

# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 18371

Sponsor(s): Bob Spence

Date: January 21, 2014

<p>SUBJECT</p>	<p>Action Requested</p> <p><input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Conveyance of Right of Way ,Permanent Drainage , and Temporary Construction Easements to the City of Lee's Summit, Mo., for the Improvements to Lee's Summit Road, Colbern to Gregory.</u></p>										
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="326 531 1203 814"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Amount previously authorized:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$0</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT NA TO ACCT NA</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is:</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><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: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$0	Amount previously authorized:	\$0	Total amount authorized after this legislative action:	\$0	Amount budgeted for this item * (including transfers):	\$0	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT NA TO ACCT NA
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): <u>N/A</u></p> <p>Prior resolutions and (date): <u>16911, 5/18/09</u></p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by: John McClernon, Public Works Project Manager, 816-881-4532 (office), 816-401-4948 (cell)</p>										
<p>REQUEST SUMMARY</p>	<p>In May of 2009 the Cities of Kansas City and Lee's Summit and the County of Jackson signed a Memorandum of Understanding which established guidelines by which the three entities would cooperate in the staged improvement of Lee's Summit Road, between I-470 and U.S. 40 Hwy. The Cities of Kansas City and Lee's Summit are currently making plans to improve Lee's Summit Road between Colbern Road and Gregory. The two combined projects are being managed by the City of Lee's Summit and will be let as one project. Jackson County owns land (i.e. vicinity of TMC/Lakewood Hospital and Hilltop Girls Home) within the Kansas City portion of this project.</p> <p>Due to widening and straightening of the road for improved sight distance, it is necessary for Kansas City to acquire additional right-of-way, permanent easements and temporary easements from the County (see attached drawing and land value schedule). Most of the takings are located east of the existing road. The County has agreed to donate the required takings in exchange for the City reclaiming the abandoned roadbed (shown in red) to green space and conveying it to Jackson County. The proposed improvements will immediately benefit Jackson County in the form of better, safer access to County owned facilities in that area. In addition, the County may realize increased property values due to future new development around the improved roadway. Construction is scheduled for summer 2014.</p> <p>Therefore, in keeping with the County's tradition of donating right-of-way on public roadway projects, Public Works recommends that the County Executive be authorized to execute the attached documents which donate certain permanent and temporary land rights to the City of Kansas City for construction of Lee's Summit Road Improvements, Colbern Road to Gregory Blvd., and also requires the City to vacate certain existing right-of-way in front of TMC Hospital, which will no longer be needed for roadway use after construction.</p>										

SUMMARY OF COUNTY OWNED LAND VALUES  
 IN ASSOCIATION WITH  
 IMPROVEMENTS TO LEE'S SUMMIT ROAD, COLBERN ROAD TO GREGORY BLVD.

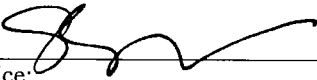
The following property values were derived by the City of Kansas City thru the services of professional real estate appraisers and offered to Jackson County as compensation for damages resulting from the proposed roadway improvements. Jackson County opted to donate the land.

Description	Amount
Tract 55	
Right-of-Way	\$1,680.00
Permanent Drainage Easement	\$216.00
Temporary Construction Easement	\$3,813.00
Trees	420.00
<b>TOTAL</b>	<b>\$6,129.00</b>

Tract 57N	
Right-of-Way	\$42,711.00
Permanent Drainage Easement	\$377.00
Temporary Construction Easement	\$6915.00
<b>TOTAL</b>	<b>\$50,003.00</b>

Tract 57S	
Right-of-Way	\$13,404.00
Permanent Drainage Easement	\$426.00
Temporary Construction Easement	\$837.00
Uneconomic Remnant	\$1,138.00
<b>TOTAL</b>	<b>\$15,805.00</b>

<b>GRAND TOTAL NOT COLLECTED</b>	<b>\$71,937.00</b>
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CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	<ul style="list-style-type: none"> <li>- Donation Letter for right-of-way and permanent drainage easements Tract 55</li> <li>- Donation Letter for right-of-way and permanent drainage easements on Tracts 57N &amp; 57S</li> <li>- Map showing takings</li> <li>- Schedule of land donation values</li> <li>- Letter from Kansas City stating intent to vacate land upon County donation of land.</li> </ul>	
REVIEW	Deputy Director: Earl Newill <i>Earl Newill</i>	Date: 01/13/2014
	Finance (Budget Approval): <i>If applicable</i>	Date:
	Division Manager: 	Date: <i>4/14/14</i>
	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.



