



# Exhibit 1

U.S. Department  
of Transportation

**Federal Aviation  
Administration**

Central Region  
Iowa, Kansas,  
Missouri, Nebraska

901 Locust  
Kansas City, Missouri 64106  
(816) 329-2600

January 10, 2022

Mr. Mike Anderson, P.E.  
Interim Public Works Director  
220 SE Green Street  
Lee's Summit, MO 64063

Release and Sale of Airport Property  
Lee's Summit Municipal Airport  
Lee's Summit, Missouri

Dear Mr. Anderson:

This is in response to your request to release five tracts of land from federal obligations under the grant assurances. These five tracts will then be utilized as right of way for improvements to Colbern Road and Douglas Street.

A release permitting the sale and disposal of real property transferred to the airport owner under 49 U.S.C. §47151 is only granted when it is clearly shown such property is no longer needed to directly support an airport purpose or activity and sale of such property will benefit civil aviation by producing an equal or greater benefit to the airport than continued retention of the land. Conversion of a real property asset into another form of asset, such as cash or physical improvements, can better serve the airport. This objective is not met unless an amount equal to the net sale proceeds based on the current fair market value (FMV) of the property is realized as a consequence of the release and such amount is committed to airport purposes.

We have concluded that this property, as legally described in the enclosed Deed of Release, meets the conditions mentioned previously for release. We have also concluded that the release and sale of such land will not interfere with the operation, maintenance or future development of the airport.

By accepting this release, the Airport Owner agrees to:

1. Deposit, immediately after the sale, the net sale proceeds based on its current FMV or an equivalent amount, into an identifiable interest bearing account currently paying the highest interest rate. The proceeds should remain in this account until utilized in accordance with FAA Order 5190.6B, Chapter 22.
2. Expend, within five (5) years after the Deed of Release execution date, the fair market value plus accumulated interest.
3. Maintain accurate records of the above listed expenditures in accordance with accepted business practices, and for three (3) years after the approved project is completed, keep the records open for inspection by the FAA at any time.

4. Ensure that whoever the land is initially and subsequently conveyed to including the airport owner, they and their successors and assigns protect the rights and interests of the public in Lee's Summit Municipal Airport and prevent any use of subject property that would constitute an airport hazard.
5. Update the Airport Layout Plan and Exhibit A Property Map upon acceptance of the release to reflect the new airport boundaries. A copy of the updated Exhibit A Property Map is to be submitted electronically to the FAA land specialist to satisfy this requirement of the release.
6. Ensure that they and their successors and assigns retain, for the use and benefit of the public, the right of flight for the passage of aircraft in the airspace above the surface of the subject property, the right for existing and future aircraft to generate noise in that airspace, and the right to use the airspace to land on or take off from the airport.
7. Ensure that they and their successors and assigns shall not permit/afford access from the subject property onto Lee's Summit Municipal Airport property for aeronautical purposes.

In consideration of these premises, the FAA agrees to release the Airport Owner from the obligations, terms, and conditions of the existing grant agreements as of the date of this agreement as they may relate to the subject property.

*Please indicate your acceptance of these conditions by signing and completing the bottom portion of this letter and its enclosed duplicate. Return one copy of the letter to our office along with one copy of the signed and recorded Deed of Release. The Deed of Release must be recorded in the County Recorder's Office and include the book and page number of the recorded document.*

Sincerely,



Jim A. Johnson  
Director, Airports Division

Accepted for The City of Lee's Summit, Missouri

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## **DEED OF RELEASE**

This instrument, a Deed of Release, made by the United States of America, Acting by and through the Administrator of the Federal Aviation Administration, Department of Transportation, under and pursuant to the powers and authority contained in the provisions of 49 U.S.C. §47153, to the City of Lee's Summit, Missouri, a body politic, created, operating, and doing business under the laws of the State of Missouri, WITNESSETH:

**WHEREAS**, the Airport Owner has requested the United States of America to release the hereinafter described real property from all of those terms, conditions, reservations and restrictions of the said instrument(s) of transfer; and

**WHEREAS**, the Administrator of the Federal Aviation Administration is authorized to grant releases pursuant to the powers and authority contained in 49 U.S.C. §47153; and

**WHEREAS**, by virtue of delegation of authority, the Director, Airports Division, Central Region, Federal Aviation Administration, under and pursuant to the powers and authority contained in 49 U.S.C. §47153 is authorized to make determinations on requests for Deed of Release and to execute said Deeds of Release to convey, quitclaim or release any right or interest reserved to the United States of America by an instrument of disposal; and

**WHEREAS**, the Director, Airports Division, Central Region, Federal Aviation Administration, has determined that the release of such real property as is hereinafter described, from all of the said terms, conditions, reservations and restrictions set forth in the above identified instrument of transfer will not prevent accomplishment of the purpose for which the property was made subject to such terms, conditions, reservations and restrictions and is necessary to protect or advance the interests of the United States of America in civil aviation.

