



Legislation Details (With Text)

File #: 220477 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 5/16/2022 **In control:** Council
On agenda: 6/16/2022 **Final action:** 6/16/2022

Title: Authorizing condemnation and taking of private property interests for public use for the construction, location and maintenance of the "Route 45/I-29 Interchange Improvements", Project No. 89008182, in Kansas City, Platte County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Department of Public Works; authorizing the filing of the petition for condemnation by the City Attorney on behalf of the City; and directing the City Clerk to record this ordinance in the office of the Recorder of Deeds for Platte County, Missouri.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 220477 Fiscal Note, 2. 220477 Fact Sheet, 3. Authenticated Ordinance 220477, 4. 220477.Recorded Information 7.12.2022

| Date | Ver. | Action By | Action | Result |
|-----------|------|---|---------------------------------|--------|
| 6/16/2022 | 1 | Council | Passed | Pass |
| 6/9/2022 | 1 | Council | Assigned to Third Read Calendar | Pass |
| 6/8/2022 | 1 | Transportation, Infrastructure and Operations Committee | Do Pass | Pass |
| 5/26/2022 | 1 | Council | referred | |

ORDINANCE NO. 220477

Authorizing condemnation and taking of private property interests for public use for the construction, location and maintenance of the "Route 45/I-29 Interchange Improvements", Project No. 89008182, in Kansas City, Platte County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations and purchase by the Director of the Department of Public Works; authorizing the filing of the petition for condemnation by the City Attorney on behalf of the City; 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 the property interests herein described must be condemned to provide additional access for roadway improvements for the "Route 45/I-29 Interchange Improvements" Project in Kansas City, Platte County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY, MISSOURI:

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. 89008182, "Route 45/I-29 Interchange Improvements", including any necessary structures or appurtenances, all in Kansas City, 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 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.

Section 3. That the properties obtained by condemnation shall be used by the City of Kansas City, Missouri to provide additional access for roadway improvements for the location of said improvements and utilities to be constructed therein including any necessary appurtenances to it; and Kansas City or its authorized agents, employees or independent contractors, and with Kansas City, Missouri's permission, utility companies 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.

Section 4. That said property interests are hereby authorized condemned and taken for public use and are described as follows:

6370 NW Prairie View Road

All that part of Lot 11 and Lot 12, Laplata, a subdivision in Kansas City, Platte County, Missouri, being described as follows:

Beginning at the Northwesterly corner of said Lot 11, said point also being the Southerly most corner of said Lot 12; thence North 34 degrees 02 minutes 15 seconds West, along the southwesterly line of said Lot 12, a distance of 71.38 feet to a point on the westerly right-of-way line of Interstate Route 29; thence South 56 degrees 35 minutes 52 seconds East, along said right-of-way line, a distance of 2.53 feet; thence South 49 degrees 54 minutes 07 seconds East, continuing along said right-of-way line, a distance of 189.75 feet; to a point on the southerly line of said Lot 11; thence North 89 degrees 32 minutes 07 seconds West, along said line, a distance of 39.38 feet; thence Northwesterly, continuing along said line, and along the Westerly line of said Lot 11, along a curve to the right being tangent to the previously described course, having a radius of 47.03 feet, an arc distance of 45.55 feet; thence North 34 degrees 02 minutes 15 seconds West, continuing along said Westerly line, a distance of 52.42 feet to the Point of Beginning; containing 3,860 square feet or 0.09 acres.

Section 5. That 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 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, or to be appropriated, for such purposes.

Section 6. That 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.

Section 7. That said tracts and interests be condemned and conveyed to Kansas City, Missouri.

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

Approved as to form and legality:

Matthew Cooper
Assistant City Attorney