

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 080633

Approving the sale of three parcels of property generally located at 2449 Forest, 2445 Troost and 1111 E. 25th Street in the Beacon Hill Development Project to Beacon Hill Developers for redevelopment purposes and directing the City Clerk to record certain documents.

WHEREAS, Beacon Hill Developers, LC (BHD) is the developer of the Beacon Hill Development Project (Project); and

WHEREAS, BHD filed a development plan for the Project which was approved by Committee Substitute for Ordinance No. 020442; and

WHEREAS, the City and BHD entered into a Chapter 353 Redevelopment Contract on June 3, 2002 for the redevelopment, rehabilitation and reconstruction of the Project which provides BHD eminent domain powers; and

WHEREAS, the City and BHD entered into a Development Contract on October 17, 2006 under which the parcels of property in the Project are to be transferred to BHD, individual homebuyers, builders or the Homeowners Association, as applicable; and

WHEREAS, BHD is assembling land in order to construct 12 new townhome units as the first phase of the Townhome development for Beacon Hill; and

WHEREAS, 2449 Forest, 2445 Troost and 1111 E. 25th Street are three properties owned by the City that need to be transferred to BHD for the Townhome Project; and

WHEREAS, the proceeds from the sale of this land shall go into account 2690-640001-64007315 where they will be held; and

WHEREAS, the properties have been appraised and the City is selling the three lots for a total amount of \$40,731.00; NOW, THEREFORE,

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BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council hereby approves the sale of three properties generally located at 2449 Forest, 2445 Troost and 1111 E. 25th Street in Kansas City, Jackson County, Missouri to the Beacon Hill Developers, LC for a total price for the three lots of \$40,731.00. The properties are more specifically described as:

Tract 17 (2449 Forest): Lot 13, except the south 17.77 feet, Block 3, Hall's Hill, a subdivision in Kansas City, Jackson County, Missouri.

Tract 1 (2445 Troost): Lots 11 and 12 except that part in Troost Avenue, Block 3, Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, and except the south 20.0 feet of the east 102.81 feet of said Lot 11, and also except the north 5.00 feet of the east 102.81 feet of said Lot 12.

Tract 12 (1111 E. 25th St.): The east 42 feet of Lots 1 and 2 and the east 42 feet of the north 25 feet of Lot 3, Block 5, Continuation of Beacon Hill, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, except that part in right-of-way described as follows: the north 11.94 feet of the east 42.0 feet of said Lot 3 and also except the south 13.06 feet of the east 42.0 feet of said Lot 2.

Section 2. That the Director of City Development is hereby authorized to execute a Special Warranty Deed so conveying the three properties and a Termination of Private Covenants and Restrictions as it relates to the building set back lines as recorded in Warranty Deed recorded July 28, 1908 as Document No. 665775 in Book B-1145 at Page 526 against Lots 11 and 12, Block 3, Beacon Hill.

Section 3. That the Director of City Development is hereby authorized to use these proceeds to assist with further development activity within the Beacon Hill development area.

Section 4. That the revenue in the following account of the Community Development fund is estimated in the following amount:

09-2690-640001-485010	Sale of Property	\$40,731.00
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Section 5. That \$43,731.00 is hereby appropriated from the Unappropriated Fund Balance of the Community Development fund to the following account:


09-2690-647315-B	Beacon Hill Infrastructure	\$40,731.00
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Section 6. That the City Clerk is hereby directed to record a copy of this ordinance in the office of the Director of Records for Jackson County, Missouri, as evidence of the authorization of the sale and termination of certain covenants and

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restrictions of the herein described properties by the City for use in the Beacon Hill Development area.

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.

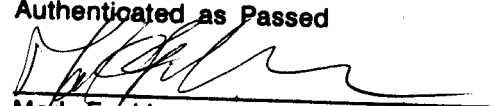

Wanda J. Gunter
Acting Director of Finance

Approved as to form and legality:


Nicole Rowlette
Assistant City Attorney



Authenticated as Passed


Mark Funkhouser, Mayor


Millie M. Crossland, City Clerk

JUN 26 2008
Date Passed