



Recording Date/Time: 08/04/2022 at 02:26:33 PM

Instr #: 2022025888

Book: 9422 Page: 77

Type: REST

Pages: 8

Fee: \$45.00 S 20220022763



Katee Porter  
Recorder of Deeds

**(ABOVE SPACE RESERVED FOR RECORDER OF DEEDS' USE)**

Document Title: Fourth Supplement to Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Cadence

Document Date: March 22 2022

Grantor Names: Hunt Midwest Real Estate Development, Inc.

Grantee Names: Hunt Midwest Real Estate Development, Inc.

Statutory Address: Suite 100, 8300 N.E. Underground Drive, Kansas City, Missouri 64161

Legal Descriptions: See Exhibits B and C attached hereto

Reference Book and Page: **Clay County Missouri:** Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Cadence, Document No. 2020017531, Book 8692, Page 172

**Platte County Missouri:** First Supplement to Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Cadence, Document No. 2021020390, Book 1367, Page 642 and Corrective Amendment to First Supplement to Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Cadence, Document No. 2021022983, Book 1370, Page 216

**FOURTH SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF CADENCE**

**THIS FOURTH SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF CADENCE** (this "Supplemental Declaration") is made and executed as of March 22 2022, by **HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.**, a Missouri corporation (the "Developer"), Suite 100, 8300 N.E. Underground Drive, Kansas City, Missouri 64161.

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**RECITALS:**

A. On April 17, 2020, Developer executed that certain subdivision plat entitled "CADENCE – FIRST PLAT" (the "First Plat"), covering the real property formerly legally described as shown therein (and on Exhibit A attached to the Declaration, defined below), and platting the same into certain Lots, Tracts, Common Areas, Restricted Common Areas, streets, roadways, private open space and other areas shown and marked on the First Plat as identified therein and in the Declaration defined below (collectively, the "Property" or the "Cadence Property"), which First Plat was approved on June 5, 2018, by the City Council of the City of Kansas City, Missouri (the "City"), and was recorded on June 1, 2020, under Document No. 20200017530, in Cabinet I, at Sleeve 102.1 in the Office of the Recorder of Deeds of Clay County, Missouri, at Liberty (the "Clay County Recorder's Office").

B. The Developer has executed that certain Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Cadence, dated February 19, 2020, which was recorded on June 1, 2020, under Document No. 2020017531, in Book 8692, at Page 172, in the Clay County Recorder's Office, as may be amended, modified and supplemented (collectively, the "Declaration"), pursuant to which Developer subjected the Cadence Property to certain covenants, conditions, restrictions and easements for the purpose of protecting the value and desirability of the Property.

C. The Declaration was recorded on December 8, 2021, under Document No. 2021022983, in Book 1370 at Page 216, in the Office of the Recorder of Deeds of Platte County, Missouri (the "Platte County Recorder's Office").

D. Pursuant to its right to do so therein contained, the Developer has amended, supplemented and modified the Declaration pursuant to those certain Supplements thereto identified on **EXHIBIT A** attached to this Supplemental Declaration (each a "Supplement" or "Supplemental Declaration" further identified by number as shown on **EXHIBIT A**);

E. Pursuant to Section 13.1 of the Declaration, the Developer has the absolute unilateral right to expand the Property to include additional Lots (for Single Family Residences, Attached Patio Homes, Attached Townhomes or Villas or any combination thereof), Common Area, Restricted Common Areas and other property in the Subdivision and also other property that has not yet been subdivided or platted (the "Expansion Property").

