



ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI

05/03/2023 9:19 AM

FEE: \$106.00 6 PGS

INSTRUMENT NUMBER

2023E0030821

Space above reserved for Recorder of Deeds certification)

Title of Document: **PARTIAL RELEASE OF REDEVELOPMENT AND
TIF AGREEMENTS**

Date of Document: May 1, 2023

City's name and address: **THE CITY OF INDEPENDENCE, MISSOURI, 111 E.
Maple Ave., Independence, Missouri 64050**

Developer's name
and mailing address: **CLOVER COMMUNITIES INDEPENDENCE, LLC,
348 Harris Hill Road, Williamsville, New York 14221**

Legal Description: See **Exhibit A** attached hereto

Reference Book and Page(s): **Document Numbers 2000I0022752, 2002I0076853,
2006E0105523, 2007E0145126, 2007E0145127,
2007E0145128, 2008E0036985, 2008E0087584,
2008E0115610, 2009E0073661, 2009E0073662,
2009E0073663, 2012E0002394, 2017E0030483 and
2017E0029193**

After recording, please return to:
Polsinelli PC
900 W. 48th Place, Suite 900
Kansas City, Missouri 64112
Attn: Beth Aguilera

PARTIAL RELEASE OF REDEVELOPMENT AND TIF AGREEMENTS

This PARTIAL RELEASE OF REDEVELOPMENT AND TIF AGREEMENTS (the “**Release**”) dated as of May 1, 2023, is executed by and between the **CITY OF INDEPENDENCE, MISSOURI** (the “**City**”), and **CLOVER COMMUNITIES INDEPENDENCE, LLC**, a Delaware limited liability company (“**Clover**”).

WITNESSETH:

WHEREAS, the City and EASTLAND CENTER ASSOCIATES, L.L.C., a Missouri limited liability company (“**Original Developer**”) have entered into that certain Redevelopment Agreement, recorded on April 10, 2000, as Document No. 2000I0022752, in the Recorder of Deeds for Jackson County, Missouri (the “**Official Records**”) and subsequently amended by that certain Second Amended Eastland Center Redevelopment Agreement dated August 21, 2002, and recorded on September 5, 2002, as Document No. 2002I0076853 in the Official Records, that certain Fifth Amendment to the Eastland Center Redevelopment Agreement dated March 21, 2006, and recorded on October 11, 2006, as Document No. 2006E0105523 in the Official Records, that certain Sixth Amendment to the Eastland Center Redevelopment Agreement dated August 28, 2007, and recorded on November 9, 2007, as Document No. 2007E0145126 in the Official Records, that certain Seventh Amendment to the Eastland Center Redevelopment Agreement dated September 24, 2007, and recorded on November 9, 2007, as Document No. 2007E0145127 in the Official Records, that certain Eighth Amendment to the Eastland Center Redevelopment Agreement dated October 16, 2007, and recorded on November 9, 2007, as Document No. 2007E0145128 in the Official Records, that certain Ninth Amendment to the Eastland Center Redevelopment Agreement dated November 20, 2007, and recorded on April 4, 2008, as Document No. 2008E0036985 in the Official Records, that certain Tenth Amendment to the Eastland Center Redevelopment Agreement dated July 22, 2008, and recorded on August 14, 2008, as Document No. 2008E0087584 in the Official Records, and that certain Eleventh Amendment to the Eastland Center Redevelopment Agreement dated October 20, 2008, and recorded on November 4, 2008, as Document No. 2008E0115610 in the Official Records (collectively, the “**Redevelopment Agreement**”).

