

## ORDINANCE NO. 140225

Authorizing the condemning and taking of private property for Street Right of Way purposes, Storm Drainage Easements and Temporary Construction Easements, for the construction of Project Number 89008176, Douglas Street - Lee's Summit Road Improvements, in the area along and to the West of the shared municipal boundary of Lee's Summit and Kansas City from Gregory Boulevard to the said city limit, in Kansas City, Jackson County, Missouri; providing for the payment of just compensation therefore; authorizing continued negotiations by the Director of the Department of Public Works; consenting to the filing of the petition for condemnation by the City Attorney, on behalf of the City; and authorizing and directing the City Clerk to file this ordinance with the Recorder of Deeds in Jackson County, Missouri.

WHEREAS, the Council finds that the City of Kansas City, Missouri, with the adoption of Ordinance No. 080248 on March 20th, 2008, approved a recommendation of the Arterial Street Impact Fee Committee for District F and authorized the appropriation of funds from the Unappropriated Fund Balance of the Arterial Street Impact Fee Fund to the 08-2430-897533-B Lee's Summit Road-Gregory to City Limits account in the Arterial Street Impact Fee Fund; and

WHEREAS, the Council further finds that the City of Kansas City, Missouri, with the adoption of Ordinance No. 100082 on February 4th, 2010, authorized the Director of Public Works to execute a cooperative agreement with the City of Lee's Summit, Missouri for the design of street improvements to Lee's Summit Road from Gregory South to the city limits of Lee's Summit; and

WHEREAS, the Council further finds that private property must be condemned for public use for street right of way required for the construction and maintenance of Lee's Summit Road and associated improved intersections, drive approaches and infrastructure in Kansas City, Jackson County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the following described tracts of land are hereby condemned and taken for public use as Street Right of Way, Storm Drainage Easements, and Temporary Construction Easements for the construction of project 89008176, Douglas Street - Lee's

## ORDINANCE NO. 140225

Summit Road Improvements, in Kansas City, Jackson County, Missouri, and hereby described as follows:

### Street Right of Way

The Street Right of Way shall be used by Kansas City, Missouri as the location of Lee's Summit Road and associated improved intersections, drive approaches and infrastructure to be constructed therein including any necessary appurtenances to it; and Kansas City, Missouri shall have the right to enter in or authorize the entry in and upon said right of way for the purpose of constructing, reconstructing, maintaining, operating and repairing said improvements.

### Tract No. 36

#### Street Right of Way

A tract of land for Permanent Right-of-Way purposes located in the Northwest Quarter of Section 19, Township 48 North, Range 31 West, in Kansas City, Jackson County, Missouri, bearings are referenced to Grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of Section 19, Township 48N, Range 31W, being a found aluminum cap, according to certified land corner document number 600-84835; thence South 87 Degrees 22 Minutes 55 Seconds East along the South line of said Northwest Quarter, a distance of 1274.11 feet to the Southeast Corner of the West half of the Northwest Quarter of said Section 19; thence North 02 Degrees 17 Minutes 14 Seconds East along the East line of said West half of the Northwest Quarter, a distance of 404.88 feet; thence North 87 Degrees 38 Minutes 02 Seconds West, a distance of 195.73 feet to the Point of Beginning; thence continuing North 87 Degrees 38 Minutes 02 Seconds West, a distance of 40.40 feet to a point on the existing Easterly Right-of-Way line of Lee's Summit Road, as now established; thence North 21 Degrees 18 Minutes 18 Seconds West along said existing Easterly Right-of-Way line, a distance of 18.95 feet; thence Northwesterly continuing along said existing Easterly Right-of-Way line, also being along a curve to the right, tangent with the last described course, having a central angle of 15 Degrees 48 Minutes 54 Seconds and a radius of 2839.90 feet, for an arc distance of 783.87 feet to the point of tangent; thence North 05 Degrees 29 Minutes 24 Seconds West continuing along said existing Easterly Right-of-Way line, a distance of 568.31 feet; thence South 87 Degrees 52 Minutes 39 Seconds East, a distance of 42.37 feet; thence South 05 Degrees 29 Minutes 24 Seconds East, a distance of 581.72 feet; thence Southeasterly along a curve to the left, tangent with the last described course, having a central angle of 15 Degrees 48 Minutes 53 Seconds and a radius of 2793.00 feet, for an arc distance of 770.93 feet to

ORDINANCE NO. 140225

the point of tangent; thence South 21 Degrees 18 Minutes 18 Seconds East, a distance of 18.20 feet to the Point of Beginning.

