



Legislation Text

File #: 210680, Version: 1

ORDINANCE NO. 210680

Approving the plat of Brighton Creek Crossing, an addition in Clay County, Missouri, on approximately 17.63 acres generally located at the southeast corner of N. Brighton Avenue and Highway 152, creating 4 lots and 1 tract for the purpose of a 4 lot future commercial development; 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 -2020-00009)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

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

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

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


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

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

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

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on April 21, 2021.

Approved as to form and legality:



Eluard Alegre
Assistant City Attorney



Authenticated as Passed



Quinton Lucas, Mayor



Marilyn Sanders, City Clerk

AUG 19 2021

Date Passed

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

City Treasurer, Kansas City, MO

By 

Dated, June 21, 2022

Recorded in Clay County, Missouri



Recording Date/Time: 06/29/2022 at 04:00:00 PM

Instr #: 2022021485

Book: 9397 Page: 58

Type: ORD

Pages: 3

Fee: \$27.00 E 20220018943

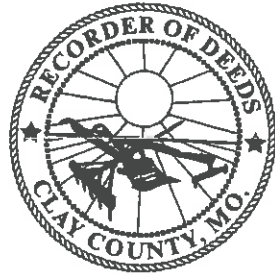


Katee Porter
Recorder of Deeds

RECORDER OF DEEDS CERTIFICATE CLAY COUNTY, MISSOURI

EXEMPT DOCUMENT

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



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

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

RE Rouse Frost White Gosa
4510 Belleview Ave St 300
KCMO 64111

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Recording Date/Time: 06/29/2022 at 04:00:00 PM

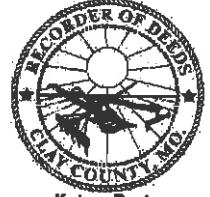
Instr #: 2022021486

Book: 9397 Page: 59

Type: REL

Pages: 4

Fee: \$33.00 S 20220018943



Katee Porter
Recorder of Deeds

RECORDING COVER SHEET

Title of Document: Deed of Release

Date of Document: March 16, 2022

Grantor: Security Bank of Kansas City

Grantee: Beck Cal LLC

Mailing Address of
First Named Grantee: Beck-Cal, LLC
2701 East 85th Street
Kansas City, MO 64132

Legal Description: See attached Exhibit A

Same

④

DEED OF RELEASE
(PARTIAL – CORPORATION)

This Deed of Release Witnesseth, that Security Bank of Kansas City, a Kansas banking corporation, successor by merger to First Bank of Missouri, having its principal place of business at 7001 N. Oak Trafficway, Gladstone, in Clay County, Missouri 64118, owner and holder of the note evidencing the debt secured by the Deed of Trust executed by Beck-Cal, LLC, dated February 11, 2004 and recorded in the office of the Recorder of Deeds for Clay County, Missouri, as Document No. S-52045, in Book 4498 at Page 606, 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 Brighton Creek Crossing, a subdivision of land in Kansas City, Clay County, Missouri, according to the recorded plat thereof by the instrument recorded as Document Number _____, in Book I 176.2 at Page _____ which land is legally described on Exhibit A attached hereto 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 ~~10th~~ day of March, 2022.

SECURITY BANK OF KANSAS CITY

(SEAL)

By: Kevin W. Hillander
Title: F.V.P.

In the State of Missouri, County of Clay, on this ~~10th~~ day of March, 2022, before, the undersigned, a Notary Public, in and to me personally know, who being by me duly sworn did say that they are Exec 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 Exec Vice President 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.

Shelly R Langhus
Notary Public

My commission expires 09/27/2022

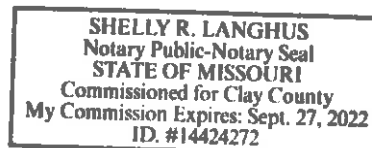


Exhibit A

SURVEYOR'S LEGAL DESCRIPTION:

All that portion of the South Half of the Southeast Quarter of Section 8, Township 51 North, Range 32 West, in Kansas City, Clay County, Missouri, being more particularly described as follows:

Commencing at the $\frac{3}{4}$ " iron bar found in a monument box at the Northwest corner of the Southeast Quarter of Section 8, Township 51 North, Range 32 West; thence South $00^{\circ}30'00''$ West, along the West line of said Southeast Quarter, a distance of 1303.51 feet to the North line of the South Half of said Southeast Quarter; thence departing said West line, South $89^{\circ}00'06''$ East, along the North line of the South Half of said Southeast Quarter, a distance of 654.05 feet to a point on the Southerly right-of-way of Missouri Route No. 152, as it is now established, and the Point of Beginning; thence continuing South $89^{\circ}00'06''$ East, along said North line of said South Half of said Southeast Quarter and said Southerly right-of-way of Missouri Route 152, a distance of 298.82 feet; thence departing said North line of said South Half, South $01^{\circ}00'41''$ West, a distance of 430.28 feet to the point of tangency of the Westerly right-of-way of Northeast 82nd Street as established by the Final Plat of Brighton Creek Apartments - First Plat, a subdivision of land in Kansas City, Clay County, Missouri recorded as Instrument No. 2016001440 in Book H at Page 146.4 at the Clay County Register of Deeds; thence continuing along the Westerly right-of-way line of said Northeast 82nd Street the following four courses; South $01^{\circ}00'41''$ West, a distance of 197.71 feet to a point of curvature; thence Southwesterly on a curve to the right, tangent to the last described course, having a radius of 240.00 feet, a central angle of $43^{\circ}17'23''$, and an arc distance of 181.33 feet, to a point of tangency; thence South $44^{\circ}18'03''$ West, a distance of 90.67 feet to a point of curvature; thence Southwesterly on a curve to the left, tangent to the last described course, having a radius of 330.00 feet, a central angle of $14^{\circ}38'22''$, and an arc distance of 84.32 feet, to a point on the said Westerly right-of-way line of said Northeast 82nd Street, said point also being the Eastern most corner of Tract A of said Brighton Creek Apartments - First Plat; thence departing said Westerly right-of-way of Northeast 82nd Street and continuing along the Northerly line of said Tract A of Brighton Creek Apartments - First Plat the following five courses, Northwesterly, on a curve to the left, having an initial tangent bearing of North $29^{\circ}39'41''$ East, a radius of 15.00 feet, a central angle of $79^{\circ}00'42''$, and an arc distance of 20.69 feet, to a point of compound curvature; thence Westerly, on a curve to the left, having a common tangent with the last described course, with a radius of 270.00 feet, a central angle of $39^{\circ}36'47''$, and an arc distance of 186.67 feet, to a point of non-tangency; thence South $81^{\circ}55'46''$ West, a distance of 67.58 feet, to a point of curvature; thence Westerly on a curve to the right, being tangent to the last described course, having a radius of 500.00 feet, a central angle of $09^{\circ}06'26''$, and an arc distance of 79.48 feet, to a point of tangency; thence North $88^{\circ}57'48''$ West, a distance of 30.73 feet to the Northwest corner of said Tract A of Brighton Creek Apartments - First Plat; thence South $01^{\circ}02'12''$ West, along the West line of said Tract A of Brighton Creek Apartments, a distance of 245.11 feet to a point on the Northerly

right-of-way line of Northeast Soccer Drive as established by Document No. 2012021547 in Book 6852 at Page 139 at the Clay County Register of Deeds; thence along the Northerly right-of-way line of said Northeast Soccer Drive for the following three courses, Westerly on a curve to the left, having an initial tangent bearing of North 79°02'30" West, with a radius of 1863.12 feet, a central angle of 05°11'12", and an arc length of 168.66 feet, to a point of compound curvature; thence Westerly on a curve to the left, having a common tangent with the last described course, with a radius of 710.00 feet, a central angle of 04°30'07", and an arc distance of 55.79 feet to a point of tangency; thence North 88°43'50" West, a distance of 140.96 feet to a point on the Easterly right-of-way line of North Brighton Avenue as it is now established; thence along said Easterly right-of-way of North Brighton Avenue, as established by deed filed of record on April 19, 2002, under Document No. R-7933 in Book 3610 at Page 41 at the Clay County Register of Deeds, for the following three courses, North 00°30'00" East, a distance of 615.00 feet; thence North 11°45'00" East, a distance of 62.48 feet; thence North 00°30'00" East, a distance of 32.37 feet to a point on the South line of a parcel of land conveyed to the State of Missouri by deed filed of record on December 3, 1974 as Document No. D-6812 in Book 1171 at Page 100 at the Clay County Register of Deeds; thence departing said Easterly right-of-way line of North Brighton Avenue and continuing along the Southerly line of the parcel of land conveyed to the State of Missouri by said Document D-6812 for the following four courses; North 11°19'37" East, a distance of 88.74 feet; thence North 41°21'25" East, a distance of 168.68 feet; thence North 78°43'56" East, a distance of 308.10 feet; thence North 61°12'53" East, a distance of 187.10 feet to the Point of Beginning.

The above described parcel of land contains 768,039 square feet or 17.63 acres of land more or less.

The basis of bearings for the above described parcel of land is the West line of the Southeast Quarter of Section 8, Township 51 North, Range 32 West being measured at South 00°30'00" West.



Recording Date/Time: 06/29/2022 at 04:00:00 PM

Instr #: 2022021487

Book: 9397 Page: 60

Type: REST

Pages: 15

Fee: \$66.00 S 20220018943



Katee Porter
Recorder of Deeds

[Above Space Reserved for Recorder of Deeds]

Document Title: Covenant to Maintain Storm Water Detention Facility
(Brighton Creek Crossing Plat)

Date of Document:

Grantor Name: Beck-Cal, L.L.C.

