



Kansas City

414 E. 12th Street
Kansas City, MO
64106

Legislation Text

File #: 210884

ORDINANCE NO. 210884

Approving the plat of Westport Commons II, an addition in Jackson County, Missouri, on approximately 10.85 acres generally located at the southwest corner of E. 39th Street and Gillham Road, creating 4 lots for the purpose of creating a multi-family development; accepting various easements; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2021-00024)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Westport Commons II, 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 Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

Section 4. That the Director of City Planning and Development is hereby authorized to execute and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

Section 5. That the City Clerk is hereby directed to record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Jackson County, Missouri.

Section 6. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on September 7, 2021.

This is to certify that General Taxes for 2024, and all prior years, as well as special assessments for local improvements currently due if any, on property described have been paid.

City Treasurer, Kansas City, MO

By *Carmen [Signature]*

Dated, *April 9*, 20*25*

Approved as to form and legality:

[Signature]

Eluard Alegre
Assistant City Attorney



Authenticated as Passed

[Signature]
Quinton Lucas, Mayor

[Signature]
Marilyn Sanders, City Clerk

OCT 07 2021
Date Passed

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

04/24/2025 9:55 AM

NON-STANDARD FEE: EXEMPT

FEE: \$24.00

3 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2025E0027755

Book: Page:

Diana Smith, Recorder of Deeds

Jackson County
Recorder of Deeds
Exempt Document

This document has been recorded under exempt status
pursuant to RSMo 59.310.4.

This certificate has been added to your document in
compliance with the laws of the State of Missouri.



Diana Smith
Recorder of Deeds

415 E. 12th Street, Room 104
Kansas City, MO 64106

112 W. Lexington, Suite 30
Independence, MO 64050

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

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

04/24/2025 9:55 AM

NON-STANDARD FEE: EXEMPT FEE: \$116.00 8 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2025E0027756

Book: 223 Page: 1

Diana Smith, Recorder of Deeds

Jackson County
Recorder of Deeds
Exempt Document

This document has been recorded under exempt status
pursuant to RSMo 59.310.4.

This certificate has been added to your document in
compliance with the laws of the State of Missouri.



Diana Smith
Recorder of Deeds

415 E. 12th Street, Room 104
Kansas City, MO 64106

112 W. Lexington, Suite 30
Independence, MO 64050

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

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

04/24/2025 9:55 AM

NON-STANDARD FEE: \$25.00

FEE: \$24.00

3 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2025E0027757

Book: Page:

Diana Smith, Recorder of Deeds

Jackson County
Recorder of Deeds
Non-Standard Document

This document has been recorded and you have been charged
the non-standard fee pursuant to RSMo 59.310.3.

This certificate has been added to your document in
compliance with the laws of the State of Missouri.



Diana Smith
Recorder of Deeds

415 E. 12th Street, Room 104
Kansas City, MO 64106

112 W. Lexington, Suite 30
Independence, MO 64050

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

SUBORDINATION OF DEED OF TRUST

(PARTIAL - CORPORATION)

This Subordination of deed of trust Witnesseth, that James Kevin Checkett (Trustee), and Arvest Bank, a corporation organized and existing under the laws of the State of Arkansas, having its principal place of business in 6300 Nall Avenue, Mission, Kansas as owner and holder of the note evidencing the debt secured by the Deed of Trust (with Future Advance Clause) executed by HP Development Partners 2, LLC, dated August 31, 2020 and recorded September 14, 2020 in the office of the Recorder of Deeds for Jackson County, Missouri, as Instrument Number 2020E0082999, and Assignment of Leases and Rents executed by HP Development Partners 2, LLC dated August 31, 2020 and recorded September 14, 2020 in the office of Recorder of Deeds for Jackson County, Missouri as Instrument Number 2020E0083000 for value received does hereby subordinate the lien and effect of said Deed of Trust (with Future Advance Clause) and Assignment of Leases and Rents to the easements and building lines and lot lines as shown on the property therein described on the plat of WESTPORT COMMONS II, recorded as Instrument Number 2025E002775 in Book 22 at Page 1. Provided, however, that this subordination shall not prejudice the lien of said Deed of Trust (with Future Advance Clause) and Assignment of Leases and Rents on the remaining property therein described.

*66202

*Book 223 Page 1

IN WITNESS WHEREOF, these presents have been executed under the seal of said corporation, pursuant to due authority, this 22 day of January, 2025.

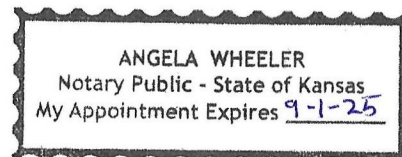
(SEAL)

By [Signature]
(Title)

In the State of KS, County of Johnson on this 22nd day of January, 2025, before, the undersigned, a Notary Public, in and for said County and State, personally appeared SETH NORTON, to me personally known, who being by me duly sworn did say that he/she is VP 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 Angela Wheeler 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.

[Signature]
Notary Public

My Commission expires 9-1-25.



RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

04/24/2025 9:55 AM

NON-STANDARD FEE: \$25.00

FEE: \$24.00

3 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2025E0027758

Book: Page:

Diana Smith, Recorder of Deeds

Jackson County
Recorder of Deeds
Non-Standard Document

This document has been recorded and you have been charged
the non-standard fee pursuant to RSMo 59.310.3.
This certificate has been added to your document in
compliance with the laws of the State of Missouri.



Diana Smith
Recorder of Deeds

415 E. 12th Street, Room 104
Kansas City, MO 64106

112 W. Lexington, Suite 30
Independence, MO 64050

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

SUBORDINATION OF DEED OF TRUST

(PARTIAL - LIMITED LIABILITY COMPANY)

This Subordination of Deed of Trust Witnesseth, that The Planned Industrial Expansion Authority of Kansas City, Missouri (Ground Lessor), First American Title Insurance Company (Trustee), and Dwight Capital LLC, a limited liability company organized and existing under the laws of the State of Delaware, having its principal place of business in 787 Eleventh Avenue 10th Floor, New York, New York as owner and holder of the note evidencing the debt secured by the Multifamily Deed of Trust, Security Agreement, Assignment of Rents, and Fixture Filing (Missouri) executed by HP Development Partners 2, LLC, and The Planned Industrial Expansion Authority of Kansas City, Missouri dated March 1, 2022 and recorded March 29, 2022 in the office of the Recorder of Deeds for Jackson County, Missouri, as Instrument Number 2022E0029774, and Subordination, Non-Disclosure and Attornment Agreement (HTC Lease) executed by HP2 MT, LLC, HP Development Partners 2, LLC, Dwight Capital LLC and NTCIC Climate Impact and Revitalization Fund I, LLC dated March 31, 2022 and recorded March 29, 2022 in the office of Recorder of Deeds for Jackson County, Missouri as Instrument Number 2022E0029780 for value received does hereby subordinate the lien and effect of said Multifamily Deed of Trust, Security Agreement, Assignment of Rents, and Fixture Filing (Missouri) and Subordination, Non-Disclosure and Attornment Agreement (HTC Lease) to the easements and building lines and lot lines as shown on the property therein described on the plat of WESTPORT COMMONS II, recorded as Instrument Number 2025E0027750 in Book 223 at Page 1. Provided, however, that this subordination shall not prejudice the lien of said Multifamily Deed of Trust, Security Agreement, Assignment of Rents, and Fixture Filing (Missouri) and Subordination, Non-Disclosure and Attornment Agreement (HTC Lease) on the remaining property therein described.

* 10019

** Book 223 Page 1

Application, for the duration of the project. Applicant is providing a copy of its E-Verify Memorandum of Understanding with the U.S. Department of Homeland Security as an attachment to its Preliminary Application. § 285.530 RSMo.

OR

☐ Applicant is a self-employed individual with no employees.

14. The Applicant understands that if it is found to have employed an unauthorized alien in Missouri and did not, for that employee, examine the documentation required by federal law, the Applicant may be ineligible for any state-administered or -subsidized tax credits, tax abatements, or loans for a period of five years following any such finding. § 285.025 RSMo.
15. Neither the operations of the Applicant nor the receipt of the requested incentives would violate any existing agreement of Applicant's.
16. The Applicant has obtained or can obtain all necessary federal, state, and local permits and licenses for the project that is the subject of the Application.
17. The Applicant hereby affirms, pursuant to § 135.802.12 RSMo that it have read and understands the Historic Preservation Tax Credit Program Guidelines, which inform the Applicant of the requirements of the Tax Credit Accountability Act of 2004, as amended (§§ 135.800-.830 RSMo), including the reporting requirements of § 135.805 RSMo and the penalty provisions of § 135.810 RSMo.
18. The Applicant agrees to give DED, the Missouri Department of Revenue, the Missouri State Auditor, SHPO, and their authorized representatives, access to any records (electronic and otherwise) of Applicant related to the Application, and to the property that is the subject of the Application, to conduct inspections, audits, or other investigations. The Applicant also agrees to give timely and reasonable access to its personnel for the purpose of interview and discussion related to such records or inspections.




Signature of Authorized Representative of Applicant



Type or Legibly Print Name of Authorized Representative of Applicant



Type or Legibly Print Title of Authorized Representative of Applicant



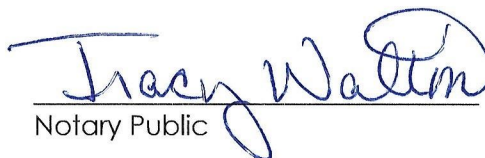
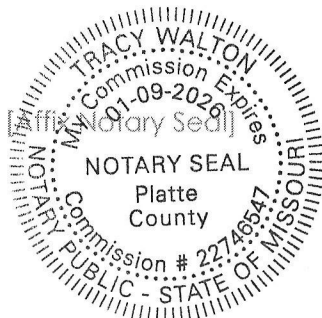
Type or Legibly Print Applicant's Name

State of MISSOURI)

) ss.

County of PLATTE)

On this 17TH day of FEBRUARY, 2025, before me, the undersigned notary public, personally appeared Edward F. Walz [name of Applicant's authorized representative], Authorized Representative [authorized representative's title or office] of LCKC Ladd Development Partners [name of Applicant entity], proved to me through identification documents or personally known to me to be the person who signed this document in my presence, and acknowledged to me that such person signed it voluntarily for its stated purpose on behalf of the entity.



Notary Public

Eff. August 28, 2024