
Title of Document: General Warranty Deed

Date of Document: _____, 2019

Grantor: The Thirty-Ninth Street Transportation Development District

Grantee: City of Independence, Missouri

Grantor Mailing Address: c/o 6 W Street
Lake Lotawana, MO 64086
Attn: M. Craig Davis, Esq.

Grantee Mailing Address: 111 E. Maple
Independence, MO 64050
Attn: Director of Public Works

Legal Description: Exhibit A to General Warranty Deed, Pages 4 – 7

Reference Book and Page(s): 2007E0022277
2007E0022278
2008E0103437
2008E0103438
2008E0002906
2008E0002907
2012E0113287

GENERAL WARRANTY DEED

Project Name: 39th Street Extension (Little Blue Parkway to R.D. Mize Road) and Lee's Summit Road Improvements (expansion and improvement of portions of 39th Street from Lee's Summit Road to Crackneck Road)

THIS INDENTURE, made on the _____ day of _____ 2019, by and between THE THIRTY-NINTH STREET TRANSPORTATION DEVELOPMENT DISTRICT, of the County of Jackson, State of Missouri ("GRANTOR"), and the CITY OF INDEPENDENCE, County of Jackson, State of Missouri, Grantee, 111 E. Maple, Independence, MO 64050 ("GRANTEE").

GRANTOR is undertaking a public road improvement project pursuant to the terms and conditions of that certain Second Amended and Restated Cooperative Agreement dated February 28, 2006 (the "Cooperative Agreement").

Two phases of GRANTOR'S public improvement project are: (1) the extension and realignment of 39th Street from Little Blue Parkway to R.D. Mize Road in Independence, Jackson County, Missouri (the "39th Street Extension"); and (2) the expansion and improvement of portions of 39th Street from Lee's Summit Road to Crackerneck Road ("Lee's Summit Road Improvements"). To undertake the 39th Street Extension and the Lee's Summit Road Improvements, GRANTOR acquired certain real property in fee simple. GRANTOR has completed the 39th Street Extension and the Lee's Summit Road Improvements in accordance with the Cooperative Agreement and the plans and specifications approved by GRANTEE and GRANTEE has inspected and accepted such improvements into GRANTEE'S street system. GRANTOR desires to convey all of its right, title and interest in the Property and in all road and related improvements thereon to GRANTEE and GRANTEE desires to consent to such conveyance. GRANTEE is solely responsible for the maintenance of the 39th Street Extension and the Lee's Summit Road Improvements.

WITNESSETH, that GRANTOR, in consideration of the sum of One Dollar and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, does by these presents GRANT, BARGAIN, SELL, CONVEY, AND CONFIRM unto the GRANTEE all of GRANTOR'S right, title and interest to the land lying, being and situated in the City of Independence, County of Jackson, State of Missouri, as legally described on the attached Exhibit A, together with Lee's Summit Road Improvements, the 39th Street Extension and related improvements located thereon, subject to all easements covenants, restrictions, reservations and rights-of-way of record, if any ("Property").

TO HAVE AND TO HOLD the same, with all the rights, immunities, privileges and appurtenances thereto belonging unto GRANTEE for all purposes connected with the use and enjoyment of the Property and improvements herein conveyed, including but not limited to the purposes of construction, repair and maintenance of a public highway with public right-of-way for all appurtenances and legal purposes on the Property and improvements herein conveyed, FOREVER, GRANTOR covenants that GRANTOR is lawfully seized of an indefeasible estate in fee of Property and improvements herein conveyed; that GRANTOR has good right to convey the same; and that the Property is free and clear from any encumbrance done or suffered by GRANTOR, except as provided above; and GRANTOR will warrant and defend the title to the Property unto GRANTEE and GRANTEE'S successors and assigns forever against the lawful claims and demands of all persons claiming under GRANTOR.

IN WITNESS WHEREOF, the GRANTOR has hereunto signed this instrument as of the day and year first above written.

The Thirty-Ninth Street Transportation
Development District

By: *K. Martin Kuny*
K. Martin Kuny, Chairman

ACKNOWLEDGMENT

STATE OF MISSOURI }
 }ss
COUNTY OF JACKSON }

On this 19th day of March, 2019, before me, a Notary Public, personally appeared, K. Martin Kuny, to me personally known, who, being by me duly sworn did say that he is the Chairman of the The Thirty-Ninth Street Transportation Development District, and that the seal affixed to the foregoing instrument is the corporate seal of said entity, and that said instrument was signed and sealed on behalf of said entity by authority of its board of directors, and said, K. Martin Kuny, acknowledged said instrument to be the free act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, the day and year first above written.

Signature: *Steffany Morrow*
Print Name: Steffany Morrow
Notary Public in and for said County and State

My commission expires:
STEFFANY MORROW
Notary Public - Notary Seal
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES February 24, 2023
COMMISSION # 14674418

CONSENT

GRANTEE states that GRANTOR has completed the 39th Street Extension and the Lee's Summit Road Improvements in accordance with the Cooperative Agreement and the plans and specifications approved by GRANTEE for the project and that GRANTEE has inspected and accepted the 39th Street Extension and the Lee's Summit Road Improvements into GRANTEE'S street system. GRANTEE consents to the conveyance of the Property acquired by GRANTOR for the purpose of constructing the 39th Street Extension and the Lee's Summit Road Improvements to GRANTEE, together with the road and related improvements located thereon. GRANTEE acknowledges that GRANTEE is solely responsible for the maintenance of the 39th Street Extension and the Lee's Summit Road Improvements.

City of Independence, Missouri

By: _____
Zachary Walker, City Manager

ATTEST:

Sarah Carnes-Lemp, City Clerk

APPROVED AS TO FORM:

Shannon M. Marcano, City Counselor

ACKNOWLEDGMENT

STATE OF MISSOURI }
 }ss
COUNTY OF JACKSON }

On this _____ day of _____, 2019, before me, a Notary Public, personally appeared, Zachary Walker, to me personally known, who, being by me duly sworn did say that he is the City Manager of the City of Independence, Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said city, and that said instrument was signed and sealed on behalf of said city by authority of its city council, and said, Zachary Walker, acknowledged said instrument to be the free act and deed of said city.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, the day and year first above written.

Signature: _____
Print Name:
Notary Public in and for said County and State

My commission expires:

Exhibit A to General Warranty Deed

Legal Description of Property

Plan Set for Street and Storm Sewer Improvements 39th Street for the City of Independence, Jackson County Missouri

TRACT I: (Former Property of Stevinson Auto & Electrical School Co.)