Grantee Name: Kansas City, Missouri

Statutory Address: 414 East 12th Street
Kansas City, MO 64106

Legal Description: See Exhibit A, pages _____

Reference Book and Page: N/A

Same

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**COVENANT TO MAINTAIN STORM WATER DETENTION FACILITY AND BMPs
PLAT OF BRIGHTON CREEK CROSSING**

THIS COVENANT made and entered into this 24 day of ~~May~~^{June}, 2022, by and between Kansas City, Missouri, a constitutionally chartered Municipal corporation (City), and **Beck-Cal, L.L.C., a Missouri Limited Liability Company, and Clay County, Missouri, a political subdivision of the state of Missouri** (Developer).

WHEREAS, Developer has an interest in certain real estate generally located south of Missouri Highway 152 and east of N. Brighton Avenue, in Kansas City, **Clay Missouri, (Property)** more specifically described in Exhibit "A" attached hereto and incorporated herein by reference; and

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

WHEREAS, Developer intends to subdivide the Property and create pursuant to the Plat Lots 1 through 4, as shown on Exhibit "B" attached hereto.

WHEREAS, the improvements proposed by Developer on the Property warrant storm water control to serve Lots 1 through 4, Brighton Creek Crossing; and

WHEREAS, the storm water detention facilities to serve the Plat are located on Tract "A" of Brighton Creek Apartments-First Plat. Said storm water study accepted by the City contemplated the storm water control through Tract A. Tract A is legally described as "Tract A, Brighton Creek Apartments-First Plat, a subdivision of land lying in Kansas City, Clay County, Missouri." Tract A is shown on Exhibit "C" attached hereto and incorporated herein by reference; and

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

WHEREAS, the provisions for the maintenance of the storm water detention facility are contained in the Covenant to Maintain Storm Water Detention and BMP Facilities, Plat of Brighton Creek Apartments-First Plat and are necessary to serve the development. Said Covenant was recorded on January 1, 2016, as Instrument #2016001442 in Book 7641, Page 33;

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

- a. Be responsible for the maintenance, repair and replacement if necessary of the storm water detention facilities and appurtenances ("Facilities") within the storm water detention facilities located on Tract "A", Brighton Creek Apartments-First Plat.

- b. Maintain the pipes, structures, grounds, and appurtenances for the Facilities located on Tract "A", Brighton Creek Apartments-First Plat.
- c. Keep the pipes, structures and appurtenances open and free of silt and vegetation.
- d. Keep the pipes, structures and appurtenances in good working condition or replace same if necessary.
- e. Mowing the grass area within Tract "A", Brighton Creek Apartments-First Plat.
- f. Maintain the grades within Tract "A", Brighton Creek Apartments-First Plat pursuant to the approved plan on file in the office of the Director of Public Works and identified as File No. 2013-076B.
- g. Obtain all necessary improvement and repair permits prior to performing any work on the Facilities.

This First Covenant was recorded in the Clay County Recorder's Office on January 15, 2016 as Instrument #2016001442, Book 7641, Page 33.

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

Sec. 1. Through the execution of the First Covenant, City was granted the right, but was not obligated to enter upon Tract "A", Brighton Creek Apartments-First Plat in order to maintain the Facilities including the pipes, structures, grounds, and appurtenances if Developer fails to maintain same. In addition to the rights granted to the City in the First Covenant, City may also (a) charge the costs for such maintenance against the Developer or the owners of Lots 1 through 4, Brighton Creek Crossing, served by the Facility on Tract "A", Brighton Creek Apartments-First Plat; (b) assess a lien on either Tract "A", Brighton Creek Apartments-First Plat as provided in the First Covenant or on the Lots 1 through 4, Brighton Creek Crossing or both served by the Facility on Tract "A", Brighton Creek Apartments-First Plat and (c) maintain suit against the Developer and/or owners of Lots 1 through 4, Brighton Creek Crossing served by the Facility on Tract "A", Brighton Creek Apartments-First Plat for the unpaid cost of such maintenance. Unless necessitated by a threat to life and/or safety, City shall notify the Developer and/or the then current owners of Lots 1 through 4, Brighton Creek Crossing not less than thirty (30) days before it begins maintenance of the Facilities.

Sec. 2. Developer shall not use nor attempt to use Tract "A", Brighton Creek Apartments-First Plat in any manner which would interfere with the operation of the Facilities in such manner as would interfere with the proper, safe, and continuous maintenance and use thereof and in particular shall not build thereon or thereover any structure which may interfere or cause to interfere with the maintenance and use thereof.

