

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

02/26/2020 11:11 AM

NON-STANDARD FEE: \$25.00

FEE: \$48.00

11 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2020E0016530

Book: Page:

Robert T. Kelly, Director, 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.



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.

RELOCATION OF STORM DRAINAGE EASEMENT

THIS RELOCATION OF STORM DRAINAGE EASEMENT (this "Agreement") is entered into as of this 28th day of December, 2019 (the "Effective Date"), by and between TOWNSEND SUMMIT, LLC, a Delaware limited liability company ("Townsend"), whose mailing address is 230 Schilling Circle, Suite 120, Hunt Valley, Maryland 21031, and S.M. TRADING CORPORATION, a Missouri corporation ("SMT") whose mailing address is 16504 Goddard Street, Overland Park, Kansas 66221.

RECITALS

WHEREAS, as of the Effective Date, Townsend is the fee simple owner of the property identified as Lots 4C and 4D on that certain plat titled "Corrected Summit Orchard, Lots 4A-4E" recorded with the Jackson County, Missouri Recorder of Deeds (hereinafter, the "Land Records") as Instrument Number 2019E0068481, at Book 185, Page 30 (such plat, hereinafter, the "Corrected Plat", and such property, hereinafter, the "Townsend Property").

WHEREAS, as of the Effective Date, SMT is the fee simple owner of the property identified as Lot 4E on the Corrected Plat (such property, hereinafter the "SMT Property").

WHEREAS pursuant to that certain plat titled "Summit Orchard – First Plat, Lots 1-4 & Tract A" recorded among the Land Records as Instrument Number 2016E0079184, at Book 163, Pages 87-88 (the "Original Plat") the Townsend Property and the SMT Property, were subjected to the benefits and burdens of a storm drainage easement, all as more particularly set forth therein (hereinafter, the "Original Storm Drainage Easement").

WHEREAS, to accommodate the proposed development of the SMT Property, the parties have agreed to relocate the portion of the storm drainage easement located upon the SMT Property, all as more particularly set forth below.

AGREEMENT

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

1. Recitals. The Recitals above are true and correct and are incorporated herein as a substantive part of this Agreement.
2. Original Storm Drainage Easement. Pursuant to the Original Plat the portion of the storm drainage easement upon the SMT Property is located in the area depicted upon, and identified by the legal description attached hereto as Exhibit A and made a part hereof (hereinafter, the "Vacated Location").
3. Relocation of Storm Drainage Easement Area. With respect to the portion of the Original Storm Drainage Easement located within the Vacated Location only, the parties hereby agree to terminate the force and effect of such Original Storm Drainage Easement and to

relocate the same in the area depicted upon, and identified by the legal description attached hereto as **Exhibit B** and made a part hereof (hereinafter, the "**New Location**").

4. **No Further Change.** The parties agree that, except as expressly set forth herein, there shall be no further change or amendment to the terms and conditions of the Original Storm Drainage Easement.

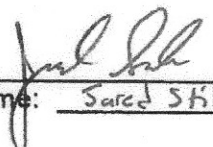
[SIGNATURES BEGIN ON THE FOLLOWING PAGE]


IN WITNESS WHEREOF, Townsend has executed this Relocation of Storm Drainage Easement as of the day and year first above written.

TOWNSEND:

WITNESS:

TOWNSEND SUMMIT, LLC,
a Delaware limited liability company


Name: Sarah Stile


By: 
David Townsend, President

ACKNOWLEDGMENT

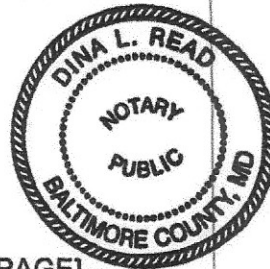
STATE OF MARYLAND)
COUNTY OF BALTIMORE) SS.

On this 2nd day of December, 2019, before me, a Notary Public in and for said State, personally appeared David Townsend, who acknowledged himself to be the President of Townsend Summit, LLC, a Delaware limited liability company, and that he as such officer was duly authorized to execute the foregoing instrument for the purposes therein contained.

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


Notary Public - State of Maryland
Name: Dina L. Read

My commission expires 4/15/2023



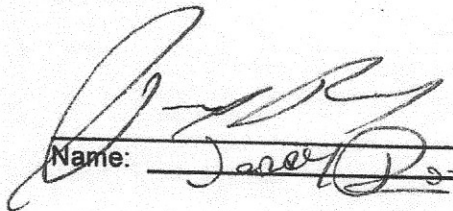
[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

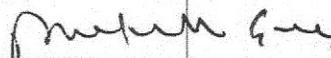
IN WITNESS WHEREOF, SMT has executed this Relocation of Storm Drainage Easement as of the day and year first above written.

SMT:

S.M. TRADING CORPORATION,
a Missouri corporation

WITNESS:


Name: Jacob Mukesh Goel

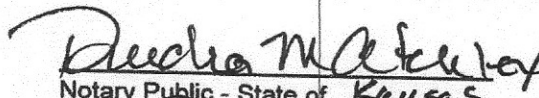
By: 
Mukesh Goel, President

ACKNOWLEDGMENT

STATE OF Kansas)
COUNTY OF Johnson) ss.

On this 2 day of December, 2019, before me, a Notary Public in and for said State, personally appeared Jacob Mukesh Goel, who acknowledged himself to be the President of S.M. TRADING CORPORATION, a Missouri corporation, and that he as such President was duly authorized to execute the foregoing instrument for the purposes therein contained.

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


Notary Public - State of Kansas
Name: Deidra M. Atchley

My commission expires _____

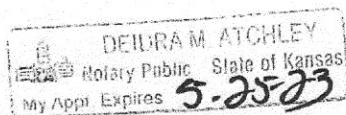


Exhibit A
[Attach Drawing and Legal Description of Vacated Location]

DRAINAGE EASEMENT VACATION DESCRIPTION, LOT 4E, CORRECTED SUMMIT ORCHARD, LOTS 4A-4E

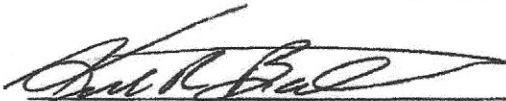
A TRACT OF LAND FOR DRAINAGE EASEMENT PURPOSES, LOCATED IN THAT PART OF LOT 4E, CORRECTED SUMMIT ORCHARD, LOTS 4A-4E, AS RECORDED IN DOCUMENT NO. 2019E0068481, AND BEING A SUBDIVISION OF LAND IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTHWEST CORNER OF SAID LOT 4E; THENCE NORTH 03°00'04" EAST, ALONG THE WEST LINE OF SAID LOT 4E, A DISTANCE OF 76.54 FEET TO THE INTERSECTION OF THE WEST LINE OF SAID LOT 4E AND THE NORTH LINE OF AN EXISTING PLATTED 15 FOOT DRAINAGE EASEMENT; THENCE SOUTH 87°48'17" EAST, ALONG THE NORTH LINE OF SAID EXSTING DRAINAGE EASEMENT, A DISTANCE OF 39.89 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING SOUTH 87°48'17" EAST, ALONG THE NORTH LINE OF SAID EXISTING DRAINAGE EASEMENT, A DISTANCE OF 207.92 FEET; THENCE SOUTH 20°18'17" EAST, A DISTANCE OF 16.24 FEET TO A POINT ON THE SOUTH LINE OF SAID EXISTING PLATTED DRAINAGE EASEMENT; THENCE NORTH 87°48'17" WEST, ALONG THE SOUTH LINE OF SAID EXISTING PLATTED DRAINAGE EASEMENT, A DISTANCE OF 209.53 FEET; THENCE NORTH 42°48'17" WEST, A DISTANCE OF 6.51 FEET; THENCE NORTH 02°11'43" EAST, A DISTANCE OF 10.39 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED TRACT CONTAINS 3154.82 SQUARE FEET AND IS SUBJECT TO ALL OTHER EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, CONDITIONS AND RIGHT OF WAYS OF RECORD.

CERTIFICATION

I, KIRK R. BALDWIN, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF MISSOURI, HEREBY CERTIFIES THAT THE DESCRIPTION ABOVE WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.



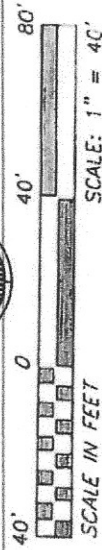
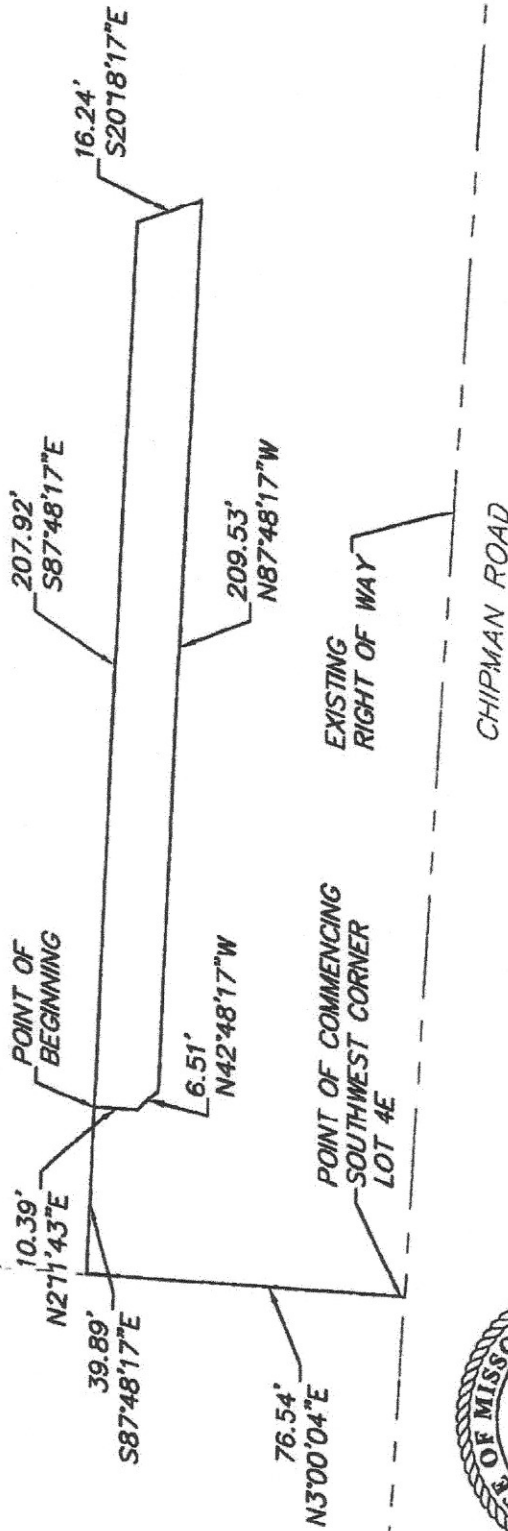
DATE: 11/18/19

KIRK R. BALDWIN, MOPLS 2001015227
ANDERSON ENGINEERING, INC - LC 62
941 W. 141ST TERRACE, SUITE A
KANSAS CITY, MO 64145



Easement Vacation Exhibit

LOT 4E



PREPARED FOR: FOOD AND FUEL EXPRESSO
PROJECT NO. 18C010004
DATE: 11/18/2019



ENGINEERS SURVEYORS LABORATORIES DRILLING
941 W 141ST TERR. SUITE A KANSAS CITY, MISSOURI 64107
PHONE (816) 777-0400 ANDERSON LC# 62

Exhibit B

[Attach Drawing and Legal Description of New Location]

DRAINAGE EASEMENT, LOT 4E, CORRECTED SUMMIT ORCHARD, LOTS 4A-4E

A TRACT OF LAND FOR DRAINAGE EASEMENT PURPOSES, LOCATED IN THAT PART OF LOT 4E, CORRECTED SUMMIT ORCHARD, LOTS 4A-4E, AS RECORDED IN DOCUMENT NO. 2019E0068481, AND BEING A SUBDIVISION OF LAND IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTHWEST CORNER OF SAID LOT 4E; THENCE NORTH 03°00'04" EAST, ALONG THE WEST LINE OF SAID LOT 4E, A DISTANCE OF 76.54 TO THE INTERSECTION OF THE WEST LINE OF SAID LOT 4E AND THE NORTH LINE OF AN EXISTING PLATTED 15 FOOT DRAINAGE EASEMENT; THENCE SOUTH 87°48'17" EAST, A DISTANCE OF 39.89 FEET TO THE **POINT OF BEGINNING**; THENCE SOUTH 02°11'43" WEST, A DISTANCE OF 10.39 FEET; THENCE SOUTH 42°48'17" EAST, A DISTANCE OF 46.82 FEET; THENCE SOUTH 87°48'17" EAST, A DISTANCE OF 131.32 FEET; THENCE NORTH 47°11'43" EAST, A DISTANCE OF 61.52 FEET TO A POINT ON THE NORTH LINE OF SAID EXISTING PLATTED DRAINAGE EASEMENT; THENCE SOUTH 20°18'17" EAST, A DISTANCE OF 16.24 FEET TO A POINT ON THE SOUTH LINE OF THE EXISTING PLATTED DRAINAGE EASEMENT; THENCE SOUTH 47°11'43" WEST, A DISTANCE OF 61.52 FEET; THENCE NORTH 87°48'17" WEST, A DISTANCE OF 143.74 FEET; THENCE NORTH 42°48'17" WEST, A DISTANCE OF 61.52 FEET; THENCE NORTH 50°06'19" EAST, A DISTANCE OF 22.38 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED TRACT CONTAINS 3884.54 SQUARE FEET AND IS SUBJECT TO ALL OTHER EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, CONDITIONS AND RIGHT OF WAYS OF RECORD.

CERTIFICATION

I, KIRK R. BALDWIN, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF MISSOURI, HEREBY CERTIFIES THAT THE DESCRIPTION ABOVE WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

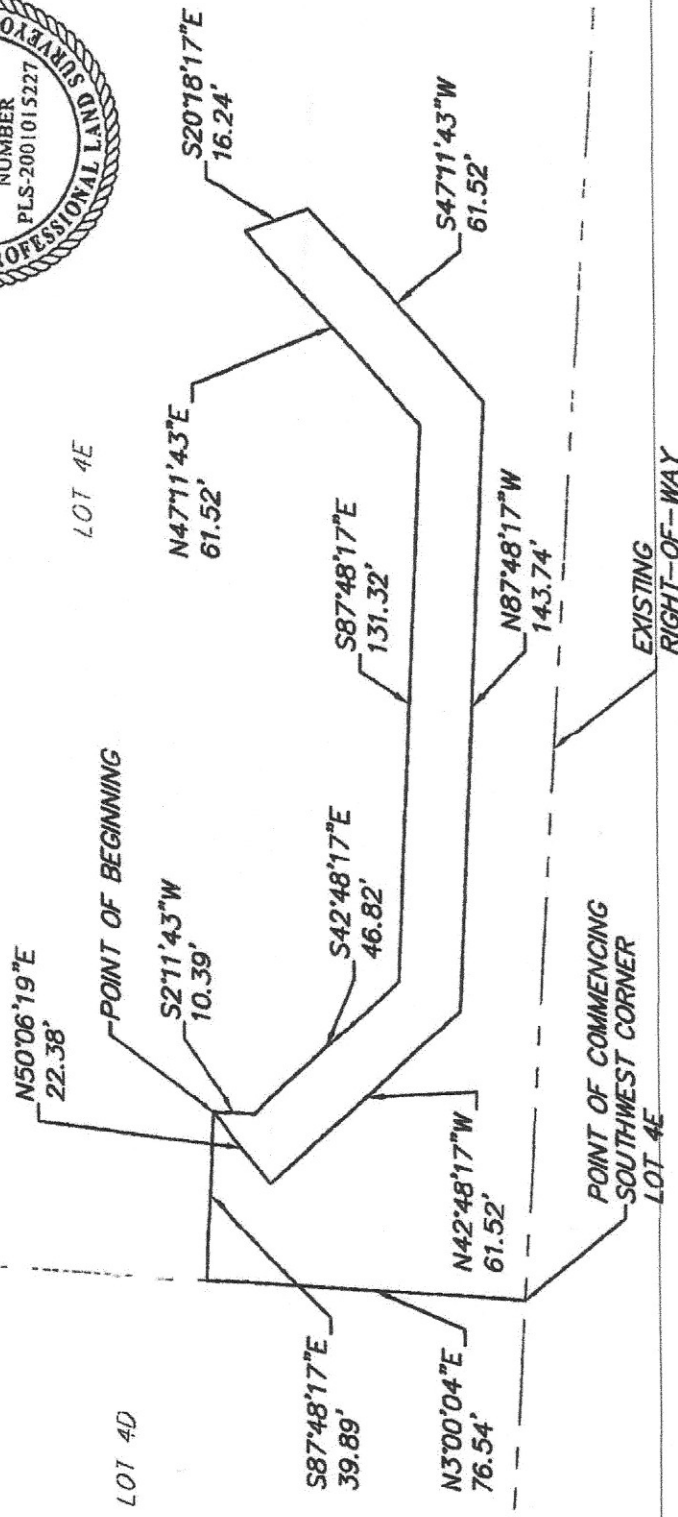


DATE: 11/18/19

KIRK R. BALDWIN, MOPLS 2001015227
ANDERSON ENGINEERING, INC - LC 62
941 W. 141ST TERRACE, SUITE A
KANSAS CITY, MO 64145



Storm Easement Exhibit



ENGINEERS SURVEYORS LABORATORIES DRILLING
 941 W 141ST TERR. SUITE A KANSAS CITY, MISSOURI 64701
 PHONE (816) 777-0400 ANDERSON LC# 62

PREPARED FOR: FOOD AND FULL EXPRESSO
 PROJECT NO: 18CO10004
 DATE 11/18/2019