RECORDER'S CERTIFICATION JACKSON COUNTY, MISSOURI 01/20/2017 11:34:48 AM

INSTRUMENT TYPE: ORDI FEE: \$27.00 NON-STANDARD FEE: EXEMPT





2017E0005554

Robert T. Kelly, Director, 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.



## Robert T. Kelly, 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.

### ORDINANCE NO. 150708

Approving the plat of LAMP / REDISCOVER, an addition in Jackson County, Missouri; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and authorizing the City Clerk to record this ordinance and attached documents. (SD1513)

### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of LAMP / REDISCOVER, 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 Facility 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.

### ORDINANCE NO. 150708

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 August 4, 2015.

Approved as to form and legality:

Sarah Baxter

Assistant City Attorney

Authenticated as Passed

Sty James, Mayor

Marilyn Sanders, City Clerk
AUG 27 2015

**Date Passed** 

This is to certify that General Taxes for 20 // , 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 Menholand

Dated, January 17, 2017

the sof for said county and the processing section in the soft hadron rise, a noising position from the source and the processing section in the source and the immensional, that on the state of the relational properties in the processing of the state concept and any properties in the present control of the state of AND THE STATE OF T The control of the co BUILDHO LIFEE BLUILING Lines on select Lines ere hereby standarded as short on the scooppasting stands and no whiteing or portion thereof shall be built between this line and THE ST. RESIDENT AND SESSORING OF LOTS I TRADICIALS, THE NORTH STAND LUTROG BOTH ALTHOUGH THE SESSORING OF LOTS THE MISSION ALL THROUGH SOFTH OF LUTROG BOTH ALTHOUGH THE SESSORING OF THE SESSORING OF THE SOUTHWEST WHITH OF THE SESSORING OF THE SESSORING OF THE SOUTHWEST WEST SESSORING AS THE SESSORING OF THE SESSORING OF THE THE SESSORING OF THE SESSORING Mary application for understand proprietors of the above described tract of land has sourced the same to be understanded to the names above no the ecompastiving pair, mitted understance ental by investigations are "Lidely "Districtions." MENTIFICATION OF TRACES. THE CASE IS HE OF A most for sharing most explorated and shall be a be considered by the centre of the risk treats and parents them within this delimination to be a formation of the consideration of the considerati RESTRICTED ACCESS. In circus webscule movem to innewed first from ion i is parmitted STREST DESTRICTED. These above haven and not kentedrare deducated for public use as STREST INDICATION, The way deducated. Notary Public Countission Stylner Notesy Public Man L. Mary Precisent nieston Stylner: By: David Parts, Manager All Coordinates and Bearings aloun hereon are based on the "Memouri Coordinate System of 1989 - Adjusted 2002" uning a Grid Pector of Appopolo. DOCCITANT. The subject property is located in Tans C" (erwas of minimal faceling) secondary in the school coulty, immed Theol Delumbos Rate May (FRMs), may number the Company April of only retract algebra (FRMs). I beneg would have been felled (Barriera and Barriera and This is a certify that the within plot the drip inhabited is and appeared by the Channell of Manne City, Manuary by Ontonices the 1500mp drip inclinationals as passed the 27 dry of Against 2018. EASTING 845.517.019 845.537.984 846.427.087 846.708.805 844.708.105 844.708.105 844.708.005 844.708.005 844.708.005 LAMP / REDISCOVER CITY CLERKY Marting Sunders Sharri K. Mchilyro P.S. Director of Public Nortes DEVELOPED BY: Linwood
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Kansas City, Mo. 64109
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# RECORDER'S CERTIFICATION JACKSON COUNTY, MISSOURI

01/20/2017 11:34:48 AM

INSTRUMENT TYPE: REST FEE: \$51.00



Robert T Kelly, Director, Recorder Of Deeds

Above Line for Recorder Use Only

Name of Document:

COVENANT TO MAINTAIN STORM WATER DETENTION AND BMP

FACILITIES - PLAT OF LAMP/REDISCOVER

**Date of Document:** 

January 9, 2017

Grantor(s):

LINWOOD PLACE DEVELOPMENT, LLC, a Missouri limited liability

company; and

REDISCOVER, INC., a Missouri Nonprofit Corporation

Grantor's Mailing Address:

3210 Michigan Avenue

Kansas City, Missouri 64109

Attention: David Warm

1555 NE Rice Road

Lee's Summit, Missouri 64086 Attention: Alan Flory, President

Grantee(s):

CITY OF KANSAS CITY, MISSOURI

Grantee's Mailing Address:

City Hall, 414 East 12th Street Kansas City, Missouri 64106

Attention: Director of City Planning & Development

**Statutory Recording Reference:** 

**Legal Description:** 

See Exhibit A, p. 8.

## COVENANT TO MAINTAIN STORM WATER DETENTION AND BMP FACILITIES PLAT OF LAMP/REDISCOVER

THIS COVENANT made and entered into this 9th day of \_\_\_\_\_\_\_\_\_, 2017, by and between Kansas City, Missouri, a constitutionally chartered Municipal corporation (City), and ReDiscover, Inc., a Missouri nonprofit corporation and Linwood Place Development, LLC, a Missouri limited liability company (collectively, Owner).

WHEREAS, Owner has an interest in certain real estate generally located at the southwest corner of E. Linwood Boulevard and Michigan Avenue in Kansas City, of Jackson 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 LAMP/REDISCOVER, (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 1 and Tract of A 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 Tract of A 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 storm water 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 Tract A.
- b. Maintain the pipes, structures, BMPs, grounds, and appurtenances for the Facilities located on Tract A.
- 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 Tract A to the limits prescribed by the Kansas City Code of Ordinances.
- 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 2014-066A REV1.
- 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 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 Tract A, and/or the owners of Lot 1 served by the Facility on Tract A;
  - b. Assess a lien on either the Tract A or on the Lot 1 or both served by the Facility on Tract A;
  - c. Maintain suit against Owner, and/or the owner of Tract A 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 and/or the thencurrent owners of Tract A and Lot 1 not less than thirty (30) days before it begins maintenance of The Facilities.

- Sec. 3. Owner and/or the 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:

Standard Covenant for Storm Water Detention Facility w/BMPs Ver. 09-30-2009

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: ReDiscover, Inc. A Missouri Nonprofit Corporation 1555 NE Rice Road Lee's Summit, Missouri 64086 Alan Flory, President Phone number: (816) 966-0900

### AND TO

Linwood Place Development, LLC A Missouri Limited Liability Company 3210 Michigan Ave Kansas City, MO 64109 Attention: David Warm Phone number: (816) 474-4240

- **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 Facilities.

Standard Covenant for Storm Water Detention Facility w/BMPs Ver. 09-30-2009

ATTESTATION BY CITY CLERK: City Clerk	By: All Manning and Development
Approved as to form:  Assistant City Attorney	
STATE OF MISSOURI ) ) SS COUNTY OF)	
BE IT REMEMBERED that on this 9 day undersigned, a notary public in and for Dévelopment, of Kansas City, Missouri, a corporation under and by virtue of the laws Kansas City, Missouri, who are personally known to officials, the within instrument on behalf of Kanacknowledge the execution of the same to be the act	the county and state aforesaid, came, Director of City Planning and tion duly organized, incorporated and existing of the State of Missouri, and of o me to be the same persons who executed, as nsas City, Missouri, and such persons duly
IN WITNESS WHEREOF, I have hereunto day and year last above written.	set my hand and affixed my official seal, the
Notary	Sty Cheriden (CH)
My Commission Expires: September 3, 6	KRISTY CHERI TYSON COTTON Notary Public - Notary Seal State of Missouri, Jackson County Commission # 14973498 My Commission Expires Sep 3, 2018

