

ORDINANCE NO. 120880

Declaring certain real property surplus to the City's needs and authorizing the Director of the General Services Department to convey certain parcels to the Land Clearance for Redevelopment Authority of Kansas City, Missouri ("LCRA") and authorizing the execution of related documents to continue development of the Beacon Hill project.

WHEREAS, all City departments have been notified that the parcels of real property set out below were in excess to the needs of the City and no interest has been expressed in retaining the land for public use; and

WHEREAS, on April 28, 2011, the City Council passed Second Committee Substitute for Ordinance No. 110300, authorizing the City Manager to enter into a contract with the Economic Development Corporation of Kansas City, the Land Clearance for Redevelopment Authority of Kansas City, Missouri, the Economic Development Corporation Charitable Fund and the EDC Loan Corporation for the management of assets to be transferred from the Housing and Economic Development Financial Corporation, in part, for the continued development of the Beacon Hill project; and

WHEREAS, the City has filed a motion in the lawsuit styled *City of Kansas City, Missouri v. Housing and Economic Development Financial Corporation*, Case No. 05-00368-CV-W-GAF in U.S. District Court of the Western District of Missouri asking that the property currently held in that federal receivership with the Beacon Hill project be transferred to the Economic Development Corporation Charitable Fund so that it can subsequently be transferred to LCRA to continue the elimination of blight; and

WHEREAS, LCRA is a public body corporate and politic duly organized and existing pursuant to Section 99.330, RSMo, having among its powers the redevelopment of blighted areas and the power of eminent domain; and

WHEREAS, the parcels of real property set out below are situated within the Hospital Hill II Urban Renewal Area within which LCRA has the power of eminent domain; and

WHEREAS, Section 99.580, RSMo, (Supp 2011) of the Land Clearance for Redevelopment Authority Law provides, in pertinent part, that: "[f]or the purpose of aiding and cooperating in the planning, undertaking or carrying out of a land clearance project within the area in which it is authorized to act, any public body may, upon such terms, with reasonable consideration, as it may determine: (1) Dedicate, sell, convey or lease any of its interest in any property, or grant easements, licenses or any other rights or privileges therein to an authority," and the City is such a "public body"; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

ORDINANCE NO. 120880

Section 1. That the Council finds and determines that the parcels of real property owned by the City of Kansas City set out and described by common street addresses and legal descriptions in attached Exhibit A are surplus to the City's needs and no longer needed for public use. Exhibit A and its descriptions of the parcels of real property are incorporated herein by reference as if fully set forth.

Section 2. That the Director of General Services Department is authorized to convey the parcels of real property bearing the common street addresses and legal descriptions set out on Exhibit A to the Land Clearance for Redevelopment Authority of Kansas City, Missouri for the further development of the Beacon Hill project within the Hospital Hill II Urban Renewal Area, and both the Director of the General Services Department and the Director of the Neighborhoods and Housing Services Department are hereby authorized to execute any and all real estate and closing documents necessary therefore and to take such further actions as required to carry out the intent of this ordinance. Exhibit A is hereby incorporated into this section as if fully set forth herein.

Approved as to form and legality:

Nicole Rowlette
Assistant City Attorney