



Jackson County Missouri

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

Legislation Details (With Text)

File #: 15375 **Version:** 0 **Name:** condemnation proceedings re: Colbern Road
Type: Resolution **Status:** Passed
File created: 2/7/2005 **In control:** Land Use Committee
On agenda: 2/7/2005 **Final action:** 2/14/2005
Title: A RESOLUTION authorizing and directing the Office of the County Counselor to institute condemnation proceedings on certain tracts of land required for the purpose of widening Colbern Road between Todd George Road to Cyclone School Road Project No 2411.
Sponsors: Bob Spence, Dan Tarwater III
Indexes: CONDEMNATION PROCEEDINGS
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
2/14/2005	0	County Legislature	Consent Agenda	Pass
2/14/2005	0	County Legislature	adopt	Pass
2/11/2005	0	County Legislature	Go To 1st Meeting	Pass
2/7/2005	0	County Legislature	assign to committee	

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing and directing the Office of the County Counselor to institute condemnation proceedings on certain tracts of land required for the purpose of widening Colbern Road between Todd George Road to Cyclone School Road Project No 2411.

RESOLUTION #15375, February 7, 2005

INTRODUCED BY Bob Spence and Dan Tarwater, County Legislators

WHEREAS, the construction on Colbern Road and other associated improvements and amenities on the property described hereinafter is provided for, authorized and recognized to be a public improvement and public use; and,

WHEREAS, the Department of Public Works advises the Legislature that it has, heretofore, conducted negotiations for the purchase of certain tracts of land for inclusion in the Colbern Road Project, No. 2411; that such properties were appraised and a value placed thereon which would fairly and reasonably compensate the owners thereof; that after such negotiations with the owners thereof, the Department of Public Works was unable to agree with the owners as to a fair and adequate compensation to be paid; and,

WHEREAS, the owners and general description of the tracts are as follows:

<u>Tract Number and Tax Parcel No.</u>	<u>Owners</u>
CR2-13 53-440-01-03-00-0-00-000	G & R Development, LLC 1701 NE Colbern Road
CR2-15 53-440-01-02-00-0-00-000	Clark M. & Terri B. Gundersen, Trustees 2455 NE Colbern Road
CR2-18	Carl E. & Althea J. Huff and Leroy & Betty J. Bryant 53-440-01-01-01-0-00-000 NE Colbern Road
	CR2-20 Orville C. Repper Trust 53-500-02-09-00-0-00-000 NE Colbern Road
	CR2-22 James B. Stuelke, Jr. 53-500-01-03-00-0-00-000 23700 E. Colbern Road
	CR2-17 John R. & Kimberly D. Sheehy 53-440-01-01-02-0-000-000 NE County Park Road

and,

WHEREAS, pending the acquisition of these lands by condemnation, the Director of Public Works or his designee is authorized to continue to negotiate for and purchase as much of this property out of funds appropriated or to be appropriated for that purpose; and

WHEREAS, upon consideration of the premises, the County Legislature of Jackson County, Missouri, at a regular meeting with a quorum of the Legislature being present, FINDS that Jackson County, Missouri, has endeavored to agree with the owners of the aforesaid described properties upon proper compensation to be paid for such properties and rights sought to be purchased, but cannot so agree, and that public necessity requires the above described tracts of land to be acquired by the exercise of the power of eminent domain as provided by law and by the Jackson County Charter, for the purpose and use of Jackson County, Missouri, for public purposes, and it is to the public interest that same be so acquired; therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Office of County Counselor is authorized and directed to institute appropriate condemnation proceedings as may be necessary for the acquisition of such land by the exercise of the power of eminent domain and that the County Counselor is also authorized to withdraw said properties as are acquired by negotiation and purchase from condemnation proceedings.

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

APPROVED AS TO FORM:

Acting Deputy County Counselor

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution # 15375 of February 7, 2005, was duly passed on _____ February 14 _____, 2005 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ 7 _____

Nays _____ 02 _____

Abstaining _____ 0 _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature