

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Trustees of the Land Trust of Jackson County to convey three parcels of real property located in Kansas City, Missouri, to Palestine Neighborhood Development Corporation of Kansas City, MO, for the rehabilitation and redevelopment of the urban core in accordance with section 141.750.2, RSMo 2000.

RESOLUTION #17591, May 10, 2011

INTRODUCED BY Scott Burnett, County Legislator

WHEREAS, section 141.750.2, RSMo 2000, authorizes the Trustees of the Land Trust of Jackson County to convey title in fee simple for consideration less than two-thirds of the appraised value of a property, only after the consent of at least two of the Trustees' appointing authorities; and,

WHEREAS, the City of Kansas City, Missouri, by its Resolution 110072, approved February 10, 2011, has delegated the authority to its Director of Neighborhood and Community Services Department to approve the transfer of blighted properties held by Land Trust of Jackson County to neighborhood-based non-profit corporations for rehabilitation; and,

WHEREAS, by Resolution 17509, dated February 14, 2011, the Legislature did express its support for these efforts of the City Council and staff of the City of Kansas City to reduce blight in the city's urban core; and,

WHEREAS, the City of Kansas City, Missouri Director Neighborhood and Community

Services Department has recommended that the properties located at 3335 College Avenue, 3337 College Avenue, and 3438 Indiana, all located in Kansas City, MO, legally described in the attached Exhibit A, be conveyed to Palestine Neighborhood Development Corporation of Kansas City (Jackson County), MO, a Missouri non-profit corporation, to cultivate into a community garden and outdoor classroom in an effort to curb blight within the urban core; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Land Trust Trustees be allowed to convey the property listed on Exhibit A, for an amount of less than two-thirds market value, to Palestine Neighborhood Development Corporation, a Missouri non-profit corporation, for the purpose of better maintaining this property and revitalizing the area in which it is located; and,

BE IT FURTHER RESOLVED that the County Legislature of Jackson County, Missouri, encourages the Land Trust Trustees to include and enforce reversionary clauses in the conveyances regarding redevelopment of the properties within a prescribed time frame; and,

BE IT FURTHER RESOLVED that Land Trust Trustees are hereby authorized to execute any and all necessary documents to convey the above-described property for less than two-thirds market value.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

Greg D. Hulse
Chief Deputy County Counselor

W. Stephen Nelson
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17591 of May 10, 2011, was duly passed on May 10, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7

Nays 0

Abstaining 0

Absent 2

5.10.11
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

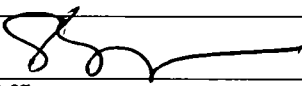
EXHIBIT A

<u>Address</u>	<u>Parcel Number</u>	<u>Legal Description</u>
3335 College Ave. Kansas City, MO	28930241600000000	Brougham Park subdivision South 19' of Lot 40 and North 11' of Lot 41
3337 College Ave. Kansas City, MO	28930241700000000	Brougham Park subdivision South 24' of Lot 41 and North 6' of Lot 42
3438 Indiana Kansas City, MO	28930252800000000	Brougham Park subdivision North 11.48' of Lot 66 and South 21.52' of Lot 67

Making disposition a priority REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:
 Res/Ord No.: 17591
 Sponsor(s): Scott Burnett
 Date: May 10, 2011

