



Legislation Text

File #: 210762, Version: 1

ORDINANCE NO. 210762

Approving the plat of Brooke Hills Third Plat, an addition in Clay County, Missouri, on approximately 19.29 acres generally located at 5801 N.E. 119th Street or south of the intersection of N.E. 119th Street and N. Wheeling Avenue, creating 58 lots for the purpose of creating a 58 lot single family subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2020-00034)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Brooke Hills Third Plat, a subdivision in Clay County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

Section 2. That the plat granting and reserving unto Kansas City an easement and license or right to locate, construct, operate and maintain facilities including, but not limited to, water, gas, sewerage, telephone, cable TV, surface drainage, underground conduits, pad mounted transformers, service pedestals, any and all of them upon, over, under and along the strips of land outlined and designated on the plat by the words utility easement or U/E be and the same are hereby accepted and where other easements are outlined and designated on the plat for a particular purpose, be and the same are hereby accepted for the purpose as therein set out.

Section 3. That the grades of the streets and other public ways set out on the plat, herein accepted are hereby established at the top of curb, locating and defining the grade points which shall be connected by true planes or vertical curves between such adjacent grade points, the elevations of which are therein given, in feet above the City Directrix.

Section 4. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Storm Water Detention Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

Section 5. That the Director of City Planning and Development is hereby authorized to execute and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

Section 6. That the City Clerk is hereby directed to record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Clay County, Missouri.

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on December 12, 2020.

Approved as to form and legality:



Eluard Alegre
Assistant City Attorney



Authenticated as Passed



Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

SEP 16 2021

Date Passed

This is to certify that General Taxes for 2021, and all prior years, as well as special assessments for local improvements currently due if any, on property described have been paid.

City Treasurer, Kansas City, MO

By 

Dated, July 19, 2022

Recorded in Clay County, Missouri



Recording Date/Time: 07/21/2022 at 09:04:51 AM

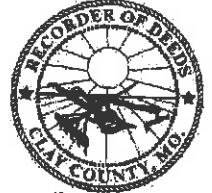
Instr #: 2022024020

Book: 9412 Page: 31

Type: ORD

Pages: 3

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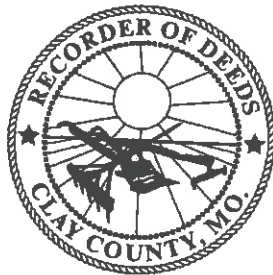


Katee Porter
Recorder of Deeds

RECORDER OF DEEDS CERTIFICATE
CLAY COUNTY, MISSOURI

EXEMPT DOCUMENT

This document has been recorded under exempt status pursuant to RSMO 59.310.4 and this certificate has been added to your document in compliance with the laws of the State of Missouri.



Katee Porter
Recorder of Deeds
Clay County Courthouse
Liberty, MO 64068

THIS PAGE HAS BEEN ADDED AS THE FIRST PAGE OF YOUR DOCUMENT-DO NOT REMOVE THIS PAGE

Roose Fred White
4510 Bellevue
KC Mo 64111

Recorded in Clay County, Missouri



Recording Date/Time: 07/21/2022 at 09:04:51 AM

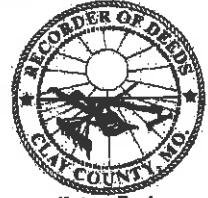
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Book: 9412 Page: 33

Type: REST

Pages: 11

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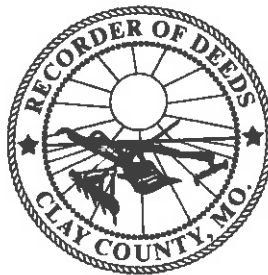


Katee Porter
Recorder of Deeds

RECORDER OF DEEDS CERTIFICATE
CLAY COUNTY, MISSOURI

NON-STANDARD DOCUMENT

This document has been recorded and you have been charged
the \$25.00 non-standard fee pursuant to RSMO 59.310.3
and this certificate has been added to your document in compliance
with the laws of the State of Missouri.



Katee Porter
Recorder of Deeds
Clay County Courthouse
Liberty, MO 64068

THIS PAGE HAS BEEN ADDED AS THE FIRST PAGE OF YOUR DOCUMENT-DO NOT REMOVE THIS PAGE

**COVENANT TO MAINTAIN STORM WATER DETENTION FACILITY
PLAT OF BROOKE HILLS THIRD PLAT**

THIS COVENANT made and entered into this 12th day of July, 2022, by and between Kansas City, Missouri, a constitutionally chartered Municipal corporation (**City**), and of Robertson Properties, Inc., a Missouri Corporation (**Owner**).

WHEREAS, Owner has an interest in certain real estate generally located at the Brooke Hills Third Plat, in Kansas City, of Clay County, Missouri, (**Property**) more specifically described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, Owner intends to cause the Property to be platted as Plat of Brooke Hills Third Plat, (**Plat**), in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri; and

WHEREAS, Owner intends to subdivide the Property and create pursuant to the Plat Lots 126 through 183 as shown on Exhibit "B" attached hereto.

WHEREAS, the improvement proposed by Owner on the Property warrant storm water control to serve Lots of 126 through 183 and require preservation and maintenance of storm water detention facilities, located on Tract A of Brooke Hills First Plata previous subdivided plat (as shown on the attached exhibit, Exhibit "C"), in order to ensure continuous and perpetual operation and effectiveness in controlling storm water runoff rates, volumes, and quality; and

WHEREAS, Owner of the Property is also the owner of Tract A, Brooke Hills First Plat.

WHEREAS, the City and Owner agree that it is in the public interest to detain storm water for the benefit of the Property and surrounding areas; and

WHEREAS, the provisions for the maintenance of the storm water detention facility is necessary to serve the development;

NOW, THEREFORE, Owner and City, for and in consideration of the benefits to themselves, their assigns and future grantees do hereby agree as follows:

Sec. 1. Owner at its sole cost shall:

- a. Be responsible for the perpetual preservation, maintenance, repair and replacement, if necessary of the storm water detention facilities and appurtenances (Facilities) within the storm water detention facility located on Tract A, Brooke Hills First Plat.
- b. Maintain the pipes, structures, grounds, and appurtenances for the Facilities located on Tract A, Brooke Hills First Plat.
- c. Keep the pipes, structures and appurtenances open and free of silt and vegetation.
- d. Keep the pipes, structures and appurtenances in good working condition or replace same if necessary.
- e. Mow the grass area within Tract A, Brooke Hills First Plat.

- f. Maintain the grades within Tract A, Brooke Hills First Plat pursuant to the approved plan on file in the office of the Director of City Planning & Development and identified as File No 2020-095. Obtain all necessary improvement and repair permits prior to performing any work on the Facilities.

Sec. 2. City is granted the right, but is not obligated to enter upon Tract A, Brooke Hills First Plat in order to maintain the Facilities including the pipes, structures, grounds, and appurtenances if Owner fails to maintain same. In the event that the City does provide maintenance for the facilities, then City may:

- a. Charge the costs for such maintenance against Owner, and/or the owner of Tract A, Brooke Hills First Plat and/or the owners of Lots 126 through 183, Brooke Hills Third Plat served by the Facilities on Tract A, Brooke Hills First Plat.
- b. Assess a lien on either the Tract A, Brooke Hills First Plat or on the Lots 126 through 183 Brooke Hills Third Plat or both served by the Facilities on Tract A, Brooke Hills First Plat and Tract B, Tuscany Hills Townhomes.
- c. Maintain suit against Owner, and/or the owner of Tract A, Brooke Hills First Plat and/or the owners of Lots 126 through 183 Brooke Hills Third Plat served by the Facilities on Tract A, Brooke Hills First Plat for all costs incurred by the City for such maintenance.

Unless necessitated by a threat to life and/or safety, City shall notify Owner and/or the then-current owners of Tract A, Brooke Hills First Plat and Lots 126 through 183 Brooke Hills Third Plat not less than thirty (30) days before it begins maintenance of the Facilities.

Sec. 3. Owner and/or the owner of Tract A, Brooke Hills First Plat shall not use, nor attempt to use, in any manner which would interfere with the operation of the Facilities, in such manner as would interfere with the proper, safe, and continuous maintenance and use thereof, and, in particular, shall not build, thereon or thereover, any structure which may interfere, or cause to interfere, with the maintenance and use thereof.

Sec. 4. This covenant shall run with the land legally described in Exhibit "A" and Exhibit "C". Owner shall remain liable under the terms of this Covenant unless and until Owner assigns its rights and obligations to a third party and such assignment is accepted by the City.

Sec. 5. To the extent allowed by law, in the event of a default under a loan agreement by a third party who is assigned the rights and obligations in accordance with the terms of this Covenant, the City will agree to an assignment from the defaulting third party to the secured lender.

Sec. 6. Notices. All notices required by this Covenant shall be in writing sent by regular United States mail, postage prepaid, commercial overnight courier or facsimile and addressed as hereinafter specified. Each party shall have the right to specify that notice be addressed to any other address by giving the other party ten (10) days notice thereof. Unless a party to this Agreement has given ten (10) days notice of a change of person and address for purposes of notice under this Agreement to the other party in writing, notices shall be directed to the following:

Notices to the City:
Director of City Planning & Development
City Hall, 414 East 12th Street
Kansas City, Missouri 64106
Fax number: (816) 513-2548

Notices to Owner shall be addressed to:
Robertson Properties, Inc.
P.O. Box 165, Liberty, MO 64069
ATTN: Jim Robertson
(816) 781-9340

Sec. 7. This Agreement shall not be amended, modified, canceled or abrogated without the prior written consent of the City.

Sec. 8. Invalidation of any part or parts of this Covenant by judgment or other court action shall in no way affect any of the other provisions, which shall remain in full force and effect.

Sec. 9. This Agreement shall be construed and enforced in accordance with the laws of the State of Missouri.

Sec. 10. Upon the effective date of this Covenant, the City shall file this Covenant in the Office for recording real estate documents in Clay, Missouri, and shall be binding on Owner, its successors, assigns and transferees.

Sec. 11. Owner shall jointly and severally release, hold harmless, indemnify and defend City and its agents, officers and employees from any and all responsibility, liability, loss, damage or expense resulting to Owner or to any person or property caused by or incidental as to the design, function, construction, maintenance or failure to maintain the Facility.

