



Legislation Details (With Text)

File #: 211093 **Version:** 1 **Name:**

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File created: 12/2/2021 **In control:** Finance, Governance and Public Safety Committee

On agenda: 12/15/2021 **Final action:** 12/16/2021

Title: Approving and authorizing settlement of a condemnation lawsuit styled City of Kansas City, MO v. Kansas City Industrial Holdings LLC, et al., Case No. 2116-CV13062.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Authorizing Settlement 8900 5580 Swope Park Indstrl Flyvr Brdg.xlsx, 2. Fiscal Note Template FY22.pdf, 3. Authenticated Ordinance 211093

Date	Ver.	Action By	Action	Result
12/16/2021	1	Council	Passed	Pass
12/9/2021	1	Council	referred	

ORDINANCE NO. 211093

Approving and authorizing settlement of a condemnation lawsuit styled *City of Kansas City, MO v. Kansas City Industrial Holdings LLC, et al.*, Case No. 2116-CV13062.

WHEREAS, the City brought the above condemnation action to acquire certain property interests via eminent domain for the Street Improvement Project No. 89005580, “Swope Park Industrial Area 75th Street Realignment” in Kansas City, Jackson County, Missouri; and

WHEREAS, Section 2-302 of the Code of Ordinances authorizes the City Attorney to settle claims in excess of \$50,000.00 “subject to approval by the city council upon the recommendation of the risk management committee”; and

WHEREAS, the Risk Management Committee recommends the City Attorney be given such authority to settle the above styled cases; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the payment of the sum not to exceed \$925,000.00 in settlement of Counts 1, 2, 3, and 5 of the City of Kansas City, Missouri’s Petition in Eminent Domain in the lawsuit styled, *City of Kansas City, MO v. Kansas City Industrial Holdings LLC, et al.*, Case No. 2116-CV13062, for the acquisition of certain property from Kansas City Industrial Holdings LLC, as recommended by the City Attorney and the Risk Management Committee, is hereby approved.

Section 2. That the City Attorney is hereby authorized to pay the sum of \$925,000.00, including any increases under Section 2, in settlement of said claims in this lawsuit from funds previously appropriated in AL-3622-898055-B-89005580.

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy Queen
Director of Finance

Approved as to form and legality:

Matthew Cooper
Assistant City Attorney