



ELECTRONICALLY RECORDED  
JACKSON COUNTY, MISSOURI

10/31/2022 8:59 AM

FEE: \$33.00 5 PGS

INSTRUMENT NUMBER

2022E0098831

### STORM DRAINAGE EASEMENT

THIS AGREEMENT, made this 28th day of October, 2022, by and between NLV PERGOLA PARK LLC, **GRANTOR**, and the City of Lee's Summit, Missouri, a Municipal corporation with a mailing address of 220 S.E. Green Street, Jackson County, Lee's Summit, Missouri 64063, **GRANTEE**.

WITNESSETH, that the GRANTOR, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it paid by the GRANTEE, the receipt and sufficiency of which is hereby acknowledge, does by these presents grant, bargain, sell, convey, and confirm unto said GRANTEE, its successors and assigns, a permanent and exclusive easement for the construction, operation, maintenance, repair, replacement and removal of underground pipe lines, manholes, catch basins, concrete surface drainage ways, open water ways and storm sewer system together with all necessary appurtenances thereto, including the right and privilege at any time and from time to time to enter upon said easement, over, under, through, across, in and upon the following described lands in Jackson County, Missouri, to wit:

See Attached Exhibit "A"

GRANTEE, its successors and assigns, shall have the right of ownership, use and control of all storm sewers, underground pipe, manholes, catch basins, concrete drainage ways, open water ways, and all necessary appurtenances on the above described property and for all proper purposes connected with the installation, use, maintenance, and replacement of the storm sewer.

GRANTOR agrees not to obstruct or interfere with GRANTEE's use and enjoyment of the easement granted hereunder by any means, including, without limitation, obstructing or interfering with the operation, maintenance to access to such storm sewers, underground pipe, manholes, catch basins, concrete drainage ways, open water ways, and all necessary appurtenances thereto, by erecting, or causing or allowing to be erected, any building or structure on said easement.

GRANTOR further states that it is lawfully seized of title to the land through which said easement is granted and that it has good and lawful right to convey said easements to the GRANTEE herein.

GRANTOR, to the fullest extent allowed by law, including, without limitation, section 527.188, RSMo. (2006), hereby waives any right to request vacation of the easement herein granted.

THIS GRANT and easement shall, at all times be deemed to be and shall be, a continuing covenant running with the land and shall be binding upon the successors and assigns of the Grantor.

TO HAVE AND TO HOLD THE SAME, together with all appurtenances and immunities thereunto belong or in any way appertaining, unto the City of Lee's Summit, Missouri, a Municipal Corporation, and to its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has hereunto set his/her/their hand this 28<sup>th</sup> day of October, 2022.

GRANTOR:  
NLV PERGOLA PARK LLC

Russell G. Pearson

Print Name Russell G. Pearson  
Manager

3200 SW PERGOLA PARK DR.  
LEES SUMMIT, MO 64081

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Missouri )  
 ) ss:  
COUNTY OF Jackson )

BE IT REMEMBERED, That on this 28<sup>th</sup> day of October 2022  
before me, the undersigned, a Notary Public in and for the County and State aforesaid,  
came Russell Pearson (name), Manager (title) of  
**NLV PERGOLA PARK LLC**, who personally appeared to me known to be the same  
person who executed the foregoing instrument on behalf of said limited liability company  
and duly acknowledged that he/she/they executed the same as his/her/their free act and  
deed.

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

Kori Garrett  
Notary Public Kori Garrett

My Appointment Expires: July 4, 2026

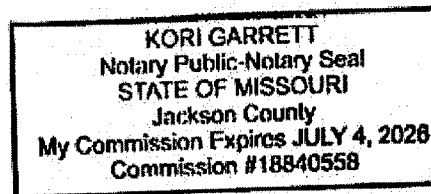


EXHIBIT "A"  
PERMANENT STORM DRAINAGE EASEMENT

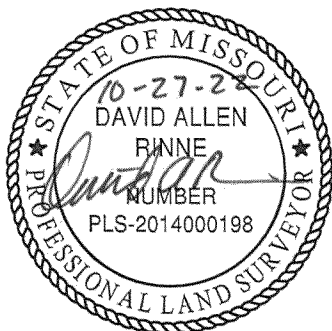
DESCRIPTION:

Tracts of land lying 10.00 feet on each side of the following described centerline. Part of LOT 118A, "MINOR PLAT OF PERGOLA PARK, LOTS 118A, 118B AND 118C", a subdivision in the City of Lee's Summit, Jackson County, Missouri, as recorded as Instrument Number 2021E0128206;

Commencing at the Southwest corner of said LOT 118A; thence along the West line of said LOT 118A for the following four courses, North 20 degrees 59 minutes 20 seconds East, a distance of 354.45 feet; thence North 17 degrees 25 minutes 19 seconds East, a distance of 65.31 feet; thence North 26 degrees 14 minutes 11 seconds East, a distance of 110.35 feet; thence North 16 degrees 19 minutes 52 seconds East, a distance of 119.85 feet to the Point of Beginning, said point being referred to as Point A; thence South 68 degrees 08 minutes 40 seconds East, a distance of 25.00 feet to the Point of Terminus.

And also Commencing at the aforementioned Point A; thence along the West line of said LOT 118A, North 16 degrees 19 minutes 52 seconds East, a distance of 57.63 feet; thence continuing along said West line North 27 degrees 32 minutes 22 seconds East, a distance of 155.40 feet to the Point of Beginning; thence South 68 degrees 08 minutes 40 seconds East, a distance of 25.00 feet to the Point of Terminus.

The outer boundaries of the above said tracts shall be lengthened or shortened as required, so as to begin on the West line of said LOT 118A.



David Allen Rinne, P.L.S.  
MO# PLS-2014000198

|             |            |   |   |
|-------------|------------|---|---|
| DRAWN BY:   | JWT        |  | <b>SCHLAGEL &amp; ASSOCIATES, P.A.</b><br>Engineers • Planners • Surveyors • Landscape Architects<br>14920 West 107th Street • Lenexa, Kansas 66215<br>www.schlagelassociates.com • (913) 492-5158 • Fax: (913) 492-8400<br>Missouri State Certificates of Authority<br>#E2002003800-F #LAC2001005237 #LS2002008859-F |
| CHECKED BY: | DR         |   |   |
| DATE:       | 10/25/2022 |   |   |
| PROJECT NO: | 22-034     |   |   |
| SCALE:      | 1" = 100'  |   |   |
| SHEET       | 1 OF 2     | PERMANENT STORM DRAINAGE EASEMENT   |   |

[illegible]

N17°25'19"E  
65.31'

LOT 118A  
PERGOLA PARK, LOTS 118A, 118B AND 118C

S. LINE, SW. 1/4, SEC. 10-47-32  
N. LINE, NW. 1/4, SEC. 15-47-32

POINT OF COMMENCING  
SOUTHWEST CORNER  
LOT 118A

CL PLATTED 20' S/E



|                    |   |
|--------------------|---|
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| DATE: 10/25/2022   |   |
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| SHEET 2 OF 2       | <b>PERMANENT STORM DRAINAGE EASEMENT</b>  |