

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

03/21/2022 2:25 PM

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INSTRUMENT NUMBER / BOOK & PAGE

2022E0026811

Book: Page:

Diana Smith, Recorder of Deeds

220167

Jackson County
Recorder of Deeds
Exempt Document

This document has been recorded under exempt status
pursuant to RSMo 59.310.4.

This certificate has been added to your document in
compliance with the laws of the State of Missouri.



Diana Smith
Recorder of Deeds

415 E. 12th Street, Room 104
Kansas City, MO 64106

112 W. Lexington, Suite 30
Independence, MO 64050

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CITY OF KANSAS CITY MISSOURI

CERTIFICATE OF THE CITY CLERK
DOCUMENT TO BE RECORDED
WITH JACKSON COUNTY, MISSOURI

DATE OF DOCUMENT:

February 17, 2022

DOCUMENT TITLE:

Ordinance
220167

GRANTOR(S)
NAME &
ADDRESS:

City of KCMO
414 E 12th Street 25th Floor

GRANTEE(S)
NAME &
ADDRESS:

City of KCMO
414 E 12th Street 25th Floor
KCMO 64106

LEGAL DESCRIPTION:

See Pages N/A or Exhibit _____ of the subject document.

The above appears in records and is on file in the Office of the City Clerk, 25th floor, City Hall, Kansas City, Missouri. I hereby, certify that this is a true and correct copy of the above ordinance.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the City on this 1st day of March, 2022.

Marilyn Sanders
City Clerk

By Marilyn Sanders City Clerk



RETURN ALL RECORDED ORIGINALS TO:
OFFICE OF THE CITY CLERK, 414 E. 12TH STREET, CITY HALL, 25TH FLOOR, KANSAS CITY
MISSOURI 64106.



File #: 220167

ORDINANCE NO. 220167

Authorizing the Director of City Planning and Development to execute a termination and release of a covenant to maintain storm water detention facility for Plat of Executive Park Fifty-Seventh Plat; and directing the City Clerk to record the executed release in the Office of Recorder of Deeds for Jackson County, Missouri.

WHEREAS, City is the grantee and beneficiary of that certain Covenant to Maintain Storm Water Detention Facility - Plat of Executive Park Fifty-Seventh Plat, dated June 1, 2004, granted by Universal Land Development Company, L.P., a Missouri limited liability company ("Universal") and recorded on June 7, 2004 in the Office of the Director of records for Jackson County, Missouri, as Instrument Number 2004K0037347 (the "Covenant"), attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the Covenant obligates Universal and its successors in title to the real estate described in the Covenant to maintain, repair and replace certain temporary area-wide storm water detention facilities to be developed on real estate described in the Covenant (the "Temporary Detention Parcel"); and

WHEREAS, the anticipated temporary storm water detention facilities were not constructed on the Temporary Detention Parcel and are no longer necessary, which renders the Covenant moot; NOW, THEREFORE;

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of City Planning and Development is hereby authorized to execute a termination and release of a covenant to maintain storm water detention facility for Plat of Executive Park Fifty-Seventh Plat (the "Release"), to be in a form substantially as that attached hereto as Exhibit B and incorporated herein by reference.

Section 2. That the City Clerk is hereby directed to record the executed Release in the Office of the Recorder of Deeds of Jackson County, Missouri.

