

BILL NO. 18-41

AN ORDINANCE DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING FOR PUBLIC USE CERTAIN PERMANENT EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR ROAD IMPROVEMENTS ASSOCIATED WITH THE JEFFERSON STREET IMPROVEMENT PROJECT (OLDHAM ROAD TO PERSELS ROAD); AUTHORIZING THE CITY MANAGER AND HIS DESIGNEES TO NEGOTIATE FOR THE PURPOSE OF ACQUIRING THE NECESSARY INTERESTS IN LAND; AND AUTHORIZING THE CITY ATTORNEY AND HIS DESIGNEES TO INSTITUTE CONDEMNATION PROCEEDINGS IF SUCH INTERESTS IN LAND CANNOT BE ACQUIRED BY PURCHASE THROUGH GOOD FAITH NEGOTIATIONS.

WHEREAS, the City Council for the City of Lee's Summit, Missouri deems it necessary, desirable, advisable and in the public interest to obtain certain property, permanent easements, and temporary construction easements for the purpose of constructing roadway improvements, as specified in the proposed project plans and specifications on file with the Lee's Summit Public Works Department, together with all appurtenances thereto, under, over, upon, across and through certain tracts of land within Lee's Summit Jackson County, Missouri; and,

WHEREAS, the City has the authority by virtue of Sections 88.010 to 88.070, 88.073, 88.077 and 82.240 of the Revised Statutes of the State of Missouri, 2016, as amended, and by virtue of the Charter of the City of Lee's Summit, Missouri, to acquire private property by condemnation proceedings for any public or municipal use, including uses or purposes stated herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That it is hereby found, determined and declared that it is necessary and in the public interest for the public purpose of constructing road improvements as depicted in Exhibit "A" attached hereto and incorporated by reference as if fully set forth herein in the City of Lee's Summit, Jackson County, Missouri, pursuant to proposed plans and specifications on file with the Lee's Summit Public Works Department, to acquire, by purchase or condemnation proceedings, certain property, permanent easements, and temporary construction easements for such public improvements, including but not limited to installation, maintenance and repair of a storm sewer line, curb and gutter, sidewalk, sewer and water line, and all work incidental and subsidiary thereto all of which are situated in the City of Lee's Summit, Jackson County, Missouri, and are legally described in Exhibit "B" attached hereto and incorporated by reference as if fully set forth herein.

SECTION 2. That the City Manager and his designees are hereby authorized to negotiate with the owners of property herein described for the purpose of acquiring certain permanent easements and temporary construction easements, relating to the property herein described.

SECTION 3. That the City Manager and his designees are hereby authorized to execute necessary documents, to pay and disburse funds to property owners, others holding property rights and escrow agents pursuant to negotiated agreements.

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SECTION 4. That, in the event of failure, following good faith negotiations, to reach agreement on the amount of compensation to be paid for such permanent easements and temporary construction easements, and the acquisition thereof by purchase, the City Attorney and his designees, including special counsel, are hereby authorized and directed to institute condemnation proceedings for the purpose of acquiring such property, permanent easements, and temporary construction easements in the manner provided by the Revised Statutes of Missouri.

SECTION 5. That this ordinance shall be in full force and effect from and after the date of its passage, adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2018.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2018.