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: Request authorization to donate Land Trust properties at 3335 College Avenue, 3337 College Avenue, and 3438 Indiana, all in Kansas City, Missouri to the non-profit Palestine Neighborhood Development Corporation for use as community gardens.</p>												
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT</td> </tr> <tr> <td></td> <td>TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT		TO ACCT
Amount authorized by this legislation this fiscal year:	\$												
Amount previously authorized this fiscal year:	\$												
Total amount authorized after this legislative action:	\$												
Amount budgeted for this item * (including transfers):	\$												
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT												
	TO ACCT												
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date):</p>												
<p>CONTACT INFORMATION</p>	<p>RLA drafted by: Sandy Aguirre Mayer, Special Projects Coordinator for County Executive's Office, 881-3282</p>												
<p>REQUEST SUMMARY</p>	<p>The administration requests donation of the Land Trust properties at 3335 College Avenue, 3337 College Avenue, and 3438 Indiana in Kansas City, Missouri to Palestine Neighborhood Development Corporation (PNDC) for community gardening. This organization has been in existence for 29 years to foster self help programs that strengthens community involvement, residential environment, property maintenance, crime prevention, and educational programs that will enhance and strengthen the entire family. All 3 lots have been in the Land Trust for over 10 years. All documents are attached that they county requires for approval. The administration conducted an onsite tour and an interview with the PNDC.</p>												
<p>CLEARANCE</p>													

	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Application page Letter of Request Copy of IRS designation Listing of Board members and staff Narrative of plans for property and similar projects and outcomes Letter of support from KCPD Letter of support from LINC Description of funding sources	
REVIEW	Department Director:	Date:
	Finance (Budget Approval): <i>If applicable</i>	Date:
	Division Manager: 	Date: 5/6/11
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in ____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



Palestine Neighborhood
Development Corporation.

"Neighbors Developing the Community"

May 3, 2011

The Honorable Michael D. Sanders
Jackson County Executive
Jackson County Courthouse
415 E. 12th Street, 2nd Floor
Kansas City, Missouri 64106

Re: Donation by Land Trust of Jackson County of 3335 and 3337 College Avenue, Kansas City, MO ,
and 3438 Indiana, Kansas City, MO

Dear County Executive Sanders:

On behalf of Palestine Neighborhood Development Corporation, a Missouri non-profit corporation ("PNDC"), we are requesting that the Jackson County Legislature adopt a resolution authorizing the Land Trust of Jackson County ("Land Trust") to donate to such non-profit certain property located at:

3335 College Avenue, legally described as:
South 19' of Lot 40 and North 11' of Lot 41

3337 College Avenue, legally described as:
South 24' of Lot 41 and North 6' of Lot 42

3438 Indiana, legally described as:
North 11.48' of Lot 66 and South 21.52' of Lot 67

All within **Brougham Park**, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof (the "Property").

PNDC is requesting the donation of two vacant Land Trust lots on College Avenue for the purposes of a community garden and outdoor classroom. PNDC acquired a structure at 3326 Indiana to develop as a Learning Center. That Center is in the block south of Central High School and is intended to be an outreach center for students. The renovation of that structure is nearly complete. Earlier this year PNDC purchased from the Land Trust an abutting lot at 3328 Indiana for the purpose of providing additional parking for the Learning Center. That acquisition was through the process outlined in the Missouri statutes for an abutting owner to acquire a vacant lot *less than 4,000 square feet at one-half of the assessed value*. That process was the most expeditious way to secure the parking. The most northerly of the two

lots on College Avenue sought to be donated adjoins on its eastern boundary the vacant lot on Indiana acquired for purposes of parking.

We are seeking a donation, rather than a purchase, of these lots because:

- Each of these properties on College Avenue contains 4,071 square feet, just over the statutory threshold for the discounted purchase, so that is not an avenue for PNDC. The *assessed* valuation for each of these lots is \$242 [below the statutory threshold of \$250], and but for these additional 71 square feet, PNDC could have purchased these lots for \$121 each.
- The preparation of the College Avenue lots for raised garden beds and the outdoor classroom will be a substantial expense for our non-profit organization, not all of which is being provided by those identified in our materials submitted to you, which is an additional reason for the donation.
- Specifically, providing a water source has been estimated to be an expense of about \$3,000 as to the College Avenue location [a single connection and meter] and a separate \$3,000 for the location on Indiana Avenue
- The property at 3438 Indiana Avenue has been cared for and utilized by this organization for over 15 years as a community garden and an outreach activities to the neighborhood, and this organization's past investment monetarily and with sweat equity on such lot has minimized the costs that would have otherwise been occurred for an abandoned vacant lot low to the Land Trust, and the City.

