

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

12/15/2022 2:35 PM

NON-STANDARD FEE: EXEMPT FEE: \$69.00 4 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2022E0110022

Book: Page:

Diana Smith, Recorder of Deeds

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

This page has been recorded as a permanent part of your document. Please do not remove.



File #: 220437

ORDINANCE NO. 220437

Approving the plat of Prospect Summit Homes, an addition in Jackson County, Missouri, on approximately 2.478 acres generally located at the south of E. 22nd/E. 23rd Street, North of E. 23rd Street bounded by Olive Street to the West and Prospect Avenue to the East, creating 1 lot and 2 tracts for the purpose of a 23 unit multi-family development; accepting various easements;; 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-2019-00018)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Prospect Summit Homes, a subdivision in Jackson 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 Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Storm Water Detention Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

Section 4. 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 5. 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 Jackson County, Missouri.

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on April 19, 2022.

Approved as to form and legality:


Euard Alegre
Associate City Attorney



Authenticated as Passed



Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

MAY 19 2022

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, November 13, 2022

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

12/15/2022 2:35 PM

NON-STANDARD FEE: EXEMPT FEE: \$66.00 23 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2022E0110023

Book: 207 Page: 66

Diana Smith, Recorder of Deeds

Jackson County
Recorder of Deeds
Exempt Document

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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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Tax Certificate

415 E 12th Street
Kansas City, MO 64106
Taxpayer Services: (816) 881-3232
Business Taxes: (816) 881-3186

INSTRUCTIONS TO TAXPAYER

- 1. Have Part I of this Tax Certificate completed by the GIS Department.
2. Take to Taxpayer Services at either the Kansas City or Independence Courthouse. They will complete Parts II and III.
3. You cannot record your plat until these steps are completed.

PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-07-00-0-00-000
GIS Staff: Vincent Brice
Years: 2020 - 2022
Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

Return to GIS Department if unable to follow payment history back three (3) years. Attach document if paid. Attach bill if taxes due.

Table with 4 columns: YEAR, AMOUNT DUE, DATE PAID, VERIFIED BY. Rows for years 2020, 2021, and 2022, all with 0.00 amount due and verified by Altha Young.

PART III: TO BE COMPLETED BY AUTHORIZED COLLECTION DEPARTMENT SUPERVISOR

(This is to certify that, according to the records of the Collection Department, the State, County, and School Taxes for Real Property have been paid in full for 2020-2022 and all prior years for the above described property.)

Date: 9/26/2022 Supervisor: Altha Young



Tax Certificate

415 E 12th Street
Kansas City, MO 64106
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Business Taxes: (816) 881-3186

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-08-00-0-00-000
GIS Staff: Vincent Brice
Years: 2020 - 2022
Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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Date: 9/26/2022 Supervisor: Altha Young



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-09-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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YEAR	AMOUNT DUE	DATE PAID	VERIFIED BY
2020	0.00		Altha Young
2021	0.00		Altha Young
2022	0.00		Altha Young

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-10-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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Date: 9/26/2022

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Tax Certificate

415 E 12th Street

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-11-00-0-00-000

Years: 2020 - 2022

GIS Staff: Vincent Brice

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

Return to GIS Department if unable to follow payment history back three (3) years. Attach document if paid. Attach bill if taxes due.

YEAR	AMOUNT DUE	DATE PAID	VERIFIED BY
2020			
2021			
2022			

PART III: TO BE COMPLETED BY AUTHORIZED COLLECTION DEPARTMENT SUPERVISOR

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Date: _____

Supervisor: _____



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-12-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

Return to GIS Department if unable to follow payment history back three (3) years. Attach document if paid. Attach bill if taxes due.

YEAR	AMOUNT DUE	DATE PAID	VERIFIED BY
2020	0.00		Altha Young
2021	0.00		Altha Young
2022	0.00		Altha Young

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-13-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-14-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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YEAR	AMOUNT DUE	DATE PAID	VERIFIED BY
2020	0.00		Altha Young
2021	0.00		Altha Young
2022	0.00		Altha Young

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

Division of Finance – Collection Department

Jackson County, MO

415 E 12th Street
Kansas City, MO 64106
Taxpayer Services: (816) 881-3232
Business Taxes: (816) 881-3186

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-15-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-18-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022
Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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YEAR	AMOUNT DUE	DATE PAID	VERIFIED BY
2020	0.00		Altha Young
2021	0.00		Altha Young
2022	0.00		Altha Young

PART III: TO BE COMPLETED BY AUTHORIZED COLLECTION DEPARTMENT SUPERVISOR

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-19-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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YEAR	AMOUNT DUE	DATE PAID	VERIFIED BY
2020	0.00		Altha Young
2021	0.00		Altha Young
2020	0.00		Altha Young

PART III: TO BE COMPLETED BY AUTHORIZED COLLECTION DEPARTMENT SUPERVISOR

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

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Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-20-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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YEAR	AMOUNT DUE	DATE PAID	VERIFIED BY
2020	0.00		Altha Young
2021	0.00		Altha Young
2022	0.00		Altha Young

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-21-00-0-00-000
GIS Staff: Vincent Brice
Years: 2020 - 2022
Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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(This is to certify that, according to the records of the Collection Department, the State, County, and School Taxes for Real Property have been paid in full for 2020-2022 and all prior years for the above described property.)

Date: 9/28/2022 Supervisor: Altha Young



Tax Certificate

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Kansas City, MO 64106
Taxpayer Services: (816) 881-3232
Business Taxes: (816) 881-3186

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-22-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-23-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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YEAR	AMOUNT DUE	DATE PAID	VERIFIED BY
2020	0.00		Altha Young
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2022	0.00		Altha Young

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-24-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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YEAR	AMOUNT DUE	DATE PAID	VERIFIED BY
2020	0.00		Altha Young
2021	0.00		Altha Young
2022	0.00		Altha Young

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Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-25-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

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Kansas City, MO 64106
Taxpayer Services: (816) 881-3232
Business Taxes: (816) 881-3186

INSTRUCTIONS TO TAXPAYER

- 1. Have Part I of this Tax Certificate completed by the GIS Department.
2. Take to Taxpayer Services at either the Kansas City or Independence Courthouse. They will complete Parts II and III.
3. You cannot record your plat until these steps are completed.

PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-26-00-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

Return to GIS Department if unable to follow payment history back three (3) years. Attach document if paid. Attach bill if taxes due.

Table with 4 columns: YEAR, AMOUNT DUE, DATE PAID, VERIFIED BY. Rows for years 2020, 2021, and 2022, all with 0.00 amount due and verified by Altha Young.

PART III: TO BE COMPLETED BY AUTHORIZED COLLECTION DEPARTMENT SUPERVISOR

(This is to certify that, according to the records of the Collection Department, the State, County, and School Taxes for Real Property have been paid in full for 2020-2022 and all prior years for the above described property.)

Date: 9/26/2022

Supervisor: Altha Young



Tax Certificate

415 E 12th Street
Kansas City, MO 64106
Taxpayer Services: (816) 881-3232
Business Taxes: (816) 881-3186

INSTRUCTIONS TO TAXPAYER

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PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-27-01-0-00-000

GIS Staff: Vincent Brice

Years: 2020 - 2022

Date: 09/21/2022

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Date: 9/26/2022

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Tax Certificate

415 E 12th Street
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- 1. Have Part I of this Tax Certificate completed by the GIS Department.
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3. You cannot record your plat until these steps are completed.

PART I: TO BE COMPLETED BY GIS DEPARTMENT

Use ONE form for each parcel number

Legal Description: (RTS or Sub)

PROSPECT SUMMIT HOMES

Current Parcel ID: 29-610-35-27-02-0-00-000
GIS Staff: Vincent Brice
Years: 2020 - 2022
Date: 09/21/2022

PART II: TO BE COMPLETED BY COLLECTION DEPARTMENT

Return to GIS Department if unable to follow payment history back three (3) years. Attach document if paid. Attach bill if taxes due.

Table with 4 columns: YEAR, AMOUNT DUE, DATE PAID, VERIFIED BY. Rows for years 2020, 2021, and 2022, all with 0.00 amount due and verified by Altha Young.

PART III: TO BE COMPLETED BY AUTHORIZED COLLECTION DEPARTMENT SUPERVISOR

(This is to certify that, according to the records of the Collection Department, the State, County, and School Taxes for Real Property have been paid in full for 2020-2022 and all prior years for the above described property.)

Date: 9/26/2022 Supervisor: Altha Young

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

12/15/2022 2:35 PM

FEE: \$54.00

12 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2022E0110024

Book: Page:

Diana Smith, Recorder of Deeds

OPY

COVENANT TO MAINTAIN STORM WATER DETENTION FACILITY PLAT OF PROSPECT SUMMIT HOMES

THIS COVENANT made and entered into this 29 day of ~~September~~ ^{NOVEMBER}, 2022, by and between **KANSAS CITY, MISSOURI**, a constitutionally chartered municipal corporation (the "**City**"), **TALIAFERRO & BROWNE REAL ESTATE – 22nd/23rd STREET, LLC**, a Missouri limited liability company ("**Owner 1**"), **TALIAFERRO & BROWNE 22nd/23rd STREET, LLC**, a Missouri limited liability company ("**Owner 2**"), and **GRAHAM-ANDEBRHAN, LLC**, a Missouri limited liability company ("**Owner 3**") (collectively, Owner 1, Owner 2, and Owner 3 are the "**Owner**").

Recitals

WHEREAS, Owner owns certain real estate generally located at 2226 Prospect Avenue in Kansas City, of Jackson County, Missouri (the "**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 Prospect Summit Homes, 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 Lot 1 and Tracts A and B, as shown on Exhibit "B" attached hereto.

WHEREAS, the improvement proposed by Owner on the Property warrant storm water control to serve Lot 1 and requires preservation and maintenance of storm water detention facilities, located on Tract A within the Plat, in order to ensure continuous and perpetual operation and effectiveness in controlling storm water runoff rates, volumes, and quality; and

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 on Tract A owned by Owner 3; 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 (the "**Facilities**") within the storm water detention facilities located on of Tract A.
- b. Maintain the pipes, structures, grounds, and appurtenances for the Facilities located on Tract A.
- 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.
- f. Maintain the grades within Tract A, pursuant to the approved plan on file in the office of the Director of City Planning & Development and identified as File No. _____ . *[leave blank]*
- g. 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 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 Lot 1 served by the Facility on Tract A;
- b. Assess a lien on either Tract A or on Lot 1, or both, served by the Facility on Tract A;
- c. Maintain suit against Owner and/or the owners of Lot 1 served by the Facility on Tract A for all cost incurred by the City for such maintenance.

Unless necessitated by a threat to life and/or safety, City shall notify Owner or the-then current owner of Lot 1, and the then-current owner of Tract A, not less than thirty (30) days before City begins maintenance of the Facilities.

Sec. 3. Owner and/or the Owner 3 or the-then owner of Tract A 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." 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:

Taliaferro & Browne Real Estate – 22nd/23rd Street, LLC
1020 E 8th Street
Kansas City, MO 64106
Attention: Leonard Graham, Member
Fax number: (816) 283-0810

Notices to Owner 3 shall be addressed to:

Graham-Andebrhan, LLC, a Missouri limited liability company
1020 E 8th Street
Kansas City, MO 64106
Attention: Hagos E. Andebrhan, Member
Fax number: (816) 283-0810

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 Jackson County, 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:

KANSAS CITY, MISSOURI

City Clerk

By: *Jeffrey Williams*
Director of City Planning and Development

Approved as to form:

Earl
Assistant City Attorney

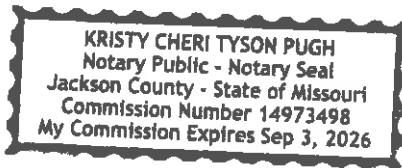
STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

BE IT REMEMBERED that on this 29 day of ^{November} ~~September~~, 2022, before me, the undersigned, a notary public in and for the county and state aforesaid, came *Jeffrey Williams*, 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 Summers*, *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.

Kristy Cheri Tyson Pugh
Notary Public

My Commission Expires:



OWNER 1:

**TALIAFERRO & BROWNE REAL ESTATE -
22ND/23 STREET LLC,**
a Missouri limited liability company

By: [Signature]
Print Name: Leonard J. Graham
Title: Member

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

By: [Signature]
Title: Member
Date: September 9, 2022

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

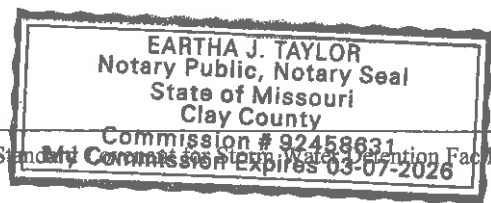
STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

BE IT REMEMBERED, that on the 9th day of September, 2022, before me, the undersigned notary public in and for the county and state aforesaid, came Leonard Graham, to me personally known, who being by me duly sworn did say that he is the member of Taliaferro & Browne Real Estate – 22nd/23rd Street, LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said LLC by authority of its members and acknowledged said instrument to be the free act and deed of said LLC.

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

Eartha J. Taylor
Notary Public

My commission expires:



OWNER 2:

**TALIAFERRO & BROWNE 22ND/23 STREET
LLC,**
a Missouri limited liability company

By: [Signature]
Print Name: Leonard J. Graham
Title: Member

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

By: [Signature]
Title: Member
Date: September 9, 2022

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

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

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

[Signature]
Notary Public

My commission expires:



OWNER 3:

GRAHAM ANDEBRHAN LLC

By: [Signature]
Print Name: Hagos E. Andebrhan
Title: Member

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

By: [Signature]
Title: Member
Date: September 9, 2022

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

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

BE IT REMEMBERED, that on the 9th day of September, 2022, before me, the undersigned notary public in and for the county and state aforesaid, came Hagos E. Andebrhan, to me personally known, who being by me duly sworn did say that he is the member of Graham Andebrhan LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said LLC by authority of its members and acknowledged said instrument to be the free act and deed of said LLC.

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

[Signature: Eartha J. Taylor]
Notary Public

My commission expires:

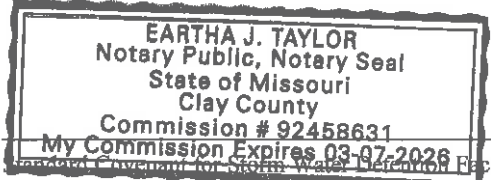


EXHIBIT "A"

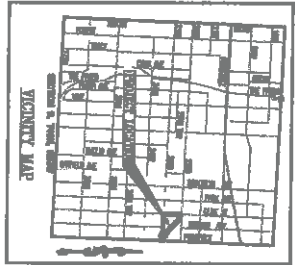
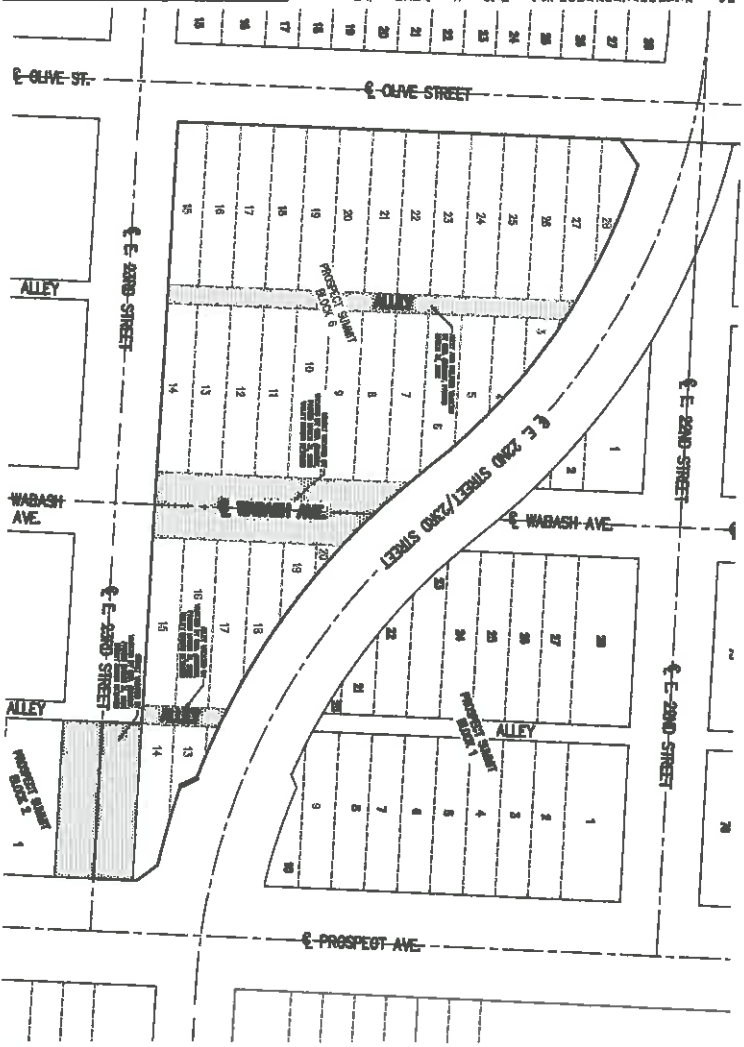
Property Legal Description

ALL OF LOTS 2 THRU 28, BLOCK 6, AND LOTS 12 THRU 20, BLOCK 1, AND THE ALLEYS LOCATED WITHIN SAID BLOCKS AND THAT PORTION OF WABASH AVENUE LYING BETWEEN SAID BLOCKS, ALL IN PROSPECT SUMMIT, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI, LYING SOUTHERLY OF THE RIGHT-OF-WAY DEDICATED AND ESTABLISHED FOR STREET PURPOSES IN ORDINANCE NO. 150405 ADOPTED BY THE CITY COUNCIL ON JUNE 4, 2015, AND RECORDED IN THE OFFICIAL RECORDS OF THE JACKSON COUNTY RECORDER OF DEEDS ON JULY 14, 2015, AS INSTRUMENT NO. 2015E0062124, ALL BEING DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, SAID BLOCK 6; THENCE N02°03'43"E, ALONG THE WEST LINE OF SAID BLOCK 6, 336.49 FEET, TO THE SOUTHERLY LINE OF SAID RIGHT-OF-WAY; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING COURSES: N54°28'35"E 23.77 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ON A CURVE TO THE RIGHT, WITH AN INITIAL TANGENT BEARING OF S73°06'31"E, A RADIUS OF 467.50 FEET, A CENTRAL ANGLE OF 34°54'14", AN ARC DISTANCE OF 284.79 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ON A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED CURVE, WITH A RADIUS OF 532.50 FEET, A CENTRAL ANGLE OF 31°52'55", AN ARC DISTANCE OF 296.31 FEET; THENCE S25°57'01"E 13.52 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ON A CURVE TO THE LEFT, WITH AN INITIAL TANGENT BEARING OF S71°06'44"E, WITH A RADIUS OF 542.00 FEET, A CENTRAL ANGLE OF 06°37'08", AN ARC DISTANCE OF 62.61 FEET; THENCE S37°41'32"E 19.30 FEET, TO THE WEST RIGHT-OF-WAY LINE OF PROSPECT AVENUE; THENCE S02°20'00"W, ALONG SAID WEST RIGHT-OF-WAY LINE, 33.54, TO THE CENTERLINE OF 23RD STREET, THENCE N87°18'22"W, ALONG SAID CENTERLINE, 119.38 FEET, THENCE N02°19'15"E, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID 23RD STREET; THENCE N87°18'22"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 459.16 FEET TO THE POINT OF BEGINNING, CONTAINING, 107,938 SQUARE FEET OR 2.478 ACRES, BEING SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY OR RESTRICTIONS OF RECORD.

EXHIBIT "B"

Plat

FINAL PLAN OF PROSPECT SUMMIT HOMES A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI SECTION 9 TOWNSHIP 49 NORTH, RANGE 33 WEST



	EASEMENT
	UTILITY EASEMENT
	RIGHT OF WAY
	BOUNDARY
	LOT BOUNDARY
	STREET RIGHT OF WAY
	ALLEY RIGHT OF WAY
	EASEMENT
	UTILITY EASEMENT
	RIGHT OF WAY
	BOUNDARY
	LOT BOUNDARY
	STREET RIGHT OF WAY
	ALLEY RIGHT OF WAY

PLAT REVISION: No changes have been made to the original plan of this subdivision. The original plan of this subdivision was filed for record in the office of the Recorder of Deeds, Jackson County, Missouri, on the 15th day of August, 1958, and the same was duly recorded in Book 10, Page 100 of the records of the Recorder of Deeds, Jackson County, Missouri.

RIGHT OF EASEMENTS: The right of easement for utility lines, including electric, gas, telephone, and cable television lines, is hereby granted to the utility companies named herein, and the same shall be subject to the terms and conditions set forth herein.

EASEMENT DEDICATION: The easement for utility lines, including electric, gas, telephone, and cable television lines, is hereby dedicated to the utility companies named herein, and the same shall be subject to the terms and conditions set forth herein.

MAINTENANCE OF TRACTS: The owner of each lot in this subdivision shall be responsible for the maintenance and repair of the same, and the same shall be subject to the terms and conditions set forth herein.

PRIVATE OPEN SPACE: The area between the lots in this subdivision shall be reserved for private open space, and the same shall be subject to the terms and conditions set forth herein.

PAYMENT IN LIEU OF LAND DEDICATION: The dedication of the land in this subdivision shall be subject to the terms and conditions set forth herein.

DEVELOPER: TAMMERRID & BROTHER, INC., JACKSON COUNTY, MISSOURI.

SECTION 9 TOWNSHIP 49 NORTH, RANGE 33 WEST

LOT 1: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 2: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 3: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 4: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 5: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 6: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 7: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 8: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 9: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 10: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 11: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 12: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 13: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 14: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 15: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 16: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 17: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 18: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 19: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 20: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 21: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 22: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 23: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 24: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 25: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 26: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 27: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 28: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 29: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

LOT 30: The area bounded by the north line of Olive St, the east line of Wash Ave, the south line of Prospect Ave, and the west line of the alley, containing 1/4 acre, more or less.

TAMMERRID & BROTHER, INC.
 ENGINEERS AND ARCHITECTS
 1000 E. 10th Street, Kansas City, Mo. 64106
 474-1200

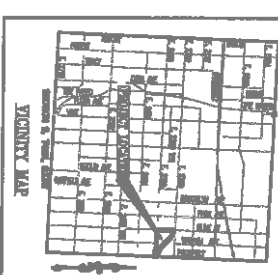
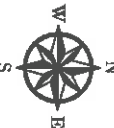
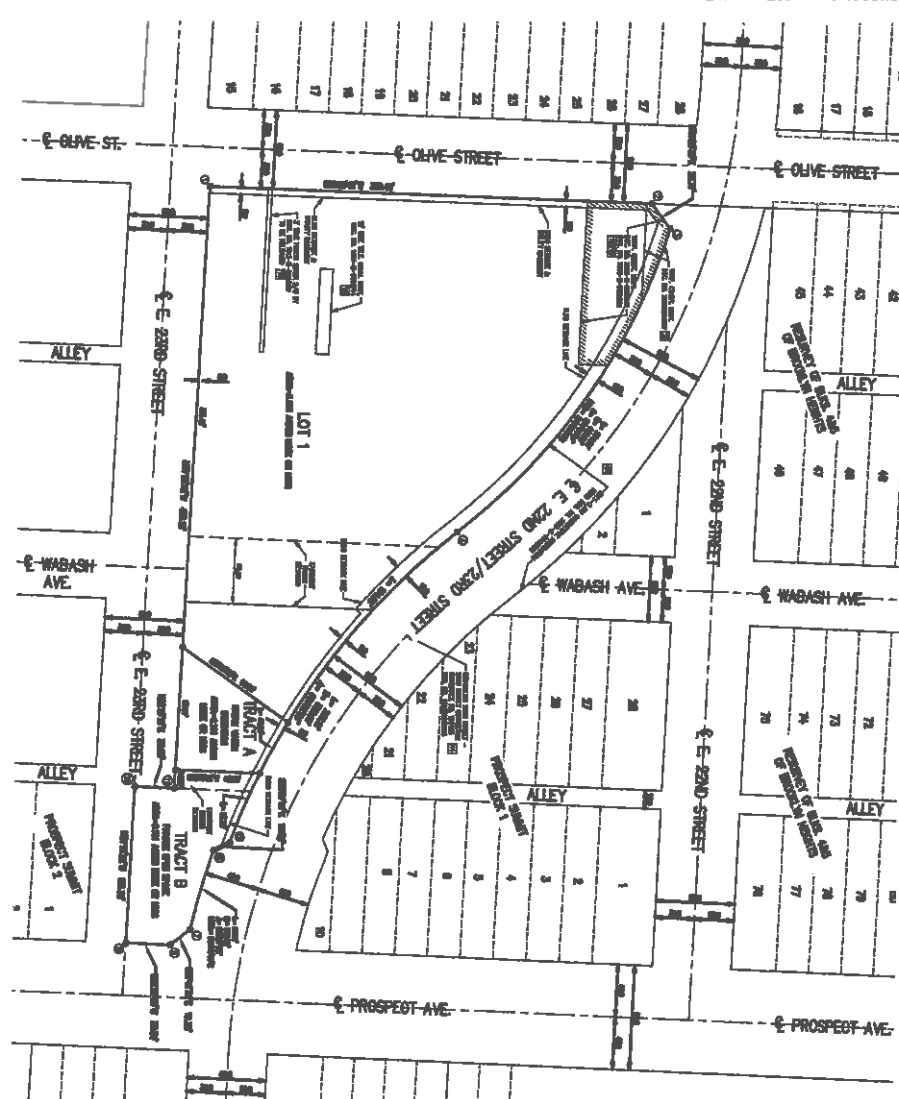
PLAT 1 OF 2

PROSPECT DESCRIPTION:

ALL OF THE FINAL PLAT OF THE PROSPECT, TO BE KNOWN AS THE FINAL PLAT OF THE PROSPECT, IS A SUBDIVISION OF LAND IN THE CITY OF JACKSON, MISSOURI, IN THE COUNTY OF JACKSON, MISSOURI, IN THE SEVENTH RANGE OF TOWNSHIP NORTH AND THE NINTH RANGE OF RANGE WEST OF THE SIXTH PRINCIPAL MERIDIAN. THE TOTAL AREA OF THE PROSPECT IS 20.00 ACRES, MORE OR LESS. THE PROSPECT IS BOUND BY OLIVE STREET TO THE NORTH, PROSPECT AVENUE TO THE SOUTH, WABASH AVENUE TO THE WEST, AND ALLEYS TO THE EAST. THE PROSPECT IS SUBDIVIDED INTO 100 LOTS, AS SHOWN ON THE ATTACHED MAP. THE LOTS ARE NUMBERED 1 THROUGH 100. THE PROSPECT IS BEING OFFERED FOR SALE IN ACCORDANCE WITH THE TERMS OF A SUBDIVISION AGREEMENT ENTERED INTO BETWEEN THE SUBDIVIDER AND THE CITY OF JACKSON, MISSOURI, ON THE 15TH DAY OF MARCH, 1900. THE TERMS OF THE AGREEMENT ARE AS FOLLOWS:

1. The subdivider shall retain the right to purchase the lots at the price named in the prospect description at any time within the period of five years from the date of the execution of the agreement.
2. The subdivider shall retain the right to purchase the lots at the price named in the prospect description at any time within the period of five years from the date of the execution of the agreement, if the lots have not been sold by that time.
3. The subdivider shall retain the right to purchase the lots at the price named in the prospect description at any time within the period of five years from the date of the execution of the agreement, if the lots have not been sold by that time, and if the subdivider has not exercised its option to purchase the lots by that time.
4. The subdivider shall retain the right to purchase the lots at the price named in the prospect description at any time within the period of five years from the date of the execution of the agreement, if the lots have not been sold by that time, and if the subdivider has not exercised its option to purchase the lots by that time, and if the subdivider has not exercised its option to purchase the lots by that time.
5. The subdivider shall retain the right to purchase the lots at the price named in the prospect description at any time within the period of five years from the date of the execution of the agreement, if the lots have not been sold by that time, and if the subdivider has not exercised its option to purchase the lots by that time, and if the subdivider has not exercised its option to purchase the lots by that time.

FINAL PLAT OF
PROSPECT SUMMIT HOMES
 A SUBDIVISION IN JACKSON CITY, JACKSON COUNTY, MISSOURI
 SECTION 9 TOWNSHIP 49 NORTH, RANGE 33 WEST



RECORDING COMMENSURE SERIES OF FINAL PLAT

PLAT NO.	DATE	RECORDING OFFICE
1	1900	JACKSON
2	1900	JACKSON
3	1900	JACKSON
4	1900	JACKSON
5	1900	JACKSON
6	1900	JACKSON
7	1900	JACKSON
8	1900	JACKSON
9	1900	JACKSON
10	1900	JACKSON

STREET GRADINGS & TRIBUT-OF-WAY

STREET	CON. NO.	DATE
E. OLIVE ST.	10000	JAN 4, 1900
E. WABASH AVE.	10000	JAN 4, 1900
E. PROSPECT AVE.	10000	JAN 4, 1900
ALLEY	10000	JAN 4, 1900

THE CITY OF JACKSON, MISSOURI, HAS REVIEWED THIS FINAL PLAT OF THE PROSPECT AND HAS APPROVED THE SAME. THE CITY ENGINEER HAS REVIEWED THE MAP AND HAS APPROVED THE SAME. THE CITY ENGINEER HAS REVIEWED THE MAP AND HAS APPROVED THE SAME. THE CITY ENGINEER HAS REVIEWED THE MAP AND HAS APPROVED THE SAME. THE CITY ENGINEER HAS REVIEWED THE MAP AND HAS APPROVED THE SAME.

ZAVIAFRERO & BROWN, INC.
 CONSULTING ENGINEERS-GEODETISTS
 1001 N. 9th Street, Jackson, Mo. 64501
 816-426-4200 FAX 816-426-4210

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

12/15/2022 2:35 PM

FEE: \$54.00 12 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2022E0110024

Book: Page:
Diana Smith, Recorder of Deeds

COVENANT TO MAINTAIN STORM WATER DETENTION FACILITY PLAT OF PROSPECT SUMMIT HOMES

THIS COVENANT made and entered into this 29 day of ~~September~~ ^{NOVEMBER}, 2022, by and between **KANSAS CITY, MISSOURI**, a constitutionally chartered municipal corporation (the “City”), **TALIAFERRO & BROWNE REAL ESTATE – 22nd/23rd STREET, LLC**, a Missouri limited liability company (“Owner 1”), **TALIAFERRO & BROWNE 22nd/23rd STREET, LLC**, a Missouri limited liability company (“Owner 2”), and **GRAHAM-ANDEBRHAN, LLC**, a Missouri limited liability company (“Owner 3”) (collectively, Owner 1, Owner 2, and Owner 3 are the “Owner”).

Recitals

WHEREAS, Owner owns certain real estate generally located at 2226 Prospect Avenue in Kansas City, of Jackson County, Missouri (the “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 Prospect Summit Homes, 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 Lot 1 and Tracts A and B, as shown on Exhibit “B” attached hereto.

WHEREAS, the improvement proposed by Owner on the Property warrant storm water control to serve Lot 1 and requires preservation and maintenance of storm water detention facilities, located on Tract A within the Plat, in order to ensure continuous and perpetual operation and effectiveness in controlling storm water runoff rates, volumes, and quality; and

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 on Tract A owned by Owner 3; 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 (the “**Facilities**”) within the storm water detention facilities located on of Tract A.
- b. Maintain the pipes, structures, grounds, and appurtenances for the Facilities located on Tract A.
- 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.
- f. Maintain the grades within Tract A, pursuant to the approved plan on file in the office of the Director of City Planning & Development and identified as File No. _____ . *[leave blank]*
- g. 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 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 Lot 1 served by the Facility on Tract A;
- b. Assess a lien on either Tract A or on Lot 1, or both, served by the Facility on Tract A;
- c. Maintain suit against Owner and/or the owners of Lot 1 served by the Facility on Tract A for all cost incurred by the City for such maintenance.

