

## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**AN ORDINANCE** amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 0.02 ± acres from District A (Agricultural) and District GB (General Business) to District LI-p (Light Industrial-planned).

**ORDINANCE #4359**, October 3, 2011

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "A" (Agricultural) District, the "GB" (General Business) District, and the "LI-p" (Light Industrial-planned) District, so that there will be transferred from District A and District GB to District LI-p, two tracts of land described as follows:


Description: **Tract 1** containing 298.25 square feet more or less. A tract of land in all that part of FOX ESTATES, a subdivision in Jackson County, Missouri, situated in the Southwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the Fifth Principal Meridian, being more particularly described as follows: BEGINNING at the Northwest corner of said FOX ESTATES; thence South 88°10'37" East along the North line of said FOX ESTATES a distance of 26.43 feet; thence South 01°49'23" West a distance of 11.29 feet; thence North 88°10'37" West a distance of 26.41 feet to the West line of said FOX ESTATES; thence North 01°44'59" East along said West line a distance of 11.29 feet to the POINT OF BEGINNING.

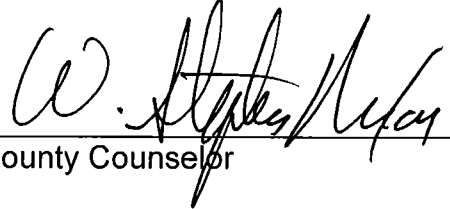
**Tract 2** containing 799.49 square feet more or less. A tract of land in all that part of the Southwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the Fifth Principal Meridian, Jackson County, Missouri, being more particularly described as follows: BEGINNING at the Northwest corner of FOX ESTATES, a subdivision in Jackson County, Missouri; thence South 01°44'59" West along the West line of said FOX ESTATES a distance of 11.29 feet; thence North 88°10'37" West a distance of 70.83 feet; thence North 01°49'23" East a distance of 11.29 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19, thence South 88°10'37" East along said North line a distance of 70.81 feet to the POINT OF BEGINNING.

Section 2. The Legislature, pursuant to the application of Michael S. Thomas on behalf of Next Generations Holdings, LLC (RZ-2011-476), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 9 to 0 to recommend APPROVAL of this application after a public hearing on September 15, 2011, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
Chief Deputy County Counselor

  
County Counselor

I hereby certify that the attached Ordinance, Ordinance #4359 introduced on October 3, 2011, was duly passed on October 31, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

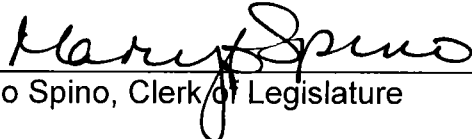
Nays 0

Abstaining 0

Absent 1

This Ordinance is hereby transmitted to the County Executive for his signature.

11-1-11  
Date

  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4359.

11/01/2011  
Date

  
Michael D. Sanders, County Executive

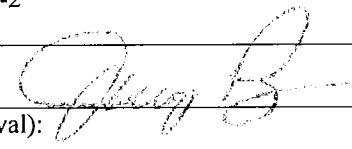
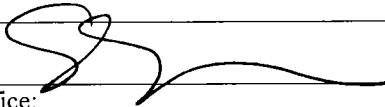
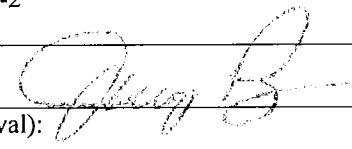
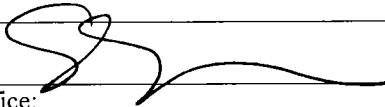
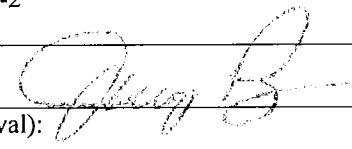
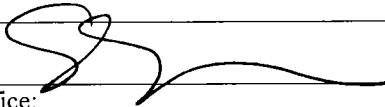
# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res/Ord~~ No.: 4359

