

UTILITY EASEMENT

THIS UTILITY EASEMENT AGREEMENT ("Agreement"), made and entered into this ____ day of _____, 2024, ("Effective Date") by and between **Jeffrey E. Smith Investment Co., LLC, Grantor**, a Corporation organized and existing under the laws of the State of Missouri, and the City of Lee's Summit, Missouri, a Municipal Corporation organized and existing under the laws of the State of Missouri, who's address is 220 S.E. Green, Lee's Summit, Jackson County, Missouri 64063, **Grantee**.

WITNESSETH, that the **Grantor**, in consideration of the sum of One and no/100's Dollars (\$1.00) and other good and valuable consideration to it paid by the **Grantee**, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said **Grantee**, it's successors and assigns, a Permanent Utility Easement for use by **Grantee**, and with the written permission of **Grantee** to utility companies who operate in Lee's Summit, Missouri, to locate, construct, reconstruct, operate, repair, and maintain facilities including, but not limited to, sanitary sewer lines, water lines, storm sewers, drainage ditches, waterways, water, gas, poles, wires, ducts, conduits, cables, meters, vaults, connections, and all other utilities together with all necessary appurtenances thereto ("Utilities"), together with the right of ingress to and egress to and from the Easement Area for the purpose of **Grantee** exercising the rights in this Agreement, upon, over, under and along the following described lands in Jackson County, Missouri, to-wit:

See Attached Exhibits for property descriptions and exhibit drawings: Exhibit A - 2 pages, Exhibit B - 2 pages, Exhibit C – 3 pages, Exhibit D – 2 pages.

GRANTEE, its successors and assigns, shall have the right to trim remove eradicate, cut, and clear away any trees, limbs, brush, and vines ("Vegetation") on the Easement Area or on routes exercised as access to the Easement Area now or at any future time whenever in its judgement such Vegetation will interfere with or endanger the exercise of Grantee's rights in this Agreement.

GRANTEE, its successors and assigns, shall have the right of ownership, use and control of all Utilities through the Easement Area for all proper purposes connected with the installation, use, maintenance, and replacement of the Utilities (and other equipment), and with the installation, use, maintenance, and replacement of the Utilities (and other equipment), and with the attachment thereto of service lines of its consumers.

GRANTOR agrees not to obstruct or interfere with the use, operation or maintenance of such Utilities, by erecting, or causing or allowing to be erected, any building or structures on or within said Easement Area or Vegetation in the Easement Area that interferes with or endangers the exercise of Grantee's rights in this Agreement.

GRANTEE agrees to maintain the Utilities constructed by Grantee or its agents, employees, contractors, invitees, permittees, licensees, successors, or assigns in the Easement Area. **Grantor** agrees to perform all other maintenance in the Easement Area.

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

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

This Agreement shall be taken and deemed to have been fully executed and made by the parties herein and governed by the laws of the State of Missouri for all purposes and intents. Venue under this Agreement or any disputes that come from it shall be in Circuit Court of Jackson County, Missouri at Independence.

The parties agree to cooperate fully, to execute any supplemental agreements, and to take all additional actions that may be reasonably necessary or appropriate to give full force and effect to the basic terms and intent of this Agreement.

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 belonging or in any way appertaining, unto the City of Lee's Summit, Missouri, a Municipal Corporation, and to its successors and assigns forever.

JUNE 6, 2024

UTILITY EASEMENT

OWNER: JEFFERY E. SMITH INVESTMENT COMPANY
DEED: DOCUMENT NUMBER 1998I0102310

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17 T48N R31W, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI BEING PART OF THE TRACT DESCRIBED BY WARRANTY DEED RECORDED IN DOCUMENT NUMBER 1998I0102310, FURTHER DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER SECTION 17 T48N R13W, THENCE ALONG THE SOUTH LINE OF SAID EAST HALF, S 88°21'30"E 156.81 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE LEAVING SAID SOUTH LINE, N 1°23'20"E 96.52 FEET TO THE SOUTH RIGHT-OF-WAY OF NE STROTHER ROAD; THENCE ALONG SAID RIGHT-OF-WAY, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1100.00 FEET, A DISTANCE OF 23.00 FEET, THE CHORD BEING S 59°01'00"E 23.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, S 1°23'20"W 85.25 FEET TO THE SOUTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER SECTION 17 T48N R13W; THENCE ALONG SAID LINE, N 88°21'30"W 20.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,817 SQUARE FEET.

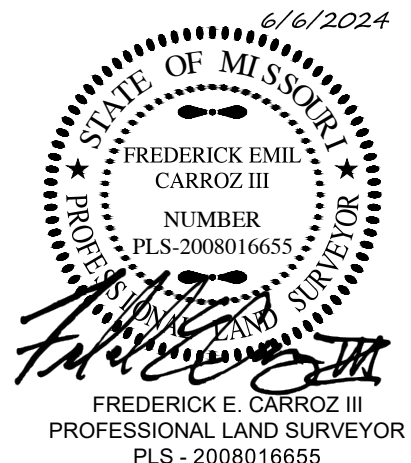
EXHIBIT "A"
SHEET 1 OF 2



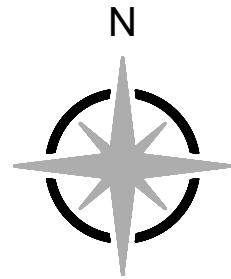
**Engineering Surveys
& Services**

1113 Fay Street, Columbia, Mo 65201
573 - 449 - 2646
www.ess-inc.com

MO Land Surveying Corp. # 2004004672
Missouri Engineering Corp. # 2004005018



15925



0 1"
SCALE: 1" = 50'

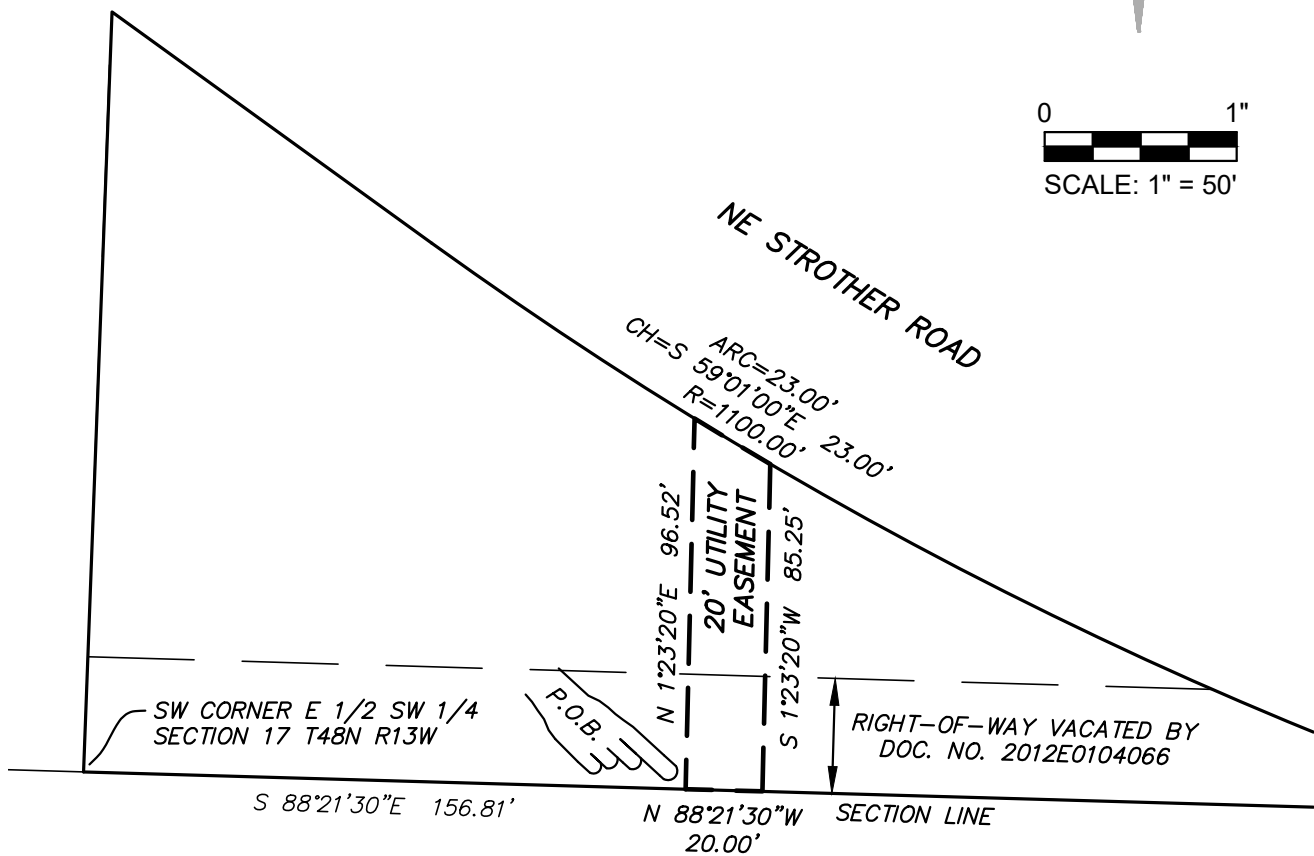


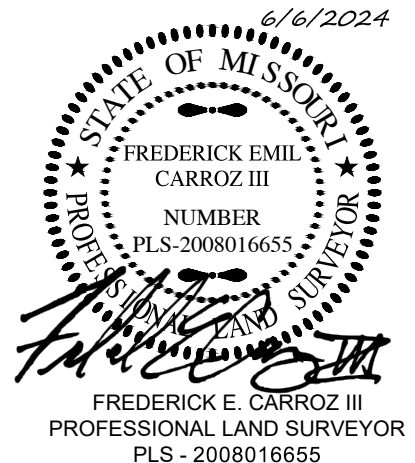
EXHIBIT "A"
SHEET 2 OF 2



**Engineering Surveys
& Services**

1113 Fay Street, Columbia, Mo 65201
573 - 449 - 2646
www.ess-inc.com

MO Land Surveying Corp. # 2004004672
Missouri Engineering Corp. # 2004005018



15925

JUNE 6, 2024

UTILITY EASEMENT

OWNER: JEFFERY E. SMITH INVESTMENT COMPANY
DEED: DOCUMENT NUMBER 1998I0102310

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17 T48N R31W, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI BEING PART OF THE TRACT DESCRIBED BY WARRANTY DEED RECORDED IN DOCUMENT NUMBER 1998I0102310, FURTHER DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTHEAST CORNER OF LOT 4A WILSHIRE HILLS -- 3RD PLAT RECORDED IN BOOK 161 PAGE 43, THENCE ALONG THE WEST RIGHT-OF-WAY OF FUTURE NE WILSHIRE DRIVE, S 0°46'40"E 61.79 FEET; THENCE S 2°06'50"W 268.29 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE WEST RIGHT-OF-WAY OF FUTURE NE WILSHIRE DRIVE, S 2°06'50"W 116.41 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 310.00 FEET, A DISTANCE OF 62.89 FEET, THE CHORD BEING S 7°55'30"W 62.78 FEET; THENCE S 16°32'50"W 101.96 FEET; THENCE S 13°44'10"W 206.12 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 480.00 FEET, A DISTANCE OF 127.11 FEET, THE CHORD BEING S 21°19'20"W 126.74 FEET; THENCE S 75°41'20"W 34.50 FEET TO THE NORTH RIGHT-OF-WAY OF NE STROTHER ROAD; THENCE ALONG SAID RIGHT-OF-WAY, ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET, A DISTANCE OF 53.99 FEET, THE CHORD BEING N 55°40'30"W 53.99 FEET; THENCE N 54°07'40"W 169.61 FEET TO THE WEST LINE OF THE TRACT DESCRIBED BY WARRANTY DEED RECORDED IN DOCUMENT NUMBER 1998I0102310; THENCE ALONG SAID LINE, N 2°05'20"E 12.03 FEET; THENCE LEAVING SAID LINE, S 54°07'40"E 176.30 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 990.00 FEET, A DISTANCE OF 42.33 FEET, THE CHORD BEING S 55°21'10"E 42.32 FEET; THENCE N 75°41'20"E 28.15 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 465.00 FEET, A DISTANCE OF 116.69 FEET, THE CHORD BEING N 20°55'30"E 116.38 FEET; THENCE N 13°44'10"E 206.48 FEET; THENCE N 16°32'50"E 101.95 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 295.00 FEET, A DISTANCE OF 59.48 FEET, THE CHORD BEING N 7°53'20"E 59.38 FEET; THENCE N 2°06'50"E 116.40 FEET; THENCE S 87°54'40"E 15.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 11,797 SQUARE FEET.

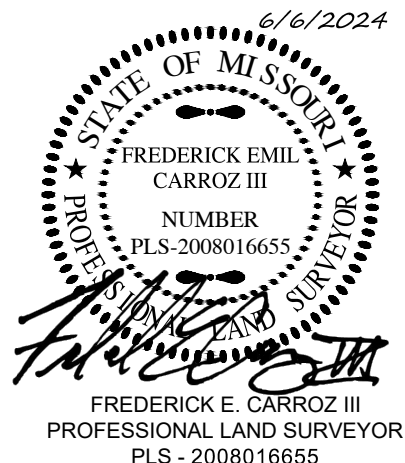
EXHIBIT "B"
SHEET 1 OF 2



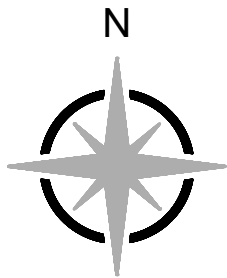
**Engineering Surveys
& Services**

1113 Fay Street, Columbia, Mo 65201
573 - 449 - 2646
www.ess-inc.com

MO Land Surveying Corp. # 2004004672
Missouri Engineering Corp. # 2004005018



15925



0 1"
SCALE: 1" = 100'