A tract of land over part of the Southeast Quarter of Section 21, Township 49 North, Range 31 West, and part of the Northeast Quarter of Section 21, Township 49 North, Range 31 West, and part of the Southwest Quarter of Section 22, Township 49 North, Range 31 West, and part of the Northwest Quarter of Section 22, Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri, said tract being more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of said Section 21; thence South 88 degrees, 03 minutes, 39 seconds East, along the South line thereof, a distance of 1619.81 feet; thence South 01 degrees, 55 minutes, 18 seconds West, departing said South line, a distance of 38.97 feet, to a point on the Southerly right-of-way line of 39th Street, as now established, said point also being the POINT OF BEGINNING; thence Northeasterly, along said Southerly right-of-way line, and along a curve to the left, having a radius of 1185.90 feet, a central angle of 16 degrees, 42 minutes, 26 seconds, and whose initial tangent bearing is North 89 degrees, 32 minutes, 46 seconds East, a distance of 345.80 feet, to a point of tangency; thence North 72 degrees, 50 minutes, 20 seconds East, continuing along said Southerly right-of-way line, a distance of 133.89 feet; thence Southeasterly, departing said Southerly right-of-way line, along a curve to the right, having a radius of 960.00 feet, a central angle of 15 degrees, 06 minutes, 17 seconds, and whose initial tangent bearing is South 84 degrees, 49 minutes, 56 seconds East, a distance of 253.08 feet; thence North 22 degrees, 39 minutes, 38 seconds East a distance of 15.02 feet, to a point of curvature; thence Northeasterly, along a curve to the right, having a radius of 540.00 feet, a central angle of 18 degrees, 35 minutes, 32 seconds, a distance of 175.23 feet, to a point on the Southerly right-of-way line of said 39th Street; thence North 72 degrees, 50 minutes, 20 seconds, East, along said Southerly right-of-way line, a distance of 250.48 feet, to a point on the East line of the Northeast Quarter of said Section 21, thence continuing North 72 degrees, 50 minutes, 20 seconds East, along said Southerly right-of-way line, a distance of 32.36 feet, to a point on a curve; thence Southwesterly, departing from said Southerly right-of-way line, along a curve to the left, having a radius of 460.00 feet, a central angle of 04 degrees, 05 minutes, 12 seconds, and whose initial tangent bearing is South 72 degrees, 50 minutes, 20 seconds West, a distance of 32.81 feet, to a point on the East line of the Northeast Quarter of said Section 21; thence continuing Southwesterly, along said curve to the left, having a radius of 460.00 feet, and a central angle of 46 degrees, 05 minutes, 31 seconds, a distance of 370.05 feet, to a point of tangency; thence South 22 degrees, 39 minutes, 38 seconds West, a distance of 8.17 feet to a point on the South line of the Northeast Quarter of said Section 21; thence continuing South 22 degrees, 39 minutes, 38 seconds, West, a distance of 6.85 feet to a point on a curve; thence Southeasterly, along a curve to the right having a radius of 960.00 feet, a central angle of 17

degrees, 34 minutes, 13 seconds, and whose initial tangent bearing is South 64 degrees, 57 minutes, 06 seconds East, a distance of 294.39 feet, to a point on the East line of the Southeast Quarter of said Section 21; thence continuing Southeasterly, along said curve to the right, having a radius of 960.00 feet, and a central angle of 12 degrees, 54 minutes, 29 seconds, a distance of 216.28 feet, to a point of reverse curvature; thence Southeasterly and Easterly, along a curve to the left, having a radius of 840.00 feet, and a central angle of 82 degrees, 58 minutes, 52 seconds, a distance of 1216.56 feet, to a point of tangency, thence North 62 degrees, 32 minutes, 45 seconds East, a distance of 98.04 feet, to a point on the East line of the Northwest Quarter of the Southwest Quarter of said Section 22; thence South 02 degrees, 59 minutes, 09 seconds West, along said East line, a distance of 139.19 feet; thence South 62 degrees, 32 minutes, 45 seconds West, departing said East line, a distance of 27.53 feet, to a point of curvature; thence Westerly and Northwesterly, along a curve to the right, having a radius of 960.00 feet, and a central angle of 82 degrees, 58 minutes, 52 seconds, a distance of 1390.36 feet, to a point of reverse curvature, thence Northwesterly, along a curve to the left, having a radius of 840.00 feet, and a central angle of 05 degrees, 42 minutes, 52 seconds, a distance of 83.78 feet, to a point on the East line of the Southeast Quarter of said Section 21, thence continuing Northwesterly and Westerly, along said curve to the left, having a radius of 840.00 feet, and a central angle of 47 degrees, 53 minutes, 27 seconds, a distance of 702.12 feet, to a point of tangency; thence North 88 degrees, 04 minutes, 42 seconds West, a distance of 410.73 feet; thence North 01 degrees, 55 minutes, 18 seconds East, a distance of 10.54 feet, to the POINT OF BEGINNING, containing 303,121.89 square feet or 6.9587 acres, more or less.

