

Section 6. That pending the acquisition of said property by condemnation, the City Manager or Designee is hereby authorized to continue negotiation on the purchase of said property and pay for it out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Section 7. That said property interests herein described be condemned and conveyed to the City of Kansas City, Missouri.

Section 8. That upon the effective date of this ordinance the City Clerk is hereby directed to record this ordinance in the office of the Recorder of Deeds for Platte County, Missouri.



Authenticated as Passed

Quinton Lucas

Quinton Lucas, Mayor

Marilyn Sanders

Marilyn Sanders, City Clerk

DEC 05 2024

Date Passed

Approved as to form:

Abigail Judah

Abigail Judah
Assistant City Attorney



Legislation Text

File #: 241009

ORDINANCE NO. 241009

Authorizing condemnation and taking of private property interest for public use for the construction of a Sanitary Sewer and Appurtenances for a sewer improvement project, "Burlington Creek & Riverside Pump Station Replacement Interceptor", Project No. 81000902, in the City of Riverside, Platte County, Missouri; providing for the payment of just compensation; authorizing continued negotiations and purchase by the City of Kansas City; authorizing the filing of the petition for condemnation by the City Attorney; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Platte County, Missouri.

WHEREAS, the Council finds that certain interests in private property must be condemned for public use for the construction of sewer improvement project, "Burlington Creek & Riverside Pump Station Replacement Interceptor," Project No. 81000902, in the City of Riverside, Platte County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the property interests herein described are hereby authorized condemned and taken for public use in and upon the land hereinafter described for Project No. 81000902, "Burlington Creek & Riverside Pump Station Replacement Interceptor", including any necessary structures or appurtenances, in the City of Riverside, Platte County, Missouri.

Section 2. Said improvements shall be of the nature described and specified in, and shall be done in accordance with, the plans and specifications certified under the supervision of the Director of the Water Services Department, the same being on file in the Office of the Director of the Water Services Department, and being incorporated herein by reference.

Section 3. That the properties obtained by condemnation shall be used by the City of Kansas City, Missouri as the location of a Sanitary Sewer and improvements and utilities to be constructed therein including any necessary appurtenances to it; and Kansas City or its authorized agents, employees or independent contractors, shall have the right to enter in or authorize the entry in and upon said properties for the purpose of constructing, reconstructing, maintaining, operating and repairing the following said improvements and utilities:

Temporary Easement

The Temporary Easement property shall be taken and used by the City of Kansas City, Missouri for the location, construction and maintenance of a Sanitary Sewer and associated

improved infrastructure to be constructed therein, including any necessary appurtenances thereto; and Kansas City, Missouri shall have the right to enter in or authorize the entry in and upon the Temporary Easement property for the purpose of locating, constructing, reconstructing, maintaining, operating and repairing said improvements or making connections thereto.

Section 4. That the private property is hereby authorized condemned and taken for public use and hereby described as follows:

Tract No. 1B

Temporary Easement

Situs Address: 5700 N. Platte Road, Riverside, Missouri 64150

(Tax ID 23-3.0-06-100-001-009.000)

Also legally Described as:

All that part of a tract of land described in Book 1328 at page 454 lying in the Northeast Quarter of Section 6, Township 50, Range 33, Riverside. Platte County, Missouri, described as follows: Commencing at the northeast corner of the Northeast Quarter of said Section 6; thence North 89.28'31" West (deed: North 89.57'21" West), along the north line of said Northeast Quarter, 1056.27 feet; thence South 00'21'06" West (deed: South 00'08' West), 1058.13 feet; thence North 86.48'55" West (deed: North 86'02'54" West), 123.00 feet; thence North 85'53'54" West (deed: North 86.07'53" West), 125.39 feet to the northerly line of said tract of land described in Book 1328 at page 454; thence South 43'14'56" East (deed: South 43'28'55" East), along said northerly line, 121.54 feet; thence South 73'26'53" East (deed: South 73'40'52" East), continuing along the northerly line of said tract of land, 31.26 feet to the northeast corner thereof; thence South 37'04" West (deed: South 23'05" West), along the east line of said tract of land, 423.12 feet (deed: 419.14 feet, more or less) to the north right-of-way line of N.W. Platte Road; thence along said north right-of-way line the following courses and distances: North 76.31'53" West, 233.07 feet to a point of curvature; thence in a northwesterly direction along a curve to the right, having a radius of 700.00 feet through a central angle of 015'55'26", an arc distance of 194.55 feet to the point of beginning of the tract to be described herein; thence continuing along said curve to the right, having a radius of 700.00 feet through a central angle of 001'57'32", an arc distance of 23.93 feet to a point of tangency; thence North 58'38'54" West, 376.07 feet; thence North 31'21'06" East, leaving the north right-of-way line of said N.W. Platte Road, 78.00 feet; thence South 58'38'54" East, parallel with said north right-of-way line, 400.00 feet; thence South 31'21'06" West, 77.59 feet to the point of beginning, containing 31,197 square feet, more or less.

Section 5. That just compensation for the property 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 Platte 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 for such purposes.