



Public Works and Safety Committee
Standing Committee Meeting Agenda
Tuesday, January 17, 2012
5:00 PM

Location:

Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
6th Floor Training Room

<u>Name</u>	<u>Absent</u>
Commissioner John Mendez, Chair	<input type="checkbox"/>
Commissioner Ann Brandau-Murguia	<input type="checkbox"/>
Commissioner Angela Markley	<input type="checkbox"/>
Commissioner Tom Cooley	<input type="checkbox"/>
Commissioner Butch Ellison	<input type="checkbox"/>
Terry Eidson - BPU	<input type="checkbox"/>

I. **Call to Order / Roll Call**

II. **Approval of standing committee minutes for December 12, 2011.**

III. **Committee Agenda**

Item No. 1 - RESOLUTION

Synopsis:

A resolution authorizing the execution of a Special Warranty Deed to deed property known as Highland Park to the Turner Recreation Commission along with the responsibility and maintenance of the park, submitted by Margie Witt, Parks & Recreation Dept.

Tracking #: 120012

IV. **Adjourn**

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, December 12, 2011**

The meeting of the Public Works and Safety Standing Committee was held on Monday, December 12, 2011, at 5:15 p.m., in the 6th Floor Human Resources Training Room of the Municipal Office Building. The following members were present: Commissioner Mendez, Chairman; Commissioners Markley, Cooley, and Ellison. Commissioner Murguia and BPU Board Member Terry Eidson were absent.

Chairman Mendez called the meeting to order. Roll call was taken and all members were present as shown above.

Approval of standing committee minutes for November 14, 2011. **On motion of Commissioner Ellison, seconded by Commissioner Cooley, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 110361...A resolution declaring State Avenue from 73rd Street to 82nd Street (CMIP 1161) a necessary and valid improvement, and authorizing a survey of land for said project, submitted by Bill Heatherman, County Engineer.

Bill Heatherman, County Engineer, said this is part of the routine process to open us up for right-of-way acquisition. Project planning is going very well. Easements are basically ready to go and we will be actively talking to property owners within the next three months. There's really nothing special to report. All of these are either easements or permanent right-of-ways at corners of intersections. There are no buildings, no relocations, no major impacts that you've seen on other projects.

Commissioner Ellison asked what do you plan to do from 73rd to 82nd. **Mr. Heatherman** said we'll be continuing the same spirit of State Avenue like you saw from 47th to 67th, so sidewalks, new curbs, mill and overlay, storm sewer improvements, landscape median, and the like. **Commissioner Ellison** asked bus pullovers? **Mr. Heatherman** said bus pullovers will also be there as a part of the other project, the transit project that's going on. **Commissioner Ellison** said so it's tied in with the TIGER grant. **Mr. Heatherman** said we're coordinating this project. It has no funding from the TIGER grant. We're in coordination with the other work that's going to happen.

Commissioner Markley said the second one on our agenda, I'm wondering what the relationship is. **Mr. Heatherman** said we have two separate resolutions. They're being built as two separate projects. The second one will be constructed a year later than the first and the second one has federal funding.

Action: **Commissioner Cooley made a motion, seconded by Commissioner Ellison, to approve and forward to full commission.** Roll call was taken and there were four "Ayes," Ellison, Cooley, Markley, Mendez.

Item No. 2 – 110362...A resolution declaring State Avenue from 82nd Street to 94th Street (CMIP 1199) a necessary and valid improvement, and authorizing a survey of land for said project, submitted by Bill Heatherman, County Engineer.

Bill Heatherman, County Engineer, said as we just mentioned this is the next project.

Action: **Commissioner Ellison made a motion, seconded by Commissioner Markley, to approve and forward to full commission.** Roll call was taken and there were four "Ayes," Ellison, Cooley, Markley, Mendez.

Item No. 3 – 110347...Presentation by Bill Heatherman, County Engineer, regarding staff's proposed comments to DKOT regarding the Lewis and Clark Viaduct Concept Study and selection of alternatives.