Unless necessitated by a threat to life and/or safety, City shall notify Owner or the-then current owner of Lot 1, and the then-current owner of Tract A, not less than thirty (30) days before City begins maintenance of the Facilities.

Sec. 3. Owner and/or the Owner 3 or the-then owner of Tract A 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." 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:

Taliaferro & Browne Real Estate – 22nd/23rd Street, LLC
1020 E 8th Street
Kansas City, MO 64106
Attention: Leonard Graham, Member
Fax number: (816) 283-0810

Notices to Owner 3 shall be addressed to:

Graham-Andebrhan, LLC, a Missouri limited liability company
1020 E 8th Street
Kansas City, MO 64106
Attention: Hagos E. Andebrhan, Member
Fax number: (816) 283-0810

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 Jackson County, 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:

KANSAS CITY, MISSOURI



City Clerk

By: 

Director of City Planning and Development

Approved as to form:



Assistant City Attorney

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

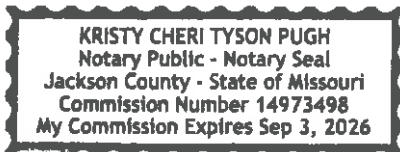
BE IT REMEMBERED that on this ^{November} 29 day of September, 2022, before me, the undersigned, a notary public in and for the county and state aforesaid, came Jay Williams, Director of City Planning and Development, of Kansas City, Missouri, a corporation duly organized, incorporated and existing under 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.



Notary Public

My Commission Expires:



OWNER 1:

**TALIAFERRO & BROWNE REAL ESTATE -
22ND/23 STREET LLC,**
a Missouri limited liability company

By: [Signature]
Print Name: Leonard V. Graham
Title: Member

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

By: [Signature]
Title: Member
Date: September 9, 2022

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

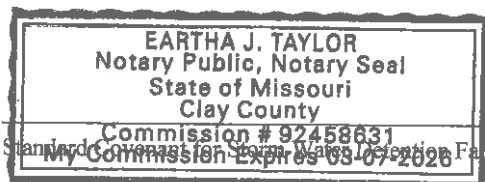
STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

BE IT REMEMBERED, that on the 9th day of September, 2022, before me, the undersigned notary public in and for the county and state aforesaid, came Leonard Graham, to me personally known, who being by me duly sworn did say that he is the member of Taliaferro & Browne Real Estate – 22nd/23rd Street, LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said LLC by authority of its members and acknowledged said instrument to be the free act and deed of said LLC.

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:



OWNER 2:

**TALIAFERRO & BROWNE 22ND/23 STREET
LLC,**
a Missouri limited liability company

By: [Signature]
Print Name: Leonard J. Graham
Title: Member

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

By: [Signature]
Title: Member
Date: September 9, 2022

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

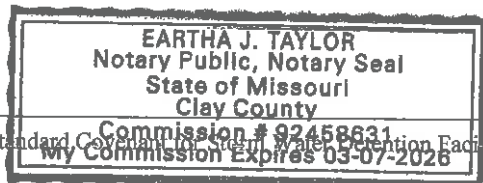
STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

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

Eartha J. Taylor
Notary Public

My commission expires:



OWNER 3:

GRAHAM ANDEBRHAN LLC

By: [Signature]
Print Name: Hagos E. Andebrhan
Title: Member

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

By: [Signature]
Title: Member
Date: September 9, 2022

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

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

BE IT REMEMBERED, that on the 9th day of September, 2022, before me, the undersigned notary public in and for the county and state aforesaid, came Hagos E. Andebrhan, to me personally known, who being by me duly sworn did say that he is the member of Graham Andebrhan LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said LLC by authority of its members and acknowledged said instrument to be the free act and deed of said LLC.

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:

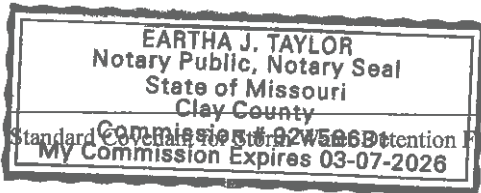


EXHIBIT "A"

Property Legal Description

ALL OF LOTS 2 THRU 28, BLOCK 6, AND LOTS 12 THRU 20, BLOCK 1, AND THE ALLEYS LOCATED WITHIN SAID BLOCKS AND THAT PORTION OF WABASH AVENUE LYING BETWEEN SAID BLOCKS, ALL IN PROSPECT SUMMIT, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI, LYING SOUTHERLY OF THE RIGHT-OF-WAY DEDICATED AND ESTABLISHED FOR STREET PURPOSES IN ORDINANCE NO. 150405 ADOPTED BY THE CITY COUNCIL ON JUNE 4, 2015, AND RECORDED IN THE OFFICIAL RECORDS OF THE JACKSON COUNTY RECORDER OF DEEDS ON JULY 14, 2015, AS INSTRUMENT NO. 2015E0062124, ALL BEING DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, SAID BLOCK 6; THENCE N02°03'43"E, ALONG THE WEST LINE OF SAID BLOCK 6, 336.49 FEET, TO THE SOUTHERLY LINE OF SAID RIGHT-OF-WAY; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING COURSES: N54°28'35"E 23.77 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ON A CURVE TO THE RIGHT, WITH AN INITIAL TANGENT BEARING OF S73°06'31"E, A RADIUS OF 467.50 FEET, A CENTRAL ANGLE OF 34°54'14", AN ARC DISTANCE OF 284.79 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ON A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED CURVE, WITH A RADIUS OF 532.50 FEET, A CENTRAL ANGLE OF 31°52'55", AN ARC DISTANCE OF 296.31 FEET; THENCE S25°57'01"E 13.52 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ON A CURVE TO THE LEFT, WITH AN INITIAL TANGENT BEARING OF S71°06'44"E, WITH A RADIUS OF 542.00 FEET, A CENTRAL ANGLE OF 06°37'08", AN ARC DISTANCE OF 62.61 FEET; THENCE S37°41'32"E 19.30 FEET, TO THE WEST RIGHT-OF-WAY LINE OF PROSPECT AVENUE; THENCE S02°20'00"W, ALONG SAID WEST RIGHT-OF-WAY LINE, 33.54, TO THE CENTERLINE OF 23RD STREET, THENCE N87°18'22"W, ALONG SAID CENTERLINE, 119.38 FEET, THENCE N02°19'15"E, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID 23RD STREET; THENCE N87°18'22"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 459.16 FEET TO THE POINT OF BEGINNING, CONTAINING, 107,938 SQUARE FEET OR 2.478 ACRES, BEING SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY OR RESTRICTIONS OF RECORD.

EXHIBIT "B"

Plat

PROSPECT DESCRIPTION:

ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

SURVEYOR'S NOTES:

1. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

2. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

3. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

4. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

5. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

6. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

7. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

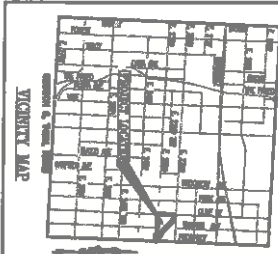
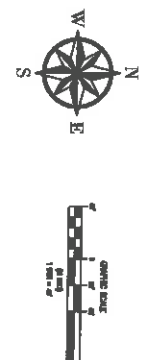
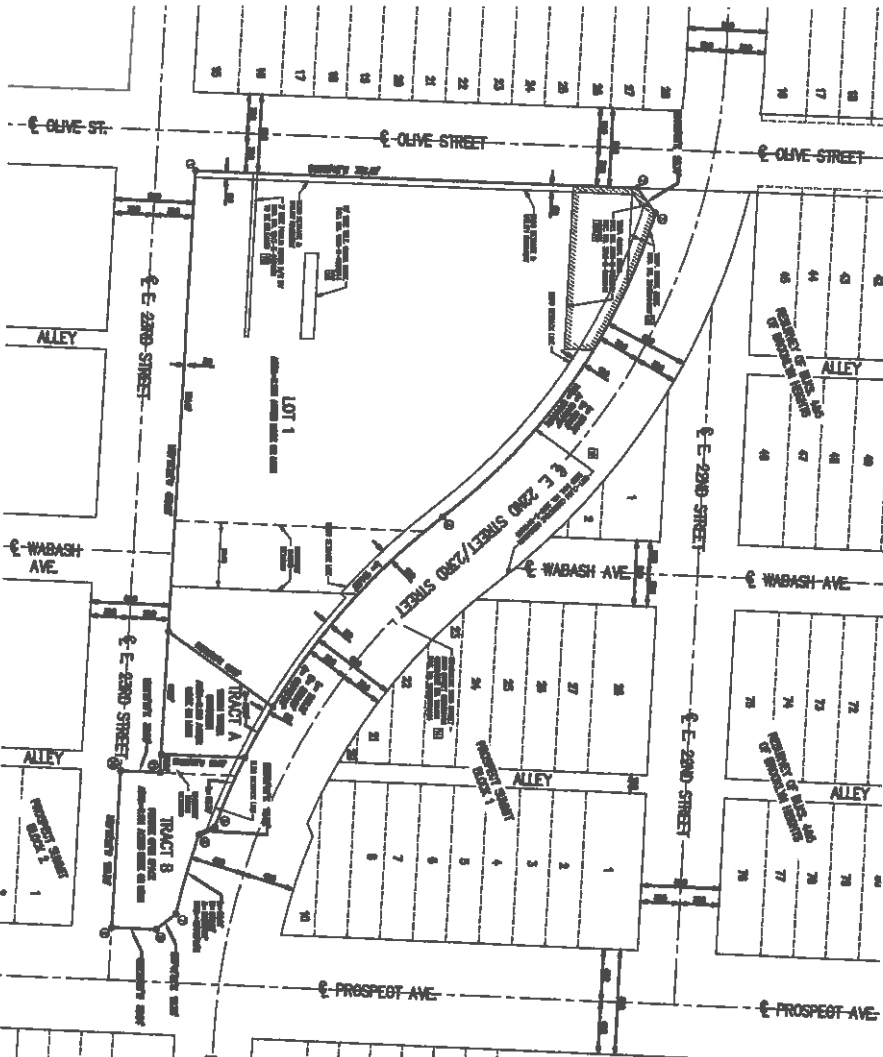
8. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

9. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

10. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES TRUE TO THE REALITY OF THE FACTS AND IS ACCURATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE KANSAS SURVEYING ACT.

FINAL PLAT OF PROSPECT SUMMIT HOMES

A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI
SECTION 9 TOWNSHIP 49 NORTH, RANGE 33 WEST



NOTE: DISTANCES AND BEARING POINTS GIVEN ON THIS PLAT ARE BASED ON THE ASSUMPTION THAT THE CURVATURE OF THE EARTH IS NEGLECTED. THIS IS A COMMON PRACTICE IN SURVEYING AND IS ACCURATE FOR DISTANCES UP TO 1000 FEET.

LINE	BEARING	DISTANCE
1	S 89° 59' 59" W	100.00
2	S 89° 59' 59" W	100.00
3	S 89° 59' 59" W	100.00
4	S 89° 59' 59" W	100.00
5	S 89° 59' 59" W	100.00
6	S 89° 59' 59" W	100.00
7	S 89° 59' 59" W	100.00
8	S 89° 59' 59" W	100.00
9	S 89° 59' 59" W	100.00
10	S 89° 59' 59" W	100.00
11	S 89° 59' 59" W	100.00

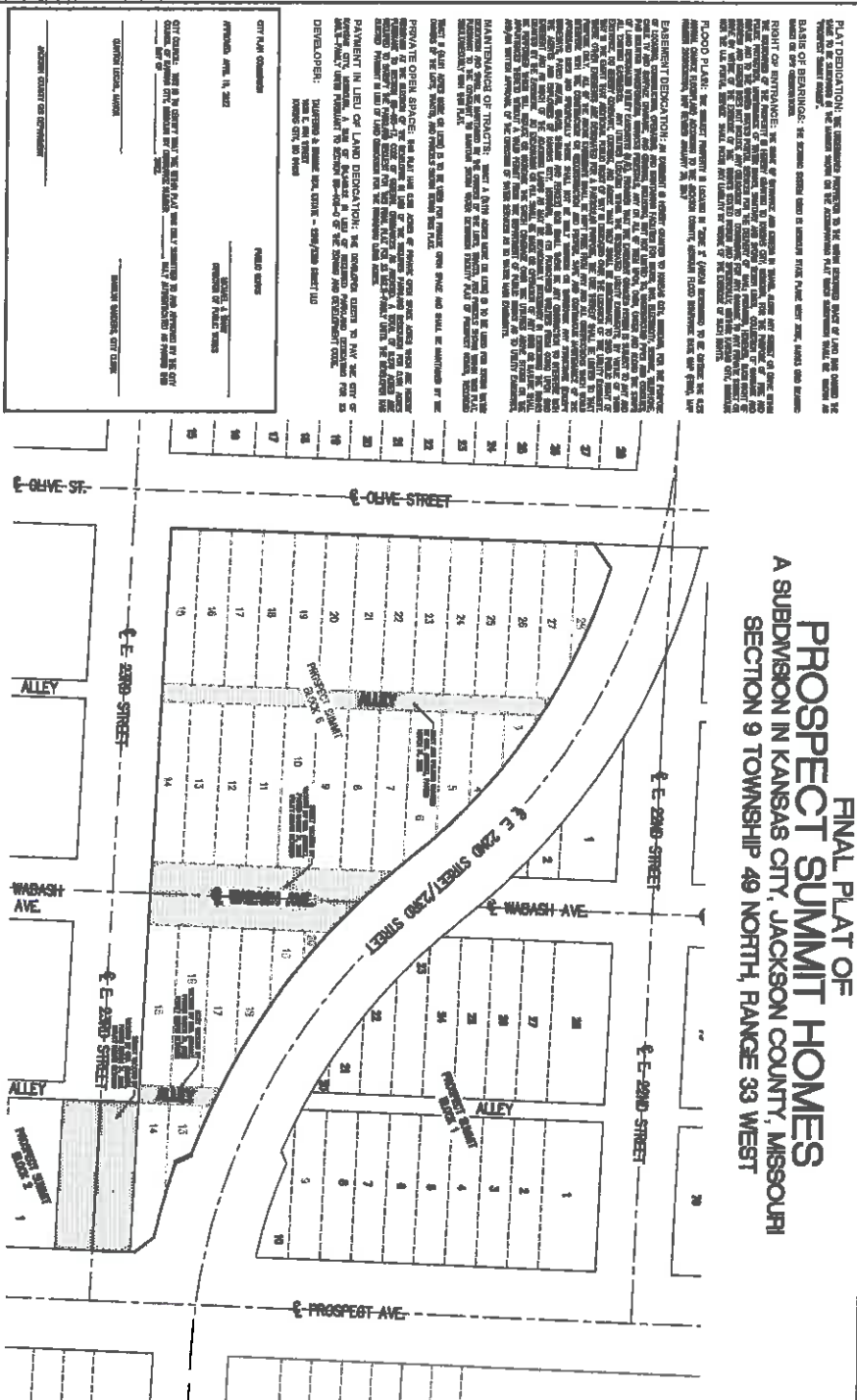
STREET	GRADUATION	RIGHT-OF-WAY
OLIVE STREET	100.00	100.00
WABASH AVENUE	100.00	100.00
PROSPECT AVENUE	100.00	100.00

TAHAFFERRO & BROWNE, INC.
CONSULTING ENGINEERS-GEODETISTS
1400 E. 95th STREET, SUITE 200, MOBILE, ALABAMA
336-944-4444 FAX 336-944-4443

SHEET 2 OF 2

FINAL PLAT OF PROSPECT SUMMIT HOMES

A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI SECTION 9 TOWNSHIP 49 NORTH, RANGE 33 WEST



PLATIFICATION: The undersigned, together with the said Commissioners of Land and Mines, the State of Missouri, and the said County of Jackson, do hereby certify that the foregoing plat of the subdivision herein shown is correct and true to the original plan or survey thereof, and that the same complies with the requirements of the Statutes of this State in that behalf made, and that the same is hereby approved and authorized to be recorded in the County Clerk's Office.

THE UNDERSIGNED, SURVEYOR: THESSALONIA A. HOOPER, REGISTERED SURVEYOR IN THE STATE OF MISSOURI, under and subject to the approval of the State Board of Surveyors, do hereby certify that the foregoing plat is correct and true to the original plan or survey thereof, and that the same complies with the requirements of the Statutes of this State in that behalf made, and that the same is hereby approved and authorized to be recorded in the County Clerk's Office.

THE UNDERSIGNED, COUNTY CLERK: JAMES W. BROWN, County Clerk of Jackson County, Missouri, do hereby certify that the foregoing plat is correct and true to the original plan or survey thereof, and that the same complies with the requirements of the Statutes of this State in that behalf made, and that the same is hereby approved and authorized to be recorded in the County Clerk's Office.

PLATIFICATION: The undersigned, together with the said Commissioners of Land and Mines, the State of Missouri, and the said County of Jackson, do hereby certify that the foregoing plat of the subdivision herein shown is correct and true to the original plan or survey thereof, and that the same complies with the requirements of the Statutes of this State in that behalf made, and that the same is hereby approved and authorized to be recorded in the County Clerk's Office.

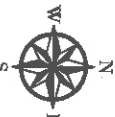
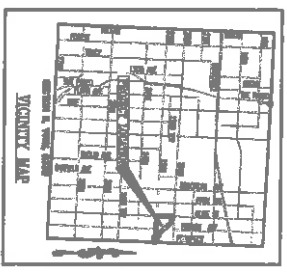
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<p>NOTICE: The plat herein shown is a preliminary plat of subdivision, and is subject to change without notice. The plat is filed for public information and is not to be construed as a guarantee of the accuracy of the information herein contained. The plat is filed for public information and is not to be construed as a guarantee of the accuracy of the information herein contained.</p> <p>THESSALONIA A. HOOPER REGISTERED SURVEYOR STATE OF MISSOURI</p> <p>JAMES W. BROWN COUNTY CLERK JACKSON COUNTY, MISSOURI</p>	<p>THESSALONIA A. HOOPER REGISTERED SURVEYOR STATE OF MISSOURI</p> <p>JAMES W. BROWN COUNTY CLERK JACKSON COUNTY, MISSOURI</p>
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THESSALONIA A. HOOPER & BROTHERS, INC.
CONSULTING ENGINEERS-SURVEYORS
615-625-4400
1015-625-4400
1015-625-4400

SHEET 1 OF 2

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

12/15/2022 2:35 PM

FEE: \$54.00 12 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2022E0110024

Book: Page:
Diana Smith, Recorder of Deeds

COVENANT TO MAINTAIN STORM WATER DETENTION FACILITY PLAT OF PROSPECT SUMMIT HOMES

THIS COVENANT made and entered into this 29 day of ~~September~~ ^{NOVEMBER}, 2022, by and between **KANSAS CITY, MISSOURI**, a constitutionally chartered municipal corporation (the “City”), **TALIAFERRO & BROWNE REAL ESTATE – 22nd/23rd STREET, LLC**, a Missouri limited liability company (“Owner 1”), **TALIAFERRO & BROWNE 22nd/23rd STREET, LLC**, a Missouri limited liability company (“Owner 2”), and **GRAHAM-ANDEBRHAN, LLC**, a Missouri limited liability company (“Owner 3”) (collectively, Owner 1, Owner 2, and Owner 3 are the “Owner”).

Recitals

WHEREAS, Owner owns certain real estate generally located at 2226 Prospect Avenue in Kansas City, of Jackson County, Missouri (the “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 Prospect Summit Homes, 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 Lot 1 and Tracts A and B, as shown on Exhibit “B” attached hereto.

WHEREAS, the improvement proposed by Owner on the Property warrant storm water control to serve Lot 1 and requires preservation and maintenance of storm water detention facilities, located on Tract A within the Plat, in order to ensure continuous and perpetual operation and effectiveness in controlling storm water runoff rates, volumes, and quality; and

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 on Tract A owned by Owner 3; 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 (the “**Facilities**”) within the storm water detention facilities located on of Tract A.
- b. Maintain the pipes, structures, grounds, and appurtenances for the Facilities located on Tract A.
- 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.
- f. Maintain the grades within Tract A, pursuant to the approved plan on file in the office of the Director of City Planning & Development and identified as File No. _____ . *[leave blank]*
- g. 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 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 Lot 1 served by the Facility on Tract A;
- b. Assess a lien on either Tract A or on Lot 1, or both, served by the Facility on Tract A;
- c. Maintain suit against Owner and/or the owners of Lot 1 served by the Facility on Tract A for all cost incurred by the City for such maintenance.

Unless necessitated by a threat to life and/or safety, City shall notify Owner or the-then current owner of Lot 1, and the then-current owner of Tract A, not less than thirty (30) days before City begins maintenance of the Facilities.

Sec. 3. Owner and/or the Owner 3 or the-then owner of Tract A 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." 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:

Taliaferro & Browne Real Estate – 22nd/23rd Street, LLC
1020 E 8th Street
Kansas City, MO 64106
Attention: Leonard Graham, Member
Fax number: (816) 283-0810

Notices to Owner 3 shall be addressed to:

Graham-Andebrhan, LLC, a Missouri limited liability company
1020 E 8th Street
Kansas City, MO 64106
Attention: Hagos E. Andebrhan, Member
Fax number: (816) 283-0810

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 Jackson County, 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: Jay Williams
Director of City Planning and Development

Approved as to form:

Assistant City Attorney



STATE OF MISSOURI

)
) SS
)

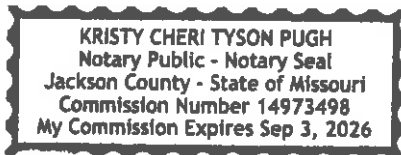
COUNTY OF JACKSON

BE IT REMEMBERED that on this 29 day of November, 2022, before me, the undersigned, a notary public in and for the county and state aforesaid, came Jay Williams, 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 Manlyat Sevelius, 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.

Kristy Cheri Tyson Pugh
Notary Public

My Commission Expires:



OWNER 1:

**TALIAFERRO & BROWNE REAL ESTATE -
22ND/23 STREET LLC,**
a Missouri limited liability company

By: [Signature]
Print Name: Leonard J. Graham
Title: Member

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

By: [Signature]
Title: Member
Date: September 9, 2022

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

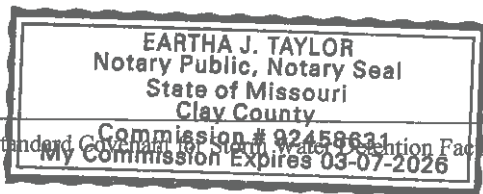
STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

BE IT REMEMBERED, that on the 9th day of September, 2022, before me, the undersigned notary public in and for the county and state aforesaid, came Leonard Graham, to me personally known, who being by me duly sworn did say that he is the member of Taliaferro & Browne Real Estate – 22nd/23rd Street, LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said LLC by authority of its members and acknowledged said instrument to be the free act and deed of said LLC.

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:



OWNER 2:

**TALIAFERRO & BROWNE 22ND/23 STREET
LLC,**
a Missouri limited liability company

By: [Signature]
Print Name: Leonard J. Graham
Title: Member

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

By: [Signature]
Title: Member
Date: September 9, 2022

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

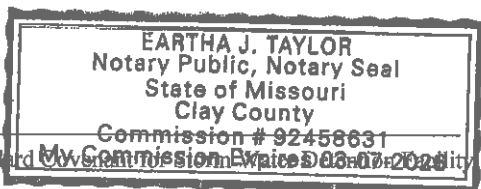
STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

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

[Signature]
Notary Public

My commission expires:



OWNER 3:

GRAHAM ANDEBRHAN LLC

By: [Signature]
Print Name: Hagos E. Andebrhan
Title: Member

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

By: [Signature]
Title: Member
Date: September 9, 2022

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

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

BE IT REMEMBERED, that on the 9th day of September, 2022, before me, the undersigned notary public in and for the county and state aforesaid, came Hagos E. Andebrhan, to me personally known, who being by me duly sworn did say that he is the member of Graham Andebrhan LLC, a Missouri limited liability company, and that said instrument was signed on behalf of said LLC by authority of its members and acknowledged said instrument to be the free act and deed of said LLC.

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:

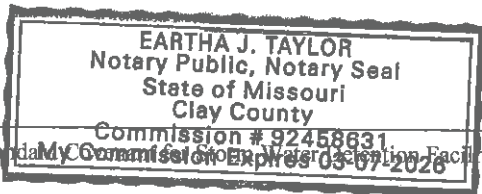


EXHIBIT "A"

Property Legal Description

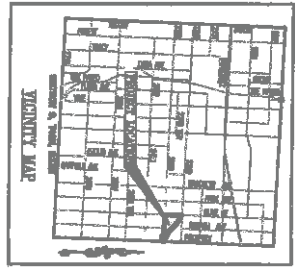
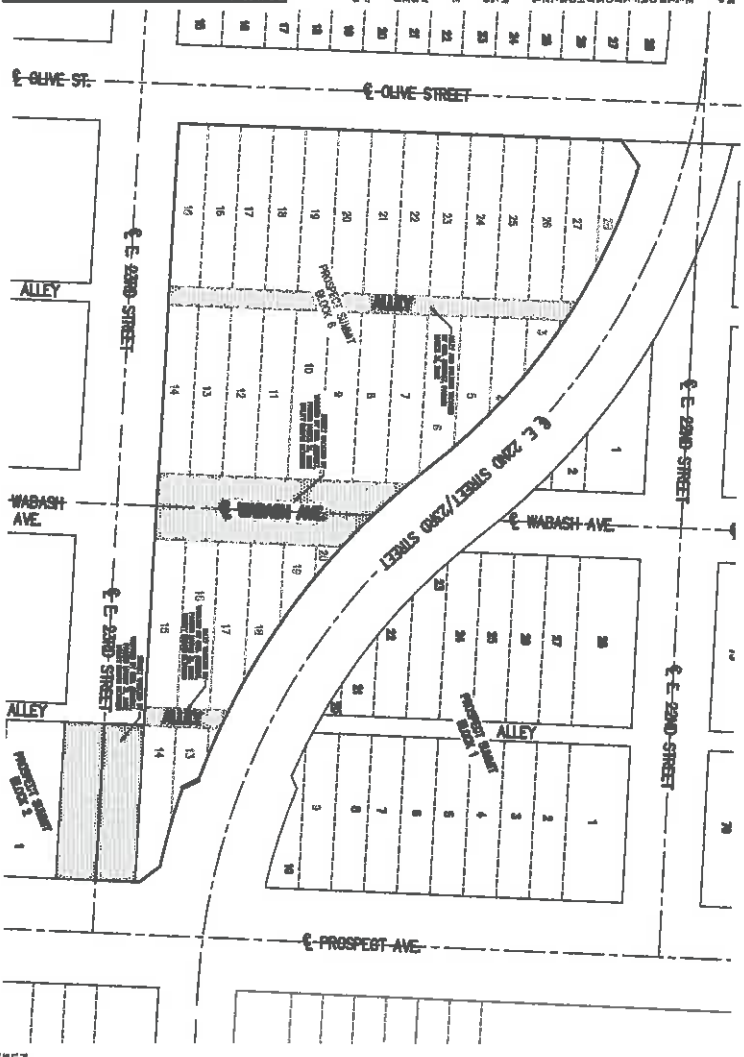
ALL OF LOTS 2 THRU 28, BLOCK 6, AND LOTS 12 THRU 20, BLOCK 1, AND THE ALLEYS LOCATED WITHIN SAID BLOCKS AND THAT PORTION OF WABASH AVENUE LYING BETWEEN SAID BLOCKS, ALL IN PROSPECT SUMMIT, A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI, LYING SOUTHERLY OF THE RIGHT-OF-WAY DEDICATED AND ESTABLISHED FOR STREET PURPOSES IN ORDINANCE NO. 150405 ADOPTED BY THE CITY COUNCIL ON JUNE 4, 2015, AND RECORDED IN THE OFFICIAL RECORDS OF THE JACKSON COUNTY RECORDER OF DEEDS ON JULY 14, 2015, AS INSTRUMENT NO. 2015E0062124, ALL BEING DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, SAID BLOCK 6; THENCE N02°03'43"E, ALONG THE WEST LINE OF SAID BLOCK 6, 336.49 FEET, TO THE SOUTHERLY LINE OF SAID RIGHT-OF-WAY; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING COURSES: N54°28'35"E 23.77 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ON A CURVE TO THE RIGHT, WITH AN INITIAL TANGENT BEARING OF S73°06'31"E, A RADIUS OF 467.50 FEET, A CENTRAL ANGLE OF 34°54'14", AN ARC DISTANCE OF 284.79 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ON A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED CURVE, WITH A RADIUS OF 532.50 FEET, A CENTRAL ANGLE OF 31°52'55", AN ARC DISTANCE OF 296.31 FEET; THENCE S25°57'01"E 13.52 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ON A CURVE TO THE LEFT, WITH AN INITIAL TANGENT BEARING OF S71°06'44"E, WITH A RADIUS OF 542.00 FEET, A CENTRAL ANGLE OF 06°37'08", AN ARC DISTANCE OF 62.61 FEET; THENCE S37°41'32"E 19.30 FEET, TO THE WEST RIGHT-OF-WAY LINE OF PROSPECT AVENUE; THENCE S02°20'00"W, ALONG SAID WEST RIGHT-OF-WAY LINE, 33.54, TO THE CENTERLINE OF 23RD STREET, THENCE N87°18'22"W, ALONG SAID CENTERLINE, 119.38 FEET, THENCE N02°19'15"E, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID 23RD STREET; THENCE N87°18'22"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 459.16 FEET TO THE POINT OF BEGINNING, CONTAINING, 107,938 SQUARE FEET OR 2.478 ACRES, BEING SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY OR RESTRICTIONS OF RECORD.

EXHIBIT "B"

Plat

FINAL PLAN OF PROSPECT SUMMIT HOMES

A SUBDIVISION IN KANSAS CITY, JACKSON COUNTY, MISSOURI SECTION 9 TOWNSHIP 49 NORTH, RANGE 33 WEST



- 1. - 20' Easement for Utility Purposes
- 2. - 10' Easement for Utility Purposes
- 3. - 5' Easement for Utility Purposes
- 4. - 2' Easement for Utility Purposes
- 5. - 1' Easement for Utility Purposes
- 6. - 6" Easement for Utility Purposes
- 7. - 4" Easement for Utility Purposes
- 8. - 3" Easement for Utility Purposes
- 9. - 2" Easement for Utility Purposes
- 10. - 1" Easement for Utility Purposes
- 11. - 1/2" Easement for Utility Purposes
- 12. - 1/4" Easement for Utility Purposes
- 13. - 1/8" Easement for Utility Purposes
- 14. - 1/16" Easement for Utility Purposes
- 15. - 1/32" Easement for Utility Purposes
- 16. - 1/64" Easement for Utility Purposes
- 17. - 1/128" Easement for Utility Purposes
- 18. - 1/256" Easement for Utility Purposes
- 19. - 1/512" Easement for Utility Purposes
- 20. - 1/1024" Easement for Utility Purposes
- 21. - 1/2048" Easement for Utility Purposes
- 22. - 1/4096" Easement for Utility Purposes
- 23. - 1/8192" Easement for Utility Purposes
- 24. - 1/16384" Easement for Utility Purposes
- 25. - 1/32768" Easement for Utility Purposes
- 26. - 1/65536" Easement for Utility Purposes
- 27. - 1/131072" Easement for Utility Purposes
- 28. - 1/262144" Easement for Utility Purposes
- 29. - 1/524288" Easement for Utility Purposes
- 30. - 1/1048576" Easement for Utility Purposes

PLAT DEDICATION: THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC THE ENTIRE TRACT OF LAND HEREIN SHOWN TO BE BOUND BY THE SECTIONS 9 TOWNSHIP 49 NORTH, RANGE 33 WEST, JACKSON COUNTY, MISSOURI, AND THE SECTIONS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 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786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 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