



Jackson County Missouri

Jackson County Courthouse
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Legislation Text

File #: , Version: 0

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Counselor to settle the claim against Country Meadows Construction, LLC, on County park property in the Little Blue Trace Park.

RESOLUTION # 15998, August 14, 2006

INTRODUCED BY Henry C. Rizzo, County Legislator

WHEREAS, the County has made claim against Country Meadows Construction, LLC, for its encroachment upon the County's Little Blue Trace Park in the development of its adjacent Country Meadows subdivision in Independence; and,

WHEREAS, this encroachment involves the pouring of foundations and/or partial construction of houses on County park property; and,

WHEREAS, the County and Country Meadows Construction have engaged in discussions with the goal of resolving the County's claim against Country Meadows for the encroachment; and,

WHEREAS, these parties have reached a tentative settlement of this claim, which involves the exchange of a parcel of land owned or to be acquired by Country Meadows Construction for the parcel of park land containing the encroachment, and the construction by Country Meadows Construction of a portion of the Little Blue Trace Trail, to the County's specifications; and,

WHEREAS, because the County obtained the affected park land with the assistance of federal funds, the exchange and settlement are subject to the approval of the U.S. Department of the Interior and the Missouri Department of Natural Resources; and,

WHEREAS, the County Counselor recommends this settlement; and,

WHEREAS, the proposed settlement is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the settlement of the County's claim against Country Meadows Construction, LLC, is hereby approved, in a manner consistent with this Resolution; and,

BE IT FURTHER RESOLVED that the County Counselor and all other County officials be and hereby are authorized to execute any and all documents necessary to give effect to this settlement.

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 #15998 of August 14, 2006, was duly passed on August 14, 2006 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 1

Absent 0

Date

Mary Jo Spino, Clerk of Legislature