

Clay County, Missouri
Unofficial Document

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Robert T Sevier, Recorder

Grantor FRISBIE POLLARD
Grantee WILLOW BROOKE HOMES ASSN



RECORDING COVER SHEET

Title of Document: Supplementary Declaration of the Estates At Willow Brooke
Second Plat

Date of Document: February 16, 2006

Grantors: Frisbie-Pollard, LLC

Grantee(s): Willow Brooke Homes Association

Mailing Address(es): c/o Michael P. Keleher
Keleher & Eastman
403 NW Englewood Road
Gladstone, Missouri 64118

Legal Description: See Exhibits A, B and C

Reference Book and Page: Book 2177 at Page 193

same

<http://recorder.claycountymissouri.com>

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**SUPPLEMENTARY DECLARATION
OF THE ESTATES AT WILLOW BROOKE SECOND PLAT**

This Supplementary Declaration ("Supplementary Declaration") is made this 16th day of February, 2006, by Frisbie-Pollard, LLC ("Declarant"). Mailing Address: P. O. Box 317, Liberty, Missouri 64068.

RECITALS

1. On or about November 20, 1992, Willow Brooke Development Co. recorded in Book 2177 at Page 193 of the records of the Clay County Recorder of Deeds that certain Declaration of Covenants, Conditions and Restrictions of Willow Brooke (hereinafter referred to as the "Declaration") affecting, through subsequent amendments, the real property legally described in Exhibit A attached hereto (the "Property").
2. The Declaration permits annexation of additional properties to become part of the Willow Brooke subdivision by an instrument signed by the Owner of said land and consented to by the Willow Brooke Homes Association.
3. On or about December 23, 2003, North Hills Development Company I, L.L.C. filed in the Office of the Clay County Recorder of Deeds, a Supplementary Declaration of the Estates of Willow Brooke in Book 4455 at Page 046, under Document Number S44303 which Supplementary Declaration subjects the real property described on Exhibit B to the terms and provisions of the Declaration.
4. Declarant is the owner of certain land ("Annexed Property") which adjoins and is contiguous to the Property, which said Annexed Property is legally described in Exhibit C attached hereto. The Annexed Property is platted for single family residences only (with exception of common areas, if any).
5. Declarant desires that the Annexed Property be, by these presents, and is hereby added to the Property and Declaration so that the Annexed Property shall be benefitted and burdened by the Declaration, the same as if the Annexed Property was designated in the Declaration as part of the original Property.

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6. Article II of the Declaration provides that annexed property may become a part of the "Property" therein described.

ARTICLE 1
INCORPORATION BY REFERENCE

Except to the extent expressly inconsistent herewith, all definitions contained in the Declaration, and all terms of the Declaration, are incorporated by reference herein except that:

1. The "Declaration" shall include the original Declaration as well as this Supplementary Declaration and any prior or subsequent Supplementary Declaration.
2. The "Property" shall be that real property described, in the aggregate, in Exhibits A, B and C, attached hereto, and such additional property as may hereafter be subjected to the terms of the Declaration pursuant to one or more Supplementary Declarations.

ARTICLE 2
EXPANSION OF DECLARATION - ANNEXATION OF PROPERTY

The Declaration, and all provisions thereof, is hereby extended to bind, burden and extend to each and every part of the Annexed Property, the same as if each and every part of the Property and the Annexed Property had originally been made subject to the Declaration and had been therein defined as the "Property."

ARTICLE 3
DUES ASSESSMENTS

The Declarant, for its successors and assigns, hereby covenants, and each owner of any Lot by acceptance of a deed therefor, is deemed to covenant and agree to pay to the Association all assessments and charges, provided for in Article 5 of the Declaration, provided however, the initial maximum annual assessment for any Lot in the Annexed Property, as that term is defined in Article 5, Section 3(A) of the Declaration, shall be Four Hundred Five and 00/100 Dollars (\$405.00) per lot. For assessment purposes, a Lot shall be deemed an Improved Lot, subject to assessment, when it is conveyed or transferred to an ultimate owner, as distinguished from Declarant or a Builder. The Assessment for the year of transfer to an Owner, other than a Builder or Declarant, shall be prorated on a monthly basis.

