

FIRST AMENDMENT TO CORPORATION UTILITY EASEMENT

This First Amendment to Corporation Utility Easement (“First Amendment”) is made on the ____ day of ____, 2021, by and between Limpus Properties LLC, a Missouri limited liability company (“Grantor”) and the City of Independence, Missouri, a municipal corporation, with an address of 111 East Maple, Independence, Missouri 64050 (“Grantee”).

WHEREAS, Grantor previously conveyed a Corporation Utility Easement by Document 2003I0079819 as recorded in the Recorder of Deeds’ Office of Jackson County, Missouri on July 7, 2003 (the “Original Easement”); and

WHEREAS, the Original Easement is silent as to the depth of the easement; and

WHEREAS; in connection with the platting of the subsurface of the land subject to the Original Easement, the parties agree to confirm the easement does not go below the depth of the top of the Winterset Ledge of Limestone Rock which is beneath the surface of the land and well below the depth of the Grantee’s needed use; and

WHEREAS, in order to confirm this change in the portion of the land subject to the easement, the parties desire to make a change in the legal description of the land subject to the easement rights of the Grantee.

NOW THEREFORE, the parties desire to amend the legal description by inserting a new legal description on Attachment A with the only change in the legal description being to note that the depth of the easement is from the surface of the land to the top of the Winterset Ledge of Limestone Rock.

1. The parties therefore agree that Attachment A, to the Original Easement, is deleted and a new Attachment A is inserted pursuant in the form attached hereto (which consists of two pages).

2. In all other respects, the Original Easement remains in full force and effect and is otherwise unmodified.

GRANTOR:

LIMPUS PROPERTIES, LLC,
a Missouri limited liability company

By: _____
Harlan Limpus, Executive Member

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on the ____ day of _____, 2021, by Limpus Harlan, the Executive Member of Limpus Properties, LLC, a Missouri limited liability company, on behalf of the company.

Notary Public

CITY OF INDEPENDENCE,
a municipal corporation

By: _____
Name: _____
Its: _____

STATE OF _____)
) ss.
COUNTY OF _____)

On this ____ day of , , before me, the undersigned Notary Public, in and for said state, personally appeared _____, _____ of The City of Independence, Missouri, known to me to be the person described in and who executed the within instrument in behalf of The City of Independence, and acknowledged to me that _____ executed the same for the purposes therein stated and that the foregoing instrument was authorized by The City of Independence, Missouri and _____ acknowledged execution thereof to be on behalf of and the free act and deed of said City of Independence.

Notary Public:

ATTACHMENT A

DESCRIPTIONS:

A 15 foot wide Easement for Electric Lines in the Northwest Quarter of Section 30, Township 50, Range 31, in Independence, Jackson County, Missouri, lying 7.5 feet wide on each side of the following described centerline:

Commencing at the intersection of the South right-of-way line of Kentucky Road with the East line of said Northwest Quarter;
Thence North 88°22'20" West, along said South right-of-way line, a distance of 178.42 feet to the Point of Beginning;
Thence South 17°12'44" East, a distance of 109.64 feet;
Thence South 50°07'41" East, a distance of 136.18 feet to the Point of Termination.

A 15 foot wide Easement for Electric Lines in the Northwest Quarter of Section 30, Township 50, Range 31, in Independence, Jackson County, Missouri, lying 7.5 feet wide on each side of the following described centerline:

Commencing at the intersection of the South right-of-way line of Kentucky Road with the East line of said Northwest Quarter;
Thence North 88°22'20" West, this and the following five (5) courses being along said South right-of-way line, a distance of 884.88 feet;
Thence South 01°37'40" West, a distance of 5.00 feet;
Thence North 88°22'20" West, a distance of 100.00 feet;
Thence North 01°37'40" East, a distance of 5.00 feet;
Thence North 88°22'20" West, a distance of 198.62 feet to the Point of Beginning;
Thence South 08°56'45" East, a distance of 57.02 feet;
Thence South 18°13'34" East, a distance of 396.71 feet to the Point of Termination.

A 15 foot wide Easement for Electric Lines in the Northwest Quarter of Section 30, Township 50, Range 31, in Independence, Jackson County, Missouri, lying 7.5 feet wide on each side of the following described centerline:

Commencing at the intersection of the South right-of-way line of Kentucky Road with the East line of said Northwest Quarter;
Thence North 88°22'20" West, this and the following five (5) courses being along said South right-of-way line, a distance of 684.88 feet;
Thence South 01°37'40" West, a distance of 5.00 feet;
Thence North 88°22'20" West, a distance of 100.00 feet;
Thence North 01°37'40" East, a distance of 5.00 feet;
Thence North 88°22'20" West, a distance of 684.51 feet to the Point of Beginning;
Thence South 41°37'27" East, a distance of 13.89 feet;
Thence South 81°09'42" East, a distance of 60.29 feet;
Thence South 84°13'09" East, a distance of 274.09 feet;
Thence South 26°50'41" East, a distance of 157.47 feet;
Thence South 23°59'11" East, a distance of 118.54 feet;
Thence South 75°21'51" East, a distance of 20.18 feet;
Thence South 59°00'59" East, a distance of 28.83 feet;
Thence South 49°20'39" East, a distance of 34.89 feet;
Thence South 39°11'23" East, a distance of 36.15 feet;
Thence South 35°04'21" East, a distance of 39.30 feet;
Thence South 42°51'34" East, a distance of 64.00 feet to the Point of Termination.

In all respects, the land subject to the Easement as described above, stops and does not go below the top of the Winterset Ledge of Limestone Rock as located under the surface of the land described above.

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