

ORDINANCE NO. 170431

Authorizing condemnation and taking of private property interests in fee simple for public use, in the vicinity of 63rd Street, between Euclid Avenue and Park Avenue, in Kansas City, Jackson County, Missouri; receiving evidence of blight, substandard and insanitary conditions; making a determination of economic and social blight; providing for the payment of just compensation therefore; authorizing continued negotiations by the City Planning and Development Department; consenting to the filing of the petition for condemnation by the City Attorney on behalf of the City; and authorizing the City Clerk to cause this ordinance to be recorded in the office of the Recorder of Deeds for Kansas City, Jackson County, Missouri.

WHEREAS, on January 23, 2013, the City Council (“Council”) passed Ordinance No. 140027 which amended Chapter 74, Code of Ordinances, entitled “Kansas City Redevelopment Ordinance” by adding a new Article V to be known as the “Reclamation of Blighted, Substandard or Insanitary Areas Process” which provides for the City of Kansas City, Missouri’s (“City”) exercise of the powers granted to it as a constitutionally chartered city by Section 21, Article VI of the Missouri Constitution; and

WHEREAS, there is abundant evidence that the three properties hereinafter described are an economic and social blight on the City of Kansas City; and

WHEREAS, the Council finds that private property and interests in private property must be condemned in fee simple for the public purpose of clearing blight in Kansas City, Jackson County, Missouri; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY, MISSOURI:

Section 1. That the Council has considered the economic and social blight evidence presented by staff regarding each of the three properties hereafter described and that each property is hereby declared an economic and social blight on the City of Kansas City, Missouri.

Section 2. That the fee interests in private properties are hereby authorized condemned and taken for public use in and upon the land hereinafter described in Kansas City, Jackson County, Missouri.

Section 3. That the properties shall be used by Kansas City to clear blight in the area of 63rd Street between Euclid Avenue and Park Avenue.

Section 4. That the private properties are hereby authorized condemned in a proceeding instituted in Jackson County, Missouri, by the City Attorney and hereby described as follows:

2120 East 63rd Street – Tract 2; Lots 123 – 126, Beachwood, a subdivision of Kansas City, Jackson County, Missouri.

ORDINANCE NO. 170431

The above described tract of land contains 21,455 Sq. Ft. more or less.

6236 Park Avenue – Tract 1; Lots 96 – 98 Beachwood, a subdivision of Kansas City, Jackson County, Missouri.

The above described tract of land contains 17,282 Sq. Ft. more or less.

6234 Park Avenue – Tract 3; Lot 95 Beachwood, a subdivision of Kansas City, Jackson County, Missouri.

The above described tract of land contains 5,456 Sq. Ft. more or less.

Section 5. That just compensation for the properties taken shall be assessed and paid according to law; and the proceedings to determine compensation shall be prosecuted in one or more suits in the Circuit Court of Jackson County, Missouri, pursuant to the provisions of Chapter 523 of the Revised Statutes of Missouri, as supplemented or amended by Section 86.01 to 86.10 of the Rules of Civil Procedure. Payment of compensation shall be made by Kansas City from funds appropriated for such purposes.

Section 6. That pending the acquisition of said lands by condemnation, the Director of the City Planning and Development Department is hereby authorized to negotiate the purchase of said land and pay for them out of funds appropriated or to be appropriated as aforesaid, and if any tracts be so acquired by negotiation and purchase, the City Attorney is authorized to withdraw same from condemnation proceedings.

Section 7. That said properties be condemned and conveyed to Kansas City, Missouri, in fee simple.

Section 8. That upon the effective date of this ordinance, the City Clerk is hereby directed to record this ordinance in the office of the Recorder of Deeds for Jackson County, Missouri.

Approved as to form and legality:

Dustin Johnson
Assistant City Attorney