

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

**A RESOLUTION** authorizing the County Executive to execute a quit-claim deed in favor of the Missouri Highways and Transportation Commission, for the purpose of conveying any County interest in a public right-of-way now located on F Highway south of Interstate 70 in Oak Grove, MO.

**RESOLUTION NO. 18199**, June 24, 2013

**INTRODUCED BY** Bob Spence, County Legislator

WHEREAS, the outer belt road known as 34E was constructed by the County in the early 1930's; and,

WHEREAS, in 1937 the Missouri Highways and Transportation Commission (MHTC) entered into an agreement with County for MHTC to take over a section of the roadway south of U.S. 40 Highway and the MHTC intends to continue to maintain this roadway; and,

WHEREAS, the MHTC is now realigning parts of this roadway and determined that the 1937 agreement did not convey the rights-of-way and easement by deed; and,

WHEREAS, MHTC has requested that the County execute the attached quit claim deed to allow the MHTC clear title so that it may complete the necessary work and process deeds back to adjacent property owners for some of the rights-of-way related to this section of roadway, at no cost to the County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the attached quit claim deed is hereby approved and that the County Executive is hereby authorized to execute on behalf of the County the Agreement and any other documents necessary to give effect to this Resolution.

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

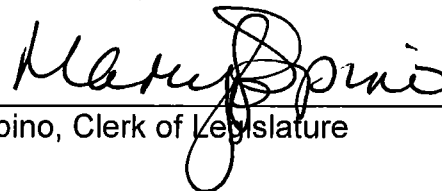
Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18199 of June 24, 2013, was duly passed on June 24, 2013 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8 Nays 0

Abstaining 0 Absent 1

6/24/13  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature


# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res. Ord No.: 18199

Sponsor(s): Bob Spence

Date: June 24, 2013

SUBJECT	<p>Action Requested  <input checked="" type="checkbox"/> Resolution  <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Authorizing the County Executive to sign a Quit Claim Deed for rights of way on F Highway south of I-70 in Oak Grove, Mo.</u></p>										
<p>BUDGET INFORMATION  <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="326 531 1198 814"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT  TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:  <input checked="" type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:          Department: _____ Estimated Use: \$ _____          Prior Year Budget (if applicable): _____          Prior Year Actual Amount Spent (if applicable): _____</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT
Amount authorized by this legislation this fiscal year:	\$										
Amount previously authorized this fiscal year:	\$										
Total amount authorized after this legislative action:	\$										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT										
PRIOR LEGISLATION	<p>Prior ordinances and (date): _____          Prior resolutions and (date): _____</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, &amp; phone): <u>D. Fred Hawley, Realty Specialist, 881-4491</u></p>										
REQUEST SUMMARY	<p>The outer belt road also known as "34E" was constructed by the county in the early 1930's. In 1937 MoDot entered into an agreement with the County to take over a section of the roadway south of 40 hwy.          Modot has operated and maintained this road since the agreement will continue to do so.          When Modot took over the road, the right of ways and easement were not conveyed to Modot by deed.          Modot now would like the County to execute a quit claim deed to allow them a clearer title.          They intend to re-align some of this roadway and will in the process deed back to adjacent property owners some of the rights of ways in question. County signature on quit claim deeds will make this process possible. There are no costs to the county with this action.          We request that the county executive be authorized to execute all documents related to this project.</p>										
CLEARANCE	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department)  <input type="checkbox"/> Business License Verified (Purchasing &amp; Department)  <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										
ATTACHMENTS	<p>Drawing – showing County Right of Way, 1937 County Court Agreement, Quit Claim Deed.</p>										
REVIEW	<p>Deputy Director: Earl Newill  </p> <p>Date: 06/14/2013</p>										

Finance (Budget Approval): <i>If applicable</i>	Date:
Division Manager:	Date:
County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.