The tract described above contains 55,508 square feet or 1.2743 acres, more or less.

Tract No. 37

Street Right of Way

A tract of land for Permanent Right-of-Way purposes located in the Northwest Quarter of Section 19, Township 48 North, Range 31 West, in Kansas City, Jackson County, Missouri, bearings are referenced to Grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and more particularly described as follows:

Commencing at the Northwest Corner of the Northwest Quarter of Section 19, Township 48 North, Range 31 West, being a found 1-1/2 inch iron pipe, according to certified land corner document number 600-84836; thence South 88 Degrees 17 Minutes 57 Seconds East along the North line of said Northwest Quarter, a distance of 820.01 feet; thence South 01 Degrees 42 Minutes 03 Seconds West along a line that is perpendicular to said North line, a distance of 2.27 feet to a point on the existing South Right-of-Way line of Strother Road, as now established, also being the Point of Beginning; thence South 84 Degrees 34 Minutes 05 Seconds West, a distance of 155.38 feet; thence South 05 Degrees 29 Minutes 24 Seconds East, a distance of 896.92 feet; thence North 87 Degrees 52 Minutes 39 Seconds West, a distance of 42.37 feet to a point on the existing Easterly Right-of-Way line of Lee's Summit Road, as now established; thence North 05 Degrees 29 Minutes 24 Seconds West along said existing Easterly Right-of-Way line, a distance of 917.53 feet to a point on the existing South Right-of-Way line of aforesaid Strother Road; thence South 87 Degrees 52 Minutes 39 Seconds East along said existing South Right-of-Way line, a distance of 199.14 feet to the Point of Beginning.

The tract described above contains 40,138 square feet or 0.9214 acres, more or less.

Tract No. 71

Street Right of Way

A tract of land for Street purposes located in the Southwest Quarter of Section 18, Township 48 North, Range 31 West, in Kansas City, Jackson County, Missouri, bearings are referenced to Grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and more particularly described as follows:

## ORDINANCE NO. 140225

Commencing at the Southwest Corner of the Southwest Quarter of Section 18, Township 48 North, Range 31 West, being a found 1-1/2 inch iron pipe, according to Certified Land Corner Document Number 600-84836; thence South 88 Degrees 17 Minutes 57 Seconds East along the South line of said Southwest Quarter, a distance of 687.46 feet; thence North 01 Degrees 42 Minutes 03 Seconds East along a line that is perpendicular to said South line, a distance of 38.70 feet to a point on the existing North Right-of-Way line of Strother Road, as now established, also being the Point of Beginning; thence North 87 Degrees 52 Minutes 39 Seconds West along said existing North Right-of-Way line, a distance of 71.63 feet to a point on the existing Easterly Right-of-Way line of Lee's Summit Road, as now established; thence North 05 Degrees 29 Minutes 24 Seconds West along said existing Easterly Right-of-Way line of Lee's Summit Road, a distance of 311.12 feet; thence Northwesterly continuing along said existing Easterly Right-of-Way line of Lee's Summit Road, also being along a curve to the left, tangent with the last described course, having a central angle of 20 Degrees 09 Minutes 22 Seconds and a radius of 487.43 feet, for an arc distance of 171.47 feet to the end of curve; thence South 88 Degrees 17 Minutes 57 Seconds East, a distance of 90.71 feet; thence South 09 Degrees 55 Minutes 10 Seconds East, a distance of 1.95 feet; thence Southerly along a non-tangent curve to the right, having an initial tangent bearing of South 04 Degrees 27 Minutes 14 Seconds East, a central angle of 04 Degrees 26 Minutes 01 Seconds and a radius of 1251.35 feet, for an arc distance of 96.83 feet to the end of curve; thence South 00 Degrees 13 Minutes 14 Seconds West, a distance of 18.16 feet; thence South 05 Degrees 29 Minutes 24 Seconds East, a distance of 100.05 feet; thence South 00 Degrees 13 Minutes 14 Seconds West, a distance of 110.55 feet; thence South 05 Degrees 29 Minutes 24 Seconds East, a distance of 121.59 feet; thence South 50 Degrees 34 Minutes 31 Seconds East, a distance of 40.95 feet to the Point of Beginning.

