

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a Line Sale Agreement with Union Pacific for the acquisition of the Rock Island Rail Corridor.

RESOLUTION NO. 19022, December 1, 2015

INTRODUCED BY Dan Tarwater III, Crystal Williams, Frank White, Jr., Tony Miller, Scott Burnett, Alfred Jordan, Dennis Waits, Greg Grounds, and Theresa Galvin, County Legislators

WHEREAS, the County Administration has been in discussions with Union Pacific Railroad Company to acquire a portion of Union Pacific right-of-way located in Jackson County known as the "Rock Island Rail Corridor," from MP 288.3 to MP 270.6; and,

WHEREAS, Union Pacific and the County executed a Memorandum of Understanding on November 12, 2013, for Union Pacific to sell and for the County to purchase the specified portion of the Rock Island Rail Corridor; and,

WHEREAS, the Kansas City Area Transportation Authority has approved a Cooperative Agreement with Jackson County providing that the Kansas City Area Transportation Authority will pay for 50% of the purchase price for the Rock Island Rail Corridor; and,

WHEREAS, the County administration has continued discussions with Union Pacific to acquire the Rock Island Rail Corridor, resulting in a Line Sale Agreement which will contain the following principal points:

1. Union Pacific will agree to sell 17.7 miles of the Rock Island Rail Corridor that is located in the cities of Kansas City, Raytown and Lee's Summit.
2. The County will acquire all railroad rights related to the Rock Island Rail Corridor.
3. The purchase price will be \$50,117,208.00.
4. Upon execution, the County will place \$250,000.00 into escrow to be used toward the purchase of the Rock Island Rail Corridor. If the transaction does not close, these funds will be returned to Jackson County.
5. The County and Union Pacific will recite their agreements as they relate to commuter rail access to the River Market connection and the Pixley Spur in Memorandums of Understanding;

and,

WHEREAS, funds in the amount of \$250,000.00 for the escrow payment toward this purchase will be appropriated by Ordinance 4807, dated December 1, 2015, now under consideration by the Legislature; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute a Line Sale Agreement with Union Pacific for the acquisition of the Rock Island Rail Corridor, in a form to be approved by the County Counselor; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and is hereby authorized to issue a check in the amount of \$250,000.00 to an appropriate title company, to be held in escrow; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to make all other payments including final payment on the Agreement, subject to the availability of funding.

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. 19022 of December 1, 2015 was duly passed on December 1, 2015 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9 Nays 0
Abstaining 0 Absent 0

12-1-15
Date


Mary Jo Spino, Clerk of Legislature

\$250,000.00 of the purchase price of the Rock Island Rail corridor is subject to appropriation in Ordinance 4807, now pending before the County Legislature. The remainder of the purchase price is subject to the availability of proceeds of a proposed bond financing.

December 1, 2015
Date


Director of Finance and Purchasing