Legislation Details (With Text)

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File created:	8/14/2024			**In control:**	Council
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Title: Sponsor: Councilmember Kevin O'Neill

Amending Committee Substitute for Ordinance No. 230501 to revise the legal description of the "Offered Property" described in the seventh WHEREAS of such ordinance; amending Committee Substitute for Ordinance No. 230501 by repealing the Section 2 and enacting a new Section 2 directing the City Manager to accept the Offered Property on behalf of the City and directing that the Offered Property not be placed into the parks system; and amending Committee Substitute for Ordinance No. 230501 by repealing Section 3 and enacting a new Section 3 to remove the requirement for future development along Tiffany Springs Parkway comply with the Boulevard and Parkway Standards under Section 88-323 of the Zoning and Development Code; authorizing and directing the Director of Parks and Recreation to execute an amendment to the Real Estate Sale Contract.

Sponsors: Kevin O'Neill

Indexes:

Code sections:

Attachments: 1. Legal Description - City Property to TSL (91785053v1)-c, 2. Legal Description - City Property to Renner (91785026v1)-c, 3. Fourth Amendment to Real Estate Sale Contract C, 4. Docket Memo Ord. 240722, 5. Authenticated Ordinance 240722

Date	Ver.	Action By	Action	Result
9/12/2024	1	Council	Passed	Pass
9/10/2024	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
8/15/2024	1	Council	referred	

ORDINANCE NO. 240722

Sponsor: Councilmember Kevin O'Neill

Amending Committee Substitute for Ordinance No. 230501 to revise the legal description of the "Offered Property" described in the seventh WHEREAS of such ordinance; amending Committee Substitute for Ordinance No. 230501 by repealing the Section 2 and enacting a new Section 2 directing the City Manager to accept the Offered Property on behalf of the City and directing that the Offered Property not be placed into the parks system; and amending Committee Substitute for Ordinance No. 230501 by repealing Section 3 and enacting a new Section 3 to remove the requirement for future development along Tiffany Springs Parkway comply with the Boulevard and Parkway Standards under Section 88-323 of the Zoning and Development Code; authorizing and directing the Director of Parks and Recreation to execute an amendment to the Real Estate Sale Contract.

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 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 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, Committee Substitute for Ordinance No. 230501 was passed on June 15, 2023, authorizing the director of parks to execute a Real Estate Contract for the transfer of the Park Property to Tiffany Springs Logistics LLC and the acceptance of the Offered Property by the City Manager or his designed on behalf of the City for the realignment of Tiffany Springs Parkway and the requirement for future development to comply with the Section 88-323 of the Zoning and Development Code setting forth the boulevards and parkway standards or seek a variance; and

WHEREAS, Ordinance No. 230896 was passed on October 12, 2023, amending Committee Substitute for Ordinance No. 230501 to authorize the transfer of the Park Property to Tiffany Springs Logistics LLC and/or Renner 113 Tiffany Springs Logistics SPE, LLC (the "Real Estate Sale Contract"); and

WHEREAS, the City wishes to amend the Real Estate Sale Contract to reduce the amount of real property being accepted by the City and receiving a cash payment as additional consideration; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That the legal description of the Offered Property as set forth in seventh WHEREAS clause of Committee Substitute for Ordinance No. 230501 is hereby revised to the following:

Parcel 1:

A strip of land situated in a portion the Southeast Quarter of Section 35, 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, as now established and the East line of the Southeast

Quarter of said Section 35. 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 00°31'50" W along the West line of the Southeast Quarter of said Section 35, a distance of 1,223.64 feet; thence S 89°28'10" E, 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 Amity Avenue and the Point of Beginning of the strip of land to be herein described; thence continuing S 89°28'10" E along the last described course, a distance of 2,043.82 feet; thence Easterly and Northeasterly along a curve to the left, tangent to the last described course, having a radius of 1,560 feet and a central angle of 19°17'41", an arc length of 525.34 feet; thence N 71°14'09" E, tangent to the last described curve, a distance of 13.93 feet; thence Northeasterly along a curve to the right, tangent to the last described course, having a radius of 5,570 feet and a central angle of 00° 31'15", an arc length of 50.63 feet, to a point on the East line of the Southeast Quarter of said Section 35, said point being 1152.18 feet South of the East Quarter Corner of said Section 35 as measured along the East line thereof; thence S 00°29'56" W, along the East line of said Southeast Quarter, a distance of 84.55 feet; thence Southwesterly along a curve to the left, departing the East line of said Southeast Quarter, said curve having an initial tangent bearing of S 71° 28' 23" W, a radius of 5490.00 feet and a central angle of 00°14'14", an arc length of 22.74 feet; thence S 71°14'09" W, tangent to the last described curve, a distance of 13.93 feet; thence Southwesterly, and Westerly along a curve to the right, tangent to the last described course, having a radius of 1,640 feet and a central angle of 19°17'41", an arc length of 552.28 feet; thence N 89°28'10" W, tangent to the last described curve, a distance of 2,043.82 feet to a point on the East right-of-way line of said N Amity Avenue; thence N 00°31'50" E, 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 80.00 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. Containing 210,660 square feet or 4.836 acres, more or less.

Parcel 2:

A strip of land situated in a portion the Southwest Quarter of Section 36, Township 52 North, Range 34 West in the City of Kansas City, Platte County, Missouri and lying between the West line of the Southwest Quarter of said Section 36 and Westerly of the Westerly right-of-way line of U.S. Interstate Highway Route No 29 as now 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
Section 35, Township 52 North, Range 34 West; thence S 00°31'50" W along the West line of the Southeast Quarter of said Section 35, a distance of 1,223.64 feet; thence S 89°28'10" E, perpendicular to the last described course, a distance of 30.00 feet to a point on the East right-of-way line of N Amity Avenue as now established; thence continuing S 89°28'10" E along the last described course, a distance of 2,043.82 feet; thence Easterly and Northeasterly along a curve to the left, tangent to the last described curve, having a radius of 1,560 feet and a central angle of 19°17'41", an arc length of 525.34 feet; thence N 71°14'09" E, tangent to the last described curve, a distance of 13.93 feet; thence Northeasterly along a curve to the right, tangent to the last described course, having a radius of 5,570 feet and a central angle of 00°31'15", an arc length of 50.63 feet to a point on the West line of the Southwest Quarter of aforesaid Section 36, said point being 1152.18 feet South of the West Quarter Corner of said Section 36 as measured along

the West line thereof, being also the Point of Beginning of the strip of land to be herein described; thence continuing Northeasterly along the last described curve, having a radius of 5,570 feet and a central angle of 09°03’46”, an arc length of 881.04 feet to a point of curvature; thence N 80°49’10” E, tangent to the last described curve, a distance of 296.69 feet to 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, Plat) along the Southerly prolongation of the West line of said Lot 1, a distance of 26.83 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”E, Plat), a radius of 1,010 feet and a central angle of 23°34’09”, 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” E, 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 120.08 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 S 62°58’38” W (S 62° 59’55” W, Plat), a radius of 1,130 feet and a central angle of 17°43’19”, an arc length of 349.51 feet to the Northwest corner of the last said Lot 1; thence N00°17’13”W (N00°13’33”W, Plat) departing from the Southerly right-of-way line of said Tiffany Springs Parkway, being now along the Northerly extension of the West line of the last said Lot 1, a distance of 20.25 feet; thence Southwesterly along a curve to the right, not-tangent to the last described course, having an initial tangent bearing of S80°32’07”W, a radius of 1,110 feet and a central angle of 00° 17’03”, an arc length of 5.51 feet; thence S 80°49’10” W, tangent to the last described curve. a distance of 415.29 feet; thence Southwesterly along a curve to the left, tangent to the last described course, having a radius of 5,490 feet and a central angle of 09°20’47”, an arc length of 895.54 feet to a point on the West line of the Southwest Quarter of said Section 36; thence N 00° 29’56” E, along the West line of the Southwest Quarter of said Section 36, a distance of 84.55 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.
Containing 147,023 square feet or 3.375 acres, more or less.

(Parcel 1 and Parcel 2 collectively herein after the “**Offered Property**”).

Section B. That Committee Substitute for Ordinance No. 230501 is hereby amended by repealing Section 2 and enacting a new Section 2 in lieu thereof to read as follows:

Section 2. That the City Manager is hereby authorized to accept the Special Warranty Deeds for the Offered Property on behalf of the City, in substantial form as attached hereto.

Section C. That Committee Substitute for Ordinance No. 230501 is hereby amended by repealing

Section 3 and enacting a new Section 3 in lieu thereof to read as follows:

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 any amendments thereto.

Section D. That the Director of Parks and Recreation is hereby authorized and directed to execute an amendment to the Real Estate Sale Contract in substantial form as the form on file with the City Clerk to effectuate the transfer of the Park Property to Tiffany Springs Logistics LLC and/or Renner 113 Tiffany Springs Logistics SPE, LLC.

Approved as to form:

Abigail Judah
Assistant City Attorney