

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 2.89 ± acre tract from District A (Agricultural) to District RE (Residential Estates).

ORDINANCE #4383, January 3, 2012

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

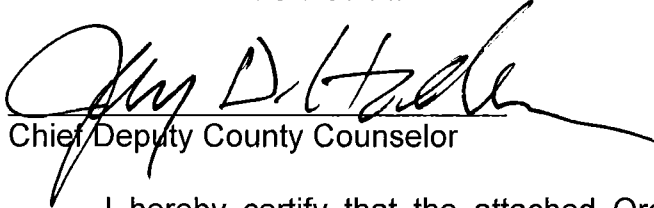
Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "A" (Agricultural) District, and the "RE" (Residential Estates) District, so that there will be transferred from District A to District RE, a tract of land described as follows:

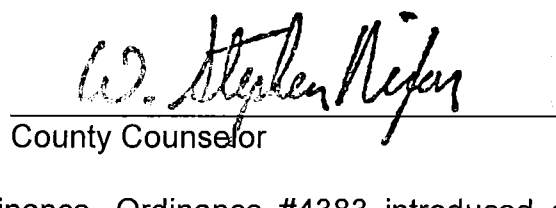
Description: The 2.89 ± acre lot is one and half miles west of Bynum Road on the north side of County Line Road lying in Section 35, Township 47, Range 30, aka 33900 E. county Line Road and specifically described as Lot 3, Deer Acres, a subdivision in Jackson County, Missouri.

Section 2. The Legislature, pursuant to the application of Mia G. Moore and Douglas G. Bell (RZ-2011-478), 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 November 17, 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

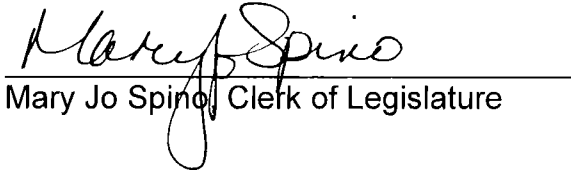

County Counselor

I hereby certify that the attached Ordinance, Ordinance #4383 introduced on January 3, 2012, was duly passed on January 30, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9 Nays 0
Abstaining 0 Absent 0

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

1/30/12
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4383.

1/31/2012
Date


Michael D. Sanders, County Executive

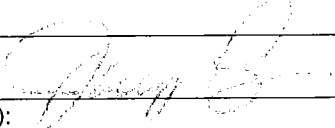
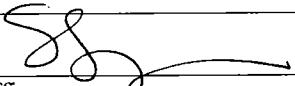
REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~ Ord No.: 4383

Sponsor(s): January 3, 2012

Date: None

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Rezoning Mia Moore and Douglas Bell, Case No. RZ-2011-478</u></p>													
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="321 495 1203 806"> <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</td> </tr> <tr> <td></td> <td>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> <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: \$ _____</p> <p>Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____</p>		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													
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): _____ Prior resolutions and (date): _____</p>													
<p>CONTACT INFORMATION</p>	<p>RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577</p>													
<p>REQUEST SUMMARY</p>	<p>Requesting an ordinance amending the zoning districts established by the Unified Development Code rezoning a certain 2.89 ± acre platted lot from District A (Agricultural) to District RE (Residential Ranchette) Description: The 2.89 ± acre lot is one and a half miles west of Bynum Road on the north side of County Line Road lying in Section 35, Township 47, Range 30, aka 33900 E. County Line Road and specifically described as Lot 3, Deer Acres, a subdivision in Jackson County, Missouri. 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.</p>													
<p>CLEARANCE</p>	<p><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)</p>													
<p>ATTACHMENTS</p>	<p>See Attachment to RLA-1</p>													
<p>REVIEW</p>	<p>Department Director:  Jerry A. Page, P.E.</p> <p>Finance (Budget Approval): <i>If applicable</i></p> <p>Division Manager: </p> <p>County Counselor's Office:</p>	<p>Date: 12/01/2011</p> <p>Date:</p> <p>Date: 12/29/11</p> <p>Date:</p>												

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-2:

Attachments

Plan Commission Public Hearing Summary from November 17, 2011

Staff report

Names/Addresses of surrounding property owners

Map showing current zoning districts in area

Application

Warranty Deed dated July 31, 1994

Plat of "Deer Acres"

Site Plan for detached garage

Plat of "Branton Acres"

5. RZ-2011-478– Mia G Moore & Douglas G Bell

Requesting a change of zoning from District A (Agricultural) on a 2.85 ± acre platted lot to District RE (Residential Estates). The 2.89 ± acre lot is one and a half miles west of Bynum Road on the north side of County Line Road lying in Section 35, Township 47, Range 30, Jackson County, Missouri aka 33900 E. County Line Road.

Mr. George introduced RZ-2011-478 and entered 12 exhibits into the record. Mr. George gave the staff report with comments and recommendation as follows: the property is 1½ miles west of Bynum Road on the north side of County Line Road and is 2.89 ± acres in size. The request is for a change of zoning from District A (Agricultural) to District RE (Residential Estates) for the purpose of constructing a detached garage on the east side of the current residence. The change in zoning would allow for a side yard setback of 15 feet instead of the 30 feet required by the Unified Development Code.

Zoning in the area is Agricultural. There are large acreage tracts containing single family residences. The applicants' property is within a five lot subdivision, Deer Acres, which was platted in 1993. Lot sizes range from 2.25 to 3 acres for lots 2 through 5 and lot 1 being approximately 9.62 acres in size. Directly east of Deer Acres is a five lot subdivision, Branton Acres, which was platted in 1988. Both Deer Acres and Branton Acres subdivisions were platted prior to the Unified Development Code (adopted in 1995); the previous zoning ordinance did not require a platted subdivision to rezone from Agricultural to an appropriate residential zoning classification.

Any new development in this area would be required to rezone to District RR (Residential Ranchette) and minimum lot size would be five acres. This subdivision and particularly this lot is considered a legal non-conforming lot in the UDC section 24003.26. The County Plan Development Diagram illustrates this area within the Rural Development Tier. This request for rezoning is consistent with the intent and purpose of the County Plan. Staff recommends approval of RZ-2011-478.

There were no questions for staff.

The applicant, Mia Moore, appeared to give testimony. Ms. Moore said she had nothing to add to the staff report.

Mr. Tarpley asked if she were building a garage/out building.

Ms. Moore answered yes as they needed more room for storage.

There were no further questions for Ms. Moore and no one else to appear in favor of the application.

Mary Campbell, 33400 County Line Road, had questions regarding the application. Ms. Campbell wanted to know if future operations on surrounding properties would be affected by the change in zoning.

Chairman Antey said the rezoning would affect only the applicant's property. He said surrounding property owners would not see their zoning or taxes affected.

Ms. Campbell wanted to know if the rezoning would affect the sale of surrounding property.

Chairman Antey said no. Only if construction were to be done and the setbacks could not be met, then rezoning would need to be done.

Mr. Tarpley said the current setback was 30 feet; by rezoning the setback would be reduced to 15 feet.

William Keeley, 15316 Stewart Road, had questions regarding the definition of RR zoning.

Chairman Antey said RR denoted Residential Ranchette and was assigned to property 5 acres or larger but less than 10 acres.

Mr. Keeley wanted to know which properties had to be rezoned.

Chairman Antey said no property had to be rezoned. He said 3 acres were zoned Residential Estates and 5 acres were zoned Residential Ranchette.

Mr. Keeley asked if 10 acres could be split in half.

Chairman Antey said 10 acres could be split into two 5-acre lots zoned Residential Ranchette or three 3-acre lots zoned Residential Estates. He said if 20 acres were split into two 10-acre tracts. No rezoning would need to be done.

Mr. Tarpley said this was considered the rural development tier and the minimum lot size was 5 acres.

Mr. George said existing lots may be smaller due to the fact of being grandfathered when new zoning ordinance went into effect.

There were no further questions.

Mr. Tarpley moved to take RZ-2011-478 under advisement. Mr. Pointer seconded the motion.

It was agreed that the rezoning request was straight forward and it was good to see legal non-conforming lots being brought into conformity.

Mrs. Mershon moved to approve RZ-2011-478. Mr. Tarpley seconded the motion.