ATTESTATION BY CITY CLERK:

City Clerk

KANSAS CITY, MISSOURI

By:

Director of City Planning and Development

Approved as to form:

Assistant City Attorney

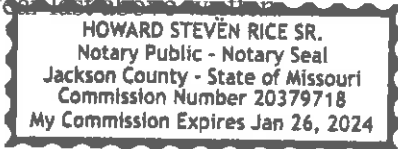
STATE OF MISSOURI)

COUNTY OF JACKSON)

) SS

BE IT REMEMBERED that on this 18 day of JULY, 2022, before me, the undersigned, a notary public in and for the county and state aforesaid, came Diane Ridley, Director of City Planning and Development, of Kansas City, Missouri, a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Missouri, and Marilyn Sanders, City Clerk of Kansas City, Missouri, who are personally known to me to be the same persons who executed, as officials, the within instrument on behalf of Kansas City, Missouri, and such persons duly acknowledge the execution of the same to be the act and deed of said Kansas City, Missouri.

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



Howard Steven Rice Sr
Notary Public

My Commission Expires: January 26, 2024

OWNER OF PROPERTY

Robertson Properties, Inc.
P.O. Box 165, Liberty, MO. 64069
ATTN: Jim Robertson
(816) 781-9340

I hereby certify that I have authority to execute
this document on behalf of Owner.

By: [Signature]

Title: Pres.

Date: 7-7-22

Check one:

- Sole Proprietor
- Partnership
- Corporation
- Limited Liability Company (LLC)

Attach corporate seal if applicable

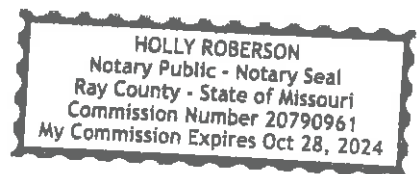
STATE OF Missouri)
) SS
COUNTY OF Ray)

BE IT REMEMBERED, that on the 12 day of July, 2022, before me, the undersigned notary public in and for the county and state aforesaid, came Jim Robertson, to me personally known, who being by me duly sworn did say that he is the President of Robertson Properties, Inc., and that said instrument was signed on behalf of said Corporation by authority of its Board of Directors and acknowledged said instrument to be the free act and deed of said Corporation.

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

[Signature]
Notary Public

My commission expires: Oct 28, 2024



TRACT A OWNER

Brooke Hills Homes Assoc. Inc.
P.O. Box 165, Liberty, MO. 64069
ATTN: Jim Robertson
(816) 781-9340

I hereby certify that I have authority to execute
this document on behalf of Owner.

By: [Signature]

Title: _____

Date: 7-12-22

- Check one:
- () Sole Proprietor
 - () Partnership
 - (X) Corporation
 - () Limited Liability Company (LLC)

Attach corporate seal if applicable

STATE OF Missouri)
) SS
COUNTY OF Ray)

BE IT REMEMBERED, that on the 12 day of July, 2022,
before me, the undersigned notary public in and for the county and state aforesaid, came Jim
Robertson, to me personally known, who being by me duly sworn did say that he is the President
of Brooke Hills Homes Assoc. Inc., and that said instrument was signed on behalf of said
Corporation by authority of its Board of Directors and acknowledged said instrument to be the
free act and deed of said Corporation.

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

[Signature]

Notary Public

My commission expires: Oct 28, 2024

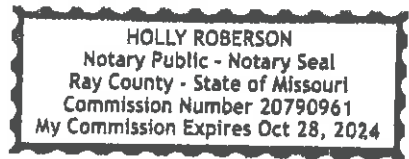


EXHIBIT "A"

DESCRIPTION:

All that part of the Northwest Quarter of Section 21, Township 52, Range 32, in Kansas City, Clay County, Missouri, described as follows:

Beginning at the Northwest corner of Lot 117, BROOKE HILLS SECOND PLAT, a subdivision in said City, County and State; Thence South 0°08'37" West, a distance of 226.39 feet, this and the following ten (10) courses being along the boundary of BROOKE HILLS SECOND PLAT; Thence South 11°45'18" East, a distance of 84.30 feet; Thence North 74°47'13" East, a distance of 122.15 feet; Thence Southerly along a curve to the left, to which the preceding course is radial, having a radius of 425.00 feet, an arc distance of 86.74 feet; Thence North 63°05'34" East, along a line radial to the preceding course, a distance of 158.64 feet; Thence South 58°01'14" East, a distance of 148.12 feet; Thence South 71°15'41" East, a distance of 200.62 feet; Thence Northerly along a curve to the right, to which the preceding course is radial, having a radius of 1270.00 feet, an arc distance of 44.71 feet to a point of tangency; Thence North 20°45'20" East, along a line tangent to the preceding course, a distance of 22.96 feet; Thence South 69°14'40" East, a distance of 122.50 feet to a point on the Westerly boundary of BROOKE HILLS FIRST PLAT, a subdivision in said City, County and State; Thence South 20°45'20" West, a distance of 23.86 feet this and the following seven (7) courses being along said Plat boundary; Thence South 07°11'38" West, a distance of 179.32 feet; Thence South 12°03'58" East, a distance of 151.43 feet; Thence South 80°56'02" East, a distance of 70.76; Thence South 00°39'37" West, a distance of 182.04 feet; Thence South 89°20'23" East, a distance of 97.60 feet to a point of curve; Thence along a curve to the left, to which the preceding course is tangent, having a radius of 325.00 feet, an arc distance of 38.80 feet; Thence South 06°10'51" East, along a line radial to the preceding course, a distance of 147.96 feet to the Southwest corner of Lot 59, BROOKE HILLS FIRST PLAT, said point also being on a line 3 1/2 poles (1212.75 feet) North of, and running parallel with, the South line of the Northwest Quarter of said Section 21; Thence North 89°19'49" West, along said line, a distance of 1029.30 feet to a point on the Northeasterly right-of-way line of Interstate Highway Route I-435; Thence along said Northeasterly right-of-way line, along a curve to the left, having an initial tangent bearing of North 15°48'41" West, a radius of 2426.83 feet, and an arc distance of 620.51 feet to a point on the West line of the Northwest Quarter of said Section 21; Thence North 00°09'02" East, along said West line, a distance of 516.14 feet; Thence South 89°51'23" East, a distance of 289.75 feet to the Point of Beginning.