	NER iscover, Inc. issouri Nonprofit Corporation
1555	tan Flory, President NE Rice Road
	s Summit, Missouri 64086 e number: (816) 966-0900
1 Hon	e number. (810) 900-0900
this d	eby certify that I have authority to execute locument on behalf of Owner.  ALAN FLORY
Title:	PRESIDENT
Date:	P12ESIDENT 12/29/2016
	Check one: ( ) Sole Proprietor ( ) Partnership (X) Corporation ( ) Limited Liability Company (LLC)
	Attach corporate seal if applicable
STATE OF Mi'ssouri)  COUNTY OF Jackson)  SS	
BE IT REMEMBERED, that on the before me, the undersigned notary public in and a Flory, to me personally known, who being by me ReDiscover, Inc., and that said instrument was signauthority of its Board of Directors and acknowledged of said nonprofit corporation.	duly sworn did say that he is the President of ned on behalf of said nonprofit corporation by
day and year last above written.	set my hand and affixed my official seal, the Public
My commission expires: July 19, 202	BARBARA SCHNEIDER My Commission Expires July 19, 2020 Jackson County Commission #12379703

	LINWOOD PLACE DEVELOPMENT, LLC, a Missouri limited liability company By: LAMP MM, LLC, a Missouri limited liability company, its managing member
	By: Linwood Place Development Manager, LLC, a Missouri limited liability company, its managing member
	By: Name: David Warm
	Title: Manager 3210 Michigan Ave Kansas City, MO 64109
	Phone number: (816) 474-4240
	I hereby certify that I have authority to execute this document on behalf of Owner.  By:
	Title:
	Date:
	Check one:  ( ) Sole Proprietor ( ) Partnership ( ) Corporation (X) Limited Liability Company (LLC)
	Attach corporate seal if applicable
STATE OF Missore )  SS  COUNTY OF Missore )	

OWNER:

BE IT REMEMBERED, that on the <u>20</u> day of <u>December</u>, <u>2016</u>, before me, the undersigned notary public in and for the county and state aforesaid, came David Warm, to me personally known, who being by me duly sworn did say that he is the Manager of Linwood Place Development Manager, LLC, a Missouri limited liability company, which is the managing member of LAMP MM, LLC, a Missouri limited liability company, which is the managing member of Linwood Place Development, LLC, a Missouri limited liability company, known to me to be the person who executed the foregoing document in behalf of said limited liability company, and acknowledged to me that he executed the same as his free act and deed.

Standard Covenant for Storm Water Detention Facility w/BMPs Ver. 09-30-2009

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

NANCY WEITZEL BUTRY
Notary Public Nibrary Paslic
State of Missouli
Jackson County
Commission # 13414121
My Commission Expires July 28, 2017

My commission expires:

### **EXHIBIT "A"**

THIS IS A RESURVEY AND SUBDIVISION OF LOTS 1 THROUGH 5, THE NORTH 33.33 FEET OF LOT 6, LOTS 12 THROUGH 18 AND LOTS 37 THROUGH 41 LYING SOUTH OF LINWOOD BOULEVARD AS NOW ESTABLISHED, ALL BEING PART OF ALTAMONT A SUBDIVISION IN THE CITY OF KANSAS CITY, IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 49, RANGE 33, JACKSON COUNTY, MISSOURI BEING DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 12; THENCE NORTH 02°17′12″ EAST ALONG THE EAST LINE OF SAID LOTS 12 THROUGH 18 AND SAID LOT 37, 480.62 FEET TO A POINT ON THE SOUTH LINE OF LINWOOD BOULEVARD AS NOW ESTABLISHED; THENCE NORTH 87°37′21″ WEST ALONG THE SOUTH LINE OF LINWOOD BOULEVARD AS NOW ESTABLISHED, 268.89 FEET TO A POINT ON THE WEST LINE OF SAID LOT 41; THENCE SOUTH 02°16′26″ WEST ALONG THE WEST LINE OF SAID LOTS 41, 1 THROUGH 5 AND THE NORTH 33.33 FEET OF SAID LOT 6, 413.73 FEET; THENCE SOUTH 87°33′11″ EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 6, 134.50 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6; THENCE SOUTH 02°15′24″ WEST ALONG THE EAST LINE OF SAID LOT 6 AND THE WEST LINE OF SAID LOT 12, 66.67 FEET TO THE SOUTH WEST CORNER OF SAID LOT 12; THENCE SOUTH 87°35′49″ EAST ALONG THE SOUTH LINE OF SAID LOT 12, 134.26 FEET TO THE POINT OF BEGINNING. CONTAINING 120,218 SQUARE FEET OR 2.76 ACRES OF LAND MORE OR LESS.

## EXHIBIT "B"

Ab Commission Expires. Alas L. Play All Coordinates and Bearings above bareds are based on the "Ulmouri Coordinate System of 1883 — Adjusted 2003" seting a Grid Pactor of C.P689216. #GOOFFARE: The embiest property is isocited in Tane C' (areas of minimal freeding) covering in the Anthern Charlet, Measured Treed Internation Rate Map (FRM), may namber #8017 FOOF it, may reveated Maper 5,1460; I know you will that the pile of the Office Office and the students of the office of the control OCIONEZ. This is to everify that the visitin plat was duly submitted to and approved by the Cround of Romes Ott, Missout by Octoberon St. 199709 taly authoritested as passed tha 844,807.007 844,708.985 844,705.140 844,602.853 844,600.003 640,511 519 646,537.294 / REDISCOVER CITY CLERK Marilyn Sanders Sherri K. McIntyre P.S. Director of Public Forb A SUBDIVISION IN THE S.E. I\A OF SEC. 16-49-39 KANSAS CIT1, ACKSON COUNT, NO. DEVELOPED BY LINWOOD Place Development, LLC. KANSAS CITY, MISSOUR SEIO Michigan Avenue Kenses City, Mc. 64109 816-474-4240 PUBLIC WORLS John P. McKean 18-sars 382,174,881 382,674,881 382,684,774 382,682,974 382,675,648 382,677,774 382,677,774 FINAL PLAT OF GROUNG DEST. LAMP Signed. 1960 (ADJ, 8003) N 38-86-30 W CITY PLAY COLOGOGODA M. YOR. Sylvestor 30y James Ir. TRAVERSE TABLE PODT NO. BELL dignart 6, POS FND + CLT 6' CAST 0.07' KORTH 30, FND + CLT 040 NO. 1804 100000 30.10. 14 30, F BAR CAP 1895 33 6. ROME SEAT OF TRACT A
STORW WATER DETENTION
0.881 ACRES
25315 SQ. FT. ORIGER THE TOTAL STATE 3' KTP-81 ENSTY BE B 300K PG 169 .ос 10' KCPAL MENI'S DNST. 4 201420102550 DNST. 5 201420102355 18 12 13 38 12 10 87, 6' U\S 37 PL(T 2.177 ACRES 94807 SQ.FT. 53 MINTER AND LANGOOD BAND. ALTHANOOD BAND. CORD. R. W. LEWSOOD BAND. R. Bo' LOTS G & 10 38 EAST LINWOOD BLVD. EAST 33RD THE BILLY 10 10 M V8.815'24"W ALTAMONT 3' X 16.67' KOPAL ESW'Y. 6K: B-\$236, PG: 2K9 State Pipeline Essentials St. Col. Pg. 17 Passaled by Margar of trees. 40 48 CAP -895 SB7/35'11"E Bathg Dedicated ST. K-1047, PO - FAD. 77" HALE 7 .08 .001 (TEXALLE) 107 ,09 30, ZAV GNVIGOOM 30, 30. UNPLATTED 30, 101 2 507 EMSTING STREET GRADES Lineace Bled. DRD, NO. 12046 June. 8, 1699 9000'ond Ave. DRD, NO. 9808 June 23, 1899 Withligen Ave. ORG. NO. 11127 Fab. 10, 1869 **GREG GRANT R.L.S.** 14343 2450 ROAD FONTANA, KANSAS 913-558-3408 Fax 913-757-2810 MICHITY SABTELL
ARE IN SEC. 10 - 40 - 55
NO SELLE 1334 VI 4 (4)20

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David Warm, Manager

- Notary Public

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Commission Expires Note; Public

### RECORDER'S CERTIFICATION JACKSON COUNTY, MISSOURI 01/20/2017 11:34:48 AM

INSTRUMENT TYPE: REL

FEE: \$30.00



Robert T Kelly, Director, Recorder Of Deeds

Above Line for Recorder Use Only

Name of Document:

**DEED OF RELEASE** 

**Date of Document:** 

November 17, 2016

Grantor(s):

CBKC SUBSIDIARY CDE XX, LLC, a Missouri limited liability company

**Grantor's Mailing Address:** 

2301 Independence Boulevard Kansas City, Missouri 64124

Grantee(s):

LINWOOD PLACE DEVELOPMENT, LLC, a Missouri limited liability

company

Grantee's Mailing Address:

3210 Michigan Avenue Kansas City, Missouri 64109

Attention: David Warm

Statutory Recording Reference: Document No. 2014E0075604

Legal Description:

See Exhibit A, p. 3.

# DEED OF RELEASE (PARTIAL – CORPORATION)

This Deed of Release Witnesseth, CBKC Subsidiary CDE XX, LLC, a Missouri limited liability company ("CBKC CDE"), having its principal place of business in Jackson County, Missouri, owner and holder of the note evidencing the debt secured by the Fee and Leasehold Deed of Trust, Assignment of Leases and Rents and Security Agreement ("Deed of Trust") executed by Linwood Place Development, LLC, a Missouri limited liability company, dated and recorded on September 12, 2014 in the office of the Recorder of Deeds for Jackson County, Missouri, as Document No. 2014E0075604, 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 LAMP/ReDISCOVER, a subdivision of land in Kansas City, Jackson County, Missouri, according to the recorded plat thereof by the instrument recorded as Document No. 2017 F0005556, including the right-of-way property as more specifically described in 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 the Deed of Trust on the remaining property therein described.

CBKC Subsidiary CDE XX, LLC, a Missouri limited liability company

Name: William M. Dana, Jr.

Title: President/CEO

In the State of Missouri, County of Jackson, on this 17th day of November, 2016, before me, a Notary Public in and for said state, personally appeared William M. Dana, Jr., President/CEO of CBKC Subsidiary CDE XX, LLC, known to me to be the person who executed the foregoing document on behalf of said limited liability company and acknowledged to me that s/he executed the same for the purposes therein stated. Witness my hand and seal subscribed and affixed in Andaldau Notary Public said County and State, the day and year above written.

My commission expires 5/19/18

LINDA ADAIR
Notary Public, Notary Seal
State of Missouri
Clay County
Commission # 14475797
My Commission Expires May 19, 2018

### **EXHIBIT A**

### Legal Description of Right-of-Way Property Released from Deed of Trust

### **DESCRIPTION OF RIGHT OF WAY**

A TRACT OF LAND BEING PART OF LOT 37, ALTAMONT A SUBDIVISION IN THE CITY OF KANSAS CITY, JACKSON COUNTY MISSOURI DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 37, THENCE NORTH 02°17′12" EAST ALONG THE EAST LINE OF SAID LOT 32, 94.26 FEET TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET AND AN ARC LENGTH OF 23.59 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LINWOOD BOULEVARD; THENCE SOUTH 87°37′21" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LINWOOD BOULEVARD, 15.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 37; THENCE SOUTH 02°17′12" WEST ALONG THE EAST LINE OF SAID LOT 37, 15.00 FEET TO A POINT OF BEGINNING. CONTAINING 48 SQUARE FEET OF LAND MORE OR LESS.

### AND

A TRACT OF LAND BEING PART OF LOT 41, ALTAMONT A SUBDIVISION IN THE CITY OF KANSAS CITY, JACKSON COUNTY MISSOURI DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 41, THENCE NORTH 02°16′26″ EAST ALONG THE WEST LINE OF SAID LOT 41, 112.96 FEET TO THE POINT OF BEGINNING; THENCE NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET AND AN ARC LENGTH OF 23.53 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LINWOOD BOULEVARD; THENCE NORTH 87°37′21″ WEST ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LINWOOD BOULEVARD, 15.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 41; THENCE SOUTH 02°16′26″ WEST ALONG THE WEST LINE OF SAID LOT 41, 15.00 FEET TO THE POINT OF BEGINNING. CONTAINING 48 SQUARE FEET OF LAND MORE OR LESS.

### RECORDER'S CERTIFICATION JACKSON COUNTY, MISSOURI 01/20/2017 11:34:48 AM

FEE: \$30.00 INSTRUMENT TYPE: REL



Robert T. Kelly, Director, Recorder Of Deeds

Above Line for Recorder Use Only

Name of Document:

**DEED OF RELEASE** 

**Date of Document:** 

November 16, 2016

Grantor(s):

KCMO CDE VI, LLC, a Delaware limited liability company

Grantor's Mailing Address:

3200 Wayne Avenue

Kansas City, Missouri 64109

Grantee(s):

LINWOOD PLACE DEVELOPMENT, LLC, a Missouri limited liability

company

**Grantee's Mailing Address:** 

3210 Michigan Avenue Kansas City, Missouri 64109

Attention: David Warm

Statutory Recording Reference: Document No. 2014E0075604

Legal Description:

See Exhibit A, p. 3.

# DEED OF RELEASE (PARTIAL – CORPORATION)

This Deed of Release Witnesseth, **KCMO CDE VI, LLC**, a Missouri limited liability company ("KCMO CDE"), having its principal place of business in Jackson County, Missouri, owner and holder of the note evidencing the debt secured by the Fee and Leasehold Deed of Trust, Assignment of Leases and Rents and Security Agreement ("Deed of Trust") executed by Linwood Place Development, LLC, a Missouri limited liability company, dated and recorded on September 12, 2014 in the office of the Recorder of Deeds for Jackson County, Missouri, as Document No. 2014E0075604, 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 LAMP/ReDISCOVER, a subdivision of land in Kansas City, Jackson County, Missouri, according to the recorded plat thereof by the instrument recorded as Document No. 2017 E005556 including the right-of-way property as more specifically described in 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 the Deed of Trust on the remaining property therein described.

KCMO CDE VI, LLC, a Missouri limited liability company

In the State of Missouri, County of Jackson  November, 2016, before me, a Nor  personally appeared Ruben Honso  LLC, known to me to be the person who execute	tary Public in and for said state, of KCMO CDE VI, ed the foregoing document on	
behalf of said limited liability company and acknowledged to me that s/he executed the same for the purposes therein stated. Witness my hand and seal subscribed and affixed in said County and State, the day and year above written.		
	Notary Public	
My commission expires June 26,200		
	DAVIN GORDON Notary Public, Notary Seal State of Missouri Jackson County Commission # 16231701 My Commission Expires June 26, 2020	

### **EXHIBIT A**

### Legal Description of Right-of-Way Property Released from Deed of Trust

#### **DESCRIPTION OF RIGHT OF WAY**

A TRACT OF LAND BEING PART OF LOT 37, ALTAMONT A SUBDIVISION IN THE CITY OF KANSAS CITY, JACKSON COUNTY MISSOURI DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 37, THENCE NORTH 02°17′12" EAST ALONG THE EAST LINE OF SAID LOT 32, 94.26 FEET TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET AND AN ARC LENGTH OF 23.59 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LINWOOD BOULEVARD; THENCE SOUTH 87°37′21" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LINWOOD BOULEVARD, 15.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 37; THENCE SOUTH 02°17′12" WEST ALONG THE EAST LINE OF SAID LOT 37, 15.00 FEET TO A POINT OF BEGINNING. CONTAINING 48 SQUARE FEET OF LAND MORE OR LESS.

### AND

A TRACT OF LAND BEING PART OF LOT 41, ALTAMONT A SUBDIVISION IN THE CITY OF KANSAS CITY, JACKSON COUNTY MISSOURI DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 41, THENCE NORTH 02°16′26″ EAST ALONG THE WEST LINE OF SAID LOT 41, 112.96 FEET TO THE POINT OF BEGINNING; THENCE NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET AND AN ARC LENGTH OF 23.53 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LINWOOD BOULEVARD; THENCE NORTH 87°37′21″ WEST ALONG THE SOUTH RIGHT OF WAY LINE OF SAID LINWOOD BOULEVARD, 15.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 41; THENCE SOUTH 02°16′26″ WEST ALONG THE WEST LINE OF SAID LOT 41, 15.00 FEET TO THE POINT OF BEGINNING. CONTAINING 48 SQUARE FEET OF LAND MORE OR LESS.