Approved as to form and legality:

Eluard Alegre
Assistant City Attorney



Authenticated as Passed


Quinon Lucas, Mayor

Marilyn Sanders, City Clerk

FEB 17 2022

Date Passed

(Space above reserved for Recorder of Deeds certification)

Title of Document: Termination and Release of Covenant to Maintain Storm Water Detention Facility - Plat of Executive Park Fifty-Seventh Plat

Date of Document: _____, 2022

Grantor(s)*: City of Kansas City, Missouri

Grantee(s)*: Exeter 1401 N Universal, L.P.,
a Delaware limited partnership

Grantee(s) Mailing Address: 101 West Elm Street, Suite 600
Conshohocken, Pennsylvania 19428

Legal Description: See Exhibits A and B attached

Reference Document No.: 2004K0037347

***(For Indexing Purposes Only)**

**TERMINATION AND RELEASE OF COVENANT TO MAINTAIN STORM WATER
DETENTION FACILITY PLAT OF EXECUTIVE PARK FIFTY-SEVENTH PLAT**

**THIS TERMINATION AND RELEASE OF COVENANT TO MAINTAIN STORM WATER
DETENTION FACILITY - PLAT OF EXECUTIVE PARK FIFTY-SEVENTH PLAT** (this
"Release") is executed this ___ day of _____, 2022, by **CITY OF KANSAS CITY, MISSOURI**, a
political subdivision of the State of Missouri and body corporate and politic (the "City"), and **EXETER
1401 N UNIVERSAL, L.P.**, a Delaware limited partnership (the "Owner").

RECITALS

- A. City is the grantee and beneficiary of that certain Covenant to Maintain Storm Water Detention Facility - Plat of Executive Park Fifty-Seventh Plat, dated June 1, 2004, granted by Universal Land Development Company, L.P., a Missouri limited liability company ("**Universal**") and recorded on June 7, 2004 in the Office of the Director of records for Jackson County, Missouri, as Instrument Number 2004K0037347 (the "**Covenant**");
- B. The Covenant obligates Universal and its successors in title to the real estate described on **Exhibit A** attached hereto and incorporated herein by reference (the "**Developed Parcel**") to maintain, repair and replace certain temporary area-wide storm water detention facilities to be developed on the real estate described on **Exhibit B** attached hereto and incorporated herein by reference (the "**Temporary Detention Parcel**");
- C. Owner is Universal's indirect successor in title to the Developed Parcel; and
- D. The anticipated temporary storm water detention facilities were not constructed on the Temporary Detention Parcel and are no longer necessary, which renders the Covenant moot.

NOW, THEREFORE, in consideration of the foregoing recitals, the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the City and the Owner hereby fully and completely terminate the Covenant, and the City hereby releases the Developed Parcel, the Temporary Detention Parcel and the Owner and its successors and assigns from any covenant, obligation, restriction or other burden or duty of any nature or description set forth in or arising out of the Covenant.

[SIGNATURES FOLLOW]

EXETER 1401 N UNIVERSAL, L.P.,
a Delaware limited partnership

By: Exeter 1401 N Universal GP, LLC,
a Delaware limited liability company,
its general partner

By: Exeter Industrial Core Fund III REIT I, LP,
a Delaware limited partnership,
its sole member

By: Exeter Industrial Core Fund Management III,
LLC, a Delaware limited liability company, its
general partner

By: _____
Name: J. Peter Lloyd
Title: Vice President

COMMONWEALTH OF _____

COUNTY OF _____

I, _____, a Notary Public in and for the County and Commonwealth aforesaid, do hereby certify that J. Peter Lloyd, the Vice President of Exeter Industrial Core Fund Management III, LLC, a Delaware limited liability company, the general partner of Exeter Industrial Core Fund III REIT I, LP, a Delaware limited partnership, the sole member of Exeter 1401 N Universal GP, LLC, a Delaware limited liability company, the general partner of EXETER 1401 N UNIVERSAL, L.P., a Delaware limited partnership, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument on behalf of said limited partnership as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this _____ day of _____, 2022.

Notary Public
Printed Name: _____

My Commission Expires: _____

IN WITNESS WHEREOF, the parties have executed this Release as of the day and year first above written.

