Missouri State Highway 2 & 7), as now established, said point also being the Northwesternmost plat corner of WESTCHESTER BUSINESS PARK, a platted subdivision of land in the City of Harrisonville, Cass County, Missouri, said point also being the point of beginning; thence continuing S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4 and along the Westerly plat line of said WESTCHESTER BUSINESS PARK, a distance of 424.35 feet; thence N 89°53'31" W, along the Westerly plat line of said WESTCHESTER BUSINESS PARK, a distance of 164.91 feet to a point on the Easterly right-of-way line of U.S. Highway No. 71, as now established; thence along the Easterly right-of-way line of said U.S. Highway No. 71, for the following two (2) courses; thence N 13°19'12" W, a distance of 352.78 feet to a point on the Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7); thence N 33°32'40" E, Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7), a distance of 72.58 feet; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 80°20'46" E and a radius of 1,372.40 feet, an arc distance of 146.48 feet; thence along a spiral curve with a chord bearing of N 87°24'24" E and a distance of 72.41 feet to the point of beginning, containing 2.0492 acres, more or less.

FEE: \$105.<sup>00</sup>  
REC'D BY: AKC  
(STAFF USE ONLY)

**APPLICATION  
FOR  
PLATS  
CITY OF HARRISONVILLE  
PLEASE PRINT**

CASE NO.: FP-1502  
PC DATE: 5/21/15  
(STAFF USE ONLY)

PLEASE ☒ APPLICABLE      ☒ PRELIMINARY      ☒ FINAL      ☐ SMALL SUBDIVISION

NAME OF PROPOSED SUBDIVISION: Casey's General Store

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 1901<sup>W</sup> Mechanic Street

LEGAL DESCRIPTION: see attached legal description

ZONING ON SUBJECT PROPERTY: C-2 CURRENT LAND USE: vacant

TOTAL ACREAGE: 2.05 acres NUMBER OF LOTS: 1

|                                              |  |                            |                 |
|----------------------------------------------|--|----------------------------|-----------------|
| DEVELOPER'S NAME(S): <u>Melani Samora</u>    |  | PHONE: <u>515-965-6521</u> |                 |
| COMPANY: <u>Casey's Marketing Company</u>    |  | FAX: <u>515-965-6107</u>   |                 |
| MAILING ADDRESS: <u>One Convenience Blvd</u> |  | <u>Ankeny</u>              | <u>IA 50021</u> |
| STREET                                       |  | CITY                       | STATE ZIP       |

PROPERTY OWNER'S NAME(S) Bowling Services Unlimited, LLC PHONE: \_\_\_\_\_

COMPANY: \_\_\_\_\_ FAX: \_\_\_\_\_

MAILING ADDRESS: 15901 Harold Drive Belton MO 64012

STREET CITY STATE ZIP

ENGINEER'S NAME(S): Judd Claussen, P.E. PHONE: 913-393-1155  
COMPANY: Phelps Engineering, Inc. FAX: \_\_\_\_\_  
MAILING ADDRESS: 1270 N Winchester Rd Olathe KS 66061  
STREET CITY STATE ZIP

## NOTES:

- SEE ATTACHED "GUIDE TO PLATTING" FOR INFORMATION REGARDING HARRISONVILLE'S PLATTING PROCESS.
- TEN (10) COPIES OF THE PROPOSED PLAT MUST ACCOMPANY THIS APPLICATION FOR STAFF REVIEW.
- AFTER STAFF REVIEW, FIVE (5) REVISED PLATS WILL BE REQUIRED INCLUDING A REVISED 8½" X 11" COPY.
- IT IS RECOMMENDED THAT THE APPLICANT OBTAIN A COPY OF THE STAFF REPORT PRIOR TO THE PLANNING AND ZONING MEETING.
- IT IS THE APPLICANTS RESPONSIBILITY TO BECOME FAMILIAR WITH THE APPLICABLE CITY LAND USE ORDINANCES AND REQUIREMENTS PRIOR TO SUBMITTING AN APPLICATION FOR PLAT.

**SIGNATURE OF APPLICANT:**

DATE: 4.16.16

APR 13 2015

John Clann DATE: 4.16.15  
agent for Casey's Stores/Casey's Marketing Co.

