



Legislation Details (With Text)

**File #:** 220034      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 12/15/2021      **In control:** Finance, Governance and Public Safety Committee

**On agenda:** 1/19/2022      **Final action:** 1/20/2022

**Title:** Approving and authorizing settlement of exceptions in a condemnation lawsuit styled City of Kansas City, MO v. Gary Calvert, et al., Case No. 2116-CV02627.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Fiscal Note Wornall Condemnation, 2. 8900 8516 Wornall Rd 74th - 79th Sdwlk Cond Sttlmnt fact sheet 12152021.xlsx, 3. Authenticated Ordinance 220034

| Date      | Ver. | Action By | Action | Result |
|-----------|------|-----------|--------|--------|
| 1/20/2022 | 1    | Council   | Passed | Pass   |
| 1/13/2022 | 1    | Council   |        |        |

ORDINANCE NO. 220034

Approving and authorizing settlement of exceptions in a condemnation lawsuit styled *City of Kansas City, MO v. Gary Calvert, et al.*, Case No. 2116-CV02627.

WHEREAS, the City brought the above condemnation action to acquire certain property interests via eminent domain for the Street Improvement Project No. 89008516, “Wornall Road Improvements 74th Street to 79th Street” in Kansas City, Jackson County, Missouri; and

WHEREAS, Section 2-302 of the Code of Ordinances authorizes the City Attorney to settle claims in excess of \$50,000.00 “subject to approval by the city council upon the recommendation of the risk management committee”; and

WHEREAS, the Risk Management Committee recommends the City Attorney be given such authority to settle the above styled cases; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the payment of the sum of \$100,000.00 in settlement of the exceptions filed by San Angelo Realty and the City of Kansas City, Missouri in the lawsuit styled, *City of Kansas City, MO v. Gary Calvert, et al.*, Case No. 2116-CV02627, as recommended by the City Attorney and the Risk Management Committee, is hereby approved.

Section 2. That the City Attorney is hereby authorized to pay the sum of \$100,000.00 in settlement of said claims in this lawsuit from funds previously appropriated in Account No. 3520-898061-B-89008516 and Account No. 3090-898601-B-89008516.

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

---

Tammy Queen  
Director of Finance

Approved as to form and legality:

---

Matthew Cooper  
Assistant City Attorney