

ADAIR COUNTY COMMISSION MINUTES TUESDAY, DECEMBER 6, 2016

Continued from page 439

Adair County Commission

106 W. Washington
Kirksville, MO 63501
Phone 660-665-2283
Fax 660-665-8406

Stanley Pickens, Presiding Commissioner
Mark Thompson, Associate Commissioner
Carson Adams, Associate Commissioner

December 5, 2016

Carolyn Stanley
29525 Suce Road
Downing, MO 63536-9754

RE: Written Notice of the Intended Acquisition
Adair County Bridge No 0680007 BRO-B001(50)

Dear Ms. Stanley:

The County of Adair has planned an improvement project along *County Line Way*. The improvement includes the construction of a 138' long x 22'6" wide three span bridge over the North Fork of South Fabius River. Based on advice from Adair County legal counsel the project plans have recently been revised to include both temporary construction easement and a permanent easement to cover the rip-rap area under the bridge.

The project affects a portion of your property located on the North side of *County Line Way*, as shown on the attached engineering drawings. We are hopeful that because of the benefits to be derived from the project, we can reach an agreement with you for the permanent and temporary easements needed to accomplish the construction. We expect to send you a letter offer of payment in the near future and encourage you to counter-offer with a reasonable amount that is acceptable to you.

This letter represents the 60-Day Notice you are entitled to by Chapter 523 of the Revised Statutes of Missouri. Negotiations will begin shortly, and we are hopeful that a settlement will be reached. The County regards condemnation as a last resort, but it can and sometimes does occur. We urge you not to delay, as these are important rights. Under Missouri Law, you are entitled to the following:

- a. Seek legal counsel at your own expense;
- b. Make a counteroffer and engage in further negotiations;
- c. Obtain your own appraisal of just compensation at your own expense (Please be advised that should we be required to file a condemnation petition, this will not be done for at least 60 days from the date of this letter. Therefore, if you wish to submit your appraisal to us for review, please keep this timeframe in mind);
- d. Have just compensation determined preliminarily by court-appointed condemnation commissioners and, ultimately, by a jury;
- e. Seek assistance from the office of the ombudsman for property rights, as created under Section 523.277 RSMo, at:

EPG 136.8.8.1
Form 136.8.35

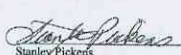
06/081


Office of Public Counsel
Governor Office Bldg., Suite 650
200 Madison Street
P.O. Box 2230
Jefferson City, MO 65102-2230
573-751-4857 (Phone)
573-751-5562 (Fax)


f. Contest the right to condemn in the condemnation proceeding; and
g. Exercise the right to request vacation of an easement under the procedures and circumstances provided for in Missouri Statute.

We are looking forward to working with you on this project. Should you have any questions please feel free to call us at 660-665-2283.

Sincerely,


Stanley Pickens
Presiding Commissioner


Mark Thompson
Associate Commissioner


Carson Adams
Associate Commissioner

Attachment

EPG 136.8.8.1
Form 136.8.35

06/082

Adair County Commission

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Kirksville, MO 63501
Phone 660-665-2283
Fax 660-665-8406

Stanley Pickens, Presiding Commissioner
Mark Thompson, Associate Commissioner
Carson Adams, Associate Commissioner

December 5, 2016

Robert E. Bowen
RR1 Box 96
Queen City, MO 63561

RE: Written Notice of the Intended Acquisition
Adair County Bridge No 0680007 BRO-B001(50)

Dear Mr. Bowen:

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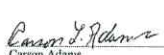
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Sincerely,


Stanley Pickens
Presiding Commissioner


Mark Thompson
Associate Commissioner


Carson Adams
Associate Commissioner

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06/082

ATTEST: 
County Clerk


Presiding Commissioner