Bill Heatherman, County Engineer, said as you all know KDOT requested the UG to work with them on a study of opportunities and options for the Lewis and Clark Viaduct along I-70. That project kicked off in June and there has been a lot of public consultation and a lot of background engineering and planning work. Tonight is an opportunity for us to consolidate some of the ideas. Mr. Heatherman introduced the people from KDOT and the study team present.

Mr. Heatherman said I have some handouts and probably the most important part is to open up on the inside where six different concepts that have been developed to date are shown. As far as the context goes, this study is very much in the middle phase, trying to wrap-up the middle phase, and narrow it down from all the different ideas that have swirled around to two main options to be evaluated in more detail for engineering and that is why we wish to weigh in with a sense of the comments that have been received to date. From this point forward KDOT will take it into advisement and their senior management will make the decision as to what two concepts or variations they take forward. In the spring we would intend to be back here to update on what that next level of evaluation shows all driving towards a preferred concept that could have both KDOT and community consensus, hopefully, consensus by this spring. There is no money to do construction nor is there money actually to begin detailed design, but what KDOT has very wisely done is anticipated let's get way ahead of this curve if we can and get an idea of where things need to go and there are definite bridge needs which will drive KDOT programming. This is really a good opportunity for the community to weigh in.

We are giving the same presentation at 6:00 p.m. at a work session of the Planning Commission so I'm going to attempt to go quickly through our comments and open it up for your questions. What you see on the board are the six different concepts that have been developed to date and I'm going to walk you through what's on there first.

Concept 1A basically replaces all bridges in kind. That is what happens if no other decision is made. Next to it was basically one of the first initial thoughts of how do we widen the I-70

curves. As we went through the public process, that was the number one thing that was brought up. When you look at the details of this what you see is as we pull I-70 away from the Minnesota/Fairfax/Washington ramp, we could get by with actually just one bridge to serve as the ramp over the Kansas River. That would reduce the total number of bridges for long-term economics and then when you get to our side of the river there is a system of perimeter roads that would allow for some of the easier way finding, get rid of a little bit of kind of being below the bridge and that was one of the initial ideas of how we could pull together what was heard in the initial stakeholder interviews and public meetings that were held this summer. If you are following along, that option was 2B.

The next one is Option 3B and it had one intersection on the KCK side and it is shown as a roundabout although there was another variant that would put a traffic signal there. The advantage of that option or the reason it was proposed is because on this weigh finding issue of how do you figure out which way you need to go is the idea that you could concentrate that decision into a larger roundabout, all the different options would be present to you. We will talk about why that's not one of the local preferred concepts in just a second.

The fourth option 2A was developed when we went to the issues workshop in September which was an invited group of business leaders and community leaders that we wanted to show the first concepts to. The reason it's there is because the idea of this study was to look very broadly at all the issues and think about the different concepts. The widening of I-70 really has become a consensus few and we thought so, but when we went to the public meeting in September we didn't want the public to think or take anything for granted so what that option shows is that if for some reason the relocation of I-70 couldn't be accomplished, could some of the other objectives that the community expressed about easier way finding and maybe fewer bridges, could that be accommodated. That is the reason that option was developed. It's really not under active consideration. We can talk about it some more.

These four options that we kind of walked you through are the ones on the right-hand side of the sheet and those were the discussions we had at the issues workshop that was held in September. In September two key pieces of feedback really emerged to the top. One was direct access into Fairfax and the importance of accommodating the needs of the industry in Fairfax and

commentary on these options that were proposed and how well they did or didn't serve that function. The other had been an ongoing discussion about how wide do you make the widening of the I-70 curve and in the Downtown Master Plan there is a more dramatic shift of the I-70 curve that was proposed or envisioned. Those two pieces of feedback came forth at the issues workshop and really continued to be part of the discussion through October and November.

On the Master Plan option I'm going to talk a little more in detail about the significance of that in just a second, but basically KDOT has started the process of evaluating what the ramifications of doing an even wider widening of I-70 would be. We don't have the results of that yet so there is really no decision or kind of discussion to have on it other than to be aware it is a significant issue. The engineering issues associated with not being light or trivial at the least and we can talk about some of those, but we don't have any real conclusion or information on that tonight.