The tract described above contains 25,467 square feet or 0.5846 acres, more or less.

### Storm Drainage Easements

The Storm Drainage Easements shall be used by the City of Kansas City, Missouri or its authorized agents, servants, employees or independent contractors to construct storm drainage facilities for the purpose of managing storm water runoff, and shall include the right to go upon said easement to build, construct, keep, maintain, repair and improve said drainage facilities as may be necessary.

By the condemning of private property for this easement, it shall not be construed to prohibit the landowner of said condemned property from the safe and unrestricted use of the land adjacent to and above said Storm Drainage Easements; provided, however, said

ORDINANCE NO. 140225

easement shall be kept free from any structure or obstruction as would interfere with the proper, safe and continuous operation and maintenance of said drainage facilities and specifically shall not build thereon or there over any structure which may interfere with the operation, maintenance and use thereof.

Tract No. 36

Storm Drainage Easement

A tract of land for Permanent Easement purposes located in the Northwest Quarter of Section 19, Township 48 North, Range 31 West, in Kansas City, Jackson County, Missouri, bearings are referenced to Grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of Section 19, Township 48 North, Range 31 West, being a found aluminum cap, according to Certified Land Corner Document Number 600-84835; thence South 87 Degrees 22 Minutes 55 Seconds East along the South line of said Northwest Quarter, a distance of 1274.11 feet to the Southeast Corner of the West half of the Northwest Quarter of said Section 19; thence North 02 Degrees 17 Minutes 14 Seconds East along the East line of said West half of the Northwest Quarter, a distance of 515.69 feet; thence North 87 Degrees 42 Minutes 46 Seconds West along a line that is perpendicular to said East line, a distance of 241.99 feet to the Point of Beginning; thence Northwesterly along a non-tangent curve to the right, having an initial tangent bearing of North 19 Degrees 13 Minutes 12 Seconds West, a central angle of 00 Degrees 36 Minutes 23 Seconds and a radius of 2793.00 feet, for an arc distance of 29.56 feet to the end of curve; thence North 71 Degrees 23 Minutes 11 Seconds East, a distance of 60.00 feet; thence South 18 Degrees 55 Minutes 00 Seconds East, a distance of 28.92 feet; thence South 70 Degrees 46 Minutes 48 Seconds West, a distance of 60.00 feet to the Point of Beginning.

The tract described above contains 1,755 square feet or 0.0403 acres, more or less.

And

A tract of land for Permanent Easement purposes located in the Northwest Quarter of Section 19, Township 48 North, Range 31 West, in Kansas City, Jackson County, Missouri, bearings are referenced to Grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and more particularly described as follows:

Commencing at the Northwest Corner of the Northwest Quarter of Section 19, Township 48 North, Range 31 West, being a found 1-1/2 inch iron

## ORDINANCE NO. 140225

pipe, according to Certified Land Corner Document Number 600-84836; thence South 88 Degrees 17 Minutes 57 Seconds East along the North line of said Northwest Quarter, a distance of 1276.94 feet to the Northeast Corner of the West half of the Northwest Quarter of said Section 19; thence South 02 Degrees 17 Minutes 14 Seconds West along the East line of said West half of the Northwest Quarter, a distance of 915.09 feet; thence North 87 Degrees 52 Minutes 39 Seconds West, a distance of 489.49 feet; thence South 05 Degrees 29 Minutes 24 Seconds East, a distance of 31.08 feet to the Point of Beginning; thence North 84 Degrees 30 Minutes 36 Seconds East, a distance of 38.00 feet; thence South 36 Degrees 11 Minutes 23 Seconds East, a distance of 162.61 feet; thence South 05 Degrees 37 Minutes 48 Seconds East, a distance of 55.18 feet; thence South 43 Degrees 35 Minutes 46 Seconds West, a distance of 160.32 feet; thence North 05 Degrees 29 Minutes 24 Seconds West, a distance of 300.00 feet to the Point of Beginning.

The tract described above contains 24,159 square feet or 0.5546 acres, more or less.