Mayor *Randall L. Rhoads*

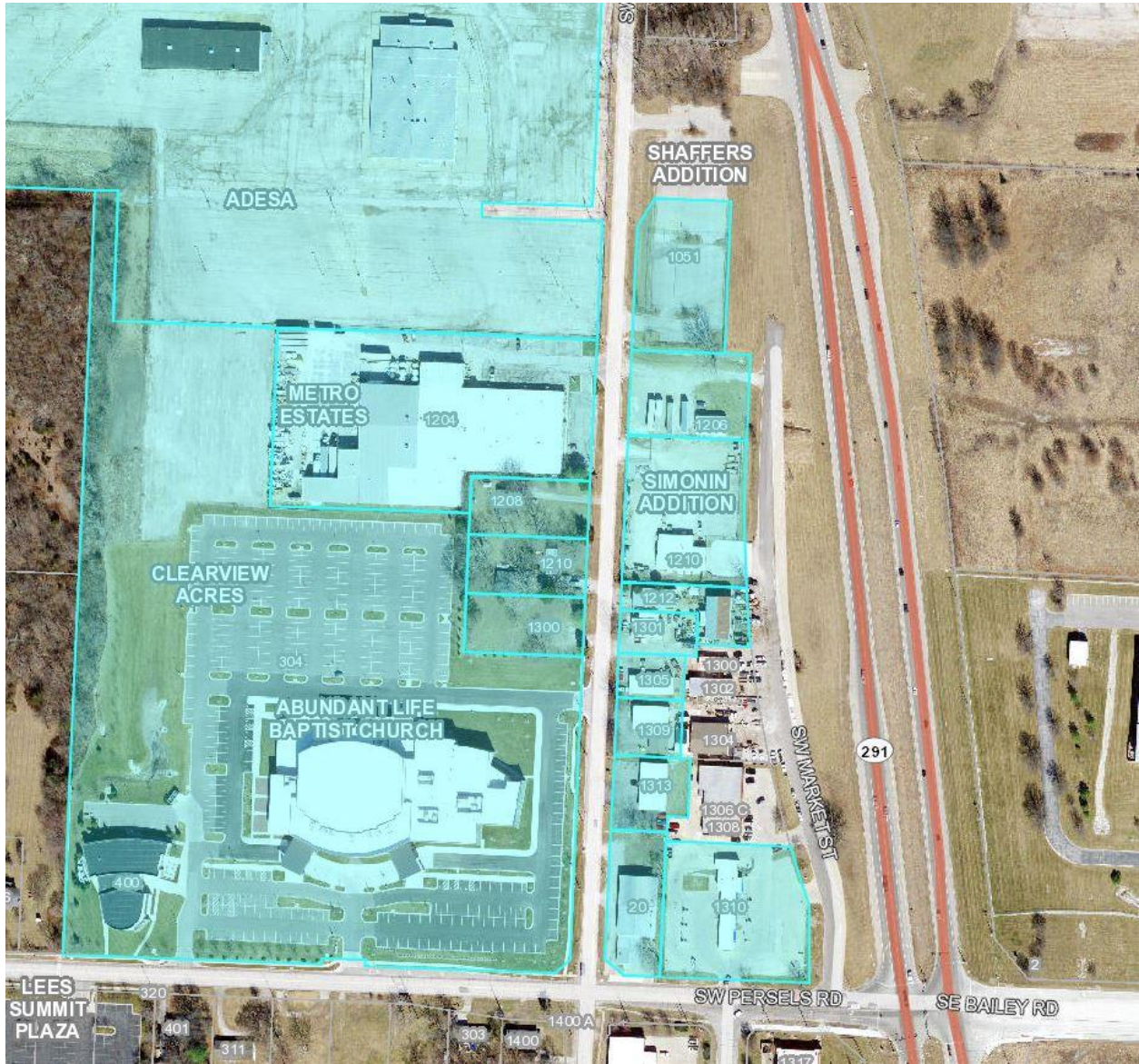
ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

Chief Counsel of Infrastructure and Planning
Nancy K. Yendes

EXHIBIT A



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EXHIBIT B

R.P. FIELDS INVESTMENTS, LLC, TRACT 02

THE SOUTH 250 FEET OF THE WEST 100 FEET OF LOT 4, SIMONIN ADDITION, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF, EXCEPT THAT PART CONVEYED TO THE CITY OF LEE'S SUMMIT, MISSOURI, A MUNICIPAL CORPORATION, FOR RIGHT OF WAY, AS DESCRIBED IN DOCUMENT NO. 2014E0031639, FILED APRIL 23, 2014.

PERMANENT RIGHT-OF-WAY DEDICATION:

ALL THAT PART OF LOT 4, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, RESURVEY OF LOT 4, SIMONIN ADDITION, A SUBDIVISION IN SAID CITY, COUNTY AND STATE, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°46'50" EAST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 8.00 FEET; THENCE SOUTH 02°33'14" WEST, DEPARTING SAID SOUTH LOT LINE, A DISTANCE OF 220.82 FEET; THENCE SOUTH 42°28'53" EAST, A DISTANCE OF 34.89 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST PERSELS ROAD, AS NOW ESTABLISHED; THENCE NORTH 87°43'36" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 5.52 FEET; THENCE NORTH 49°33'39" WEST, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 34.42 FEET, TO A POINT OF INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE AND SAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 02°33'14" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 224.32 FEET, TO THE POINT OF BEGINNING, CONTAINING 1,981.54 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.

PERMANENT WATER EASEMENT:

ALL THAT PART OF LOT 4, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, RESURVEY OF LOT 4, SIMONIN ADDITION, A SUBDIVISION IN SAID CITY, COUNTY AND STATE, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°46'50" EAST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 8.00 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 87°46'50" EAST, CONTINUING ALONG SAID SOUTH LOT LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 02°33'14" WEST, DEPARTING SAID SOUTH LOT LINE, A DISTANCE OF 216.73 FEET; THENCE SOUTH 42°28'53" EAST, A DISTANCE OF 26.58 FEET; THENCE SOUTH 87°43'36" EAST, A DISTANCE OF 58.19 FEET, TO A POINT ON THE WEST LINE OF LOT 2, IN SAID RESURVEY OF LOT 4, SIMONIN ADDITION; THENCE SOUTH 02°33'14" WEST, ALONG SAID WEST LINE, A DISTANCE OF 10.00 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST PERSELS ROAD, AS NOW ESTABLISHED; THENCE NORTH 87°43'36" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 62.31 FEET; THENCE NORTH 42°28'53" WEST, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 34.89 FEET; THENCE NORTH 02°33'14" EAST, A

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DISTANCE OF 220.82 FEET, TO THE POINT OF BEGINNING, CONTAINING 3,097.54 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

PERMANENT ACCESS EASEMENT:

ALL THAT PART OF LOT 4, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, RESURVEY OF LOT 4, SIMONIN ADDITION, A SUBDIVISION IN SAID CITY, COUNTY AND STATE, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°46'50" EAST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 8.00 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 87°46'50" EAST, CONTINUING ALONG SAID SOUTH LOT LINE, A DISTANCE OF 37.05 FEET; THENCE SOUTH 02°31'07" WEST, DEPARTING SAID SOUTH LOT LINE, A DISTANCE OF 31.18 FEET; THENCE NORTH SOUTH 87°28'53" WEST, A DISTANCE OF 37.07 FEET; THENCE NORTH SOUTH 02°33'14" EAST, A DISTANCE OF 30.98 FEET, TO THE POINT OF BEINNING, CONTAINING 1,151.96 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT:

ALL THAT PART OF LOT 4, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, RESURVEY OF LOT 4, SIMONIN ADDITION, A SUBDIVISION IN SAID CITY, COUNTY AND STATE, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°46'50" EAST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 8.00 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 87°46'50" EAST, CONTINUING ALONG SAID SOUTH LOT LINE, A DISTANCE OF 87.00 FEET, TO A POINT ON THE WEST LINE OF TRACT I, MINOR PLAT-RESURVEY LOT 4-REPLAT LOT 2-SIMONIN ADDITION, A SUBDIVISION IN SAID CITY, COUNTY AND STATE; THENCE SOUTH 02°33'14" WEST, DEPARTING SAID SOUTH LINE, ALONG SAID WEST LINE, A DISTANCE OF 12.50 FEET; THENCE NORTH 87°46'50" WEST, DEPARTING SAID WEST LINE, A DISTANCE OF 87.00 FEET; THENCE NORTH 02°33'14" EAST, A DISTANCE OF 12.50 FEET, TO THE POINT OF BEINNING, CONTAINING 1,087.48 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

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GREGORY L. GARRISON, TRACT 04

PERMANENT RIGHT-OF-WAY DEDICATION:

ALL THAT PART OF LOT 7, RESURVEY OF LOT 3, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 7, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE NORTH 02°33'14" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 97.33 FEET; THENCE SOUTH 87°47'36" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 8.00 FEET; THENCE SOUTH 02°33'14" WEST, DEPARTING SAID NORTH LOT LINE, A DISTANCE OF 97.33 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT 7; THENCE NORTH 87°46'50" WEST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 8.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 778.62 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

