

# Request for Legislative Action

Ord. #5529  
Date: August 9, 2021

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5529
Sponsor(s):	Tony Miller	Legislature Meeting Date:	8/9/2021

Introduction
<b>Action Items:</b> ['Authorize']
<b>Project/Title:</b>
Matt S Scarborough - RZ-2021-605

Request Summary
<p>Requesting a change of zoning from District AG (Agricultural) on 5.00 ± acres to District RE (Residential Estates). The purpose is to create a single family residential lot at 37607 E. Cummins Road. 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 held a public hearing on July 15, 2021 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 5 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>

Contact Information			
<b>Department:</b>	Public Works	<b>Submitted Date:</b>	7/22/2021
<b>Name:</b>	Randy Diehl	<b>Email:</b>	rdiehl@jacksongov.org
<b>Title:</b>	Administrator	<b>Phone:</b>	816-881-4577

Budget Information	
Amount authorized by this legislation this fiscal year:	\$ 0
Amount previously authorized this fiscal year:	\$ 0
Total amount authorized after this legislative action:	\$
Is it transferring fund?	No
Single Source Funding:	
Fund:	Department:
Line Item Account:	Amount:
	<b>!Unexpected End of Formula</b>

## Request for Legislative Action

<b>Prior Legislation</b>	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
<b>Prior Resolution</b>	
Resolution:	Resolution date:

<b>Purchasing</b>	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
Not Applicable	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: Not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>	
<ul style="list-style-type: none"> <li>This legislative action does not impact the County financially and does not require Finance/Budget approval.</li> </ul>	

## Request for Legislative Action

### History

Randy Diehl at 7/22/2021 1:16:34 PM - [Submitted | ]  
Department Director: Brian Gaddie at 7/22/2021 2:13:29 PM - [ Approved | ]  
Finance (Purchasing): Barbara J. Casamento at 7/22/2021 2:22:26 PM - [ Not applicable | ]  
Compliance: Katie M. Bartle at 7/23/2021 9:15:45 AM - [ Approved | eRLA 174 ]  
Finance (Budget): Mary Rasmussen at 7/23/2021 9:56:08 AM - [ Not applicable | ]  
Executive: Troy Schulte at 7/23/2021 10:36:03 AM - [ Approved | ]  
Legal: Elizabeth Freeland at 7/30/2021 4:09:53 PM - [ Approved | ]

**RZ-2021-605**

**ATTACHMENT 1: PROPERTY DESCRIPTION**

**Description:**

A tract of land situated in the Southeast Quarter of the Southwest Quarter of Section 17, Township 48, Range, Jackson County, Missouri, Described as follows: Commencing at the Southeast corner of said Southwest Quarter; thence North 02 degrees 09 minutes 44 seconds East, along the East line of said Southwest Quarter, 775.88 feet to the Northeast corner of Document 2020E0114519; thence North 88 degrees 17 minutes 59 seconds West, along the North line of said Document and parallel with the North line of said Southeast Quarter Southwest Quarter, 881.99 feet to the Point of Beginning of tract to be described herein' thence North 88 degrees 17 minutes 59 seconds West, continuing along said line, 425.24 feet to the Northwest corner of said document, said corner being on the West line of said Quarter Quarter, said corner being North 02 degrees 04 minutes 33 seconds East, along said West line, 767.11 feet from the Southwest corner of said Southeast Quarter Southwest Quarter; thence North 02 degrees 04 minutes 33 seconds East, along said West line, 552.75 feet to the Northwest corner of said Southeast Quarter Southwest Quarter; thence South 88 degrees 17 minutes 59 seconds East, along the North line of said Southeast Quarter Southwest Quarter, 425.25 feet; thence South 02 degrees 04 minutes 33 seconds West, parallel with the West line of said Southeast Quarter Southwest Quarter, 552.75 feet to the Point of Beginning.

**RZ-2021-605**

**ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION**

Attachments

Plan Commission Public Hearing Summary from July 15, 2021

Staff Report

Location Map

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Pictures of Property

Copy of Preliminary Plat

**Randy Diehl gave the staff report:**

**RE: RZ-2021-605**

**Applicant:** Steve H Scarborough  
Matt S Scarborough

**Location:** 37607 E Cummins Road

**Area:** 5.00 ± acres

**Request:** Change of zoning from District AG (Agricultural) to District RR (Residential Ranchette)

**Purpose:** Create a single family residential lot

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

The zoning in the immediate area is Agricultural with District RE (Residential Estates) and District RR (Residential Ranchette) as well. The majority of the land use is single family residences.

Lots sizes around typically 5.00 acres to 10.00 acres in size. There are a few tracts larger than 10 acres.

Lot 1, which contains a residence, is an existing tract slightly under 5 acres in size. This was created by Warranty Deed in 2005. The plat will add area for this to become a 5 acre lot. Rezoning and platting this will bring it into compliance with the Unified Development Code.

The 10 acres east of proposed Lot 1 will remain within District AG (Agricultural).

**County Plan:**

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

The Residential Ranchette is appropriate for the Rural Development Tier.

**Recommendation:**

Staff recommends APPROVAL of RZ-2021-605.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

**Mr. Antey: Are there any questions for Randy?**

Mr. Tarpley: What is the existing size of the lot?

Mr. Diehl: The deed description in for 5 acres, however, accounting for the portion that is inside the public right of way it falls below the 5 acre threshold. A small portion of this property is being added to make a full 5 acres.

**Mr. Antey: Is the applicant here?**

Erwin Gard: 1040 SW Luttrell, Blue Springs, MO 64015. I'm a land surveyor and I'm here on behalf for the applicants. We are just bringing into compliance with the Code.

**Mr. Antey: Do you have anything to add to the report?**

Mr. Gard: No. His report is very thorough.

**Mr. Antey: Is there anyone else who is in favor of this application?**

There were none

**Mr. Antey: Is there anyone who is opposed or has questions regarding this application?**

There were none

Motion to take under advisement.

Ms. Mershon moved to take under advisement. Mr. Haley seconded.

*Discussion under advisement*

Mr. Antey: I like it when these types of processes take place.

Mr. Tarpley: Since everything is existing, there's really no change taking place.

Mr. Tarpley moved to approve. Ms. Mershon seconded.

Mr. Tarpley	Approve
Mr. Haley	Approve
Mr. Hilliard	Approve
Ms. Mershon	Approve
Chairman Antey	Approve

Motion Carried 5 – 0

## STAFF REPORT

### PLAN COMMISSION

May 20, 2021

**RE: RZ-2021-605**

**Applicant:** Steve H Scarborough  
Matt S Scarborough

**Location:** 37607 E Cummins Road

**Area:** 5.00 ± acres

**Request:** Change of zoning from District AG (Agricultural) to District RR (Residential Ranchette)

**Purpose:** Create a single family residential lot

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

The zoning in the immediate area is Agricultural with District RE (Residential Estates) and District RR (Residential Ranchette) as well. The majority of the land use is single family residences.

Lots sizes around typically 5.00 acres to 10.00 acres in size. There are a few tracts larger than 10 acres.

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The 10 acres east of proposed Lot 1 will remain within District AG (Agricultural).

#### **County Plan:**

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

The Residential Ranchette is appropriate for the Rural Development Tier.

#### **Recommendation:**

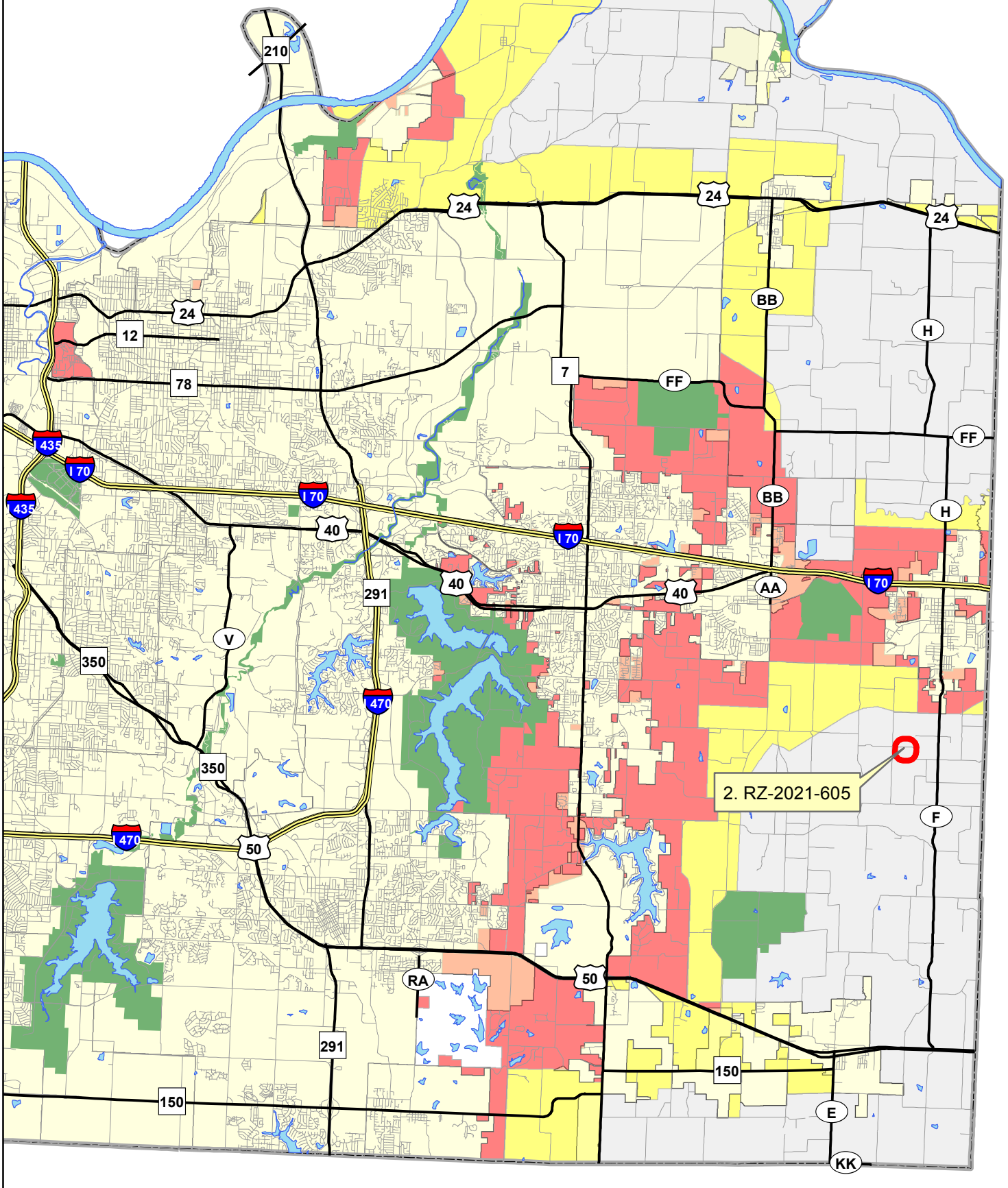
Staff recommends APPROVAL of RZ-2021-605.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

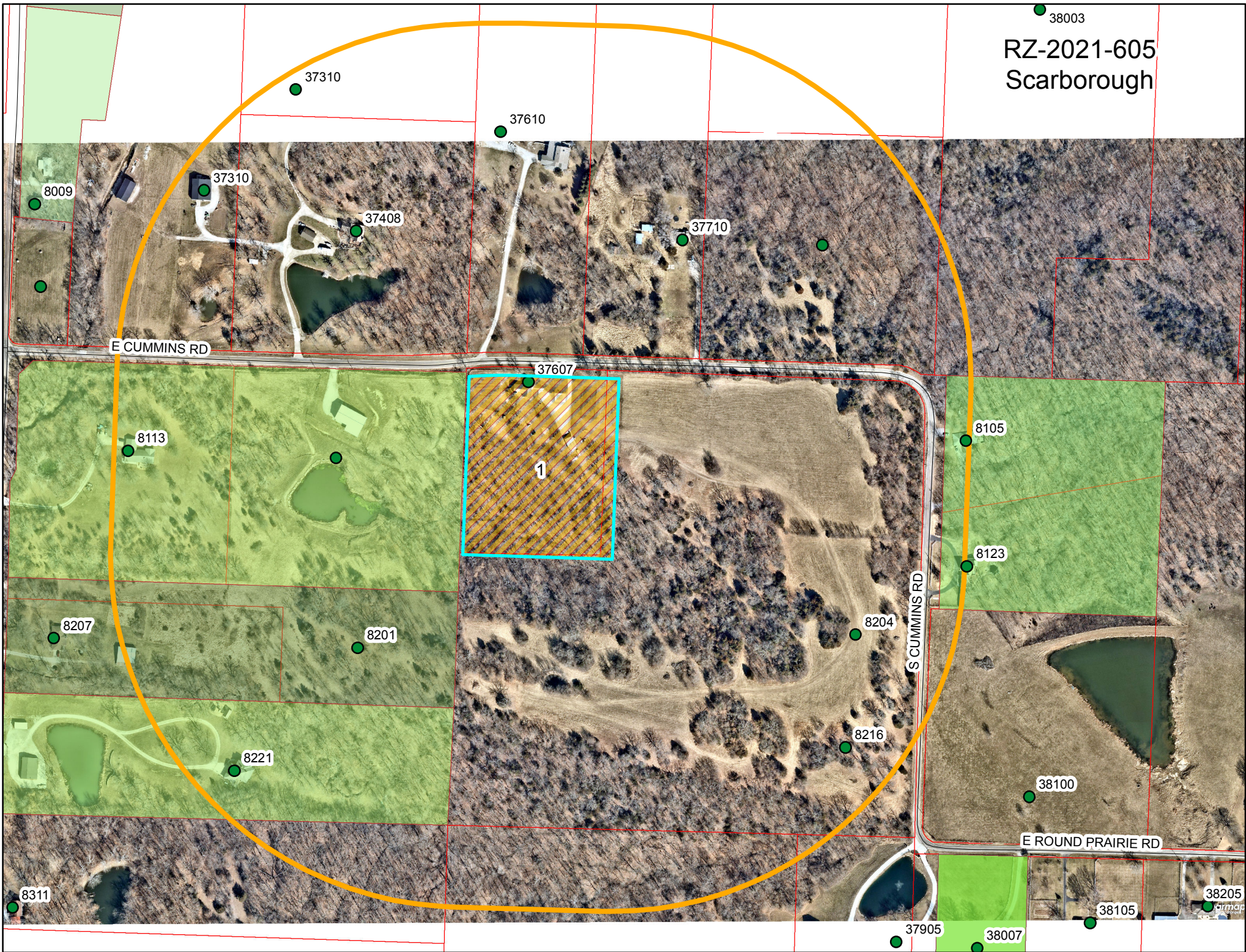


Jackson County Plan Commission  
July 15, 2021  
Agenda Location Map



2. RZ-2021-605

38003  
RZ-2021-605  
Scarborough



Plan Commission May 20, 2021

RZ-2021-605

Property Owners Within 1000 feet

Parcel	Name	Address	City	State	Zip
39-800-03-17-00-0-00-000	NAU JASON & NICOLE	8221 S HILLSIDE SCHOOL RD	OAK GROVE	MO	64075
39-800-03-01-01-0-00-000	WYRICK RENTAL PROPERTIES LLC	7603 S OUTER BELT RD	OAK GROVE	MO	64075
39-800-04-22-00-0-00-000	BUTLER ANITA B	8123 S CUMMINGS RD	OAK GROVE	MO	64075
39-800-04-21-00-0-00-000	BAILEY DONALD L & PHILLIS J	PO BOX 681	OAK GROVE	MO	64075
39-800-03-15-00-0-00-000	WOOD JAMES H & PATRICIA L	8113 HILLSIDE SCHOOL RD	OAK GROVE	MO	64075
39-800-02-14-01-0-00-000	SHOCKLEY WILLIAM C & DEBORA A	37610 E CUMMINGS RD	OAK GROVE	MO	64075
39-800-02-14-02-0-00-000	HARGIS JOSHUA S & SHANNON L	37710 E CUMMINGS RD	OAK GROVE	MO	64075
39-800-03-01-02-0-00-000	WYRICK RENTAL PROPERTIES LLC	7603 S OUTER BELT RD	OAK GROVE	MO	64075
39-800-03-11-01-3-00-000	SCARBOROUGH PERRY M & BRANDIE	37310 E CUMMINGS RD	OAK GROVE	MO	64075
56-200-02-01-02-0-00-000	WILLIAMS ALAN D & DANA L	37905 E ROUND PRAIRIE RD	OAK GROVE	MO	64075
39-800-04-20-02-0-00-000	DAY RYAN S	38003 E PARRENT RD	OAK GROVE	MO	64075
39-800-03-18-00-0-00-000	HUNT CARL & ALICIA	8207 S HILLSIDE SCHOOL RD	OAK GROVE	MO	64075
56-200-02-07-00-0-00-000	DAVIS JO	8311 S HILLSIDE SCHOOL RD	OAK GROVE	MO	64075
39-800-03-14-00-0-00-000	SUNGLASSES & SUNSETS LLC	7108 NW COUNTRY WOOD LN	KANSAS CITY	MO	64152
39-800-04-13-00-0-00-000	SPENCER ROBERT B	PO BOX 397	OAK GROVE	MO	64075
39-800-03-19-00-0-00-000	SUNGLASSES & SUNSETS LLC	7108 NW COUNTRY WOOD LN	KANSAS CITY	MO	64152
56-200-02-01-01-0-00-000	WILLIAMS ALAN D & DANA L	37905 E ROUND PRAIRIE RD	OAK GROVE	MO	64075
39-800-03-05-00-0-00-000	SCARBOROUGH STEVE H-TRUSTEE	37408 E CUMMINS RD	OAK GROVE	MO	64075
39-800-03-07-01-0-00-000	SCARBOROUGH STEVE H-TRUSTEE	37408 E CUMMINS RD	OAK GROVE	MO	64075
39-800-03-07-02-0-00-000	SCARBOROUGH MATTHEW S & TIFFANY D	37607 E CUMMINGS RD	OAK GROVE	MO	64075
39-800-03-11-01-4-00-000	SCARBOROUGH STEVE H-TRUSTEE	37408 E CUMMINS RD	OAK GROVE	MO	64075
39-800-03-07-01-0-00-000	SCARBOROUGH STEVE H-TRUSTEE	37408 E CUMMINS RD	OAK GROVE	MO	64075
39-800-03-11-01-4-00-000	SCARBOROUGH STEVE H-TRUSTEE	37408 E CUMMINS RD	OAK GROVE	MO	64075
39-800-03-07-02-0-00-000	SCARBOROUGH MATTHEW S & TIFFANY D	37607 E CUMMINGS RD	OAK GROVE	MO	64075



## JACKSON COUNTY Public Works Department

Jackson County Technology Center  
303 West Walnut Street  
Independence, Missouri 64050  
jacksongov.org

(816) 881-4530  
Fax: (816) 881-4448

May 5, 2021

RE: Public Hearing: RZ-2021-605  
Matt S Scarborough  
Steve H Scarborough

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Matt S Scarborough & Steve H Scarborough for a change of zoning from District AG (Agricultural) on 5.00 ± acres to District RR (Residential Ranchette). The purpose is to create a single family residential lot.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 1000' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, May 20, 2021 at 8:30 a.m. in the Large Conference Room, 2<sup>nd</sup> Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4649.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Diehl".

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

*Frank White, Jr., County Executive*

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

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**APPLICANT INFORMATION:**

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. 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- 2021- ~~577~~ 605

Date filed 1-19-21

Date of hearing ~~3-18-21~~ 5-20-21

Date advertised ~~3-3-21~~ 5-5-21

Date property owners notified ~~3-3-21~~ 5-5-21

Date signs posted ~~3-3-21~~ 5-5-21

~~5-20-21~~ 7-15-21

Hearings: Heard by PC Date 3-18-21 Decision \_\_\_\_\_

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

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

APPLICANT WITHDREW 3-1-21  
REAPPLIED WITH REVISED PIAT  
4-19-21  
PC TABUED 5-20-21  
TO 7-15-21

**BEGIN APPLICATION HERE:**

**1. Data on Applicant(s) and Owner(s):**

a. Applicant(s) Name: MATT S SCARBOROUGH

Current Mailing Address: 37607 E Cummings Road  
OAK GROVE, MO 64075

Phone: \_\_\_\_\_ email: mommy2twoboys@hotmail.com

b. Legal Owner of Property: STEVE H. SCARBOROUGH Trustee

Current Mailing Address: 37408 E CUMMINGS ROAD  
OAK GROVE, MO 64075

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

b. Legal Owner of Property: \_\_\_\_\_

Current Mailing Address: \_\_\_\_\_

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

2. General location (Road Name) Cummings ROAD
3. Present Zoning AG Requested Zoning BR RE
4. AREA (sq. ft. / acres) 728,316 / 16.72
5. Legal Description of Property: (Write Below or provide copy of deed and survey)  
Attached.
6. Present Use of Property: Residential & Vacant
7. Proposed Use of Property: Residential
8. Proposed Time Schedule for Development: ASAP subject to sales
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? \_\_\_\_\_
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Provider PWSD #1 La-fayette County
  - b. Sewage disposal: Onsite Waste Water  Public Sewer
  - c. Electricity West Central Electric
  - d. Fire and Police protection Snri Valley / Jackson Co.
12. Describe existing road width and condition: 17' Asp pmt Good Condition
13. What effect will proposed development have on existing road and traffic conditions? Minimal (2 new homes)

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14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? NO

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

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The LEGAL OWNER(s) of the property must be signatory to this application. If the owner is also the applicant then only the Property Owner portion needs to be filled out. Applications will not be accepted to move forward without the proper signatories.  
Verification of ownership will be made using the Tax Rolls and the Recorder of Deeds database.

