

CCO FORM: RW27
Approved: 6/97 (DPP)
Revised: 03/17 (AR)
Modified:

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
ROAD RELINQUISHMENT AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission ("Commission") and City of Kansas City, Missouri ("Agency").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows, subject to and only upon complete approval of the U.S. Route Number Application by the American Association of State Highway and Transportation Officials (AASHTO):

(1) PURPOSE: The purpose of this Agreement is to relinquish a portion of the state highway system to the agency.

(2) SPECIAL CONTINGENCY: Prior to either party beginning any work as contemplated herein, the Commission shall submit to AASHTO for approval its proposed U.S. Route Number Application. Further performance of the Agreement, beyond submission of the proposed U.S. Route Number Application, shall be contingent upon a full and complete approval by AASHTO. If the U.S. Route Number Application does not receive approval by AASHTO, this Agreement shall become null and void. Only upon the approval of the proposed U.S. Route Number Application shall either party be required to perform any work herein required.

(3) WORK BY COMMISSION: Upon the approval of the proposed U.S. Route Number Application and prior to any relinquishment or conveyance of the herein state highway to the Agency, the Commission shall perform the following:

MoDOT shall cause a portion of Interstate 435, Interstate 70, and associated ramps to be equipped with signage markings identifying that portion as the relocated Route 24

(4) WORK BY AGENCY: Upon the approval of the proposed U.S. Route Number Application and prior to any relinquishment or conveyance of the herein state highway to the Agency, the Agency shall perform the

following:

(a) The Agency shall cause the property to be surveyed by a registered land surveyor at its sole cost and at no cost to the Commission. Said survey shall provide Commission with a full legal description of the portion of state highway to be conveyed via Quit Claim Deed.

(b) The Agency shall remove all US 24 route markings on said relinquished route from Interstate 435 westward to Interstate 70. The aforementioned US 24 Route markings shall be removed by Agency in both eastbound and westbound directions.

(5) LOCATION: The general location of the highway to be conveyed is as follows:

That portion of US-24 from Potter Avenue to Ewing Avenue, located just west of Interstate 435, in Kansas City, Missouri

(6) RELINQUISHMENT: Upon completion of the work as specified in paragraph (2), the Commission shall convey to the Agency the portion of the US Highway which is the subject of this Agreement by a Quit Claim Deed releasing any and all interest the Commission has in the above-described property. The exact legal description of the highway shall appear in the quitclaim deed. The Agency agrees to accept the deed from the Commission. The deed shall be filed with the office of the recorder of deeds in the county where the highway is located.

(7) CLAUSES IN THE DEED: The following clauses will be included in the quitclaim deed from the Commission to the Agency, where in the Commission is referred to as "Grantor" and the Agency is referred to as "Grantee":

The Grantee, by acceptance of this conveyance, covenants and agrees for itself, its successors and assigns, to allow known or unknown utility facilities currently located on the property, whether of record or not, to remain on the property, and to grant the current and subsequent owners of those facilities the right to maintain, construct and reconstruct the facilities and their appurtenances over, under, and across the land herein conveyed, along with the right of ingress and egress across the land herein conveyed to and from those utilities.

By conveyance through the aforementioned Quit Claim Deed, the Missouri Highways and Transportation Commission makes no claim to the resulting title of the above-described property and is merely releasing whatever

interest it has to the Grantee.

(8) MAINTENANCE BY COMMISSION: Prior to conveyance of the highway, the Commission shall maintain the highway as part of the state highway system. Upon conveyance of the highway to the Agency, Commission's responsibility to maintain the highway shall cease and the highway will no longer be considered a part of the state highway system.

(9) MAINTENANCE BY AGENCY: Upon conveyance by the Commission as shown by the date on the quitclaim deed, Agency shall maintain the highway as part of Agency's system.

(10) FUTURE REPAIR: After conveyance of the highway to the Agency, the Commission may agree to perform future repair to the highway. Any future repair by the Commission shall only be by a separate written agreement between the Commission and the Agency. The cost of any future repairs by the Commission shall be identified by the separate agreement and shall be the responsibility of the Agency.

(11) COMMISSION REPRESENTATIVE: The 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.

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

[Remainder of Page Intentionally Left Blank. Signatures Appear on Following Page.]

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

Executed by Agency this _____ day of _____, 20____.

Executed by the Commission this _____ day of _____, 20____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

City of Kansas City, Missouri

Title _____

By: _____
Title _____

Secretary to the Commission

By _____
Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title _____

Ordinance No. _____