## DESCRIPTION:

All that part of the West One-half of the West One-half of Lot 4 of the Northeast Quarter of Section 5, Township 44 North, Range 31 West, in the City of Harrisonville, Cass County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of the West One-half of the West One-half of said Lot 4; thence N 88°14'51" W, along the North line of said Lot 4, a distance of 15.00 feet; thence S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4, a distance of 57.20 feet to a point on the Southerly right-of-way line of West Mechanic Street (Missouri State Highway 2 & 7), as now established, said point also being the Northwesternmost plat corner of WESTCHESTER BUSINESS PARK, a platted subdivision of land in the City of Harrisonville, Cass County, Missouri, said point also being the point of beginning; thence continuing S 1°34'48" W, along a line parallel with the East line of the West One-half of the West One-half of said Lot 4 and along the Westerly plat line of said WESTCHESTER BUSINESS PARK, a distance of 424.35 feet; thence N 89°53'31" W, along the Westerly plat line of said WESTCHESTER BUSINESS PARK, a distance of 164.91 feet to a point on the Easterly right-of-way line of U.S. Highway No. 71, as now established; thence along the Easterly right-of-way line of said U.S. Highway No. 71, for the following two (2) courses; thence N 13°19'12" W, a distance of 352.78 feet to a point on the Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7); thence N 33°32'40" E, Southerly right-of-way line of said West Mechanic Street (Missouri State Highway 2 & 7), a distance of 72.58 feet; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 80°20'46" E and a radius of 1,372.40 feet, an arc distance of 146.48 feet; thence along a spiral curve with a chord bearing of N 87°24'24" E and a distance of 72.41 feet to the point of beginning, containing 2.0492 acres, more or less.



## STAFF REPORT

**TO:** Board of Aldermen  
**FROM:** John Hofer, Director  
**DATE:** May 13, 2015  
**SUBJECT:** MoDot Work Zone Enforcement Agreement

**Type of Item:** *Agreement*

**Issue:** MoDot is requesting an ordinance adopted entering into a contractual agreement to reimburse the City of Harrisonville Police Department for traffic control through their work zone enforcement agreement program.

**Background:** Periodically MoDot will request officers to conduct traffic safety enforcement in a work zone and this will allow Harrisonville PD officers to work this area at an overtime rate that will be reimbursed to the City similar to the STEP previously approved by the BOA earlier this year. The agreement will be valid for the awarded years 2015-2019 with the first order beginning July 1, 2015..

**Recommendation:** Staff recommends approval and looks forward to partnering with MoDot to make Harrisonville a safer community.

**Council Bill No. 050****Ordinance No.**

**AN ORDINANCE TO ALLOW THE CITY OF HARRISONVILLE TO ENTER  
 INTO A CONTRACTUAL AGREEMENT WITH THE MISSOURI  
 DEPARTMENT OF TRANSPORTATION TO ALLOW THE CITY OF  
 HARRISONVILLE POLICE DEPARTMENT TO PROVIDE TRAFFIC  
 CONTROL IN WORK ZONES WITHIN THE CITY AND TO AUTHORIZE THE  
 CITY ADMINISTRATOR TO EXECUTE THE ATTACHED AGREEMENT**

WHEREAS, the Missouri Department of Transportation wishes to partner with the City of Harrisonville Police Department for traffic control in work zones, and

WHEREAS, the contractual agreement is attached to and becomes part of this ordinance,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE  
 CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:**

1. That the Harrisonville Board of Aldermen approves such a partnership between the Missouri Department of Transportation and the Harrisonville Police Department, and
2. That the City Administrator is authorized to execute the agreement on behalf of the City of Harrisonville.

**Vote taken as follows:**

Ayes:

Nays:

Absent:

Abstain:

**PASSED AND RESOLVED** by the Board of Aldermen of the City of Harrisonville, Missouri, this 15<sup>th</sup> day of June 2015.

---

Brian Hasek, Mayor and Ex-Officio  
 Chairman of the Board of Aldermen

ATTEST:

---

Kim Hubbard, City Clerk

**WITNESS** my hand and Seal of the City of Harrisonville, Missouri, this 15th day of June 2015.

## Missouri Department of Transportation

David B. Nichols, Director

573.751.4161  
Fax: 573.634.5977  
1.800.800.2358

April 29, 2015

Harrisonville Police Department  
Lt. Mike Prindle  
205 N Lexington Street  
Harrisonville, MO 64701

Dear Lt. Prindle:

Enclosed are a Work Zone Enforcement Program Agreement and a Program Order between the Missouri Highways and Transportation Commission (MHTC) and your agency for enforcement to be conducted in designated Missouri Department of Transportation (MoDOT) Work Zones.

The Work Zone Enforcement Program Agreement will be valid for the award years 2015-2019. The award years establishes a lengthier term agreement so that the agreement and an ordinance will only need to be passed every five years. In addition, on the Program Agreement article (6), please fill in your agency's representative's title.