The other two was the direct access into Fairfax and what you see are the two options that were developed after the issues workshop to help address those. The one on the left which is Option 1B basically says because the current configuration is serving Fairfax quite well, from the feedback we've got, is what if we just step back and keep as much of the current configuration into Kansas City, Kansas as possible, but then also move I-70 and make the gentler curve on the I-70 mainline. That is what this option 1B represents primarily.

The last option which is Concept 4B was a much more significant investment or thinking outside of the box of what if we just took ramps straight into Fairfax starting from where you could really get a good straight shot. That really requires you to be clear on the other side of the river when you begin that and we can visit about that option as well this evening. It is one that has been actively discussed here at the local level. It has some pros and cons. Those are the six options broadly.

You also had in your staff packet a copy of the draft letter that staff has prepared that we were developing to send to KDOT. We're proposing to do this as a staff letter because it is quite difficult to say that any of us can speak on behalf of the entire community. We wanted to provide this as a structure. If the committee has other direction for us or if individual commissioners or other bodies' wishes to take a position or give us guidance, we have not sent this letter yet, but

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we wanted you to see what we had in mind. We think the five most significant major issues to date are improving the I-70 curve for safety and that seems to be a slam dunk. The consensus is drive hard in a direction that gets us to that goal if possible. Second is industrial areas and access to them. Fairfax, and to a lesser degree Central Industrial District, because they have other options from 670, they made it clear they are here because of access. They have great access to the north, they have great access onto I-70 and with the competition that we're facing from other industrial areas across the river, the desire not to have any loss in what we currently have in Fairfax is very strong. The other piece of that is, and this is why the roundabout really does go away, not only is the roundabout difficult for truck access but the mixing of trucks and cars and the putting all our reliance on a single roundabout, which if there was an accident might shut everyone down for the entire day, it isn't the right option for this location in our opinion so we have taken that position in the letter. The third option is the Unified Government Downtown Master Plan and I'm going to walk away from the microphone and show you what that means. I'm going to use this option only because it's the closest (referring to a picture). This curvature of I-70 for all the options that show realignment up here, this is all the same. From an engineering point it is a very nicely fit one. It minimizes right-of-way, it allows the bridge piers to be organized pretty well for the size and it allows the tie-in to happen well before Central Avenue interchange, however; the Downtown Master Plan showed a concept that we really have brought I-70 further this way and tying into here. The reason that is in there is because of the opportunities that something like this would present or significant major riverfront redevelopment overtime as well as really help give us back an access to our riverfront and an opportunity for the long run so that's what the Downtown Master Plan envisioned. In the workshops and in the consultations that staff has had with others, this is not an option that has been set out as let's forget about that, it's not possible. There is a real strong desire to know if this is a viable option and what KDOT has agreed to do is do some additional analysis and help play out some of the issues and try to give us a cost for what that would mean relative to others. In discussions if you want to ask some questions with KDOT representatives that are here, they could give kind of a good idea of what those concerns are. That is kind of the third major issue that we think emerged. Number four is related but regardless of what we decide, we would ask that this be done in a way that encourages and supports downtown neighborhood redevelopment and Strawberry Hill. Issues of ascetics of how the bridge treatments are made, how the landscaping is done, how all the roads connect together, we're emphasizing that is important.