### Temporary Construction Easements

The Temporary Construction Easements shall be used by the City of Kansas City, Missouri or its authorized agents, servants, employees or independent contractors during the construction of Project Number 89008176, Douglas Street - Lee's Summit Road Improvements, for grading and sloping, removal of trees and shrubbery, removal and replacement of fencing, sidewalks and driveways, utility construction work, the storage of materials, the operation of equipment, and the movement of a working force.

The City of Kansas City, Missouri shall cause the surface of lands lying within said Temporary Construction Easements to be restored to substantially the same physical condition that existed at the time Kansas City or its agents entered upon them, and said temporary Construction easements shall terminate upon completion and acceptance of the improvements by the Director of Public Works, or three years, whichever is the first to occur.

### Tract No. 36

#### Temporary Construction Easement-3 year duration

A tract of land for Temporary Easement purposes located in the Northwest Quarter of Section 19, Township 48 North, Range 31 West, in Kansas City, Jackson County, Missouri, bearings are referenced to Grid North of the Missouri State Plane Coordinate System, 1983, West zone, and more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of Section 19, Township 48 North, Range 31 West, being a found aluminum cap,

ORDINANCE NO. 140225

according to Certified Land Corner Document Number 600-84835; thence South 87 Degrees 22 Minutes 55 Seconds East along the South line of said Northwest Quarter, a distance of 1274.11 feet to the Southeast Corner of the West half of the Northwest Quarter of said Section 19; thence North 02 Degrees 17 Minutes 14 Seconds East along the East line of said West half of the Northwest Quarter, a distance of 404.88 feet; thence North 87 Degrees 38 Minutes 02 Seconds West, a distance of 161.21 feet to the Point of Beginning; thence continuing North 87 Degrees 38 Minutes 02 Seconds West, a distance of 34.52 feet; thence North 21 Degrees 18 Minutes 18 Seconds West, a distance of 18.20 feet; thence Northwesterly along a curve to the right, tangent with the last described course, having a central angle of 02 Degrees 05 Minutes 06 Seconds and a radius of 2793.00 feet, for an arc distance of 101.64 feet to the end of curve; thence North 70 Degrees 46 Minutes 48 Seconds East, a distance of 60.00 feet; thence North 18 Degrees 55 Minutes 00 Seconds West, a distance of 28.92 feet; thence South 71 Degrees 23 Minutes 11 Seconds West, a distance of 60.00 feet; thence Northwesterly along a non-tangent curve to the right, having an initial tangent bearing of North 18 Degrees 36 Minutes 49 Seconds West, a central angle of 13 Degrees 07 Minutes 25 Seconds and a radius of 2793.00 feet, for an arc distance of 639.74 feet to the point of tangent; thence North 05 Degrees 29 Minutes 24 Seconds West, a distance of 250.64 feet; thence North 43 Degrees 35 Minutes 46 Seconds East, a distance of 160.32 feet; thence South 29 Degrees 13 Minutes 50 Seconds West, a distance of 146.00 feet; thence South 05 Degrees 29 Minutes 24 Seconds East, a distance of 45.00 feet; thence South 13 Degrees 59 Minutes 43 Seconds West, a distance of 29.98 feet; thence South 05 Degrees 29 Minutes 24 Seconds East, a distance of 116.74 feet; thence South 18 Degrees 28 Minutes 21 Seconds West, a distance of 49.24 feet; thence South 21 Degrees 57 Minutes 25 Seconds East, a distance of 121.50 feet; thence South 71 Degrees 14 Minutes 13 Seconds East, a distance of 93.19 feet; thence Southeasterly along a non-tangent curve to the left, having an initial tangent bearing of South 09 Degrees 07 Minutes 16 Seconds East, a central angle of 00 Degrees 42 Minutes 43 Seconds and a radius of 2697.49 feet, for an arc distance of 33.52 feet to the end of curve; thence South 80 Degrees 28 Minutes 51 Seconds West, a distance of 50.14 feet; thence South 00 Degrees 08 Minutes 48 Seconds West, a distance of 197.35 feet; thence South 04 Degrees 40 Minutes 09 Seconds West, a distance of 61.94 feet; thence South 35 Degrees 10 Minutes 46 Seconds East, a distance of 224.16 feet; thence South 22 Degrees 04 Minutes 25 Seconds West, a distance of 104.40 feet; thence South 39 Degrees 59 Minutes 33 Seconds East, a distance of 57.82 feet to the Point of Beginning.

