

BILL NO. 16-259

AN ORDINANCE AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT BETWEEN GRIFFIN RILEY INVESTMENTS, LLC AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR EXPENSES INCURRED IN THE ACQUISITION OF CERTAIN SANITARY SEWER AND TEMPORARY CONSTRUCTION EASEMENTS.

WHEREAS, Griffin Riley Investments, LLC ("Developer") owns real property (the "Property") in the vicinity of SW Pryor Road and SW Hook Road in Lee's Summit, Missouri; and,

WHEREAS, Developer is currently in the process of developing the property for the Arborwalk Development (the "Development"); and,

WHEREAS, adequate infrastructure in the form of sanitary sewer service is necessary for the Development; and,

WHEREAS, it has been determined by Developer and City of Lee's Summit ("City") Staff that a sanitary sewer easement is needed to install the necessary sewer facilities and infrastructure to serve the Property and the Development; and,

WHEREAS, Developer has exhausted all reasonable efforts in obtaining the easements for the necessary sanitary sewer facilities and infrastructure; and,

WHEREAS, the City of Lee's Summit has determined that a City owned sanitary sewer easement is necessary to serve the Development, current surrounding property and residents and future development in the area of SW Pryor Road and SW Hook Road in Lee's Summit, Missouri; and,

WHEREAS, the City of Lee's Summit has determined that the easements will serve a public purpose in the City of Lee's Summit in the form of providing sanitary sewer service to areas of the City where such service is currently unavailable.

WHEREAS, the City of Lee's Summit has determined that the Easement is necessary to providing sanitary sewer service to residents of the city.

WHEREAS, in furtherance of the above, Developer and the City desire to enter into an agreement whereby Developers will reimburse the City for costs incurred in acquisition of the easements necessary for the sanitary sewer improvements.

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

SECTION 1. That the reimbursement agreement between Griffin Riley Investments, LLC and the City of Lee's Summit, Missouri, a true and accurate copy of which is attached hereto and incorporated by reference as if fully set forth herein, is hereby approved by the City Council and the City Manager is authorized to execute the same on behalf of the City of Lee's Summit, Missouri.

SECTION 2. That this ordinance shall be in full force and effect from and after the date of its adoption, passage 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 _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED by the Mayor of said city this _____ day of _____, 2016.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Denise R. Chisum

APPROVED AS TO FORM:

Zachary T. Cartwright
Chief of Litigation
Office of the City Attorney