

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 200227

Declaring certain real property generally located in the River Market and bounded by 4th Street on the north, 5th Street on the south, Main Street on the east, and an access alley on the west surplus to the City's needs; authorizing the Director of General Services to execute an Intergovernmental Cooperative Agreement with the Port Authority of Kansas City, Missouri for the conveyance of the real property; and authorizing the Director of General Services to execute such deeds and other documents as may be necessary for the conveyance.

WHEREAS, the City of Kansas City, Missouri ("City") and the Port Authority of Kansas City ("Port KC") are political subdivisions of the State of Missouri and are authorized to accept, receive, transfer and convey real property, and to cooperate with each other to accomplish their purposes; and

WHEREAS, City owns real property located in the River Market and generally bounded by 4th Street on the north, 5th Street on the south, Main Street on the east, and an access alley on the west ("Subject Property"); and

WHEREAS, the Council has determined that this property is not needed for public use; and

WHEREAS, the Subject Property is currently being underutilized as a surface parking lot, which use can be also served by replacement parking in a future structure, provided it remains publicly available on conditions acceptable to the City; and

WHEREAS, Port KC has proposed to offer the Subject Property for development to a higher use; and

WHEREAS, the development of the Subject Property serves a predominantly public municipal purpose because, without limitation, development will (i) enhance the tax base of Subject Property and surrounding area; (ii) retain and generate jobs; (iii) promote economic development in the area of the City in which the Subject Property is located; (iv) result in generation of tax revenues to the City from the conduct of business and other activities in the City that would not otherwise occur; and (v) serve as a catalyst for additional investment in and further redevelopment and rehabilitation of the area of the City in which the Subject Property is located; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That pursuant to Section 1210 (b)(2) of the City Charter, the Council hereby finds and declares the Subject Property bearing the following legal description is no longer needed for public use, and is hereby declared surplus to the City's needs; that legal description being:

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Lots 165 through 169, Block 17, Town of Kansas (commonly called Old Town), a subdivision, not in Kansas City, Jackson County, Missouri, according to the recorded plat thereof, refiled for record July 28, 1896.

Section 2. That the Director of General Services is hereby authorized to further negotiate, execute and implement an Intergovernmental Cooperative Agreement with the Port Authority of Kansas City, attached hereto in substantial form except that Section 5.1.E shall be deleted, for the conveyance of the Subject Property with such changes therein as shall be approved by the City Manager that further the intentions of this ordinance. Such agreement shall include a requirement that the disposition of the Subject Property by PortKC be made only upon open and public competition and shall be subject to the retention of any easements or other encumbrances deemed necessary by the Director of General Services.

Section 3. That, upon execution of the Intergovernmental Cooperative Agreement meeting the requirements of Section 2 of this Ordinance, the Director of General Services is hereby authorized to execute the special warranty deed, subject to any and all easements and encumbrances retained by the City, and all other real estate or other documents needed to effectuate the transfer and conveyance of the Subject.

Approved as to form and legality:

Katherine Chandler
Assistant City Attorney