The tract described above contains 46,163 square feet or 1.0598 acres, more or less.

ORDINANCE NO. 140225

And

A tract of land for Temporary Easement purposes located in the Northwest Quarter of Section 19, Township 48 North, Range 31 West, in Kansas City, Jackson County, Missouri, bearings are referenced to Grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and more particularly described as follows:

Commencing at the Northwest Corner of the Northwest Quarter of Section 19, T48N, R31W, being a found 1-1/2 inch iron pipe, according to Certified Land Corner Document Number 600-84836; thence South 88 Degrees 17 Minutes 57 Seconds East along the North line of said Northwest Quarter, a distance of 1276.94 feet to the Northeast Corner of the West half of the Northwest Quarter of said Section 19; thence South 02 Degrees 17 Minutes 14 Seconds West along the East line of said West half of the Northwest Quarter, a distance of 915.09 feet; thence North 87 Degrees 52 Minutes 39 Seconds West, a distance of 439.04 feet to the Point of Beginning; thence South 05 Degrees 29 Minutes 24 Seconds East, a distance of 39.39 feet; thence South 48 Degrees 52 Minutes 49 Seconds East, a distance of 103.21 feet; thence South 05 Degrees 37 Minutes 48 Seconds East, a distance of 49.83 feet; thence North 36 Degrees 11 Minutes 23 Seconds West, a distance of 162.61 feet; thence South 84 Degrees 30 Minutes 36 Seconds West, a distance of 38.00 feet; thence North 05 Degrees 29 Minutes 24 Seconds West, a distance of 31.08 feet; thence South 87 Degrees 52 Minutes 39 Seconds East, a distance of 50.44 feet to the Point of Beginning.

The tract described above contains 3,455 square feet or 0.0793 acres, more or less.

Tract No. 37

Temporary Construction Easement-3 year duration

A tract of land for Temporary Easement purposes located in the Northwest Quarter of Section 19, Township 48 North, Range 31 West, in Kansas City, Jackson County, Missouri, bearings are referenced to Grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and more particularly described as follows:

Commencing at the Northwest Corner of the Northwest Quarter of Section 19, Township 48 North, Range 31 West, being a found 1-1/2 inch iron pipe, according to Certified Land Corner Document Number 600-84836; thence South 88 Degrees 17 Minutes 57 Seconds East along the north line of said Northwest Quarter, a distance of 820.01 feet; thence South 01 Degrees 42 Minutes 03 Seconds West along a line that is perpendicular to said north line, a distance of 2.27 feet to a point on the existing South



ORDINANCE NO. 140225

Right-of-Way line of Strother Road, as now established, also being the Point of Beginning; thence South 87 Degrees 52 Minutes 39 Seconds East along said existing South Right-of-Way line, a distance of 105.00 feet; thence South 86 Degrees 57 Minutes 41 Seconds West, a distance of 155.63 feet; thence South 00 Degrees 29 Minutes 09 Seconds West, a distance of 35.01 feet; thence South 67 Degrees 41 Minutes 36 Seconds West, a distance of 19.89 feet; thence North 33 Degrees 19 Minutes 41 Seconds West, a distance of 40.85 feet; thence South 73 Degrees 01 Minutes 53 Seconds West, a distance of 30.83 feet; thence South 00 Degrees 42 Minutes 23 Seconds West, a distance of 176.03 feet; thence South 29 Degrees 34 Minutes 39 Seconds East, a distance of 93.11 feet; thence South 04 Degrees 13 Minutes 01 Seconds East, a distance of 135.03 feet; thence South 02 Degrees 23 Minutes 35 Seconds West, a distance of 65.62 feet; thence South 07 Degrees 40 Minutes 18 Seconds East, a distance of 210.15 feet; thence South 04 Degrees 57 Minutes 25 Seconds East, a distance of 214.95 feet; thence North 87 Degrees 52 Minutes 39 Seconds West, a distance of 45.40 feet; thence North 05 Degrees 29 Minutes 24 Seconds West, a distance of 896.92 feet; thence North 84 Degrees 34 Minutes 05 Seconds East, a distance of 155.38 feet to the Point of Beginning.

The tract described above contains 38,414 square feet or 0.8819 acres, more or less.