**NOW THEREFORE**, for and in consideration of the above expressed recitals and of the benefits to accrue to the United States and to civil aviation, the United States of America, upon inclusion by the City of Lee's Summit in the Instrument of Transfer conveying title to the hereinafter described real property of provisions as follows:

- (1) That the City of Lee's Summit reserves unto itself, its successors and assigns, for the use and benefit of the public a right of flight for the passage of aircraft in the airspace above the surface of the real property hereinafter described, together with the right to cause in said airspace such noise as may be inherent in the operations of aircraft, now known or hereafter used, for navigation of or flight in the said airspace, for use of said airspace for landing on, or taking off from or operating on Lee's Summit Municipal Airport.

- (2) That the City of Lee's Summit expressly agrees for itself, its successors and assigns, to restrict the height of structures, objects of natural growth and other obstructions on the hereinafter described real property to such a height so as to comply with Federal Aviation Regulations, Part 77.
- (3) That the City of Lee's Summit expressly agrees for itself, its successors and assigns, to prevent any use of the hereinafter described real property which would interfere with the landing or takeoff of aircraft at the Lee's Summit Municipal Airport or interfere with air navigation and or communication facilities serving the Lee's Summit Municipal Airport, or otherwise constitute an airport hazard.
- (4) Ensure that the City of Lee's Summit and their successors and assigns shall not permit/afford access from the subject property onto the Lee's Summit Municipal Airport property for aeronautical purposes.
- (5) Ensure that when the property is sold, all sale proceeds, no less than fair market value, will be deposited into an identifiable interest bearing account. The proceeds should remain in this account until utilized in accordance with FAA Order 5190.6B, Chapter 22.

**HEREBY**, releases the said real property from the terms, conditions, reservations, and restrictions as contained in the above-mentioned Instrument of Transfer from the United States of America to the City of Lee's Summit dated January 10, 2022 which real property is described:

A PERMANENT RIGHT-OF-WAY LOCATED IN PART OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 31 WEST, CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 30; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, SOUTH 88°06'50" EAST, 1,403.93 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 01°53'10" EAST, 41.29 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF NW COLBERN ROAD, AS NOW ESTABLISHED, THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING, ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 88°03'17" WEST, 13.48 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 43°04'56" WEST, 35.14 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NE DOUGLAS STREET, AS NOW ESTABLISHED; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01°39'16" EAST, 15.01 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, SOUTH 42°00'20" EAST, 55.35 FEET, TO THE POINT OF BEGINNING AND CONTAINS 454 SQUARE FEET, MORE OR LESS.

AND

A TRACT OF LAND FOR PERMANENT RIGHT-OF-WAY PURPOSES LYING IN LOTS 5 & 6, "FIELDS FARM" A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 31 WEST, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEARINGS ARE REFERENCED TO GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, 1983, WEST ZONE, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 30, T48N, R31W, BEING A FOUND BRASS CAP IN A MONUMENT BOX, ACCORDING TO CERTIFIED LAND CORNER DOCUMENT NUMBER 600-60176; THENCE N88°06'51"W ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1255.70 FEET; THENCE N01°53'09"E ALONG A LINE THAT IS PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 43.00 FEET TO A POINT ON THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF DOUGLAS STREET, AS NOW ESTABLISHED, ALSO BEING THE POINT OF BEGINNING; THENCE N43°19'38"W ALONG SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 31.23 FEET; THENCE N01°27'36"E CONTINUING ALONG SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 749.10 FEET TO A POINT ON THE SOUTH LINE OF LOT 5A, "FIELDS FARM, 2ND PLAT", A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE S88°32'24"E ALONG SAID SOUTH LINE OF LOT 5A, A DISTANCE OF 8.50 FEET; THENCE S01°27'36"W, A DISTANCE OF 703.75 FEET; THENCE S09°50'51"E, A DISTANCE OF 68.85 FEET TO THE POINT OF BEGINNING. THE TRACT DESCRIBED ABOVE CONTAINS 6,768 SQUARE FEET OR 0.1554 ACRES, MORE OR LESS.

AND

A TRACT OF LAND FOR PERMANENT RIGHT-OF-WAY PURPOSES LYING IN LOT 5, "FIELDS FARM" A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 31 WEST, IN LEE'S

SUMMIT, JACKSON COUNTY, MISSOURI, BEARINGS ARE REFERENCED TO GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, 1983, WEST ZONE, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 30, T48N, R31W, BEING A FOUND BRASS CAP IN A MONUMENT BOX, ACCORDING TO CERTIFIED LAND CORNER DOCUMENT NUMBER 600-60176; THENCE N01°35'56"E ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1320.01 FEET TO A POINT ON THE NORTH LINE OF LOT 5, "FIELDS FARM", ACCORDING TO THE RECORDED PLAT THEREOF; THENCE N87°56'32"W ALONG SAID NORTH LINE OF LOT 5, A DISTANCE OF 1272.11 FEET TO THE POINT OF BEGINNING; THENCE S01°27'36"W, A DISTANCE OF 169.60 FEET TO A POINT ON THE NORTH LINE OF LOT 5A, "FIELDS FARM, 2ND PLAT", A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE N88°32'24"W ALONG SAID NORTH LINE OF LOT 5A, A DISTANCE OF 8.50 FEET TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF DOUGLAS STREET, AS NOW ESTABLISHED; THENCE N01°27'36"E ALONG SAID EXISTING EAST RIGHT-OF-WAY LINE, A DISTANCE OF 169.69 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 5, "FIELDS FARM"; THENCE S87°56'32"E ALONG SAID NORTH LINE OF LOT 5, A DISTANCE OF 8.50 FEET TO THE POINT OF BEGINNING. THE TRACT DESCRIBED ABOVE CONTAINS 1,442 SQUARE FEET OR 0.0331 ACRES, MORE OR LESS.

