

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute Special Warranty Deeds and Permanent Easement in favor of the City of Kansas City, Missouri, for the Swope Park Industrial Area Flood Damage Reduction Project.

RESOLUTION NO. 18089, February 4, 2013

INTRODUCED BY Fred Arbanas, County Legislator

WHEREAS, the City of Kansas City, Missouri, desires to install flood control measures in conjunction with the Swope Park Industrial Area Flood Damage Reduction Project and bank stabilization along the Blue River within the Blue River Parkway adjacent to the Southeast Landfill; and,

WHEREAS, to accomplish this, the City needs to obtain 30,093 acres of County park property and is requesting a permanent easement on 2.90 acres of County park land for river bank maintenance; and,

WHEREAS, the Director of Parks and Recreation has recommended that the County execute the attached Special Warranty Deeds and Permanent Easement in favor of the City of Kansas City for this project; and,

WHEREAS, the City has agreed to pay the County deed, easement, and processing fees required by the County Code, totaling \$200,000.00, and

WHEREAS, once these funds are received, they will be appropriated and placed in budget

accounts to be used for property acquisition or construction for the extension of the Little Blue Trace Trail; and,

WHEREAS, the execution of the attached Special Warranty Deeds and Permanent Easement is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the attached Special Warranty Deeds and Permanent Easement are hereby approved and that the County Executive is hereby authorized to execute on behalf of the County the Agreements and any other documents necessary to give effect to this Resolution.

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

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18089 of February 4, 2013, was duly passed on February 4, 2013 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

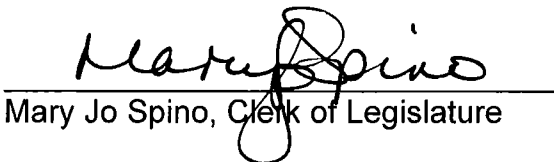
Nays 0

Abstaining 0

Absent 1

2.4.13

Date



Mary Jo Spino, Clerk of Legislature

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:
 Res/Ord No.: 18089
 Sponsor(s): Fred Arbanas
 Date: February 4, 2013

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Park property transfer and Permanent Easement to the City of Kansas City for the Swope Park Industrial Area Flood Damage Reduction Project</u></p>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="326 562 1198 877"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$0</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <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): NA Prior Year Actual Amount Spent (if applicable): NA</p>	Amount authorized by this legislation this fiscal year:	\$0	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$0	Amount budgeted for this item * (including transfers):	\$0	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
Amount authorized by this legislation this fiscal year:	\$0										
Amount previously authorized this fiscal year:	\$0										
Total amount authorized after this legislative action:	\$0										
Amount budgeted for this item * (including transfers):	\$0										
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT										
PRIOR LEGISLATION	<p>Prior ordinances and (date): None</p> <p>Prior resolutions and (date): None</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Bruce Wilke, Landscape Architect, 503-4802</p>										
REQUEST SUMMARY	<p>We are requesting that the County Executive be authorized to execute the attached Warranty Deeds and Permanent Easement to allow the City of Kansas City to install flood control measures in conjunction with the Swope Park Industrial Area Flood Damage Reduction Project and bank stabilization along the Blue River within the Blue River Parkway adjacent to the Southeast Landfill. The City needs to obtain 30.093 acres of County park property and is requesting a permanent easement on 2.90 acres of County park land for river bank maintenance purposes. The City has agreed to pay \$174,776.80 and \$25,223.20 respectively for the deeds and easement. After we receive the proceeds from this transaction, we will request the money be appropriated and placed in the Parks department budget to be used for property acquisition or construction funds for the extension of the Little Blue Trace Trail.</p> <p>Granting the property transfer and easement will not interfere with park operations and will not adversely impact the park. The County and City will both benefit from this action. The parks department therefore has no objections to granting these transactions.</p>										
CLEARANCE	<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>										

ATTACHMENTS	Water Services Cover Letter, Legislative Memorandum, Location Map, Site Map, Exhibit A, Tracts 1, 2 & 3 Warranty Deeds, Tract 4 Permanent Channel Easement	
REVIEW	Department Director: Michele Newman <i>Michele Newman</i>	Date: January 28, 2013
	Finance (Budget Approval): If applicable <i>N/A</i> <i>Deborah Ball</i>	Date: <i>1-30-13</i>
	Division Manager: <i>Deborah Ball</i>	Date: <i>1/30/13</i>
	County Counselor's Office:	Date:

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

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

Account Number:	Account Title:	Amount Not to Exceed:

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



Water Services Department

Waterways Division

4800 E. 63rd Street
Kansas City, Missouri 64130

(816) 513-0489
Fax: (816) 513-0272
January 17, 2013

Mr. Bruce Wilke
Jackson County Parks and Recreation Department
22807 Woods Chapel Road
Lee's Summit, Missouri 64015

Mr. Wilke:

Pursuant to our discussion of November 19th, 2012 we are enclosing Warranty Deeds for three (3) parcels and a separate Permanent Channel Improvement Easement we wish to acquire to support direct or indirect construction improvements for the Swope Park Industrial Area ("Project"), including floodwalls and levees, interior storm water drainage and detention, a railroad flyover bridge for safe ingress/egress, and environmental mitigation as required to reduce flood risks during high rainfall events.

Jackson County acknowledges ownership of these properties in the vicinity of the Project and has expressed a willingness to cooperate with the City on their acquisition, subject to certain terms and conditions.

As consideration for the transfer of property to the City from Jackson County contained in Exhibit A, the City shall make payment to Jackson County the amount of \$174,776.80 for the three (3) Warranty Deed parcels and \$25,223.20 for the Permanent Channel Improvement Easement. Furthermore, the City of Kansas City, Missouri requests that Jackson County use the proceeds of this transaction for trail development mutually beneficial to Jackson County and the City such as for the Little Blue Trace. The City requests that the trail development occur within 360 days of receipt of the proceeds and the City be provided documentation of the transactions.

Please advise when the matter will be brought before the board and provide us a copy of the approved resolution so that we can order a check to exchange for the executed documents. The City of Kansas City, Missouri wishes to take this opportunity to express our appreciation for your cooperation in these efforts.

Sincerely,

Lynda L. Hoffman
Waterways Division Manager
Water Services Department
City of Kansas City, Missouri
Lynda.Hoffman@kcmo.org

Attachments

Memorandum

Date: January 29, 2013

To: Legislative Committee

From: Michele Newman, Director of Parks & Recreation

Sub: Warranty Deed transfer and Permanent Easement in Blue River Parkway

The City of Kansas City is requesting passage of an Ordinance approving a transfer of Warranty Deeds for three parcels and a Permanent Easement in the Blue River Parkway. These actions are necessary for completion of the Swope Park Industrial Area Flood Damage Reduction Project

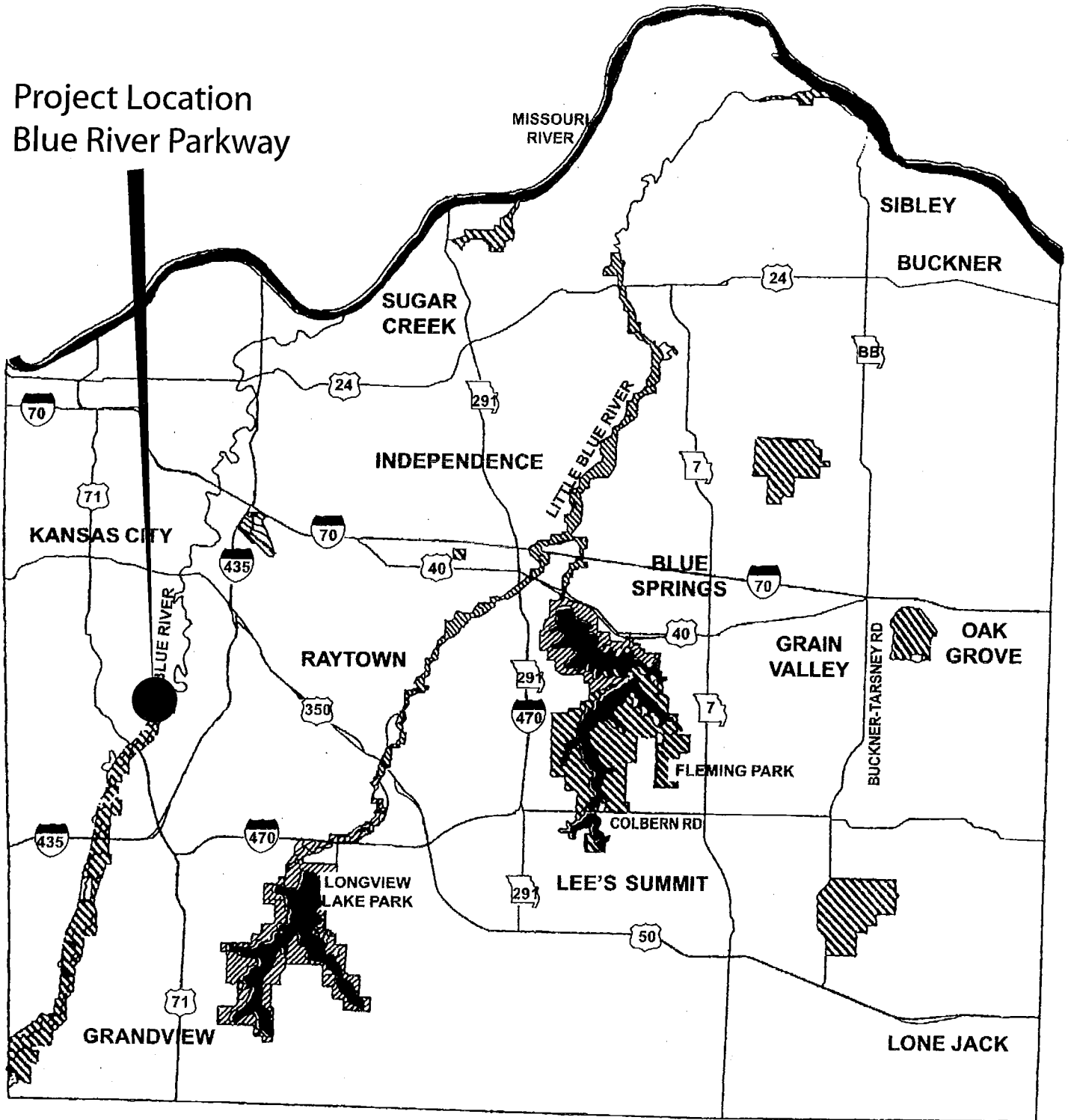
Background:

- The County owns three parcels that are part of the Blue River Parkway totaling 30.093 acres lying on the opposite side of the river from the rest of the park property.
- Two of the parcels abut the old Southeast Landfill.
- All three are isolated by the river and unusable as park property by themselves.
- The City needs the parcels as a part of the Swope Park Industrial Area Flood Damage Reduction Project for construction of floodwalls, levees, interior storm water drainage and detention, a railroad flyover bridge for safe ingress/egress, and environmental mitigation as required to reduce flood risks during high rainfall events.
- The City is also requesting a Permanent Easement on 2.90 acres for streambank stabilization as necessary.
- The City has agreed to pay \$174,776.80 and \$25,223.20 respectively for the deeds and easement.
- All of the proceeds from the transaction will be used for additional property acquisition, as necessary, and/or construction funding of the Little Blue trace Trail.
- Approval of the transaction will not have a negative impact on the usability of the Blue River Parkway.

Please let me know if any additional information is required. I would be most happy to meet with you prior to the next Committee meeting to answer any remaining questions.

Future Trails System In Jackson County, Mo.

Project Location
Blue River Parkway



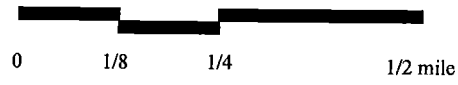
Jackson County, Missouri



Blue River Parkway

Jackson County Parks and Recreation

Segment #7



Aerial Dated: Dec. 2001

EXHIBIT A

TRACT 1: SPECIAL WARRANTY DEED

Tract 1 is the northern parcel located along the west bank of the Big Blue River that will be acquired by Special Warranty Deed by the City.

Tract 1 is described as follows:

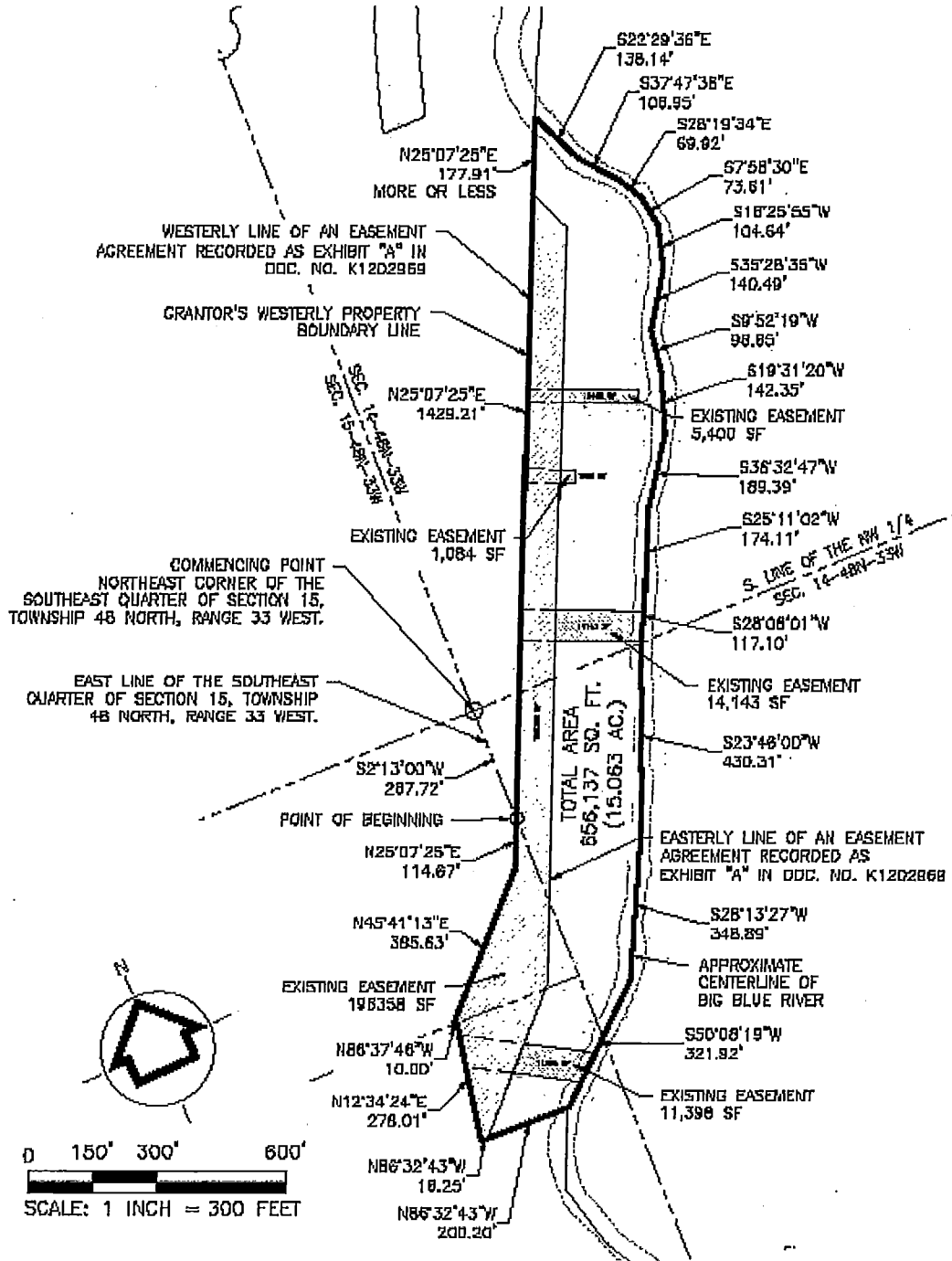
A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15 AND THE WEST HALF SECTION 14, TOWNSHIP 48 NORTH, RANGE 33 WEST, IN KANSAS CITY, JACKSON COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH 2°13'00" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 267.72 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE GRANTOR'S WESTERLY PROPERTY BOUNDARY LINE AND ON THE WESTERLY LINE OF AN EASEMENT RECORDED AS EXHIBIT "A" IN DOCUMENT NUMBER K1202969; THENCE NORTH 25°07'25" EAST ALONG SAID WESTERLY LINES A DISTANCE OF 1429.21 FEET TO THE NORTHWEST CORNER OF SAID EASEMENT; THENCE NORTH 25°07'25" EAST CONTINUING ALONG THE GRANTOR'S WESTERLY PROPERTY BOUNDARY LINE A DISTANCE OF 177.91 FEET MORE OR LESS TO A POINT ON THE APPROXIMATE CENTERLINE OF THE BIG BLUE RIVER; THENCE SOUTH 22°29'36" EAST ALONG SAID CENTERLINE A DISTANCE OF 138.14 FEET; THENCE SOUTH 37°47'36" EAST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 106.95 FEET; THENCE SOUTH 28°19'34" EAST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 69.92 FEET; THENCE SOUTH 7°58'30" EAST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 73.61 FEET; THENCE SOUTH 16°25'55" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 104.64 FEET; THENCE SOUTH 35°28'35" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 140.49 FEET; THENCE SOUTH 9°52'19" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 98.65 FEET; THENCE SOUTH 19°31'20" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 142.35 FEET; THENCE SOUTH 36°32'47" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 189.39 FEET; THENCE SOUTH 25°11'02" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 174.11 FEET; THENCE SOUTH 28°08'01" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 117.10 FEET; THENCE SOUTH 23°46'00" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 430.31 FEET; THENCE SOUTH 28°13'27" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 348.89 FEET; THENCE SOUTH 50°08'19" WEST CONTINUING ALONG SAID CENTERLINE A DISTANCE OF 321.92 FEET TO A POINT ON THE GRANTOR'S SOUTHERLY PROPERTY BOUNDARY LINE; THENCE NORTH 86°32'43" WEST ALONG THE GRANTOR'S SOUTHERLY PROPERTY BOUNDARY LINE A DISTANCE OF 200.20 FEET TO A POINT ON THE EASTERLY LINE OF THE ABOVE SAID

EASEMENT; THENCE NORTH 86°32'43" WEST ALONG THE GRANTOR'S SOUTHERLY PROPERTY BOUNDARY LINE AND ALONG THE SOUTHERLY LINE OF SAID EASEMENT A DISTANCE OF 16.25 FEET TO AN ANGLE POINT IN SAID PROPERTY BOUNDARY LINE AND IN THE SOUTHERLY LINE OF SAID EASEMENT; THENCE NORTH 12°34'24" EAST CONTINUING ALONG SAID PROPERTY BOUNDARY LINE AND THE WESTERLY LINE OF SAID EASEMENT A DISTANCE OF 278.01 FEET; THENCE NORTH 86°37'25" WEST (PLAT N 86°37'46" W) CONTINUING ALONG SAID PROPERTY BOUNDARY LINE AND SAID EASEMENT A DISTANCE OF 10.00 FEET; THENCE NORTH 45°41'13" EAST CONTINUING ALONG SAID PROPERTY BOUNDARY LINE AND THE WESTERLY LINE OF SAID EASEMENT A DISTANCE OF 385.63 FEET; THENCE NORTH 25°07'25" EAST CONTINUING ALONG SAID PROPERTY BOUNDARY LINE AND THE WESTERLY LINE OF SAID EASEMENT A DISTANCE OF 114.67 FEET; TO THE **POINT OF BEGINNING**.

SAID TRACT CONTAINS 656,137 SQUARE FEET (15.063 ACRES) MORE OR LESS. THE ABOVE DESCRIPTION INCLUDES 228,383 SQUARE FEET (5.243 ACRES) IN EXISTING EASEMENTS.

TRACT 1: SPECIAL WARRANTY DEED
NORTH PARCEL ALONG WEST BANK OF THE BIG BLUE RIVER



TRACT 2: SPECIAL WARRANTY DEED

Tract 2 is the southern parcel located along the west bank of the Big Blue River that will be acquired by Special Warranty Deed by the City.

Tract 2 is described as follows:

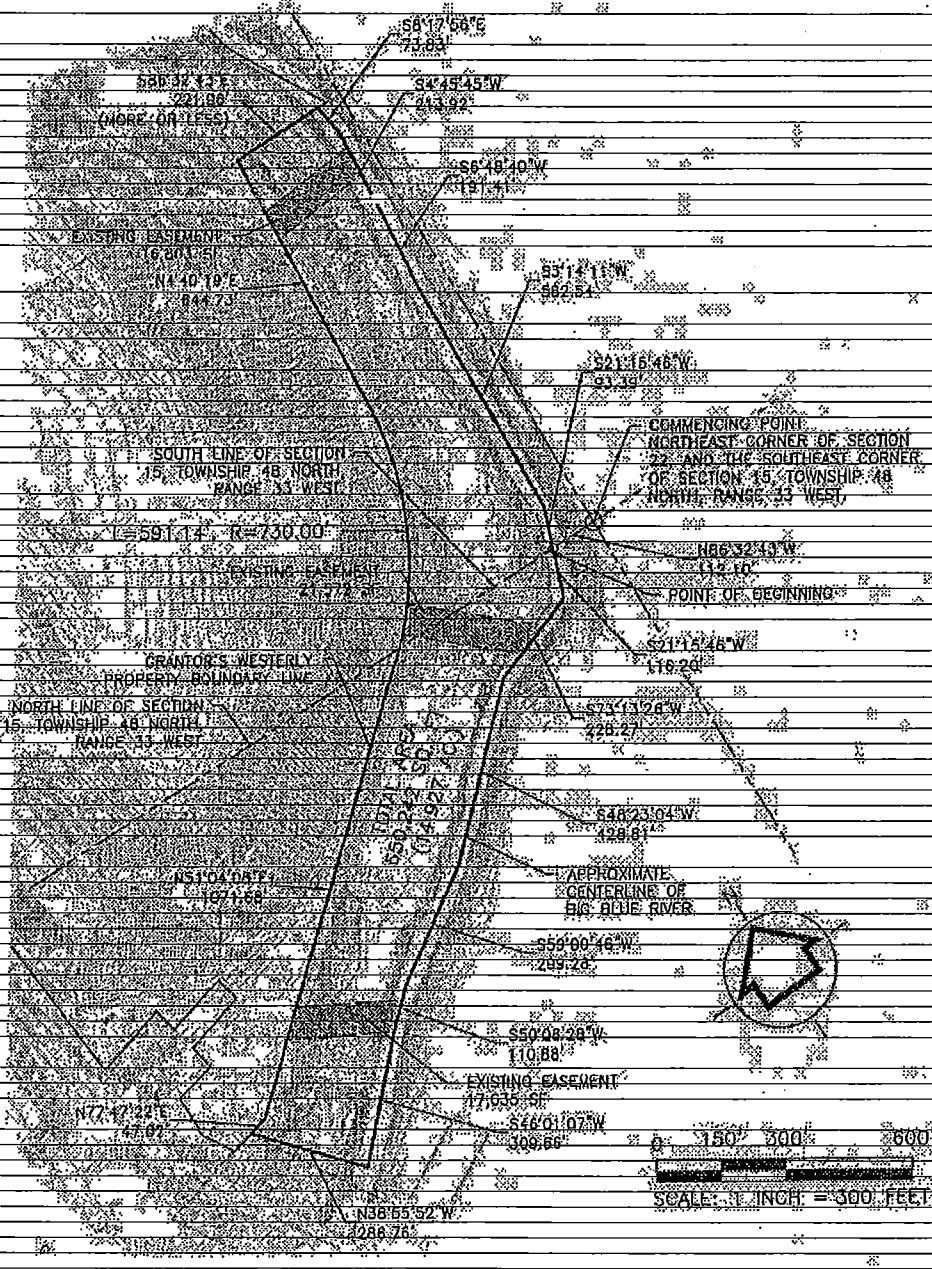
A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15 AND THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 33 WEST, IN KANSAS CITY, JACKSON COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH $86^{\circ} 32' 43''$ WEST ALONG THE SOUTH LINE OF SAID SECTION A DISTANCE OF 112.10 FEET MORE OR LESS TO A **POINT OF BEGINNING** ON THE APPROXIMATE CENTERLINE OF THE BIG BLUE RIVER; THENCE SOUTH $21^{\circ} 15' 46''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 116.20 FEET; THENCE SOUTH $73^{\circ} 13' 26''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 228.27 FEET; THENCE SOUTH $48^{\circ} 23' 04''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 428.81 FEET; THENCE SOUTH $59^{\circ} 00' 46''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 299.28 FEET; THENCE SOUTH $50^{\circ} 08' 28''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 110.88 FEET; THENCE SOUTH $46^{\circ} 01' 07''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 309.66 FEET; THENCE NORTH $38^{\circ} 55' 52''$ WEST A DISTANCE OF 286.76 FEET TO A POINT ON THE GRANTOR'S WESTERLY PROPERTY BOUNDARY LINE; THENCE NORTH $77^{\circ} 47' 22''$ EAST ALONG SAID WESTERLY LINE A DISTANCE OF 47.02 FEET; THENCE NORTH $51^{\circ} 04' 08''$ EAST ALONG SAID WESTERLY LINE A DISTANCE OF 1071.68 FEET TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 730.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND WESTERLY LINE A DISTANCE OF 591.14 FEET; THENCE NORTH $4^{\circ} 40' 19''$ EAST ALONG SAID WESTERLY LINE A DISTANCE OF 644.73 FEET; THENCE SOUTH $86^{\circ} 32' 43''$ EAST A DISTANCE OF 221.96 FEET MORE OR LESS TO SAID CENTERLINE; THENCE SOUTH $8^{\circ} 17' 56''$ EAST ALONG SAID CENTERLINE A DISTANCE OF 73.83 FEET; THENCE SOUTH $4^{\circ} 45' 45''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 213.92 FEET; THENCE SOUTH $6^{\circ} 48' 40''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 191.41 FEET; THENCE SOUTH $3^{\circ} 14' 11''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 582.54 FEET; THENCE SOUTH $21^{\circ} 15' 46''$ WEST ALONG SAID CENTERLINE A DISTANCE OF 93.39 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINS 650,242 SQUARE FEET (14.927 ACRES) MORE OR LESS.

THE ABOVE TRACT INCLUDES 56,010 SQUARE FEET (1.286 ACRES) IN EXISTING EASEMENTS.

TRACT 2: SPECIAL WARRANTY DEED
SOUTH PARCEL ALONG WEST BANK OF THE BIG BLUE RIVER



TRACT 3: SPECIAL WARRANTY DEED

Tract 3 will be acquired by the City for the Project as a permanent area for channel improvements.

Tract 3 is described as follows:

A parcel of land for a Channel Improvement located in all that part of the Northwest Quarter of Section 14, Township 48 North, Range 33 West of the Fifth Principal Meridian, City of Kansas City, Jackson County, Missouri. Said parcel being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section 14;

Then S 02° 13' 00" W , a distance of 900.04 feet south along the west line of the Northwest Quarter to a point on the South line of a Block 1 and the North line of a Permanent Easement and Right-of-Way granted to Missouri Pacific Railroad in document B433917, Book 5562, Page 273, on December 20, 1962;

Then S 87° 16' 53" E, a distance of 1840.91;

Then S 02° 43' 07" W, a distance of 118.96 feet to the center of the Big Blue River;

Then N 75° 50' 53" W, along said center a distance of 187.14 feet to the **POINT OF BEGINNING**;

Then S 86° 48' 21" W, a distance of 281.09 feet;

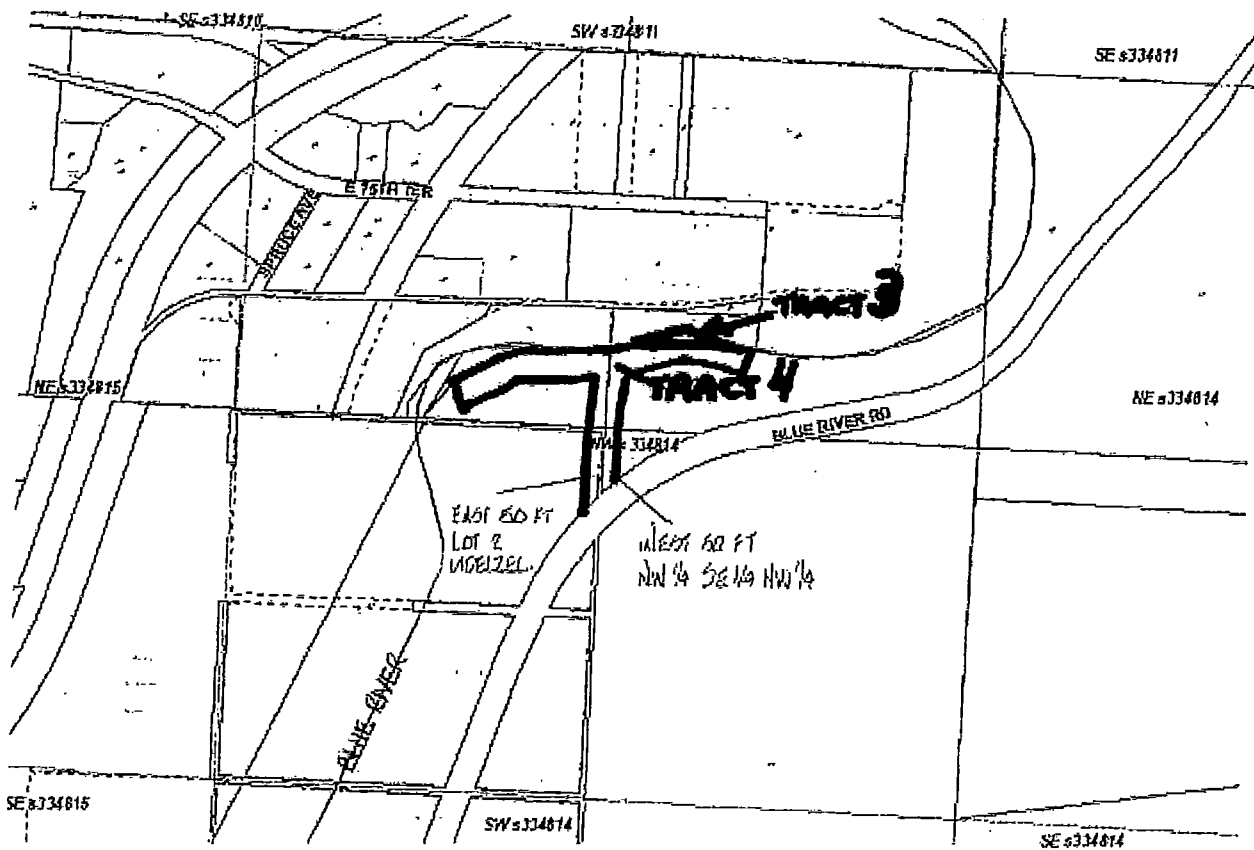
Then N 76° 43' 27" E, a distance of 181.93

Then S 75° 50' 53" E, a distance of 106.82 to the **POINT OF BEGINNING**;

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

Containing 4475.8 sq. ft. or 0.1028 acres, more or less.

TRACT 3: SPECIAL WARRANTY DEED
TRACT 4 – PERMANENT EASEMENT



TRACT 4: PERMANENT EASEMENT

Tract 4 will be acquired by the City for the Project for the purpose of a Permanent Easement for access.

Tract 4 is described as follows:

A parcel of land for a Permanent Easement located in all that part of the Northwest Quarter of Section 14, Township 48 North, Range 33 West of the Fifth Principal Meridian, City of Kansas City, Jackson County, Missouri. Said parcel being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section 14;

Then S 02° 13' 00" W , a distance of 900.04 feet south along the west line of the Northwest Quarter to a point on the South line of a Block 1 and the North line of a Permanent Easement and Right-of-Way granted to Missouri Pacific Railroad in document B433917, Book 5562, Page 273, on December 20, 1962;

Then S 87° 16' 53" E, a distance of 1840.91;

Then S 02° 43' 07" W, a distance of 118.96 feet to the center of the Big Blue River, and also the **POINT OF BEGINNING**;

Then N 75° 50' 53" W, along said center a distance of 187.14 feet;

Then departing from said center S 86° 48' 21" W, a distance of 281.09 feet back to said center;

Then S 76° 43' 27" W, along said center a distance of 60.01 feet;

Then S 86° 45' 07" W, along said center a distance of 381.88 feet;

Then S 63° 24' 47" W, along said center a distance of 229.84 feet;

Then S 26° 35' 13" E, leaving said center of the Big Blue River, a distance of 100.00 feet;

Then N 63° 24' 47" E, a distance of 209.19 feet;

Then N 86° 45' 07" E, a distance of 301.98 feet to a line drawn 50.00 feet West of and parallel with the East line of the Northwest Quarter of the Northwest Quarter;

Then S 02° 15' 24" W, a distance of 188.43 feet to the South line of the North half of the Northwest Quarter;

Then S 87° 19' 53" E, along the South line of the North half of the Northwest Quarter a distance of 100.00 feet to a line drawn 50.00 feet East of and parallel with the West line of the Northeast Quarter of the Northwest Quarter;

Then N 02° 15' 24" E, along a line drawn 50.00 feet East of and parallel with the West line of the Northeast Quarter of the Northwest Quarter a distance of 204.64 feet;

Then N 76° 43' 27" E, a distance of 192.79 feet;

Then S 75° 50' 53" E, a distance of 269.56 feet;

Then N 14° 09' 07" E, a distance of 100.00 feet to the **POINT OF BEGINNING**;

Also, all that part of the West 50.00 feet of the of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 14, Township 48 North, Range 33 West, lying northerly of the North right-of-way of Blue River Road.

Also, all that part of the East 50.00 feet of Lot 2 of HOELZELS BLUE RIVER HEIGHTS, including the existing platted right-of-way for road purposes located within the East 50.00 feet of Lot 2, lying northerly of the North right-of-way of Blue River Road.

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

Containing 126,116 sq. ft. or 2.9 acres, more or less.