

AN ORDINANCE approving and authorizing payment into the Circuit Court of Jasper County, Missouri, the amount of the jury award in the case styled City of Joplin v. Randal and Shelly Kraft, Case No. 14AO-CC00088, from the Capital Improvement Sales Tax Fund, Account No. 145-4565-520-8105, Project No. TG-0522, to satisfy the jury award in the case related to the acquisition of property generally located at 20<sup>th</sup> Street & Wisconsin, for the 20<sup>th</sup> Street Overpass Project, in Joplin, Jasper County, Missouri; and containing an emergency clause.

WHEREAS, the City of Joplin, Missouri, commenced a condemnation action for the acquisition of certain real property for public use necessary for the 20<sup>th</sup> Street Overpass Project which extends from Indiana east to New Hampshire Avenue on 20<sup>th</sup> Street in the City of Joplin; and,

WHEREAS, on April 29, 2014, the Report of Commissioners was filed, setting the amount of compensation for the interest to be acquired from Randal and Shelly Kraft in the total amount of One Hundred Twenty-Seven Thousand Dollars (\$127,000.00) which amount was paid into the Circuit Clerk's Office on May 12, 2014; and,

WHEREAS, the property owners, Randal and Shelly Kraft, requested that a jury determine their damages; and

WHEREAS, on June 22, 2016, in a case styled City of Joplin, Missouri v. Randal and Shelly Kraft, Case No. 14AO-CC00088, filed in the Circuit Court of Jasper County, Missouri, at Joplin, the jury returned a total award in the amount of Two Hundred Twenty-Three Thousand, Six Hundred Eighty-Seven Dollars, Fifty Cents (\$223,687.50) plus accrued interest, due the property owners, Randal and Shelly Kraft.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That payment of the jury award in the amount Ninety-Six Thousand, Six Hundred Eighty-Seven Dollars, Fifty Cents (\$96,687.50) plus the accrued interest assessed by the Court, is hereby authorized and directed to be made to the Circuit Clerk of Jasper County, Missouri, from the Capital Improvement Sales Tax Fund, Account No. 145-4565-520-8105, Project No. TG-0522.

Section 2. That this Ordinance dealing with a public improvement is an emergency within the meaning of Section 2.12(6) of the Home Rule Charter of the City of Joplin, Missouri, and, as such, shall be in full force and effect immediately from and after its adoption and approval. Specifically, this constitutes an emergency because this Overpass Project for 20<sup>th</sup> Street is a public improvement and interest accrues on a daily basis.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this \_\_\_\_\_ day of

\_\_\_\_\_, 2016, by a vote of \_\_\_\_\_.

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Michael L. Seibert, Mayor

ATTEST:

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Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

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Peter C. Edwards, City Attorney