ATTEST:

CITY OF KANSAS CITY, MISSOURI,
a body corporate and politic

{Deputy} City Clerk

Approved as to form and legality:

By: _____

Name: _____

Title: _____

Assistant City Attorney

STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

On this ____ day of _____, 2022, before me, the undersigned Notary Public, personally appeared _____ and _____, the _____ and {Deputy} City Clerk, respectively, of City of Kansas City, Missouri, a body corporate and politic, and duly acknowledged the execution of this instrument as a duly authorized officer of City of Kansas City, Missouri.

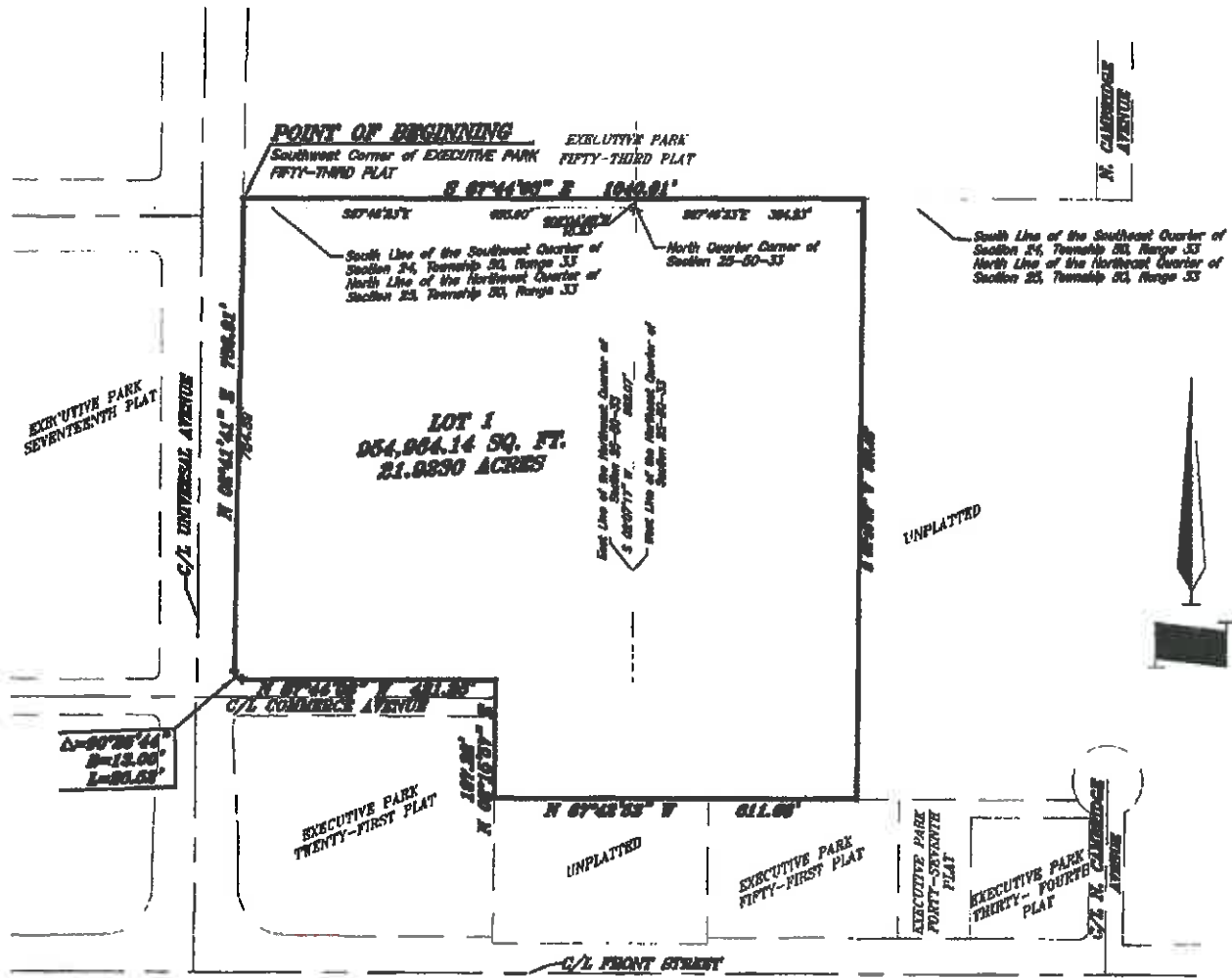
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