ARTICLE 4
DEVELOPERS' CONTRIBUTION

Declarant agrees, for and in consideration of the mutual covenants herein contained, to pay to Association the sum of Eleven Thousand Five Hundred and 00/100 Dollars (\$11,500.00), the receipt whereof is hereby acknowledged.

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ARTICLE 5
RATIFICATION AND CONFIRMATION

In all other respects, the Declaration is ratified and confirmed.

In Witness Whereof, the undersigned have executed this instrument the day and year first above written, the corporate parties by their officers authorized in the premises.

DECLARANT

FRISBIE-POLLARD, LLC

Steve Frisbie, Manager
Steve Frisbie, Manager

MISSOURI ACKNOWLEDGMENT - LLC

STATE OF MISSOURI)
) ss.
COUNTY OF Clay)

On this 16th day of February, 2006, before me, a Notary Public in and for said County and State, personally appeared **Steven Frisbie, Manager of Frisbie-Pollard, LLC**, a Missouri limited liability company, known to me to be the person who executed the foregoing instrument in behalf of said company and acknowledged to me that he executed the same as his free act and deed for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Gladstone, Missouri, the day and year last above written.

Cheryl A. Naylor
Notary Public

My Commission Expires:



CHERYL A. NAYLOR
Notary Public - State of Missouri
Commissioned in Clay County
My Commission Expires:

3-17-08

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WILLOW BROOKE HOMES ASSOCIATION,
a Missouri Not-for-Profit corporation

By: J.R. Radtka
J. R. Radtka, President

MISSOURI ACKNOWLEDGMENT - CORPORATE

STATE OF MISSOURI)
) ss.
County of Clay)

On this 16th day of February, 2006, before me, a Notary Public in and for said County and State, personally appeared **J.R. Radtka, President of WILLOW BROOKE HOMES ASSOCIATION**, a Missouri not-for-profit corporation, known to me to be the person who executed the foregoing instrument in behalf of said corporation, and acknowledged to me that he executed the same as his free act and deed for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Gladstone, Missouri, the day and year last above written.

My Commission Expires:

C. J. Naylor
Notary Public



CHERYL A. NAYLOR
Notary Public - State of Missouri
Commissioned in Clay County
My Commission Expires

3/17/08

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EXHIBIT A

PROPERTY DESCRIPTION:

All that part of Willow Brooke First Plat, Willow Brooke Second Plat, Willow Brooke Third Plat, Willow Brooke Fourth Plat, Willow Brooke Fifth Plat, Willow Brooke Sixth Plat, Willow Brooke Seventh Plat, Willow Brooke Eighth Plat and Willow Brooke Ninth Plat, subdivisions of land in Kansas City, Clay County, Missouri, according to the recorded plats thereof.

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EXHIBIT B

PROPERTY DESCRIPTION:

All that part of the North Half of Section 1, Township 51, Range 33, Kansas City, Clay County, Missouri, described as follows: Commencing at the Southeast corner of the Northwest Quarter of said Section 1; thence North 87 degrees 43 minutes 35 seconds West along the South line of the Northwest Quarter of said Section 1, a distance of 107.89 feet to the Point of Beginning of the tract of land herein to be described; thence continuing North 87 degrees 43 minutes 35 seconds West along the South line of the Northwest Quarter of said Section 1, a distance of 511.80 feet to the Southeast corner of WILLOW BROOKE 9TH PLAT, a subdivision of land in Kansas City, Clay County, Missouri; thence North 00 degrees 12 minutes 42 seconds East along the Easterly line of WILLOW BROOKE 9TH PLAT, a subdivision of land in Kansas City, Clay County, Missouri, WILLOW BROOKE 8TH PLAT, a subdivision of land in Kansas City, Clay County, Missouri, a distance of 1113.02 feet to the Northeast corner of said WILLOW BROOKE 8TH PLAT; thence South 89 degrees 48 minutes 28 seconds East, a distance of 61.67 feet; thence South 69 degrees 32 minutes 47 seconds East, a distance of 41.69 feet; thence South 60 degrees 24 minutes 11 seconds East, a distance of 176.82 feet; thence South 20 degrees 33 minutes 29 seconds West, a distance of 133.41 feet; thence South 40 degrees 03 minutes 29 seconds East, a distance of 105.07 feet; thence South 60 degrees 44 minutes 27 seconds East, a distance of 254.18 feet; thence South 7 degrees 12 minutes 41 seconds East, a distance of 437.81 feet to a point on the Westerly right-of-way line of Maplewoods Parkway; thence Southerly along the Westerly right-of-way line of said Maplewoods Parkway, on a curve to the right, with an initial tangent bearing of South 22 degrees 24 minutes 28 seconds West, and a radius of 1625.45 feet, an arc distance of 66.88 feet; thence continuing along the Westerly right-of-way line of said Maplewoods Parkway, South 24 degrees 45 minutes 55 seconds West, a distance of 33.30 feet; thence continuing along the Westerly right-of-way line of said Maplewoods parkway, South 65 degrees 14 minutes 05 seconds East, a distance of 70.00 feet; thence continuing along the Westerly right-of-way line of said Maplewoods Parkway, South 24 degrees 45 minutes 55 seconds West, a distance of 161.32 feet to the Point of Beginning. Said tract of land contains 11.06 acres more or less.

