

ORDINANCE NO. 030923

Calling for submission to the voters of Kansas City, at a special election to be held on November 4, 2003 a question amending Article XX of the Charter of Kansas City entitled "Miscellaneous Provisions" by enacting a new section to be known as Section 463.11 authorizing the removal of certain parklands generally consisting of approximately 1700 square feet of real property at the northeast corner of 8th Street and vacated Santa Fe Street in the West Bottoms from the park and boulevard system as approved and recommended by the Board of Parks and Recreation Commissioners and authorizing the City to convey said property 1700 square feet of real property at the northeast corner of 8th Street and vacated Santa Fe Street in the West Bottoms; fixing the date when the amendment shall take effect; directing the City Clerk to notify the responsible election authorities of said election; and recognizing this ordinance to be an emergency measure.

WHEREAS, a special election will be held throughout the City on November 4, 2003; and

WHEREAS, the Board of Parks and Recreation Commissioners by its Resolution No. _____ has approved and recommended that certain parklands generally consisting of approximately 1700 square feet of real property at the northeast corner of 8th Street and vacated Santa Fe Street in the West Bottoms be removed from the park and boulevard system, and that the City convey said property to the Planned Industrial Expansion Authority of Kansas City, Missouri, by action of the City Council, on the condition that the Planned Industrial Expansion Authority cause the removal of blight on the property pursuant to its statutory authority and upon other terms and for such consideration as the Council may determine NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That an election is hereby called for the purpose of submitting to the voters of Kansas City an amendment to the Charter of said City. Such question shall be submitted at the special election to be held November 4, 2003.

Section 2. Ballot title. The ballot title shall be:

QUESTION NO. 2

SHALL THE FOLLOWING BE APPROVED?

Shall the Charter of Kansas City be amended to remove parkland generally consisting of approximately 1700 square feet of real property at the northeast corner of 8th Street and vacated Santa Fe Street in the West Bottoms from the park and boulevard system as approved and recommended by the Board of

Parks and Recreation Commissioners, and authorizing the City to convey said property to the Planned Industrial Expansion Authority of Kansas City, Missouri, by action of the City Council on the condition that the Planned Industrial Expansion Authority cause the removal of blight on the property pursuant to its statutory authority and upon other terms and for such consideration as the Council may determine?

_____ YES _____ NO

The voter who desires to vote in favor of this question shall place an "X" in the box opposite "Yes." The voter who desires to vote against this question shall place an "X" in the box opposite "No."

Section 3. Delivery of Ordinance by City Clerk to Election Authorities. That the Clerk shall deliver certified copies of this ordinance and notice of election to the Board of Election Commissioners of Kansas City, Missouri to the Board of Election Commissions of Clay County, to the Board of Election Commissioners of Platte County, and to the County Clerk of Cass County, which shall be the authority of the respective election authorities of the City to submit this amendment to the electors of Kansas City as herein provided and to give public notice thereof as provided by law within one business day of the effective date of this ordinance.

Section 4. Election Notice. That the notice of election shall read as follows:

NOTICE OF ELECTION
CITY OF KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called a special election to be held in said City on November 4, 2003, at which election all qualified voters residing within the City of Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

QUESTION____

SHALL THE FOLLOWING BE APPROVED?

Shall the Charter of Kansas City be amended to remove parkland generally consisting of approximately 1700 square feet of real property at the northeast corner of 8th Street and vacated Santa Fe Street in the West Bottoms from the park and boulevard system as approved and recommended by the Board of Parks and Recreation Commissioners, and authorizing the City to convey said property to the Planned Industrial Expansion Authority of Kansas City,

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Missouri, by action of the City Council on the condition that the Planned Industrial Expansion Authority cause the removal of blight on the property pursuant to its statutory authority and upon other terms and for such consideration as the Council may determine?

_____ YES _____ NO

[Instructions to voters will be supplied by the election authorities]

A full and complete copy of this ordinance submitting the above question to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where it is open for inspection and copying.

The polling places for the election will be [insert list of polling places in last publication only].

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

Given under my hand and the official seal of the City of Kansas City, Missouri, this ___ day of _____, 20__.

(SEAL)

City Clerk, City of Kansas City, Missouri

Before me, a notary public, personally appeared _____, to me known to be the City Clerk of the City 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 5. If a majority of the qualified voters voting at said election shall vote in favor of the question, then an amendment to the Charter of Kansas City, Missouri shall become effective immediately upon certification of the election results by the election authorities,

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which amendment shall read as follows:

BE IT ADOPTED BY THE PEOPLE OF KANSAS CITY:

That the Charter of Kansas City, Missouri, adopted February 25, 1925, as amended, is further amended by adopting and adding thereto a new section to be known as 463.10 to read as follows:

Section 463.11. Removal of approximately 1700 square feet of real property at the northeast corner of 8th Street and vacated Santa Fe Street in the West Bottoms from the parks system and Conveyance to the Planned Industrial Expansion Authority of Kansas City, Missouri:

(a) Notwithstanding any other provision of this Charter, as approved and recommended by the Board of Parks and Recreation Commissioners, approximately 1700 square feet of real property at the northeast corner of 8th Street and vacated Santa Fe Street in the West Bottoms described below are removed from the park and boulevard system.

Beginning at the Southeast corner of Lot 11, Block 14 West Kansas Addition No. 1; thence West 50 feet; thence North 5 feet; thence Northwesterly on a curve with a radius of 486.34 feet to the east line of Block 14, 60.5 feet north of the Southeast corner; thence South 60.5 feet to the point of beginning.

(b) The city is hereby empowered to convey said property to the Planned Industrial Expansion Authority of Kansas City, Missouri, by action of the City Council on the condition that the Planned Industrial Expansion Authority cause the removal of blight on the property pursuant to its statutory authority and upon other terms and for such consideration as the Council may determine.

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

Section 6. Emergency. That this ordinance provides for the submission of a proposal to the people of Kansas City, Missouri, and is hereby recognized to be an emergency measure within the meaning of Section 15, Article II of the Charter of Kansas City, and as such shall become effective in accordance with that section.

Approved as to form and legality:

Assistant City Attorney