

Recorded in Clay County, Missouri



Recording Date/Time: 03/30/2023 at 01:14:14 PM

Instr #: 2023007017

Book: 9537 Page: 178

Type: ORD

Pages: 3

Fee: \$27.00 E 20230006087

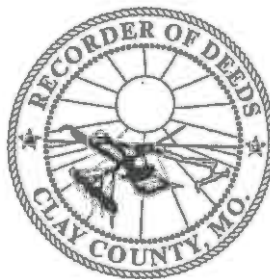


Sandra Brock
Recorder of Deeds

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.



Sandra Brock
Recorder of Deeds
Clay County Courthouse
Liberty, MO 64068



File #: 220652

ORDINANCE NO. 220652

Approving the plat of Northview Valley Third Plat, an addition in Clay County, Missouri, on approximately 30.45 acres generally located at on the east side of N. Brighton Avenue, between N.E. 92nd Street on the north and N.E. Barry Road on the south, creating 62 lots and 4 tracts for the purpose of a 62 lot single family home subdivision; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2020-00030)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Northview Valley 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 5. 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 8. 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 9. 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 10. 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 11. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on October 6, 2020.

This is to certify that General Taxes for 2022 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 [Signature]

Dated, March 28, 2023

Approved as to form and legality:

[Signature]

Eluard Alegre
Associate City Attorney



Authenticated as Passed

[Signature]
Quinton [unclear]

Marilyn Sanders, City Clerk
AUG 11 2022

Date Passed

Recorded in Clay County, Missouri



Recording Date/Time: 03/30/2023 at 01:14:14 PM

Instr #: 2023007019

Book: 9537 Page: 179

Type: PTREL

Pages: 2

Fee: \$27.00 S 20230006097



Sandra Brock
Recorder of Deeds

RECORDING COVER SHEET

DOCUMENT TITLE: "Partial"
Deed of Release

DOCUMENT DATE: January 19th 2023

GRANTEE(S): Barry Ridge Homes, LLC

GRANTOR(S): Nodawa, Luther Bank

GRANTEE'S MAILING ADDRESS: see next page

LEGAL DESCRIPTION: see next page

REFERENCE BOOK & PAGE (if applicable): Doc# 2023007018

BK 5 PG 7.1

DEED OF RELEASE
(PARTIAL – CORPORATION)

This Deed of Release Witnesseth, that Nodaway Valley Bank, a corporation organized and existing under the laws of the State of Missouri, have/having its principal place of business in Platte County, Missouri, owner and holder of the note evidencing the debt secured by the Deed of Trust executed by Barry Ridge Homes, L.L.C., dated and recorded in the office of the Recorder of Deeds for Clay County, Missouri, as Document No. 2021044740, in Book 9204 at Page 53, for value received does hereby release from the lien and effect of said Deed of Trust the following part of the property therein described, to-wit:

The streets as shown on the plat of Northview Valley Third Plat, a subdivision of land in Kansas City, Clay County, Missouri, according to the recorded plat thereof by the instrument recorded as Document No. 2023007018 Book 5, Page 7.1.

and the undersigned hereby subordinates the lien and effect of said Deed of Trust to the easements, lot lines and building lines as shown on said plat. Provided, however, that this partial release shall not prejudice the lien of Deed of Trust on the remaining property therein described.

IN WITNESS WHEREOF, these presents have been executed under the seal of said corporation, pursuant to due authority, this 19th day of January, 2023.

(SEAL)



By: 
(Vice President)

In the State of Missouri, County of Platte, on this 19th day of January, 2023, before, the undersigned, a Notary Public, in and to me personally know, who being by me duly sworn did say that he/she is Vice President of the corporation named in the foregoing deed of release, 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 Leann Downing 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.

My commission expires 10-24-2024


Notary Public



Recorded in Clay County, Missouri



Recording Date/Time: 03/30/2023 at 01:14:14 PM

Instr #: 2023007021

Book: 9537 Page: 181

Type: REST

Pages: 7

Fee: \$42.00 S 20230006097



Sandra Brock
Recorder of Deeds

RECORDING COVER SHEET

Title of Document: Extension of Declaration of Restrictions of Northview Valley –
Northview Valley Third Plat

Date of Document: February 16th, 2023

Grantors: Barry Ridge Homes, LLC

Grantee(s): Northview Valley Homeowners Association

Mailing Address(es): c/o Brian Baldwin
8901 N. Brighton Avenue
Kansas City, MO 64156

Legal Description: See Exhibit A

Reference Book
and Page:

Doc. # 2023007018 Book 5 / Page 7.1
Doc. # 2018028545 Book I / Page 45.3
Doc. # 2018041005 Book 8341/ Page 73
Doc. # 2018041006 Book 8341/ Page 74

**EXTENSION OF NORTHVIEW VALLEY DECLARATION OF RESTRICTIONS -
NORTHVIEW VALLEY THIRD PLAT**

THIS EXTENSION is made this 10th day of January, 2023, by BARRY RIDGE HOMES, LLC, hereinafter referred to as "Developer", a Limited Liability Company duly organized and existing under the laws of the State of Missouri.

WITNESSETH:

WHEREAS, Developer filed in the Office of the Recorder of Deeds for Clay County, Missouri, a Plat of the subdivision known as NORTHVIEW VALLEY SECOND PLAT, a subdivision in the City of Kansas City, Clay County, Missouri, on the 30th day of August, 2018, in Plat Book "I" at Page 45.3 under Document No. 2018028545, said plat having been previously approved by the City of Kansas City, Missouri; and

WHEREAS, Developer filed in the Office of the Recorder of Deeds for Clay County, Missouri, a Northview Valley Homeowners Association Declaration, on December 27, 2018, in Book 8341 at Page 74 under Document No. 2018041006; and

WHEREAS, Developer filed in the office of the Recorder of Deeds for Clay County, Missouri, a Declaration of Restrictions of Northview Valley on December 27, 2018, in Book 8341 at Page 73 under Document No. 2018041005; and

WHEREAS, BARRY RIDGE HOMES, LLC, as the owner of all land described therein has filed in the office of the Recorder of Deeds of Clay County, Missouri, a plat of the subdivision known as NORTHVIEW VALLEY THIRD PLAT, a subdivision in the City of Kansas City, County of Clay, State of Missouri, as Document No. 2023007018, appearing at Plat Cabinet 5 at Sleeve 7.1 on the 30th day of March, 2023, said plat having previously been approved by the City of Kansas City, Missouri; and

WHEREAS, said plat creates said NORTHVIEW VALLEY THIRD PLAT, composed of the following described lots and tracts in said subdivision, to-wit:

Lots 41 thru 102 and Tracts D, E, F and G, NORTHVIEW VALLEY THIRD PLAT, a subdivision in Kansas City, Clay County, Missouri, said real property being more particularly described on Exhibit A.

WHEREAS, DEVELOPER, as the owner of all of the aforementioned lots and tracts of land so shown on the aforesaid Plat now desires to subject said land to all the terms, covenants and provisions of the Declaration of Restrictions of Northview Valley, all for the use, benefit and betterment of the DEVELOPER and for its future grantees, successors and assigns.

NOW, THEREFORE, in consideration of the premises, the DEVELOPER for itself and for its successors and assigns and for its future grantees, hereby confirms that all of the lots and tracts of land shown on the above referenced plat described as NORTHVIEW VALLEY THIRD

PLAT, shall be and they are hereby made subject to all of the terms, covenants and conditions of the Declaration of Restrictions of Northview Valley described above herein and duly recorded in the office of the Recorder of Deeds for Clay County, Missouri, just as if these instruments were set out herein in full so that all the terms and provisions thereof will apply to NORTHVIEW VALLEY THIRD PLAT.

The terms, agreements and conditions of this instrument shall be binding upon the successors, grantees or assigns of the DEVELOPER.

IN WITNESS WHEREOF, DEVELOPER has caused this instrument to be executed the day and year first above written.

BARRY RIDGE HOMES, LLC,
a Missouri Limited Liability Company

By: 

Name: Brian Baldwin
Title: Member


Dated: 1-16-2023

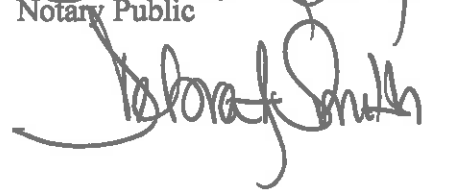
STATE OF MISSOURI)
) ss.
COUNTY OF CLAY)

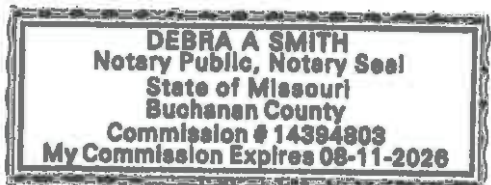
On this 15th day of January, 2023, before me personally appeared Brian Baldwin as a Member of Barry Ridge Homes, LLC, known to me to be the person who executed the foregoing instrument on behalf of said limited liability company and acknowledged to me that he executed the same for the purposes therein stated.

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

My commission expires: 



Notary Public




PROPERTY BOUNDARY DESCRIPTION:

All that part of the Southeast Quarter of Section 5, Township 51, Range 32, in Kansas City, Clay County, Missouri, described as follows:

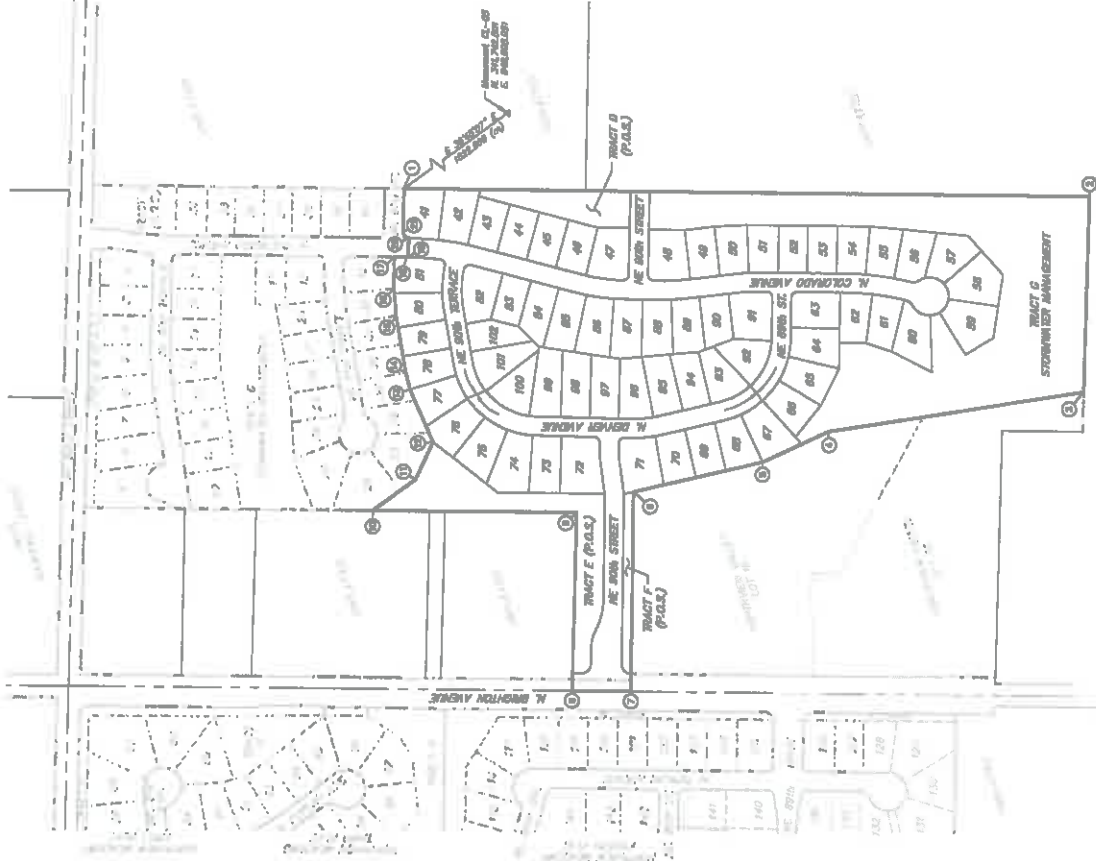
Commencing at the Center of said Section 5, said point also being the Northeast Corner of NORTHVIEW MEADOWS FIRST PLAT, a subdivision of land in said City and State; Thence South $88^{\circ}58'08''$ East, along the North line of said Southeast Quarter-Section, a distance of 1318.85 feet to the East Line of the West Half of said Southeast Quarter-Section; Thence South $00^{\circ}27'39''$ West, along said East Line, a distance of 841.51 feet to the Southeast corner of NORTHVIEW VALLEY SECOND PLAT, a subdivision in said City and State, said point also being the Point of Beginning; Thence continuing South $00^{\circ}27'39''$ West, along said East Line, a distance of 1789.10 feet to a point on the South Line of said Southeast Quarter-Section; Thence North $88^{\circ}47'01''$ West, along said South Line, a distance of 516.35 feet to the Southeast corner of NORTHVIEW VALLEY – LOT 1, a subdivision in said City and State; Thence North $09^{\circ}07'15''$ West, a distance of 672.56 feet, this and the following three (3) courses being along said Plat; Thence North $24^{\circ}48'42''$ West, a distance of 191.71 feet; Thence North $13^{\circ}21'19''$ West, a distance of 344.80 feet; Thence North $89^{\circ}37'51''$ West, a distance of 524.01 feet to a point on the West Line of said Southeast Quarter-Section, said point also being on the centerline of N. Brighton Avenue; Thence North $00^{\circ}22'09''$ East, along said West Line, a distance of 153.20 feet to the Northwest corner of the Southwest Quarter of said Southeast Quarter-Section; Thence South $88^{\circ}52'35''$ East, along the North Line of said Quarter-Quarter-Section, a distance of 468.01 feet; Thence North $00^{\circ}22'09''$ East, a distance of 531.71 feet to the Southwest corner of said NORTHVIEW VALLEY SECOND PLAT; Thence South $36^{\circ}32'44''$ East, a distance of 137.66 feet, this and the following eleven (11) courses being along said Plat; Thence South $65^{\circ}53'21''$ East, a distance of 108.19 feet; Thence North $66^{\circ}30'55''$ East, a distance of 150.99 feet; Thence North $76^{\circ}05'24''$ East, a distance of 45.65 feet; Thence North $79^{\circ}54'00''$ East, a distance of 152.00 feet; Thence North $84^{\circ}52'09''$ East, a distance of 71.52 feet; Thence North $89^{\circ}32'21''$ East, a distance of 84.78 feet; Thence South $00^{\circ}27'39''$ West, a distance of 31.96 feet to a point of curve; Thence Southerly, along said curve to the right, having a radius of 725.00 feet, an arc distance of 4.48 feet; Thence South $89^{\circ}11'08''$ East, along a line radial to the preceding course, a distance of 50.00 feet to a point on a curve; Thence Northeasterly along said curve to the right, to which the preceding course is radial, having a radius of 15.00 feet, an arc distance of 23.47 feet to a point of tangency; Thence South $89^{\circ}32'21''$ East, a distance of 115.02 feet to the Point of Beginning.

Containing 30.45 acres, more or less.

FINAL PLAT

NORTHVIEW VALLEY THIRD PLAT

In the SE 1/4 of Sec. 5, Twp. 51, Rng. 32
Kansas City, Clay County, Missouri



SECTION LOCATION
Section 5, Twp. 51, Rng. 32
(Not to Scale)

PROPERTY INTERESTS:

All that part of the southeast quarter of Section 5, Township 51, Range 32, in Kansas City, Clay County, Missouri, described as follows:

Tract A: South 80' x 170' of Block 1 of NORTHVIEW VALLEY THIRD PLAT, a subdivision in said City and County, and all parts here being the interest of the City and County of Missouri.

Tract B: North 150' x 170' of Block 1 of NORTHVIEW VALLEY THIRD PLAT, a subdivision in said City and County, and all parts here being the interest of the City and County of Missouri.

Tract C: South 80' x 170' of Block 2 of NORTHVIEW VALLEY THIRD PLAT, a subdivision in said City and County, and all parts here being the interest of the City and County of Missouri.

Tract D: North 150' x 170' of Block 2 of NORTHVIEW VALLEY THIRD PLAT, a subdivision in said City and County, and all parts here being the interest of the City and County of Missouri.

Tract E: South 80' x 170' of Block 3 of NORTHVIEW VALLEY THIRD PLAT, a subdivision in said City and County, and all parts here being the interest of the City and County of Missouri.

Tract F: North 150' x 170' of Block 3 of NORTHVIEW VALLEY THIRD PLAT, a subdivision in said City and County, and all parts here being the interest of the City and County of Missouri.

Tract G: South 80' x 170' of Block 4 of NORTHVIEW VALLEY THIRD PLAT, a subdivision in said City and County, and all parts here being the interest of the City and County of Missouri.



- LEGEND**
- S.L. = Building Line
 - U.L. = Utility Easement
 - S.E. = Stormwater Easement
 - S.D. = Easement
 - S.D.E. = Easement
 - S.D.S. = Easement
 - S.D.S.E. = Easement
 - S.D.S.E. = Easement
 - S.D.S.E. = Easement
 - S.D.S.E. = Easement
 - S.D.S.E. = Easement

LOCATION	STREET	AREA	PLAN	SCALE
N. E. Brighton Avenue	N. E. Brighton Avenue	360.00	081.25	1:40
N. E. Brighton Avenue	N. E. Brighton Avenue	360.00	081.25	1:40
N. E. Brighton Avenue	N. E. Brighton Avenue	360.00	081.25	1:40
N. E. Brighton Avenue	N. E. Brighton Avenue	360.00	081.25	1:40
N. E. Brighton Avenue	N. E. Brighton Avenue	360.00	081.25	1:40

SECTION	AREA	PLAN	SCALE
1	360.00	081.25	1:40
2	360.00	081.25	1:40
3	360.00	081.25	1:40
4	360.00	081.25	1:40
5	360.00	081.25	1:40

ALL dimensions and acreages shown herein are based on the INFORMATION STATE PLAT COMMISSIONS SURVEY (1988 and as amended), BEST AVAILABLE AND ARE TO BE USED BY THE CITY OF KANSAS CITY UNDER THE FOLLOWING CONDITIONS:

SECTION	AREA	PLAN	SCALE
1	360.00	081.25	1:40
2	360.00	081.25	1:40
3	360.00	081.25	1:40
4	360.00	081.25	1:40
5	360.00	081.25	1:40

REGISTERED BY:
Henry Mingo Thomas, LLC
 2001 S. Brighton Avenue
 Kansas City, MO. 64118



