

Legislation Text

File #: BILL NO. 19-96, **Version:** 1

An Ordinance amending Ordinance No. 8578, determining and declaring the necessity of acquiring for public use certain permanent right-of-way, permanent easements and temporary construction easements for road improvements associated with the 3rd Street Improvement Project (Pryor Road to Murray Road) in Lee's Summit, Missouri, by condemnation.

(NOTE: First reading by City Council on April 16, 2019. Passed by unanimous vote.)

Background:

Ordinance No. 8578 authorized condemnation of properties owned several individuals and entities for the 3rd Street improvement Project. However, that ordinance is subject to some of the same objections that were made in the Jefferson Street condemnation case. The purpose of this amendment is to eliminate any grounds for those objections before a condemnation action is filed.

This amendment:

- Specifically authorizes the acquisition of permanent right-of-way, which was only mentioned in the legal descriptions attached to No. 8578.
- Recognizes that good faith negotiations have failed, instead of authorizing negotiations to commence (as 8578 seemingly reads).
- Provides condensed legal descriptions, which eliminate unnecessary information and will reduce recording costs.

Proposed City Council Motion:

I move for a adoption of an Ordinance amending Ordinance No. 8578, determining and declaring the necessity of acquiring for public use certain permanent right-of-way, permanent easements and temporary construction easements for road improvements associated with the 3rd Street Improvement Project (Pryor Road to Murray Road) in Lee's Summit, Missouri by condemnation.

Brian W. Head, City Attorney