LOT 4A
WILSHIRE HILLS -- 3RD PLAT
RECORDED IN BOOK 161 PAGE 43

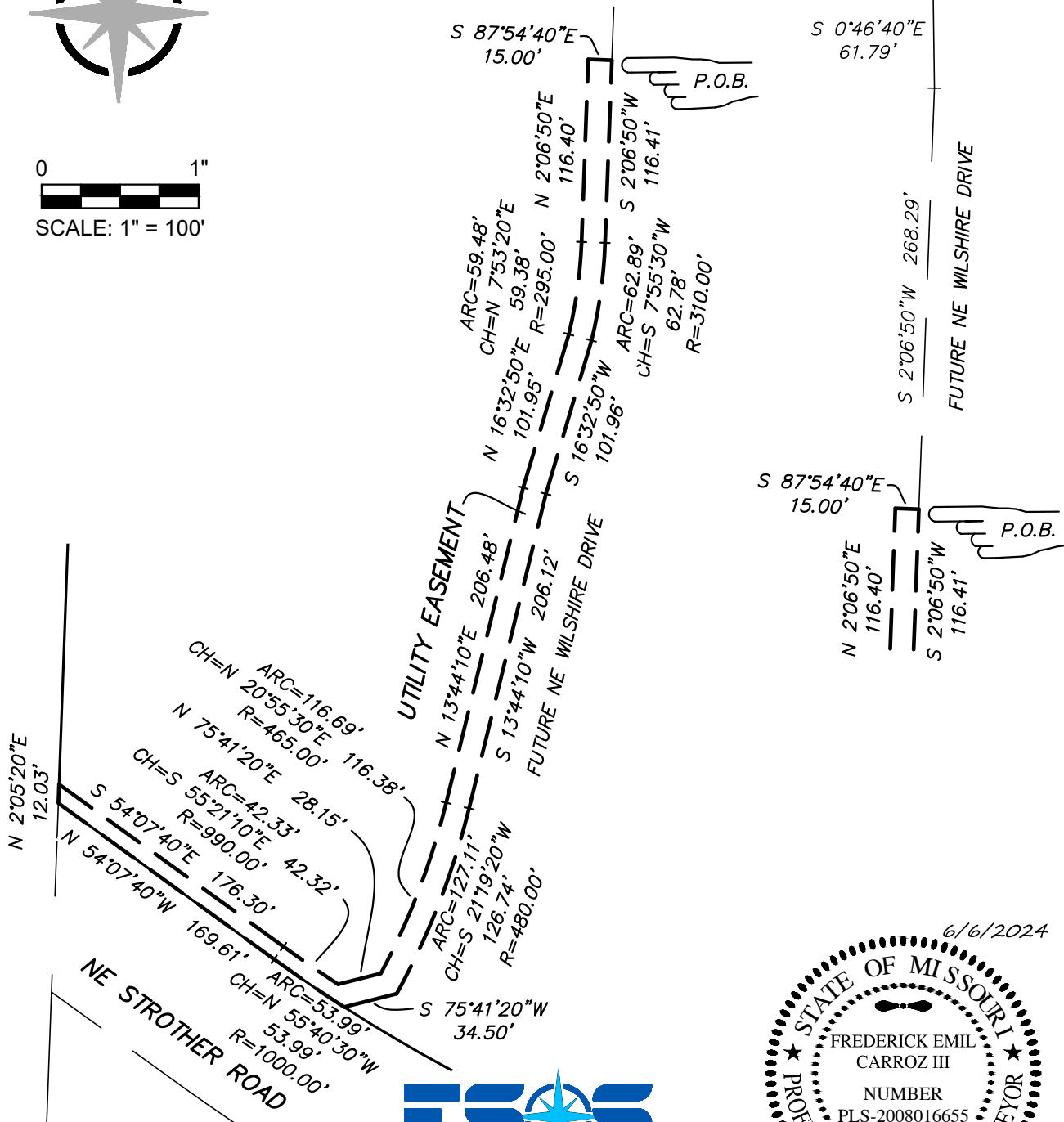


EXHIBIT "B"
SHEET 2 OF 2



**Engineering Surveys
& Services**
1113 Fay Street, Columbia, Mo 65201
573 - 449 - 2646
www.ess-inc.com
MO Land Surveying Corp. # 2004004672
Missouri Engineering Corp. # 2004005018

6/6/2024
STATE OF MISSOURI
FREDERICK EMIL CARROZ III
NUMBER PLS-2008016655
PROFESSIONAL LAND SURVEYOR
FREDERICK E. CARROZ III
PROFESSIONAL LAND SURVEYOR
PLS - 2008016655

