

Jackson County Missouri

Jackson County Courthouse 415 E.12th Street, 2nd floor Kansas City, Missouri 64106 (816)881-3242

Legislation Details (With Text)

File #: 11983 Version: 0 Name: Indep. Square Redevelopment Group

Type: Resolution Status: Passed

File created: 12/8/1997 In control: Clerk of the County Legislature

On agenda: Final action: 12/8/1997

Title: Rescinding Resolution 10901, dated July 10, 1995, transferring \$40,786.00 within the Special Road

and Bridge Fund and authorizing the County Executive to execute a Lease Agreement with the Independence Square Redevelopment Group for office space in the Bundschu Building on the Independence Square, at a cost in 1997 of \$40,785.92 and a total cost of \$182,287.22 over the life of the lease, and any other documents necessary to effect a settlement of litigation and other ongoing

disputes between Independence Square Redevelopment Group and the County.

Sponsors: Victor E. Callahan

Indexes: BUNDSCHU BUILDING, INDEP SQUARE REDEVELOPMENT, INDEPENDENCE SQUARE

COURTHOUSE, LEASE, SPECIAL ROAD & BRIDGE FUND

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/8/1997	0	County Legislature	adopt	Pass

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION rescinding Resolution 10901, dated July 10, 1995, transferring \$40,786.00 within the Special Road and Bridge Fund and authorizing the County Executive to execute a Lease Agreement with the Independence Square Redevelopment Group for office space in the Bundschu Building on the Independence Square, at a cost in 1997 of \$40,785.92 and a total cost of \$182,287.22 over the life of the lease, and any other documents necessary to effect a settlement of litigation and other ongoing disputes between Independence Square Redevelopment Group and the County.

RESOLUTION #11983, December 8, 1997

INTRODUCED BY Victor E. Callahan, County Legislator

WHEREAS, in August 1991, the County and the Independence Square Redevelopment Group (ISRG) entered into written lease agreement whereby the County leased certain space in the Bundschu Building located at 103 North Main, Independence from ISRG ("1991 Lease"); and,

WHEREAS, the initial term of the 1991 Lease commenced on November 1, 1991, and ended on October 31, 1996; and,

WHEREAS, the County was also granted certain options to renew the 1991 Lease as set forth therein; and,

WHEREAS, a dispute arose between the County and ISRG concerning a claim made by Hugh Stewart Construction Company, a construction contractor engaged by ISRG to improve portions of the Bundschu Building, that the County failed to pay for certain improvements Hugh Stewart Construction Company completed at the premises leased by the County ("Construction Claim"); and,

WHEREAS, certain disputes arose between the County and ISRG concerning the 1991 Lease and on January 14, 1997, ISRG filed a Petition for Unlawful Detainer against the County in the Associate Circuit Court of Jackson County, Missouri at Independence as Case No. CV97-0478 ("Unlawful Detainer Action"); and,

WHEREAS, the County filed a petition against ISRG and its general partners on August 25, 1997, in the Circuit Court of Jackson County, Missouri at Independence as Case No. CV97-21450 seeking relief as to the unlawful detainer action and money damages ("County's Lawsuit"); and.

WHEREAS, ISRG and the County desire to fully and finally settle and compromise the disputes between them arising out of the 1991 Lease and the matters set forth in the Unlawful Detainer action, the County's Lawsuit, and the Construction Claim; and,

WHEREAS, the settlement and compromise provides for the execution of a new Lease Agreement between the parties, which will extend through October 31, 2001, at rentals which are increased over the levels specified in the 1991 Lease; and,

WHEREAS, the execution of this new lease agreement is in the best interests of the health, welfare, and safety of the citizens of Jackson

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County; now therefore,							
					cover the cost of funding the Lea he Independence Square; and,	se Agreement with the	
WHEREAS, the County Ex	ecutive has recommende	ed said transfe	er; therefo	re,			
BE IT RESOLVED by the Cand Bridge Fund:	County Legislature of Jack	kson County,	Missouri,	that the foll	lowing transfer be made within th	e 1997 Special Road	
Department/Division Special Road and Bridge Div. of Administration Public Works Department Engineering	Character Description		From	То			
Bridges	Office of the Director			\$40,786.00			
	Rent - Buildin				\$40,786.00		
and,							
	levelopment Group and a				to execute the attached Lease Aç effect a settlement of the litigatio		
BE IT FURTHER RESOLV payment, required by the L				ce be and h	nereby is authorized to make all p	ayments, including fina	
BE IT FURTHER RESOLV Claim, be and hereby is res Effective Date: This Resol	scindedAttorney	_			t with a previous attempt to resolv	ve the Construction	
Ellective Date. This Resor	ution shall be ellective in	ппеспатету ир	on its pas	sage by a n	najority of the Legislature.		
APPROVED AS TO FORM	1:						
Certificate of Passage				County C	Counselor		
I hereby certify th 8, 1997	at the attached resolution 7 by the Jackson County	n, Resolution Legislature.	# 11983 o The votes	of Decembe thereon we	er 8, 1997, was duly passed on _ ere as follows:	December	
Yeas	7 Nay	rs0_					
Abstaining	0 Abs	ent2_					
Date	Mar	y Jo Brogoto	, Clerk of	Legislature			
Funds sufficient for this train	nsfer are available from th	he source ind	licated be	OW.			
ACCOUNT NUMBER: 004	1502 8050						
ACCOUNT TITLE: Special	Road and Bridge Fund						
, and a second second	Division of Administrati Public Works Dept. Engineering Bridges	on					
NOT TO EXCEED:\$40,786	5.00						
Funds sufficient for this exp	penditure will be are avail	able from the	source ir	dicated bel	low.		
ACCOUNT NUMBER: 004	1501 6620						
ACCOUNT TITLE: Special	Road and Bridge Fund						

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	Division of Administration Office of the Director Rent - Buildings			
NOT TO EXCEED:\$40,785	92			
Date	Director of the Department of Finance			