Sponsor(s): None

Date: October 3, 2011

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Rezoning (Next Generation Holdings, Case No. RZ-2011-476)</u>													
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="329 493 1208 804"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT  TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____  Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT		
Amount authorized by this legislation this fiscal year:	\$													
Amount previously authorized this fiscal year:	\$													
Total amount authorized after this legislative action:	\$													
Amount budgeted for this item * (including transfers):	\$													
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT													
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____													
CONTACT INFORMATION	RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577													
REQUEST SUMMARY	Requesting an ordinance amending the zoning districts established by the Unified Development Code rezoning a certain 0.02 ± acres from District A (Agricultural) and District GB (General Business) to District LI-p (Light Industrial-planned). The proposed change is to add additional land into current land use. Description: The 0.02 ± acres are ¼ mile south of Wyatt Road on the west side of State Route 7 and specifically described on Attachment to RLA-1. Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements. The Jackson County Plan Commission voted 9 to 0 to recommend <u>APPROVAL</u> to the County Legislature.													
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)													
ATTACHMENTS	See Attachment to RLA-2													
REVIEW	<table border="1" data-bbox="321 1692 1537 1936"> <tr> <td>Department Director: Jerry A. Page, P.E.</td> <td></td> <td>Date: 9/22/11</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td></td> <td>Date:</td> </tr> <tr> <td>Division Manager:</td> <td></td> <td>Date: 9/27/11</td> </tr> <tr> <td>County Counselor's Office:</td> <td></td> <td>Date:</td> </tr> </table>		Department Director: Jerry A. Page, P.E.		Date: 9/22/11	Finance (Budget Approval): <i>If applicable</i>		Date:	Division Manager:		Date: 9/27/11	County Counselor's Office:		Date:
Department Director: Jerry A. Page, P.E.		Date: 9/22/11												
Finance (Budget Approval): <i>If applicable</i>		Date:												
Division Manager:		Date: 9/27/11												
County Counselor's Office:		Date:												

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

**ATTACHMENT TO RLA-1:**

**RZ-2011-476 (Next Generation Holdings, LLC)**

**Description: Tract 1** containing 298.25 square feet more or less. A tract of land in all that part of FOX ESTATES, a subdivision in Jackson County, Missouri, situated in the Southwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the Fifth Principal Meridian, being more particularly described as follows: BEGINNING at the Northwest corner of said FOX ESTATES; thence South  $88^{\circ}10'37''$  East along the North line of said FOX ESTATES a distance of 26.43 feet; thence South  $01^{\circ}49'23''$  West a distance of 11.29 feet; thence North  $88^{\circ}10'37''$  West a distance of 26.41 feet to the West line of said FOX ESTATES; thence North  $01^{\circ}44'59''$  East along said West line a distance of 11.29 feet to the POINT OF BEGINNING.

**Tract 2** containing 799.49 square feet more or less. A tract of land in all that part of the Southwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the Fifth Principal Meridian, Jackson County, Missouri, being more particularly described as follows: BEGINNING at the Northwest corner of FOX ESTATES, a subdivision in Jackson County, Missouri; thence South  $01^{\circ}44'59''$  West along the West line of said FOX ESTATES a distance of 11.29 feet; thence North  $88^{\circ}10'37''$  West a distance of 70.83 feet; thence North  $01^{\circ}49'23''$  East a distance of 11.29 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19, thence South  $88^{\circ}10'37''$  East along said North line a distance of 70.81 feet to the POINT OF BEGINNING.

**ATTACHMENT TO RLA-2:**

Attachments

Plan Commission Public Hearing Summary from September 15, 2011

Staff report

Names/Addresses of surrounding property owners

Map showing current zoning districts in area

Application

Re-plat of Lot 9A

Notice of violation dated 5/16/11 from Marlon Southard, Building Inspector

Quit claim deed dated 7/26/11

### **1. RZ-2011-476 – Next Generation Holdings**

Requesting a change of zoning from District A (Agricultural) and District GB (General Business) on 0.02 ± acres to District LI-p (Light Industrial-planned). The proposed change is to add additional land into current land use. The 0.02 ± acres are ¼ mile south of Wyatt Road on the west side of State Route 7, lying in Section 19, Township 48, Range 30, Jackson County, Missouri aka 8422 S. 7 Hwy.

Mr. Diehl introduced RZ-2011-476 and entered 11 exhibits into the record. Mr. Diehl gave the staff report with comments and recommendation as follows: the property is ½ mile south of Wyatt Road on the west side of State Route 7, described as Lot 9A, Re-plat of Lots 7 – 9 Meadow Run Addition and is 0.02 ± acres in size. The request is for a change of zoning from District A (Agricultural) and District GB (General Business) to LI-p (Light Industrial – planned). To be in compliance with the Unified Development Code, additional land (0.02 ± acres) was needed to increase the side yard setback from 6 feet to 24 feet for a detached storage building. The existing lot and additional land will subsequently be re-platted as one lot.