PERMANENT WATER EASEMENT:

ALL THAT PART OF LOT 7, RESURVEY OF LOT 3, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 7, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°46'50" EAST, ALONG THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 8.00 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 02°33'14" EAST, DEPARTING SAID SOUTH LOT LINE, A DISTANCE OF 97.33 FEET, TO A POINT ON THE NORTH LINE OF SAID LOT 7; THENCE SOUTH 87°47'36" EAST, ALONG SAID NORTH LOT LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 02°33'14" WEST, DEPARTING SAID NORTH LOT LINE, A DISTANCE OF 97.34 FEET, TO A POINT ON SAID SOUTH LOT LINE; THENCE NORTH 87°46'50" WEST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 973.37 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

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CASE ENTERPRISES, LLC, TRACT 05

PART OF LOT 6, RESURVEY OF LOT 2, SIMONIN ADDITION, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 6, SAID POINT BEING 76.41 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 135 FEET; THENCE NORTH PARALLEL TO THE WEST LINE OF SAID LOT 6, A DISTANCE OF 21.1 FEET TO A LOT CORNER OF SAID LOT 6; THENCE EAST ALONG THE NORTH LINE OF LOT 6, A DISTANCE OF 91.84 FEET TO A LOT CORNER OF SAID LOT 6, ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF OLD U.S. HWY NO. 71, BY-PASS; THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE 99.5 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 6; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 244.5 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 6, A DISTANCE OF 76.41 FEET TO THE POINT OF BEGINNING, BEING A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI,

EXCEPT THAT PART DESCRIBED AS FOLLOWS:

ALL THAT PART OF LOT 6, RESURVEY OF LOT 2, SIMONIN ADDITION, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF SAID LOT 6, 115.70 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT AND RUNNING THENCE NORTH 76.41 FEET; THENCE EAST 19.30 FEET; THENCE NORTH 21.10 FEET; THENCE EAST 91.84 FEET TO WEST RIGHT-OF-WAY LINE OF OLD HIGHWAY NO. 71 BYPASS; THENCE SOUTHERLY ALONG AND WITH SAID RIGHT-OF-WAY LINE 99.5 FEET; THENCE WEST 128.80 FEET TO POINT OF BEGINNING.

PERMANENT RIGHT-OF-WAY DEDICATION:

ALL THAT PART OF LOT 6, RESURVEY OF LOT 2, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 6, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE NORTH 02°33'14" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 76.41 FEET; THENCE SOUTH 87°49'23" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 13.00 FEET; THENCE SOUTH 02°33'14" WEST, A DISTANCE OF 76.42 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT 6; THENCE NORTH 87°47'36" WEST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 13.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 993.39 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

PERMANENT WATER EASEMENT:

ALL THAT PART OF LOT 6, RESURVEY OF LOT 2, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 6, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°47'36" EAST, ALONG THE SOUTH LINE OF SAID LOT

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6, A DISTANCE OF 13.00 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 02°33'14" EAST, DEPARTING SAID SOUTH LOT LINE, A DISTANCE OF 76.42 FEET; THENCE SOUTH 87°49'23" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 02°33'14" WEST, A DISTANCE OF 76.42 FEET, TO A POINT ON SAID SOUTH LOT LINE; THENCE NORTH 87°47'36" WEST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 764.16 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

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TIMOTHY REIS, TRACT 06

BEGINNING AT A POINT ON THE WEST LINE OF LOT 6, OF RESURVEY OF LOT 2, SIMONIN ADDITION, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, SAID POINT BEING 76.41 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE CONTINUING NORTH ALONG AND WITH SAID WEST LINE OF LOT 6, A DISTANCE OF 71.72 FEET TO A POINT; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 135 FEET; THENCE SOUTH 71.72 FEET; THENCE WEST 135 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART THEREOF IN ANY PUBLIC ROAD.

