

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

**A RESOLUTION** authorizing payment to Donald H. Miller, Trustee, in an amount not to exceed \$10,023.89, for the acquisition of right-of-way, temporary construction easements, and property reimbursement in connection with the Lee's Summit Road Improvements Project, No. 3122.

**RESOLUTION #17690**, October 10, 2011

**INTRODUCED BY** Bob Spence, County Legislator

WHEREAS, by Resolution 16911, dated May 18, 2009, the Legislature did authorize the Director of Public Works to execute a Memorandum of Understanding with the cities of Kansas City, Missouri and Lee's Summit, Missouri, in connection to improvements to Lee's Summit Road between 40 Highway and Anderson Road; and,

WHEREAS, the Public Works Department is in the process of acquiring the needed right-of-ways, temporary construction easements, and appraising the projected damage loss reimbursement to property owners for the project; and,

WHEREAS, the Director of Public Works recommends payment to Donald H. Miller, Trustee in the amount of \$10,023.89 for the loss of trees, fence, and for the necessary right-of-ways and temporary construction easements in furtherance of the Lee's Summit Road Improvement Project; now therefore,

**BE IT RESOLVED** by the County Legislature of Jackson County, Missouri, that the

Director of Finance and Purchasing be and hereby is directed to issue a check to Donald H. Miller, Trustee, in the amount of \$10,023.89, in consideration for an easement, right-of-way conveyance, and reimbursement for damage to property, pursuant to the specific direction of the County Counselor.

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

APPROVED AS TO FORM:

Bill Anderson  
Senior Deputy County Counselor

W. Stephen Nefer  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17690 of October 10, 2011, was duly passed on October 10, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

10.11.11  
Date

Mary Jo Spino  
Mary Jo Spino, Clerk of Legislature

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.

ACCOUNT NUMBER: 004 1507 58040  
ACCOUNT TITLE: Road and Bridge Fund  
PW Special Projects  
Roads

NOT TO EXCEED: \$10,024.00

October 5, 2011  
Date

Thomas Norman  
Director of Finance and Purchasing

# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:  
 Res. Ord. No.: 17690  
 Sponsor(s): Bob Spence  
 Date: October 10, 2011

SUBJECT	Action Requested <input checked="" type="checkbox"/> Resolution for Payment for ROW, Easements, or Damages to Property <input type="checkbox"/> Ordinance  Project/Title: <u>Lee's Summit Road Improvements (from U.S. 40 Highway to Anderson Road: Project Number 3122)</u>																
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="324 443 1201 693"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$10,023.89</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$10023.89</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$10,023.89</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM Special Road &amp; Bridge account 004-1507-58040.</td> <td>Spec. Rd and Br 004-1507-58040</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$2,216,000</p> <p>OTHER FINANCIAL INFORMATION:          No budget impact (no fiscal note required)</p> <p><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:	\$10,023.89	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$10023.89	Amount budgeted for this item * (including transfers):	\$10,023.89	Source of funding (name of fund) and account code number; FROM Special Road & Bridge account 004-1507-58040.	Spec. Rd and Br 004-1507-58040					
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PRIOR LEGISLATION	Prior ordinances and (date): Prior resolutions and (date): <u>#16911</u>																
CONTACT INFORMATION	RLA drafted by (name, title, & phone): Fred Hawley, Right of Way Specialist, 816-881-4491																
REQUEST SUMMARY	<p>Jackson County, MO and the City of Kansas City, MO are working together on the federally funded (STP-3301(454) Lee's Summit Road Improvements project number 3122 from U.S. 40 Highway to Anderson Road. We are now in the right-of-way negotiation stage of the project where we acquire needed right-of-way, easements, and pay for damages to property or reimburse property owners for valued trees, fences etc. as determined by appraisal and the staff Right of Way Specialist.</p> <p>We request that a resolution be prepared authorizing payment to Donald H. Miller, Trustee in the amount of \$10,023.89.</p> <p>Breakdown of expenses to be authorized are:</p> <table data-bbox="714 1333 1299 1480"> <tr> <td>Loss of four(4) trees</td> <td>=</td> <td>\$2,000.00</td> </tr> <tr> <td>308 linear feet of fence</td> <td>=</td> <td>\$1,432.00</td> </tr> <tr> <td>6,605 sq ft of ROW @ \$0.85 per sq ft</td> <td>=</td> <td>\$5,614.25</td> </tr> <tr> <td>11,501.7 sq ft TCE @ \$0.85 per SF x 10%</td> <td>=</td> <td>\$ 977.64</td> </tr> <tr> <td><b>Total</b></td> <td></td> <td><b>\$10,023.89</b></td> </tr> </table>		Loss of four(4) trees	=	\$2,000.00	308 linear feet of fence	=	\$1,432.00	6,605 sq ft of ROW @ \$0.85 per sq ft	=	\$5,614.25	11,501.7 sq ft TCE @ \$0.85 per SF x 10%	=	\$ 977.64	<b>Total</b>		<b>\$10,023.89</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	Payment Request , Location Map, Tract Map.																
REVIEW	<table border="1" data-bbox="310 1644 1531 1936"> <tr> <td>Department Director: <i>James B.</i></td> <td>Date: 09/28/2011</td> </tr> <tr> <td>Finance (Budget Approval): If applicable <i>Nehoran A Ball</i></td> <td>Date: 10-4-11</td> </tr> <tr> <td>Division Manager: <i>[Signature]</i></td> <td>Date: 10/4/11</td> </tr> <tr> <td>County Counselor's Office:</td> <td>Date:</td> </tr> </table>		Department Director: <i>James B.</i>	Date: 09/28/2011	Finance (Budget Approval): If applicable <i>Nehoran A Ball</i>	Date: 10-4-11	Division Manager: <i>[Signature]</i>	Date: 10/4/11	County Counselor's Office:	Date:							
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Fiscal Information (to be verified by Budget Office in Finance Department)

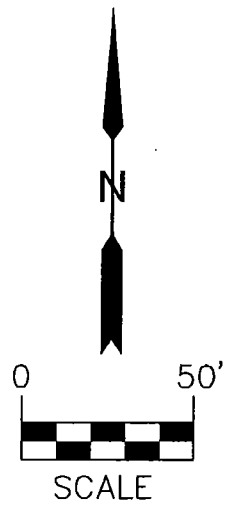
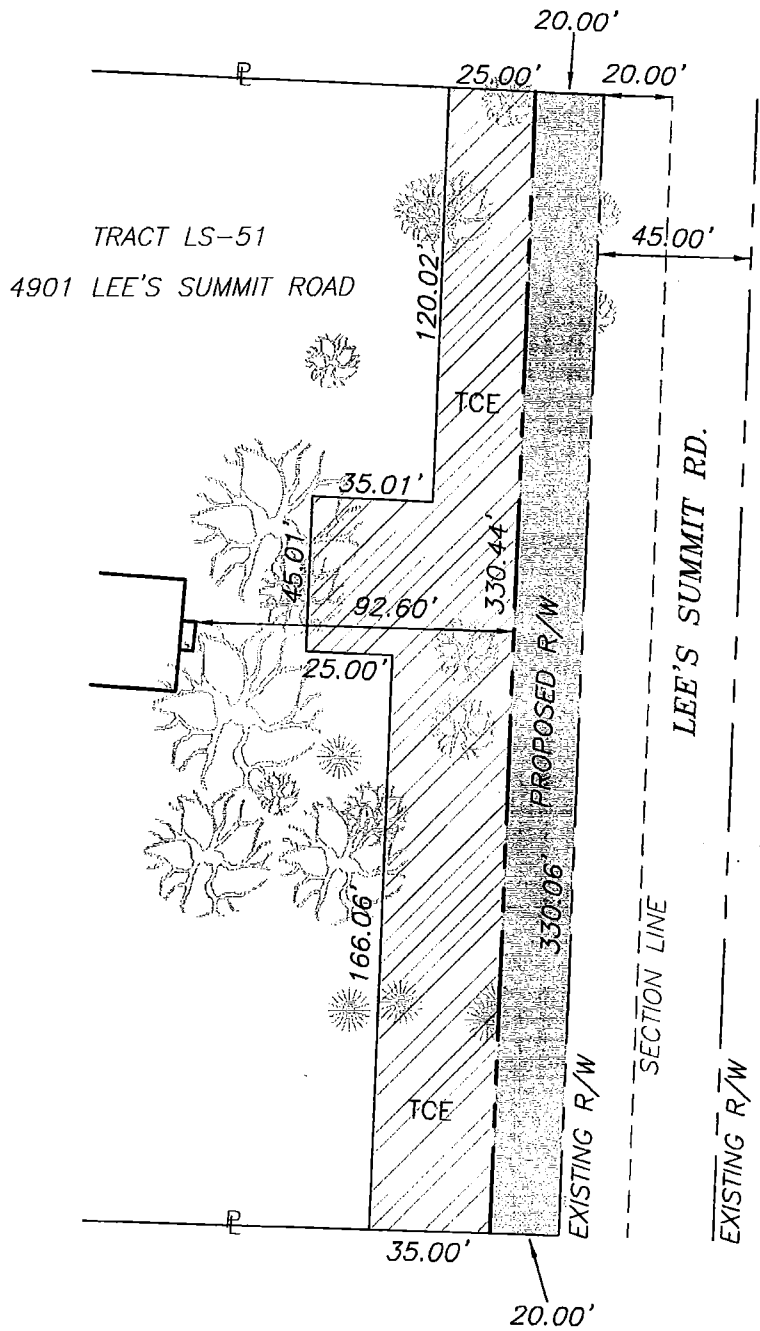
- This expenditure was included in the annual budget.
- Funds for this were encumbered from the 004-1507-58040 Fund in 2011.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the 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:
004-1507-58040	Special Road & Bridge Fund	\$10,023.89

- 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.