VOTE:

Mr. Aikins	Approve
Mr. Crawford	Approve
Mr. Gibler	Approve
Mr. Haley	Approve

Mrs. Mershon	Approve
Mr. Pointer	Approve
Mrs. Query	Approve
Mr. Tarpley	Approve
Chairman Antey	Approve

RZ-2011-478 APPROVED (9 – 0)

STAFF REPORT

PLAN COMMISSION

November 17, 2011

RE: RZ-2011-478

Applicant: Mia G. Moore and Douglas G. Bell

Location: One and a half miles west of Bynum Road on the north side of County Line Road lying in Section 35, Township 47, Range 30, Jackson County, Missouri, Lot 3 of Deer Acres, aka 33900 E. County Line Road.

Area: 2.89 ± acres

Request: Change of zoning from District A (Agricultural) to District RE (Residential Estates)

Purpose: Applicant wishes to construct a detached garage on the east side of the current residence. The change in zoning would allow for a side yard setback of 15 feet instead of the 30 feet as required by the Unified Development Code (UDC). **(EX 11)**.

Current Land Use and Zoning in the Area:

Zoning in the area is Agricultural. There are large acreage tracts containing single family residences. The applicants' property is within a five lot subdivision, Deer Acres, which was platted in 1993. **(EX. 10)** Lot sizes range from 2.25 to 3 acres for lots 2 through 5 and lot 1 being approximately 9.62 acres in size.

Directly east of Deer Acres is a five lot subdivision, Branton Acres, which was platted in 1988 **(EX 12)**.

Comments: Both Deer Acres and Branton Acres subdivisions were platted prior to the Unified Development Code (adopted in 1995); the previous zoning ordinance did not require a platted subdivision to rezone from Agricultural to an appropriate residential zoning classification.

Any new development in this area would be required to rezone to District RR (Residential Ranchette) and minimum lot size would be a five acres.

This subdivision and particularly this lot is considered a legal non-conforming lot in the UDC section 24003.26.

County Plan:

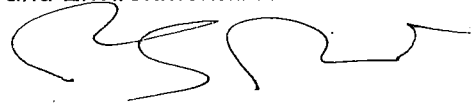
The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

Recommendation:

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

Staff recommends APPROVAL of RZ-2011-478.

Respectfully submitted,
Planning and Environmental Health Division

A handwritten signature in black ink, appearing to read 'Randy Diehl', written in a cursive style.

Randy Diehl
Planning and Zoning Coordinator

**Plan Commission
November 17, 2011
RZ-2011-478**

Applicants / Property Owners:

**Mia Moore & Douglas Bell
33900 E. County Line Rd.
Pleasant Hill, MO 64080**

Parcel No: 73-800-04-06

**Certified Mail – Return Receipt
Property Owners within 1000 feet**

73-800-04-11
Ron Campbell
33510 E. County Line Rd.
Pleasant Hill, MO 64081

73-700-03-08
Raymond Zurowski
P.O. Box 258
Lone Jack, MO 64070

73-800-04-05
Louie Metcalf
33908 E. County Line Rd.
Pleasant Hill, MO 64080

73-800-04-07
Daniel George
33804 E. County Line Rd.
Pleasant Hill, MO 64080

73-800-04-09
Joshua Davis
15322 S. Stewart Rd.
Pleasant Hill, MO 64080

73-700-02-06
Ruth D. Schneider
P.O. Box 33
Lone Jack, MO 64070

73-800-04-04.01.3
Ruth M. Schneider
15310 S. Stewart Rd.
Pleasant Hill, MO 64080

73-700-03-09
Stanley Thompson
15517 S. Stewart Rd.
Pleasant Hill, MO 64080

73-800-04-08
David Laudenslager
33708 E. County Line Rd.
Pleasant Hill, MO 64080

73-700-03-07
Mark Smith
15405 S. Stewart Rd.
Pleasant Hill, MO 64080

73-700-03-06
Zachary Harvkey
15315 S. Stewart Rd.
Pleasant Hill, MO 64080

73-700-03-05
Timmy Seek
34011 E. Stewart Rd.
Pleasant Hill, MO 64080

73-700-03-03.01.4
Jack Cupp
34103 E. Stewart Rd.
Pleasant Hill, MO 64080

73-700-03-03.01.5
William James
34205 E. Stewart Rd.
Pleasant Hill, MO 64080

73-800-04-10
William Keely
15316 S. Stewart Rd.
Pleasant Hill, MO 64080

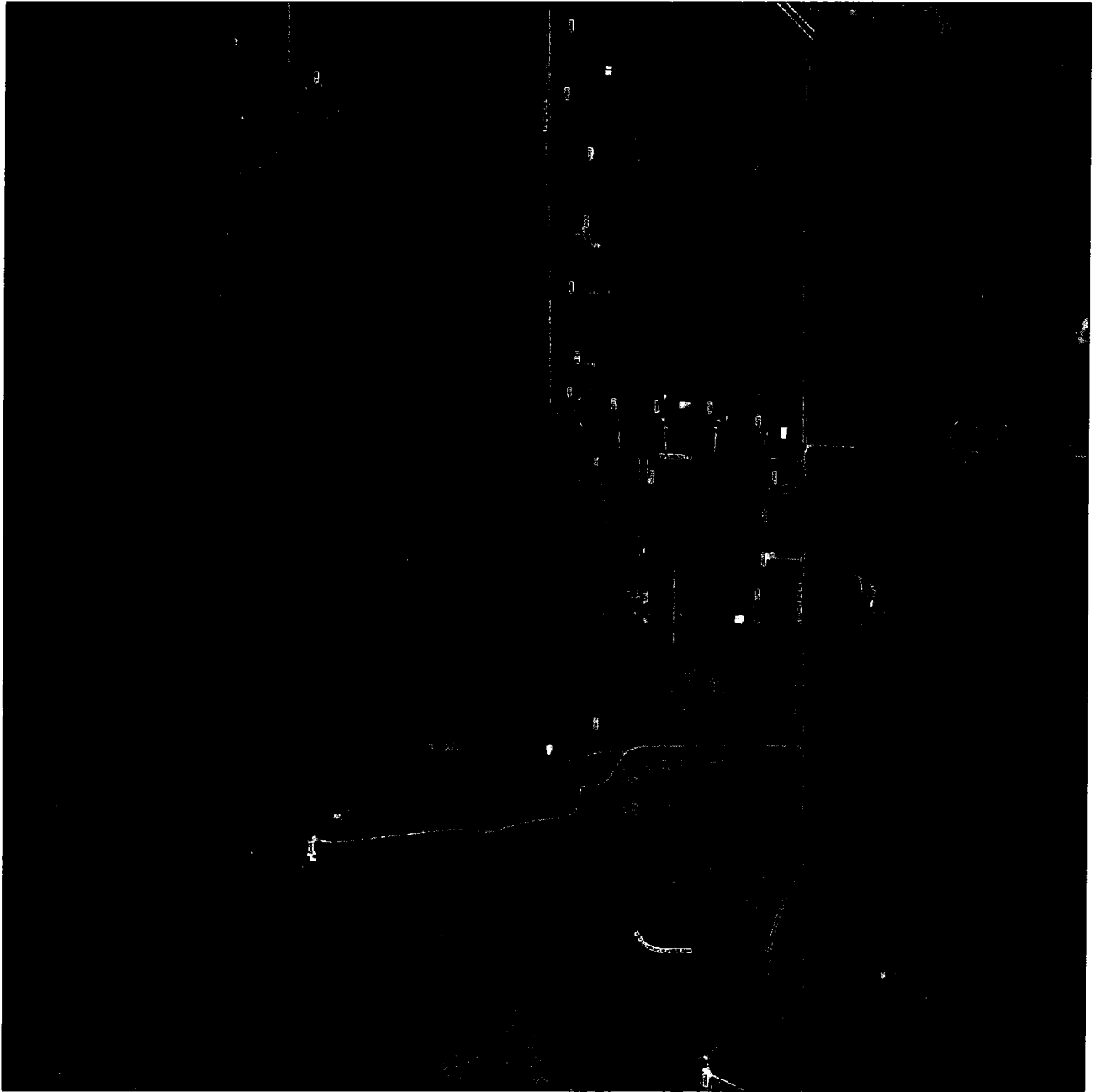


Jackson County Zoning Map

	1000' Notification Ring
Classification	
Class	
	Local
	Collector
	Major Arterial
	Minor Arterial
	parcels
	<all other values>
	Plats
	Pending Rezoning
Rezoning selection	
Zoning	
	RR-Residential Ranchette
	Residential Ranchette-Planned
	RE-Residential Estates
	RS-Residential Suburban
	RU-Residential Urban
	A(1)-Single-Family
	B(1)-Two-Family
	C(1)-Multi-Family
	A1-Mobile Homes District
	ROp-Residential Office-Planned
	LB-Local Business
	LBP-Local Business-Planned
	GB-General Business
	GBP-General Business-Planned
	LI-Light Industrial
	LIP-Light Industrial-Planned
	HI-Heavy Industrial
	Inundation Area

RZ-2011-478

1 inch equals 200 feet



EX. 5

JACKSON COUNTY, MISSOURI APPLICATION FOR CHANGE OF ZONE

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

~~PLAN 2011-0~~

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ-2011-478

Date filed 10-14-11 Date of hearing _____

Date advertised _____ Date property owners notified _____

Date signs posted _____

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: Mia G Moore + Douglas G Bell
Address: 33900 E County Line Rd
Pleasant Hill MO 64080
Phone: 816 714 8845
 - b. Owner(s) Name: Same as above (all)
Address: _____
Phone: _____
 - c. Agent(s) Name: N/A
Address: _____

- c. Agent(s) Name: N/A
 Address: _____
 Phone: _____
- d. Applicant's interest in Property: Owners
2. General location (Road Name) 33900 E County Line Rd
PH MO 64080
3. Present Zoning AG Requested Zoning RE
4. AREA (sq. ft. / acres) 2.89 Acres
5. Legal Description of Property: (Write Below or Attached)
LOT 3 DEER ACRES
6. Present Use of Property: Homestead Residence
7. Proposed Use of Property: same
8. Proposed Time Schedule for Development: within 6 months,
weather permitting
9. What effect will your proposed development have on the surrounding properties?
Additional garage building will have no affect on surrounding
properties
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? _____
11. Describe the source/method which provides the following services, and what effect the
 development will have on same: PWD #15
- a. Water plan to add a water pump on exterior
- b. Sewage disposal NONE onsite
- c. Electricity plan to add an electrical panel KCPL
- d. Fire and Police protection NONE L Jack MO

12. Describe existing road width and condition: County Line Rd is gravel w/ tar on top. It is patched every few years. No shoulder, ditch only
13. What effect will proposed development have on existing road and traffic conditions? None - Not a commercial activity
14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Not that I know of.
- If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): _____

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 10/12/2011
Property Owner(s) Mia G Moore

Applicant(s): Mia G Moore 10/12/2011

Contract Purchaser(s): _____

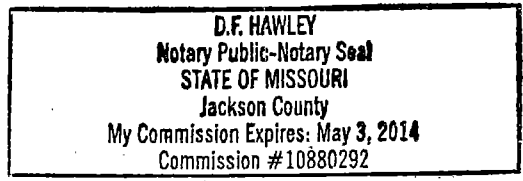
STATE OF MISSOURI
COUNTY OF JACKSON

On this 12th day of OCTOBER, in the year of 2011, before me the undersigned notary public, personally appeared MIA G. MOORE

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 D. F. Hawley Commission Expires 5-3-2014



11295416

APPROVED BY LEGAL COUNSEL

12596P1479

DEMARREING, KANSAS CITY, MO

Reserved for Recorder of Deeds
STATE OF MISSOURI, SS
COUNTY OF JACKSON, MO
CERTIFY INSTRUMENT RECEIVED

1991 AUG 15 - P 2: 25.0

RECORDED BY
12596P1479
DIRECTOR OF RECORDS

3.00
4.00
5.00
12.00

M. Ammer

Missouri Warranty Deed

bmr
EJS49833

This Indenture, Made on the 31st day of July A. D. One Thousand Nine Hundred and Ninety-four by and between LEONARD L. BEGSHAW, A SINGLE PERSON

of the County of Cass, State of Missouri part y of the first part, and DOUGLAS G. BELL AND MIA G. MOORE, HUSBAND AND WIFE

of the County of Jackson, State of Missouri part les of the second part, 706A RIDGEVIEW CIRCLE Lee's Summit, MO. 64063

(Mailing address of said first named grantee is

WITNESSETH: THAT THE SAID PART y OF THE FIRST PART, in consideration of the

of -----One Dollar and other valuable considerations-----DOLLARS,

to him paid by said part les of the second part (receipt of which is hereby acknowledged), do

by these presents, Grant, Bargain and Sell, Convey and Confirm unto the said part les of the second

part les their heirs and assigns, the following described lots, tracts and parcels of land

being and situate in the County of Jackson and State of Missouri, to wit:

LOT 3, DEER ACRES, A SUBDIVISION IN JACKSON COUNTY, MISSOURI.

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

TO HAVE AND TO HOLD The premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any way appertaining unto the said part les of the second part and unto their heirs and assigns forever; the said grantor

hereby covenanting that he lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that he has a good right to convey the same; that the said premises are free and clear from any incumbrances done or suffered by him or those under whom he claim, and that he will warrant and defend the title to the said premises unto the said part les of the second part and unto their heirs and assigns forever, against the lawful claims and demands of all persons whomsoever except for all real estate taxes for the year 1994 and thereafter and as shown above.

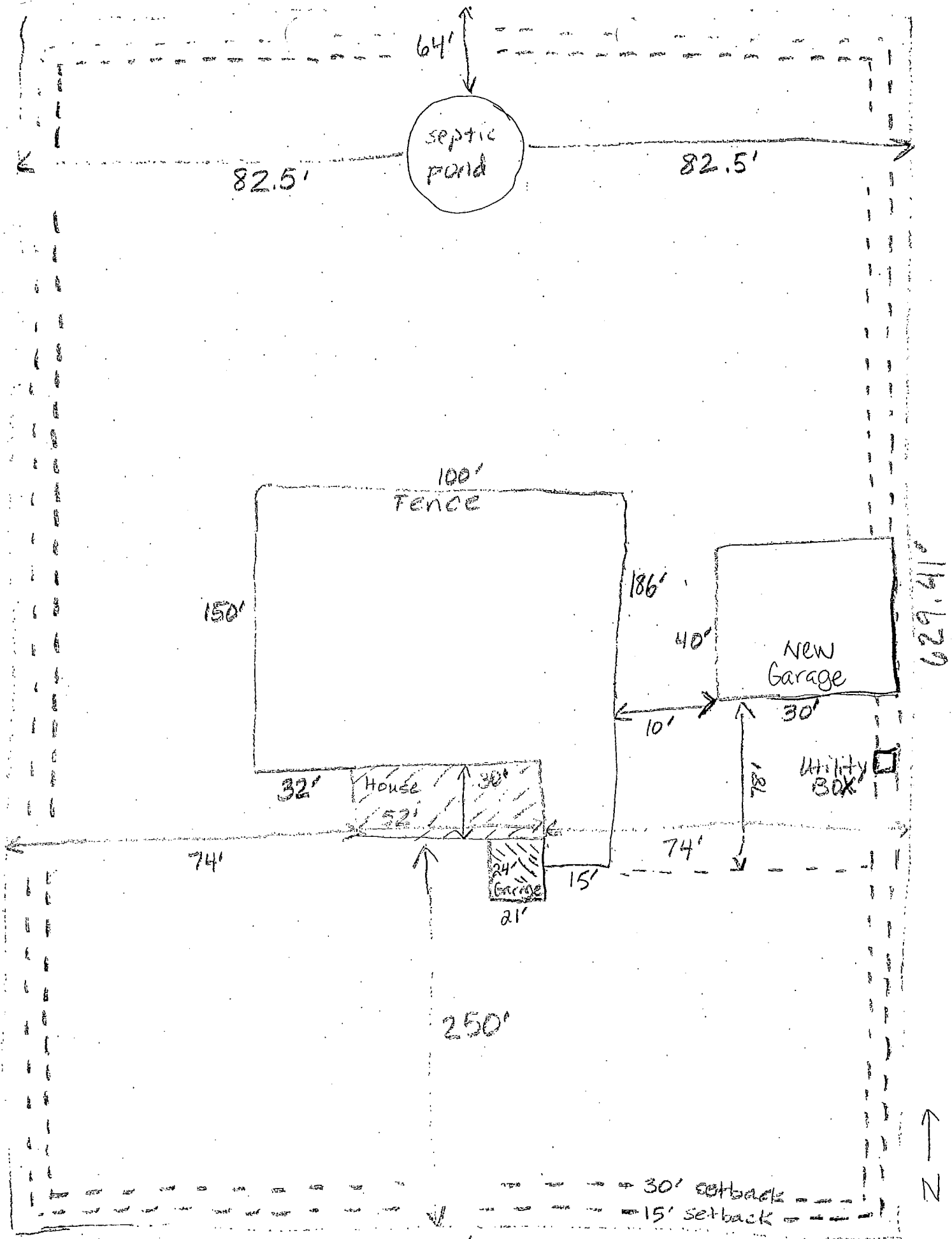
IN WITNESS WHEREOF, The said part y of the first part has hereunto set his hand and seal the day and year above written.

_____(SEAL) *Leonard L. Begshaw* (SEAL)
LEONARD L. BEGSHAW (SEAL)

In the State of Missouri, County of Jackson, on this 31st day of JULY, 1994, before me, the undersigned, a Notary Public in and for said County and State, personally appeared LEONARD L. BEGSHAW, A SINGLE PERSON to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed, and the said LEONARD L. BEGSHAW, A SINGLE PERSON further declared himself to be unmarried.

Witness my hand and Notarial Seal subscribed and affixed in said County and State, the day and year in this certificate above written.

(Seal) _____
JUNE 3, 1998. _____
My Term Expires _____ 19 _____ PATRICIA ALBERTS



Deer Acres
 Lot 3, PHMO Jack Co. 2.89 AC

EX 11

92-952

COPY BRANTON ACRES

I 832585



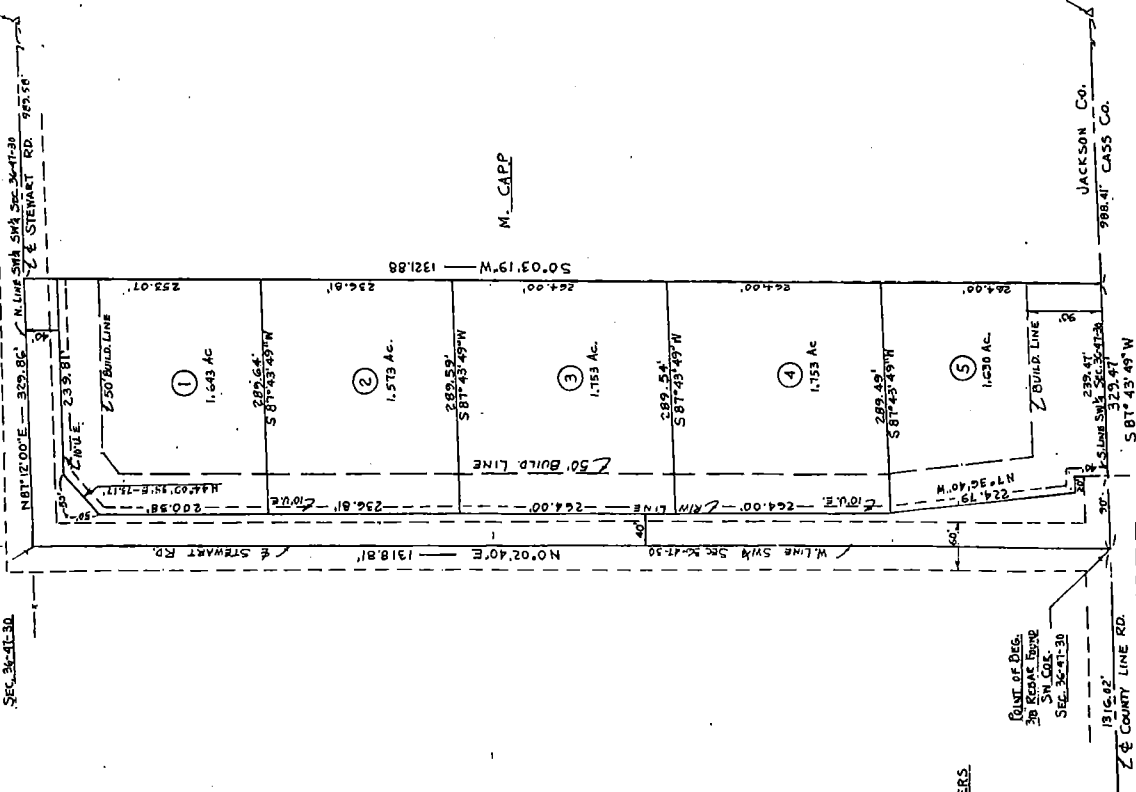
SCALE 1"=100'

3200
255
000
2500
R. N.