HEBERT C. HANCOCK, SURVEYOR

FINAL PLAT
NORTHVIEW VALLEY THIRD PLAT
SE 1/4 OF SECTION 5, TWP. 51, RNG. 32
KANSAS CITY, CLAY COUNTY, MISSOURI

DATE	DESCRIPTION	APPROVED BY
05/21/2018	PREPARED BY THE ENGINEER	
05/21/2018	REVISION BY THE ENGINEER	
05/21/2018	REVISION BY THE ENGINEER	
05/21/2018	REVISION BY THE ENGINEER	
05/21/2018	REVISION BY THE ENGINEER	

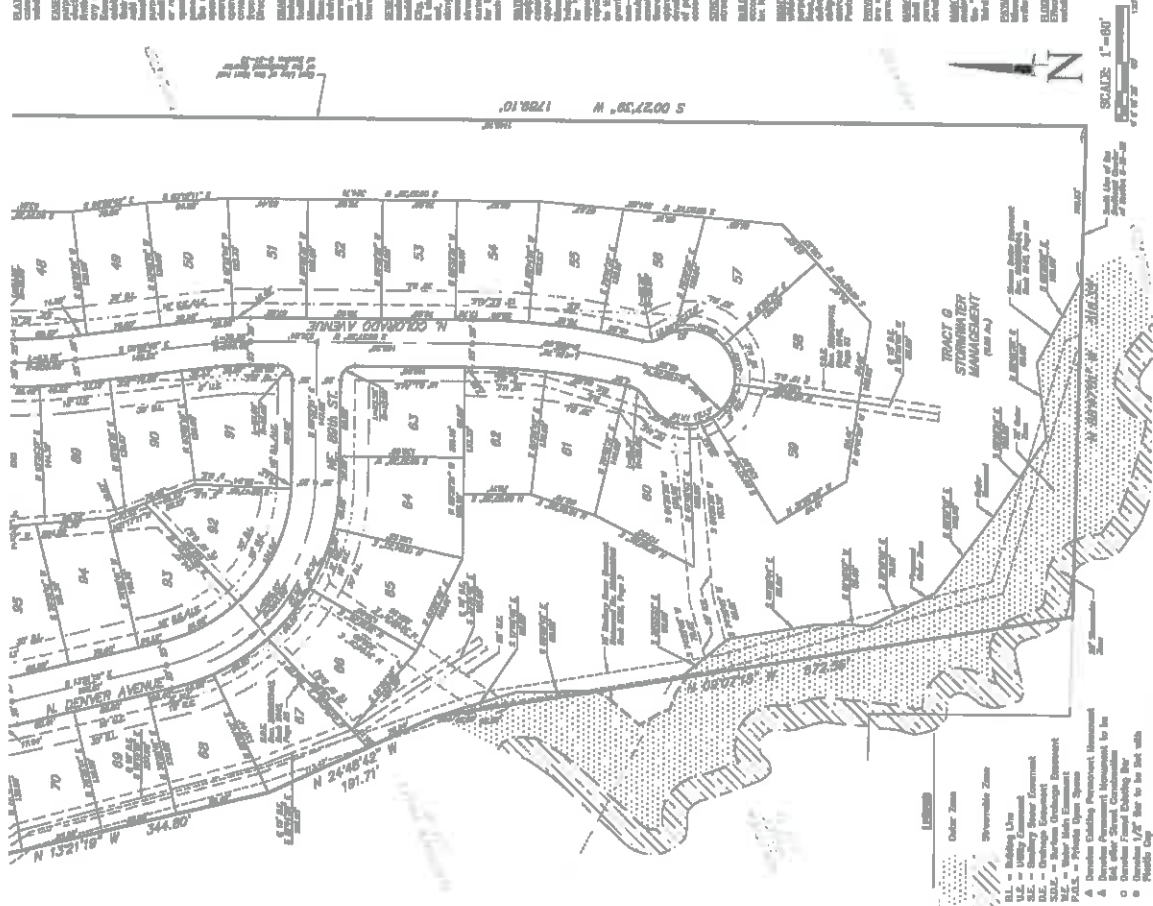
1.3
 SHEET NO.

HEBSORCH & PARKS ENGINEERS, INC.
 NO. 2200 STATE ST., SUITE 200
 L.S. THE CORNER
 111 NORTH MAIN, SUITE 200
 INDEPENDENCE, MISSOURI 64108
 TEL: (816) 841-8828
 FAX: (816) 841-8828

FINAL PLAT

NORTHVIEW VALLEY THIRD PLAT

In the SE 1/4 of Sec. 5, Twp. 51, Rng. 32
Kansas City, Clay County, Missouri



SCALE: 1"=80'
N

PLAT PREPARED BY:
BARRY ROSE HENKE, U.S. A. MEASURER
111 NORTH MAIN, SUITE 6100
INDENBURG, MISSOURI 64800
L.S. NO. 008957
(913) 832-7300 FAX (913) 832-8712
www.brhinc.com

WESTRICH & PARKS ENGINEERS, INC.
111 NORTH MAIN, SUITE 6100
INDENBURG, MISSOURI 64800
L.S. NO. 008957
(913) 832-7300 FAX (913) 832-8712
www.brhinc.com

CITY OF KANSAS
COUNTY OF CLAY MO.
I, Barry Rose Henke, being duly sworn, depose and say that I am the duly qualified and authorized measurer of the above described plat, and that the same is true and correct to the best of my knowledge and belief.

BY: [Signature]
Barry Rose Henke, U.S. A. Measurer

ATTEST: [Signature]
City Clerk

CITY OF KANSAS
COUNTY OF CLAY MO.
I, [Signature], being duly sworn, depose and say that I am the duly qualified and authorized measurer of the above described plat, and that the same is true and correct to the best of my knowledge and belief.

BY: [Signature]
City Clerk

DEVELOPED BY:
Barry Rose Henke, U.S. A. Measurer
111 North Main, Suite 6100
Indeburg, MO, 64800

APPROVED BY:
[Signature]
City Clerk

NOTED:
[Signature]

DATE: 8/21/20

BY: [Signature]

DATE: 8/21/20

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

GENERAL NOTES: The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri. The plat is prepared for the purpose of showing the location of the Northview Valley Third Plat, which is located in the SE 1/4 of Section 5, Township 51 North, Range 32 West, Clay County, Missouri.

Recorded in Clay County, Missouri



Recording Date/Time: 03/30/2023 at 01:14:14 PM

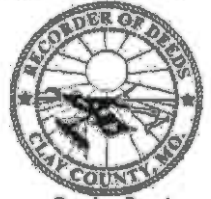
Instr #: 2023007020

Book: 9537 Page: 180

Type: REST

Pages: 8

Fee: \$45.00 \$ 20230006087



Sandra Brock
Recorder of Deeds

RECORDING COVER SHEET

DOCUMENT TITLE: *Covenant to maintain storm water detention and
BMP Facilities*

DOCUMENT DATE: *March 23rd 2023*

GRANTOR(S): *City of Kansas City*

GRANTEE(S): *Barry Ridge Homes, LLC*

GRANTEE'S MAILING ADDRESS: *SEE NEXT PAGE*

LEGAL DESCRIPTION: *SEE NEXT PAGE*

REFERENCE BOOK & PAGE (if applicable):

**COVENANT TO MAINTAIN STORM WATER DETENTION AND BMP FACILITIES
PLAT OF NORTHVIEW VALLEY THIRD PLAT**

THIS COVENANT made and entered into this 25 day of MARCH, 2022, by and between Kansas City, Missouri, a constitutionally chartered Municipal corporation (City), and of Barry Ridge Homes, a Limited Liability Company, (Owner).

WHEREAS, Owner has an interest in certain real estate generally located East of N. Brighton Avenue and South of NE. 92nd Street in Kansas City, of Clay County, Missouri, (Property) more specifically described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, Owner intends to cause the Property to be platted as Plat of NORTHVIEW VALLEY THIRD PLAT (Plat), in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri; and

WHEREAS, Owner intends to subdivide the Property and create pursuant to the Plat Lots of 41-102 and Tracts of D, E, F, and G as shown on Exhibit "B" attached hereto.

WHEREAS, the improvement proposed by Owner on the Property warrant storm water management control and water quality Best Management Practice facilities (BMPs), collectively hereinafter referred to as (The Facilities); and

WHEREAS, The Facilities, located on Tracts E and G within the Plat, require preservation and maintenance 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 and provide BMP(s) to treat the stormwater for the benefit of the Property and surrounding areas; and

WHEREAS, these covenant provisions for proper operation, preservation, and maintenance of The Facilities are 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 Facilities located on Tracts E and G.
- b. Maintain the pipes, structures, BMPs, grounds, and appurtenances for the Facilities located on Tracts E and G.
- c. Keep the pipes, structures, BMPs, and appurtenances open and free of silt and non-beneficial vegetation.
- d. Keep the pipes, structures, BMPs, and appurtenances in good working condition or replace same if necessary.

- e. Control the growth of the vegetation and grass areas, not identified as beneficial to the BMPs, on Tracts E and G to the limits prescribed by the Kansas City Code of Ordinances.
- f. Maintain the grades within Tracts E and G pursuant to the approved plan on file in the office of the Director of City Planning & Development and identified as File No 2021-004.
- 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 Tracts E and G in order to inspect, maintain, repair, and/or replace 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, repair, or replacement against Owner, and/or the owner of Tracts E and G, and/or the owners of Lots 41-102 served by the Facilities on Tracts E and G;
- b. Assess a lien on either the Tracts E and G or on the Lots 41-102 or both served by the Facilities on Tracts E and G;
- c. Maintain suit against Owner, and/or the owner of Tracts E and G and/or the owners of Lots 41-102 served by the Facilities on Tracts E and G for all cost incurred by the City for such maintenance.

Unless necessitated by a threat to life and/or safety, City shall notify Owner and/or the then-current owners of Tracts E and G and Lots 41-102 not less than thirty (30) days before it begins maintenance of The Facilities.

Sec. 3. Owner and/or the owner of Tracts E and G 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:
Barry Ridge Homes, LLC
8901 N. Brighton Avenue
Kansas City, MO 64156
Brian Baldwin
FAX: 816-734-4925 PHONE; 816-734-4350

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 [insert 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 Facilities.

ATTESTATION BY CITY CLERK:

KANSAS CITY, MISSOURI
By: *Sam Buckley*
Director of City Planning and Development



City Clerk

Approved as to form:
[Signature]

Assistant City Attorney

STATE OF MISSOURI)
) SS
COUNTY OF *Jackson*)

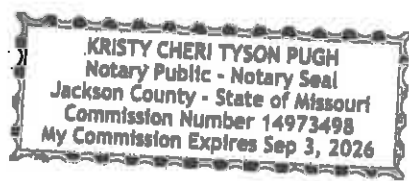
BE IT REMEMBERED that on this 23 day of March, 2023, before me, the undersigned, a notary public in and for the county and state aforesaid, came *Diane Beckley*, Director of City Planning and Development, of Kansas City, Missouri, a corporation duly organized, incorporated and existing under and by virtue 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.

Kristy Cheri Tyson Pugh

Notary Public

My Commission Expires: *Sept 3, 2026*



OWNER

Barry Ridge Homes, LLC

8901 N. Brighton Avenue

Kansas City, MO 64156

Brian Baldwin

FAX: 816-734-4925 PHONE; 816-734-4350

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

By:

[Handwritten signature of Brian Baldwin]

Title:

owner

Date:

3/3/23

Check one:

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

Attach corporate seal if applicable

STATE OF Missouri)
) SS
 COUNTY OF Clay)

BE IT REMEMBERED, that on the 3rd day of March, 2023, before me, the undersigned notary public in and for the county and state aforesaid, came Brian Baldwin, to me personally known, who being by me duly sworn did say that he is a member of Barry Ridge Homes, LLC, 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.

[Handwritten signature of Notary Public]

 Notary Public

[Handwritten signature of Brian Baldwin]

My commission expires: *[Handwritten signature]* _____



EXHIBIT "A"

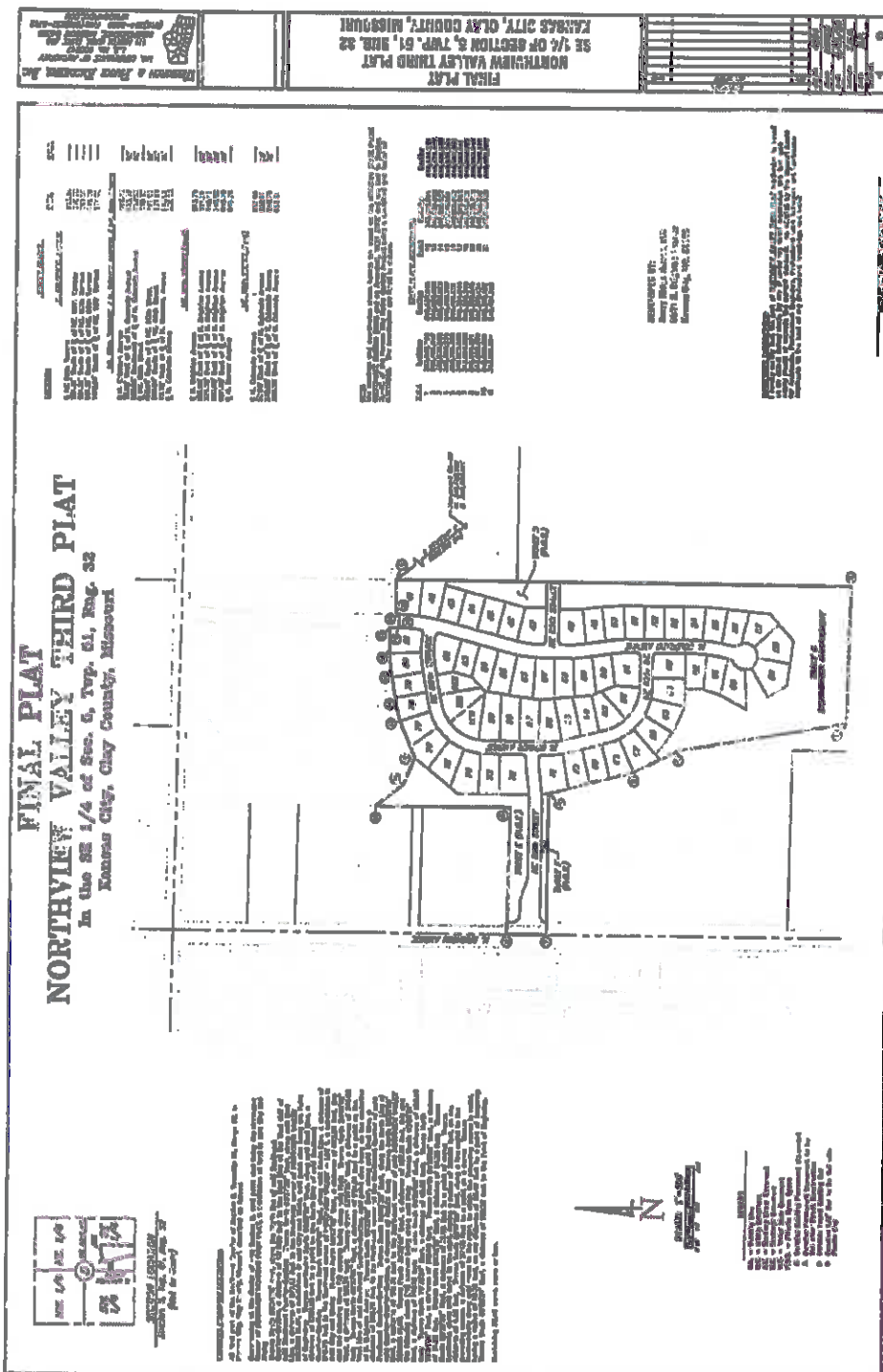
PROPERTY BOUNDARY DESCRIPTION:

All that part of the Southeast Quarter of Section 5, Township 51, Range 32, in Kansas City, Clay County, Missouri, described as follows:

Commencing at the Center of said Section 5, said point also being the Northeast Corner of NORTHVIEW MEADOWS FIRST PLAT, a subdivision of land in said City and State; Thence South 88°58'08" East, along the North line of said Southeast Quarter-Section, a distance of 1318.85 feet to the East Line of the West Half of said Southeast Quarter-Section; Thence South 00°27'39" West, along said East Line, a distance of 841.51 feet to the Southeast corner of NORTHVIEW VALLEY SECOND PLAT, a subdivision in said City and State, said point also being the Point of Beginning, Thence continuing South 00°27'39" West, along said East Line, a distance of 1789.10 feet to a point on the South Line of said Southeast Quarter-Section; Thence North 88°47'01" West, along said South Line, a distance of 516.35 feet to the Southeast corner of NORTHVIEW VALLEY - LOT 1, a subdivision in said City and State; Thence North 09°07'15" West, a distance of 672.56 feet, this and the following three (3) courses being along said Plat; Thence North 24°48'42" West, a distance of 191.71 feet; Thence North 13°21'19" West, a distance of 344.80 feet; Thence North 89°37'51" West, a distance of 524.01 feet to a point on the West Line of said Southeast Quarter-Section, said point also being on the centerline of N. Brighton Avenue; Thence North 00°22'09" East, along said West Line, a distance of 153.20 feet to the Northwest corner of the Southwest Quarter of said Southeast Quarter-Section; Thence South 88°52'35" East, along the North Line of said Quarter-Quarter-Section, a distance of 468.01 feet; Thence North 00°22'09" East, a distance of 531.71 feet to the Southwest corner of said NORTHVIEW VALLEY SECOND PLAT; Thence South 36°32'44" East, a distance of 137.66 feet, this and the following eleven (11) courses being along said Plat; Thence South 65°53'21" East, a distance of 108.19 feet; Thence North 86°30'55" East, a distance of 150.99 feet; Thence North 76°05'24" East, a distance of 45.65 feet; Thence North 79°54'00" East, a distance of 152.00 feet; Thence North 84°52'09" East, a distance of 71.52 feet; Thence North 89°32'21" East, a distance of 84.78 feet; Thence South 00°27'39" West, a distance of 31.96 feet to a point of curve; Thence Southerly, along said curve to the right, having a radius of 725.00 feet, an arc distance of 4.48 feet; Thence South 89°11'08" East, along a line radial to the preceding course, a distance of 50.00 feet to a point on a curve; Thence Northeasterly along said curve to the right, to which the preceding course is radial, having a radius of 15.00 feet, an arc distance of 23.47 feet to a point of tangency; Thence South 89°32'21" East, a distance of 115.02 feet to the Point of Beginning.

Containing 30.45 acres, more or less.

EXHIBIT "A"



Thomas & Jones Engineers, Inc.
 1111 W. 12th Street
 Kansas City, MO 64105
 Phone: 816.234.1234
 Fax: 816.234.5678

FINAL PLAT
 NORTHVIEW VALLEY THIRD PLAT
 SE 1/4 OF SECTION 6, TWP. 61, RNG. 32
 KANSAS CITY, CLAY COUNTY, MISSOURI

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
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----