15925

JUNE 6, 2024

UTILITY EASEMENT

OWNER: JEFFERY E. SMITH INVESTMENT COMPANY
DEED: DOCUMENT NUMBER 1998I0102310

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17 T48N R31W, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI BEING PART OF THE TRACT DESCRIBED BY WARRANTY DEED RECORDED IN DOCUMENT NUMBER 1998I0102310, FURTHER DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTHEAST CORNER OF TRACT B WILSHIRE HILLS - 2ND PLAT RECORDED IN BOOK T143 PAGE 50, THENCE S 1°38'30"W 60.00 FEET TO THE SOUTH RIGHT-OF-WAY OF NE MEADOWVIEW DRIVE, THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE ALONG THE SOUTH RIGHT-OF-WAY OF NE MEADOWVIEW DRIVE AND THE WEST RIGHT-OF-WAY OF NE MANHATTAN DRIVE, S 88°21'30"E 72.44 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 13.00 FEET, A DISTANCE OF 18.14 FEET, THE CHORD BEING S 48°23'20"E 16.70 FEET; THENCE S 8°21'30"E 91.00 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 570.00 FEET, A DISTANCE OF 29.01 FEET, THE CHORD BEING S 6°54'30"E 29.00 FEET; THENCE S 5°27'10"E 136.96 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 502.06 FEET, A DISTANCE OF 446.84 FEET, THE CHORD BEING S 20°03'00"W 432.24 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 430.00 FEET, A DISTANCE OF 330.22 FEET, THE CHORD BEING S 23°32'50"W 322.16; THENCE S 1°32'50"W 190.72 FEET TO THE NORTH RIGHT-OF-WAY OF NE STROTHER ROAD; THENCE ALONG SAID RIGHT-OF-WAY, ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET, A DISTANCE OF 447.11 FEET, THE CHORD BEING N 76°20'00"W 443.39 FEET TO THE EAST RIGHT-OF-WAY OF FUTURE NE WILSHIRE DRIVE; THENCE ALONG SAID RIGHT-OF-WAY, N 16°44'30"W 34.69 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 540.00 FEET, A DISTANCE OF 143.75 FEET, THE CHORD BEING N 21°21'50"E 143.32 FEET; THENCE N 13°44'10"E 206.12 FEET; THENCE N 10°55'30"E 101.96 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 360.00 FEET, A DISTANCE OF 73.03 FEET, THE CHORD BEING N 7°55'30"E 72.90 FEET; THENCE N 2°06'50"E 162.44 FEET; LEAVING SAID RIGHT-OF-WAY, S 87°52'50"E 15.00 FEET; THENCE S 2°06'50"W 162.43 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 375.00 FEET, A DISTANCE OF 75.70 FEET, THE CHORD BEING S 7°53'50"W 75.57 FEET; THENCE S 10°55'30"W 101.96 FEET; THENCE S 13°44'10"W 206.48 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 555.00 FEET, A DISTANCE OF 141.38 FEET, THE CHORD BEING S 21°02'00"W 141.00 FEET; THENCE S 16°44'30"E 28.70 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 990.00 FEET, A DISTANCE OF 421.63 FEET, THE CHORD BEING S 76°22'10"E 418.45 FEET; THENCE N 1°32'50"E 180.79 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 440.00 FEET, A DISTANCE OF 337.90 FEET, THE CHORD BEING N 23°32'50"E 329.65 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 492.06, A DISTANCE OF 473.94 FEET, THE CHORD BEING N 20°03'00"E 423.63 FEET; THENCE N 5°27'10"W 136.96 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 560.00 FEET, A DISTANCE OF 28.50 FEET, THE CHORD BEING N 6°54'30"W 28.50 FEET; THENCE N 8°21'30"W 88.42 FEET; THENCE N 88°21'30"W 181.91 FEET; THENCE N 0°27'30"E 15.00 FEET TO THE SOUTH RIGHT-OF-WAY OF NE MEADOWVIEW DRIVE; THENCE ALONG SAID RIGHT-OF-WAY, S 88°21'30"E 106.38 FEET TO THE POINT OF BEGINNING AND CONTAINING 30,128 SQUARE FEET.

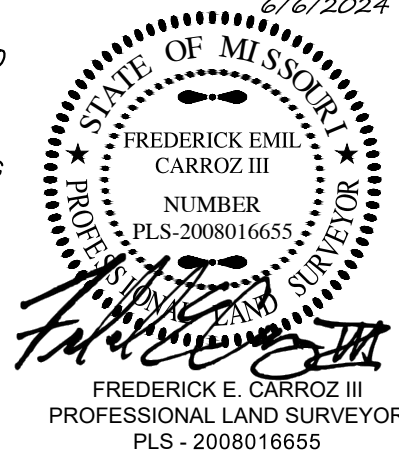


Engineering Surveys
& Services

1113 Fay Street, Columbia, Mo 65201
573 - 449 - 2646
www.ess-inc.com

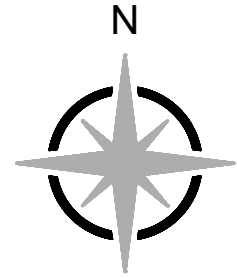
MO Land Surveying Corp. # 2004004672
Missouri Engineering Corp. # 2004005018

EXHIBIT "C"
SHEET 1 OF 3



15925

0 1"
SCALE: 1" = 150'



