

ORDINANCE NO. 150692

Approving and authorizing the Board of Parks and Recreation Commissioners to accept from the Land Bank of Kansas City, Missouri, one unimproved lot located at 1401 E. Bannister which will expand Indian Creek Greenway.

WHEREAS, it is the desire of the Board of Parks and Recreation Commissioners to enhance and expand open space and recreation opportunities by adding additions to the parks system in appropriate situations; and

WHEREAS, Indian Creek Greenway is an 119.49 acre greenway park whose assembly began in 1968 and is generally located along the Indian Creek between State Line Road on the west to the Blue River on the east; and

WHEREAS, the one unimproved lot is located adjacent to Indian Creek Greenway; and

WHEREAS, the proposed use for the expansion is to serve the neighborhood to access the Greenway and walking trail; and

WHEREAS, at the request of the Parks and Recreation Department of Kansas City, a Phase I environmental assessment by the Parks and Recreation Department has been completed and no recognized environmental conditions were observed; and

WHEREAS, the Parks and Recreation Department has communicated with the City Manager that based on preliminary authority from the Board of Parks and Recreation Commissioners, that it would like to complete the acquisition process of this one unimproved lot to expand Indian Creek Greenway; and

WHEREAS, City Charter Section 1003 and City Code of Ordinance Section No. 53-1 require that the City Council approves and authorizes the Board of Parks and Recreation Commissioners to acquire additional parkland; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City acknowledges receipt of a communication from the Director of the Parks and Recreation Department to the City Manager that Phase I has been received that is acceptable, and requesting that the Indian Creek Greenway Parcel Legal Description:

All that part of the Northeast 1/4 of the Southwest 1/4 and part of the Northwest 1/4 of the Southeast 1/4 of Section 28, Township 48, Range 33, in Kansas City, Jackson County, Missouri, described as follows: beginning at the Northwesterly corner of Lot H of Linden Hills Subdivision; thence North 32 degrees East 144.71 feet; thence East 40 feet; thence North 65 feet; thence Easterly 120 feet; thence North 100 feet to a point on

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Southerly right of way line of Bannister Road; thence Southeasterly and along the said South right of way line 150 feet more or less; thence continue Southeasterly and along the said South line 675 more or less, thence continuing southeasterly and along said South line 920 feet more or less to the most Northeasterly corner of the side Tract H, Linden Hills Subdivision; thence West and along the North line of the side of Tract H 1959 feet to the point of beginning, [being Tax Parcel No. 48-630-01-01-03-0-00-000] with no address assigned by the City, but also may be described as 1401 E. Bannister Road;

collectively referred to as the "Expansion Property" be acquired from the Land Bank of Kansas City, Missouri ("Land Bank"), by the City for park purposes.

Section 2. That the City approves and authorizes the Board of Parks and Recreation Commissioners to accept the transfer of ownership to the City without consideration for the expansion of Indian Creek Greenway, which transfer will be made by Special Warranty Deed executed by the Land Bank and held in escrow until the subsequent passage of a resolution by the Board of Parks and Recreation Commissioners accepting the Expansion Property for parkland forever.

Section 3. That the City authorizes the Office of the City Attorney to hold the Special Warranty Deed executed on behalf of the Land Bank, until such time that City Attorney receives a certified copy of the resolution by the Board of Parks and Recreation Commissioners accepting the property for public use for parkland forever, which resolution along with a certified copy of this City Council ordinance will be attached to and become an exhibit to and a part of such Special Warranty Deed as recorded.

Approved as to form and legality:


Lana K. Torczon
Assistant City Attorney



Authenticated as Passed


Sly James, Mayor


Marilyn Sanders, City Clerk

SEP 03 2015

Date Passed