Containing 19.29 acres, more or less.

EXHIBIT "B"

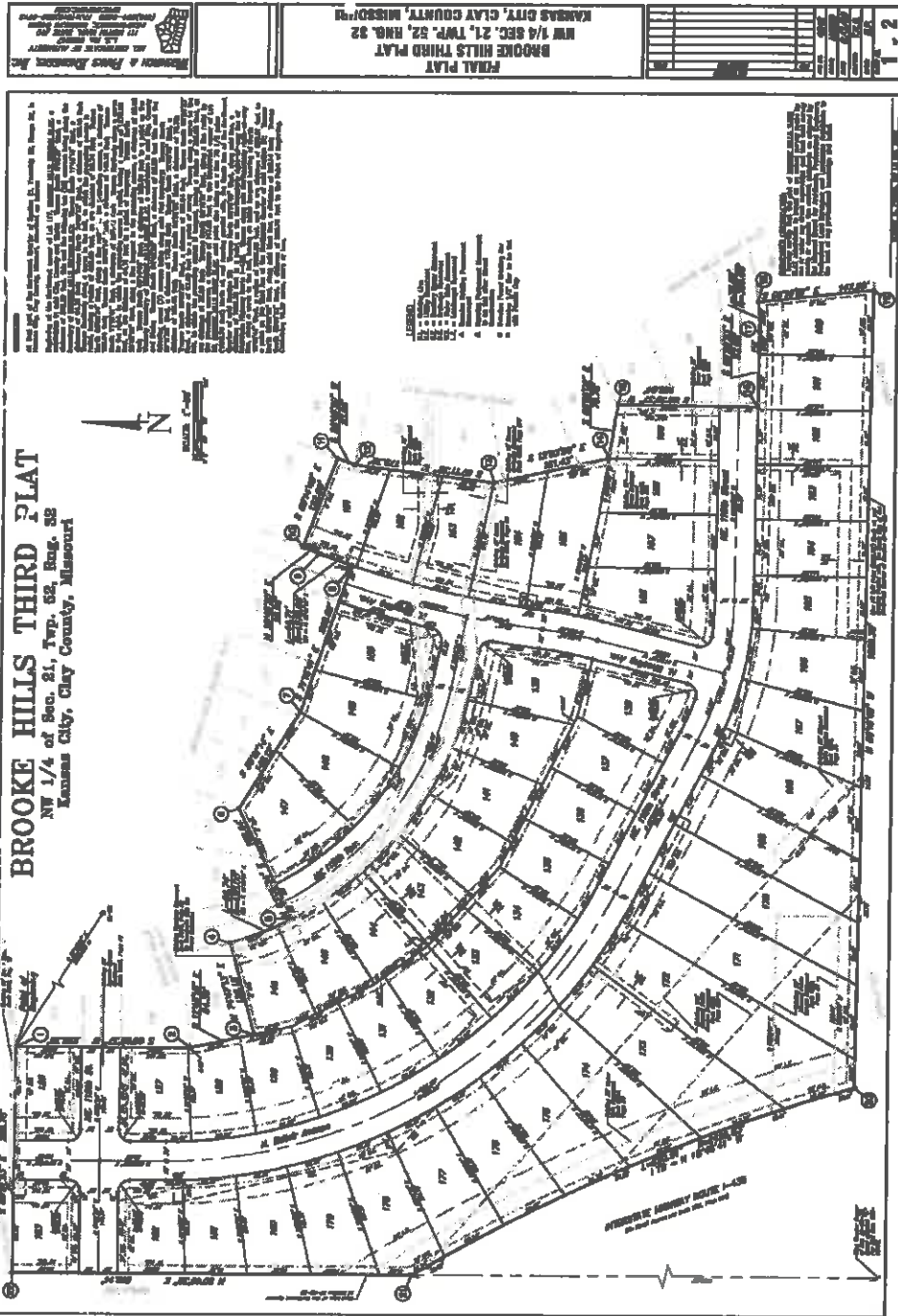


EXHIBIT "C"
 Plat of Brooke Hills First Plat

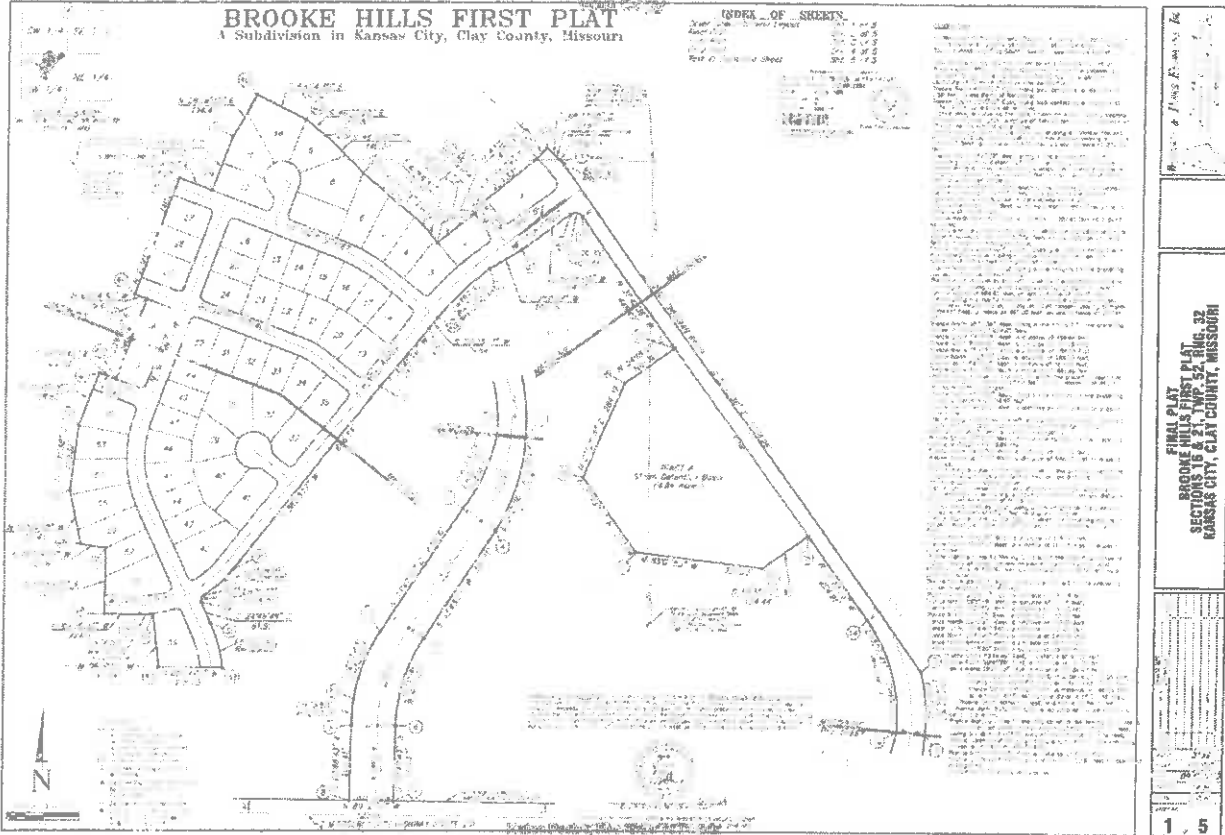


EXHIBIT "D"

LEGAL DESCRIPTION FOR TRACT "A"

Tract A, BROOKE HILLS FIRST PLAT, a subdivision in Kansas City, Clay County, Missouri.



Recording Date/Time: 07/21/2022 at 09:04:51 AM

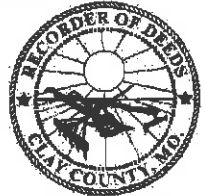
Instr #: 2022024022

Book: 9412 Page: 32

Type: REST

Pages: 6

Fee: \$39.00 S 20220021138



Katee Porter
Recorder of Deeds

Above Reserved for Use by Recorder of Deeds

**Supplemental Declaration
of Restrictions and Homes
Association Declaration
for**

Brooke Hills

This Supplemental Declaration ("Supplemental Declaration") is made effective May 25th, 2021, by Robertson Properties, Inc. ("Declarant"). The Declarant is both "Grantor" and "Grantee". Mailing Address: 2120 W. College, Liberty, MO 64068.

Reference Book/Page: Book 4883 at Page 3
Reference Book/Page: Book 4987 at Page 37
Reference Book/Page: Book 5417 at Page 3
Reference Book/Page: Book 9042 at Page 126

