

# GENERAL

## Ordinance Fact Sheet

210932

Ordinance Number

### Brief Title

Condemning private properties for the "Lee's Summit Road – NW Lakewood Blvd to Anderson Drive" project.

### Approval Deadline

### Reason

Condemning private properties for public use as part of the "Lee's Summit Road – NW Lakewood Blvd to Anderson Drive" project.

### Details

#### Reason for Legislation

The Council finds that the fee interest in private properties must be condemned for public use as Street Right of Way and for Permanent Drainage Easements, Retaining Wall Easements, and Temporary Construction Easements required for the construction and maintenance of the "Lee's Summit Road – NW Lakewood Blvd to Anderson Drive", Project No. 89008194, in Kansas City, Jackson County, Missouri;

#### Discussion

Said improvements shall be of the nature described and specified in, and shall be done in accordance with, the plans and specifications certified under the supervision of the Director of the Department of Public Works, the same being on file in the Office of the Director of the Department of Public Works, and being incorporated herein by reference.

The properties being condemned will be used by the City of Kansas City, Missouri for Street Right of Way purposes and for Storm Drainage, Retaining Walls, and Temporary Construction Easements .

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

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

### Positions/Recommendations

<b>Sponsor</b>	City Manager
<b>Programs, Departments, or Groups Affected</b>	Public Works
<b>Applicants / Proponents</b>	<b>Applicant</b>  <b>City Department</b> Public Works  <b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>  <b>Basis of opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For  <input type="checkbox"/> Against  <b>Reason Against</b>
<b>Board or Commission Recommendation</b>	<b>By</b>  <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken  <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> Do pass  <input type="checkbox"/> Do pass (as amended)  <input type="checkbox"/> Committee Sub.  <input type="checkbox"/> Without Recommendation  <input type="checkbox"/> Hold  <input type="checkbox"/> Do not pass

**Discussion (continued)**

<b>Details</b>
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**Policy/Program Impact**

<b>Policy or Program Change</b>	<input type="checkbox"/> No <input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>	

**Finances**

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	

**Applicable Dates:**

**Fact Sheet Prepared by:**

Homer Janssens,  
Right of Way Reviewer  
Department of Public Works

**Reviewed by:**

Mark Montgomery  
Acting City Engineer  
Department of Public Works

**Reference Numbers**