Project No.

Tract No.

**TEMPORARY CONSTRUCTION EASEMENT**

(For grading adjacent to future thoroughfare – Version 2)

KNOW ALL PERSONS BY THESE PRESENTS, that , hereinafter the Grantor, for the sum of ten dollars ($10.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged, does grant to the CITY OF OVERLAND PARK, a municipal corporation in the County of Johnson, State of Kansas, hereinafter the Grantee, its successors and assigns, a Temporary Construction Easement over, under and through the following described real estate, to wit:

**SEE ATTACHMENT ‘A’**

The above described easement is to be used for the purpose of constructing, grading, improving, reconstructing, and inspecting which shall be an element of the construction of to thoroughfare standards adjacent to (the “Improvement”). This Temporary Construction Easement includes the right of ingress and egress over and through the above-described real estate. Grading within the Temporary Construction Easement may result in a grade change

Grantor, its successors and assigns, hereby waive and release Grantee from any and all claims for damages or compensation either now or in the future arising by reason of the use of said real estate for the purpose herein described. The Grantee, its contractors or assigns shall not be held liable for damage to or removal of landscaping median islands, entrance monuments and appurtenances thereto which damage or removal is caused or necessitated by the Improvement. The Grantee, its contractors or assigns shall not be responsible for the replacement or reconstruction of these amenities should they be damaged or destroyed by Grantee or its contractors or assigns in the process of constructing the Improvement.

This Temporary Construction Easement shall commence upon the date listed below and shall expire months after the completion and acceptance of construction of the Improvement.

This Temporary Construction Easement shall be binding upon the heirs, executors, administrators, successors, and assigns of Grantor and shall be recorded with the Johnson County Register of Deeds.

Rev. 10-1-16

TO THESE COVENANTS, the Grantor does hereby consent and agree.

IN WITNESS WHEREOF, the party above named has executed this easement this day of , 20 .

Signature Signature

Printed Name Printed Name

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF )

 ) SS.

COUNTY OF )

BE IT REMEMBERED, That on this day of , 20 , before me, the undersigned, a Notary Public in and for the County and State aforesaid, came who is/are personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledged the execution of same.

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

 Notary Public

 Notary Stamp:

TO THESE COVENANTS, the Grantor does hereby consent and agree.

IN WITNESS WHEREOF, the party above named has executed this easement this day of , 20 .

Signature Signature

Printed Name Printed Name

**LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT**

STATE OF )

 ) SS.

COUNTY OF )

BE IT REMEMBERED, That on this day of , 20 , before me, the undersigned, a Notary Public in and for the County and State aforesaid, came (name/s), member(s) of

 (name of company), a Limited Liability Company duly formed under the provisions of the (state) Limited Liability Company Act, who is/are personally known to me to be the such member(s) and who is/are personally known to me to be the same person(s) who executed as such member(s) the foregoing instrument on behalf of said company, and such person(s) duly acknowledged the execution of same to be the act and deed of said company.

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

 Notary Public

 Notary Stamp:

TO THESE COVENANTS, the Grantor does hereby consent and agree.

IN WITNESS WHEREOF, the party above named has executed this easement this day of , 20 .

Signature Signature

Printed Name Printed Name

**CORPORATE ACKNOWLEDGEMENT**

STATE OF )

 ) SS.

COUNTY OF )

BE IT REMEMBERED, That on this day of , 20 , before me, the undersigned, a Notary Public in and for the County and State aforesaid, came President of , a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of , and , Secretary of said Corporation, who are personally known to me to be the such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation.

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

 Notary Public

 Notary Stamp: