

DECLARATION OF DEED RESTRICTION

THIS DECLARATION made this ____ day of _____, 2023, the CITY OF LEE'S SUMMIT, MISSOURI, 220 SE GREEN STREET (hereinafter referred to as "Owner"; this is the grantor, if required by recorder's office). Owner hereby declares that the below-described real property is and shall be held transferred, sold, and conveyed subject to the following conditions and restrictions in accordance with the covenants made for the award of grant funds in Project 29-01715 administered by the Missouri Department of Natural Resources ("Department"; this is grantee and holder, if required by the recorder's office), P.O. Box 176, Jefferson City, MO 65102, through funds made available by the United States Department of Interior, National Park Service, Land and Water Conservation Fund (LWCF):

LEGAL DESCRIPTION:

Beginning at the Southeast corner of the northwest ¼ of the southeast ¼ of Section 7, Township 47, Range 31, in the City of Lee's Summit, Jackson County, Missouri, and running thence north 0 deg, 10' 37" west along the east line of said ¼ ¼ section, 420.27 feet to the southeast corner of Lot 201 in Hinsdale, a subdivision in said section, township and range according to the recorded plat thereof; thence west 139.39 feet; thence south 15.0 feet; thence west 216.78 feet to the southwest corner of Lot 168 in said Hinsdale; thence south 7 deg 13'30" west 57.39 feet to the southeast corner of Lot 256 in Hinsdale; thence west 117.98 feet; thence north 61 deg 38' west 568.23 feet to the southeast corner of Lot 248 in Hinsdale; thence north 81 deg 15'10" west 345.98 feet to the southwest corner of Lot 245 in Hinsdale; thence north 45 deg 54' 06" west 73.93 feet to the southeast corner of Lot 215 in Hinsdale; thence south 89 deg, 25' 30" west 27.51 feet to the northeast corner of Lot 28 in Hinsdale; thence south 0 deg 34' 30" east 180 feet; thence south 89 deg 25' 30" west 49.30 feet to the northeast corner of Lot 27 in Hinsdale; thence south 0 deg 34' 30" east 150 feet to the southeast corner of Lot 27 in Hinsdale; thence north 89 deg 41' 30" east 120.33 feet to the southeast corner of the northeast quarter of the southwest quarter of Section 7, Township 47, Range 31; thence north 89 deg 41' 20" east 1330.91 feet to the point of beginning, all in Lee's Summit, Jackson County, Missouri

In accordance with the LWCF grant award and 2 CFR 200.316, the Property has been improved with grant funds and must be held in trust as trustees for the beneficiaries of the program funds used to develop the Property by limiting use of the Property to outdoor recreational use, and maintaining and operating the Property consistent with 43 CFR Part 17 (civil rights laws), in perpetuity. This Declaration shall be binding upon Owner and Owner's heirs, successors, assigns and other transferees in interest (hereinafter

“Transferees”), and shall run with the land. Each instrument hereafter conveying any interest in the Property or any portion of the Property, shall contain a notice of this Declaration. Owner, on its behalf and on behalf of all Transferees, grants to the Department’s representatives the right of access at reasonable times in a reasonable manner for the purpose of inspection to determine compliance with these limitations.

Any act, conveyance, contract, or authorization by Owner or Transferee, whether written or oral which would cause to be used, or would permit use of, the Property contrary to the terms of this Declaration, will be deemed a violation and breach. In accordance with the terms and conditions of the LWCF award, such other use without prior approval may constitute a conversion that will require purchase of replacement property. Proposals related to any portion of the Property for a different use must be approved in advance by National Park Service. Requests may be directed to Missouri Department of Natural Resources, Division of State Parks, attn.: Grants Management.

Failure to timely identify or enforce compliance with these activities and use limitations shall not bar subsequent enforcement or be deemed a waiver of right to take action. If any provision of this Declaration is found to be unenforceable in any respect, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

IN WITNESS WHEREOF, this instrument is executed this __ day of _____, 2023.

City of Lee’s Summit, Missouri

By: _____ Date: _____
William A. Baird, Mayor

STATE OF MISSOURI)
)
COUNTY OF JACKSON)

On this __ day of _____, 2023, before me personally appeared William A. Baird, Mayor of the City of Lee’s Summit, Missouri, to me personally known, who, being by me duly sworn, did say that he is the Mayor of the Owner of the Property, and that the foregoing instrument is acknowledged to be the free act and deed of the Grantor, and has been executed for the purposes stated herein.

Notary Public

Printed Name or seal

My Commission expires: _____