

RESOLUTION NO. 17076

**SUBJECT:** Authorizing the County Executive to execute a termination agreement to the lease with the Missouri Department of Conservation for the construction and operation of a public shooting facility.

**INTRODUCED**  
(Land Use)

November 9, 2009

**ADOPTED:**

November 16, 2009

(O#3437)  
(R#16117)  
(R#17181)

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing the County Executive to execute a termination agreement to the lease with the Missouri Department of Conservation for the construction and operation of a public shooting facility.

**RESOLUTION #17076**, November 9, 2009

**INTRODUCED BY** Fred Arbanas, County Legislator

WHEREAS, by Resolution 3437, dated June 18, 1979, the Legislature did authorize a lease agreement with the Missouri Department of Conservation for the construction and operation of a public shooting facility on the grounds of Landahl Park, for a period of forty (40) years; and,

WHEREAS, by Resolution 16117, dated December 4, 2006, the Legislature did authorize a Memorandum of Understanding with the Missouri Department of Conservation for the construction and operation of an outdoor skills facility on a different portion of Landahl Park, which is scheduled to open in December of 2009; and,

WHEREAS, the County now desires to terminate the 1979 lease agreement between itself and the Missouri Department of Conservation, and the Missouri Department of Conservation will relinquish all buildings, fixtures, and improvements under this lease to the County; and,

WHEREAS, the attached Lease Termination Agreement sets forth acceptable terms for the termination of the 1979 lease agreement; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute the attached Lease Termination Agreement with the Missouri Department of Conservation.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

Pamela Kellin  
Deputy/Assistant County Counselor

WME Foye  
Acting County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17076 of November 9, 2009, was duly passed on November 16, 2009 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 0

Excused 1

11-16-09  
Date

Mary Jo Spino  
Mary Jo Spino, Clerk of Legislature

R#17076

**LEASE TERMINATION AGREEMENT  
BETWEEN JACKSON COUNTY, MISSOURI  
AND  
MISSOURI DEPARTMENT OF CONSERVATION**

**THIS LEASE TERMINATION AGREEMENT**, hereinafter referred to as "Agreement", made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by and between Jackson County, Missouri, a Constitutional Charter home Rule County and political subdivision of the State of Missouri ("County") and the Department of Conservation, an authorized Departmental agency of the State of Missouri, ("MDC"), each individually a "Party" to this Agreement and collectively "the Parties" hereto.

**WHEREAS**, the County owns certain land located within its boundaries known as Landahl Park, operated by its Department of Parks and Recreation as a recreational area for use by the general public; and

**WHEREAS**, the County and MDC have entered into a Lease to use a portion of Landahl Park to construct and operate a shooting range and outdoor education center for use by the general public for the recreational sport of shooting and other conservation-related activities; and

**WHEREAS**, the MDC operates the existing Lake City Shooting Range under its current lease, entered into on the 7<sup>th</sup> day of November, 1979 and hereinafter referred to as the "Lake City Range";

**NOW, THEREFORE**, in consideration of the promises, and of the mutual covenants and agreements herein contained, and other valuable considerations, the MDC shall relinquish to the County, by termination of the Lake City Lease, all possession and operation of the existing Lake City Shooting Range as follows:

**BE IT MUTUALLY AGREED THAT:**

1. A Lease Termination Agreement between the County and MDC shall relinquish to the County all possession and operation of the existing Lake City Shooting Range.
2. Upon execution of this Lease Termination Agreement, MDC shall vacate the premises, with all buildings, fixtures and improvements, as is; MDC shall have 60 calendar days from the date of the termination to remove from the premises any signs that reference MDC.

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BETWEEN JACKSON COUNTY, MISSOURI  
AND  
MISSOURI DEPARTMENT OF CONSERVATION**

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**WHEREAS**, the County owns certain land located within its boundaries known as Landahl Park, operated by its Department of Parks and Recreation as a recreational area for use by the general public; and

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**BE IT MUTUALLY AGREED THAT:**

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2. Upon execution of this Lease Termination Agreement, MDC shall vacate the premises, with all buildings, fixtures and improvements, as is; MDC shall have 60 calendar days from the date of the termination to remove from the premises any signs that reference MDC.

3. The County agrees to make the Lake City Shooting Range available to MDC, at no charge, for youth programs and special events if requested and if the Facility is otherwise available.
4. All rights and obligations of the parties, as described in the Lake City Lease, are terminated.
5. The 6 month prior written notice requirement for termination of the Lake City Lease, is hereby waived by both parties.

IN WITNESS WHEREOF, the Parties have signed this Lease Termination Agreement.

JACKSON COUNTY, MISSOURI

MISSOURI DEPARTMENT OF CONSERVATION

By   
Michael Sanders, County Executive

By   
Director


APPROVED AS TO FORM:

ATTEST:

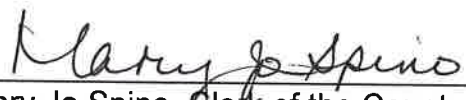
  
William G. Snyder  
Acting County Counselor

  
Commission Secretary

APPROVED AS TO FORM ONLY 

  
GENERAL COUNSEL

ATTEST:

  
Mary Jo Spino, Clerk of the County Legislature