

## A SHORT HISTORY OF BUEHLER PARK

Buehler Park is an oasis of lush greenery along an otherwise well-developed commercial strip stretching from Interstate 44 to the center of Rolla. Buehler Park boasts 140 year old oak trees, playground equipment shaped like dinosaurs, cool breezes during the hot summer months, and a pavilion and barbecue.

Buehler Park is a favorite spot for picnics, family reunions, bicycle rides and soccer games; for children to play; and for working people to eat lunch while enjoying the beautiful scenery. Many travelers along Interstate 44 pull off for a meal and a rest in the park, or to enjoy Buehler Park while staying overnight in one of Rolla's nearby motels.

The area which is now Buehler Park has a long, colorful history. Lying on the high ground, with an excellent view to the West, it was an ideal civil war encampment. At this time the trees were probably cut down to afford a better view; but shortly after the war, the trees sprouted back. Some of the oaks currently growing in Buehler Park, date back to the close of the Civil War.

Over 100 years ago, Buehler Park was acquired by the St. Louis and San Francisco (Frisco) Railway Company. In 1927, Buehler Park and the land to the North was bought by the Rolla Chamber of Commerce. For almost 30 years this entire tract of land was known as Buehler Park and used as the Phelps County Fairgrounds. During this period, historic Route 66 from Chicago to Los Angeles was constructed along the southern border of Buehler Park.

Later, the Fairgrounds were moved to the South of town; and the Chamber of Commerce gave pieces of the old fairgrounds to various civic and government entities. The best piece of land was given to the City of Rolla in 1958 to be used “**for park purposes only and none other, and to be known as Buehler Park ... FOREVER**”, after Rolla's “First Citizen,” Dr. Henry A. Buehler. As Missouri’s State Geologist for 36 years, Dr. Buehler was responsible for much of the economic development in South Central Missouri during the depression years, including the construction of Highways 66 and 63 through Rolla and the placement of Fort Leonard Wood at its current location.

### **Great Rivers Environmental Law Center and Citizens for the Preservation of Buehler Park save Buehler Park from being sold by the City of Rolla for commercial development**

In 1997, the City of Rolla secretly signed a contract to sell Buehler Park to Cracker Barrel Restaurants for over \$100,000 less than its appraised commercial value. Many people were furious and formed a citizens group, **Citizens for the Preservation of Buehler Park (CPBP)**, to oppose the sale. The group raised \$40,000 for an injunction bond to block the sale. The courts ruled that citizens had no standing in court; but by then, Cracker Barrel had pulled out and built elsewhere. The injunction bond was eventually returned to the people.

The City of Rolla had not given up the idea of selling Buehler Park. After at least one other aborted attempt, the City signed a \$1 million contract with American Realty to sell the Park for development as a restaurant district in 2005. Again, the citizens group challenged the sale. The City argued that the citizens group had no standing in Court and

that the words by which the land was deeded to the City, “**for park purposes only and none other ... FOREVER**” were essentially meaningless.

CPBP was represented by **Great Rivers Environmental Law Center** which was founded by Missouri’s foremost environmental attorney, **Lewis C. Green**, who represented the citizens against the City's first attempt to sell Buehler Park. The case concluded in 2007 when the Missouri Southern District Court of Appeals ruled, for the first time in Missouri since 1910, that users of public property can sue to uphold that use; and that Buehler Park was dedicated to public use. **The Courts have enjoined the City of Rolla from taking any action that is inconsistent with Buehler Park’s use as a public park.**