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KDOT and the study consultant have paid attention to that issue all along. Fifth is related but the Kaw Point Connector, the Riverfront Heritage Trail, there is a lot of trail and riverfront related items associated. At this point we believe that all of the alternatives can be made to accommodate but we want to make sure we're on the record of emphasizing just how important it is that the investment in trails and the continued investment that we would like to make need to work within this context. Those were the five strategic level issues that we identified leading up to this letter and based on that we made the recommendation of listing the local preferences as follows: Preference one would be if it's viable, the option that most comported with the Downtown Master Plan. It's not on here as a board option because it hasn't really been developed, but if it's viable, that is what staff is saying is the local number one preference. Preference two would be the option 1B. The reason being is that is the option that preserves the direct access ramps into Fairfax and most similarly serves the industrial access as well as downtown and Washington Blvd. That middle choice, there were lots of wrestling with that so if you have some questions, we can certainly discuss that. Preference three we indicated would be Concept 2B. That option if we do not do something like 1B where we keep all the direct access ramps in, this one was designed with the idea of reasonably good access into the industrial areas and it probably has maybe a moderate life cycle long-term cost and it avoids the roundabout which has been ruled out so that's the progression of one, two, three. Within that realm between two and three there is maybe some variations that the engineering group is still thinking about how could we do a little bit of this and a little bit of that, but for the purposes of tonight's meeting, we really think these kind of creates some pretty clear cut choices and a marker.

Deb Tanking, KDOT, said I'm in the road design section. I think Bill has done an excellent job of laying things out for everyone as well as the handout. Basically this started as our need to want to address bridges in the future and the community support has been wonderful in the comments we get and everything. As Bill discussed we don't have any money for construction or to do design plan and that is really going to be a big emphasis for us as we get a clear picture on what we're looking at. Obviously, all these options are great but they are very expensive.

Cindy Cash, KCK Chamber of Commerce, said I'm one of three entities that have been working with KDOT and with Bill and with HNTB the consultant that KDOT has hired and basically I have been working with the Fairfax Industrial Association and their executive director

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is here, Chuck Schlittler who may also have some comments as well as the Downtown Shareholders. We have sent a letter to Bill and he has copies for you and our major concerns are access to the downtown should be kept direct and enhanced where possible which ties along very nicely with what Bill just said and there are some little nuances that are being discussed which is perhaps looking at moving the traffic off of Washington Blvd. where it's going now, taking it out of the neighborhood and perhaps consider putting it onto State Avenue because State Avenue goes all the way across our county, however; it used to be the state highway prior to I-70. We think that at least bears some looking at. We really truly believe that access to Fairfax is critical. As Bill has already suggested we don't want to lose any of the assets that we have now because we have fierce competition now for some of those businesses and we only anticipate more with the new industrial park in Riverside as well as the others that are existing. We also agree that safety is a paramount concern. We all travel on I-70. In fact over the last week and half after going to these meetings and talking with Bill and others, I have probably been even more cognizant of that I-70 curve and fourth something that we all have probably clasped about over the years and that is signage. We have to be very cognizant of signage and in fact I would suggest that we look at that now and not even wait until this starts because we really need to do a better job of not only helping people get in and out of Fairfax and our downtown, but also tell them where they are at when they are there. Again, we agree with Bill. Two other concerns are the whole trial system and opening up the access to the riverfront because this is a potential developable area for us in the future. One of the things that we discussed at the Chamber Board meeting two Wednesdays ago and then again at the KDOT and HNTB meeting last week we recognize this is a 100 year plan. We really are looking at this as 100 years in the making and living with this for 100 years so we really appreciate all the efforts that have gone into it and also the great care and taking in coming and talking to people about this.

Gary Grable said I'm representing several property owners including the Security Bank and some downtown property owners, but I'm also representing a substantial customer base in Fairfax. I along with Cindy and many others have talked at the KDOT meetings about the need to maintain direct access in and out of Fairfax and about not having the roundabout. My primary concern was the fuel trucks moving in and out of Fairfax. I could just see the potential of a horror story with that roundabout. The direct access to downtown and the preference to open State Avenue back up to have direct access for redevelopment is absolutely necessary. The