F. On July 12<sup>th</sup>, 2022, Developer executed that certain subdivision plat entitled "CADENCE VILLAS – SECOND PLAT" (the "Villas Second Plat"), covering the real property formerly legally described as shown therein and on **EXHIBIT D** attached to this Supplemental Declaration, and platting the same into the Lots, Tracts, streets, roadways, private open space and other areas shown and marked thereon and as identified on **EXHIBIT E** attached to this Supplemental Declaration (the "Fourth Expansion Property"), which Villas Second Plat was approved on August 26 2021, 2021, by the City Council of the City, and was recorded on August 4<sup>th</sup>, 2022, under Document No. 2022 025884, in Cabinet I, at Sleeve 182.2, in the Clay County Recorder's Office and was recorded on AUGUST 5, 2022, under Document No. 2022010967, in Cabinet 22, at Sleeve 388, in the Platte County Recorder's Office.

G. Developer presently owns all of the Lots, Tracts, Common Areas, Restricted Common Areas or other areas, if any, shown on the Villas Second Plat.

H. Developer desires to exercise its right to expand the Property to include the additional Lots, Tracts, Common Areas, Restricted Common Areas or other areas, if any, which constitute the Fourth

Expansion Property and to subject the Fourth Expansion Property to the covenants, conditions, restrictions and easements contained within the Declaration.

I. Pursuant to Section 16.2 of the Declaration, the Developer retained the right at any time prior to the Turnover Date (which has not yet occurred) to amend, alter or modify the Declaration. The Developer desires to do so in connection with the "Villas Second Plat" and "Villas Second Plat Lots" which are added to the Property as set forth below.

**NOW, THEREFORE**, in consideration of the premises, the Developer states and declares as follows:

1. **Exercise of Right to Expand.** Developer hereby exercises its unilateral right to expand the Property to include the additional Lots (i.e., Villas Second Plat Lots), Tracts, Common Areas, Restricted Common Areas or other areas, if any, which constitute the Fourth Expansion Property.

2. **Expansion Effective Upon Recording.** The expansion set forth above, shall be effective immediately upon filing the Villas Second Plat and this Supplemental Declaration of record in the Clay County Recorder's Office and of record in the Platte County Recorder's Office. Recording of the Villas Second Plat and this Supplemental Declaration shall automatically grant, transfer and convey to the Association any new Common Areas, Restricted Common Areas and all other areas designed for Members' or Association use, if any, added by the Fourth Expansion Property.

3. **Expansion of Definitions.** The definitions contained in the Declaration are hereby expanded to encompass and refer to the Property, as expanded by the Villas Second Plat and this Supplemental Declaration to include the Fourth Expansion Property. For example, (i) "Lot" shall mean the Lots described in the Declaration and in the Plat described in the Declaration, all subsequent Plats, the Villas Second Plat Lots in the Villas Second Plat and (ii) all references to the Declaration shall mean the Declaration as supplemented and amended by this Supplemental Declaration.

4. **Declaration Operative on New Lots, Tracts, Common Areas and Restricted Common Areas.** The new Villas Second Plat Lots, Tracts, Common Areas or Restricted Common Areas, which constitute the Fourth Expansion Property shall be subject to all of the terms and conditions of the Declaration immediately upon recording of the Villas Second Plat and this Supplemental Declaration in the Clay County Recorder's Office and the Platte County Recorder's Office.

5. **Use and Maintenance of Any Private Open Space, Storm Water Detention Tract and Common Areas.** Any private open space, storm water detention tract or other Common Areas shown on or in the Villas Second Plat shall be used and maintained by the Association under the terms of the Homes Association Declaration, as amended, as private open green space areas, storm water detention tract or Common Areas or any combination thereof, as applicable.

6. **Ratification of Declaration.** The Developer, on behalf of itself and as the holder of a majority of the votes possible to be cast under the Declaration, hereby ratifies, affirms and confirms all covenants, conditions, restrictions and easements contained in the Declaration, which covenants, conditions and provisions shall run with the land and be binding upon the Owners, including the Developer, and their respective heirs, personal representatives, successors, transferees and assigns and all other persons or entities having, at any time, any right, title or interest in all, or any part of, the Property and any Lots, Tracts, Common Areas or Restricted Common Areas otherwise subject to the terms hereof.