## Public Works Department

Capital Projects Division  
18<sup>th</sup> Floor, City Hall  
414 East 12<sup>th</sup> Street  
Kansas City, Missouri 64106

Office: (816) 513-2720  
Fax: (816) 513-2523

December 18, 2013

Jackson County  
Attn: John M. McClernon  
303 W. Walnut  
Independence, MO 64050

RE: City Project #89008176, Lee's Summit Rd.  
Federal Project #STP-3301 (455)

**Tract #55 7900 Lee's Summit Rd.** Tax Parcel #44-700-04-01-01-0-00-000  
& 43-900-03-04-00-0-00-000 & 43-900-03-03-00-0-00-000

**Tract #57N 7900 Lee's Summit Rd.** PARCEL ID NO.: 43-900-03-02-01-0-00-000 KC  
& 43-900-03-11-01-0-00-000 LS

**Tract #57S No Address Assigned,** PARCEL ID NO.: 43-900-03-02-02-0-00-000 KC

Dear Mr. Mc Clernon:

As per our conversations, attached is a form we would like signed and returned with the Right of Way and Easement documents which will confirm Jackson County's intent to Donate the required property rights for the above referenced project.

This letter shall also confirm that the City of Kansas City will be vacating the abandoned street right of way in this area. As per City policy and procedure the vacated Right of Way will go to the adjacent property owner on each side of the road being vacated which in this project is mostly Jackson County.

Sincerely,

Barbara Cantrell  
Senior Acquisition Agent  
816-513-2883

**Offer Reply**

Project # 89008176 STP 3301 (455)  
Lee's Summit Rd. Improvements

Subject Property:

**Tract #55 7900 Lee's Summit Rd.** Tax Parcel #44-700-04-01-01-0-00-000  
& 43-900-03-04-00-0-00-000 & 43-900-03-03-00-0-00-000

**Tract #57N 7900 Lee's Summit Rd.** PARCEL ID NO.: 43-900-03-02-01-0-00-000 KC  
& 43-900-03-11-01-0-00-000 LS

**Tract #57S No Address Assigned,** PARCEL ID NO.: 43-900-03-02-02-0-00-000 KC  
Property Owner: Jackson County Missouri

The undersigned property owners of the above referenced property do hereby acknowledge by their signature(s) below, their agreement that the required right of way and easements for the Street improvement project **will be granted at no charge (donation)** to the City of Kansas City Missouri.

ACCEPTED BY PROPERTY OWNERS:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

Date: \_\_\_\_\_

## Offer Reply

Project # 89008176 STP 3301 (455)  
Lee's Summit Rd. Improvements

Subject Property:

**Tract #57N 7900 Lee's Summit Rd.** PARCEL ID NO.: 43-900-03-02-01-0-00-000 KC  
& 43-900-03-11-01-0-00-000 LS

**Tract #57S No Address Assigned,** PARCEL ID NO.: 43-900-03-02-02-0-00-000 KC  
Property Owner: Jackson County Missouri

**Please sign in either area #1 or #2 and return with signed easement by  
October 30, 2013**

**#1.** The undersigned property owners of the above referenced property do hereby acknowledge by their signature(s) below, their agreement that the required easement for the Street improvement project **will be granted at no charge (donation)** to the City of Kansas City Missouri.

ACCEPTED BY PROPERTY OWNERS:

_____ Signature	_____ Signature
_____ Printed name	_____ Printed name
Date: _____	Phone: _____
	Email address: _____

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**#2.** The undersigned property owners of the above referenced property do hereby **request compensation** for the required easement(s) for the Street improvement project, from the City of Kansas City Missouri, as determined by an appraisal.

ACCEPTED BY PROPERTY OWNERS:

_____ Signature	_____ Signature
_____ Printed name	_____ Printed name
Date: _____	Phone: _____
	Email address: _____

## Offer Reply

Project # 89008176 STP 3301 (455)  
Lee's Summit Rd. Improvements

Subject Property: 7900 Lee's Summit Rd.  
Tract # 55  
Property Owner: Jackson County Missouri, Truman Medical Center East

**Please sign in either area #1 or #2 and return with signed easement by  
October 30, 2013**

**#1.** The undersigned property owners of the above referenced property do hereby acknowledge by their signature(s) below, their agreement that the required easement for the Street improvement project **will be granted at no charge (donation)** to the City of Kansas City Missouri.

ACCEPTED BY PROPERTY OWNERS:

_____ Signature	_____ Signature
_____ Printed name	_____ Printed name
Date: _____	Phone: _____
	<b>Email address:</b> _____

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**#2.** The undersigned property owners of the above referenced property do hereby **request compensation** for the required easement(s) for the Street improvement project, from the City of Kansas City Missouri, as determined by an appraisal.

ACCEPTED BY PROPERTY OWNERS:

_____ Signature	_____ Signature
_____ Printed name	_____ Printed name
Date: _____	Phone: _____
	<b>Email address:</b> _____