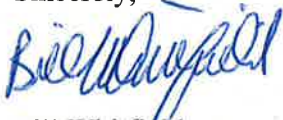
The Work Zone Enforcement Program Order is for Program Order Number CWZEB36Z in the contract amount of \$10,000.00 with the effective date of July 1, 2015 thru December 31, 2016.

Please have the appropriate authorizing official sign and date all three copies of the Work Zone Enforcement Program Agreement and Program Order. Return all completed copies of the Work Zone Enforcement Program Agreement, Program Order and a copy of the ordinance to the MoDOT Traffic and Highway Safety Division.

Once the Work Zone Enforcement Program Agreement and Program Order have been fully executed by MHTC, one original copy will be returned to your agency and your agency may begin work.

If you have any questions about the process, please call me at 573-751-5417.

Sincerely,



Bill Whitfield  
Highway Safety Director

c: Chief John Hofer  
Enclosure



Our mission is to provide a world-class transportation experience that delights our customers and promotes a prosperous Missouri.

[www.modot.org](http://www.modot.org)

Attachment: MoDot Agreement 2015 (1863 : MoDot Work Zone Enforcement Agreement)

CCO Form: HS06  
 Approved: 07/06 (AMN)  
 Revised: 04/15 (BDG)  
 Modified:

## PROGRAM ORDER TO AGREEMENT DATED \_\_\_\_\_

C.F.D.A. Number: 20.205

Program Order Number: CWZEB36Z

Date: \_\_\_\_\_

Contract Amount: \$10,000.00

Effective Date: July 1, 2015

Completion Date: December 31, 2016

Contractor: Harrisonville Police Department

Mail Invoices/Vouchers to: MoDOT Traffic and Highway Safety Division  
 PO Box 270  
 Jefferson City, MO 65102

This Program Order is issued under the authority of the Agreement between the Missouri Highways and Transportation Commission (the "Commission") and the City of Harrisonville (the "City") dated \_\_\_\_\_ and is subject to all applicable provisions and covenants of that Agreement, which are incorporated herein by this reference.

*[Remainder of Page Intentionally Left Blank]*

IN WITNESS WHEREOF, the parties hereto have caused this contract to be duly executed intending to be bound thereby.

Executed by the City of Harrisonville this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

Executed by the Commission this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION

CITY OF HARRISONVILLE

\_\_\_\_\_  
Title \_\_\_\_\_

By \_\_\_\_\_  
Title \_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary to the Commission

Approved as to Form:

\_\_\_\_\_  
Commission Counsel

Attachment: MoDot Agreement 2015 (1863 : MoDot Work Zone Enforcement Agreement)

CCO Form: HS3A  
 Approved: 07/06 (AMN)  
 Revised: 06/13 (ASB)  
 Modified:

Award years: 2015-2019  
 Region: KC – Kansas City

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION  
 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM ON CALL WORK  
 ZONE ENFORCEMENT PROGRAM AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Harrisonville, a municipal corporation in the State of Missouri (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PURPOSE: The Commission has authorized funds to be used to support Statewide Transportation Improvement Program (hereinafter, "STIP") On Call Work Zone Enforcement activities. The purpose of this Agreement is to grant the use of such funds to the City.

(2) ACTIVITY: The funds which are the subject of this Agreement are provided to support law enforcement work zone activities to further STIP On Call Work Zone Enforcement.

(3) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial

Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(4) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City and the Commission.

(5) COMMISSION REPRESENTATIVE: This Commission's District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(6) CITY REPRESENTATIVE: The City's \_\_\_\_\_ is designated as the City's representative for the purpose of administering the provisions of this Agreement. Further, the City's \_\_\_\_\_ shall have the authority to execute Program Orders in accordance with this Agreement.

(7) NONDISCRIMINATION CLAUSE: The City shall also comply with all state and federal statutes applicable to the City relating to nondiscrimination, including, but not limited to, Chapter 213, RSMo; Title VI and Title VII of the Civil Rights Act of 1964 as amended (42 U.S.C. Sections 2000d and 2000e, *et seq.*); and with any provision of the "Americans with Disabilities Act" (42 U.S.C. Section 12101, *et seq.*).

(8) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(9) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(10) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

(11) FUNDING/REIMBURSEMENT:

(A) General: With regard to work under this Agreement, the City agrees that funds to implement work zone law enforcement activities shall only be available for reimbursement of eligible costs which have been incurred by the City. The City shall

supply to the Commission copies of all bid information, purchase orders, invoices and, for hours worked, certified payroll (on Program Agreements that include salaries). Any costs incurred by the City prior to authorization and notification to proceed from the Commission are **not** reimbursable costs. The Commission shall not be responsible for any costs associated with the activity herein unless specifically identified in this Agreement or subsequent written amendments or Task Orders.