Tract No. 71

Temporary Construction Easement-3 year duration

A tract of land for Temporary Easement purposes located in the Southwest Quarter of Section 18, Township 48 North, Range 31 West, in Kansas City, Jackson County, Missouri, bearings are referenced to Grid North of the Missouri State Plane Coordinate System, 1983, West Zone, and more particularly described as follows:

Commencing at the Southwest Corner of the Southwest Quarter of Section 18, T48N, R31W, being a found 1-1/2 inch iron pipe, according to Certified Land Corner Document Number 600-84836; thence South 88 Degrees 17 Minutes 57 Seconds East along the South line of said Southwest Quarter, a distance of 687.46 feet; thence North 01 Degrees 42 Minutes 03 Seconds East along a line that is perpendicular to said South line, a distance of 38.70 feet to a point on the existing north Right-of-Way line of Strother Road, as now established, also being the Point of Beginning; thence North 50 Degrees 34 Minutes 31 Seconds West, a distance of 40.95 feet; thence North 05 Degrees 29 Minutes 24 Seconds West, a distance of 121.59 feet; thence North 00 Degrees 13 Minutes 14 Seconds East, a distance of 110.55 feet; thence North 05 Degrees 29 Minutes 24 Seconds West, a distance of 100.05 feet; thence North 00 Degrees 13 Minutes 14 Seconds

ORDINANCE NO. 140225

East, a distance of 18.16 feet; thence northerly along a non-tangent curve to the left, having an initial tangent bearing of North 00 Degrees 01 Minutes 13 Seconds West, a central angle of 04 Degrees 26 Minutes 01 Seconds and a radius of 1251.35 feet, for an arc distance of 96.83 feet to the end of curve; thence North 09 Degrees 55 Minutes 10 Seconds West, a distance of 1.95 feet; thence South 88 Degrees 17 Minutes 57 Seconds East, a distance of 29.60 feet; thence South 01 Degrees 26 Minutes 53 Seconds East, a distance of 319.39 feet; thence South 08 Degrees 52 Minutes 53 Seconds East, a distance of 135.24 feet; thence North 89 Degrees 48 Minutes 12 Seconds East, a distance of 59.65 feet; thence South 71 Degrees 27 Minutes 02 Seconds East, a distance of 80.20 feet to a point on the existing North Right-of-Way line of said Strother Road; thence North 87 Degrees 52 Minutes 39 Seconds West along said existing North Right-of-Way line, a distance of 137.85 feet to the Point of Beginning.

The tract described above contains 14,432 square feet or 0.3313 acres, more or less.

Section 2. That Kansas City shall cause the surface of lands lying within said Temporary Construction Easements to be restored to substantially the same physical condition that existed at the time Kansas City or its agents entered upon them, and said Temporary Construction Easements shall terminate upon completion and acceptance of the improvements by the Director of Public Works, or three years, whichever is the first to occur.

Section 3. That there shall be reserved to the owners of the land in which such Permanent Easements are taken and condemned the right to use the land in any way which will not interfere with the proper, safe and continuous use of the storm drainage structures to be built and facilities placed in, under, along, upon, over and through such easements. Said easements shall be kept free from additional depth of overburden, buildings, and any other structure or obstruction, which will interfere with the proper, safe and continuous use of the structures and facilities placed therein; or with the City of Kansas City, Missouri or its authorized agents, employees or independent contractors in entering upon said adjacent lands and easements for the purpose of constructing, reconstructing, operating, repairing, patrolling, and maintaining said improvements and appurtenances.

Section 4. That said improvements shall be of the nature described and specified in, and shall be done in accordance with, the plans and specifications certified under the supervision of the Director of Public Works, the same being on file in the Office of the Director of Public Works and being incorporated herein by reference.

Section 5. That just compensation for the property 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 Jackson County, Missouri,

ORDINANCE NO. 140225

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 for such purposes.

Section 6. That pending the acquisition of said lands by condemnation, the Director of the Department of Public Works is hereby authorized to negotiate the purchase of said land and pay for them out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Section 7. That said right of way be condemned and conveyed to Kansas City, Missouri, in fee simple.

Section 8. That upon the effective date of this ordinance, the City Clerk is hereby directed to record this ordinance in the office of the Recorder of Deeds for Jackson County, Missouri.

---

Approved as to form and legality:

---

Theodore T. Anderson  
Assistant City Attorney