

BILL NO. 18-161

AN ORDINANCE APPROVING AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND PREMIERLIFE REAL ESTATE HOLDINGS, INC. RELATED TO THE ACQUISITION OF PROPERTY BY THE CITY OF LEE'S SUMMIT, MISSOURI FROM PREMIERLIFE REAL ESTATE HOLDINGS, INC. FOR USE AS THE LOCATION OF A NEW FIRE STATION NO. 3 GENERALLY LOCATED ON NW PRYOR ROAD IN LEE'S SUMMIT, MISSOURI.

WHEREAS, the City of Lee's Summit (hereinafter "City") has determined, in part through its Fire Department Standards of Cover, that the current Fire Station No. 3 located at the northwest corner of NW Pryor Road and NW 3rd Street is no longer able to adequately meet the needs of the service area; and,

WHEREAS, in response to the observations in the Fire Department Standards of Cover and related analyses regarding the current Fire Station No. 3, as well as other identified public safety needs of the City, a proposed no tax increase bond initiative has been placed on the November 8, 2016 ballot which, if passed, would in part provide funding for the replacement of the current Fire Station No. 3, and,

WHEREAS, due to constraints of the property where Fire Station No. 3 is currently located, it will be necessary to relocate the proposed replacement Fire Station No. 3 at an alternate location within the service area if the proposed bond initiative is passed; and,

WHEREAS, PremierLife is the owner of certain property located on NW Pryor Road in Lee's Summit within the service area; and,

WHEREAS, City and PremierLife entered into a Memorandum of Understanding contemplating the process of transferring said parcel of property and related actions on the part of the City on or about _____; and,

WHEREAS, City and PremierLife have since renegotiated certain terms and conditions associated with the transfer of said parcel of property; and,

WHEREAS, City and PremierLife have reduced said renegotiated terms and conditions to writing in the form of Amendment No. 1 to Memorandum of Understanding, attached hereto as Exhibit "A" and incorporated herein by reference; and,

WHEREAS, City and PremierLife wish to enter into said Amendment No. 1 to Memorandum of Understanding in order to adequately reflect the intentions and expectations of the parties.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Amendment No. 1 to the Memorandum of Understanding by and between the City of Lee's Summit, Missouri and PremierLife Real Estate Holdings, attached hereto as Exhibit "A" and incorporated herein by reference be and the same is hereby approved.

SECTION 2. That the City Manager and the Mayor are authorized to execute said Exhibit "A" as well as any related documents to effectuate the transfer of property and fulfillment of administrative obligations contemplated therein, as otherwise provided by law or ordinance, by and on behalf of the City of Lee's Summit, Missouri.

SECTION 3. That this Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2018

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*