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flyover bridge, I think that's the proper term, in 2B going into Fairfax may well be a nice idea but that piece of property is the Public Levee on the right-hand side which it will make it more of a challenge to access I would presume. That's a question that I would ask the engineer for the Unified Government and all those small businesses that are presently there whether they remain or not. I'm sorry I don't have the Master Plan with me and I certainly heard what our very competent engineer and Cindy said about access to the riverfront. I would like for you to show me one more time how you would propose that access to the riverfront. If you went across the river and connected with the inner-city viaduct, then I missed something there. **Mr. Heatherman** said we're just going off what the Master Plan showed which more or less just showed kind of a broad concept of I-70 sweeping much further away. There isn't much detail then about what comes next to do the riverfront development. **Mr. Grable** said but the access would be all on this side. **Mr. Heatherman** said no and actually this is a good point you are bringing up. Even when I-70 came this way, you still have to have a connection into downtown, into Fairfax, and a connection that allows service back into the Central Industrial District so this piece of the question would be how much wider could that be but then there would also still need to be the access back in. The Downtown Master Plan didn't carry it to that degree. Actually this would have been the best and the closest to what the Downtown Master Plan would be if you kept this option and kept all the service to Fairfax and downtown and the other industrial districts the same as what's out there now but just add this swinging much wider. **Mr. Grable** said that would allow redeveloping is my question. How would you access on either side of the river for redevelopment? **Mr. Heatherman** said there would still have to be other local streets. The actual service for any redevelopment to get back onto I-70 would probably be to come back into downtown and obtain that access through one of the access points that is already there on Washington Blvd. or Minnesota. This really has not been in KDOT's charge until now to try to wrestle with because their focus has been the six you see up here. As it stands right now they just determined that they will do some degree of looking at the feasibility of this wider I-70 curve and all those other decisions would have to come from there. Many of those will fall on us locals to find what exactly we have in mind. **Mr. Grable** said does that mean that the cost for opening up would be borne by Kansas City, Kansas? **Mr. Heatherman** said it could be. I don't think KDOT has offered to subsidize the extra cost associated with this. This study has been primarily about kind of the frontend of that, what's viable, what's feasible, and what is the price tag associated with it. If we wish to have one of the options that was much more expensive than the

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level KDOT is willing to go to, I'm sure there would be that discussion. This is not about funding at this point. This is about options.

Commissioner Cooley said I go back in this because I first went to work for the city of Kansas City, Kansas in 1963 as part-time draftsman in the Planning Dept. and it was around 1964-1965 that we changed the Master Plan to change the route for I-70 off the inner-city viaduct in those days, it wasn't even Lewis & Clark, to go down Washington Blvd. instead of State Avenue. Now we are kind of talking about putting it back to State Avenue which I don't have a problem with, it just seems kind of funny. We changed the Master Plan in those days to accommodate it. The Master Plan had a transportation issue with this but it appears to me that there are three elements here that we have to wrestle with. It's obvious that we have to wrestle with the traffic flow that goes into Fairfax which is a critical and integral part in all of this equation and I agree with that. The second thing is we want to make it come into the downtown area, the Central Business District, all those types of nomenclatures so that it does present a good picture of us coming in. We've done some efforts with the arch coming across there so we want to make sure that we don't go backwards on that. The third thing is that we continue the flow of I-70 to the west and so there are three elements here. I happen to be somebody who does like roundabouts. I didn't before I went to Ireland. I went to Ireland and found out that Ireland has a whole bunch of them and then you say these things really aren't that bad because what happens is on a roundabout you don't stop. You may slow down but you don't stop and so if you get used to them, you can maneuver around them. Roundabouts I don't think will work here. I have to agree with everybody. I don't have the answers in my own mind to solving all these problems but I don't know that's what we're trying to do today anyhow. I appreciate what KDOT is trying to do and I also appreciate there is some working with the elements that are impacted by it which is basically Fairfax and the downtown area and the traffic flow. I don't know how many of us can remember all the times an 18-wheeler has gone off the ramp coming off because it is awfully sharp. It doesn't seem too sharp for vehicles like ours but when you get into an 18-wheeler I guess it becomes a little tough so when you cut that off a little bit or lengthen the ramp going west it does tend to help and would seem to be a little safety feature.