TRACT B
WILSHIRE HILLS - 2ND PLAT
RECORDED IN BOOK T143 PAGE 50

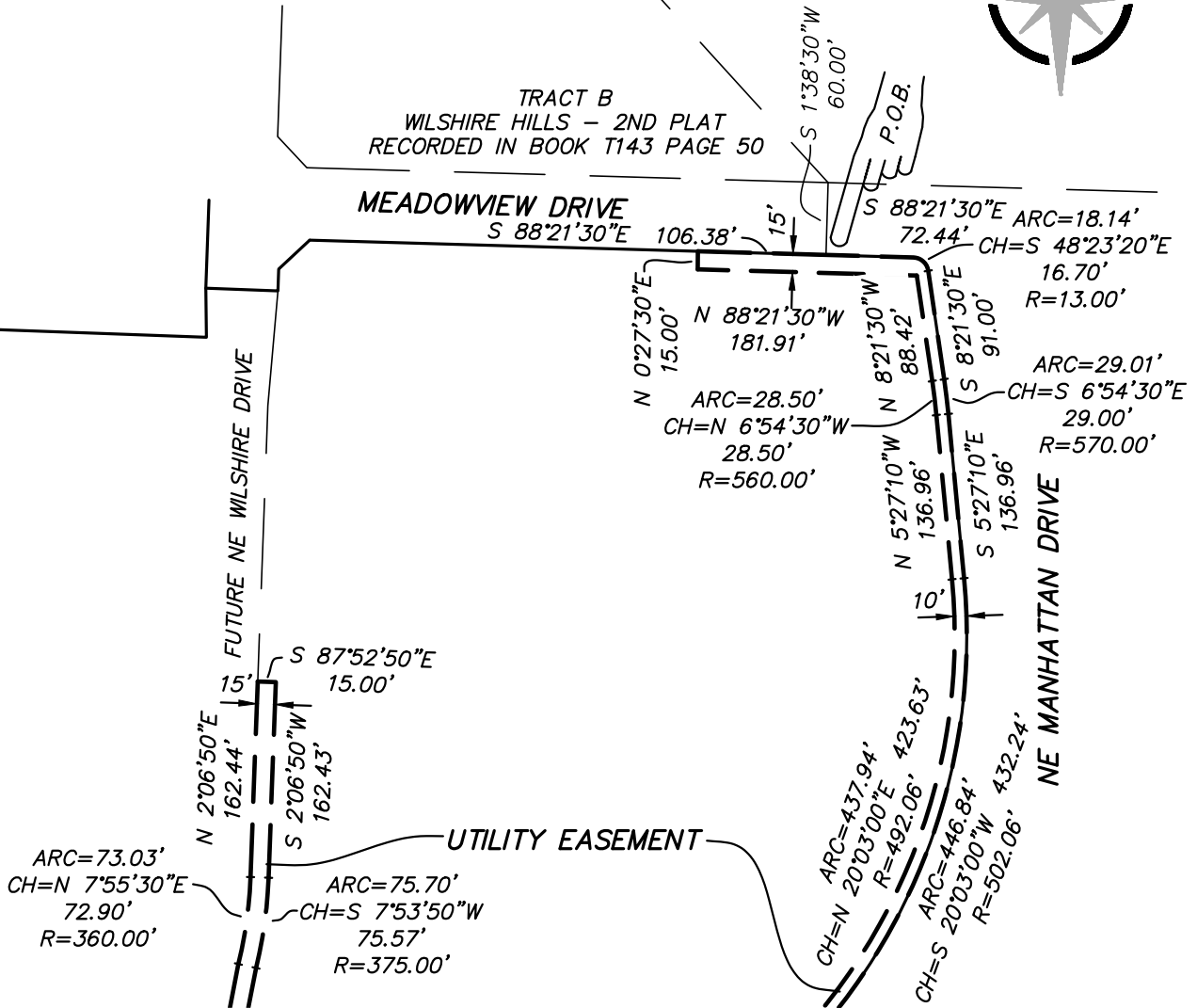


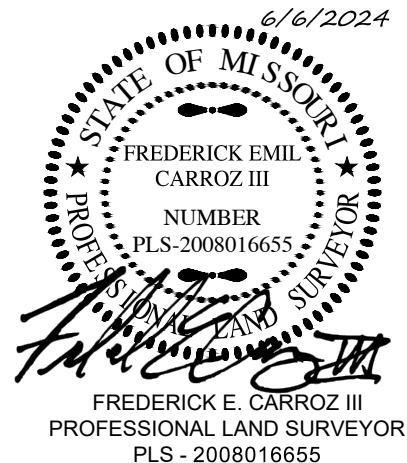
EXHIBIT "C"
SHEET 2 OF 3



Engineering Surveys
& Services

1113 Fay Street, Columbia, Mo 65201
573 - 449 - 2646
www.ess-inc.com

MO Land Surveying Corp. # 2004004672
Missouri Engineering Corp. # 2004005018



15925

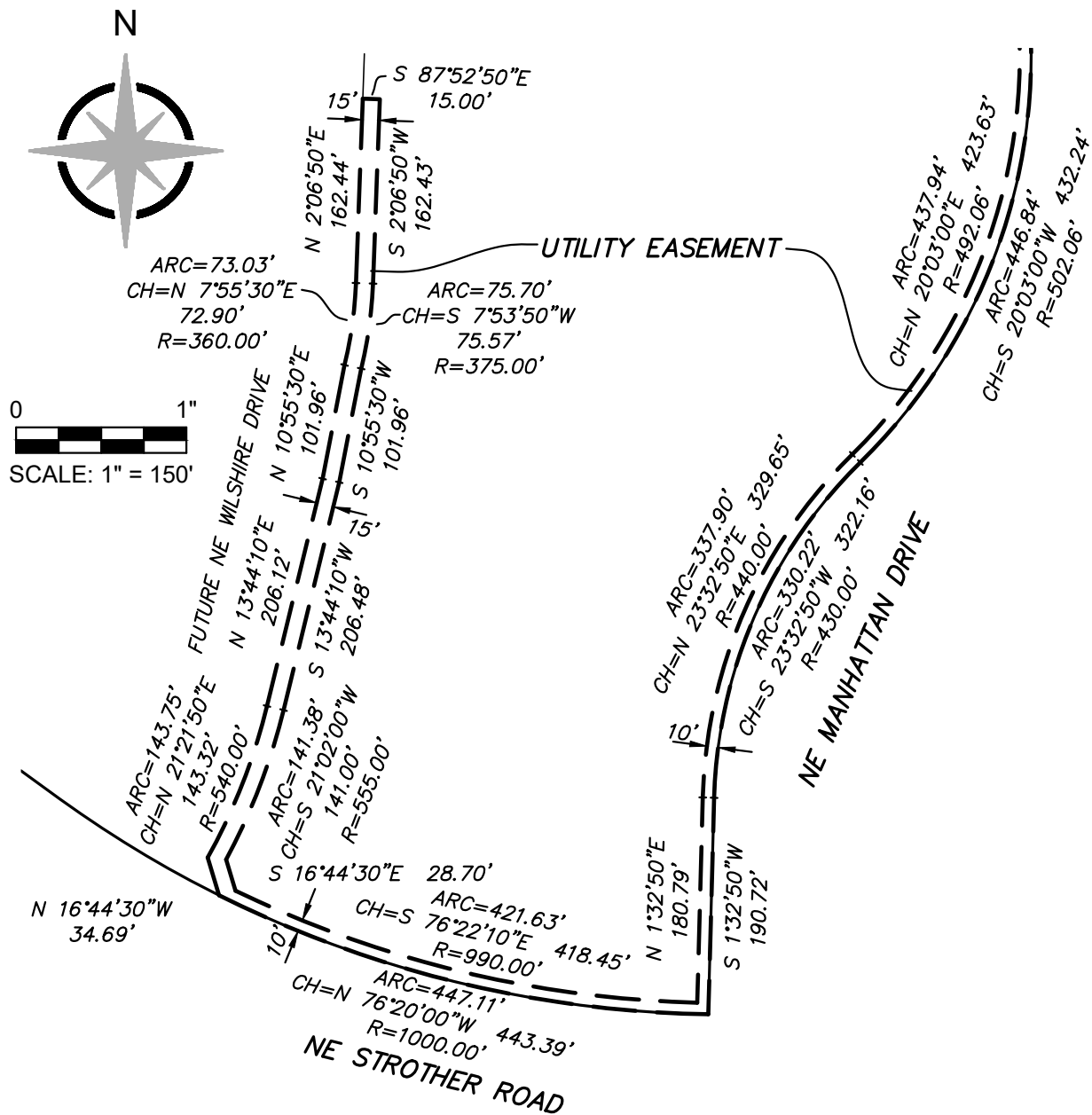


EXHIBIT "C"
SHEET 3 OF 3



**Engineering Surveys
& Services**
1113 Fay Street, Columbia, Mo 65201
573 - 449 - 2646
www.ess-inc.com

MO Land Surveying Corp. # 2004004672
Missouri Engineering Corp. # 2004005018

6/6/2024

STATE OF MISSOURI
FREDERICK EMIL CARROZ III
NUMBER
PLS-2008016655
PROFESSIONAL LAND SURVEYOR

FREDERICK E. CARROZ III
PROFESSIONAL LAND SURVEYOR
PLS - 2008016655

JUNE 6, 2024

20' UTILITY EASEMENT

OWNER: JEFFERY E. SMITH INVESTMENT COMPANY
DEED: DOCUMENT NUMBER 1998I0102310

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17 T48N R31W, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI BEING PART OF THE TRACT DESCRIBED BY WARRANTY DEED RECORDED IN DOCUMENT NUMBER 1998I0102310, FURTHER DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTHEAST CORNER OF TRACT B WILSHIRE HILLS - 2ND PLAT RECORDED IN BOOK T143 PAGE 50, THENCE S 1°38'30"W 60.00 FEET TO THE SOUTH RIGHT-OF-WAY OF NE MEADOWVIEW DRIVE, THENCE ALONG SAID RIGHT-OF-WAY AND THE WEST RIGHT-OF-WAY OF NE MANHATTAN DRIVE, S 88°21'30"E 72.44 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 13.00 FEET, A DISTANCE OF 18.14 FEET, THE CHORD BEING S 48°23'20"E 16.70 FEET; THENCE S 8°21'30"E 91.00 FEET; ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 570.00 FEET, A DISTANCE OF 29.01 FEET, THE CHORD BEING S 6°54'30"E 29.00 FEET; THENCE S 5°27'10"E 136.96 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 502.06 FEET, A DISTANCE OF 158.35 FEET, THE CHORD BEING S 3°35'20"W 157.70 FEET TO THE NORTH LINE OF A 20 FOOT UTILITY EASEMENT RECORDED IN DOCUMENT NUMBER 2006E0045294 AND DOCUMENT NUMBER 2005I0066115; THENCE ALONG SAID NORTH LINE, N 59°06'20"W 10.54 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, CONTINUING ALONG SAID NORTH LINE, N 59°06'20"W 20.67; THENCE LEAVING SAID NORTH LINE, N 1°40'40"W 108.10 FEET; THENCE N 88°19'20"E 20.00 FEET; THENCE S 1°40'40"E 108.27 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 492.06 FEET, A DISTANCE OF 11.26 FEET, THE CHORD BEING S 11°35'00"W 11.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,274 SQUARE FEET.

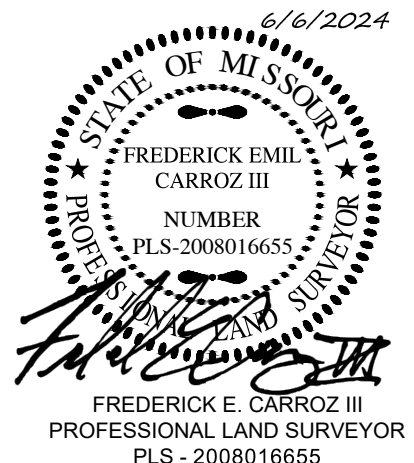
EXHIBIT "D"
SHEET 1 OF 2



