

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a quit-claim deed conveying an interest in a tract of land acquired by the City of Lee's Summit, MO in 1969 that was inadvertently included by a scrivener's error in a 1982 conveyance to Jackson County, Missouri.

RESOLUTION #17294, May 24, 2010

INTRODUCED BY Fred Arbanas, County Legislator

WHEREAS, by Resolution 4388, dated October 19, 1981, the County did purchase a tract of land (the "Tract L-85") from Harry and Anna Finrock for the use and benefit of the Jackson County Department of Parks & Recreation in the establishment of the boundaries of Little Blue Trace Park; and,

WHEREAS, the legal description used for the purposes of negotiation of the conveyance and authorization for acquisition for Tract L-85 did not include certain adjacent property that was in the ownership of the City of Lee's Summit, MO, a municipality within the State of Missouri; and,

WHEREAS, in preparation of the warranty deed to the County in 1981, Chicago Title Company inadvertently included a legal description that purported to convey more real estate than had been authorized for acquisition and previously described as Tract L-85 in all public documents; and,

WHEREAS, the inadvertently included portion (the "City's land") had already been

conveyed to the City of Lee's Summit, MO, (the "City") in 1969 by the Chicago, Rock Island and Pacific Railroad by a warranty deed that was recorded as 196910039827; and,

WHEREAS, the City has requested that the County convey the clouded interest in the City's land in a quit-claim deed substantially in the form attached hereto as Quit Claim Deed that includes the legal description contained therein; and,

WHEREAS, upon research, the Department of Parks & Recreation has recommended that there is no harm to the County in complying with the City's request and authorizing the County Executive to convey the clouded interest in the City's land to the City by quit-claim deed; and,

WHEREAS, Article II, Section 25 of the Jackson County Charter provides that the Legislature may dispose of any real property owned by the county to the State of Missouri or any of its political subdivisions or municipalities; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute a quit-claim deed for the aforesaid City's land in favor of the City of Lee's Summit, MO, in a form to be approved by the County Counselor; and,

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

APPROVED AS TO FORM:

Pamela Zellin
Deputy/Assistant County Counselor

[Signature]
Acting County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17294 of May 24, 2010, was duly passed on June 7, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7

Nays 0

Abstaining 0

Absent 2

6.7.10
Date

[Signature]
Mary Jo Spino, Clerk of Legislature

39827

MISSOURI QUITCLAIM DEED
(Corporation to Corporation)

* I 115P1156

THIS INDENTURE, Made on the 19th day of May, A. D., One Thousand
Nine Hundred and Sixty Nine, by and between CHICAGO, ROCK ISLAND AND PACIFIC
RAILROAD COMPANY, a corporation, duly organized under the laws of the State of Delaware,
of the County of Cook, State of Illinois, party of the first part, and _____

THE CITY OF LEE'S SUMMIT, MISSOURI -----
a corporation, duly organized under the laws of the State of Missouri, of the
County of Jackson, State of Missouri, party of the second part,
(Mailing address of said grantee is 6 East Second Street, Lee's Summit, Missouri
64069).

WITNESSETH, THAT THE SAID PARTY OF THE FIRST PART, in consideration of the
sum of THREE THOUSAND AND NO/100 (\$3,000.00) DOLLARS -----

to it in hand paid by the party of the second
part, the receipt for which is hereby acknowledged, does, by these presents, RELEAS
RELEASE and FOREVER QUITCLAIM, subject to reservations hereinafter designated, unto
the said party of the second part, the following described lots, tracts or parcels
of land lying, being and situate in the City of Lee's Summit, County of
Jackson and State of Missouri, to-wit: 99-34-48-32

All that part of the Northeast Quarter of Section 34, Township 48,
Range 12, in the City of Lee's Summit, Jackson County, Missouri,
described as follows:

Beginning on the west line of said Quarter Section, and 420.99 feet
north of the southwest corner thereof, said point being an angle
point in the right of way of the Chicago, Rock Island and Pacific
Railroad Company, and said point lying opposite Station 761-45
thereof; thence North 79° 12' 09" East, this and subsequent bearings
referring to the west line of the Northeast Quarter of said Section 34
as having a bearing of North 2° 29' 42" East, along the southerly
line of a jog in said Railroad right of way, a distance of 263.10 feet,
to a point lying 50 feet from the centerline of the main track of said
Railroad Company, measured at right angles thereto; thence North 9° 16' 45"
West, and parallel to said centerline of main track, a distance of
416.73 feet; thence North 87° 30' 18" West a distance of 171.02 feet,
to a point on the west line of said Quarter Section; thence
South 2° 29' 42" West, a distance of 468.45 feet, to the point of
beginning.

I 115P1157

Party of the first part reserves an easement for the continued maintenance, operation and use of all existing _____ conduits, sewers, water mains, gas lines, electric power lines, communication lines, wires and other utilities and easements of any kind whatsoever on said premises, whether owned, operated, used or maintained by the party of the first part, party of the first part's licensees or others, and whether or not of record, with reasonable right of entry for the purpose of repairing, reconstructing and replacing same; and

Reserves unto itself, its successors and assigns, all coal, oil, gas, casinghead gas and all ores and minerals of every kind and nature underlying the surface of said premises, together with the full right, privilege and license at any and all times to explore, or drill for and to protect, conserve, mine, take, remove and market any and all such products in any manner which will not damage structures on the surface of said premises.

TO HAVE AND TO HOLD THE SAME, with all the rights, immunities, privileges and appurtenances, thereto belonging, unto the said party of the second part and unto its successors and assigns forever; so that neither the said party of the first part, nor any other person or persons, for it or in its name or behalf, shall or will hereafter 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.

IN WITNESS WHEREOF, The said party of the first part has caused these presents to be signed by its Vice President and attested by its Assistant Secretary, and the corporate seal to be hereto attached, the day and year first above written;

CHICAGO, ROCK ISLAND AND PACIFIC
RAILROAD COMPANY

By William J. Nixon
Vice President
William J. Nixon



STATE OF ILLINOIS)
COUNTY OF COOK) SS

I 115P1158

On this 19th day of May, 1969, before me, appeared William J. Dixon, to me personally known, who being by me duly sworn, did say that he is the Vice President of Chicago, Rock Island and Pacific Railroad Company, a 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 its Board of Directors, and said William J. Dixon acknowledged said instrument 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 in Chicago, Illinois, the day and year last above written.

Garth L. Burgeon
Notary Public
within and for said
County and State

My Commission Expires:
June 28, 1972



I 15P1159

STATE OF MISSOURI 65
JACKSON COUNTY 1 65
RECEIVED FOR RECORD

MAR 28 AM 11 43 '2

BILL W. AUSTIN
Recorder of Deeds

I 115P1156

I 39827

Book

2.50
single 1/4

Ward

STATE OF MISSOURI)
COUNTY OF JACKSON)
RECORDERS OFFICE

I, BILL W. AUSTIN, Recorder of Deeds within and for the County aforesaid, do hereby certify that the foregoing instrument, which was on the *28th* day of *May*, A. D. *1965*, at *11 o'clock 45 minutes AM*, duly filed in this office, and with the certificate of a knowledge of aforesaid, is now on the records of this office, in Book *I 115* at page *1156*.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of said County of Independence, Missouri the day and year first aforesaid.
BILL W. AUSTIN, Recorder By *Charles C. ...* Deputy

6/10/10 ⁴⁵

QUIT CLAIM DEED

Res. #17294

THIS QUIT CLAIM DEED, made as of this 8 day of June 2010, by and between JACKSON COUNTY, MISSOURI ("Grantor") and the CITY OF LEE'S SUMMIT, MISSOURI ("Grantee"), a Municipal Corporation duly organized and existing under the laws of the State of Missouri, whose mailing address is 220 SE Green St., Lee's Summit, MO 64063.

WITNESSETH: THAT THE GRANTOR, in consideration of the sum of TEN DOLLARS (\$10) and other good and valuable considerations, to it in hand paid by the Grantee, the receipt of which is hereby acknowledged, does by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM, UNTO THE Grantee, it successors and assigns, the following described real property:

All that part of the Northeast Quarter of Section 34, Township 48, Range 32, in the City of Lee's Summit, Jackson County, Missouri, described as follows:

Beginning on the west line of said Quarter Section, and 420.99 feet north of the southwest corner thereof, said point being an angle point, in the right of way of the Chicago, Rock Island and Pacific Railroad Company, and said point lying opposite Station 761+95 thereof; thence North 79° 12' 09" East, this and subsequent bearings referring to the west line of the Northeast Quarter of said Section 34 as having a bearing of North 2° 29' 42" East, along the southerly line of a jog in said Railroad right of way, a distance of 263.10 feet, to a point lying 50 feet from the centerline of the main track of said Railroad Company, measured at right angles thereto; thence North 9° 16' 45" West, and parallel to said centerline of main track, a distance of 416.73 feet; thence North 87° 30' 18" West a distance of 171.02 feet, to a point on the west line of said Quarter Section; thence South 2° 29' 42" West, a distance of 468.45 feet, to the point of beginning.

(Except that part taken for right of way for Interstate I-470 in Document I68353 in Book I 205, Page 1534, dated July 14, 1970)

TO HAVE AND TO HOLD the premises before said, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the Grantee and unto its successors and assigns forever, the Grantor herein, for itself and for its successors and assigns, hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by it; and that it will, except as hereinabove specifically set forth, warrant and defend the title of the said premises unto the Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever, lawfully claiming the same by, through or under the Grantor.

FILED

JUN 09 2010

MARY JO SPINO
COUNTY CLERK

IN WITNESS WHEREOF, the Grantor has caused these presents to be signed by its County Executive the day and year first above written.

Jackson County, Missouri

Michael D. Sanders
Michael D. Sanders
County Executive

APPROVED AS TO FORM
William G. Suplee
COUNTY COUNSELOR

ATTEST:
Mary Jo Spive
CLERK OF COUNTY LEGISLATURE

ACKNOWLEDGMENT

STATE OF MISSOURI)) SS.
COUNTY OF JACKSON)

BE IT REMEMBERED, THAT ON THIS 9 DAY OF June 2010, BEFORE ME THE UNDERSIGNED, a Notary Public in and for the County and State aforesaid, came Michael D. Sanders, the County Executive of Jackson County, Missouri, who is personally known to me to be said Officer, and who personally is known to me to be same person who executed, as said officer, the within instrument on the behalf of said Jackson County, and said officer duly acknowledged the execution of the same to be the act and deed of said Jackson County.

IN WITNESS WHEREOF, I have herein to set my hand and affixed my official seal; the day and year last above written.

{SEAL}



PATRICIA MARIE MURILLO
My Commission Expires
September 16, 2012
Clay County
Commission #08463601

Patricia Marie Murillo
Notary Public

My commission expires: _____



177411

KC 367387 B

Form 500 CHICAGO TITLE INSURANCE COMPANY

WARRANTY DEED (Missouri Form for Individuals)

1123P1716

This Deed Witnesseth, That we, Harry M. Finfrock, Jr. and Anna L. Finfrock, husband and wife

Grantors, for and in consideration of the sum of Thirty-Six Thousand Two Hundred and no/100 do by these presents, GRANT, BARGAIN AND SELL, Convey and Confirm unto

JACKSON COUNTY, MISSOURI, a Missouri Corporation, c/o Parks & Recreations, Lake Jacomo, RR#1, PO Box 124, Blue Springs, Mo. whose mailing address is: Grantee, its successors and assigns the following land situate in Jackson County, Missouri, to-wit:

TRACT L-85:

99-34-48-32

All that part of the West 1/2 of the Northeast 1/4 of Section 34, Township 48, Range 32, in Lee's Summit, Jackson County, Missouri, described as follows: Beginning at a point on the West line of said 1/4 section that is 99 poles (1633.5 feet) South of the Northwest corner thereof; thence North 55 degrees 30 minutes East 26 poles (429 feet); thence North 4 degrees East, 18 poles (297 feet) to a corner in the Little Blue River; thence South 88 degrees East 24 poles (396 feet); thence South 39 degrees East 24 poles (396 feet); thence South 47 degrees West 24 poles (396 feet); thence South 72 degrees 30 minutes West 16 poles (264 feet); thence South 5 degrees 30 minutes West 380 feet, more or less to the North right of way line of Interstate Route 470, as now established; thence West along said right of way line 460 feet, more or less to the West line of said 1/4 section; thence North to the point of beginning.

TO HAVE AND TO HOLD The premises aforesaid with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto said Grantee and unto its successors and assigns forever; said Grantor hereby covenanting that they are lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that they have the right to convey the same; that the said premises are free and clear from any incumbrance done or suffered by them or those under whom they claim, and that they will warrant and defend the title to said premises unto said Grantee and unto their heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

WITNESS THE HANDS of said Grantors this 27th day of January 1982

Harry M. Finfrock, Jr. Harry M. Finfrock

Anna L. Finfrock Anna L. Finfrock

In the State of Missouri, County of Jackson, on this 27th day of January 1982, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Harry M. Finfrock and Anna L. Finfrock, husband and wife

Reserved for Recorder of Deeds

STATE OF MISSOURI JACKSON COUNTY 65 I CERTIFY INSTRUMENT RECEIVED

1982 JAN 28 PM 3 24.9 1123P1716

RECORDED BOOK PAGE KAREN KURTLEY STUDDS DIRECTOR OF RECORDS

1.00 55.00

K. W. ... 6.00

to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed, and that

further declared

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

Notary Public

My Term Expires ROSE E. BELLECRINA Notary Public - State of Missouri Commissioned in Jackson County My Commission Expires May 23, 1982

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing execution of a real estate sale contract with Harry M. and Anna L. Finfrock for the purchase of a tract of land in connection with Little Blue Trace Park, at the cost of \$36,200.

Resolution # 4388 , October 19, 1981

Introduced by Fred Arbanas, County Legislator

WHEREAS, it has become necessary to acquire certain property for the Little Blue Trace Park Project known as tract # L-85 and more particularly described in the Real Estate Sale Contract, a copy of which is attached hereto and incorporated herein by reference; and,

WHEREAS, the owners of said tract, Harry M. and Anna L. Finfrock, has agreed to convey said property to the County for a sum of \$36,200.00 and has executed said Real Estate Sale Contract; therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute for and in behalf of the County, the attached Real Estate Sale Contract; and,

BE IT FURTHER RESOLVED, that a check in the amount of \$36,200.00 be issued in the name of Chicago Title Co, Escrow Agent, and that it be delivered to the Real Estate Division of the Department of Revenue and Administration for further appropriate disposition.

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

APPROVED AS TO FORM:

Michael H. Sandline [Signature]
County Counselor

Certificate of Passage

I hereby certify that the attached resolution,
Resolution # 4388 of October 19, 1981
was duly passed on October 26, 1981
by the Jackson County Legislature. The votes thereon
were as follows:

Yeas 11 VACANCY Nays 0
Abstaining 0 Absent 3

10-27-81
Date Bernice J. Conley
Bernice J. Conley, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the fund 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.

Bond funds are not subject to annual appropriations.

Account Number: 14-801-90-30-000
Account Title: Park Bond Construction Fund - Little Blue Trace
Park Land & Right-of-way
Not to Exceed: \$36,200.00

10-15-81
Date [Signature]
Director of Revenue