414 E. 12th Street
Kansas City, MO
64106

File #: 210979

ORDINANCE NO. 210979

Approving the plat of Woodland Creek Third Plat, an addition in Clay County, Missouri, on approximately 22.74 acres generally located at northwest corner of N.E. 122nd Street and N. Lydia Avenue, creating 37 lots and 4 tracts for the purpose of creating a 37 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-2021-00017)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Woodland Creek 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 and BMP 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 September 27, 2021.

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 Carmen Smith

Dated, May 16, 2022

Approved as to form and legality:

Eluard Alegre
Assistant City Attorney

Authenticated as Passed

Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

NOV 04 2021

Date Passed

Recorded in Clay County, Missouri

Recording Date/Time: 05/20/2022 at 09:55:23 AM
Instr #: 2022016901
Book: 9370 Page: 140
Type: ORD
Pages: 3
Fee: $27.00 E 20220014904

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

RE ROOSE, FACTS, WHITE, GASS GENTRY ACRES
4510 BELLEFAIR AVE STE 300
KCMO 64111

3

Recorded in Clay County, Missouri
Date and Time: 02/10/2021 at 08:07:29 AM
Instrument Number: 2021005775
Book: 8957 Page: 28

Instrument Type: REST
Page Count: 6
Recording Fee: $39.00 S

Electronically Recorded

Katee Porter, Recorder

Title Of Document:	Amendment to Declaration of Covenants, Conditions and Restrictions for Woodland Creek, A Subdivision in Clay County, Missouri
Date of Document:	February 9, 2021
Grantor's Name and Address:	Spyglass Development Company, L.L.C. 6024 NE 169 Hwy St. Joseph, Missouri 64505
Grantee's Name and Address:	Spyglass Development Company, L.L.C. 6024 NE 169 Hwy St. Joseph, Missouri 64505
Legal Description:	See Exhibit A pages 4 – 5; Exhibit B page 6
Referenced Documents:	Instrument Number 2006043052; Book 5508, Page 159 Instrument Number 2018021898; Book 8234, Page 111

AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR

WOODLAND CREEK

A SUBDIVISION IN CLAY COUNTY, MISSOURI

THIS AMENDMENT, made and executed as of the 9th day of February 2021, by Spyglass Development Company, L.L.C., a Missouri limited liability company, hereinafter called "Developer."

PREAMBLE

WHEREAS, the Developer is the developer of the residential area in Clay County, Missouri, commonly known as "Woodland Creek" and a Member of the Woodland Creek Homeowners' Association; and

WHEREAS, the owners are the fee owners of certain Lots located in Woodland Creek and are Members of the Woodland Creek Homeowners' Association ("Owners"); and

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Woodland Creek, A Subdivision In Clay County, Missouri was filed in the real property records of Clay County, Missouri on September 28, 2006, and recorded as Instrument Number 2006043052 in Book 5508, Page 159 ("Declaration"); and

WHEREAS, an Amendment to Declaration of Covenants, Conditions and Restrictions for Woodland Creek, A Subdivision in Clay County, Missouri was filed in the real property records of Clay County, Missouri on July 6, 2018, and recorded as Instrument Number 2018021898 in Book 8234, Page 111 ("Second Plat"); and

WHEREAS, the Declaration and Second Plat affect the real property described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, Article II of the Declaration allows for Developer to subject additional property to Woodland Creek and to subject such property to the Declaration; and

WHEREAS, the Developer desires to subject the real property described in Exhibit B, attached hereto and made a part hereof ("Property Addition"), to the Declaration; and

WHEREAS, the Property Addition is included in the Development Plan referenced in the Declaration, and no approval of the Owners is required to subject the Property Addition to the

Declaration and to include it in Woodland Creek and the Woodland Creek Homeowners' Association.

NOW, THEREFORE, the Developer hereby declares and agrees as follows:

A. All terms in this Amendment shall have the definitions as provided in the Declaration, unless such terms are otherwise defined herein.

B. The Developer hereby subjects the Property Addition to the Declaration, and such Property Addition shall be included in Woodland Creek and the Woodland Creek Homeowners' Association and the owners of property in the Property Addition shall be included as Owners.

IN WITNESS WHEREOF, the Developer has caused this Amendment to be duly executed.

THE DEVELOPER:

Spyglass Development Company, L.L.C.

By _____
Scott Laderoute, member

STATE OF MISSOURI)
) ss
COUNTY OF Platte)

This instrument was acknowledged and sworn to before me this 9th day of February, 2021, by Scott Laderoute as Member of Spyglass Development Company, L.L.C., a Missouri limited liability company.

_____
Notary Public

My Commission Expires:

DEBBIE L. KIRKPATRICK
Notary Public - Notary Seal
State of Missouri
Commissioned for Platte County
My Commission Expires: October 21, 2023
Commission Number: 15039826

EXHIBIT A

Legal Description of The Property

All that part of the Northwest Quarter of Section 13, Township 52, Range 33, Kansas City, Clay County, Missouri and all that part of the Southwest Quarter of said Section 13, Kansas City, Clay County, Missouri being described as follows: Beginning at the Southeast corner of said Northwest Quarter, also being the Northeast corner of said Southwest Quarter; thence South 00 degrees 21 minutes 26 seconds West, along the East line of said Southwest Quarter, a distance of 966.56 feet; thence North 89 degrees 33 minutes 24 seconds West, a distance of 97.49 feet to a point on the Westerly Right-of-Way line of Woodland Avenue; thence South 00 degrees 26 minutes 36 seconds West, along the Westerly Right-of-Way line of said Woodland Avenue, a distance of 326.65 feet; thence North 71 degrees 02 minutes 57 seconds West, a distance of 229.03 feet; thence North 50 degrees 52 minutes 19 seconds West, a distance of 296.02 feet; thence North 45 degrees 36 minutes 49 seconds West, a distance of 456.13 feet; thence North 69 degrees 26 minutes 26 seconds West, a distance of 241.08 feet; thence North 25 degrees 54 minutes 57 seconds West, a distance of 88.99 feet; thence Westerly along a curve to the left, having an initial tangent bearing of South 64 degrees 05 minutes 03 seconds West, having a radius of 530.00 feet, an arc length of 231.82 feet; thence North 66 degrees 45 minutes 18 seconds West, a distance of 152.89 feet; thence North 40 degrees 35 minutes 33 seconds West, a distance of 31.84 feet; thence North 17 degrees 52 minutes 37 seconds West, a distance of 462.30 feet; thence North 50 degrees 26 minutes 57 seconds West, a distance of 79.79 feet; thence North 63 degrees 49 minutes 29 seconds West, a distance of 276.42 feet to the North line of said Southwest Quarter, also being the South line of said Northwest Quarter; thence South 89 degrees 47 minutes 59 seconds East, a distance of 619.28 feet to the Southeast corner of the Southeast Quarter of said Northwest Quarter; thence North 00 degrees 39 minutes 37 seconds East along the West line of said Southeast Quarter of the Northwest Quarter, a distance of 330.58 feet to the Northwest corner of the South 10 acres of said Southeast Quarter of the Northwest Quarter; thence South 89 degrees 47 minutes 59 seconds East along the North line of said 10 acres, a distance of 1319.02 feet to the Northeast corner of said 10 acres, also being a point on the East line of said Northwest Quarter, thence South 01 degrees 06 minutes 34 seconds West along the East line of said Northwest Quarter, also being the East line of said 10 acres, a distance of 330.61 feet to the Point of Beginning. Said tract contains 41.84 acres, more or less.

[*legal description continued on following page*]

DESCRIPTION:
All that part of the Southwest Quarter of Section 13, Township 52, Range 33 and all that part of Section 14, Township 52, Range 33, Kansas City, Clay County, Missouri, being described as follows; Beginning at the Northeast corner of the Southeast Quarter of said Section 14, also being the Northwest corner of the Southwest Quarter of said Section 13; thence South 89 degrees 47 minutes 59 seconds East along the North line of the Southwest Quarter of said Section 13, a distance of 697.15 feet to the most Westerly corner of Tract F, of Woodland Creek First Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence South 63 degrees 49 minutes 29 seconds East along the Southwesterly line of said Tract F, Woodland Creek First Plat, a distance of 276.42 feet; thence continuing along said line South 50 degrees 26 minutes 57 seconds East, a distance of 79.79 feet; thence continuing along said line South 17 degrees 52 minutes 37 seconds East, a distance of 462.30 feet; thence continuing along said line South 40 degrees 35 minutes 33 seconds East, a distance of 31.84 feet; thence continuing along said Line South 66 degrees 45 minutes 18 seconds East, a distance of 152.89 feet; thence Northeasterly along the Southerly line of said Tract F, along a curve to the Right, having an initial tangent bearing of North 39 degrees 01 minutes 23 seconds East, a radius of 530.00 feet, an arc distance of 231.82 feet; thence South 25 degrees 54 minutes 57 seconds East along the Westerly line of Tract "D" Woodland Creek First Plat and it's Northwesterly prolongation thereof , a distance of 88.99 feet; thence Southwesterly along a curve to the Left, having an initial tangent bearing of South 64 degrees 05 minutes 03 seconds West, a radius of 441.01 feet an arc distance of 66.95 feet; thence South 04 degrees 26 minutes 27 seconds East, a distance of 15.75 feet; thence South 18 degrees 03 minutes 33 seconds West, a distance of 54.48 feet; thence South 63 degrees 03 minutes 33 seconds West, a distance of 29.54 feet; thence South 85 degrees 33 minutes 33 seconds West, a distance of 75.82 feet; thence South 38 degrees 34 minutes 44 seconds West, a distance of 85.61 feet; thence Southwesterly along a curve to the Left, being tangent to the last described course, having a radius of 266.00 feet, an arc distance of 27.61 feet; thence South 21 degrees 34 minutes 57 seconds West, a distance of 101.95 feet; thence Southerly along a curve to the Left, having an initial tangent bearing of South 10 degrees 32 minutes 04 seconds West, a radius of 266.00 feet, an arc distance of 53.93 feet; thence South 88 degrees 55 minutes 03 seconds West, a distance of 70.00 feet; thence North 78 degrees 52 minutes 48 seconds West, a distance of 110.65 feet; thence North 72 degrees 43 minutes 48 seconds West, a distance of 50.00 feet; thence Northerly along a curve to the Left, having an initial tangent bearing of North 17 degrees 16 minutes 12 seconds East, a radius of 500.00 feet, an arc distance of 46.45 feet; thence North 11 degrees 56 minutes 50 seconds East, a distance of 32.38 feet; thence North 78 degrees 03 minutes 10 seconds West, a distance of 75.55 feet; thence North 59 degrees 37 minutes 00 seconds West, a distance of 119.56 feet; thence North 66 degrees 43 minutes 44 seconds West, a distance of 76.85 feet; thence North 77 degrees 26 minutes 51 seconds West, a distance of 199.27 feet; thence North 65 degrees 28 minutes 46 seconds West, a distance of 60.52 feet; thence North 62 degrees 23 minutes 47 seconds West, a distance of 50.00 feet; thence North 54 degrees 24 minutes 10 seconds West, a distance of 105.52 feet; thence North 42 degrees 29 minutes 37 seconds West, a distance of 94.14 feet; thence North 31 degrees 27 minutes 59 seconds West, a distance of 94.16 feet; thence North 20 degrees 55 minutes 56 seconds West, a distance of 91.24 feet; thence North 78 degrees 47 minutes 43 seconds West, a distance of 34.32 feet; thence North 65 degrees 11 minutes 24 seconds West, a distance of 88.63 feet; thence North 36 degrees 17 minutes 22 seconds West, a distance of 86.95 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 622.51 feet to the centerline of the abandoned Qincy, Omaha, and Kansas City Railroad; thence, North 12 degrees 11 minutes 36 seconds East, along said line, a distance of 131.64 feet; thence continuing along said line, Northeasterly along a curve to the Left, being tangent to the last described course, having a radius of 1909.86 feet, an arc distance of 151.58 feet to the North line of the Southeast Quarter of said Section 14; thence South 89 degrees 39 minutes 49 seconds East along said line, a distance of 472.64 feet, to the Point of Beginning. Said Tract contains 20.23 Acres, more or less.

EXHIBIT B

Legal Description of the Property Addition

PROPERTY DESCRIPTION:

All that part of the Southwest Quarter of Section 13, Township 52, Range 33, and all that part of the Southeast Quarter of Section 14, Township 52, Range 33, in the City of Kansas City, Clay County, Missouri, described as follows: Commencing at the Northwest Corner of the Southwest Quarter of said Section 13 also being the Northeast Corner of the Southeast Quarter of said Section 14; thence South 00 degrees 10 minutes 32 seconds West, along the West line of the Southwest Quarter of said Section 13, also being the East line of the Southeast Quarter of said Section 14, a distance of 275.16 feet to the Southerly line of Woodland Creek Second Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence continuing along said line, North 90 degrees 00 minutes 00 seconds East, a distance of 96.81 feet to the Point of Beginning of the tract of land herein to be described; thence continuing along said line, South 36 degrees 17 minutes 22 Seconds East, a distance of 86.95 feet; thence continuing along said line, South 65 degrees 11 minutes 24 seconds East, a distance of 88.63 feet; thence continuing along said line, South 78 degrees 47 minutes 43 seconds East, a distance of 34.32 feet; thence continuing along said line, South 20 degrees 55 minutes 56 seconds East, a distance of 91.24 feet; thence continuing along said line, South 31 degrees 27 minutes 59 seconds East, a distance of 94.16 feet; thence continuing along said line, South 42 degrees 29 minutes 37 seconds East, a distance of 94.14 feet; thence continuing along said line, South 54 degrees 24 minutes 10 seconds East, a distance of 105.52 feet; thence continuing along said line, South 62 degrees 23 minutes 47 seconds East, a distance of 50.00 feet; thence continuing along said line, South 65 degrees 28 minutes 46 seconds East, a distance of 60.52 feet; thence continuing along said line, South 77 degrees 26 minutes 51 seconds East, a distance of 199.27 feet; thence continuing along said line, South 66 degrees 43 minutes 44 seconds East, a distance of 76.85 feet; thence continuing along said line South 59 degrees 37 minutes 00 seconds East, a distance of 119.56 feet; thence continuing along said line, South 78 degrees 03 minutes 10 seconds East, a distance of 75.55 feet to the Westerly Right of Way line of North Virginia Avenue; thence South 11 degrees 56 minutes 50 seconds West, along said Right of Way line, a distance of 32.38 feet; thence continuing along said Right of Way line, Southerly along a curve to the right, being tangent to the last described course, having a radius of 500.00 feet, an arc distance of 46.45 feet; thence continuing along the Southerly line of said Woodland Creek Second Plat, South 72 degrees 43 minutes 48 seconds East, a distance of 50.00 feet to the Easterly Right of Way line of said North Virginia Avenue; thence continuing along the Southerly line of said Woodland Creek Second Plat, South 78 degrees 52 minutes 48 seconds East, a distance of 110.65 feet to the Westerly Right of Way line of North Lydia Avenue; thence Southerly along a curve to the left having an initial tangent bearing of South 01 degree 04 minutes 57 seconds East, a radius of 336.00 feet an arc distance of 77.56 feet; thence South 34 degrees 37 minutes 49 seconds West, a distance of 236.51 feet; thence South 49 degrees 47 minutes 53 seconds West, a distance of 145.60 feet; thence North 41 degrees 05 minutes 54 seconds West, a distance of 129.62 feet; thence North 36 degrees 07 minutes 22 seconds West, a distance of 50.00 feet; thence North 53 degrees 52 minutes 38 seconds East, a distance of 13.51 feet; thence North 36 degrees 07 minutes 22 seconds West, a distance of 83.22 feet; thence North 31 degrees 27 minutes 36 seconds East, a distance of 21.22 feet; thence North 62 degrees 20 minutes 21 seconds West, a distance of 134.67 feet; thence North 78 degrees 20 minutes 49 seconds West, a distance of 161.42 feet; thence South 16 degrees 16 minutes 21 seconds West, a distance of 143.15 feet; thence North 82 degrees 31 minutes 30 seconds West, a distance of 198.52 feet; thence Northerly along a curve to the right having an initial tangent bearing of North 07 degrees 28 minutes 30 seconds East, a radius of 425.00 feet, an arc distance of 4.11 feet; thence North 81 degrees 58 minutes 15 seconds West, a distance of 136.72 feet; thence North 62 degrees 29 minute 15 seconds West, a distance of 168.21 feet, to Tract 1, of said WOODLAND CREEK SECOND PLAT, thence continuing along said Tract, North 00 degrees 10 minutes 32 seconds East, a distance of 53.78 feet; thence continuing along said Tract, North 53 degrees 50 minutes 42 seconds West, a distance of 100.00 feet; thence continuing along said Tract, North 35 degrees 10 minutes 38 seconds West, a distance of 108.87 feet; thence continuing along said Tract, North 01 degrees 15 minutes 39 seconds East, a distance of 116.41 feet; thence continuing along said Tract, North 75 degree 51 minutes 27 seconds West, a distance of 43.44 feet; thence continuing along said Tract, South 42 degrees 05 minutes 55 seconds West, a distance of 245.28 feet; thence continuing along said Tract, South 12 degrees 11 minutes 36 seconds West, a distance of 233.62 feet; thence North 77 degrees 48 minutes 24 seconds West, a distance of 303.85 feet; thence North 12 degrees 11 minutes 36 seconds East, a distance of 806.30 feet, to the the Southerly line of Tract A, of Said WOODLAND CREEK SECOND PLAT, thence along said line North 90 degrees 00 minutes 00 seconds East, a distance of 622.51 feet to the Point of Beginning. Said tract contains 22.74 acres more or less.

Recorded in Clay County, Missouri

Recording Date/Time: 05/20/2022 at 09:55:23 AM
Instr #: 2022016903
Book: 9370 Page: 141
Type: SUB
Pages: 4
Fee: $33.00 S 20220014904

Katee Porter
Recorder of Deeds

RECORDING COVER SHEET

DOCUMENT TITLE: Subordination of Deed of Trust

DOCUMENT DATE: 4-28-2022

GRANTOR: Spyglass Development Company LLC

GRANTEE: Nodaway Valley Bank

Grantee Mailing Address:
(if applicable)

LEGAL DESCRIPTION: See Attached sheet

REFERENCE BOOK & PAGE: 2020018640, Book 8700, Page 56
(if applicable)

RL-ROBSE Fkels Whetc 9055 genizie 2100C5
4510 Belleview Ave
Ste 300
KCMO 64111

4

SUBORDINATION OF DEED OF TRUST

(PARTIAL – CORPORATION)

This Subordination of deed of trust Witnesseth, that Nodaway Valley Bank, a corporation organized and existing under the laws of the State of Missouri, having its principal place of business in Buchanan County, Missouri, as owner and holder of the note evidencing the debt secured by the Deed of Trust executed by Spyglass Development Company, L.L.C., dated and recorded in the office of the Recorder of Deeds for Clay County, Missouri, as Document No. 2020018640, in Book 8700 at Page 56, for value received does hereby subordinate the lien and effect of said Deed of Trust to the easements and building lines and lot lines as shown on the property therein described on the plat of Woodland Creek Third Plat recorded as Document NO. _____, in Book I 170, at Page 3. Provided, however, that this subordination shall not prejudice the lien of said Deed of Trust on the remaining property therein described.

IN WITTNESS WHEREOF, these presents have been executed under the seal of said corporation, pursuant to due authority, this 28th day of April 2022.

(SEAL)

NODAWAY VALLEY BANK CORPORATE SEAL MARYVILLE, MO STATE OF MISSOURI

By Kelly Parkhurst
(Executive Vice President)

In the State of Missouri, County of Platte, on this 28th day of April, 2022, before the undersigned, a Notary Public, in and for said County and State, personally appeared Kelly Parkhurst to me personally known, who being by me duly sworn did say that he is Executive Vice President of the corporation named in the foregoing subordination, and that the seal thereto affixed is the corporate seal of the corporation and that said deed of release was signed and sealed in behalf of said corporation by authority of its Board of Directors and said Kelly Parkhurst acknowledged said instrument to be the free act and deed of said corporation. Witness my hand and seal subscribed and affixed in said County and State, the day and year above written.

Ryan Stewart
Notary Public

RYAN STEWART My Commission Expires October 24, 2024 Commission #06970590 Clay County NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI

My Commission expires 10-24-2024.

EXHIBIT "A"

PROPERTY DESCRIPTION:

All that part of the Southwest Quarter of Section 13, Township 52, Range 33, and all that part of the Southeast Quarter of Section 14, Township 52, Range 33, in the City of Kansas City, Clay County, Missouri, described as follows: Commencing at the Northwest Corner of the Southwest Quarter of said Section 13 also being the Northeast Corner of the Southeast Quarter of said Section 14; thence South 00 degrees 10 minutes 32 seconds West, along the West line of the Southwest Quarter of said Section 13, also being the East line of the Southeast Quarter of said Section 14, a distance of 275.16 feet to the Southerly line of Woodland Creek Second Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence continuing along said line, North 90 degrees 00 minutes 00 seconds East, a distance of 96.81 feet to the Point of Beginning of the tract of land herein to be described; thence continuing along said line, South 36 degrees 17 minutes 22 Seconds East, a distance of 86.95 feet; thence continuing along said line, South 65 degrees 11 minutes 24 seconds East, a distance of 88.63 feet; thence continuing along said line, South 78 degrees 47 minutes 43 seconds East, a distance of 34.32 feet; thence continuing along said line, South 20 degrees 55 minutes 56 seconds East, a distance of 91.24 feet; thence continuing along said line, South 31 degrees 27 minutes 59 seconds East, a distance of 94.16 feet; thence continuing along said line, South 42 degrees 29 minutes 37 seconds East, a distance of 94.14 feet; thence continuing along said line, South 54 degrees 24 minutes 10 seconds East, a distance of 105.52 feet; thence continuing along said line, South 62 degrees 23 minutes 47 seconds East, a distance of 50.00 feet; thence continuing along said line, South 65 degrees 28 minutes 46 seconds East, a distance of 60.52 feet; thence continuing along said line, South 77 degrees 26 minutes 51 seconds East, a distance of 199.27 feet; thence continuing along said line, South 66 degrees 43 minutes 44 seconds East, a distance of 76.85 feet; thence continuing along said line South 59 degrees 37 minutes 00 seconds East, a distance of 119.56 feet; thence continuing along said line, South 78 degrees 03 minutes 10 seconds East, a distance of 75.55 feet to the Westerly Right of Way line of North Virginia Avenue; thence South 11 degrees 56 minutes 50 seconds West, along said Right of Way line, a distance of 32.38 feet; thence continuing along said Right of Way line, Southerly along a curve to the right, being tangent to the last described course, having a radius of 500.00 feet, an arc distance of 46.45 feet; thence continuing along the Southerly line of said Woodland Creek Second Plat, South 72 degrees 43 minutes 48 seconds East, a distance of 50.00 feet to the Easterly Right of Way line of said North Virginia Avenue; thence continuing along the Southerly line of said Woodland Creek Second Plat, South 78 degrees 52 minutes 48 seconds East, a distance of 110.65 feet to the Westerly Right of Way line of North Lydia Avenue; thence Southerly along a curve to the left having an initial tangent bearing of South 01 degree 04 minutes 57 seconds East, a radius of 336.00 feet an arc distance of 77.56 feet; thence South 34 degrees 37 minutes 49 seconds West, a distance of 236.51 feet; thence South 49 degrees 47 minutes 53 seconds West, a distance of 145.60 feet; thence North 41 degrees 05 minutes 54 seconds West, a distance of 129.62 feet; thence North 36 degrees 07 minutes 22 seconds West, a distance of 50.00 feet; thence North 53 degrees 52 minutes 38 seconds East, a distance of 13.51 feet; thence North 36 degrees 07 minutes 22 seconds West, a distance of 83.22 feet; thence North 31 degrees 27 minutes 36 seconds East, a distance of 21.22 feet; thence North 62 degrees 20 minutes 21 seconds West, a distance of 134.67 feet; thence North 78 degrees 20 minutes 49 seconds West, a distance of 161.42 feet; thence South 16 degrees 16 minutes 21 seconds West, a distance of 143.15 feet; thence North 82

degrees 31 minutes 30 seconds West, a distance of 198.52 feet; thence Northerly along a curve to the right having an initial tangent bearing of North 07 degrees 28 minutes 30 seconds East, a radius of 425.00 feet, an arc distance of 4.11 feet; thence North 81 degrees 58 minutes 15 seconds West, a distance of 136.72 feet; thence North 62 degrees 29 minute 15 seconds West, a distance of 168.21 feet, to Tract 1, of said WOODLAND CREEK SECOND PLAT, thence continuing along said Tract, North 00 degrees 10 minutes 32 seconds East, a distance of 53.78 feet; thence continuing along said Tract, North 53 degrees 50 minutes 42 seconds West, a distance of 100.00 feet; thence continuing along said Tract, North 35 degrees 10 minutes 38 seconds West, a distance of 108.87 feet; thence continuing along said Tract, North 01 degrees 15 minutes 39 seconds East, a distance of 116.41 feet; thence continuing along said Tract, North 75 degree 51 minutes 27 seconds West, a distance of 43.44 feet; thence continuing along said Tract, South 42 degrees 05 minutes 55 seconds West, a distance of 245.28 feet; thence continuing along said Tract, South 12 degrees 11 minutes 36 seconds West, a distance of 233.62 feet; thence North 77 degrees 48 minutes 24 seconds West, a distance of 303.85 feet; thence North 12 degrees 11 minutes 36 seconds East, a distance of 806.30 feet, to the the Southerly line of Tract A, of Said WOODLAND CREEK SECOND PLAT, thence along said line North 90 degrees 00 minutes 00 seconds East, a distance of 622.51 feet to the Point of Beginning. Said tract contains 22.74 acres more or less.

Recorded in Clay County, Missouri
Recording Date/Time: 05/20/2022 at 09:55:23 AM
Instr #: 2022016904
Book: 9370 Page: 142
Type: REST
Pages: 12
Fee: $57.00 S 20220014904
Katee Porter
Recorder of Deeds

[*Above Space Reserved for Recorder of Deeds*]

Document Title:	Covenant to Maintain Storm Water Detention Facility (Woodland Creek 3rd Plat)
Date of Document:	
Grantor Name:	Spyglass Development, L.L.C.
Grantee Name:	Kansas City, Missouri
Statutory Address:	414 East 12th Street Kansas City, MO 64106
Legal Description:	See Exhibit A, pages ___
Reference Book and Page:	N/A

{34234 / 71636; 953689.3 }

SAME

12

COVENANT TO MAINTAIN STORM WATER DETENTION FACILITY AND BMPs
PLAT OF WOODLAND CREEK, THIRD PLAT

THIS COVENANT made and entered into this 4 day of ~~April,~~ May 2022, by and between Kansas City, Missouri, a constitutionally chartered Municipal corporation (City), and **Spyglass Development, L.L.C., a Missouri Limited Liability Company** (Developer).

WHEREAS, Developer has an interest in certain real estate generally located south of N.E. 123rd Street, on both sides of N. Virginia Avenue (12210 N. Virginia Avenue), in Kansas City, **Clay** Missouri, **(Property)** more specifically described in Exhibit "A" attached hereto and incorporated herein by reference; and

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

WHEREAS, Developer intends to subdivide the Property and create pursuant to the Plat Lots 117 through 153 and Tracts G, H and I, as shown on Exhibit "B" attached hereto.

WHEREAS, the improvements proposed by Developer on the Property warrant storm water control to serve Lots 117 through 153, Woodland Creek Third Plat; and

WHEREAS, the storm water detention facilities to serve the Plat are located on Tract "1" of Woodland Creek Second Plat and Developer of this Plat is also the Developer of Woodland Creek Second Plat ("Second Plat"). Tract 1 is legally described as "Tract 1, Woodland Creek Second Plat, a subdivision of land lying in Kansas City, Platte County, Missouri. Tract 1 is shown on Exhibit "B" attached hereto and incorporated herein by reference; and

WHEREAS, the City and Developer 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;

WHEREAS, the Developer of the Second Plat executed a Covenant to Maintain Storm Water Detention Facility for Woodland Creek Second Plat ("First Covenant") and in this First Covenant agreed at its cost to:

a. Be responsible for the maintenance, repair and replacement if necessary of the storm water detention facilities and appurtenances ("Facilities") within the storm water detention facilities located on Tract "1", Woodland Creek Second Plat.
b. Maintain the pipes, structures, grounds, and appurtenances for the Facilities located on Tract "1", Woodland Creek Second 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. Mowing the grass area within Tract "1", Woodland Creek Second Plat.

f. Maintain the grades within Tract "1", Woodland Creek Second Plat pursuant to the approved plan on file in the office of the Director of Public Works and identified as File No. 2017-035.

g. Obtain all necessary improvement and repair permits prior to performing any work on the Facilities.

This First Covenant was recorded in the Platte County Recorder's Office on February 18, 2020 as Instrument #2020005118, Book 8608, Page 112.

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

Sec. 1. Through the execution of the First Covenant, City was granted the right, but was not obligated to enter upon Tract "1", Woodland Creek Second Plat in order to maintain the Facilities including the pipes, structures, grounds, and appurtenances if Developer fails to maintain same. In addition to the rights granted to the City in the First Covenant, City may also (a) charge the costs for such maintenance against the Developer or the owners of Lots 117 through 153, Woodland Creek Third Plat, served by the Facility on Tract "1", Woodland Creek Second Plat; (b) assess a lien on either Tract "1", Woodland Creek Second Plat as provided in the First Covenant or on the Lots 117 through 153, Woodland Creek Third Plat or both served by the Facility on Tract "1", Woodland Creek Second Plat and (c) maintain suit against the Developer and/or owners of Lots 117 through 153, Woodland Creek Third Plat served by the Facility on Tract "1", Woodland Creek Second Plat for the unpaid cost of such maintenance. Unless necessitated by a threat to life and/or safety, City shall notify the Developer and/or the then current owners of Lots 117 through 153, Woodland Creek Third Plat not less than thirty (30) days before it begins maintenance of the Facilities.

Sec. 2. Developer shall not use nor attempt to use Tract "1", Woodland Creek Second Plat 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. 3. This Covenant shall run with the land legally described in Exhibit "A." Developer shall remain liable under the terms of this Covenant unless and until Developer assigns its rights and obligations to a third party and such assignment is accepted by the City.

Sec. 4. 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. 5. 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

Notice to Developer shall be addressed to:

Spyglass Development L.L.C.
Attention: Scott Laderoute, Managing Member
6024 NW 169 Highway
St. Joseph, Missouri 64505
816-232-1333 (fax)

With copies to:

Patricia R. Jensen, Esq.
Rouse Frets White Goss Gentile Rhodes P.C.
4510 Belleview; Suite 300
Kansas City, MO 64111
816-753-9201 (fax)

Sec. 6. This Agreement shall not be amended, modified, canceled or abrogated without the prior written consent of the City.

Sec. 7. 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. 8. This Agreement shall be construed and enforced in accordance with the laws of the State of Missouri.

Sec. 9. Upon the effective date of this Covenant, the City shall file this Covenant in the Office for recording real estate documents in Clay County, Missouri, and shall be binding on Developer, its successors, assigns and transferees.

Sec. 10. Developer 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 Developer 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: _____

City's Director of City Planning & Development

Approved as to form:

Assistant City Attorney

STATE OF MISSOURI)
) SS
COUNTY OF Jackson)

BE IT REMEMBERED that on this 4th day of ~~April~~ May, 2022, before me, the undersigned, a notary public in and for the county and state aforesaid, came Jeffrey Williams, Director of the Department of City Planning and Development of the City 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 the City 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 - Notary Seal
Jackson County - State of Missouri
Commission Number 20379718
My Commission Expires Jan 26, 2024

Howard Steven Rice Sr.
Notary Public

My Commission Expires: January 26, 2024

DEVELOPER:

SPYGLASS DEVELOPMENT, L.L.C.
a Missouri Limited Liability Corporation

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

By: Scott Laderoute
Scott Laderoute
Title: Managing Manager
Date: 4/25/22
Check one: ( ) Sole Proprietor
( ) Partnership
( ) Corporation
(X) Limited Liability Company (LLC)

STATE OF Missouri)
) ss.
COUNTY OF Platte)

On this 25th day of April, ~~2003~~ 2022, before me appeared Scott Laderouote, to me personally know, who, being by me duly sworn, did say that he is the Managing Member of **Spyglass Development, L.L.C.,** a limited liability company of the State of Missouri, and that said instrument was signed in behalf of said limited liability company, by authority of its members, and he acknowledged said instrument to be the free act and deed of said limited liability company.

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

Dana Collins
Notary Public within and for said County and State

My term expires: 07-10-23

DANA COLLINS
Notary Public - Notary Seal
STATE OF MISSOURI
Comm. Number 15113537
Platte County
My Commission Expires: July 10, 2023

EXHIBIT "A"

PROPERTY DESCRIPTION:

All that part of the Southwest Quarter of Section 13, Township 52, Range 33, and all that part of the Southeast Quarter of Section 14, Township 52, Range 33, in the City of Kansas City, Clay County, Missouri, described as follows: Commencing at the Northwest Corner of the Southwest Quarter of said Section 13 also being the Northeast Corner of the Southeast Quarter of said Section 14; thence South 00 degrees 10 minutes 32 seconds West, along the West line of the Southwest Quarter of said Section 13, also being the East line of the Southeast Quarter of said Section 14, a distance of 275.16 feet to the Southerly line of Woodland Creek Second Plat, a subdivision of land in Kansas City, Clay County, Missouri; thence continuing along said line, North 90 degrees 00 minutes 00 seconds East, a distance of 96.81 feet to the Point of Beginning of the tract of land herein to be described; thence continuing along said line, South 36 degrees 17 minutes 22 Seconds East, a distance of 86.95 feet; thence continuing along said line, South 65 degrees 11 minutes 24 seconds East, a distance of 88.63 feet; thence continuing along said line, South 78 degrees 47 minutes 43 seconds East, a distance of 34.32 feet; thence continuing along said line, South 20 degrees 55 minutes 56 seconds East, a distance of 91.24 feet; thence continuing along said line, South 31 degrees 27 minutes 59 seconds East, a distance of 94.16 feet; thence continuing along said line, South 42 degrees 29 minutes 37 seconds East, a distance of 94.14 feet; thence continuing along said line, South 54 degrees 24 minutes 10 seconds East, a distance of 105.52 feet; thence continuing along said line, South 62 degrees 23 minutes 47 seconds East, a distance of 50.00 feet; thence continuing along said line, South 65 degrees 28 minutes 46 seconds East, a distance of 60.52 feet; thence continuing along said line, South 77 degrees 26 minutes 51 seconds East, a distance of 199.27 feet; thence continuing along said line, South 66 degrees 43 minutes 44 seconds East, a distance of 76.85 feet; thence continuing along said line South 59 degrees 37 minutes 00 seconds East, a distance of 119.56 feet; thence continuing along said line, South 78 degrees 03 minutes 10 seconds East, a distance of 75.55 feet to the Westerly Right of Way line of North Virginia Avenue; thence South 11 degrees 56 minutes 50 seconds West, along said Right of Way line, a distance of 32.38 feet; thence continuing along said Right of Way line, Southerly along a curve to the right, being tangent to the last described course, having a radius of 500.00 feet, an arc distance of 46.45 feet; thence continuing along the Southerly line of said Woodland Creek Second Plat, South 72 degrees 43 minutes 48 seconds East, a distance of 50.00 feet to the Easterly Right of Way line of said North Virginia Avenue; thence continuing along the Southerly line of said Woodland Creek Second Plat, South 78 degrees 52 minutes 48 seconds East, a distance of 110.65 feet to the Westerly Right of Way line of North Lydia Avenue; thence Southerly along a curve to the left having an initial tangent bearing of South 01 degree 04 minutes 57 seconds East, a radius of 336.00 feet an arc distance of 77.56 feet; thence South 34 degrees 37 minutes 49 seconds West, a distance of 236.51 feet; thence South 49 degrees 47 minutes 53 seconds West, a distance of 145.60 feet; thence North 41 degrees 05 minutes 54 seconds West, a distance of 129.62 feet; thence North 36 degrees 07 minutes 22 seconds West, a distance of 50.00 feet; thence North 53 degrees 52 minutes 38 seconds East, a distance of 13.51 feet; thence North 36 degrees 07 minutes 22 seconds West, a distance of 83.22 feet; thence North 31 degrees 27 minutes 36 seconds East, a distance of 21.22 feet; thence North 62 degrees 20 minutes 21 seconds West, a distance of 134.67 feet; thence North 78 degrees 20 minutes 49 seconds West, a distance of 161.42 feet; thence South 16 degrees 16 minutes 21 seconds West, a distance of 143.15 feet; thence North 82

degrees 31 minutes 30 seconds West, a distance of 198.52 feet; thence Northerly along a curve to the right having an initial tangent bearing of North 07 degrees 28 minutes 30 seconds East, a radius of 425.00 feet, an arc distance of 4.11 feet; thence North 81 degrees 58 minutes 15 seconds West, a distance of 136.72 feet; thence North 62 degrees 29 minute 15 seconds West, a distance of 168.21 feet, to Tract 1, of said WOODLAND CREEK SECOND PLAT, thence continuing along said Tract, North 00 degrees 10 minutes 32 seconds East, a distance of 53.78 feet; thence continuing along said Tract, North 53 degrees 50 minutes 42 seconds West, a distance of 100.00 feet; thence continuing along said Tract, North 35 degrees 10 minutes 38 seconds West, a distance of 108.87 feet; thence continuing along said Tract, North 01 degrees 15 minutes 39 seconds East, a distance of 116.41 feet; thence continuing along said Tract, North 75 degree 51 minutes 27 seconds West, a distance of 43.44 feet; thence continuing along said Tract, South 42 degrees 05 minutes 55 seconds West, a distance of 245.28 feet; thence continuing along said Tract, South 12 degrees 11 minutes 36 seconds West, a distance of 233.62 feet; thence North 77 degrees 48 minutes 24 seconds West, a distance of 303.85 feet; thence North 12 degrees 11 minutes 36 seconds East, a distance of 806.30 feet, to the the Southerly line of Tract A, of Said WOODLAND CREEK SECOND PLAT, thence along said line North 90 degrees 00 minutes 00 seconds East, a distance of 622.51 feet to the Point of Beginning. Said tract contains 22.74 acres more or less.

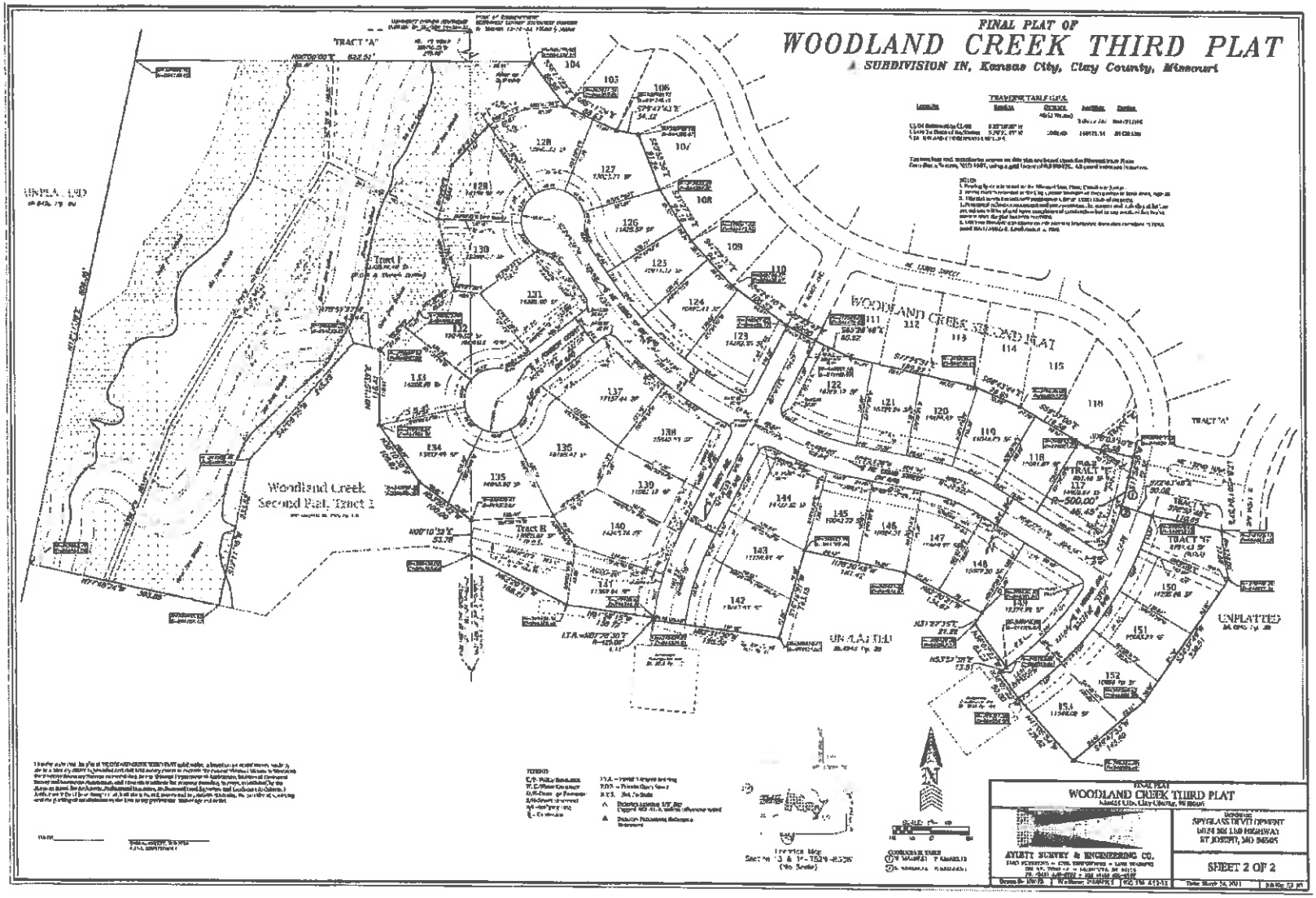
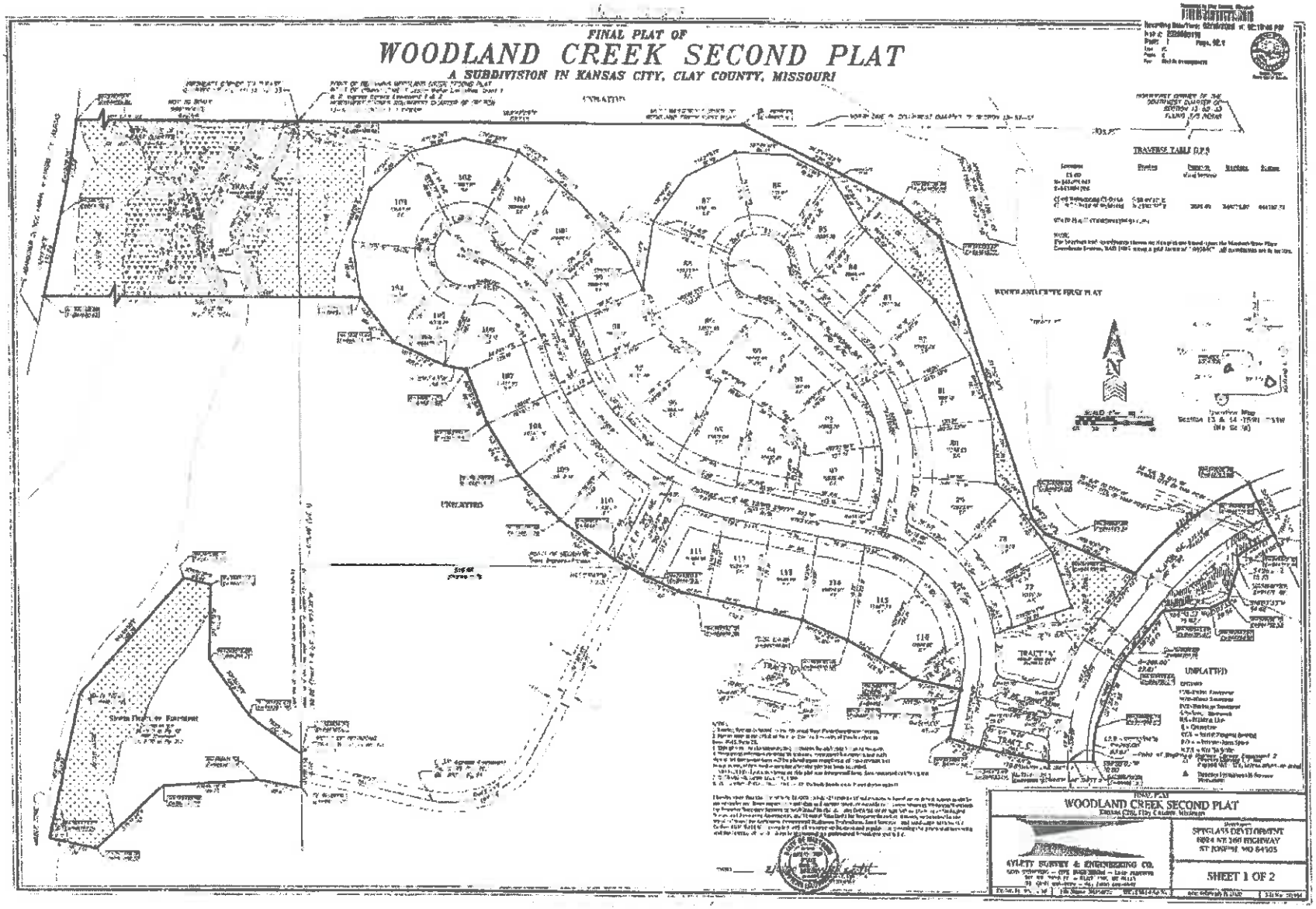

FINAL PLAT OF
WOODLAND CREEK THIRD PLAT
A SUBDIVISION IN, Kansas City, Clay County, Missouri
WOODLAND CREEK SECOND PLAT
Woodland Creek
Second Plat, Tract 1
Tract I
Tract II
TRACT "A"
TRACT "B"
TRACT "C"
UNPLATTED
WOODLAND CREEK THIRD PLAT
SPYGLASS DEVELOPMENT
AYLETT SURVEY & ENGINEERING CO.
SHEET 2 OF 2

EXHIBIT "B"
(See Attached)


FINAL PLAT OF
WOODLAND CREEK SECOND PLAT
A SUBDIVISION IN KANSAS CITY, CLAY COUNTY, MISSOURI
UNPLATTED
TRACT 'A'
TRACT 'B'
TRACT 'C'
FINAL PLAT
WOODLAND CREEK SECOND PLAT
SPIEGLAS DEVELOPMENT
SHEET 1 OF 2

PROPERTY DESCRIPTION- TRACT 1

All that part of the Southeast Quarter of Section 14, Township 52, Range 33, Kansas City, Clay County, Missouri, described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 14: thence South 00 degrees 10 minutes 32 seconds West along the East line of the Southeast Quarter of said Section 14, a distance of 992.08 feet, to the Point of Beginning of the tract of land herein to be described; thence continuing South 00 degrees 10 minutes 32 seconds West, a distance of 53.78 feet; thence North 79 degrees 19 minutes 27 seconds West, a distance of 68.98 feet; thence South 86 degrees 06 minutes 06 seconds West, a distance of 149.78 feet; thence South 46 degrees 41 minutes 28 seconds West, a distance of 145.83 feet; thence North 77 degrees 48 minutes 24 seconds West, a distance of 75.00 feet; thence North 12 degrees 11 minutes 36 seconds East, a distance of 233.62 feet; thence North 42 degrees 05 minutes 55 seconds East, a distance of 245 28 feet; thence South 75 degrees 51 minutes 27 seconds East, a distance of 43.44 feet; thence South 01 degrees 15 minutes 39 seconds West, a distance of 116.41 feet; thence south 35 degrees 10 minutes 38 seconds East, a distance of 108.87 feet; thence South 53 degrees 50 minutes 42 seconds East, a distance of 100.00 feet, to the Point of Beginning.