AND

A TRACT OF LAND FOR PERMANENT RIGHT-OF-WAY PURPOSES LYING IN LOT 5A, "FIELDS FARM, 2ND PLAT" A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 31 WEST, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEARINGS ARE REFERENCED TO GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, 1983, WEST ZONE, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 5A, "FIELDS FARM, 2ND PLAT", ACCORDING TO THE RECORDED PLAT THEREOF, ALSO BEING A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF DOUGLAS STREET, AS NOW ESTABLISHED; THENCE S88°32'24"E ALONG THE NORTH LINE OF SAID LOT 5A, A DISTANCE OF 8.50 FEET; THENCE S01°27'36"W, A DISTANCE OF 340.08 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 5A; THENCE N88°32'24"W ALONG SAID SOUTH LINE OF LOT 5A, A DISTANCE OF 8.50 FEET TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID DOUGLAS STREET; THENCE N01°27'36"E ALONG SAID EXISTING EAST RIGHT-OF-WAY LINE, A DISTANCE OF 340.08 FEET TO THE POINT OF BEGINNING. THE TRACT DESCRIBED ABOVE CONTAINS 2,891 SQUARE FEET OR 0.0664 ACRES, MORE OR LESS.

AND

A TRACT OF LAND FOR PERMANENT RIGHT-OF-WAY PURPOSES LYING IN LOT 2, "CROSSROADS OF LEE'S SUMMIT" A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 31 WEST, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEARINGS ARE REFERENCED TO GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM, 1983, WEST ZONE, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, "CROSSROADS OF LEE'S SUMMIT", ACCORDING TO THE RECORDED PLAT THEREOF, ALSO BEING A POINT ON THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF DOUGLAS STREET, AS NOW ESTABLISHED; THENCE N01°27'36"E ALONG SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 80.88 FEET; THENCE S87°56'32"E CONTINUING ALONG SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE S10°37'24"W, A DISTANCE OF 9.42 FEET; THENCE S01°27'36"W, A DISTANCE OF 71.57 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2; THENCE N87°56'32"W ALONG SAID SOUTH LINE OF LOT 2, A DISTANCE OF 8.50 FEET TO THE POINT OF BEGINNING. THE TRACT DESCRIBED ABOVE CONTAINS 694 SQUARE FEET, MORE OR LESS.

This release is for the specific purpose of permitting the City of Lee's Summit to transfer title to the above described property for the Douglas Street and Colbern Road Improvement Projects.

By its acceptance of this Deed of Release the City of Lee's Summit also covenants and agrees for itself, its successors and assigns, to comply with and observe all of the conditions and limitations hereof, which are expressly limited to the above described real property.

IN WITNESS WHEREOF, the United States of America has caused these presents to be executed in its name and on its behalf by the Director, Airports Division, Central Region, Federal Aviation Administration, all as of the 10th day of January, 2022.

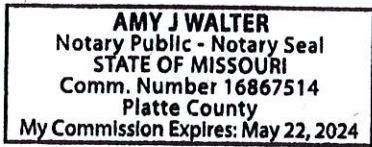
UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION

By   
Director, Airports Division, Central Region  
Federal Aviation Administration

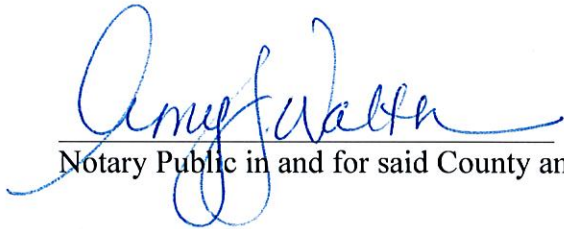
STATE OF MISSOURI     )  
  ) ss  
COUNTY OF PLATTE    )

On this 10<sup>th</sup> day of January 2022, before me a Notary Public in and for the County of Platte, State of Missouri, personally appeared Jim A. Johnson, known to me to be the Director, Airports Division, Central Region, Federal Aviation Administration, and known to me to be the person whose name is subscribed to the within instrument and acknowledge that he executed the same on behalf of the Administrator of the Federal Aviation Administration and the United States of America.

WITNESS my hand and official seal.



(SEAL)

  
Notary Public in and for said County and State

City of Lee's Summit, Missouri

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_