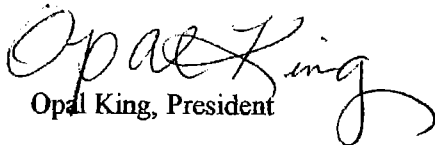
The re-direction of the two College Avenue vacant lots to a beneficial use, and the solidification of the ownership into PNDC, as an abutting owner, and will enable better maintenance to occur and strengthen this immediate neighborhood. The Learning Center and the community gardens and an outdoor classroom will serve as an anchor for this neighborhood.

Please favorably consider our request for the donation of the Property from the Land Trust.

Sincerely,

Palestine Neighborhood Development Corporation

By:


Opal King, President

Cc:

The Honorable Scott Burnett, Chair
Jackson County Legislature Finance & Audit Committee
The Honorable Bishop James D. Tindall, Sr.
Jackson County Legislature, 2nd District
The Honorable Crystal Williams
Jackson County Legislature, 2nd District At-Large
Shelley Temple-Kneuvean, Deputy Chief Administrative Officer
Office of the Jackson County Executive

3449 Indiana Ave
Kansas City, Missouri 64128

**NON-PROFIT SUMMARY FOR REQUEST OF DONATION
OR REDUCED PURCHASE PRICE OF LAND TRUST PROPERTY**

NAME OF ORGANIZATION Palestine Neighborhood Development Corporation

ADDRESS 3449 Indiana Avenue

CITY, STATE, ZIP Kansas City, MO 64128

PHONE 816.924.3211 EMAIL hencinfo@gmail.com

HOW LONG HAS YOUR ORGANIZATION BEEN OPERATING? (MINIMUM 5 YEARS REQUIRED) 29 years

WHAT IS THE MISSION OF YOUR ORGANIZATION? **Palestine Neighborhood Development Corporation, fosters Self Help programs that strengthens community involvement, residential environment, property maintenance, crime prevention, educational programs that will enhance and strengthen the entire family.**

PLEASE PROVIDE THE FOLLOWING ATTACHMENTS (1 PAGE EACH) AND CHECK IF ATTACHED:

X COPY OF YOUR 501 c (3) LETTER

X LISTING OF BOARD MEMBERS WITH CONTACT INFORMATION

NA LISTING OF STAFF MEMBERS, IF ANY

X NARRATIVE OF YOUR PLANS FOR THE PROPERTY, INCLUDING PREVIOUS SIMILAR PROJECTS AND THEIR OUTCOMES AND HOW THIS PROPOSED PROJECT WILL BENEFIT THE NEIGHBORHOOD AND/OR GENERAL PUBLIC

X LETTERS OF SUPPORT FOR THE PROJECT YOU PLAN TO UNDERTAKE WITH THE PROPERTY

X DESCRIPTION OF FUNDING OR RESOURCES TO CARRY OUT PROJECT. ARE PUBLIC FUNDS INVOLVED?

X COPY OF WEBPAGE, IF ANY (www.kclinc.org/palestine)

2nd LEGISLATIVE DISTRICT

3335 College, 11yrs - 3337 College, 10 yrs - 3438 Indiana 29 yrs HOW LONG HAS THIS PROPERTY BEEN IN LAND TRUST?

Date: 27 JAN 1983

Palestine Neighborhood Development Corporation
1627 Main Suite 1200
Kansas City, Mo. 64108

Employer Identification Number:

43-1266684

Accounting Period Ending:

June 30

Foundation Status Classification:

170(b)(1)(A)(vi), + 509(a)

Advance Ruling Period Ends:

June 30, 1984

Person to Contact:

D. Demetris

Contact Telephone Number:

(312) 886-4448

4775

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably be expected to be a publicly supported organization described in section *170(b)(1)(A)(vi)*.

Accordingly, you will be treated as a publicly supported organization, and not as a private foundation, during an advance ruling period. This advance ruling period begins on the date of your inception and ends on the date shown above.