Sec. 3. This Covenant shall run with the land legally described in Exhibit "A." Developer shall remain liable under the terms of this Covenant unless and until Developer assigns its rights and obligations to a third party and such assignment is accepted by the City.

Sec. 4. To the extent allowed by law, in the event of a default under a loan agreement by a third party who is assigned the rights and obligations in accordance with the terms of this Covenant, the City will agree to an assignment from the defaulting third party to the secured lender.

Sec. 5. Notices. All notices required by this Covenant shall be in writing sent by regular United States mail, postage prepaid, commercial overnight courier or facsimile and addressed as hereinafter specified. Each party shall have the right to specify that notice be addressed to any other address by giving the other party ten (10) days notice thereof. Unless a party to this Agreement has given ten (10) days notice of a change of person and address for purposes of notice under this Agreement to the other party in writing, notices shall be directed to the following:

Notices to the City:

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

Notice to Developer shall be addressed to:

Beck Cal, L.L.C.
Attention: Robert Becker, Managing Member
95 South Drake
Claycomo, Missouri 64150
816-459-8533 (fax)

With copies to:

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

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

Sec. 7. Invalidation of any part or parts of this Covenant by judgment or other court action shall in no way affect any of the other provisions, which shall remain in full force and effect.

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

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

Sec. 10. Developer shall jointly and severally release, hold harmless, indemnify and defend City and its agents, officers and employees from any and all responsibility, liability, loss, damage

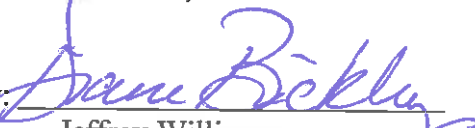
or expense resulting to Developer or to any person or property caused by or incidental as to the design, function, construction, maintenance or failure to maintain the Facility.

ATTESTATION BY CITY CLERK:

KANSAS CITY, MISSOURI



Marilyn Sanders, City Clerk

By: 

Jeffrey Williams,
Director of City Planning &
Development

Approved as to form:



Assistant City Attorney

STATE OF MISSOURI)
) SS
COUNTY OF Jackson)

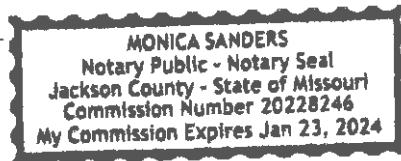
BE IT REMEMBERED that on this 24th day of June, 2022, before me, the undersigned, a notary public in and for the county and state aforesaid, came Jeffrey Williams, Director of the Department of City Planning and Development of the City of Kansas City, Missouri, a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Missouri, and Marilyn Sanders, City Clerk of the City of Kansas City, Missouri, who are personally known to me to be the same persons who executed, as officials, the within instrument on behalf of Kansas City, Missouri, and such persons duly acknowledge the execution of the same to be the act and deed of said Kansas City, Missouri.

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



Notary Public

My Commission Expires: Jan 23, 2024



CLAY COUNTY, MISSOURI

By: [Signature]
Jerry Nolte,
Presiding Commissioner

STATE OF MISSOURI)
) SS
COUNTY OF Clay)

Be it remembered that on this 15th day of June, 2022 before me personally appeared Jerry Nolte, who being by me sworn did say he is the Presiding Commissioner of Clay County, Missouri, with authority to bind said County, and that said instrument was signed on behalf of said County.

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

Brandy Lynn Little
Notary Public

My Commission Expires:
05-13-2026

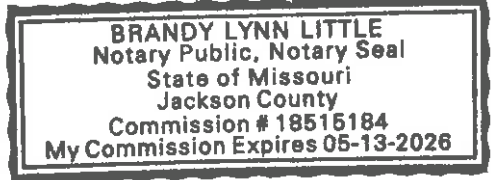


EXHIBIT "A"
PROPERTY DESCRIPTION

LEGAL DESCRIPTION: (per Thomson Affinity Title File Number 230226-a, dated March 8, 2022)

Tract I:

All that portion of the South Half of the Southeast Quarter of Section 8, Township 51 North, Range 32 West, in Kansas City, Clay County, Missouri, being more particularly described as follows:

Commencing at the 3/4" iron bar found in a monument box at the Northwest corner of the Southeast Quarter of Section 8, Township 51 North, Range 32 West; thence South 00° 30'00" West, along the West line of said Southeast Quarter, a distance of 1303.51 feet to the North line of the South Half of said Southeast Quarter; thence departing said West line, South 89° 00'06" East, along the North line of the South Half of said Southeast Quarter, a distance of 654.05 feet to a point on the Southerly right-of-way of Missouri Route No. 152, as it is now established, and the Point of Beginning; thence continuing South 89° 00'06" East, along said North line of said South Half of said Southeast Quarter and said Southerly right-of-way of Missouri Route 152, a distance of 298.82 feet; thence departing said North line of said South Half, South 01° 00'41" West, a distance of 430.28 feet to the point of tangency of the Westerly right-of-way of Northeast 82nd Street as established by the Final Plat of Brighton Creek Apartments First Plat, a subdivision of land in Kansas City, Clay County, Missouri recorded as Instrument No. 2016001440 in Book H at Page 146.4 at the Clay County Register of Deeds; thence continuing along the Westerly right-of-way line of said Northeast 82nd Street the following four courses; South 01° 00'41" West, a distance of 197.71 feet to a point of curvature; thence Southwesterly on a curve to the right, tangent to the last described course, having a radius of 240.00 feet, a central angle of 43° 17'23", and an arc distance of 181.33 feet, to a point of tangency; thence South 44° 18'03" West, a distance of 90.67 feet to a point of curvature; thence Southwesterly on a curve to the left, tangent to the last described course, having a radius of 330.00 feet, a central angle of 14° 38'22", and an arc distance of 84.32 feet, to a point on the said Westerly right-of-way line of said Northeast 82nd Street, said point also being the Eastern most corner of Tract A of said Brighton Creek Apartments - First Plat; thence departing said Westerly right-of-way of Northeast 82nd Street and continuing along the Northerly line of said Tract A of Brighton Creek Apartments - First Plat the following five courses, Northwesterly, on a curve to the left, having an initial tangent bearing of North 29° 39'41" East, a radius of 15.00 feet, a central angle of 79° 00'42", and an arc distance of 20.69 feet, to a point of compound curvature; thence Westerly, on a curve to the left, having a common tangent with the last described course, with a radius of 270.00 feet, a central angle of 39° 36'47", and an arc distance of 186.67 feet, to a point of non-tangency; thence South 81° 55'46" West, a distance of 67.58 feet, to a point of curvature; thence Westerly on a curve to the right, being tangent to the last described course, having a radius of 500.00 feet, a central angle of 09° 06'26", and an arc distance of 79.48 feet, to a point of tangency; thence North 88° 57'48" West, a distance of 30.73 feet to the to Northwest corner of said Tract A of Brighton Creek Apartments - First Plat; thence South 01° 02'12" West, along the West line of said Tract A of Brighton Creek Apartments, a distance of 245.11 feet to a point on the Northerly right-of-way line of Northeast Soccer Drive as established by Document No. 2012021547 in Book 6852 at Page 139 at the Clay County Register of Deeds; thence along the Northerly right-

{31123 / 67936; 955920. }

of-way line of said Northeast Soccer Drive for the following three courses, Westerly on a curve to the left, having an initial tangent bearing of North 79° 02'30" West, with a radius of 1863.12 feet, a central angle of 05° 11'12", and an arc length of 168.66 feet, to a point of compound curvature; thence Westerly on a curve to the left, having a common tangent with the last described course, with a radius of 710.00 feet, a central angle of 04° 30'07", and an arc distance of 55.79 feet to a point of tangency; thence North 88°43'50" West, a distance of 140.96 feet to a point on the Easterly right-of-way line of North Brighton Avenue as it is now established; thence along said Easterly right-of-way of North Brighton Avenue, as established by deed filed of record on April 19, 2002, under Document No. R-7933 in Book 3610 at Page 41 at the Clay County Register of Deeds, for the following three courses, North 00° 30'00" East, a distance of 615.00 feet; thence North 11°45'00" East, a distance of 62.48 feet; thence North 00° 30'00" East, a distance of 32.37 feet to a point on the South line of a parcel of land conveyed to the State of Missouri by deed filed of record on December 3, 1974 as Document No. D-6812 in Book 1171 at Page 100 at the Clay County Register of Deeds; thence departing said Easterly right-of-way line of North Brighton Avenue and continuing along the Southerly line of the parcel of land conveyed to the State of Missouri by said Document D-6812 for the following four courses; North 11° 19'37" East, a distance of 88.74 feet; thence North 41° 21 '25" East, a distance of 168.68 feet; thence North 78°43'56" East, a distance of 308.10 feet; thence North 61° 12'53" East, a distance of 187.10 feet to the Point of Beginning;

and

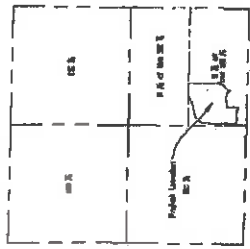
All that part of the South Half of the Southeast Quarter of Section 8, Township 51N, Range 32W, in Kansas City, Clay County, Missouri, described as follows:

Commencing at the Northwest corner of the South Half of the Southeast Quarter of Section 8; thence South 89 degrees, 00 minutes, 06 seconds East, along the North line of the South Half of the Southeast Quarter Section, 654.05 feet to a point being 300 feet right of Station 244+57 of Route 152 Right Of Way as defined in Document D-6812 and recorded in Book 1171 at Page 100 and the POINT OF BEGINNING; thence South 89 degrees, 00 minutes, 06 seconds East, continuing along the North line, and the Right of Way, 298.82 feet; thence South 01 degree, 00 minutes, 41 seconds West, leaving the Right Of Way, 344.45 feet to a point on the West line of Brighton Creek Apartments-First Plat as recorded in Book H at Page 146.4; thence South 01 degree, 00 minutes, 41 seconds West, along the West line of plat, 85.83 feet; thence North 89 degrees, 29 minutes, 06 seconds West, leaving the West line of the plat, 880.99 feet; thence North 00 degrees, 30 minutes, 00 seconds East, 93.91 feet to the East Right Of Way of N. Brighton Ave. as defined in Documents D-6812 recorded in Book 1171 at Page 100 and Book 3610 at Page 41; thence North 11 degrees, 19 minutes, 37 seconds East, continuing along the Right Of Way, 57.80 feet; thence North 41 degrees, 21 minutes, 25 seconds East, continuing along the Right Of Way, 168.68 feet to the point 387 feet right of Station 236+74 of Route 152 Right Of Way; thence North 78 degrees, 43 minutes, 56 seconds East, continuing along the Right Of Way, 308.10 feet to a point 270 feet right of Station 241+57; thence North 61 degrees, 12 minutes, 53 seconds East, continuing along the Right Of Way, 187.10 feet to the POINT OF BEGINNING, containing 309,699 square feet, or 7.11 acres, more or less. (To be known as Lot 1, Brighton Creek Crossing)

The above described parcel of land contains about 24.74 acres of land more or less.

EXHIBIT "B"
(See Attached)

**Plan View of
BRIGHTON CREEK CROSSING**
Sections 8, Township 81 North, Range 89 West,
Madison City, Clay County, Missouri



PROPERTY OWNERS:

1. [Name], [Address], [City, State, Zip]
2. [Name], [Address], [City, State, Zip]
3. [Name], [Address], [City, State, Zip]

PLAT CERTIFICATION:

I, the undersigned, being a duly qualified and licensed Professional Engineer, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Missouri.

DATE: [Date]

BY: [Signature]

LINE	SECTION	AREA
1	8	1.23
2	9	1.23
3	10	1.23
4	11	1.23
5	12	1.23
6	13	1.23
7	14	1.23
8	15	1.23
9	16	1.23
10	17	1.23
11	18	1.23
12	19	1.23
13	20	1.23
14	21	1.23
15	22	1.23
16	23	1.23
17	24	1.23
18	25	1.23
19	26	1.23
20	27	1.23
21	28	1.23
22	29	1.23
23	30	1.23
24	31	1.23
25	32	1.23
26	33	1.23
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29	36	1.23
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32	39	1.23
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34	41	1.23
35	42	1.23
36	43	1.23
37	44	1.23
38	45	1.23
39	46	1.23
40	47	1.23
41	48	1.23
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88	95	1.23
89	96	1.23
90	97	1.23
91	98	1.23
92	99	1.23
93	100	1.23

PLAT CERTIFICATION:

I, the undersigned, being a duly qualified and licensed Professional Engineer, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Missouri.

DATE: [Date]

BY: [Signature]

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93	100	1.23

PLAT LEGEND:

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CITS ENGINEERS

1000 N. [Address]

Madison, Missouri 64501

Phone: [Number]

Fax: [Number]

Website: [URL]

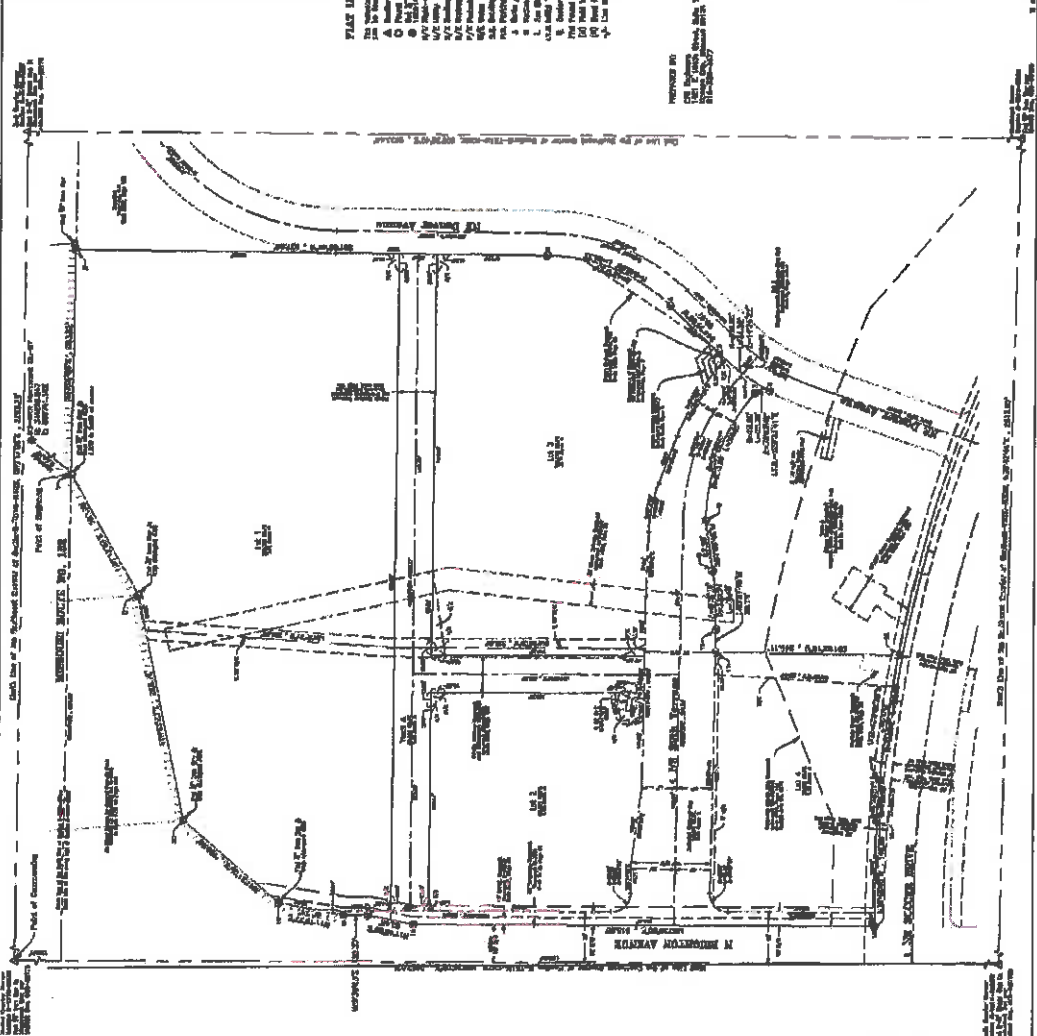


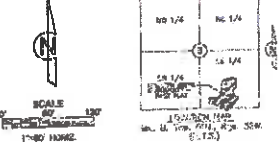
EXHIBIT "C"
(See Attached)

1/4 Sec. 14, NE 1/4, NE 14, Sec. 9 - Twp. 51 N. - Rng. 32 W. NE 1/4, Sec. 17 - Twp. 51 N. - Rng. 32 W. KANSAS CITY, CLAY COUNTY, MISSOURI

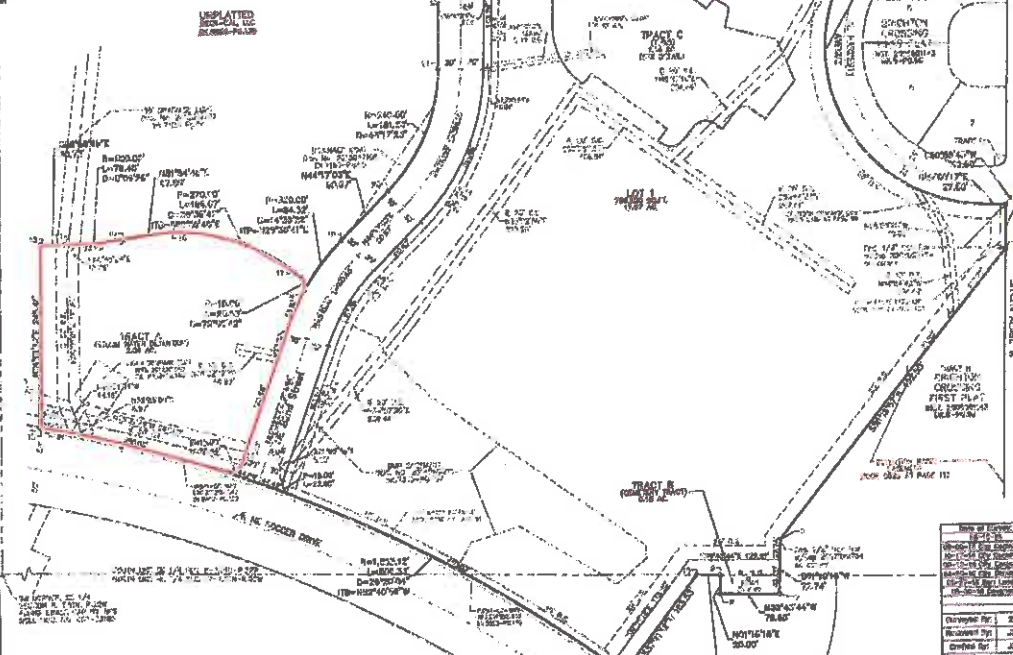
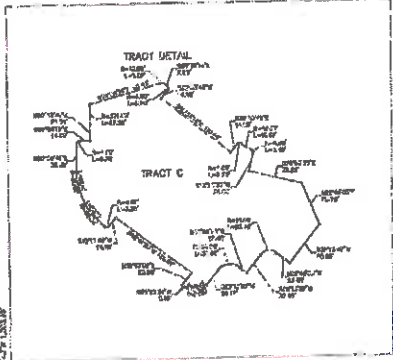
Recorded in the Public Records Office of Clay County, Missouri on 10/13/2010
Book 2, Page 1484

FINAL PLAT OF BRIGHTON CREEK APARTMENTS - FIRST PLAT

SE 1/4, SEC. 9 - Twp. 51 N. - Rng. 32 W.
NE 1/4, SEC. 17 - Twp. 51 N. - Rng. 32 W.
KANSAS CITY, CLAY COUNTY, MISSOURI



SCALE 1" = 100'



This plat and survey of BRIGHTON CREEK APARTMENTS - FIRST PLAT was prepared by LUTJEN, Inc., 4200 Brighton Street, #200, Park Plaza City, Missouri 64116.



- LEGEND**
- 1. 20' CONC. DRIVEWAY
 - 2. 10' CONC. DRIVEWAY
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 - 100. 10' CONC. DRIVEWAY

LUTJEN

Surveyors

1001 North Street
Kansas City, Missouri 64108
Tel: 816-451-8000
Fax: 816-451-8001
www.lutjen.com

Sheet No. 1 of 2

RESOLUTION
OF THE CLAY COUNTY COMMISSION
CLAY COUNTY, MISSOURI

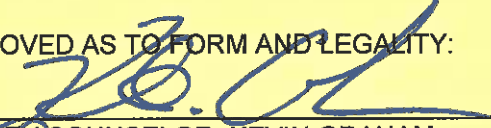
2022-204

**APPROVE COVENANT TO MAINTAIN STORM WATER DETENTION FACILITY
AND BMPS PLAT OF BRIGHTON CREEK CROSSING
COUNTY COUNCIL**

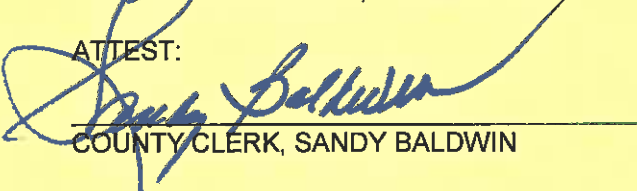
**BE IT HEREBY RESOLVED BY THE COUNTY COMMISSION OF CLAY COUNTY, MISSOURI
THAT, the Commission hereby approves the attached Covenant to maintain storm water
detention facility and BMPs plat of Brighton Creek Crossing. Any Commissioner is
authorized to sign any documents to facilitate this order.**

**ADOPTED BY THE COUNTY COMMISSION OF CLAY COUNTY, MISSOURI, THIS 15th DAY
OF June, 2022.**


APPROVED AS TO FORM AND LEGALITY:


COUNTY COUNSELOR, KEVIN GRAHAM

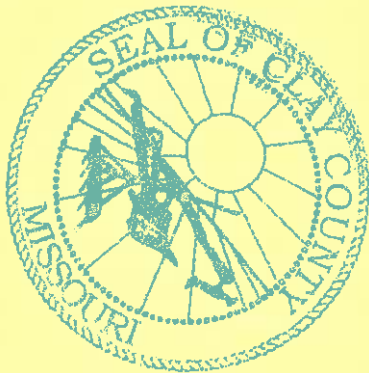
ATTEST:


COUNTY CLERK, SANDY BALDWIN


PRESIDING COMMISSIONER, JERRY NOLTE


WESTERN COMMISSIONER, JON CARPENTER


EASTERN COMMISSIONER, MEGAN THOMPSON



July 25, 2022

VIA HAND DELIVERY

City Clerk's Office
City of Kansas City, Missouri
414 E. 12th St., 25th Floor
Kansas City MO 64106

Re: Brighton Creek Crossing

Dear Ladies and Gentlemen:

Enclosed please find the following documents recorded in Clay County in connection with the above-referenced plat:

1. Final Plat;
2. Ordinance 210680
3. Deed of Release
4. Covenant to Maintain Storm Water Detention Facility;

If you have any questions or need anything further, please do not hesitate to contact me.

Very truly yours,



Kellee R. Madinger
Paralegal and Financial Analyst

KRM:krm
Enclosures

cc: Patricia R. Jensen, Esq.

{31123 / 67936; 963986. }