

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing the County Executive to execute a Special Warranty Deed conveying 0.29 acres of park property within the Little Blue Trace Park to Trinity Woods Real Estate Development, authorizing the County Executive to execute Project Amendment 18 with the Missouri Department of Natural Resources relating to the same, and accepting a Special Warranty Deed from Trinity Real Estate Development, Inc. conveying a replacement parcel of 0.31 acres adjacent to the County's Little Blue Trace Park at the east edge of the development.

**RESOLUTION #17151**, January 25, 2010

**INTRODUCED BY** Fred Arbanas, County Legislator

WHEREAS, Trinity Woods Real Estate Development desires to begin construction of a new development along the south side of Interstate 70 at the Little Blue Trace River in Independence, Missouri; and,

WHEREAS, the development must widen an existing road which runs across the Little Blue Trace Park and the existing right of way is not wide enough to contain the upgraded road; and,

WHEREAS, Trinity Woods Real Estate Development proposes to replace the four small tracts totaling 0.29 acres lying within Little Blue Trace Park owned by the County with a single 0.31 acre tract adjacent to the County's Little Blue Trace Park at the east edge of the development; and,

WHEREAS, the National Park Service and the Missouri Department of Natural Resources both approve of the conversion of the 0.29 acres of Little Blue Trace Park in exchange for

0.31 acres of adjacent property and require the execution of Project Amendment 18 to initiate the conversion; and,

WHEREAS, the Director of Parks and Recreation recommends the conveyance of 0.29 acres of park property in exchange for 0.31 acres of adjacent property as approved by the National Park Service and the Missouri Department of Natural Resources; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute the necessary Warranty Deed(s) or other related documents conveying the above-described property between the County and Trinity Woods Real Estate Development, in a form to be approved by the County Counselor; and,

BE IT FURTHER RESOLVED that the conveyance of a replacement parcel from Trinity Woods Real Estate Development be and hereby is accepted; and,

BE IT FURTHER RESOLVED that the County Executive be and hereby is authorized to execute Project Amendment 18 with the State of Missouri Department of Natural Resources in furtherance of the Little Blue Trace project.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

*Patricia Tellin*  
Deputy/Assistant County Counselor

*Wm. S. Soper*  
Acting County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17151 of January 25, 2010, was duly passed on January 25, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

1.26.10  
Date

*Mary Jo Spino*  
Mary Jo Spino Clerk of Legislature

LAND AND WATER CONSERVATION FUND

PROJECT AMENDMENT

State Agency or Political

Jackson County

Project Amendment: # 18

Date: 8/15/2008

AMENDMENT TO PROJECT AGREEMENT FOR STATE AGENCY OR POLITICAL SUBDIVISION

Project Title: Little Blue Trace

THIS AMENDMENT TO PROJECT AGREEMENT 29-00437 is hereby made and agreed upon by the State of Missouri, acting through the State Liaison Officer for the State Inter-Agency Council for Outdoor Recreation and by the Political Subdivision Jackson County, pursuant to the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964).

The Political Subdivision and the State of Missouri, in mutual consideration of the promises made herein and in the project agreement of which this is an amendment, do promise as follows:

That the above mentioned project agreement is amended by adding the following:

To approve converting ± 0.29 acres located in the 6(f) boundary of the Little Blue Trace Park. Replacement parcels consist of ± .31 acres of land, located adjacent to Little Blue Trace Park, Jackson County, MO as further described by deed.

In all other respects the project agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this amendment as of the date entered above.

THE STATE OF MISSOURI  
DEPARTMENT OF NATURAL  
RESOURCES

STATE AGENCY OR POLITICAL  
SUBDIVISION

By Douglas K. Eiken  
Douglas K. Eiken, Director  
Division of State Parks  
Alternate State Liaison Officer

Jackson County, Missouri

By: Michael D. Sanders  
(Signature)

Michael D. Sanders, County Executive

(Date)

(Name)

ATTEST:

APPROVED AS TO FORM:

By: Mary Jo Spino  
Mary Jo Spino, Clerk County Legislature

By: William G. Snyder  
William G. Snyder, Acting County Counselor

8/15/08  
MARY JO SPINO  
COUNTY CLERK

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Res. #17151

Document Title: **Missouri Special Warranty Deed**

Grantor(s): **Jackson County, Missouri**  
Grantor's Statutory Address: \_\_\_\_\_

Grantee(s): **Trinity Real Estate Development, Inc.,**  
a Missouri corporation  
Grantee's Statutory Address: **3171 NE Carnegie Drive, Suite 119**  
**Lee's Summit, Missouri 64064**

Date of Document: \_\_\_\_\_, 2010

Legal Description: See Exhibit A, pp. 3 & 4

Reference Book and Page: N/A

**MISSOURI SPECIAL WARRANTY DEED**

THIS DEED is executed on \_\_\_\_\_, 2010, by **Jackson County, Missouri**, a political subdivision of the State of Missouri ("Grantor"), to **Trinity Real Estate Development, Inc.**, a Missouri corporation ("Grantee"), whose statutory address is set out above.

In consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, paid to Grantor by Grantee, Grantor sells and conveys to the Grantee and the Grantee's successors and assigns the real property described on attached Exhibit A, together with all right, title and interest of the Grantor in and to: (i) any alleys, streets, ways, strips or gores abutting or adjoining the land; and (ii) all buildings, structures, improvements and fixtures located on such real property (collectively, the "Property"), lying, being and situate in Jackson County, State of Missouri, subject to all

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MARY JO GIBBS  
COUNTY CLERK

easements, restrictions, reservations, covenants and conditions which are of record, and taxes for 2009 and subsequent years.

TO HAVE AND TO HOLD the Property, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the Grantee and unto Grantee's successors and assigns forever. Grantor covenants that: (i) Grantor is lawfully seized of an indefeasible fee of the Property; (ii) Grantor has good right to convey the Property; (iii) except for easements, restrictions, reservations, covenants and conditions of record and taxes for 2009, the Property is free and clear from any encumbrance done or suffered by the Grantor; and (iv) Grantor will warrant and defend the title to the Property unto the Grantee and unto the Grantee's successors and assigns forever against the lawful claims and demands of all persons claiming under the Grantor.

Grantor has executed this deed the day and year first above written.

Jackson County, Missouri

{Seal}

*Michael D. Sanders*

By: \_\_\_\_\_  
Name: Michael D. Sanders, County Executive  
Title: \_\_\_\_\_

Attest:

*Mary Jo Spino*  
Name: Mary Jo Spino  
Title: Clerk of the County Legislature

APPROVED AS TO FORM:

*William G. Snyder*  
By: \_\_\_\_\_  
William G. Snyder, Acting County Counselor

STATE OF MISSOURI     )  
  ) ss.  
COUNTY OF JACKSON    )

On Feb. 2, 2010, before me, the undersigned, a notary public in and for the county and state aforesaid, came Michael D. Sanders and William G. Snyder and \_\_\_\_\_, respectively, of Jackson County, Missouri, a political subdivision of the State of Missouri, who are personally known to me to be the same persons who executed, as such officials, the within instrument on behalf of such political subdivision, and such persons duly acknowledged the execution of the same to be the free act and deed of such political subdivision.

*Patricia Marie Murillo*  
Signature of Notary Public  
Patricia Marie Murillo  
Printed or Typed Name of Notary Public

{Notarial Seal}

My Commission expires:  PATRICIA MARIE MURILLO  
My Commission Expires  
September 16, 2012  
Clay County  
Commission #08483601

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

**Tract 1:**

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 49 NORTH, RANGE 31 WEST, SAID POINT BEING S 88°02'47"E A DISTANCE OF 754.29 FEET FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE S 88°02'47"E ALONG SAID NORTH LINE A DISTANCE OF 56.39 FEET TO A POINT THAT IS 500.00 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE N 02°23'08"E PARALLEL WITH SAID EAST LINE A DISTANCE OF 31.05 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 370.00 FEET AND AN INITIAL TANGENT BEARING OF S 29°15'19"E; THENCE SOUTHEASTERLY ALONG SAID CURVE A DISTANCE OF 156.85 FEET TO A POINT ON THE ASSUMED NORTHERLY RIGHT OF WAY LINE OF VALLEY VIEW ROAD; THENCE N 61°22'14"W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 182.98 FEET TO THE POINT OF BEGINNING.

**Tract 2:**

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 49 NORTH, RANGE 31 WEST, THENCE S 88°02'47"E ALONG THE NORTH LINE OF SAID QUARTER SECTION A DISTANCE OF 795.15 FEET TO A POINT ON THE CENTERLINE OF THE PROPOSED VALLEY VIEW PARKWAY; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 400.00 FEET, AND AN INITIAL TANGENT BEARING OF S 31°53'25"E A DISTANCE OF 196.26 FEET TO THE P.T. OF SAID CURVE; THENCE S 60°00'11"E CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 24.70 FEET; THENCE N 29°59'49"E A DISTANCE OF 33.93 FEET TO A POINT ON THE EXISTING ASSUMED NORTHERLY RIGHT OF WAY LINE OF VALLEY VIEW ROAD AND THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING N 29°59'49"E A DISTANCE OF 26.07 FEET; THENCE S 60°00'11"E PARALLEL WITH SAID CENTERLINE A DISTANCE OF 65.00 FEET; THENCE S 29°59'49"W A DISTANCE OF 24.52 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE N 61°22'14"W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 65.02 FEET TO THE TRUE POINT OF BEGINNING.

**Tract 3:**

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 49 NORTH, RANGE 31 WEST, THENCE S 88°02'47"E ALONG THE NORTH LINE OF SAID QUARTER SECTION A DISTANCE OF 795.15 FEET TO A POINT ON THE CENTERLINE OF THE PROPOSED VALLEY VIEW PARKWAY;

THENCE SOUTHEASTERLY ALONG SAID CENTERLINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 400.00 FEET, AN INITIAL TANGENT BEARING OF S 31°53'25"E AND A DISTANCE OF 155.13 FEET; THENCE S 35°53'18"W A DISTANCE OF 30.00 FEET TO A POINT ON THE EXISTING SOUTHERLY RIGHT OF WAY LINE OF VALLEY VIEW ROAD AND THE **TRUE POINT OF BEGINNING**; THENCE S 61°22'14"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 175.12 FEET; THENCE S 29°59'49"W A DISTANCE OF 6.45 FEET TO A POINT THAT IS 30.00 FROM SAID CENTERLINE; THENCE N 60°00'11"W PARALLEL WITH SAID CENTERLINE A DISTANCE OF 36.24 FEET; THENCE S 29°59'49"W A DISTANCE OF 30.00 FEET TO A POINT THAT IS 60.00 FROM SAID CENTERLINE; THENCE N 60°00'11"W PARALLEL WITH SAID CENTERLINE A DISTANCE OF 60.00 FEET; THENCE N 29°59'49"E A DISTANCE OF 30.00 TO A POINT THAT IS 30.00 FEET FROM SAID CENTERLINE; THENCE N 60°00'11"W PARALLEL WITH SAID CENTERLINE A DISTANCE OF 34.70 FEET TO THE P.C. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 430.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE PARALLEL WITH SAID CENTERLINE A DISTANCE OF 44.21 FEET TO THE TRUE POINT OF BEGINNING.



RECORDER'S CERTIFICATION  
JACKSON COUNTY, MISSOURI

02/10/2010 02:12:14 PM

INSTRUMENT TYPE: WD FEE: \$27.00 3 Pages



INSTRUMENT NUMBER/BOOK & PAGE:

2010E0013601



ROBERT T. KELLY, DIRECTOR, RECORDER OF DEEDS

*Above Line for Recorder Use Only*

Document Title: **Missouri Special Warranty Deed**

Grantor(s): **Trinity Real Estate Development, Inc.,  
a Missouri corporation**

Grantor's Statutory Address: 3171 NE Carnegie Drive, Suite 119  
Lee's Summit, Missouri 64064

Grantee(s): **Jackson County, Missouri**

Grantee's Statutory Address: 415 East 12<sup>th</sup> Street  
Kansas City, Mo. 64106.

Date of Document: July 7, 2009

Legal Description: See Exhibit A, page 3

Reference Book and Page: N/A

FILED

FEB 17 2010

MARY J. GIBSON  
COUNTY CLERK

**MISSOURI SPECIAL WARRANTY DEED**

THIS DEED is executed on July 7, 2009, by **Trinity Real Estate Development, Inc.**, a Missouri corporation ("Grantor"), to **Jackson County, Missouri**, a political subdivision of the State of Missouri ("Grantee"), whose statutory address is set out above.

In consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, paid to Grantor by Grantee, Grantor sells and conveys to the Grantee and the Grantee's successors and assigns the real property described on attached Exhibit A, together with all right, title and interest of the Grantor in and to: (i) any alleys, streets, ways, strips or gores abutting or adjoining the land; and (ii) all buildings, structures, improvements and fixtures located on such real property (collectively, the "Property"), lying, being and situate in Jackson County, State of Missouri, subject to all easements, restrictions, reservations, covenants and conditions which are of record, and taxes for 2009 and subsequent years.

TO HAVE AND TO HOLD the Property, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the Grantee and unto Grantee's successors and assigns forever. Grantor covenants that: (i) Grantor is lawfully seized of an indefeasible fee of the Property; (ii) Grantor has good right to convey the Property; (iii) except for easements, restrictions, reservations, covenants and conditions of record and taxes for 2009, the Property is free and clear from any encumbrance done or suffered by the Grantor; and (iv) Grantor will warrant and defend the title to the Property unto the Grantee and unto the Grantee's successors and assigns forever against the lawful claims and demands of all persons claiming under the Grantor.

Grantor has executed this deed the day and year first above written.

**Trinity Real Estate Development, Inc.**

{Seal}

By: David Barney  
David Barney, President

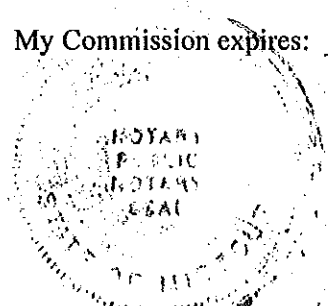
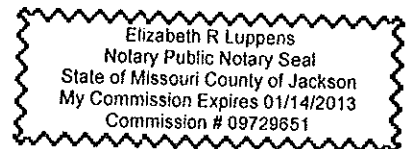
STATE OF MISSOURI        )  
  ) ss.  
COUNTY OF JACKSON     )

On July 7, 2009, before me, the undersigned, a notary public in and for the county and state aforesaid, came David Barney, President of Trinity Real Estate Development, Inc., a Missouri corporation, who is personally known to me to be the same person who executed, as such official, the within instrument on behalf of such corporation, and such person duly acknowledged the execution of the same to be the free act and deed of such corporation.

Elizabeth R. Luppens  
Signature of Notary Public  
Elizabeth R. Luppens  
Printed or Typed Name of Notary Public

{Notarial Seal}

My Commission expires: 1/14/2013



**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

**Tract 1:**

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 49 NORTH, RANGE 31 WEST; THENCE N 02°34'36"E ALONG THE EAST LINE OF SAID QUARTER SECTION A DISTANCE OF 1319.07 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE N 87°51'03"W ALONG THE SOUTH LINE OF SAID QUARTER SECTION A DISTANCE OF 280.96 FEET TO THE **TRUE POINT OF BEGINNING** SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF THE RAILROAD; THENCE S 13°58'05"E ALONG SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 104.09 FEET TO A POINT THAT IS 100.00 FEET SOUTH OF SAID SOUTH LINE; THENCE N 87°51'03"W PARALLEL WITH SAID SOUTH LINE A DISTANCE OF 78.78 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND AN INITIAL TANGENT BEARING OF N 76°49'03"E A DISTANCE OF 79.23 FEET TO THE P.T. OF SAID CURVE; THENCE N 13°58'05"W PARALLEL WITH SAID WESTERLY RAILROAD RIGHT OF WAY LINE A DISTANCE OF 39.45 FEET TO A POINT ON SAID SOUTH LINE; THENCE S 87°51'03"E ALONG SAID SOUTH LINE A DISTANCE OF 26.02 FEET TO THE TRUE POINT OF BEGINNING.