To the north, zoning is Light Industrial – Planned (mini-storage warehouse). To the south, zoning is General Business (reception and banquet hall) and Agricultural. To the west, zoning is Agricultural. To the east, lies the City of Blue Springs.

On May 16, 2011 a Stop Work Order letter (CV-2011-029) was issued by the Building and Zoning Inspector of Jackson County Public Works for a detached storage building. A check of the building permits showed no permit being issued for said structure. It was also revealed that the structure was approximately 6 ± feet from the property line. The side yard set back for the District Light Industrial – Planned is 30 feet. However, Section 24006.8.d.3 of the UDC states that for non-residential lots "accessory structures shall be located a minimum of 20 feet from all property lines". The applicant has voluntarily ceased construction on the storage building until compliance with the UDC could be satisfied. Staff met with a surveyor hired by the applicant to see what actions could be utilized to remedy the encroachment of the building. Four solutions were considered:

- 1) Raze the structure.
- 2) Remove that portion of the building within the encroachment area.
- 3) Apply for a variance.
- 4) Acquire additional land from the adjacent owner.

Applicant has purchased from the adjacent owner additional land to allow the continuation of the storage building and to comply with the UDC. The lot line will allow the side yard setback to be greater than the required 20 feet.

An application for the re-plat of the existing lot along with the additional land was submitted for review by staff as well. It should be noted that the land that is being rezoned from District General Business is part of a platted lot, Fox Estates. Since there is a portion of the lot being taken by a metes and bounds description, it will need to be re-platted to allow it to remain in compliance with the UDC. The re-plat for Fox Estates has also been submitted for staff review. The County Plan Development Diagram illustrates this area within the Urban Development Tier. The Light Industrial - Planned District is appropriate in the Urban Development Tier. This



request for rezoning is consistent with the intent and purpose of the County Plan. Staff recommends approval of RZ-2011-476.

Chairman Antey said it appeared that land had been purchased and added to the parcel to bring the parcel into compliance with the UDC.

Mr. Diehl said the 0.02 ± acres measured 11½ feet by 97 feet.

Mr. Tarpley wanted to know if the building was completed.

Mr. Diehl said only the framing had been completed and the project had been on hold since May while it was decided what should be done.

Mrs. Mershon asked if a re-plat had been filed.

Mr. Diehl said the re-plat had been filed and only needed administrative review.

Mr. Pointer wanted to know what kind of business was done at the location.

Mr. Diehl said that was a question for the applicant.

The applicant, Michael Thomas, appeared to give testimony. Mr. Thomas said he had an environmental services business and the building was to be used for storage of heavy equipment. He said not obtaining a building permit had been an oversight.

There were no questions for Mr. Thomas and no one else to appear in favor of or in opposition to the application.

Mrs. Mershon moved to take RZ-2011-476 under advisement. Mr. Pointer seconded the motion.

Mr. Pointer said approval of the application would solve everybody's problems.

Mr. Tarpley moved to approve RZ-2011-476. Mr. Haley seconded the motion.

**VOTE:**

Mr. Crawford	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mrs. Mershon	Approve
Mr. Pointer	Approve
Mrs. Querry	Approve
Mr. Tarpley	Approve
Chairman Antey	Approve

**RZ-2011-476 APPROVED (8 – 0)**

**STAFF REPORT**

**PLAN COMMISSION**  
**September 15, 2011**

**RE: RZ-2011-476**

**Applicant:** Michael S. Thomas (Next Generations Holdings, LLC)

**Location:** ½ mile south of Wyatt Road on the west side of State Route 7, described as Lot 9A, Replat of Lots 7 – 9 Meadow Run Addition, aka 8422 S. 7 Highway.

**Area:** 0.02 ± acres

**Request:** Change of zoning from District A (Agricultural) and District GB (General Business) to LI-p (Light Industrial – Planned)

**Purpose:** To bring to compliance with the Unified Development Code (UDC) additional land (0.02 ± acres) needed to increase the sideyard setback from 6 feet to 24 feet for a detached storage building. The existing lot and additional land will subsequently be replatted as one lot.

**Current Land Use and Zoning in the Area:**

To the north, zoning is Light Industrial – Planned (mini-storage warehouse).

To the south, zoning is General Business (reception and banquet hall) and Agricultural.

To the west, zoning is Agricultural.

To the east, lies the City of Blue Springs.

**Comments:** On May 16, 2011 a Stop Work Order letter (CV-2011-029) was issued by the Building and Zoning Inspector of Jackson County Public Works for a detached storage building. A check of the building permits showed no permit being issued for said structure. It was also revealed that the structure was approximately 6 ± feet from the property line. The sideyard set back for the District Light Industrial – Planned is 30 feet. However, Section 24006.8.d.3 of the UDC states that for non-residential lots "accessory structures shall be located a minimum of 20 feet from all property lines". The applicant has voluntarily ceased construction on the storage building until compliance with the UDC could be satisfied. Staff met with a surveyor hired by the applicant to see what actions could be utilized to remedy the encroachment of the building. Four solutions were considered:

- 1) Raze the structure.
- 2) Remove that portion of the building within the encroachment area.
- 3) Apply for a variance.
- 4) Acquire additional land from the adjacent owner.

Applicant has purchased from the adjacent owner additional land to allow the continuation of the storage building and to comply with the UDC. The lot line will allow the sideyard setback to be greater than the required 20 feet. (Exhibit 9)

An application for the replat of the existing lot along with the additional land was submitted for review by staff as well. It should be noted that the land that is being rezoned from District General Business is part of a platted lot, Fox Estates. Since there is a portion of the lot being taken by a metes and bounds description, it will need to be replatted to allow it to remain in compliance with the UDC. The replat for Fox Estates has also been submitted for staff review.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT). The Light Industrial - Planned District is appropriate in the Urban Development Tier.

**Recommendation:**

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2011-476.

Respectfully submitted,  
Planning and Development Division.

Randy Diehl  
Interim Administrator



**Plan Commission  
September 15, 2011  
RZ-2011-476**

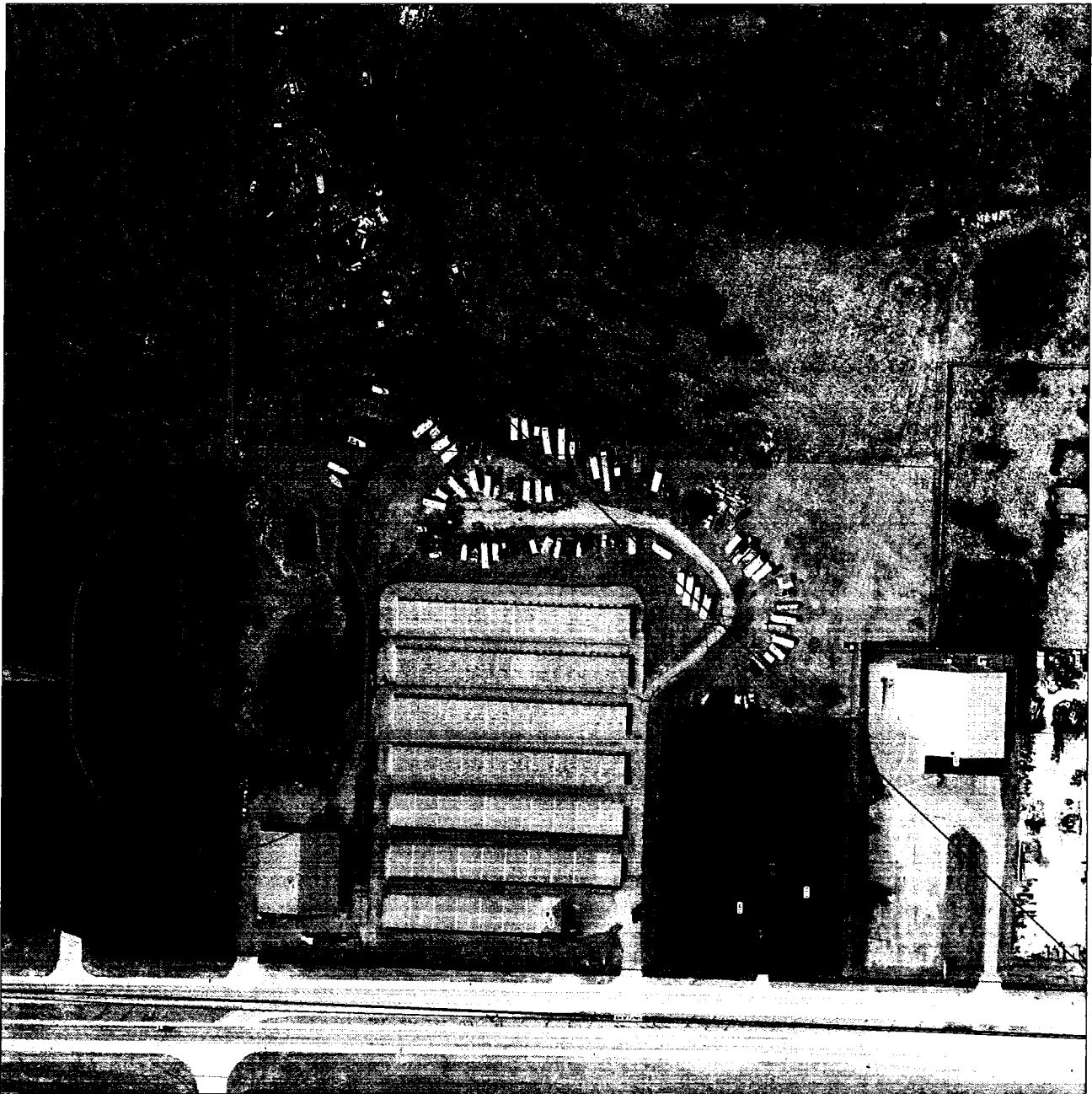
**Applicant / Property Owner:**                      **Next Generation Holdings, LLC  
8422 M-7 Hwy  
Blue Springs, MO 64014**

**Parcel No: 54-300-02-22**

**Certified Mail – Return Receipt  
Property Owners within 185 feet**

54-300-02-03.01.1  
MSHM LLC  
8510 S. M-7 Hwy  
Blue Springs, MO 64014

54-300-02-23  
MSHM LLC



Jackson County  
Zoning Map

	185 Notification Ring
<b>Classification</b>	
<b>Class</b>	
	Local
	Collector
	Major Arterial
	Minor Arterial
	Parcels
	<all other values>
	Plats
	Pending Rezoning
<b>Rezoning selection</b>	
<b>Zoning</b>	
	RR-Residential Ranchette
	RCP-Residential Ranchette-Planned
	RE-Residential Estates
	RS-Residential Suburban
	RU-Residential Urban
	A1F-Single-Family
	B1F-Two-Family
	C1F-Multi-Family
	A-1-Alewife Homes District
	ROP-Residential Office-Planned
	LB-Local Business
	LBP-Local Business-Planned
	GB-General Business
	GPP-General Business-Planned
	LI-Light Industrial
	LIP-Light Industrial-Planned
	HI-Heavy Industrial
	Inundation Area

RZ-2011-476

1 inch equals 50 feet

**JACKSON COUNTY, MISSOURI  
APPLICATION FOR CHANGE OF ZONING**

**APPLICANT INFORMATION:**

1. Application must be filed with the Jackson County Planning and Development Division, 303 West Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application.  
Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
5. The filing fee (non-refundable) must accompany application.  
(Check payable to: Manager of Finance)  
\$350.00 – Change of Zoning to Residential  
\$500.00 – Change of Zoning to Commercial or Industrial

**TO BE COMPLETED BY OFFICE PERSONNEL ONLY:**

Rezoning Case Number RZ-2011- 476

Date filed 8-16-11 Date of hearing 9-15-11

Date advertised 8-31-11 Date property owners notified \_\_\_\_\_

Date signs posted 8-31-11

Hearings: Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

**BEGIN APPLICATION HERE:**

1. Data on Applicant(s) and Owner(s):
  - a. Applicant(s) Name: Michael S. Thomas (Next Generation Holdings, LLC)  
 Address: 8422 M7 Highway  
Blue Springs, MO. 64014  
 Phone: 816-229-5900
  - b. Owner(s) Name: Same as applicant  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_
  - c. Agent(s) Name: \_\_\_\_\_  
 Address: \_\_\_\_\_

Phone: \_\_\_\_\_

- d. Applicant's interest in Property: Construct a detached storage building
2. General location (Road Name) West side of Highway 7 between Wyatt Road and Cowherd Road
3. Present Zoning Tract 1 = GB Requested Zoning Tracts 1 & 2 L.I.P.  
Tract 2 = AG
4. AREA (sq. ft. / acres) 1,098 sq.ft. / 0.02 acres Total For Both Tracts
5. Legal Description of Property: (Write Below or Attached 9)  
SEE ATTACHED
6. Present Use of Property: Environmental Services Company (office & storage)
7. Proposed Use of Property: Same as present
8. Proposed Time Schedule for Development: Current / ongoing
9. What effect will your proposed development have on the surrounding properties?  
None
10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No  
If so, will any improvements be made to the property which will increase or decrease the elevation? N/A
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water PWSD 13 (No effect)
  - b. Sewage disposal Septic (No effect)
  - c. Electricity KCP&L (No effect)
  - d. Fire and Police protection Prairie (No effect)
12. Describe existing road width and condition: N/A The rezoning tracts do not have road frontage or direct access to Highway 7.

13. What effect will proposed development have on existing road and traffic conditions? None

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? N/A

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): N/A

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers



and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

Michael S. Thomas

8/15/11

NEXT GENERATION Holdings LLC

Applicant(s):

Michael S. Thomas

NEXT GENERATION Holdings, Inc.

Contract Purchaser(s):

STATE OF

Missouri

COUNTY OF

JACKSON

On this 15th day of AUGUST, in the year of 2011, before me the undersigned notary public, personally appeared MICHAEL S. THOMAS

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Ruth Bragaw

Commission Expires

Nov 29, 2011



RUTH BRAGAW  
My Commission Expires  
November 29, 2011  
Jackson County  
Commission #07388607

**Tract 1 Rezoning Description:** Current Zoning = GB    Proposed Zoning = LIP  
Containing 298.25 square feet more or less

A tract of land in all that part of FOX ESTATES, a subdivision in Jackson County, Missouri, situated in the Southwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the Fifth Principal Meridian, being more particularly described as follows;

**BEGINNING** at the Northwest corner of said FOX ESTATES; thence South 88°10'37" East along the North line of said FOX ESTATES a distance of 26.43 feet; thence South 01°49'23" West a distance of 11.29 feet; thence North 88°10'37" West a distance of 26.41 feet to the West line of said FOX ESTATES; thence North 01°44'59" East along said West line a distance of 11.29 feet to the **POINT OF BEGINNING**.

**Tract 2 Rezoning Description:** Current Zoning = AG    Proposed Zoning = LIP  
Containing 799.49 square feet more or less

A tract of land in all that part of the Southwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the Fifth Principal Meridian, Jackson County, Missouri, being more particularly described as follows;

**BEGINNING** at the Northwest corner of FOX ESTATES, a subdivision in Jackson County, Missouri; thence South 01°44'59" West along the West line of said FOX ESTATES a distance of 11.29 feet; thence North 88°10'37" West a distance of 70.83 feet; thence North 01°49'23" East a distance of 11.29 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19; thence South 88°10'37" East along said North line a distance of 70.81 feet to the **POINT OF BEGINNING**.





## JACKSON COUNTY PUBLIC WORKS DEPARTMENT

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**ADMINISTRATIVE OFFICES**  
303 W. Walnut  
Independence, MO 64050  
(816) 881-4530  
(816) 881-4448 Fax

**ENVIRONMENTAL HEALTH**  
308 W. Kansas  
Independence, MO 64050  
(816) 881-4530  
(816) 881-1650 Fax

**ROAD MAINTENANCE DIVISION**  
34900 E. Old U.S. 40 Hwy  
P.O. Box 160  
Grain Valley, MO 64029  
(816) 847-7050  
(816) 847-7051 Fax

### NOTICE OF VIOLATION

May 16, 2011

M. SHAUN THOMAS  
8422 S. 7 HWY.  
BLUE SPRINGS, MO 64014

RE: Building structure without a permit.  
8422 S 7HWY Genesis Environmental Solutions  
**STOP CONSTRUCTION ACTIVITIES**

Dear M. Shaun Thomas,

Under building codes and regulations for the Jackson County Unified Development Code Chapter 5401 and 5401.1 applying to the construction, addition, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or detached to such buildings or structures over 200 square feet and/or over 30" in height is required to have a building permit for construction, repair and or replacement including swimming pools, decks and driveways in the county right of way. A check for a current building permit shows no active permit at this address.

Please contact our office 303 W. Walnut Independence, MO 64050 (816) 881-4530  
Within 5 days of receipt of this letter.

Sincerely,

Marlon Southard  
Building and Zoning Inspector  
Jackson County Public Works Department

RECORDER'S CERTIFICATION  
JACKSON COUNTY, MISSOURI

07/27/2011 11:32:30 AM

INSTRUMENT TYPE: QCD FEE: \$27.00 3 Pages



INSTRUMENT NUMBER/BOOK & PAGE:

2011E0069126

ROBERT T. KELLY, DIRECTOR, RECORDER OF DEEDS

### QUIT-CLAIM DEED

**THIS INDENTURE**, made on the 26 day of July,  
Two Thousand Eleven by and between MSHM, LLC of the County of Jackson, State of  
Missouri, **Grantor(s)**  
and Next Generation Holdings, LLC of the County of Jackson, State of Missouri,  
**Grantee(s)**  
**Grantee(s)' Mailing Address:** 8422 M 7 Highway, Blue Springs, Mo. 64014

**WITNESSETH**, that the said Grantor(s), in consideration of the sum of One (\$1)  
DOLLARS and other good and valuable consideration, (the receipt and sufficiency of  
which is hereby acknowledged by the Grantor) do by these presents REMISE, RELEASE  
and FOREVER QUIT CLAIM unto the said Grantee(s), the following described lots,  
tracts or parcels of land, lying, being and situate in the County of Jackson and State of  
Missouri, to-wit:

(SEE ATTACHMENT "A" PROPERTY DESCRIPTION)

Subject to all easements, restrictions, reservations and encumbrances of record, if any.

**TO HAVE AND TO HOLD THE SAME**, with all the rights, immunities, privileges  
and appurtenances thereto belonging, unto the said Grantee(s) and unto Grantee's heirs  
and assigns forever; so that neither the Grantor(s) nor Grantor's heirs nor any other  
person or persons, for Grantor or in Grantor's name or behalf, shall or will hereinafter  
claim or demand any right or title to the aforesaid premises or any part thereof, but they  
and each of them shall, by these presents, be excluded and forever barred.

If two or more persons constitute the Grantor or Grantee, the word Grantor or Grantee  
shall be construed to read Grantors or Grantees whenever the sense of this deed requires.

IN WITNESS WHEREOF, the said Grantor has executed this instrument the day and year first above written.



Stephen E. Sanders, Managing Member

ACKNOWLEDGMENT

STATE OF MISSOURI )

) SS

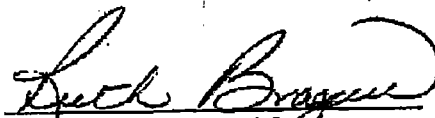
COUNTY OF JACKSON )

On this 26 day of July, 2011, before me, the undersigned, a Notary Public, in and for said State personally appeared Stephen E. Sanders, Managing Member of MSHM, LLC, a Missouri Limited Liability Company, known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My Commission expires:

Nov 29, 2011



Notary Public in and for  
Said County and State



RUTH BRAGAW  
My Commission Expires  
November 29, 2011  
Jackson County  
Commission #07342837

## ATTACHMENT "A"

### **Tract 1:**

Containing 298.25 square feet more or less

A tract of land in all that part of FOX ESTATES, a subdivision in Jackson County, Missouri, situated in the Southwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the Fifth Principal Meridian, being more particularly described as follows;

**BEGINNING** at the Northwest corner of said FOX ESTATES; thence South  $88^{\circ}10'37''$  East along the North line of said FOX ESTATES a distance of 26.43 feet; thence South  $01^{\circ}49'23''$  West a distance of 11.29 feet; thence North  $88^{\circ}10'37''$  West a distance of 26.41 feet to the West line of said FOX ESTATES; thence North  $01^{\circ}44'59''$  East along said West line a distance of 11.29 feet to the **POINT OF BEGINNING**.

### **Tract 2:**

Containing 799.49 square feet more or less

A tract of land in all that part of the Southwest Quarter of the Northwest Quarter of Section 19, Township 48 North, Range 30 West of the Fifth Principal Meridian, Jackson County, Missouri, being more particularly described as follows;

**BEGINNING** at the Northwest corner of FOX ESTATES, a subdivision in Jackson County, Missouri; thence South  $01^{\circ}44'59''$  West along the West line of said FOX ESTATES a distance of 11.29 feet; thence North  $88^{\circ}10'37''$  West a distance of 70.83 feet; thence North  $01^{\circ}49'23''$  East a distance of 11.29 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 19; thence South  $88^{\circ}10'37''$  East along said North line a distance of 70.81 feet to the **POINT OF BEGINNING**.