

ORDNANCE NO. 030251

Condemning and taking private property in fee simple for public use as a park and/or recreation area and related purposes and uses; providing for payment of just compensation; and authorizing negotiations by the Director of City Development.

WHEREAS, the Council finds and determines it necessary to condemn private property hereinafter described and generally located between Euclid Drive (not installed) and north of 63rd Street, Tracts C-1 and D-1, located in Kansas City, Jackson County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That following tracts of land are hereby condemned and taken in fee simple for public use as a park and/or recreation area and related purposes and uses and said tracts are legally described as follows:

TRACT C-1: All that part of Tract "C", Citadel Center", a subdivision in Kansas City, Jackson County, Missouri, described as follows: Beginning at the most southwesterly corner of said Tract "C"; thence North $32^{\circ}34'40''$ East, 234.04 feet; thence North $58^{\circ}07'31''$ East, 305.00 feet; thence South $28^{\circ}17'45''$ East, 162.61 feet to the northerly right-of-way line of Euclid Drive; thence southwesterly along said line on a curve to the left having a radius of 175.00 feet and an initial tangent bearing being at right angles with the last described course, an arc distance of 37.13 feet; thence South $49^{\circ}32'53''$ West continuing along said line 216.99 feet; thence southwesterly continuing along said line on a curve to the left having a radius of 330.00 feet and tangent to the last described course an arc distance of 87.01 feet; thence North $86^{\circ}57'16''$ West, 208.65 feet to the point of beginning.

TRACT D-1: All that part of Tract "D", Citadel Center, a subdivision in Kansas City, Jackson County, Missouri, described as follows: Beginning at the southwest corner of said Tract "D"; thence northerly along the easterly right-of-way line of Euclid Drive, along a curve to the right with a radius 275.00 feet, an initial tangent bearing of North $3^{\circ}02'44''$ East, an arc distance of 167.99 feet; thence continuing along said right-of-way North $38^{\circ}02'44''$ East, tangent to the last described curve; 17.31 feet; thence continuing along said right-of-way North $86^{\circ}57'16''$ West, 5.67 feet; thence continuing along said right-of-way line, along a curve to the right with a radius of 280.00 feet, an initial bearing of North $40^{\circ}55'23''$ East, an arc distance of 42.15 feet; thence South $40^{\circ}27'07''$ East along a line radial to the last described curve 73.24 feet; thence South $86^{\circ}57'16''$ East, parallel with the north right-of-way line of 63rd Street, 165.40 feet; thence South $2^{\circ}18'08''$ West, 150.00 feet to said north right-of-way

line; thence North 86°57'16" along said north right-of-way line 300.02 feet to the point of beginning.

Section 2. Just compensation for the tracts of land taken or damaged herein shall be assessed and paid according to law. Payment for such compensation or damages shall be made by Kansas City in cash from funds appropriated for said purposes; and the proceedings for taking or damage in the aforesaid property shall be instituted in the first instance and prosecuted in the Circuit Court of Jackson County, Missouri at Kansas City, either pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, 1959, as supplemented or amended by Sections 86.01 to 86.10 of the Rules of Civil Procedures.

Section 3. Pending the acquisition of said lands by condemnation, the Director of City Development is hereby authorized to purchase said land out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by purchase, the City Counselor is authorized to withdraw same from condemnation proceedings.

Approved as to form and legality:

Assistant City Attorney