

RESOLUTION NO. 120745

Consenting to the transfer of vacant property by Land Trust of Jackson County, Missouri to the Kansas City, Missouri Homesteading Authority, generally in the Green Impact Zone, within the geographical area of 35th Street on the north to 55th Street on the south, Troost on the west, and east to Prospect, north of 47th and to Swope Parkway, south of 47th, for demolition, repair, rehabilitation and redevelopment, as determined appropriate by the Authority.

WHEREAS, the Kansas City, Missouri Homesteading Authority (“Authority”) was created October 24, 1975, and is a Missouri non-profit corporation in good standing with the Missouri Secretary of State; and

WHEREAS, the Authority’s Articles of Incorporation were amended as of August 16, 2011, to enable such corporation to function as a receiver as authorized by Missouri law and the Code of Kansas City, Missouri for the purpose of rehabilitating, demolishing and/or selling vacant nuisance property; and

WHEREAS, the seven member board is made up of five board members who are City employees appointed by the City Manager and two board members appointed by the Mayor and those appointees are to be councilpersons currently serving Kansas City, Missouri; and

WHEREAS, this Resolution is being made in collaboration with the Green Impact Zone, their staff, and consultants working with them; and

WHEREAS, the Authority, with the assistance of City staff, has inspected the specific properties that were identified by the County staff as having structures, to assess their economic viability for renovation or in the alternative demolition; and

WHEREAS, included in this geographical area there are a number of vacant lots that were in the large part created by past necessary demolitions of former structures at the expense of the City, which expense remains unpaid by the Land Trust or the taxing authorities that are the beneficiaries of the net sale proceeds; and

WHEREAS, the City and the Authority share the concern of the Green Impact Zone staff, that site control will be critical as the efforts to revitalize this area gains momentum, and the Green Impact Zone is working closely with the City Planning staff to propose a zoning overlay to facilitate renovations and infill construction to strengthen the likelihood of success; and

WHEREAS, the board of the Authority conditioned its approval in proceeding with this transfer request upon subsequent transfers to entities, developers or contractors, public or private, commencing and completing renovation or construction on a particular lot no more than three years from the date of the receipt of title to such entities, developers or contractors, not unlike the reverter imposed by the Land Trust; and

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WHEREAS, the City intends that the Land Trust properties to be conveyed to the Authority are inclusive of those conveyed into the Land Trust by the Court Administrator's Deed for those properties included in the August 2011 delinquent tax sale; and

WHEREAS, there is an increasing number of vacant buildings and vacant lots within the City of Kansas City, Missouri due to increased mortgage foreclosures, declining housing values, and abandonment; and

WHEREAS, the inventory of properties held by Land Trust of Jackson County, Missouri is increasing due to an increase in tax-delinquency; and

WHEREAS, there is a tremendous need to get these properties repaired, redeveloped and returned to productive use and returned to the tax rolls; and

WHEREAS, Land Trust of Jackson County, Missouri can only convey property for less than two-thirds of appraised value with the consent of two of the three following appointing authorities: Jackson County, Missouri, Kansas City, Missouri School District and City of Kansas City, Missouri; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City of Kansas City, Missouri ("City") hereby authorizes its appointed land trustee and all other appointed land trustees that serve now or in the future on the Land Trust of Jackson County, Missouri ("Land Trust") to vote for the approval of donation of the properties as submitted to such trustee by the Kansas City, Missouri Homesteading Authority ("Authority") and to consent to the transfer, without consideration by Land Trust, those properties within the Land Trust's inventory generally within the Green Impact Zone, which for this purpose shall be of 35th Street on the north to 55th Street on the south, Troost on the west and east to Prospect, north of 47th, and to Swope Parkway, south of 47th^h ("GIZ Properties"). Without limiting the foregoing, any unimproved and vacant lots classified as residential property transferred pursuant to this authorization shall be governed by the three-year time and limitations of RSMo. 141.765 for transfers out of the Authority, and the development plans shall be in conformity with this statutory requirement. However, if the subsequent transfers of unimproved and vacant residential classified properties are to property owners who occupy the abutting residence, then such conveyances shall not be subject to such limitation.

Section 2. That the City hereby encourages the Authority to implement a policy and program to facilitate acquisition of unimproved and vacant residential classified property by abutting property owners, who reside in and occupy such abutting properties, and who meet criteria as deemed appropriate by the Authority. At a minimum that criteria shall include the Authority's determination that such abutting owner does not have any outstanding delinquent real property taxes for any property owned within the City, is current on all installments of special assessment for public improvements then

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due and owing, does not have any outstanding special assessments or liens imposed by the City for municipal services and/or property maintenance violations, and does not have any pending property maintenance violations or any unsatisfied fines for previously issued administrative citations as issued by the City. It is the intent of the City, by adoption of this Resolution, that an abutting property owner's residential use of that occupied and improved property will be deemed extended to the donated vacant property for the purposes of satisfying any statutory requirements of Section 141.765 of the RSMo., and that there shall be no time period during which improvements are required to otherwise be made. For the purposes of this process, residential use shall be deemed to include open space for the benefit of the abutting property owner to whom the donation is made.

Section 3. That the Mayor and Council urge the other taxing jurisdictions in Kansas City, Missouri, holding any interest in the GIZ Properties held by Land Trust to relinquish the same in the public interest and to support the transfer for such consideration of the Land Trust's interest to the GIZ Properties to the Authority for the purposes herein stated.

Section 4. The City hereby authorizes the Land Trust to attach to any deed to property the transfer of which is pursuant to this Resolution, a duly certified copy of this Resolution as evidence of the City's consent, as required by RSMo. 141.750.2. The Land Trust may rely upon this Resolution until written notice is given of its revocation and withdrawal.
