

Press Release

For Immediate Release

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Ten-year battle moves on to Springfield Appellate Court

Great Rivers Environmental Law Center files opening brief in Rolla's Buehler Park controversy

Rolla, Mo. - The City of Rolla's attempt to sell its historic 3.2-acre Buehler Park has been a controversial issue in this rural university town for over 10 years. The controversy stems from the fact that a clearly-worded 1958 warranty deed states that the land "is conveyed to the City of Rolla, Missouri for Park purposes only and none other, and to be known as Buehler Park ... FOREVER."

Since 1996, the Citizens for the Preservation of Buehler Park (CPBP) has defended this popular park, conveniently located two blocks off Interstate 44, and named in honor of Dr. Henry Buehler, one of Rolla's outstanding civic leaders. Buehler Park is home to the annual Diabetes Education Fund's Tour of the Ozarks bicycle excursion and was the location of a homecoming celebration for University of Missouri-Rolla's championship winning solar race car. Rolla is located 100 miles southwest of St. Louis.

The Buehler Park case hinges on two legal issues: citizen standing, and the validity of the dedication in the warranty deed.

The St. Louis-based Great Rivers Environmental Law Center (GRELC) successfully argued before Circuit Court Judge Tracy L. Storie that the citizens have standing in Court to question the validity of the proposed sale. Now the case heads for Springfield and the Missouri Southern District Court of Appeals where GRELC will argue that Rolla's beloved park was indeed dedicated to the public.

Bruce Morrison, General Counsel for GRELC remarks that "All of the facts show the City of Rolla holds Buehler Park in trust for the people and cannot lawfully violate that trust by selling the Park for some chain restaurants."

In a separate matter, GRELC won an important victory last month when the Western District Court of Appeals held that Missouri regulators had not followed the law in granting licenses to Kansas City Power and Light to build a new coal-fired power plant.

GRELC also drafted the initiative petition for Citizens to Protect Forest Park, which will appear on the April 3rd ballot in St. Louis. The initiative is in response to a proposal to lease parkland to Barnes Jewish Hospital. The lease proposal has since been denied.

Tom Sager, a director of CPBP remarks, "Missouri is so fortunate to have Great Rivers. I don't think we could have won any of these victories without them. For us, Great Rivers is the great equalizer."

Great Rivers is a non-profit, public interest environmental organization in St. Louis that provides free legal assistance to citizens' groups seeking to preserve and protect the environment. Its website is: www.greatriverslaw.org

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