Legal Descriptions: Pages 3-6

Recitals

1. On or before January 19, 2005, Declarant executed and recorded that certain Declaration of Restrictions and Homes Association Declaration for Brooke Hills ("Declaration") covering real property ("Property") legally described in **Exhibit A** attached hereto. The original Declaration was recorded as Document Number 2005002402, Book 4883, Page 3.
2. The original Declaration was Restated and Amended by instrument filed May 2, 2005, Document Number 2005019618, Book 4987, Page 37.
3. The Declaration (as supplemented and amended) was supplemented by instrument filed June 28, 2006, Document Number 2006027648, Book 5417, Page 33, by which the 2nd Plat of Brooke Hills ("Previously Annexed Property" described in **Exhibit B**) was annexed into the Declaration.
4. The Declaration (as supplemented and amended) was supplemented by instrument filed April 30, 2021, Document Number 2021018828, Book 9042, Page 126.
5. Declarant is the owner of certain land ("Annexed Property") which adjoins and is contiguous to the Property, which said Annexed Property is legally described in **Exhibit C** attached hereto.
6. Declarant desires that the Annexed Property be, by these presents, added to the "Property" described in the Declaration so that the Annexed Property shall be benefited and burdened by the Declaration, the same as if Annexed Property was designated in the Declaration as part of the original Property.
7. Article XI of the Declaration provides that other property may be annexed to and become a part of the "Property" therein described by a "Supplemental Declaration"

**Article 1
Incorporation by Reference**

Except to the extent expressly inconsistent herewith, all definitions contained in the Declaration, and all terms of the Declaration, are incorporated by reference herein except that:

1. The "Declaration" shall include the original Declaration as well as this and any prior and subsequent Supplemental Declaration.
2. The "Property" shall henceforth be that real property described, in the aggregate, in **Exhibit A, Exhibit B and Exhibit C**, attached hereto, and such additional property as may hereafter be subjected to the terms of the Declaration pursuant to one of more Supplemental Declarations

**Article 2
Expansion of Declaration-Annexation of Property**


The Declaration, and all provisions thereof, is hereby extended to bind, burden and extend to each and every part of the Property and the Annexed Property, the same as if each and every part of the Property, the Annexed Property had originally been made subject to the Declaration and had been therein defined as the "Property". Without limiting the generality of the foregoing, each owner of the Annexed Property shall be required to be, become and remain at all times a member of the Brooke Hills Homes Association, Inc., with corresponding duties to pay annual and special assessments as provided in the Declaration.

**Article 3
Ratification and Confirmation**

In all other respects, the Declaration is ratified and confirmed.

In Witness Whereof, the undersigned have executed this instrument the day and year first above written, the corporate parties by their officers authorized in the premises.

Robertson Properties, Inc.

By: 
James D. Robertson, Pres.

Missouri Acknowledgment-Corporate (no seal)


State of Missouri)
County of Clay Ray)

On May 25th, 2021, before me, the undersigned, a Notary Public, personally appeared James D. Robertson, to me known, who, being by me duly sworn, did say that he/she is the President of Robertson Properties, Inc., a Missouri corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors, and the said individual last named acknowledged that he/she executed the same as the free act and deed of such corporation, and the said individual last named stated that the aforesaid corporation has no corporate seal.

In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office in said county and state, the day and year last above written.

My Commission Expires:

Oct 28, 2024


Notary Public

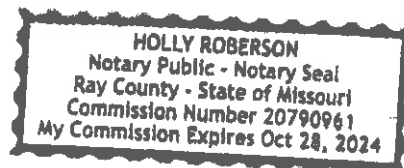


Exhibit A
Original Property

DESCRIPTION:

All that part of the Northwest Quarter of Section 21, and that part of the Southwest Quarter of Section 16, all in Township 52, Range 32, in Kansas City, Clay County, Missouri, described as follows:

Commencing at the Quarter Corner to said Sections 16 and 21;
Thence North 89°51'33" West, along the common line between said Sections 16 and 21, a distance of 256.52 feet to a point on the centerline of Sherman Road as now established;
Thence South 48°37'50" East, along said centerline, a distance of 1.58 feet to the Point of Beginning;
Thence South 35°42'36" East, along said centerline, a distance of 1734.26 feet to a point on a curve;
Thence along a curve to the right, having an initial tangent bearing of South 13°31'06" East, a radius of 540.00 feet, an arc distance of 175.20 feet to a point on a curve;
Thence along a curve to the right, not sharing a common tangent with the preceding course, having an initial tangent bearing of South 02°32'55" West, a radius of 528.58 feet, an arc distance of 272.88 feet;
Thence South 33°43'07" West, along a line not tangent to the preceding course, a distance of 355.11 feet to a point of curve;
Thence along a curve to the left, to which the preceding course is tangent, having a radius of 450.00 feet, an arc distance of 258.45 feet to a point of tangency;
Thence South 00°48'43" West, along a line tangent to the preceding course, a distance of 207.37 feet, to a point on the Northerly right-of-way line of Missouri State Highway Route 291;
Thence North 89°12'26" West, along said North right-of-way line, a distance of 123.00 feet;
Thence North 00°48'43" East, a distance of 207.41 feet to a point of curve;
Thence along a curve to the right, to which the preceding course is tangent, having a radius of 573.00 feet, an arc distance of 73.88 feet to a point of compound curve;
Thence along a curve to the right, sharing a common tangent with the preceding course, having a radius of 450.00 feet, an arc distance of 200.43 feet to a point of tangency;
Thence North 33°43'07" East, along a line tangent to the preceding course, a distance of 408.10 feet;
Thence along a curve to the left, to which the preceding course is not tangent, having an initial tangent bearing of North 37°56'41" East, a radius of 484.61 feet, an arc distance of 225.37 feet;
Thence along a curve to the left, not sharing a common tangent with the preceding course, having an initial tangent bearing of North 05°04'17" East, a radius of 460.00 feet, an arc distance of 327.41 feet;
Thence North 35°42'36" West, along a line tangent to the preceding course, a distance of 284.21 feet;
Thence South 54°16'03" West, a distance of 154.44 feet;
Thence North 83°01'55" West, a distance of 351.93 feet;
Thence North 35°43'57" West, a distance of 254.84 feet;
Thence North 23°33'12" East, a distance of 284.89 feet;
Thence North 54°16'03" East, a distance of 188.32 feet;
Thence North 35°42'36" West, a distance of 445.49 feet;
Thence along a curve to the left, to which the preceding course is tangent, having a radius of 25.00 feet, an arc distance of 39.28 feet to a point of tangency;