TRACT II: (Former Property of Reorganized School District No. IV of Jackson County, State of Missouri)

A tract of land lying in part of the Southwest Quarter of Section 23, Township 49 North, Range 31 West, and part of the Southeast Quarter of Section 22, Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri, said tract being more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter; thence South 02 degrees, 35 minutes, 13 seconds West, along the West line of said Southwest Quarter, a distance of 746.72 feet, to the POINT OF BEGINNING; thence continuing South 02 degrees, 35 minutes, 13 seconds West, along said West line, a distance of 11.33 feet, to a point on a curve; thence Southeasterly, departing said West line, along a curve to the left, having a radius of 398.76 feet, a central angle of 17 degrees, 00 minutes, 36 seconds, and whose initial tangent bearing is South 20 degrees, 32 minutes, 47 seconds East, a distance of 118.38 feet, to a point of tangent; thence South 37 degrees, 33 minutes, 20 seconds East, a distance of 66.09 feet; thence South 52 degrees, 26 minutes, 40 seconds West, a distance of 29.50 feet; thence North 37 degrees, 33 minutes, 20 seconds West, a distance of 127.08 feet, to a point on the West line of said Southwest Quarter; thence continuing North 37 degrees, 33 minutes, 20 seconds West, a distance of 78.74 feet to a point of curvature; thence Northwesterly, along a curve to the left, having a radius of 940.00 feet, and a central angle of 01 degrees, 15 minutes, 33 seconds, a distance of 20.66 feet; thence North 85 degrees, 12 minutes, 52 seconds East a distance of 64.79 feet to the POINT OF BEGINNING.

TRACT III: (Former Property of The Links at Stone Canyon, Inc.)

A tract of land lying in Southwest Quarter of Section 22, Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri, said tract being more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Section 22; thence South 03 degrees, 04 minutes, 23 seconds West, along the West line thereof, a distance of 47.80 feet, to the POINT OF BEGINNING; Thence South 03 degrees, 04 minutes, 23 seconds West along said line of the Southeast Quarter of said Section 22, a distance of 120.04 feet; thence continuing North 85 degrees, 22 minutes, 16 seconds West, a distance of 203.54 feet, to a point of curvature; thence Westerly and Southwesterly, along a curve to the left, having a radius of 940.00 feet, and a central angle of 32 degrees, 04 minutes, 59 seconds, a distance of 526.36 feet, to a point of tangency; thence South 62 degrees, 32 minutes, 45 seconds West, a distance of 719.02 feet, to a point on the East line of the Northwest Quarter of the Southwest Quarter of said Section 22; thence North 02 degrees, 59 minutes, 09 seconds East, along said East line, a distance of 139.19 feet; thence North 62 degrees, 32 minutes, 45 seconds East, departing said East line, a distance of 648.51 feet, to a point of curvature; thence Northeasterly and Easterly, along a curve to the right, having a radius of 1060.00 feet, and a central angle of 31 degrees, 07 minutes, 30 seconds, a distance of 575.83 feet; thence North 04 degrees, 37 minutes, 44 seconds East, a distance of 38.79 feet, to a point on the North line of the Southwest Quarter of said Section 22; thence South 87 degrees, 47 minutes, 12 seconds East, along said North line, a distance of 70.06 feet; thence South 04 degrees, 37 minutes, 44 seconds West, departing said North line, a distance of 41.59 feet; thence South 85 degrees, 22 minutes, 16 seconds East, a distance of 148.00 feet, to the POINT OF BEGINNING, containing 176,284.15 square feet, or 4.0469 acres, more or less.

TRACT IV: (Former Property of Sailors-Woods Development, LLC)

A tract of land lying in the Southeast Quarter of Section 22, Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri, said tract being more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Section 22; thence South 03 degrees, 04 minutes, 23 seconds West, along the West line thereof, a distance of 47.80 feet, to the POINT OF BEGINNING; thence South 85 degrees, 22 minutes, 16 seconds East, departing said West line, a distance of 994.59 feet; thence North 04 degrees, 37 minutes, 44 seconds East, a distance of 105.35 feet, to a point on the North line of the Southeast Quarter of said Section 22; thence South 88 degrees, 40 minutes, 46 seconds East, along said North line, a distance of 80.13 feet; thence South 04 degrees, 37 minutes, 44 seconds West, departing said North line, a distance of 109.97 feet; thence South 85 degrees, 22 minutes, 16 seconds East, a distance of 118.23 feet, to a point of curvature; thence Southeasterly, along a curve to the right, having a radius of 1060.00 feet, and a central angle of 10 degrees, 56 minutes, 01 seconds, a distance of 202.28 feet, to a point of tangency; thence South 74 degrees, 26 minutes, 15 seconds East, a distance of 749.95 feet, to a point of curvature; thence Southeasterly, along a curve to the right, having a radius of 1060.00 feet, and a central angle of 21 degrees, 11 minutes, 00 seconds, a distance of

391.90 feet; thence North 39 degrees, 59 minutes, 27 seconds East, a distance of 38.98 feet, to a point of curvature; thence Northeasterly, along a curve to the left, having a radius of 440.00 feet, and a central angle of 37 degrees, 24 minutes, 14 seconds, a distance of 287.24 feet, to a point of tangency; thence North 02 degrees, 35 minutes, 13 seconds East, a distance of 200.00 feet, to a point on the North line of the Southeast Quarter of said Section 22; thence South 88 degrees, 40 minutes, 46 seconds East, along said North line, a distance of 29.51 feet, to a point on the Westerly right-of-way line of R.D. Mize Road, as now established; thence South 02 degrees, 35 minutes, 13 seconds West, along said Westerly right-of-way line, a distance of 635.99 feet, to a point on a curve; thence Southeasterly, continuing along said Westerly right-of-way line, and along a curve to the left, having a radius of 398.76 feet, a central angle of 16 degrees, 23 minutes, 14 seconds, and whose initial tangent bearing is South 02 degrees, 29 minutes, 16 seconds East, a distance of 114.05 feet; thence South 85 degrees, 12 minutes, 52 seconds West, departing said Westerly right-of-way line, a distance of 60.34 feet, to point on a curve; thence Northwesterly, along a curve to the left, having a radius of 940.00 feet, a central angle of 35 degrees, 37 minutes, 21 seconds, and whose initial tangent bearing is North 38 degrees, 48 minutes, 53 seconds West, a distance of 584.43 feet, to a point of tangency; thence North 74 degrees, 26 minutes, 15 seconds West, a distance of 749.95 feet, to a point of curvature; thence Northwesterly, along a curve to the left, having a radius of 940.00 feet, and a central angle of 10 degrees, 56 minutes, 01 seconds, a distance of 179.38 feet, to a point of tangency; thence North 85 degrees, 22 minutes, 16 seconds West, a distance of 1189.56 feet, to a point on the West line of the Southeast Quarter of said Section 22; thence North 03 degrees, 04 minutes, 23 seconds East, along said west line, a distance of 120.04 feet, to the POINT OF BEGINNING, containing 371,042.87 square feet, or 8.5179 acres, more or less.

Legal Description of Property

Final Plans Street and Bridge Improvements 39th Street for the City of Independence, Missouri Jackson County

Parcel 4: (Former Property of Jackson County, Missouri)

Part of the Northeast quarter of Section 21, Township 49, Range 31, in the City of Independence, Jackson County, Missouri, more particularly described as follows:

Commencing at the Southwest corner of said Northeast Quarter; thence South 88°03'39" East, along the South line of said Northeast Quarter, a distance of 788.90 feet; thence North 01°56'21" East, a distance of 40.00 feet, to a point on the North right-of-way line of 39th Street and to the Point of Beginning; thence North 02°31'28" East, a distance of 36.64 feet; thence South 49°31'21" East, a distance of 26.71 feet; thence South 88°03'39" East, a distance of 382.87 feet, to a point on the West line of Tract H, SADDLE RIDGE VILLAS P.U.D.-2nd PLAT, a subdivision in said City, County, and State; thence South 31°32'13" West, along said West line, a distance of 23.00 feet, to a point on said North right-of-way line; thence North 88°03'39" West, along said North right-of-way line, a distance of 392.78 feet, to the Point of Beginning, containing 8,142.38 square feet or 0.19 acres, more or less.

Subject to restrictions, easements, covenants, and reservations now of record.