Legislation Details (With Text)

File #:	BILL NO. 20-221	**Name:**	
Type:	Ordinance	**Status:**	Passed
File created:	11/9/2020	**In control:**	City Council - Regular Session
On agenda:	11/17/2020	**Final action:**	12/1/2020
Title:	An Ordinance Approving the Real Estate Sale Agreement between the City of Lee's Summit and Bahman Terani and Jaleh Nikfarjam for the Purchase of Property by the City for Fire Station #4. (Note: First reading was done by Council on November 17, 2020. Passed by unanimous vote.)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Ordinance, 2. Real Estate Agreement		

Date	Ver.	Action By	Action	Result
12/1/2020	2	City Council - Regular Session	adopted and numbered	Pass
11/17/2020	2	City Council - Regular Session	advanced to second reading	Pass

An Ordinance Approving the Real Estate Sale Agreement between the City of Lee's Summit and Bahman Terani and Jaleh Nikfarjam for the Purchase of Property by the City for Fire Station #4.
(Note: First reading was done by Council on November 17, 2020. Passed by unanimous vote.)

Issue/Request:
Approval of a Real Estate Agreement for the purchase of property for the new location of Fire Station #4 on the east side of NE Lakewood Way, about 260 feet south of Bowlin Road.

Key Issues:
This Real Estate Agreement will provide for the purchase of approximately 1.07 acres of property for the location of Fire Station #4.

Proposed City Council Motion:
I move for adoption of an Ordinance Approving the Real Estate Sale Agreement between the City of Lee's Summit and Bahman Terani and Jaleh Nikfarjam for the Purchase of Property by the City for Fire Station #4.

Background:
Details about the transaction from the Terms Sheet that has been used to negotiate the Agreement:

Buyer
City of Lee's Summit

Seller
Bahman Terani and Jaleh Nikfarjam, husband and wife

Property
5031 NE Lakewood Way
Lee's Summit, MO 64064
Tax Parcel No. 43-240-01-45-00-0-00-000 which is Lot 6-A of the "Minor Plat of Executives Lakes Center, Lots 6-A and 6-B" containing 46,666 square feet which is approximately 1.07 acres

Interest Purchased
Buyer obtains fee simple interest in the Property.

Purchase Price
Maintained as a closed record at this time.

Earnest Money
Amount maintained as a closed record at this time, deposited with Title Company in interest-bearing account with interest paid in favor of Buyer. Earnest Money and accrued interest become part of Purchase Price as stated above. Deposit is refundable during Inspection Period.

Inspection Period
Starts at contract signing, duration of two months after contract signing. Buyer will provide access to property for due diligence. Inspection Period may be extended by mutual agreement of the parties.

Inspection Materials
Seller will make available all documentation from third parties related to inspections, environmental reports, engineering data.

Environmental Review
Buyer will conduct review of property during Inspection Period. Seller will provide any previously conducted environmental audits and any other types of studies in Buyer's possession.

Contingencies
Acceptable title and conditions of the property, including acceptable environmental conditions.

Closing Date
A date mutually agreed by the Parties within 15 days after end of Inspection Period. The City will provide assistance and support, as feasible, to attempt to close the transaction before the end of 2020.

Delivery
City takes immediate possession at closing. Seller has all salvage rights prior to closing, if applicable.

Title & Survey
To be arranged for and paid by City.

Taxes and Assessments
At closing, Property becomes tax-exempt for calendar year during which closing occurs due to City's status as a tax-exempt entity. Seller pays all taxes and assessments prior to closing, to the extent levied and collectible by the County or other entities.

Buyer's Closing Costs
Title and survey of property, owner's title policy, recording fees, buyer's attorneys' fees, title insurance, transfer fees, document stamps, escrow fees related to transaction.

Seller's Closing Costs
Seller's attorneys' fees and brokerage fees.

Title Company
Assured Quality Title Company.

Impact/Analysis:
The purchase money for this Agreement will be paid from the proceeds of general obligation bonds which were authorized the qualified voters of the City on at the November 2018 election. In November 2018, the City of Lee's Summit was successful in obtaining approval from the voters to issue approximately $10.5 million in general obligation bonds to purchase property, professional services, and construction of two new fire stations to replace existing and outdated fire stations no. 4 & 5.

Timeline:
City staff is currently preparing the Request for Qualifications to secure design services for the design of Fire Stations #4 and #5. That RFQ will establish the design schedule for Fire Station #4, which is expected to commence next year.

David Bushek, Chief Counsel of Economic Development & Planning
Mark Dunning, Assistant City Manager
Mike Snider, Fire Chief

Staff recommends approval of the ordinance..