Within 90 days after the end of your advance ruling period, you must submit to us information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, you will be classified as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, you will be classified as a private foundation for future periods. Also, if you are classified as a private foundation, you will be treated as a private foundation from the date of your inception for purposes of sections 507(d) and 4940.

Grantors and donors may rely on the determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you submit the required information within the 90 days, grantors and donors may continue to rely on the advance determination until the Service makes a final determination of your foundation status. However, if notice that you will no longer be treated as a section *170(b)(1)(A)(vi)* organization is published in the Internal Revenue Bulletin, grantors and donors may not rely on this determination after the date of such publication. Also, a grantor or donor may not rely on this determination if he or she was in part responsible for, or was aware of the act or failure to act that resulted in your loss of section *170(b)(1)(A)(vi)* status, or acquired knowledge that Internal Revenue Service had given notice that you would be removed from classification as a section *170(b)(1)(A)(vi)* organization.

2305 Dearborn St, Chicago, Ill. 60604 (over)

Letter 1045(DO) (6-77)

Palestine Neighborhood Development Corporation
3449 Indiana Avenue
Kansas City, MO 64128
(816) 924-3211 Fax 816-924-8546

Board of Directors

Officers

Opal King, President
Dates: 1994
3528 Bales Avenue
Kansas City, MO 64128
(816) 861-0326
opalking@1933@hotmail.com

Norma Newton, Vice President
Dates: 2000
3240 Norton Avenue
Kansas City, MO 64128
(816) 924-8319

Vivienne Smith, Secretary
Dates: 2007
3532 Bales Avenue
Kansas City, MO 64128
(816) 923-3256

Israel Roseburr, Board Member
Dates: 2002
4027 Bales Avenue
Kansas City, MO 64130
(816) 921-8179

Mattie Harris, Board Member
Dates: 1998
3534 Bales Avenue
Kansas City, MO 64128
(816) 923-0317

Marcel Forest, Board Member
Dates: 2009
2731 East 35th Terrace
Kansas City, MO 64128
(816) 921-7212

Thomas Bibbs, Board Member
Dates: 1991
3220 Norton Avenue
Kansas City, MO 64128
(816) 923-5854

Betty Harris, Treasurer
Dates: 1995
3531 Bales Avenue
Kansas City, MO 64128
(816) 921-7236

Frankie Kemp, Board Member
Dates: 2004
3947 Agnes Avenue
Kansas City, MO 64130
(816) 921-2701

Palestine Neighborhood Development Corporation

3335 & 3337 College and 3438 Indiana Community Garden

As a result of the current economic climate and the need for families to focus on healthier lifestyles, the Palestine Neighborhood Development Corporation (PNDC) has begun the Urban Green Dreams Initiative. The Urban Green Dreams Initiative was established to create community gardens and outdoor classrooms to instruct residents and particularly youth the art of urban gardening. The first of such gardens was established at 3438 Indiana which has served as a garden since 1999. Thanks to a partnership with the Local Investment Commission (LINC), the University of Missouri Extension Council, and Kansas City Power & Light Urban Green Dreams Master Gardeners the garden was revitalized and converted into an outdoor classroom. Urban Green Dreams operate gardens in:

- The Palestine Neighborhood
- Seven Oaks Neighborhood
- Ivanhoe Neighborhood
- Emmanuel Center
- George Melcher Elementary School
- George Washington Carver Elementary School
- Martin Luther King/Weeks Elementary School

Through Urban Green Dreams resident leaders provide instruction to students in schools utilizing the MU Extension curriculum "Eating From the Garden," which takes students from growing to preparing meals. The 33rd & College site will be a part of PNDC's new Mable Washington Learning Center at 3326 Indiana. The center was established thanks to a Community Development Block Grant from the City of Kansas City to convert a vacant blighted property into a community learning center for workforce and youth literacy along with employment training. This garden will be developed in conjunction with Metropolitan Missionary Baptist Church's Heart of America Boy Scouts Troop 56. Eagle Scout candidate Julian Marshall will work alongside PNDC's Master Gardener/Master Naturalist Dr. Barbara Johnson to conduct site layout and design as well as resource development.

The 33rd & College Community Garden will serve as yet another wonderful example of what can take place when concerned residents and governmental agencies work together to create something wonderful for the community.

Police

KC/MO

James D. Corwin
Chief of Police

Chief's Office
1125 Locust
Kansas City, Missouri 64106
www.kcpd.org

Office (816) 234-5010
Fax (816) 234-5013

To whom it may concern,

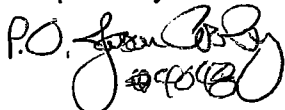
I have been requested by Ms. Opal King of the Palestine Neighborhood Association, 3449 Indiana, to write a letter in support of their attempts and that of the Palestine Neighborhood Development Corporation to receive donated vacant properties / lots from the Jackson County Land Trust.

Ms. King and the Neighborhood Association have established a great partnership with the Kansas City Missouri Police Department. They provide office space for two of East Patrols Police Officer's which allows us to be more accessible to the surrounding community. This concept is known as a Community Action Network Center. They host weekly meetings that are open to the public for them to come in and voice concerns about their neighborhoods to the Police and a City Codes Inspector who is also provided office space there. This relationship works well to affect positive change in the Palestine neighborhood.

In addition to the above this group is also involved in urban farming. They have access and are already in control of a vacant lot where they are growing their own vegetables. The system they have in place also assists in creating jobs for youth in the area. They are truly involved in the community and have gone extra lengths to provide computers at the Center where they play host to after school tutoring programs for elementary, middle, and high school students. They are also in the process of putting together a reentry program to assist individuals who have served time and are being released back into society. They will provide them with the necessary education and training to help them in finding a job. This proactive approach will ensure that these individuals will find they're place back in society without resorting back to crime. Statistics show without these types of programs many of them will face a dim future. This group is very responsible in everything it does and is seeking the opportunity to expand its positive reach in the community.

Any properties the Trust would be willing to donate would be falling into very good and able hands. As these vacant properties sit now they are a welcome mat for crime. This group would turn these properties around which would in turn give a community the hope it badly needs. Thank you very much for your consideration in contributing to the revival of a neighborhood. Should you have any questions please don't hesitate to contact me.

Respectfully submitted,



P.O. Jason Cooley #4048
Community Interaction Officer
East Patrol Division
Kansas City Missouri Police Department
816-482-8506
jason.cooley@kcpd.org



April 20, 2011

To whom it may concern,

The Greater Kansas City Local Investment Commission supports the efforts of the Palestine Neighborhood Development Corporation's Urban Green Dreams Initiative and the development of a new community garden at 33rd Street & College. To provide healthy alternatives and learning opportunities is a win for all involved. We believe such initiatives improve the quality of life for families throughout Kansas City, Missouri.

Sincerely,

Steve McClellan,
Site Supervisor

A handwritten signature in black ink, appearing to read "Steve McClellan", is written over a horizontal line. The signature is fluid and cursive.

Funding and Resources

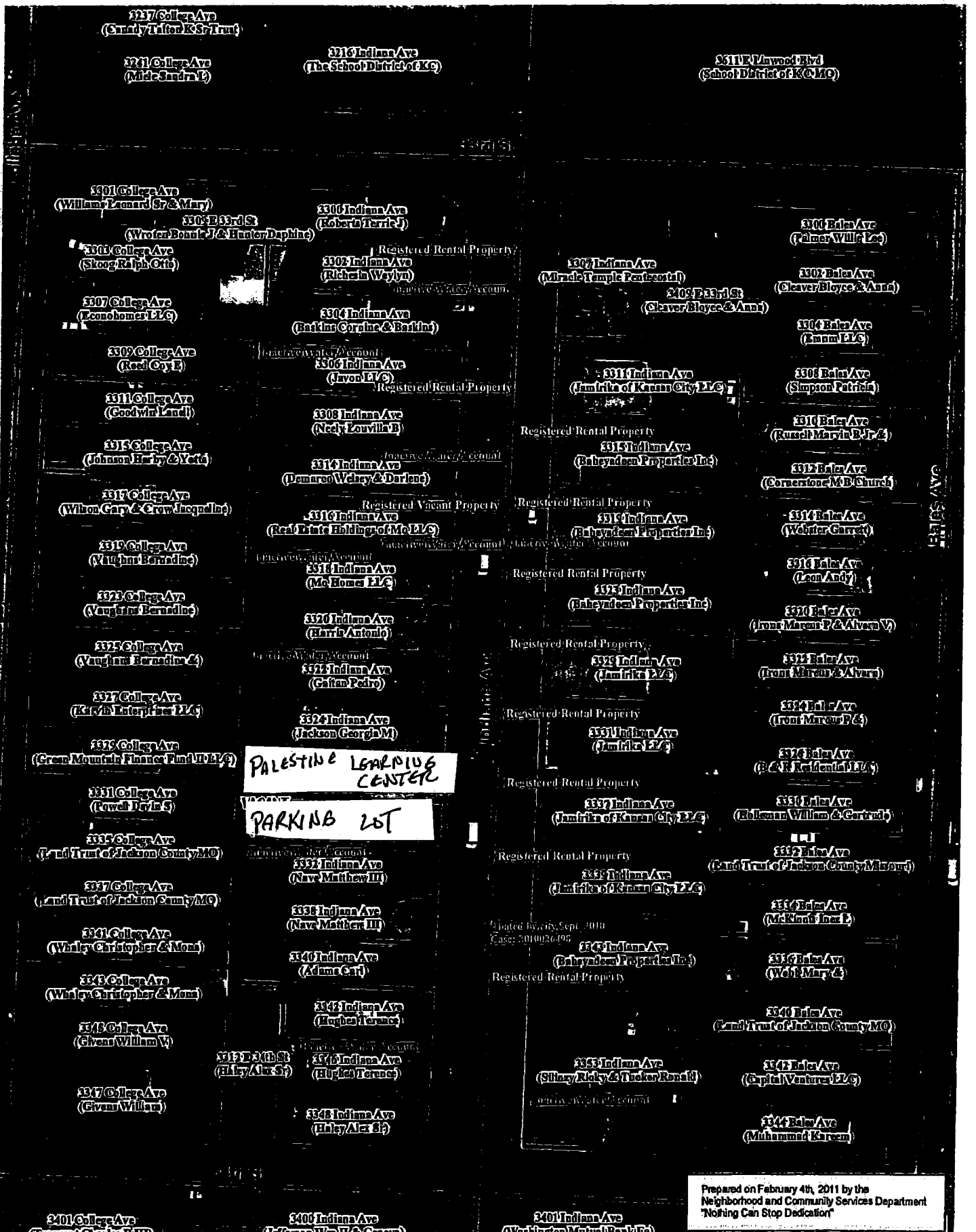
As a grass roots effort Urban Green Dreams works to capture capital within the community first in terms of funding and resources. Human capital is our greatest asset so Urban Green Dreams has recruited a volunteer base that is comprised of neighbors on 33rd & College, the neighborhood associations of Palestine and Oak Park and the Heart of America Boy Scout Troop 56. The Master Gardeners also recruit fellow members to provide labor and expertise.

Financial support for the materials is supplied by way of a United Way, Neighborhood Self Help Fund Grant in the amount of \$1,550. Additional resources will be provided from partners such as the Master Gardeners, LINC and Kansas City Power & Light which donated the recycled power poles milled down to create raised beds and benches for the outdoor classroom for the PNDC garden.

Palestine Neighborhood Development Corporation



3300 Indiana Receivership Analysis Map



PALESTINE LEARNINGS CENTER

PARKING LOT

Prepared on February 4th, 2011 by the Neighborhood and Community Services Department
"Nothing Can Stop Dedication"