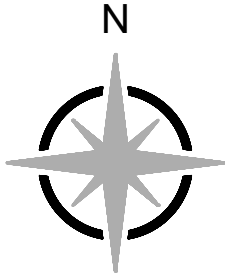
**Engineering Surveys
& Services**

1113 Fay Street, Columbia, Mo 65201
573 - 449 - 2646
www.ess-inc.com

MO Land Surveying Corp. # 2004004672
Missouri Engineering Corp. # 2004005018



15925



TRACT B
WILSHIRE HILLS - 2ND PLAT
RECORDED IN BOOK T143 PAGE 50

NE MEADOWVIEW DRIVE S 1°38'30"W
60.00'

S 88°21'30"E
72.44'

ARC=18.14'

CH=S 48°23'20"E

16.70'
R=13.00'

S 8°21'30"E
91.00'

ARC=29.01'

CH=S 6°54'30"E

29.00'

R=570.00'

S 5°27'10"E
136.96'

NE MANHATTAN DRIVE

ARC=158.35'

CH=S 3°35'20"W

157.70'

R=502.06'

N 88°19'20"E
20.00'

N 1°40'40"W 108.10'

20' UTILITY EASEMENT

S 1°40'40"E 108.26'

ARC=158.35'

CH=S 3°35'20"W

157.70'

R=502.06'

ARC=11.26'

CH=S 11°35'00"W

11.26'

R=492.06'

N 59°06'20"W
20.67'

N 59°06'20"W
10.54'

20' UTILITY EASEMENT RECORDED
IN DOC. NO. 2006E0045294 &
DOC. NO. 2005I0066115

P.O.B.



SCALE: 1" = 50'

20' UTILITY EASEMENT

20' UTILITY EASEMENT RECORDED
IN DOC. NO. 2006E0045294 &
DOC. NO. 2005I0066115



SCALE: 1" = 100'

EXHIBIT "D"
SHEET 2 OF 2



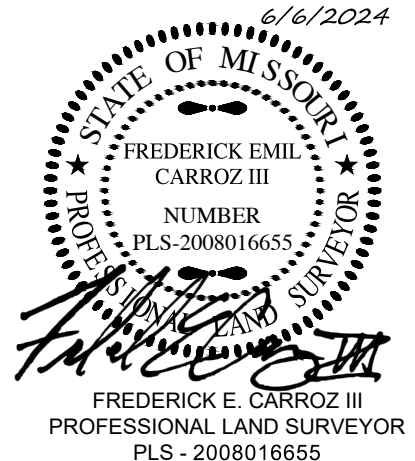
Engineering Surveys
& Services

1113 Fay Street, Columbia, Mo 65201

573 - 449 - 2646

www.ess-inc.com

MO Land Surveying Corp. # 2004004672
Missouri Engineering Corp. # 2004005018



15925