AREAS TRACT-51	
TOTAL TRACT	132559.1 SF
NEW RIGHT-OF-WAY	6605.0 SF
TEMP. CONSTRUCTION EASEMENT	11501.7 SF
PERMANENT DRAINAGE EASEMENT	- SF
REMAINING TRACT	125954.1 SF

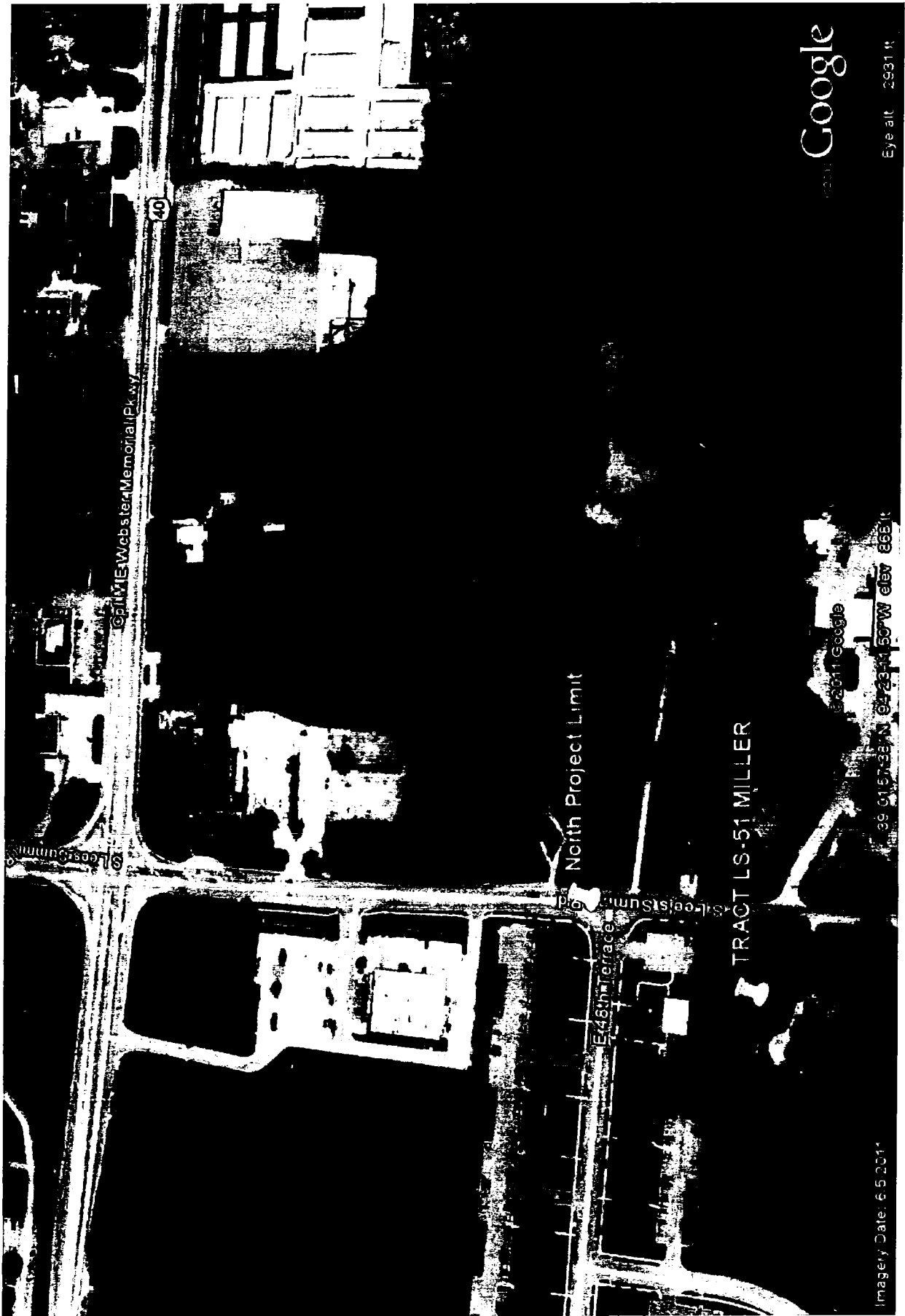
- LEGEND:**
- DENOTES NEW RIGHT-OF-WAY
  - DENOTES TEMPORARY CONSTRUCTION EASEMENT
  - DENOTES PERMANENT DRAINAGE EASEMENT
  - DENOTES PROPERTY LINE



LEE'S SUMMIT ROAD  
 JACKSON COUNTY PROJ. NO. 3122  
 FED. PROJECT NO. 3301(454)  
 TRACT NO. LS-51  
 PARCEL NO. 33-640-05-48  
 DATE: 6/24/2011  
 SHEET NO.







Google

Eye alt 2931 ft

Webster Memorial Pkwy

40

North Project Limit

TRACT LS-51 MILLER

Eye alt 2931 ft

Imagery Date: 6-5-2014