

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 170907

Authorizing the Director of General Services to enter into a Purchase Agreement with the Land Clearance Redevelopment Authority of Kansas City, Missouri to transfer title by special warranty deed to portions of the real property commonly referred to as 1207 Grand Boulevard to LCRA to facilitate redevelopment within the Grand Avenue Office Campus Urban Renewal Area; and directing the City Clerk to record this ordinance and deed.

WHEREAS, the City owns a parcel of real property currently being used as a surface parking lot generally located at the southeast corner of 12th Street and Grand Boulevard commonly known as 1207 Grand Boulevard and bearing the following legal description: Lots 19 and 20, except that part of said Lot 19, now in Twelfth Street, Block 2, McGee's Addition, a subdivision in Kansas City, Jackson County, Missouri; and

WHEREAS, the City has previously granted on September 19, 2016 the Kansas City Area Transportation Authority (hereinafter "KCATA") a license to expand and reconstruct bus shelters upon western and northern portion of the above-described parcel of real property ("KCATA License"); and

WHEREAS, the above-described parcel of real property is situated within the Grand Avenue Office Campus Urban Renewal Area; and

WHEREAS, the above-described parcel of real property has previously been declared to lie within a blighted or insanitary area by Second Committee Substitute for Ordinance No. 54936 passed on May 6, 1983, and amended thereafter, within the meaning of those terms as set out in Subsections 99.320(3) and (9), RSMo; and

WHEREAS, after due notification pursuant to City Administrative Regulation No. 3.07 then in effect, the Director of General Services received no responses from any City department director indicating either an objection to the sale of the City-owned parcel or a continued need for its public use, as long as the conveyance did not include the area encompassed by the above-described license for expanded bus shelters and such remaining portions of the property will be subject to a temporary construction easement for a period through December 31, 2018, as such extended temporary construction easement is more fully set forth in the First Amendment to License Agreement to be executed and recorded along with the KCATA License; and

WHEREAS, the City is willing to convey to Land Clearance Redevelopment Authority of Kansas City, Missouri ("LCRA") for redevelopment within Block 112 of the Grand Avenue Office Campus Urban Renewal Area as authorized by Sections 99.580 and 99.590, RSMo, the above-described parcel of real property, except that portion of which is encompassed by the above-mentioned license with the KCATA and as more specifically described below in Section 1; and

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WHEREAS, on October 25, 2017, the Council received and filed Communication No. 170846 which notified the City that on August 23, 2017, the LCRA Board of Commissioners adopted its Resolution No. 8-1-17 selecting 112 Redevelopers, LLC as the developer of this above-described parcel of real property which 112 Redevelopers, LLC, would then integrate into a proposed mixed-use project potentially containing space for office, hotel or residential use, retail space and a parking garage situated within Block 112 of the Grand Avenue Office Campus Urban Renewal Area; and

WHEREAS, any such conveyance is conditioned upon the following: (1) the City being able to convey the Parcel to LCRA free and clear of all leases, liens and encumbrances unacceptable to LCRA and a redeveloper of a substantial portion of Block 112 of the Grand Avenue Office Campus Urban Renewal Area as selected by the LCRA or other development agency associated with the City except the KCATA license, as amended, (2) LCRA receiving Four Hundred Twenty Five Thousand and no/100 Dollars (\$425,000.00) as the fair value for this tract as defined by Section 99.450, RSMo, from the selected redeveloper of a substantial portion of Block 112 of the Grand Avenue Office Campus Urban Renewal Area, (3) the City receiving those proceeds, less LCRA's administrative costs, for the Parcel on or before closing, and (4) preservation of the existing north-south alley abutting the Parcel on the east, except to the extent the City Council by separate ordinance authorizes the vacation of such alley; and

WHEREAS, Subsection 2-422(a)(1), Code of Ordinances, generally grants to the Director of the General Services Department the power and responsibility for the disposition of City-owned real property; 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 that the parcel of City-owned real property bearing the following legal description is no longer needed for public use and is hereby declared surplus property; that legal description being:

All that part of lots 19 and 20, Block 2, McGee's Addition, a subdivision in Kansas City, Jackson County Missouri, more particularly described as follows:

Commencing at the Southwest Corner of aforesaid Lot 20, being also a point on the Easterly right-of-way of Grand Boulevard, as now established and the Westerly lines of said Lots 19 & 20; thence South 89 degrees 59 minutes 34 seconds East, along the South line of said Lot 20, a distance of 12.50 feet to the Point of Beginning of the tract of land to be herein described; thence North 00 degrees 03 minutes 13 seconds East, along a line 12.50 feet East of and parallel with the Easterly right-of-way of said Grand Boulevard and the Westerly line of said Lots 19 and 20, a distance of 60.99 feet; thence North 45 degrees 12 minutes 11 seconds East, 13.99 feet to a point 14.00 feet South of the Southerly right-of-way of 12th

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Street, as now established; thence North 89 degrees 37 minutes 03 seconds East, along a line 14.00 feet South of and parallel with the Southerly right-of-way of said 12th Street, a distance of 93.37 feet to a point on the Easterly lines of said Lots 19 and 20 and the Westerly line of a 16.5 feet wide Alley; thence South 00 degrees 04 minutes 04 seconds, along the Easterly lines of said Lots 19 and 20 and the Westerly line of said Alley, a distance of 69.94 feet to the Southeast corner of said Lot 20; thence North 89 degrees 59 minutes 34 seconds West, along the South line of said Lot 20, a distance of 103.27 feet to the Point of Beginning. Containing 7,209 square feet or 0.166 acres, more or less.

(hereinafter "Parcel").

Section 2. That the Director of the General Services Department is authorized to enter into a Purchase Agreement with Land Clearance Redevelopment Authority of Kansas City, Missouri, subject to the conditions set out above in the seventh "Whereas" clause which are hereby incorporated herein as if fully set forth, to transfer by special warranty deed the Parcel.

Section 3. That the Director of the General Services Department is authorized: a) to execute a Special Warranty Deed conveying the above City-owned Parcel to LCRA with the final legal description being determined by survey, if different than that set out above, and with the dimensions of the property excepted to conform to the most reliable of either the "as built" specifications for the expanded bus shelter expansions or the then most recent construction specifications for the proposed bus shelter expansions, to the extent either exists at the time of conveyance, if different than that set out above, b) to execute any and all other real estate and closing documents necessary, and c) to take such further actions as are required to carry out the intent of this ordinance.

Section 4. That the City Clerk is directed to record with the Jackson County, Missouri Recorder of Deeds a certified copy of this ordinance, along with the special warranty deed described above, after the Director of General Services' execution of the said deed and the corresponding real estate and financial closings described above.

Approved as to form and legality:

Galen P. Beaufort
Senior Associate City Attorney