STATE OF MISSOURI
COUNTY OF JACKSON

RECORDED IN BOOK 18 P. 241, 0.
INSTRUMENT NO. 494
CALCULATED BY
DIRECTOR OF RECORDS

M. ETEM



LEGAL DESCRIPTION The West half of the West half of the Southwest quarter of the Southwest quarter of Section 36, Township 30 S, Range 18 W, beginning at the Southwest corner of Section 36, thence North 0 degrees 02 minutes 40 seconds East along the West line of the Southwest quarter of Section 36 a distance of 1318.81 feet, thence North 87 degrees 02 minutes 00 seconds East a distance of 329.86 feet, thence South 0 degrees 02 minutes 40 seconds West a distance of 1321.88 feet, thence South 87 degrees 02 minutes 40 seconds West along the South line of Section 36 a distance of 329.87 feet to the point of beginning, and subject to easements and rights of way of record. 01-44745

The undersigned proprietor of the of the above described tract has caused the same to be subdivided as shown on the accompanying plat, which subdivision and plat will hereinafter be known as BRANTON ACRES

An assessment or license is hereby granted to Jackson County, Missouri, to do grading or to locate, construct and maintain or to authorize the doing of grading or the location, construction and maintenance of any of these upon, and sewer, lines, poles, wires, and anchors and all other things, their installation and their maintenance on this plat and designated by U.E., for a Grading and Utility Construction Easement.

All roads and highways shown on this plat and not heretofore dedicated to public use are hereby so dedicated. No driveway may be constructed in this subdivision in such a manner as to require vehicles, using said driveway, to travel into MARKET ROAD. The Jackson County Public Works Department will refer to these easements for the construction of any driveway not conforming to these restrictions.

IN TESTIMONY WHEREOF Karl Carter Realty Co., a Missouri corporation has caused these presents to be signed by it's President and it's corporate seal to be affixed this 5 day of July 1981.

By Karl Carter
President - Karl D. Carter

Attest: Debra J. Carbo
Secretary - Dazalene G. Carter

STATE OF MISSOURI) SS
COUNTY OF JACKSON)

On this 5 day of July, 1981 before me the undersigned Notary Public personally appeared Karl Carter to me personally known who being duly sworn did say that he as the president of Karl Carter Realty Co, a Missouri Corporation and that the seal affixed to the foregoing instrument is the corporate Seal of said Corporation and that said instrument was signed and sealed in behalf of said Corporation by authority of it's Board of Directors and to be the free act and deed of said Corporation.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my notarial seal at my office this day and year last above written.

My Commission Expires 1/31/82

Approved as to Planning and Zoning and Title Insurance by James A. B. Date 7/14/81

Robert R. Berry
Director of Public Works
Date 8/11/81

I HEREBY CERTIFY: That the within plat of 'BRANTON ACRES' is based on an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current Minimum Standards for Property Boundary Surveys as established by the Department of Natural Resources, Division of Geology and the Department of Natural Resources, Division of Surveying. I further certify that the bearings shown on this plat are based on the assumption that the West line of the Southwest quarter of Section 36 is North 0 degrees 02 minutes 40 seconds East, that the section and sectional subdivision corner monuments and survey boundary corner monuments were either found or set as indicated on this plat; that the lot corners and street centerlines shown on this plat; that I have permanent monumentation as indicated on this plat; that I have compliance with the State and Jackson County statutes, ordinances, and regulations governing the practice of surveying and the platting of subdivisions to the best of my professional knowledge and belief.

1/21/86
DATE

Signed: R. L. Thompson
1237

PLATTED BY
THOMPSON ENG. CO.

SCALE: AS DRAWN APPROVED BY:
DATE: 11-1981 DRAWN BY: B.T.
REVISED 1-1988

PLAT NUMBER:

30° REBAR FOUND
NE COR. SW 1/4 SEC. 36-47-30

JACKSON CO.
988.41' CASS CO.

POINT OF BEG.
30° REBAR FOUND
SW COR.
SEC. 36-47-30

30° REBAR FOUND
SW COR. SW 1/4 SEC. 36-47-30

NOTE
30° REBARS SET ON ALL PROPERTY CORNERS
EXCEPT AS NOTED.