

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 230501

..title

Sponsor: ~~Councilmember Kevin O'Neill~~

Authorizing the Director of Parks and Recreation to execute a Real Estate Sale Contract, Special Warranty Deed, and related documents to complete the transfer of approximately 11.858 acres consisting of right of way for the proposed Tiffany Springs Parkway between N.W. Prairie View Road to N. Amity Avenue for the purpose of realignment of the proposed Tiffany Springs Parkway; authorizing the City Manager or his designee to accept a Special Warranty Deed of approximately 11.~~794~~774 acres as replacement right of way for the proposed Tiffany Springs Parkway between N.W. Prairie View Road to N. Amity Avenue; accepting said Special Warranty Deed for Parkway purposes as identified on the Major Street Plan that shall comply with Section 88-323 of the Zoning and Development Code; and directing the Clerk to record a certified copy of this ordinance with the Platte County, Missouri Recorder of Deeds.

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WHEREAS, Ordinance No. 220705 called an election on November 8, 2022 for the purpose of submitting to the voters of Kansas City the question of removing from the park system the property described as:

TRACT ONE: A tract of land 120.00 feet wide across the Southeast Quarter of Section 35, T52N, R34W of the 5th P.M., Kansas City, Platte County, Missouri, said tract being 60.00 feet in width on each side of the following described centerline: Commencing at the northeast corner of said Southeast Quarter; thence South 0 degree 29 minutes 52 seconds West (all bearings herein are referenced to the City of Kansas City, Missouri Independent Grid System) on the east line of said Southeast Quarter, 726.52 feet to the point of beginning; thence North 90 degrees 00 minute 00 second West, 100.00 feet to a point of curvature; thence southwesterly on a curve to the left (said curve having a radius of 1830.00 feet, chord bearing South 83 degrees 45 minutes 00 second West, chord distance 398.45 feet) an arc distance of 399.24 feet to a point of tangency; thence South 77 degrees 30 minutes 00 second West, 125.00 feet to a point of curvature; thence westerly on a curve to the right (said curve having a radius of 1130.00 feet, chord bearing North 90 degrees 00 minute 00 second West, chord distance 489.15 feet) an arc distance of 493.06 feet to a point of tangency; thence North 77 degrees 30 minutes 00 second West, 500.00 feet to a point of curvature; thence continuing northwesterly on a curve to the left (said curve having a radius of 1130.00 feet, chord bearing North 87 degrees 30 minutes 00 second West, chord distance 392.44 feet) an arc distance of 394.44 feet to a point of tangency; thence South 82 degrees 30 minutes 00 second West, 125.00 feet to a point of curvature; thence continuing southwesterly on a curve to the right (said curve having a radius of 2800.00 feet, chord bearing South

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86 degrees 15 minutes 00 second West, chord distance 366.26 feet) an arc distance of 366.52 feet to a point of tangency; thence North 90 degrees 00 minute 00 second West, 173 feet more or less to a point on the west line of said Southeast Quarter, said point being approximately 697 feet south of the northwest corner of said Southeast Quarter.

TRACT TWO: Part of the Southwest Quarter of Section 36, T52N, R34W of the 5th P.M., Kansas City, Platte County, Missouri, described as follows: Commencing at median centerline Station 575+60 of Interstate Highway #29 equal centerline Station 51+00 of Tiffany Springs Parkway; thence South 60 degrees 31 minutes 14 seconds West (all bearings herein are referenced to the City of Kansas City, Missouri Independent Grid System) on the centerline of said parkway, 610.00 feet to a point of curvature; thence continuing southwesterly on a 4 degree curve to the right of said centerline, 110.00 feet to a point on the westerly right-of-way line of Interstate Highway #29 and the point of beginning; thence North 25 degrees 04 minutes 46 seconds West on said westerly right-of-way line, 68.41 feet; thence southwesterly on a curve to the right (said curve having a radius of 1010.00 feet, initial tangent bearing South 62 degrees 46 minutes 12 seconds West, chord bearing South 86 degrees 23 minutes 06 seconds West, chord distance 809.19 feet) an arc distance of 832.56 feet to a point of tangency; thence North 70 degrees 00 minute 00 second West, 102.81 feet to a point of curvature; thence northwesterly on a curve to the left (said curve having a radius of 1790.00 feet chord bearing North 80 degrees 00 minute 00 second West, chord distance 621.66 feet) an arc distance of 624.83 feet to a point of tangency; thence North 90 degrees 00 minute 00 second west, 42.29 feet to a point on the west line of the Southwest Quarter of said Section 36, said point being South 0 degree 29 minutes 52 seconds west, 666.52 feet from the northwest corner of said Southwest Quarter; thence South 0 degree 29 minutes 52 seconds West on the west line of said Southwest Quarter, 120.00 feet; thence South 90 degrees 00 minute 00 second East, 43.33 feet to a point of curvature; thence southeasterly on a curve to the right (said curve having a radius of 1670.00 feet, chord bearing South 80 degrees 00 minute 00 second East, chord distance of 579.98 feet) an arc distance of 582.94 feet to a point of tangency; thence South 70 degrees 00 minute 00 second East, 102.81 feet to a point of curvature; thence northeasterly on a curve to the left (said curve having a radius of 1130.00 feet, chord bearing North 88 degrees 29 minutes 57 seconds East, chord distance 901.20 feet, an arc distance of 926.97 feet to the westerly right-of-way line of Interstate Highway #29; thence North 25 degrees 04 minutes 46 seconds West, on said right-of-way, 51.67 feet to the point of beginning.

(hereinafter, Tracts One and Two are referred to as the “**Park Property**”); and

WHEREAS, Ordinance No. 220705 contemplated the Park Property being sold through an open and public competition pursuant to City Charter Section 1210; and

WHEREAS, Ordinance No. 220705 stated that the Park Property would only be removed from the parks system for such terms and conditions including accepting new right of way for the Tiffany Springs Parkway; and

WHEREAS, such election was held on November 8, 2022, the outcome of which supported the removal of the Park Property from the park system; and

WHEREAS, such favorable vote allowed the City to dispose of the Park Property as surplus property; and

WHEREAS, the City issued a public request for proposals for the sale of the Park Property and received one response; and

WHEREAS, Tiffany Springs Logistics, LLC, the sole proposer offered the followingly property, plus closing costs and other good and valuable consideration, to purchase the Park Property:

A strip of land situated in a portion the Southeast Quarter of Section 35 and in a portion of the Southwest Quarter of Section 36, all being in Township 52 North, Range 34 West in the City of Kansas City, Platte County, Missouri and lying between the East right-of-way line of N Amity Avenue and Westerly of the Westerly right-of-way line of U.S. Interstate Highway Route No 29 as said Avenue and Highway are now both established. Said strip of land being now more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter (Center of Section) of aforesaid Section 35; thence ~~S~~South ~~00°31'50" W~~ degrees 31 minutes 50 seconds West along the West line of the Southeast Quarter of said Section 35, a distance of 1,239.56203.64 feet; thence ~~S~~South ~~89°28'10" E~~ degrees 28 minutes 10 seconds East, perpendicular to the last described course, a distance of 30.00 feet to a point on the East right-of-way line of aforesaid N~~2~~ Amity Avenue and the Point of Beginning of the strip of land to be herein described; thence continuing ~~S~~South ~~89°28'10" E~~ degrees 28 minutes 10 seconds East along the last described course, a distance of 1,941.222,043.82 feet; thence Easterly and Northeasterly along a curve to the left, tangent to the last described course, having a radius of 1,540 feet and a central angle of ~~19°47'41"~~ degrees 17 minutes 41 seconds, an arc length of 518.60 feet; thence ~~N~~North ~~71°14'09" E~~ degrees 14 minutes 09 seconds East, tangent to the last described curve, a distance of 122.6313.93 feet; thence Northeasterly along a curve to the right, tangent to the last described course, having a radius of 5,590 feet and a central angle of ~~09°35'01"~~ degrees 35 minutes 01 seconds, an arc length of 935.01 feet; thence ~~N~~North ~~80°49'10" E~~ degrees 49 minutes 10 seconds East, tangent to the last described curve, a distance of 299.93 feet to ~~appoint a point~~ on the Southerly prolongation of the West line of Lot 1, DRURY INNS, a subdivision in said City, County and State recorded September 17, 1997 in the Office of the Recorder of Deeds for said County and State as Document No. 0012788 in Plat Book 19 at Page 16; thence ~~N00°00'01" W~~ ~~(N00°01'16" E)~~ North 00 degrees 00 minutes 01 seconds West (North 00

degrees 01 minutes 16 seconds East, Plat) along the Southerly prolongation of the West line of said Lot 1, a distance of 6.57 feet to the Southwest corner of said Lot 1, being also a point on the Northerly right-of-way line of Tiffany Springs Parkway as set forth on said DRURY INNS subdivision; thence Easterly and Northeasterly along the Southerly line of said Lot 1, being also along the Northerly right-of-way line of said Tiffany Springs Parkway, being now along a curve to the left having an initial tangent bearing of N87°19'04"E (N87°20'21"ENorth 87 degrees 19 minutes 04 seconds East (North 87 degrees 20 minutes 21 seconds East, Plat), a radius of 1,010 feet and a central angle of 23°34'09", degrees 34 minutes 09 seconds, an arc length of 433.10 feet to the Southeast corner of said Lot 1, being also a point on the Westerly right-of-way line of aforesaid U.S. Interstate Highway Route No 29; thence S 25°06'03" ESouth 25 degrees 06 minutes 03 seconds East, not tangent to the last described curve, being now along the Westerly right-of-way line of said U.S. Interstate Highway Route No 29, a distance of 120.00 feet to the most North, Northeast corner of Lot 1, EXECUTIVE HILLS NORTH, 6TH PLAT, a subdivision in said City, County and State recorded March 29, 1988 in the Office of the Recorder of Deeds for said County and State as Document No. 002676 in Plat Book 17 at Page 267, being also a point on the Southerly right-of-way line of Tiffany Springs Parkway as set forth on said EXECUTIVE HILLS NORTH, 6TH PLAT subdivision; thence Southwesterly along the Northerly line of the last said Lot 1 and along the Southwesterly prolongation of the Northerly line thereof, being also along the Southerly right-of-way line of said Tiffany Springs Parkway, being now along a curve to the right having an initial tangent bearing of SSouth 62°58'38" W (S degrees 58 minutes 38 seconds West (South 62°59'55" W degrees 59 minutes 55 seconds West, Plat), a radius of 1,130 feet and a central angle of 17°50'32", degrees 50 minutes 32 seconds, an arc length of 351.89 feet; thence SSouth 80°49'10" W degrees 49 minutes 10 seconds West, tangent to the last described curve and departing from the Southerly right-of-way line of said Tiffany Springs Parkway, a distance of 415.29 feet; thence Southwesterly along a curve to the left, tangent to the last described course, having a radius of 5,470 feet and a central angle of 09°35'01", degrees 35 minutes 01 seconds, an arc length of 914.94 feet; thence SSouth 71°14'09" W degrees 14 minutes 09 seconds West, tangent to the last described curve, a distance of 122.6313.93 feet; thence Southwesterly, and Westerly along a curve to the right, tangent to the last described course, having a radius of 1,660 feet and a central angle of 19°17'41", degrees 17 minutes 41 seconds, an arc length of 559.02 feet; thence NNorth 89°28'10" W degrees 28 minutes 10 seconds West, tangent to the last described curve, a distance of 1,941.222,043.82 feet to a point on the East right-of-way line of said N. Amity Avenue; thence NNorth 00°31'50" E degrees 31 minutes 50 seconds East, along the East right-of-way line of said N. Amity Avenue, perpendicular to the last described course and being 30 feet East of and parallel with the West line of the Southeast Quarter of said Section 35, a distance of 120.00 feet to the Point of Beginning. This description having been prepared by Steven R. Whitaker, Missouri, P.L.S No. 2005019220. MEC Corporate Certificate / License No. 2012009395_ (hereinafter the "Offered Property"); and

WHEREAS, the Board of Parks and Recreation Commissioners on March 14, 2023 passed resolution number 32165 recommending to the Council that the City accept the Offered Property; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Parks and Recreation is hereby authorized to execute a Real Estate Sale Contract, Special Warranty Deed, and related documents to complete the transfer of the Park Property to Tiffany Springs Logistics, LLC, a copy of which is on file in the office of the Director of Parks and Recreation.

Section 2. That the City Manager or his designee is hereby authorized to accept the Special Warranty Deed for the Offered Property on behalf of the City.

Section 3. That the Offered Property shall be accepted for the purpose of the Tiffany Springs Parkway realignment, as identified on the Major Street Plan, and that future development shall comply with Section 88-323 of the Zoning and Development Code or seek variance from the Board of Zoning Adjustment.

Section 4. That the City Clerk is directed to record with the Platte County, Missouri Recorder of Deeds a certified copy of this ordinance.

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Approved as to form ~~and legality~~:

Abigail Judah
Assistant City Attorney