

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

02/26/2020 11:03 AM

NON-STANDARD FEE: \$25.00 FEE: \$48.00 11 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2020E0016515

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 GENERAL UTILITY EASEMENT

THIS RELOCATION OF GENERAL UTILITY EASEMENT (this "Agreement") is entered into as of this 2nd 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, Lots 4A-4E" recorded among the Land Records as Instrument Number 2019E0044081, at Book 183, Pages 93-95 (the "First Plat") the Townsend Property and the SMT Property, were subjected to the benefits and burdens of a general utility easement, all as more particularly set forth therein (hereinafter, the "Original General Utility Easement").

WHEREAS, to accommodate the proposed development of the SMT Property, the parties have agreed to relocate the portion of the general utility 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 General Utility Easement. Pursuant to the Original Plat the portion of the general utility 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 General Utility Easement Area. With respect to the portion of the Original General Utility Easement located within the Vacated Location only, the parties hereby agree to terminate the force and effect of such Original General Utility 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 General Utility Easement.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

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

TOWNSEND:

WITNESS:

TOWNSEND SUMMIT, LLC,
a Delaware limited liability company

Name: *Jared Stile*

By: *David Townsend*
David Townsend, President

ACKNOWLEDGMENT

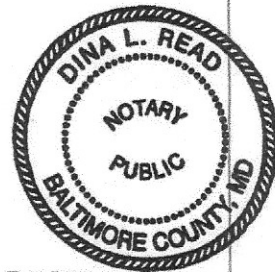
STATE OF MARYLAND)
) SS.
COUNTY OF BALTIMORE)

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.

Dina L. Read
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 General Utility Easement as of the day and year first above written.

SMT:

S.M. TRADING CORPORATION,
a Missouri corporation

WITNESS:

By: *Mukesh Goel*
Mukesh Goel, President

Jacob Mukesh Goel
Name: *Jacob Mukesh Goel*

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.

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

My commission expires _____.

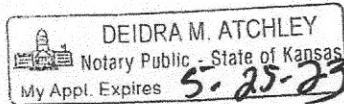


Exhibit A
[Attach Drawing and Legal Description of Vacated Location]

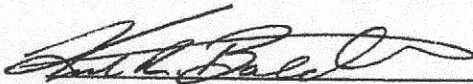
General Utility Easement Vacation Description

All that part of Lot 4E, CORRECTED SUMMIT ORCHARD, LOTS 4A-4E, a subdivision of land in Lee's Summit, Jackson County, Missouri, recorded as Document No. 2019E00684481, and being more particularly described as follows:

The South 10 feet of the North 30 feet of said Lot 4E.

Certification

I, Kirk R. Baldwin, hereby certifies that the above written described was prepared by me or under my direct supervision as a professional land survey in the State of Missouri.

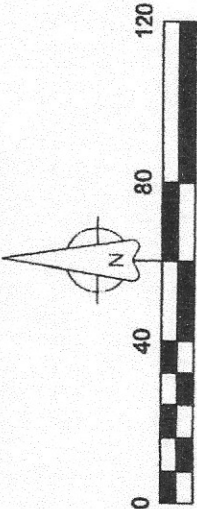


Date: 11/18/19

Kirk R. Baldwin, MOPLS 2001015227
Anderson Engineering, Inc. LC 62
941 W. 141st Terr, Suite A
Kansas City, MO 64145



UTILITY EASEMENT VACATION EXHIBIT
LOT 4E
CORRECTED SUMMIT ORCHARD, LOTS 4
LEE'S SUMMIT, JACKSON COUNTY, MISSOURI



LOT 4B
 6.1 Acres
 460 NW CHIPMAN RD

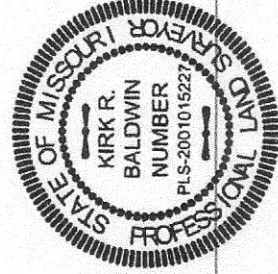
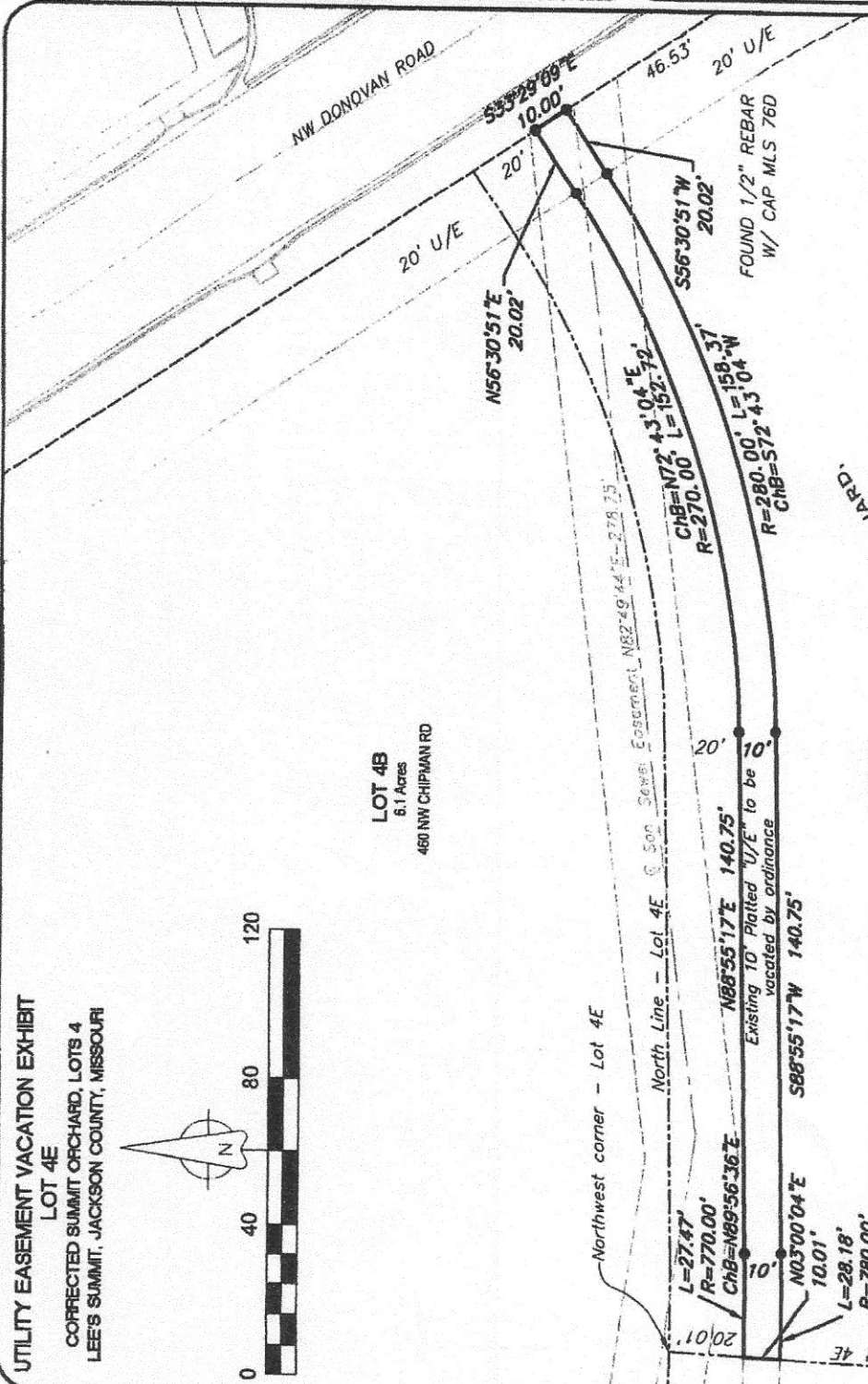
LOT 4E
 2.1 Acres
 400 NW CHIPMAN RD

Northwest corner - Lot 4E

North Line - Lot 4E

West Line - Lot 4E

OGC. NO. 20190068481
CORRECTED SUMMIT ORCHARD,
LOTS 4A, 4E



ANDERSON ENGINEERING
 A PROFESSIONAL ENGINEERING FIRM
 REGISTERED PROFESSIONAL ENGINEERS IN MISSOURI
 REGISTERED PROFESSIONAL LAND SURVEYORS IN MISSOURI

NO.	DESCRIPTION	BY	DATE	CHECKED	DATE

DRAWING NO. **KRB**
 SCALE: AS SHOWN
 DATE: 05/27/2019
 PROJECT: CORRECTED SUMMIT ORCHARD, LOTS 4
 CLIENT: ANDERSON ENGINEERING

UTILITY EASEMENT VACATION EXHIBIT
LOT 4E
CORRECTED SUMMIT ORCHARD, LOTS 4
LEE'S SUMMIT, JACKSON COUNTY, MISSOURI

Exhibit B
[Attach Drawing and Legal Description of New Location]

General Utility Easement Description

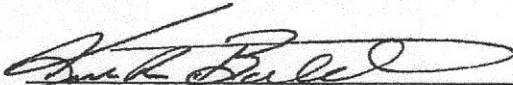
A tract of land for "General Utility Easement" purposes located all in Lot 4E, CORRECTED SUMMIT ORCHARD, LOTS 4A-4E, a subdivision of land in Lee's Summit, Jackson County, Missouri, recorded as Document No. 2019E00684481, and being more particularly described as follows:

Commencing from the Northwest corner of said Lot 4E; thence South 03°00'04" West, along the West line of said Lot 4E, a distance of 20.01 feet to the **Point of Beginning**, said point being the intersection of said West line and the North line of an existing platted utility easement; thence North 81°04'51" East, a distance of 33.06 feet; thence North 88°55'17" East, a distance of 135.47 feet to the beginning of a curve to the left and tangent to the last described course; thence along said curve to the left, having a chord bearing of North 72°43'04" East, a radius of 265.00 feet, for an arc distance of 149.89 feet; thence North 56°30'51" East, a distance of 20.02 feet to a point on the East line of said Lot 4E; thence South 33°29'09" East, along the East line of said Lot 4E, a distance of 10.00 feet; thence South 56°30'51" West, a distance of 20.02 feet to the beginning of a curve to the right and tangent to the last described course; thence along said curve to the right, having a chord bearing of South 72°43'04" West, a radius of 275.00 feet, for an arc distance of 155.54 feet; thence South 88°55'17" West, a distance of 135.47 feet; thence South 81°16'40" West, a distance of 33.76 feet to a point on the West line of said Lot 4E; thence North 03°00'04" East, along the West line of said Lot 4E, a distance of 10.01 feet to the **Point of Beginning**.

The above described tract contains 3411 sq. ft and is subject to all easements, restrictions, reservations, covenants, conditions and right of ways of record.

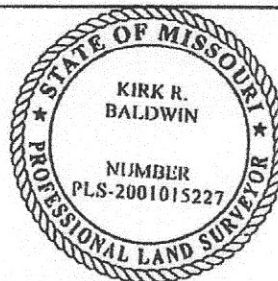
Certification

I, Kirk R. Baldwin, hereby certifies that the above written described was prepared by me or under my direct supervision as a professional land survey in the State of Missouri.



Date: 11/08/19

Kirk R. Baldwin, MOPLS 2001015227
Anderson Engineering, Inc. LC 62
941 W. 141st Terr, Suite A
Kansas City, MO 64145



ANDERSON ENGINEERING

ENGINEERS, SURVEYORS, LAND SURVEYORS

1100 N. GARDNER ROAD, SUITE 100, JACONVILLE, MISSOURI 64501

PH: 417-476-1100 FAX: 417-476-1101

NO.	DESCRIPTION	DATE	BY
1	REVISION		
2	REVISION		
3	REVISION		
4	REVISION		
5	REVISION		
6	REVISION		
7	REVISION		
8	REVISION		
9	REVISION		
10	REVISION		

UTILITY EASEMENT EXHIBIT
 LOT 4E
 CORRECTED SUMMIT ORCHARD, LOTS 4
 LEE'S SUMMIT, JACKSON COUNTY, MISSOURI

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