(B) Peace Officer Standards and Training: Law enforcement work performed by a duly licensed, Peace Officer Standards and Training certified law enforcement officer will be reimbursed.

(12) EQUIPMENT:

(A) Procurement: The City may use its own procurement regulations which reflect applicable state/local laws, rules & regulations provided they adhere to the following:

(1) Equipment with a cost of \$3,000 or more must be purchased on a competitive bid basis, or purchased through use of state cooperative procurement.

(2) Price or rate quotations shall be solicited from at least three (3) sources.

(3) All procurement transactions, regardless of whether by sealed bids or by negotiation, shall be conducted in a manner that provides maximum open and free competition.

(4) The City shall have a clear and accurate description of the item to be purchased. Such description shall not, in competitive procurements, contain features that unduly restrict competition. A "brand name or equal" description may be used as a means to define the performance or other requirement of procurement.

(5) If for some reason the low bid is not acceptable, the City must have written approval from the MHTC prior to bid approval and purchase.

(6) The City will make a good faith effort to utilize minority and women owned businesses within resource capabilities when procuring goods and services.

(B) Disposition: The City shall make written request to the MHTC for instructions on the proper disposition of all items of equipment provided under the terms of this contract with a cost of \$3,000 or more. City must keep and maintain equipment with a cost of under \$3,000 until it is no longer useful for its originally intended purpose.

(C) Replacement: No equipment may be funded on a replacement basis. Participation in equipment and manpower projects must be in addition to the City's previous twelve months authorized strength.

(13) ACCOUNTING: The City shall maintain all documentation in file for audit review; failure to provide supporting documentation at the time of audit could result in

questioned costs. The City must document the following: (1) Receipt of funds, (2) date and amount paid to officers, (3) officer's timesheet (regular hours and overtime hours). Documentation shall be kept available for inspection for representatives of the MHTC for a period of three years following date of final payments. Copies of such records shall be made available upon request.

(14) PROGRAM ORDER: On Call Work Zone Enforcement funding will be conducted under a Program Order. Each Program Order must be executed by the Commission and the City's Representative. Each Program Order shall contain, but is not limited to the following:

(A) Program Order Job Number(s).

(B) Funds available for the completion of the Program Order.

(C) Starting and completion dates for the Program Order.

(15) LIMITS ON OVERTIME: The City will not be eligible for reimbursement for any individual law enforcement officer working under this grant where said officer is claiming to have worked as a law enforcement officer for more than 16 hours in any 24 hour period.

(16) USE OF FUNDS: Any employee of the City whose salary or wages are paid in whole or in part with federal funds is prohibited from participating in certain partisan political activities, including, but not limited to, being a candidate for elective office pursuant to Title 5 United States Code (hereinafter, "U.S.C."), Sections 1501-1508. If an employee of the City participates in activities prohibited by the Hatch Act, the City shall no longer pay that employee's salary or wages with federal funds unless the requirements of 5 U.S.C. Sections 1501-1508 are not applicable to that employee pursuant to 5 U.S.C. Section 1502(c).

(17) AUDIT OF RECORDS: The City must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at all reasonable times at no charge to the Commission and/or its designees or representatives during the period of this Agreement and any extension thereof, and for three (3) years from the date of final payment made under this Agreement.

(18) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(19) FINAL AUDIT: The Commission may, in its sole discretion, perform a final audit of project costs. The City shall refund any overpayments as determined by the final audit.

(20) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(21) EMPLOYEES ONLY: The funding granted by the Commission to the City under this Agreement extends only to reimbursement for work zone enforcement by employees of the City covered by the City worker's compensation plan.

(22) DURATION AND EXTENSION: Unless otherwise terminated, this Agreement shall be in effect for five years from the execution of this Agreement. Upon the approval of both parties, the terms and conditions of this Agreement are renewable for an additional two, one year extensions from the date of the expiration of the Agreement. Any extension shall be memorialized in an appropriate Supplemental Agreement and executed by the duly authorized representatives of the parties.

(23) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

*[Remainder of Page Intentionally Left Blank]*

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Executed by the Commission this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION

CITY OF HARRISONVILLE, MISSOURI

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary to the Commission

By \_\_\_\_\_

Title \_\_\_\_\_

Approved as to Form

\_\_\_\_\_  
Commission Counsel

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

By \_\_\_\_\_

Title \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_

Title \_\_\_\_\_

Ordinance No \_\_\_\_\_