The riverfront improvements or expansions I think are kind of a pie-in-the-sky anyhow and I don't know where we are with that. This is some concepts as we all look at it and I know a lot of

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hours have been put into this thing and I appreciate what everybody has done and I can tell you right now we are going to put in a lot more hours before this is all over with. It isn't going to happen tomorrow, next year or probably within the next five to ten years, but it doesn't mean we shouldn't be looking at it from the future standpoint of how we plan ahead. It doesn't mean that we're going to be acquiring right-of-way, it doesn't mean that we're going to be buying up property or anything like that but at least we've got the players that are impacted by this thing at the table and I really appreciate that and I think that is something that we need to look forward to. This is not an easy nut to crack. I do want to make sure we do address the three issues and that is getting the industrial people, Fairfax, and the Central Business District in the traffic flow.

Chuck Schlittler, Executive Director with the Fairfax Industrial Association, said I appreciate the form this evening, appreciate HNTB, KDOT and the Unified Government representatives here tonight and you folks who are willing to listen to the concepts. We met with representatives of Fairfax businesses including General Motors, Groendyke with transport fuel, Conway, Reddi Services, Robinson's Delivery Service and others with these three different entities. We are not in favor of the roundabout in Fairfax and that has been said so we won't dwell there. The two issues that we're most concerned about are obviously safety and traffic flow. I think we're willing to work and be good neighbors as long as those issues are addressed. We appreciate the opportunity this evening.

Commissioner Ellison said this doesn't relate directly to it but we have a bunch of wasted potential industrial development land from 3rd & Minnesota to Jersey Creek with a natural barrier with Mt. Zion Estates, Gateway Plaza and homes owned to the west and that land has laid there with abandoned railroad tracks since I was a kid. If there could be any way to access, we have a new EPA building there, but you have to really go searching for it to know it's even there. I go back further than Commissioner Cooley because I remember what they called Rapid Transient, two lanes headed east and street car tracks. We're not looking at anything that is going to happen in 2000, it's going to be a while but that land is laying there with potential development. I agree that the Riverside Industrial Park is really going to put pressure on us over the next ten years.

Mr. Heatherman said I think there is one aspect that we found in the study. KDOT would like to find a plan that allowed them to phase the construction. One of the key questions in the study

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is how could you then lay this out to where we didn't have to build everything at once because obviously it's a lot of money. The other is how quickly should KDOT be prepared to act or more importantly, how much time is there to pick anything other than that far option and it turns out I don't think there is actually that much time because some of the worst units that need work earliest are also among those that are most changed depending on which option we come up with. In fact all the options really hinge upon a couple of key units being replaced so it's really quite timely for these decisions to be talked about because we would set in motion a set of plans where you might end up wasting new work if you really tried to go backwards so this really is the right time.

Commissioner Cooley said of the three elements I was identifying is there a value in prioritizing those three? **Mr. Heatherman** said if you wish. **Commissioner Cooley** said I'm just saying from a standpoint of the phasing type thing, would it be advantageous to KDOT and any financing tool would we take the traffic flow into Fairfax being the top priority or the Central Business District or taking the traffic flow going west. I'm just asking I'm not trying to suggest anything. We can't do it all at once. Is there a way that we can phase it that would get some progression? **Mr. Heatherman** said I think the next step for KDOT is to pick two options or to develop two and everything is so intertwined that in the letter you see there is a first part which is major issues which kind of implies an order of priority that we gave them, but then fundamentally you just have to pick two and that some blend of how well they do on each of those merits. That is kind of where we're at.

Mr. Heatherman said we were not asking for an action item but we will plan to send a letter incorporating what we hear tonight and at the Planning Commission in the form of a staff comment and then if the governing body or the committees wish to give us other direction going forward, please feel free. **Commissioner Mendez** said Bill please make sure we get copies of that letter.

Commissioner Mendez thanked KDOT for making us part of this process.

Action: **No action required.**

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Adjourn

Chairman Mendez adjourned the meeting at 6:08 p.m.

cg/dt

Godsil, Carol

From: RFA Form [myug@wycokck.org]
Sent: Monday, January 09, 2012 2:41 PM
To: Godsil, Carol
Subject: RFA Form - RFA-120012 - 2012-01-09.xml

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Title: RFA-120012 - 2012-01-09.xml

Tracking #: 120012

Request Date: 1/9/2012

Contact: Margie Witt

Proposed Date: 1/26/2012

Confirmed Date: 1/26/2012

RFA Type: Standard

Committee: Public Works and Safety Committee

Contact Phone: x8304

Contact Department: Parks & Recreation

Description: Public Works department has received a request that the Unified Government deed the property known as Highland park to the Turner Recreation Commission along with the responsibility and maintenance of the park.

