

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 060511

Calling for submission to the voters of Kansas City, at a special election to be held on August 8, 2006, a question amending the Charter of Kansas City to enact a new section 463.12 to authorize the removal from the park system and sale of approximately 1.7 acres of park property located generally at 22nd Street and Gillham Road commonly known as the Fire Alarm Exchange Building contingent upon use of the proceeds of any sale to be used for the restoration of the Women’s Leadership Fountain located at 9th Street and The Paseo and other terms as the Council may determine; directing the City Clerk to notify the responsible election authorities of the election on or after May 26, 2006, but not later than May 30, 2006; and recognizing this ordinance to be an emergency measure.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. That an election is called on August 8, 2006, for the purpose of submitting to the voters of Kansas City an amendment to the City Charter.

Section 2. NOTICE TO ELECTION AUTHORITIES BY CITY CLERK. That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, on or after May 26, 2006, but not later than May 30, 2006, which shall be the authority of each election authority of the City to submit the amendment to the electors of Kansas City and to give public notice as provided by law.

Section 3. NOTICE OF ELECTION. The notice of election shall read as follows:

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NOTICE OF ELECTION

KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called a special election to be held on Tuesday, August 8, 2006, between the hours of 6:00 a.m. and 7:00 p.m., at which election all qualified voters residing within Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 060511

OFFICIAL BALLOT
CITY OF KANSAS CITY

SPECIAL ELECTION, AUGUST 8, 2006

QUESTION NO. _____
(Sale of Park Property)

Should the Charter of Kansas City be amended by allowing the sale, upon competitive bidding, of approximately 1.7 acres of park property generally located at 22nd Street and Gillham Road, including the vacant and currently unused building commonly known as the Fire Alarm Exchange Building, contingent upon use of any proceeds from the sale for the restoration of the Women's Leadership Fountain located at 9th Street and The Paseo?

_____ Yes
_____ No

(Instructions to voters will be supplied by the election authorities.)

A full and complete copy of Ordinance No. 060____ (as it may be amended) submitting the above amendment to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where the same is open for inspection and copying.

The polling places for the election will be (INSERT LIST OF POLLING PLACES IN LAST PUBLICATION ONLY)

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I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, RSMo, as amended.

Given under my hand and the official seal of the Kansas City, Missouri, this _____ day of May, 2006.

(SEAL)

MILLIE CROSSLAND
City Clerk of Kansas City, Missouri

Before me, a notary public, personally appeared Millie Crossland, to me known to be the City Clerk of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My Commission Expires:_____

Section 4. SALE OF PARK PROPERTY. If a majority of the voters favor the sale of park property question, then the amendment to the Charter of the City of Kansas City shall become effective immediately upon certification of the election results by the election authorities, which amendment shall read as follows:

BE IT ADOPTED BY THE PEOPLE OF KANSAS CITY:

That the Charter of the City of Kansas City is amended by enacting a new section 463.12 to read as follows:

Section 463.12. Removing 1.705 acres at 22nd Street and Gillham Road from the Park system and authorizing its sale.

(a) Notwithstanding any other provision of this Charter, as approved and recommended by the Board of Parks and Recreation Commissioners, approximately 1.705 acres of surplus parklands described below are removed from the park and boulevard system.

All that part of lots 11 and 25 "Col. E.M. McGee's Subdivision" and all that part of lots 14 through 18, Both inclusive, and lots 19 through 23 both inclusive, "Galfey's addition", both being subdivisions of land in Kansas City, Jackson County, Missouri, and part of vacated Locust Street and 22nd Street and part of the vacated alley west of and adjacent to lots 22 through 25 of said "Col. E.M. McGee's subdivision" and being more particularly described as follows: Beginning at the intersection of the West line of the east 200 feet of said lot 25 and the north line of said lot 25 in "Col. E.M. McGee's Subdivision"; Thence South 0' 01' 04" West along said west line, a distance of 81.28 feet. Thence North 85' 33' 10" West, A distance of 384.15 feet; Thence North 18'31' 47" West, a distance of 237.66 feet to a point on the southeasterly right-of-way line of the Kansas City Terminal Railway. Thence North 68' 33' 47" East along said southeasterly right-of-way line, a distance of 232.67 feet to a point on the east right-of-way line of said vacated Locust Street. Thence departing said southeasterly right-of-way line, along said east right-of-way line south 0' 06' 43" east a distance of 41.99 feet. Thence South 15' 12' 57" east along the west line of lots 23, 24, & 25 of said subdivision a distance of 222.79 feet to a point on the north line of said lot 25. Thence South 89'24'16" east along last said north line, a distance of 183.43 feet to the point of beginning. Containing 74,257 square feet or 1.705 acres, more or less.

This conveyance is declared to be for a public and municipal purpose.

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(b) Sale of this property is authorized by competitive bidding on the condition that proceeds from the sale shall be used for the restoration of the Women's Leadership Fountain located at 9th Street and The Paseo and upon other terms as the city council may determine.

Section 5. EMERGENCY RECOGNIZED. This ordinance, providing for the submission of Charter amendments to the people of Kansas City, Missouri, is hereby recognized to be an emergency measure within the meaning of Section 15, Article II, of the Charter, and as such shall become effective immediately upon its passage.

Approved as to form and legality:

William Geary
Assistant City Attorney