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) Steve H. Scarborough 12/30/2020

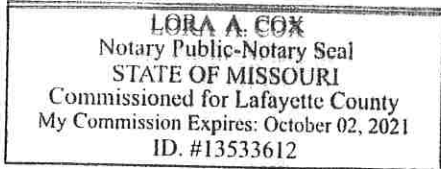
STATE OF Missouri  
COUNTY OF Lafayette

On this 30 day of December, in the year of 2020, before me the undersigned notary public, personally appeared Steve H. Scarborough

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 [Signature] Commission Expires 10-2-2021





The LEGAL OWNER(s) of the property must be signatory to this application. If the owner is also the applicant then only the Property Owner portion needs to be filled out. Applications will not be accepted to move forward without the proper signatories.

Verification of ownership will be made using the Tax Rolls and the Recorder of Deeds database.

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

Property Owner(s)

Matthew Scarborough Date 01-26-21

STATE OF Missouri  
COUNTY OF Jackson

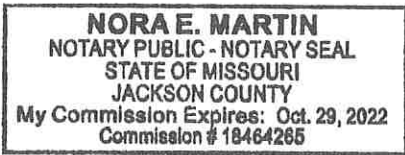
On this 26<sup>th</sup> day of January, in the year of 2021, before me the undersigned notary public, personally appeared Matthew S. Scarborough

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 Nora E. Martin

Commission Expires 10-29-2022



RZ-2021-605  
Scarborough

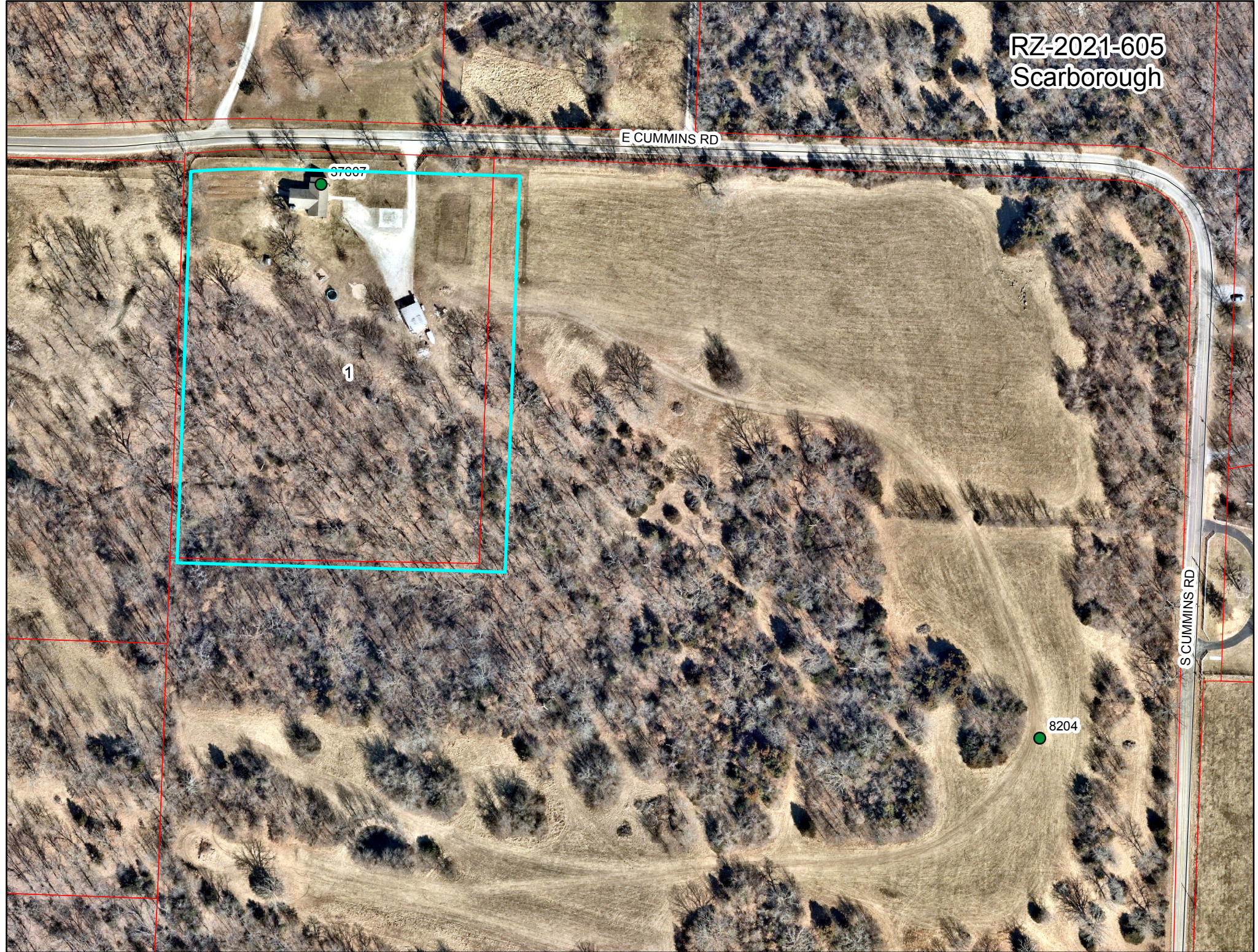
E CUMMINS RD

37007

1

8204

S CUMMINS RD



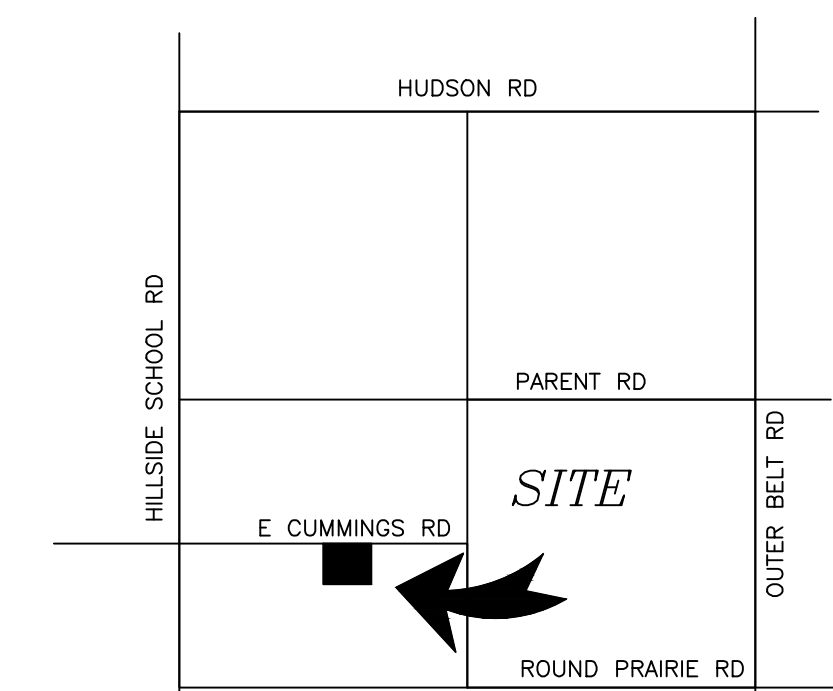
FINAL PLAT  
**CUMMINGS VIEW**

A SUBDIVISION OF PART OF THE SE 1/4, SW 1/4 OF SECTION 17 - TOWNSHIP 48 - RANGE 29 JACKSON COUNTY, MISSOURI

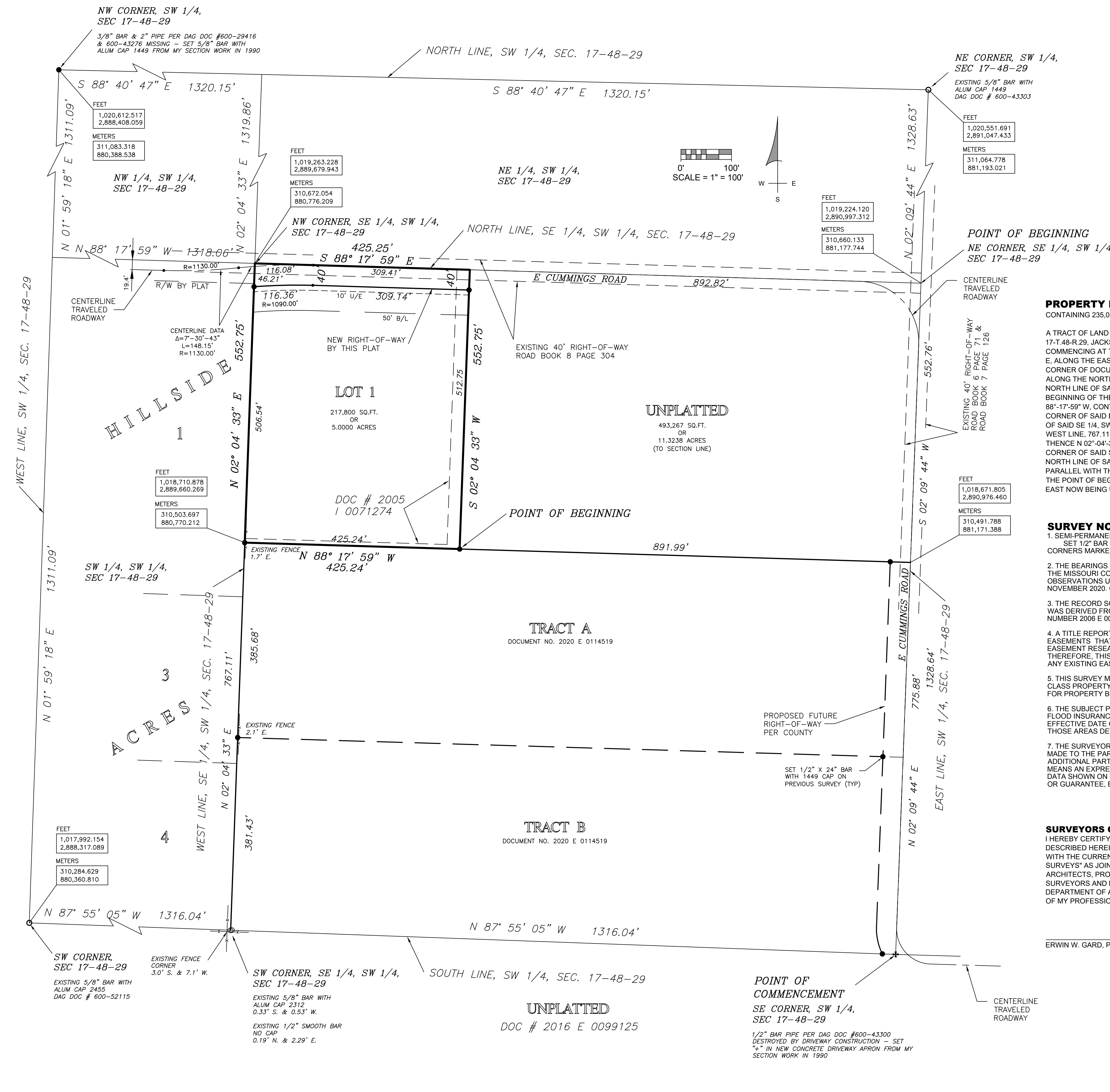
**JACKSON COUNTY APPROVALS:**

DIRECTOR OF PUBLIC WORKS \_\_\_\_\_ DATE \_\_\_\_\_

GIS DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_



**VICINITY MAP**  
SECTION 17-T.48-R.29  
NOT TO SCALE



**PROPERTY DESCRIPTIONS:**

CONTAINING 235,050 SQUARE FEET OR 5.3960 ACRES.

A TRACT OF LAND SITUATED IN THE SE 1/4, SW 1/4 OF SECTION 17-T.48-R.29, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID SW 1/4; THENCE N 02°-09'-44" E, ALONG THE EAST LINE OF SAID SW 1/4, 775.88 FEET TO THE NE CORNER OF DOCUMENT NO. 2020 E 0114519; THENCE N 88°-17'-59" W, ALONG THE NORTH LINE OF SAID DOCUMENT AND PARALLEL WITH THE NORTH LINE OF SAID SE 1/4, SW 1/4, 881.99 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED HEREIN; THENCE N 88°-17'-59" W, CONTINUING ALONG SAID LINE, 425.24 FEET TO THE NW CORNER OF SAID DOCUMENT, SAID CORNER BEING ON THE WEST LINE OF SAID SE 1/4, SW 1/4, SAID CORNER BEING N 02°-04'-33" E, ALONG SAID WEST LINE, 767.11 FEET FROM THE SW CORNER OF SAID SE 1/4, SW 1/4; THENCE N 02°-04'-33" E, ALONG SAID WEST LINE, 552.75 FEET TO THE NW CORNER OF SAID SE 1/4, SW 1/4; THENCE S 88°-17'-59" E, ALONG THE NORTH LINE OF SAID SE 1/4, SW 1/4, 425.25 FEET; THENCE S 02°-04'-33" W, PARALLEL WITH THE WEST LINE OF SAID SE 1/4, SW 1/4, 552.75 FEET TO THE POINT OF BEGINNING, SUBJECT TO THAT PART ON THE NORTH AND EAST NOW BEING USED FOR PUBLIC ROAD PURPOSES.

**SURVEY NOTES:**

- SEMI-PERMANENT MONUMENTATION:  
SET 1/2" BAR WITH CAP STAMPED "E. W. GARD PLS-1449" AT CORNERS MARKED "•".
- THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE, FROM GPS OBSERVATIONS USING THE MoDOT RTK GPS NETWORK DURING NOVEMBER 2020. GRID FACTOR EQUALS 0.9999121.
- THE RECORD SOURCE OF THE DESCRIPTION USED FOR THIS PLAT WAS DERIVED FROM A WARRANTY DEED RECORDED AS DOCUMENT NUMBER 2006 E 0003049 AND 2005 I 0071274.
- A TITLE REPORT WAS NOT PROVIDED BY THE CLIENT TO DISCLOSE EASEMENTS THAT MIGHT AFFECT THE SUBJECT PROPERTY AND NO EASEMENT RESEARCH HAS BEEN PERFORMED BY THIS SURVEYOR; THEREFORE, THIS SURVEYOR ACCEPTS NO LIABILITY SHOULD THERE BE ANY EXISTING EASEMENTS THAT AFFECT THE SUBJECT PROPERTY.
- THIS SURVEY MEETS OR EXCEEDS THE STANDARDS FOR URBAN CLASS PROPERTY AS DEFINED BY THE CURRENT "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS".
- THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 29055 C 0459 G HAVING AN EFFECTIVE DATE OF JANUARY 20, 2017. LANDS LOCATED IN ZONE "X" ARE THOSE AREAS DETERMINED TO BE SUBJECT TO MINIMAL FLOOD HAZARD.
- THE SURVEYOR'S "CERTIFICATION" STATEMENT USED HEREON IS MADE TO THE PARTIES NAMED HEREIN AND IS NOT TRANSFERABLE TO ADDITIONAL PARTIES, INSTITUTIONS, OR SUBSEQUENT OWNERS AND MEANS AN EXPRESSION OF PROFESSIONAL BELIEF REGARDING THE DATA SHOWN ON THIS PLAT AND DOES NOT REPRESENT A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

**SURVEYORS CERTIFICATION:**

I HEREBY CERTIFY THAT WE PERFORMED A SURVEY OF THE PROPERTY DESCRIBED HEREIN AND PREPARED THIS DRAWING IN ACCORDANCE WITH THE CURRENT "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF AGRICULTURE, LAND SURVEY PROGRAM TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

ERWIN W. GARD, PLS-1449 \_\_\_\_\_ DATE \_\_\_\_\_

**DEDICATION:**

THE UNDERSIGNED PROPRIETORS OF THE TRACT OF LAND DESCRIBED IN THIS PLAT HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN HEREON WHICH SHALL HEREAFTER BE KNOWN AS:

**CUMMINGS VIEW**

**STREETS:** ALL THOROUGHFARES SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.

**EASEMENTS:** AN EASEMENT OR LICENSE IS HEREBY GRANTED TO JACKSON COUNTY, MISSOURI TO LOCATE, CONSTRUCT AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION OR MAINTENANCE OF POLES, WIRES, CONDUITS AND/OR STRUCTURES FOR WATER, GAS, SANITARY SEWER, STORM SEWER, ELECTRICITY, TELEPHONE, CABLE T.V. OR ANY OTHER PUBLIC SERVICE OR UTILITY, ANY OR ALL OF THEM UPON, OVER OR UNDER THOSE AREAS OUTLINED AND DESIGNATED UPON THIS PLAT AS "UTILITY EASEMENT" (U.E.), "DRAINAGE EASEMENT" (D.E.), "WATER EASEMENT" (W.E.), OR "SEWER EASEMENT" (S.E.) AND WITHIN ANY STREET OR THOROUGHFARE DEDICATED TO PUBLIC USE ON THIS PLAT. WHERE AN EASEMENT IS DEDICATED TO A SPECIFIC USE, THE USE THEREOF SHALL BE RESTRICTED TO SAID USE. ALL EASEMENTS SHALL BE KEPT FREE AND CLEAR OF ALL BUILDINGS, STRUCTURES OR OTHER OBSTRUCTIONS (EXCEPT DRIVEWAYS, PAVED AREAS, GRASS, SHRUBS, AND FENCES) WHICH WOULD INTERFERE WITH; A) THE PROPER, SAFE, AND CONTINUOUS USE AND MAINTENANCE OR RECONSTRUCTION OF THE FACILITIES LOCATED WITHIN SAID EASEMENT, AND; B) THE AGENTS AND EMPLOYEES OF JACKSON COUNTY, MISSOURI AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENT IN THE EXERCISING OF THE RIGHTS GRANTED BY SAID EASEMENT.

**BUILDING SET BACK LINE:** BUILDING LINE(S) OR SET BACK LINE(S) ARE HEREBY ESTABLISHED AS SHOWN AND DESIGNATED ON THIS PLAT AS "B/L". NO BUILDING OR PORTION THEREOF SHALL BE CONSTRUCTED BETWEEN THIS LINE AND THE STREET RIGHT-OF-WAY LINE.

**IN TESTIMONY WHEREOF:** MATT S. SCARBOROUGH, A SINGLE PERSON, AND STEVE H. SCARBOROUGH, TRUSTEE OF THE STEVE H. SCARBOROUGH LIVING TRUST, HAS CAUSED THESE PRESENTS TO BE SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MATT S. SCARBOROUGH \_\_\_\_\_

STEVE H. SCARBOROUGH, TRUSTEE \_\_\_\_\_

**NOTARY CERTIFICATION:**

STATE OF MISSOURI )  
                                  )SS  
COUNTY OF JACKSON )  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED MATT S. SCARBOROUGH, A SINGLE PERSON, AND STEVE H. SCARBOROUGH, TRUSTEE OF THE STEVE H. SCARBOROUGH LIVING TRUST, BOTH BEING KNOWN BY ME TO BE THE PERSONS DESCRIBED HEREIN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND BEING DULY SWORN BY ME DID ACKNOWLEDGE THAT THEY EXECUTED THIS INSTRUMENT AS THEIR FREE ACT AND DEED.

**IN TESTIMONY THEREOF:**  
I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

MY COMMISSION EXPIRES \_\_\_\_\_, NOTARY PUBLIC \_\_\_\_\_

**GARD HORIZON LLC**  
LAND SURVEYING : BUILDING PERMIT & HOUSE PLAN SERVICES  
REAL ESTATE : LARGE FORMAT SCANS & PRINTS

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Web: gardhorizon.com

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Professional Surveyor - Realtor  
Cell: 816-853-4559  
Email: erwin@gardhorizon.com

**BOUNDARY SURVEY & FINAL PLAT**  
PART OF THE SE 1/4, SW 1/4, SEC. 17-T.48-R.29 JACKSON COUNTY, MISSOURI

MATT SCARBOROUGH

37607 E. CUMMINGS ROAD  
OAK GROVE, MISSOURI 64075

JOB NO.: 1131-2001	DATE PLOTTED: 11-17-2023
DATE DRAWN: 11-17-2023	DATE PLOTTED: 11-17-2023
DATE CHECKED: 11-17-2023	DATE PLOTTED: 11-17-2023
DATE APPROVED: 11-17-2023	DATE PLOTTED: 11-17-2023
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