Action Requested: Approval by the Commission

Target Agenda:

Committee Id:

Revised?: No

Contact Email: mwitt@wycokck.org

Publication Required?: No

Supporting Documentation Included: No

of Supporting Documents:

Reference Rfa:

Reference On Going:

Last Modified 1/9/2012 2:39 PM by Scott, Janice

RESOLUTION NO. R-_____ -12

BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS:

Section 1. That the governing body of the Unified Government hereby approves in substantially the form presented to and reviewed by it at this meeting (a copy of which shall be filed in the records of the Unified Government) the Special Warranty Deed between the Unified Government of Wyandotte County/Kansas City, Kansas, and the Turner Recreation Commission, for the transfer of the property currently known as Highland Park located on Shawnee Drive in Kansas City, Kansas.

Section 2. The Unified Government is hereby authorized to execute and deliver such Special Warranty Deed with such changes therein as shall be approved by the County Administrator, his signature thereon being conclusive of his approval thereof.

Section 3. The Unified Government, the Mayor/Chief Executive Officer, the County Administrator and the Unified Government's other officers, agents and employees are hereby authorized and directed to take such further action, and to execute the deed, such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF WYANDOTTE COUNTY/
KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2012.**

Joseph Reardon, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to form:

Kristen Chowning Martin
Assistant Counsel

SPECIAL WARRANTY DEED

THIS INDENTURE, made this ____ day of _____, 2012 between the **Unified Government of Wyandotte County/Kansas City, Kansas**, Grantor, and **Turner Recreation Commission**, Grantee.

WITNESSETH, that the said Grantor, for other valuable consideration has sold and by these present do hereby deed to the Grantee, and its heirs and assigns, any and all real property interests they may have in all of the following described tract, piece and parcel of land, situated in the County of Wyandotte, and State of Kansas, to-wit:

A tract of land in the Southwest Quarter of the Southeast Quarter of Section 36, Township 11, Range 24, Wyandotte County, Kansas, being more particularly described as follows: Beginning at the Southwest Corner of the Southeast Quarter of said section; thence due East along the South line of said section 543.20 feet; thence North 42 degrees 44 minutes East along the center line of Shawnee Drive, as now established, be herein described; thence North 0 degrees 10 minutes East 480.20 feet to a point on the South line of Highland Crest Subdivision, a subdivision of land in Wyandotte County, Kansas, according to the recorded plat thereof; thence South 89 degrees 42 minutes 45 seconds West, 1327.11 feet to a point on the West line of the Southeast Quarter, 110 feet, thence South 58 degrees 43 minutes 40 seconds Easter 1245.31 feet to a point on the centerline of Shawnee Drive as now established; thence 42 degrees 44 minutes East 385.41 feet to the true point of beginning less that part of the Southeast side now being used for road purposes. The above described tract contains 14.52 acres.

with the appurtenances, and all the estate, title, and interest of the said Grantor therein. This conveyance is made on the express condition that the land being conveyed always be maintained and used as a public park of said Turner Recreation Commission, and should said land at any time be occupied or used for any other purpose as such public park or not maintained as a public park then all said land and all title, right, interest therein, and all right of possession therein shall immediately revert to and become property of the said Grantor, its successors and assigns.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hands this day and year first written above.

Dennis Hays
County Administrator

ACKNOWLEDGEMENT

STATE OF KANSAS)
)SS.
COUNTY OF Wyandotte)

BE IT REMEMBERED that on this ____ day of _____, 2012, before me, the undersigned, a notary public in and for the county and state aforesaid, came Dennis Hays, County Administrator, who personally

known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same for the purposes and consideration therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My appointment expires: