City of **JOPLIN** City Council Agenda Item

Requested Council Meeting Date: March 21, 2016

Item: Council Bill No. 2016-361 -Release of Reversionary Interest
Originating Department: Planning, Development and Neighborhood Services

Attachments:
1) Attachment A –Corporation Release of Reversionary Interest
2) Attachment B –Corporation Warranty Deed
3) Attachment C – Notification Deed
4) Map
5) Council Bill No. 2016-361

Department Head: Troy Bolander
City Attorney: Peter Edwards
City Manager: Sam L. Anselm

Recommended Action: Approval of release and termination of reversionary interest in property located at 315 S. Cox Ave and property generally described as located at the Northwest corner of 2nd Street and Railroad Ave.

Background: In December of 1978 the City conveyed properties to Missouri Steel Castings, Inc. With the conveyance, reversionary language was included in the deed that certain nuisance violations (including smoke, dust, particulate matter, odor and or heat, etc.) as a result of Missouri Steel Castings operation could result in the properties reverting back to the City. The deed was modified in 1991 to clarify the obligations of the property owner as it pertained to nuisance violations, but it was not clear in the 1991 deed modification if the revisionary language remained or not.

Discussion: Missouri Steel Castings is no longer operating from this site. Most of the buildings associated with the Missouri Steel Castings have been demolished and removed from the property. A new industrial company is interested in purchasing the property and redeveloping it for their use. The City's reversionary language is prohibiting the company from purchasing the property. Staff believes the reversionary language is no longer needed. The city currently has modern zoning and nuisance codes that protect nearby and adjacent property owners from nuisances that are generated from commercial and industrial operations.

Recommendation: It is recommended that the City's reversionary interest in the property be released and terminated so the sale of the property can proceed; this Ordinance is dealing with the immediate preservation of the public peace, property, health, safety or morals, within the meaning of Section 2.12(1) of the Home Rule Charter of the City of Joplin, Missouri, and, the same shall be in full force and effect immediately from and after its adoption and approval.