WHEREAS, Original Developer’s interest was partially assigned to AVENIDA PARTNERS, LLC (“**Avenida**”) pursuant to that certain TIF Assignment Agreement dated July 14, 2009, and recorded on July 24, 2009, as Document No. 2009E0073661 in the Official Records, and that certain Agreement for TIF Obligations Under Assignment dated July 21, 2009, and recorded on July 24, 2009, as Document No. 2009E0073662 in the Official Records, which Avenida interest was assigned to EASTLAND SENIOR APARTMENTS, INC (“**Eastland Senior**”) pursuant to that certain TIF Assignment Agreement dated July 21, 2009, and recorded on July 24, 2009, as Document No. 2009E0073663 in the Official Records, which was amended

by that certain First Amendment to Agreement for TIF Obligations Under Assignment dated December 21, 2011, and recorded on January 9, 2012, as Document No. 2012E0002394 in the Official Records, which was amended by that certain Amended and Restated Agreement for TIF Obligations Under Assignment dated January 17, 2017, and recorded on April 7, 2017, as Document No. 2017E0030483 in the Official Records, which Eastland Senior interest was assigned to Clover pursuant to that certain TIF Assignment Agreement dated March 31, 2017, and recorded on April 5, 2017, as Document No. 2017E0029193 in the Official Records (collectively, the “**TIF Agreements**”).

WHEREAS, the parties desire to release the land legally described on **Exhibit A** (the “**Property**”) from the Redevelopment Agreement and TIF Agreements.

NOW, THEREFORE, in consideration of the premises and the mutual agreements hereinafter contained, the parties hereto agree as follows, intending to be legally bound:

1. **Release of Redevelopment Agreement.** The City hereby remises and releases the Property from the encumbrance and effect of the Redevelopment Agreement. The Property is hereby released from the Redevelopment Agreement and any and all rights, titles or interests created thereunder, and from and after the date hereof the Redevelopment Agreement shall not bind or affect in any way the Property or any part thereof.
2. **Release of TIF Agreements.** The City hereby remises and releases the Property from the encumbrance and effect of the TIF Agreements. The Property is hereby released from the TIF Agreements and any and all rights, titles or interests created thereunder, and from and after the date hereof the TIF Agreements shall not bind or affect in any way the Property or any part thereof.
3. **Governing Law.** This Release shall be governed by and construed and interpreted in accordance with the laws of the State of Missouri, without giving effect to the choice of law provisions thereof.
4. **Counterparts.** This Release may be executed in any number of counterparts, each of which shall constitute an original, and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, successors and assigns, and may not be modified, amended or altered except by in writing and signed by the parties hereto.

[Remainder of Page Intentionally Left Blank; Signature Pages to Follow]

IN WITNESS WHEREOF, this Release has been executed this 28th day
of April 2023.

THE CITY OF INDEPENDENCE, MISSOURI

By: Zach Walker
Name: Zachary Walker
Title: City Manager

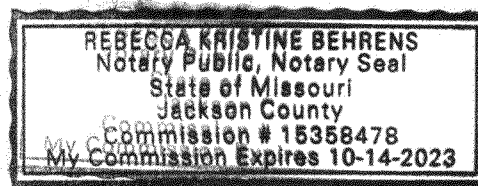
STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

This instrument was acknowledged before me on April 28th, 2023, by
Zach Walker, as City Manager of THE CITY OF
INDEPENDENCE, MISSOURI.

Rebecca Kristine Behrens
Print Name: Rebecca Kristine Behrens
Notary Public in and for said
County and State

My Appointment Expires:

10/14/2023



IN WITNESS WHEREOF, this Release has been executed this 1st day
of May 2023.

CLOVER COMMUNITIES INDEPENDENCE, LLC

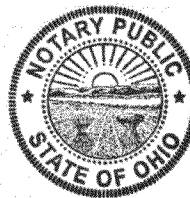
By: [Signature]
Name: Mary Ellen Pisanelli
Title: Authorized Signatory

STATE OF Ohio)
) ss.
COUNTY OF Lucas)

This instrument was acknowledged before me on May 1, 2023, by
Mary Ellen Pisanelli, as Authorized Signatory of CLOVER COMMUNITIES
INDEPENDENCE, LLC.

[Signature]
Print Name: _____
Notary Public in and for said
County and State

My Appointment Expires:



Theresa S Whetro
Notary Public
In and for the State of Ohio
My Commission Expires
June 16, 2025

EXHIBIT A

LEGAL DESCRIPTION OF RELEASED PROPERTY

All of Lot 25-D, EASTLAND CENTER 13TH PLAT - AREA V - REPLAT II, a minor subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof.