

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a Special Warranty Deed conveying County property located at Milton Thompson and Langsford Roads to the Prairie Township Fire Protection District.

RESOLUTION NO. 19471, May 1, 2017

INTRODUCED BY Theresa Galvin, County Legislator

WHEREAS, the County owns a 1.3 acre parcel of unused land located at Milton Thompson and Langsford Roads in Lee's Summit, MO, adjacent to the Prairie Township Fire Protection District (Fire District) property; and,

WHEREAS, the Fire District has requested the conveyance of the above-described property to the Fire District for the benefit of the general public; and,

WHEREAS, pursuant to section 1101, Jackson County Code, 1984, the County Executive's Office recommends the conveyance of 1.3 acres of County property in favor of the Prairie Township Fire Protection District, subject to certain conditions as listed in the attached letter; 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 Special Warranty Deed and any other related documents necessary to convey the above-described property to the Prairie Township Fire Protection District, in a form to be approved by the County Counselor.

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. 19471 of May 1, 2017, was duly passed on May 9, 2017 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

5-9-17
Date


Mary Jo Spino Clerk of Legislature

SPECIAL WARRANTY DEED

THIS DEED, made as of this _____ day of _____ 2017, by and between **JACKSON COUNTY, MISSOURI** ("Grantor") and **PRAIRIE TOWNSHIP FIRE PROTECTION DISTRICT**, ("Grantee"), Jackson County, Missouri,

(Mailing address of grantee is): 11010 S. Milton Thompson Road, Lee's Summit, MO 64086.

WITNESSETH: THAT THE GRANTOR, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations, to it in hand paid by the Grantee, the receipt of which is hereby acknowledged, does by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM, UNTO THE Grantee, it successors and assigns, the following described real property:

Lot 1A, Replat of Langsford Yard, a subdivision in Jackson County, Missouri, according to the recorded plat thereof.

Restrictive Covenant on use of the above described property: Lot 1A may only be used for and/or in conjunction with a fire station operated by the Prairie Township Fire Protection District. And upon the use of this land for any other purpose, this deed shall become forfeited, and the premises herein described, all the rights conveyed, shall at once revert to Jackson County, Missouri without any right of the Fire Protection District for compensation on improvements made to the property.

Subject to all easements, restrictions, and covenants of record, if any.

TO HAVE AND TO HOLD the premises before said, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the Grantee and unto its successors and assigns forever, the Grantor herein, for itself and for its successors and assigns, hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by it.

IN WITNESS WHEREOF, the Grantor has caused these presents to be signed by its County Executive the day and year first above written.



FRANK WHITE, JR.
Jackson County Executive

November 10, 2016

Mr. Mike Boinski, Chairman
Prairie Township Fire Protection District
11010 Milton Thompson Road
Lee's Summit, MO 64086

Re: Fire District Offer to Purchase County Property

Dear Chairman Boinski,

In response to your offer letter dated November 1, 2016, to acquire approximately 1.3 acres of county property adjacent to the Fire District Headquarters for ten dollars (\$10.00), the County Assessment Department determined the fair market value for the property is \$0.20 per square foot or \$11,325 for the 1.3 acres.

In lieu of a counter to your offer requesting the fair market value, I would request that the Fire District make a monetary investment with improvements to the property. Therefore, I will accept your offer with the following conditions:

- 1) The Fire District will install a six foot tall opaque, maintenance free fence along the exterior boundary of the 1.3 acres, on either the designated 40 foot building line or 7 ½ foot utility easement that are described on the Replat of Langsford Yard, Lot 1.
- 2) The Fire District will correspond in writing to property owners with residences within 300 feet of the boundary for Lot 1A what is the proposed land use for the additional 1.3 acres and invite them to a Fire District meeting to ask any questions or provide comment. Please share this letter and meeting date with me so that I can have a representative from my office present.

If the Fire District proposes the construction of a training tower in the future, I need your assurance that the surrounding property owners would be informed and provided an opportunity to comment.


- 3) Once the Replat of Langsford Yard, Lot 1 is recorded, the deed conveying Lot 1A to the Fire District will have a restrictive covenant stating that Lot 1A may only be used for and/or in conjunction with a fire station operated by the Prairie Township Fire Protection District. And upon the use of this land for any other purpose, this deed shall become forfeited, and the premises herein described, all the rights conveyed, shall at once revert to Jackson County, Missouri without any right by the Fire District for compensation on improvements made to the property. This restrictive covenant was in the first deed between the parties dated January 26, 1984 for Lot 1 of the Langsford Yard plat.



Mr. Mike Boinski, Chairman
November 10, 2016
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If you are agreeable to these conditions, please sign below and return this letter to me

Sincerely,



Frank White, Jr.
County Executive

I, Mike Boinski as Chairman of the Prairie Township Fire Protection District, agree to the conditions above.



Mike Boinski, Chairman



Date

Cc: Honorable Theresa Galvin, County Legislator for 6th District

1 inch = 103 feet

S MILTON THOMPSON RD

LOT 1A
Prairie Township Fire

LOT 2
Jackson County

E LANGSFORD RD

E LANGSFORD RD CTF

