



Legislation Details (With Text)

File #: 220705 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 8/11/2022 **In control:** Council

On agenda: 8/25/2022 **Final action:** 8/25/2022

Title: Calling for submission to the voters of Kansas City, at an election to be held on November 8, 2022, a question to remove two tracts of land totaling approximately 11.858 acres from the parks system consisting of the right of way for the proposed Tiffany Springs Parkway between N.W. Prairie View Road to Amity Avenue for the purpose of realignment of the proposed Tiffany Springs Parkway; directing the City Clerk to notify the responsible election authorities of the election no later than August 30, 2022; and recognizing this ordinance with an accelerated effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Tiffany Springs Parkway Fact Sheet 2022, 2. Tiffany Springs Parkway Fiscal Note 2022, 3. August 9 2022 TIFFANYSRINGSPARKWAYRESOLUTION, 4. Tiffany Springs Parkway - Resolution, 5. 220705 Authenticated

Date	Ver.	Action By	Action	Result
8/25/2022	1	Council	Passed	Pass
8/24/2022	1	Finance, Governance and Public Safety Committee	Adv and Do Pass	Pass
8/18/2022	1	Council	referred	

ORDINANCE NO. 220705

Calling for submission to the voters of Kansas City, at an election to be held on November 8, 2022, a question to remove two tracts of land totaling approximately 11.858 acres from the parks system consisting of the right of way for the proposed Tiffany Springs Parkway between N.W. Prairie View Road to Amity Avenue for the purpose of realignment of the proposed Tiffany Springs Parkway; directing the City Clerk to notify the responsible election authorities of the election no later than August 30, 2022; and recognizing this ordinance with an accelerated effective date.

WHEREAS, the Parks Board has determined to remove two tracts of land totaling approximately 11.858 acres from the parks system consisting of the right of way for the proposed Tiffany Springs Parkway between NW Prairie View Road to Amity Avenue for the purpose of realignment of the proposed Tiffany Springs Parkway for terms and consideration including accepting new right of way as the City may determine to be acceptable; and

WHEREAS, City Charter section 1004(b) reads: If any property is determined by the Board of Parks and Recreation Commissioners to be no longer necessary or appropriate for park, parkway, or boulevard use, such property may be removed from the park system by a vote of the people; and

WHEREAS, the Board of Parks and Recreation Commissioners on August 9, 2020 passed resolution number 31999 approving and recommending to the Council that these two tracts be removed from the park

system; and

WHEREAS, if the voters approve the removal from the park system, any disposition by the City of these two tracts would be on an open and a public competition pursuant to City Charter Section 1210; and

WHEREAS, such removal of this parkland would only be to convey said property for such terms and consideration including accepting new right of way for the Tiffany Springs Parkway as the City may determine acceptable; and NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. That an election is called on November 8, 2022, for the purpose of submitting to the voters of Kansas City the question of removing property from the park system.

Section 2. BALLOT TITLE. The ballot title shall be:

Should the City of Kansas City remove two tracts of land totaling approximately 11.858 acres from the parks system consisting of the right of way for the proposed Tiffany Springs Parkway between NW Prairie View Road to Amity Avenue for the purpose of realignment of the proposed Tiffany Springs Parkway and authorize the City to convey said property for such terms and consideration including accepting new right of way as the City may determine acceptable.

Section 3. NOTICE OF ELECTION. The notice of election shall read as follows:

NOTICE OF ELECTION
KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called a special election to be held on Tuesday, November 8, 2022, between the hours of 6:00 a.m. and 7:00 p.m., at which election all qualified voters residing within Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY
SPECIAL ELECTION, November 8, 2022

QUESTION NO. _____
(Park Property)

Should the City of Kansas City remove two tracts of land totally approximately 11.858 acres from the parks system consisting of the right of way for the proposed Tiffany Springs Parkway between NW Prairie View Road to Amity Avenue for the purpose of realignment of the proposed Tiffany Springs Parkway and authorize the City to convey said property for such terms and consideration including accepting new right of way as the City may determine acceptable.

- YES
- NO

(Instructions to voters will be supplied by the election authorities.)

A full and complete copy of this ordinance (as it may be amended) submitting the above question to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where the same 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, as amended.

Given under my hand and the official seal of the Kansas City, Missouri, this ____ day of _____, 2022.

(SEAL)

MARILYN SANDERS
City Clerk of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk 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 4. NOTICE TO ELECTION AUTHORITIES BY CITY CLERK. That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, no later than August 30, 2022, which shall be the authority of each election authority of the City to submit the amendment to the electors of Kansas City and to give public notice as provided by law.

Section 5. PROPERTY REMOVED. Upon approval of the voters the following property shall be officially removed from the park system:

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 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.

Section 6. ACCELERATED EFFECTIVE DATE RECOGNIZED. This ordinance, providing for the submission of question to the people of Kansas City, Missouri, is hereby recognized to have an accelerated effective date within the meaning of Section 503(a)(3)(A) of the Charter, and as such shall take effect in accordance with Section 503.

Approved as to form and legality:

Lana K. Torczon
Senior Associate City Attorney