Thence South 54°16'03" West, along a line tangent to the preceding course, a distance of 164.97 feet;
 Thence South 59°59'53" West, a distance of 100.15 feet to a point on a curve;
 Thence along a curve to the left, having an initial tangent bearing of South 54°16'03" West, having a radius of 720.00 feet, an arc distance of 199.55 feet to a point of tangency;
 Thence South 38°23'17" West, along a line tangent to the preceding course, a distance of 38.64 feet;
 Thence South 39°45'08" West, a distance of 210.00 feet;
 Thence South 38°23'17" West, a distance of 646.54 feet to a point of curve;
 Thence along a curve to the right, to which the preceding course is tangent, having a radius of 325.00 feet, an arc distance of 109.06 feet to a point of reverse curve;
 Thence along a curve to the left, sharing a common tangent with the preceding course, having a radius of 15.00 feet, an arc distance of 21.57 feet to a point of tangency;
 Thence South 24°46'49" East, along a line tangent to the preceding course, a distance of 61.90 feet to a point of curve;
 Thence along a curve to the right, to which the preceding course is tangent, having a radius of 360.00 feet, an arc distance of 127.70 feet;
 Thence North 89°19'49" West, a distance of 176.75 feet;
 Thence North 06°10'51" West, a distance of 147.96 feet to a point on a curve;
 Thence along a curve to the right, to which the preceding course is radial, having an initial tangent bearing of South 83°49'09" West, having a radius of 325.00 feet, an arc distance of 38.80 feet to a point of tangency;
 Thence North 89°20'23" West, along a line tangent to the preceding course, a distance of 97.60 feet;
 Thence North 00°39'37" East, a distance of 182.04 feet;
 Thence North 80°56'02" West, a distance of 70.78 feet;
 Thence North 12°03'58" West, a distance of 151.43 feet;
 Thence North 07°11'38" East, a distance of 179.32 feet;
 Thence North 20°45'20" East, a distance of 158.86 feet;
 Thence South 69°14'40" East, a distance of 50.02 feet;
 Thence North 20°45'20" East, a distance of 240.00 feet;
 Thence North 69°14'40" West, a distance of 36.43 feet;
 Thence North 20°45'20" East, a distance of 340.00 feet;
 Thence South 69°14'40" East, a distance of 97.00 feet;
 Thence North 20°45'20" East, a distance of 161.25 feet;
 Thence North 28°25'28" East, a distance of 134.47 feet;
 Thence South 63°24'30" East, a distance of 151.52 feet;
 Thence South 48°37'50" East, a distance of 73.18 feet;
 Thence South 45°03'07" East, a distance of 148.64 feet;
 Thence South 49°30'34" East, a distance of 219.88 feet;
 Thence South 40°56'42" East, a distance of 84.90 feet;
 Thence North 52°03'56" East, a distance of 128.44 feet to a point on a curve;
 Thence along a curve to the left, to which the preceding course is radial, having an initial tangent bearing of North 37°56'04" West, having a radius of 475.00 feet, an arc distance of 9.32 feet;
 Thence North 50°56'29" East, along a line radial to the preceding course, a distance of 228.33 feet;
 Thence North 43°33'00" East, a distance of 40.51 feet;
 Thence South 48°37'50" East, a distance of 52.81 feet to the Point of Beginning.
 Containing 31.30 Acres, more or less.

The foregoing Property is also known as all of Lots 1 through 59, inclusive, **Brooke Hills First Plat**, a subdivision of land in Kansas City, Clay County, Missouri, according to the recorded plat thereof (together with any portions described in that plat as having been dedicated for public or quasi-public use such as "Tracts").

End of Exhibit

Exhibit B
Previously Annexed Property

All that part of the Southwest Quarter of Section 16, and that part of the Northwest Quarter of Section 21, in Township 52, Range 32, all in Kansas City, Clay County, Missouri, described as follows:

Commencing at the Quarter Corner to said Sections 16 and 21;

Thence North 89°51'33" West, along the North line of the Northwest Quarter of said Section 21, a distance of 1188.44 feet to a point on the Westerly line of Lot Eleven (11) of BROOKE HILLS FIRST PLAT, a subdivision in said City, County, and State, said point being 12.34 feet from the Southwest corner of said Lot Eleven (11);

Thence South 20°45'20" West, along the Westerly line of said Lot Eleven (11), a distance of 4.34 feet to the Point of Beginning;

Thence South 20°45'20" West, this and the following six (6) courses being along the boundary of said BROOKE HILLS FIRST PLAT, a distance of 88.00 feet;