PERMANENT RIGHT-OF-WAY DEDICATION:

ALL THAT PART OF LOT 6, RESURVEY OF LOT 2, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 6, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE NORTH 02°33'14" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 76.41 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 02°33'14" EAST, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 71.72 FEET; THENCE SOUTH 87°49'23" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 13.00 FEET; THENCE SOUTH 02°33'14" WEST, DEPARTING SAID NORTH LOT LINE, A DISTANCE OF 71.72 FEET; THENCE NORTH 87°49'23" WEST, A DISTANCE OF 13.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 932.34 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

PERMANENT WATER EASEMENT:

ALL THAT PART OF LOT 6, RESURVEY OF LOT 2, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 6, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE NORTH 02°33'14" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 76.41 FEET; THENCE SOUTH 87°49'23" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 13.00 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 02°33'14" EAST, A DISTANCE OF 71.72 FEET, TO A POINT ON THE NORTH LINE OF SAID LOT 6; THENCE SOUTH 87°49'23" EAST, ALONG SAID NORTH LOT LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 02°33'14" WEST, DEPARTING SAID NORTH LOT LINE, A DISTANCE OF 71.72 FEET; THENCE NORTH 87°49'23" WEST, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 717.18 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

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ROMEO TRUCKING, LLC, TRACT 07

GENERALLY WESTERN HALF OF LOT 5 OF SIMONIN ADDITION RESURVEY OF LOT 2 COMMENCING AT NW CORNER OF SAID LOT, GO SOUTH 49.38'; THENCE EAST GENERALLY FOR 135'; THENCE NORTH TO THE NORTH LOT LINE A DISTANCE OF 49.38'; THENCE WEST ALONG SOUTH LOT LINE TO THE POINT OF BEGINNING. SUBJECT TO SURVEY.

PERMANENT RIGHT-OF-WAY DEDICATION:

ALL THAT PART OF LOT 5, RESURVEY OF LOT 2, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 5, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE NORTH 02°33'14" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 49.38 FEET; THENCE SOUTH 87°49'23" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 13.00 FEET; THENCE SOUTH 02°33'14" WEST, DEPARTING SAID NORTH LOT LINE, A DISTANCE OF 49.38 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT 5; THENCE NORTH 87°49'23" WEST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 13.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 641.93 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

PERMANENT WATER EASEMENT:

ALL THAT PART OF LOT 5, RESURVEY OF LOT 2, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 5, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°49'23" EAST, ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 13.00 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 02°33'14" EAST, DEPARTING SAID SOUTH LOT LINE, A DISTANCE OF 49.38 FEET, TO A POINT ON THE NORTH LINE OF SAID LOT 5; THENCE SOUTH 87°49'23" EAST, ALONG SAID NORTH LOT LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 02°33'14" WEST, DEPARTING SAID NORTH LOT LINE, A DISTANCE OF 49.38 FEET, TO A POINT ON SAID SOUTH LOT LINE; THENCE NORTH 87°49'23" WEST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 493.79 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT:

ALL THAT PART OF LOT 5, RESURVEY OF LOT 2, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 5, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°49'23" EAST, ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 23.00 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 02°33'14" EAST, DEPARTING SAID SOUTH LOT LINE, A DISTANCE OF 49.38 FEET, TO A

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POINT ON THE NORTH LINE OF SAID LOT 5; THENCE SOUTH 87°49'23" EAST, ALONG SAID NORTH LOT LINE, A DISTANCE OF 3.20 FEET; THENCE SOUTH 02°31'07" WEST, DEPARTING SAID NORTH LOT LINE, A DISTANCE OF 49.38 FEET, TO A POINT ON SAID SOUTH LOT LINE; THENCE NORTH 87°49'23" WEST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 3.23 FEET, TO THE POINT OF BEGINNING, CONTAINING 158.70 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

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ADESA MISSOURI, INC., TRACT 13

TEMPORARY CONSTRUCTION EASEMENT:

ALL THAT PART OF LOT 1, ADESA-LOTS 1, 2, & 3, A SUBDMSION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE NORTH 87°46'00" WEST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 10.00 FEET; THENCE NORTH 02°33'14" EAST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 200.63 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF PRIVATE DRIVE, AS NOW ESTABLISHED; THENCE SOUTH 88°04'07" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET, TO A POINT ON SAID WEST RIGHT-OF-WAY LINE; THENCE SOUTH 02°33'14" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 200.69 FEET, TO THE POINT OF BEGINNING, CONTAINING 2,006.45 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.

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ADESA MISSOURI, INC., TRACT 14

PERMANENT RIGHT-OF-WAY DEDICATION:

ALL THAT PART OF LOT 3, ADESA - LOTS 1, 2, & 3, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE NORTH 02°33'14" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 213.83 FEET, TO A POINT OF INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE AND THE SOUTH RIGHT-OF-WAY LINE OF SOUTHWEST OLDHAM PARKWAY, AS NOW ESTABLISHED; THENCE NORTH 31°32'57" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 51.57 FEET; THENCE SOUTH 23°12'12" WEST, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 48.21 FEET; THENCE SOUTH 02°33'14" WEST, A DISTANCE OF 213.84 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE NORTH 87°22'41" WEST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 8.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 1,890.43 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT:

ALL THAT PART OF LOT 3, ADESA - LOTS 1, 2, & 3, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°22'41" EAST, ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 18.00 FEET; THENCE NORTH 02°33'14" EAST, DEPARTING SAID SOUTH LOT LINE, A DISTANCE OF 7.50 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 02°33'14" EAST, A DISTANCE OF 43.59 FEET; THENCE SOUTH 87°28'53" EAST, A DISTANCE OF 31.92 FEET; THENCE SOUTH 02°31'07" WEST, A DISTANCE OF 31.15 FEET; THENCE SOUTH 87°22'41" EAST, A DISTANCE OF 107.55 FEET, TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE SOUTH 02°37'19" WEST, ALONG SAID EAST LOT LINE, A DISTANCE OF 12.50 FEET, TO A POINT ON THE NORTH LINE OF AN EXISTING DRAINAGE AND SEWER EASEMENT RECORDED IN BOOK 255, PAGE 676; THENCE NORTH 87°22'41" WEST, ALONG SAID NORTH EASEMENT LINE, A DISTANCE OF 139.47 FEET, TO THE POINT OF BEGINNING, CONTAINING 2,737.21 SQUARE FEET OR 0.06 ACRES, MORE OR LESS.

PERMANENT WATER EASEMENT:

ALL THAT PART OF LOT 3, ADESA - LOTS 1, 2, & 3, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST JEFFERSON STREET, AS NOW ESTABLISHED; THENCE SOUTH 87°22'41" EAST, ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 8.00 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 02°33'14" EAST, DEPARTING SAID SOUTH LOT LINE, A DISTANCE OF 213.84 FEET; THENCE NORTH 23°12'12" EAST, A DISTANCE OF 28.36 FEET; THENCE SOUTH 02°33'14" WEST, A

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DISTANCE OF 240.39 FEET, TO A POINT ON SAID SOUTH LOT LINE; THENCE NORTH 87°22'41" WEST, ALONG SAID SOUTH LOT LINE, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 2,271.41 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.

PERMANENT WATER EASEMENT TO INCLUDE EXCEPTED AREA FOR DESIGNED DRAINAGE INLET WITHIN AGREEMENT DOCUMENTATION.

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291 HIGHWAY, LLC, TRACT 15

PERMANENT WATER EASEMENT:

ALL THAT PART OF TRACT II, MINOR PLAT, REPLAT OF LOT 2, RESURVEY LOT 4, SIMONIN ADDITION, A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT II, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST PERSELS ROAD, AS NOW ESTABLISHED; THENCE NORTH 02°33'14" EAST, ALONG THE WEST LINE OF SAID TRACT 11, A DISTANCE OF 10.00 FEET; THENCE SOUTH 87°43'36" EAST, DEPARTING SAID WEST TRACT LINE, A DISTANCE OF 136.37 FEET; THENCE SOUTH 02°16'24" WEST, A DISTANCE OF 10.00 FEET, TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE; THENCE NORTH 87°43'36" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 136.42 FEET, TO THE POINT OF BEGINNING, CONTAINING 1,363.94 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.