My commission expires _____

By: _____

Printed Name: _____

EXHIBIT A

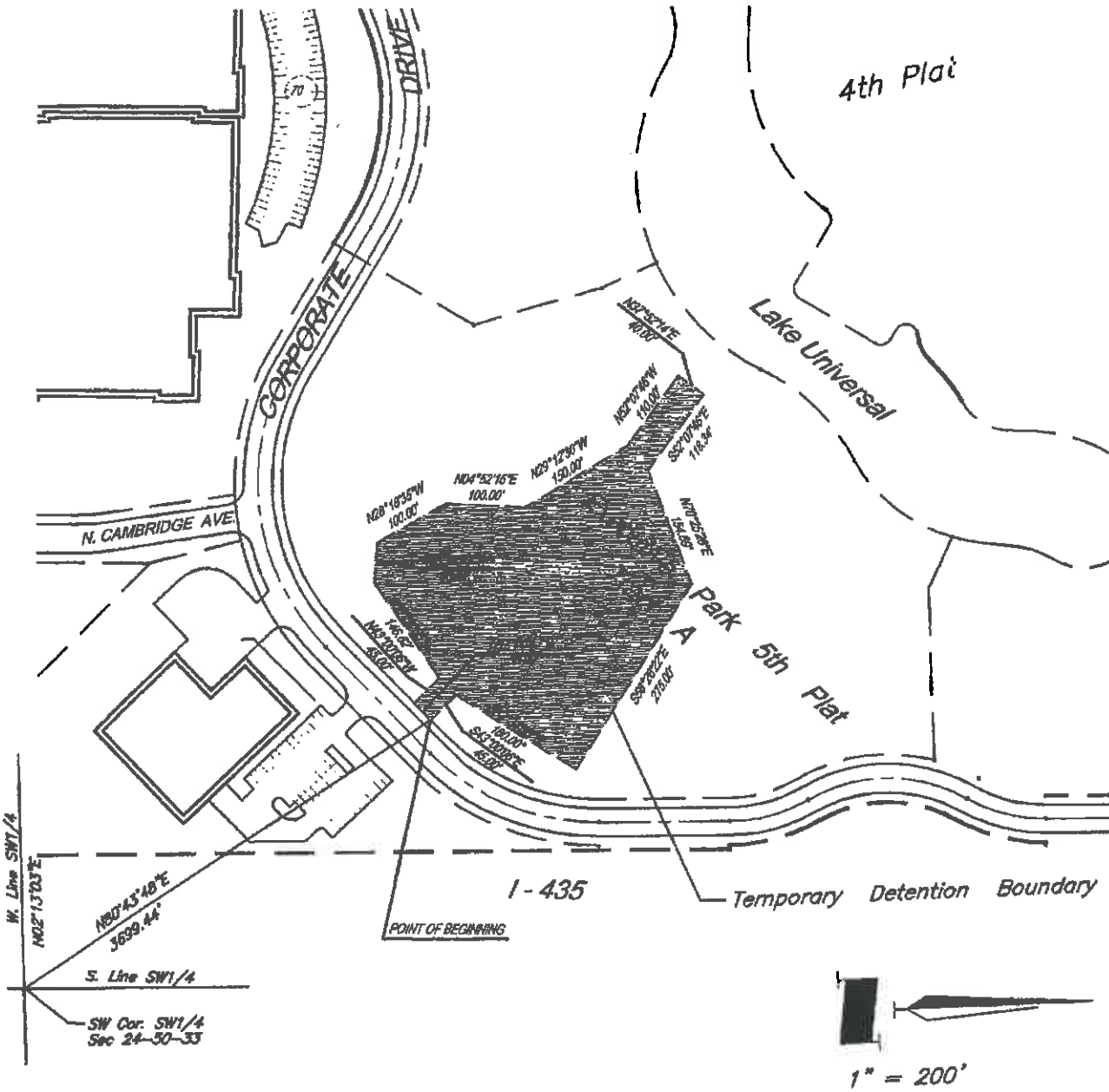


DESCRIPTION:

A tract of land over part of the Southeast Quarter and part of the Southwest Quarter of Section 24 and over part of the Northeast Quarter and part of the Northwest Quarter of Section 25, both located in Township 50, Range 33, in the City of Kansas City, Jackson County, Missouri, more particularly described as follows:

Beginning at the Southwest corner of EXECUTIVE PARK FIFTY-THIRD PLAT, a subdivision in said city, county and state, said corner also being on the East right-of-way line of North Universal Avenue, as now established; thence South 87°44'03" East, along the South line of said EXECUTIVE PARK FIFTY-THIRD PLAT, a distance of 1040.01 feet; thence South 02°15'57" West, perpendicular to said South line, a distance of 997.40 feet, to a point on the North line of EXECUTIVE PARK FIFTY-FIRST PLAT, a subdivision in said city, county and state; thence North 87°42'53" West, along said North line and along its Westerly prolongation, a distance of 611.66 feet, to a point on the East line of EXECUTIVE PARK TWENTY-FIRST PLAT, a subdivision in said city, county and state; thence North 02°15'57" East, along said East line, a distance of 197.22 feet, to the Northeast corner of said EXECUTIVE PARK TWENTY-FIRST PLAT, said corner also being on the North right-of-way line of Commerce Avenue, as now established; thence North 87°44'03" West, along said North right-of-way line, a distance of 421.25 feet, to a point of curvature; thence Westerly, Northwesterly and Northerly, continuing along said North right-of-way line, and along a curve to the right, having a radius of 13.00 feet, and a central angle of 90°25'44", a distance of 20.52 feet, to a point of tangency, said point also being on the East right-of-way line of said North Universal Avenue; thence North 02°41'41" East, along said East right-of-way line, a distance of 786.91 feet, to the Point of Beginning, containing 954,976.36 square feet or 21.9232 acres, more or less.

EXHIBIT B



A track of land located in the South Half (S 1/2) of Section 24, Township 50, Range 33, being a part of Tract A of Executive Park, Fifth Plat, according to the recorded plat thereof, more particularly described as follows: Commencing at the Southwest Corner of the Southwest Quarter (SW 1/4) of said Section 24; thence North 80° 43' 48" East, (the West line of said SW 1/4 being North 02° 13' 03" East) a distance of 3699.44 feet to the Point of Beginning, said point being on the Northwestern right-of-way line of Corporate Drive, as now established; thence South 47° 00' 57" West, along said right-of-way line, a distance of 30.00 feet; thence North 43° 00' 06" West, a distance of 45.00 feet; thence South 56° 52' 55" West, a distance of 146.62 feet; thence North 83° 27' 47" West a distance of 50 feet; thence North 28° 18' 35" West, a distance of 100.00 feet; thence North 29° 12' 30" West, a distance of 150.00 feet; thence North 04° 52' 16" East, a distance of 100.00 feet; thence North 52° 07' 45" West, a distance of 110.00 feet; thence North 37° 52' 14" East, a distance of 40.00 feet; thence South 52° 07' 46" East, a distance of 118.34 feet; thence North 70° 25' 28" East, a distance of 154.69 feet; thence South 56° 26' 22" East, a distance of 273.00 feet; thence South 33° 33' 38" West, a distance of 45.00 feet; thence South 43° 00' 06" East, a distance of 45.00 feet to the Point of Beginning, containing 2.33 acres, more or less.