

ORDINANCE NO. 110770

Condemning and taking private property interests for public use in the vicinity of NW Prairie View Road and I-29, all in Kansas City, Platte County, Missouri; providing for the payment of just compensation; authorizing continued negotiations by the Capital Projects Department; consenting to the filing of the petition for condemnation by the City Attorney on behalf of the City; and authorizing the City Clerk to cause this ordinance to be recorded in the office of the Recorder of Deeds for Kansas City, Platte County, Missouri.

WHEREAS, the Council finds that private property interests must be condemned for a road improvement project in Kansas City, Platte County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Property interests are hereby condemned and taken for public use in and upon the private lands hereinafter described, for Project Number 89008174, generally described as a road improvement.

Section 2. Said public use and improvements shall be of the nature described and specified in, and shall be done in accordance with, the plans and specifications for Project Number 89008174, the same being on file in the Director of Public Works office and being incorporated herein by reference.

Section 3. That Temporary access easement herein described and condemned shall be used by Kansas City for the operation and movement of equipment, and the movement of a working force, in connection with the demolition and removal of a billboard.

Section 4. That Right of way taking herein described and condemned shall be used by Kansas City for the construction and maintenance of street and roads, including any necessary appurtenances.

Section 5. That said property interests are hereby authorized condemned and taken for public use and are described as follows:

TRACT 1 – Right of way, Fee Taking

A tract of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 West, of the 5th Principal Meridian in Kansas City, Platte County, Missouri, being bounded and described as follows: Commencing at the Northeast corner of Lot 1, Doncro Center, a subdivision of land in said Platte County, thence South 89 degrees 07 minutes 54 seconds East, 95.65 feet to the Point of Beginning of the tract of land to be herein described: thence North 00 degrees 52 minutes 06 seconds East, 62.71 feet to a point on the Westerly right-of-way line of Interstate 29, as now established; thence South 34 degrees 23 minutes 58 seconds East, along said right-of-way line 76.81 feet; thence North 89 degrees 07 minutes 54 seconds West, 44.35 feet to the Point of Beginning. Containing 1,391 square feet or 0.03 acres, more or less.

TRACT 2 – Temporary Access Easement (1 year duration)

A tract of land in the Southeast Quarter of Section 19, Township 51 North, Range 33 West, of the 5th Principal Meridian in Kansas City, Platte County, Missouri, being bounded and described as follows: Beginning at the Northeast corner of Lot 1, Doncro Center, a subdivision of land in said Platte County; thence North 57 degrees 37 minutes 05 seconds East, 114.38 feet to a point on the Westerly right-of-way line of Interstate 29, as now established; thence South 00 degrees 52 minutes 06 seconds West, 62.71 feet; thence North 89 degrees 07 minutes 54 seconds West, 195.65 feet to the Point of Beginning. Containing 2,999 square feet or 0.07 acres, more or less.

Section 6. That just compensation for the property interests taken shall be assessed and paid according to law; and the proceedings to determine compensation shall be prosecuted in one or more suits in the Circuit Court of Platte County, Missouri, pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, as supplemented or amended by Section 86.01 to 86.10 of the Rules of Civil Procedure. Payment of compensation shall be made by Kansas City from funds appropriated, or to be appropriated, for such purposes.

Section 7. That pending the acquisition of said lands by condemnation, the City Manager is hereby authorized to purchase said land out of funds appropriated, or to be appropriated, as aforesaid, and if any tracts be so acquired by purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Section 8. That said tracts and interests be condemned and conveyed to Kansas City, Missouri.

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Section 9. That upon the effective date of this ordinance, the City Clerk is hereby directed to cause this ordinance to be recorded in the office of the Recorder of Deeds for Kansas City, Platte County, Missouri.

Approved to as form and legality:

Theodore T. Anderson
Assistant City Attorney