Thence North 69°14'40" West, a distance of 97.00 feet;

Thence South 20°45'20" West, a distance of 340.00 feet;

Thence South 69°14'40" East, a distance of 36.43 feet;

Thence South 20°45'20" West, a distance of 240.00 feet;

Thence North 69°14'40" West, a distance of 50.02 feet;

Thence South 20°45'20" West, a distance of 135.00 feet;

Thence North 69°14'40" West, a distance of 122.50 feet;

Thence South 20°45'20" West, a distance of 22.96 feet to a point of curve;

Thence along a curve to the left, to which the preceding course is tangent, having a radius of 1270.00 feet, an arc distance of 44.71 feet;

Thence North 71°15'41" West, a distance of 200.62 feet;

Thence North 58°01'14" West, a distance of 148.12 feet;

Thence South 63°05'34" West, a distance of 158.64 feet;

Thence along a curve to the right, to which the preceding course is radial, having a radius of 425.00 feet, an arc distance of 86.74 feet;

Thence South 74°47'13" West, along a line radial to the preceding course, a distance of 122.15 feet;

Thence North 11°45'18" West, a distance of 84.30 feet;

Thence North 00°08'37" East, a distance of 665.77 feet;

Thence North 03°18'59" East, a distance of 62.94 feet;

Thence North 20°45'20" East, a distance of 131.07 feet;

Thence South 69°14'40" East, a distance of 34.47 feet;

Thence North 20°45'20" East, a distance of 120.00 feet;

Thence South 69°14'40" East, a distance of 625.54 feet;

Thence along a curve to the right, having an initial tangent bearing of North 23°33'08" East, a radius of 1530.00 feet, an arc distance of 15.88 feet;

Thence South 65°51'10" East, along a line radial to the preceding course, a distance of 183.59 feet;

Thence South 69°14'40" East, a distance of 175.94 feet;

Thence South 20°45'20" West, a distance of 37.00 feet;

Thence South 69°14'40" East, a distance of 120.00 feet to the Point of Beginning.

Containing 20.30 Acres, more or less.

The foregoing Annexed Property is also known as all of Lots 60 through 125, inclusive, and Tract A, Brooke Hills Second Plat, a subdivision of land in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

End of Exhibit

Exhibit C
Annexed Property

All that part of the Northwest Quarter of Section 21, Township 52, Range 32, in Kansas City, Clay County, Missouri, described as follows:

Beginning at the Northwest corner of Lot 117, BROOKE HILLS SECOND PLAT, a subdivision in said City, County and State; Thence South 0°08'37" West, a distance of 226.39 feet, this and the following ten (10) courses being along the boundary of BROOKE HILLS SECOND PLAT; Thence South 11°45'18" East, a distance of 84.30 feet; Thence North 74°47'13" East, a distance of 122.15 feet; Thence Southerly along a curve to the left, to which the preceding course is radial, having a radius of 425.00 feet, an arc distance of 86.74 feet; Thence North 63°05'34" East, along a line radial to the preceding course, a distance of 158.64 feet; Thence South 58°01'14" East, a distance of 148.12 feet; Thence South 71°15'41" East, a distance of 200.62 feet; Thence Northerly along a curve to the right, to which the preceding course is radial, having a radius of 1270.00 feet, an arc distance of 44.71 feet to a point of tangency; Thence North 20°45'20" East, along a line tangent to the preceding course, a distance of 22.96 feet; Thence South 69°14'40" East, a distance of 122.50 feet to a point on the Westerly boundary of BROOKE HILLS FIRST PLAT, a subdivision in said City, County and State; Thence South 20°45'20" West, a distance of 23.86 feet this and the following seven (7) courses being along said Plat boundary; Thence South 07°11'38" West, a distance of 179.32 feet; Thence South 12°03'58" East, a distance of 151.43 feet; Thence South 80°56'02" East, a distance of 70.76; Thence South 00°39'37" West, a distance of 182.04 feet; Thence South 89°20'23" East, a distance of 97.60 feet to a point of curve; Thence along a curve to the left, to which the preceding course is tangent, having a radius of 325.00 feet, an arc distance of 38.80 feet; Thence South 06°10'51" East, along a line radial to the preceding course, a distance of 147.96 feet to the Southwest corner of Lot 59, BROOKE HILLS FIRST PLAT, said point also being on a line 73 1/2 poles (1212.75 feet) North of, and running parallel with, the South line of the Northwest Quarter of said Section 21; Thence North 89°19'49" West, along said line, a distance of 1029.30 feet to a point on the Northeasterly right-of-way line of Interstate Highway Route I-435; Thence along said Northeasterly right-of-way line, along a curve to the left, having an initial tangent bearing of North 15°48'41" West, a radius of 2426.83 feet, and an arc distance of 620.51 feet to a point on the West line of the Northwest Quarter of said Section 21; Thence North 00°09'02" East, along said West line, a distance of 516.14 feet; Thence South 89°51'23" East, a distance of 289.75 feet to the Point of Beginning.
Containing 19.29 acres, more or less.

The foregoing Property is also known (after recordation of the final plat for same) as all of Lots 126 through 183, inclusive, Brooke Hills Third Plat, a subdivision of land in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

End of Exhibit