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EXHIBIT C

PROPERTY DESCRIPTION:

A Tract of land being part of the Northwest Quarter of Section 1, Township 51 North, Range 33 West, in Kansas City, Clay County, Missouri, described as follows: Commencing at the Northeast corner of said Northwest Quarter, thence North 89 degrees 26 minutes 50 seconds West along the North line of said Northwest Quarter, a distance of 635.61 feet to the Northwest corner of KING OF KINGS LUTHERAN CHURCH, a subdivision of land in Kansas City, Clay County, Missouri, also being the Northeast corner of WILLOW BROOKE FOURTH PLAT, a subdivision of land in Kansas City, Clay County, Missouri; thence South 00 degrees 12 minutes 42 seconds West along the West line of said KING OF KINGS LUTHERAN CHURCH, also being the East line of said WILLOW BROOKE FOURTH PLAT and the East line of WILLOW BROOKE 6TH PLAT, a subdivision of land in Kansas City, Clay County, Missouri, a distance of 726.00 feet to the Southwest corner of Tract A, said KING OF KINGS LUTHERAN CHURCH, and the Point of Beginning of the Tract of land herein to be described; thence South 89 degrees 26 minutes 50 seconds East along the South line of said Tract A, and the Westerly Right-of-Way line of Maple Woods Parkway, and parallel with the North line of said Northwest Quarter, a distance of 416.27 feet to the Westerly line of CLYMAR RIDGE, a subdivision of land in Kansas City, Clay County, Missouri; thence South 11 degrees 31 minutes 11 seconds East along said Westerly line, a distance of 776.29 feet; thence South 00 degrees 33 minutes 38 seconds West continuing along said Westerly line, a distance of 389.55 feet; thence South 51 degrees 24 minutes 00 seconds West continuing along said Westerly line, a distance of 78.64 feet to the Easterly line of ESTATES AT WILLOW BROOKE, a subdivision of land in Kansas City, Clay County, Missouri; thence along said Easterly line and the Northeasterly line of said ESTATES AT WILLOW BROOKE the following 7 calls: North 07 degrees 12 minutes 41 seconds West, a distance of 91.40 feet; thence North 60 degrees 44 minutes 27 seconds West, a distance of 254.18 feet; thence North 40 degrees 05 minutes 29 seconds West, a distance of 105.07 feet; thence North 20 degrees 33 minutes 29 seconds East, a distance of 133.41 feet; thence North 60 degrees 24 minutes 11 seconds West, a distance of 176.82 feet; thence North 69 degrees 32 minutes 47 seconds West, a distance of 41.69 feet; thence North 89 degrees 48 minutes 28 seconds West, a distance of 61.67 feet to the Southeast corner of said WILLOW BROOKE 6TH PLAT, also being the Northeast corner of WILLOW BROOKE 8TH PLAT, a subdivision of land in Kansas City, Clay County, Missouri; thence North 00 degrees 12 minutes 42 seconds East along said East line of said WILLOW BROOKE 6TH PLAT, a distance of 680.96 feet to the Point of Beginning. Said Tract contains 468,175 square feet or 10.75 acres, more or less.