

ORDINANCE NO.

Declaring certain real property generally located in the northeast corner of Hodge Park off Northeast Shoal Creek Parkway, Kansas City, Missouri surplus to the City's needs; authorizing the Director of General Services to offer the sale of the City's interest in this real property in accordance with City regulations, and execute related documents to complete the transfer of the real property while reserving easements, as necessary, for any existing City owned sewer, storm water, and water line infrastructure on the said property.

WHEREAS, the City owns rights in certain real property generally in the northeast corner of Hodge Park off Northeast Shoal Creek Parkway, Kansas City, Missouri and

WHEREAS, pursuant to Ordinance No. 190376 and a special election ballot held on November 5, 2019, the Board of Parks and Recreation Commissioners determined to remove approximately a thirty-six acre tract for another public use in Hodge Park and transfer to a school district for terms and consideration acceptable to the City in order for the district to build a school in the northeast corner of the park off Northeast Shoal Creek Parkway because the school population growth, including Kansas City residents in this area of the school district requires a new school in the Hodge Park Area; and

WHEREAS, North Kansas City School District is the only qualified purchaser pursuant to the ballot language authorized by Ordinance No. 190376; and

WHEREAS, all City departments have been notified and this property is not needed by the City and no interest has been expressed in retaining the land for future public use; and

WHEREAS, the Parks Department and the North Kansas City School District have negotiated the sale and transfer of this property, and agreed upon terms and consideration that acceptable to both parties; and

WHEREAS, all existing easements, right of way, and/or any other encumbrances affecting the real property, shall remain in effect as set forth in the Special Warranty Deed or similar conveyance executed as a part of the subsequent transfer; and

NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the parcels described below, are hereby declared surplus to the City's needs.

Section 2. That the Director of the Parks and Recreation Department is hereby authorized to offer for sale in accordance with City regulations and the November 5, 2019 special election ballot language, and for terms and conditions acceptable to the City with such conditions determined appropriate by the Director of Parks and Recreation, the City's rights in the property located in the northeast corner of Hodge Park off Northeast Shoal Creek Parkway, Kansas City, Missouri, hereinafter referred to as the "Property" and legally described as follows:

Commencing at the Northwest corner of the Northeast Quarter of Section 4, Township 51 North, Range 32 West of the 5th Principal Meridian in the City of Kansas City, Clay County, Missouri; thence along the North line of said Quarter Section S89°15'17"E a distance of 1799.96'; thence departing said line S1°21'54"W a distance of 40.00' to a point on the South right of way of Shoal Creek Parkway, as now established, and Point of Beginning, being also the Northwest corner of a tract described in Book 1424, Page 106 in the Clay County Recorder's Office; thence continuing S1°21'54"W along the West line of said tract a distance of 2117.04; thence departing said line N89°47'31"W a distance of 1025.93'; thence N1°21'54"E a distance of 748.97'; thence N 51°07'40"E a distance of 389.08'; thence N21°35'15"E a distance of 1208.60' to a point on said North right of way of Shoal Creek Parkway; thence S89°15'17"E along said line a distance of 310.96' to the Point of Beginning, containing 36.00 acres, more or less, subject to easements and restrictions of record.

Subject to building lines, easements, reservation, restrictions, covenants and conditions of record.

Further subject to any and all other existing easements, right of way, and/or any other encumbrances, recorded or non-recorded, affecting the real property, and also subject to a reservation of easements, as necessary, for City owned sewer, storm water, and/or water line infrastructure located on the said property and existing on or before the execution of this Deed.

Section 3. That the Director of Parks and Recreation is hereby authorized to execute any real estate or other documents needed to effectuate this transaction and convey the Property to North Kansas City Schools No. 74 as the only qualified purchaser.

Approved as to form:

Abigail Judah
Assistant City Attorney