[Signature Page Follows]

IN WITNESS WHEREOF, the Developer has caused this Supplemental Declaration to be executed by its duly authorized officer as of the day and year first above written.

**DEVELOPER:**

**HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.**  
a Missouri corporation

By: *F. Brenner Holland, Jr.*  
F. Brenner Holland, Jr., Senior Vice President

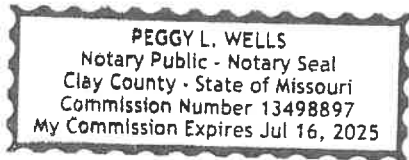
STATE OF MISSOURI )  
                                  ) S.S.  
COUNTY OF CLAY )

On this 22nd day of March, 2022, before me, the undersigned Notary Public in and for said County and State, personally appeared F. Brenner Holland, Jr., who, being by me first duly sworn, did say that he is a Senior Vice President of Hunt Midwest Real Estate Development, Inc., a Missouri corporation, that he executed the foregoing instrument on behalf of said corporation under and with the authority of its Board of Directors and that he acknowledged that he so executed the same as the free act and deed of said corporation for the purposes therein stated.

*Peggy L. Wells*  
Signature of Notary Public

Peggy L. Wells  
Typed or Printed Name of Notary

My Commission expires:



**EXHIBIT A  
TO  
FOURTH SUPPLEMENT TO  
DECLARATION OF HOMES ASSOCIATION AND  
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF CADENCE**

Previous Supplements to Declaration

<u>DATE EXECUTED/ DATE RECORDED</u>	<u>DOCUMENT NUMBER/ RECORDING INFORMATION</u>	<u>SUPPLEMENT #</u>	<u>INFORMATION</u>
02-19-20/06-01-20	2020017531; Book 8692/Page 172 (Clay Co.)	Original Declaration	Full CC&R Document – Cadence – First Plat
08-31-21/10-26-21	2021046335; Book 9214/Page 133 (Clay Co.)	First	Expands Property – Cadence Villas – First Plat
08-31-21/10-27-21	2021020390; Book 1367/Page 642 (Platte Co.)	First	Expands Property – Cadence Villas – First Plat
12-07-21/12-08-21	2021022983; Book 1370/Page 216 (Platte Co.)	First	Corrective Amendment to attach a copy of the Full CC&R Document
12-14-21/02-07-22	2022004470; Book 9298/Page 164 (Clay Co.)	Second	Expands Property - Cadence - Second Plat
<u>7-6-22/8-4-22</u>	<del>2022025588</del> Book <u>1</u> /Page <u>841</u> (Clay Co.)	Third	Expands Property – Cadence – Third Plat; Restricted Lots
<u>7-6-22/8-5-22</u>	<del>2022010971</del> Book <u>22</u> /Page <u>389</u> (Platte Co.)	Third	Expands Property – Cadence – Third Plat; Restricted Lots

**EXHIBIT B  
TO  
FOURTH SUPPLEMENT TO  
DECLARATION OF HOMES ASSOCIATION AND  
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF CADENCE**

Legal Description of Fourth Expansion Property Prior to Platting:

A tract of land in the Northwest Quarter of Section 34 and Southwest Quarter of Section 27, all in Township 52 North, Range 33 West of the 5th Principal Meridian in Kansas City, Clay and Platte County, Missouri being bounded and described by or under the direct supervision of Jason S. Roudebush, P.L.S. 2002014092 as follows: Beginning at the Southwest corner of said Southwest Quarter, also being the Northwest corner of said Northwest Quarter; thence North  $00^{\circ}31'52''$  East, on the West line of said Northwest Quarter, 885.46 feet to the Southwest corner of CADENCE VILLAS - FIRST PLAT, a subdivision of land in said Kansas City in said Clay and said Platte County recorded as Instrument Number 2021046332 in Book I at Page 155.1 in Clay County Recorder of Deeds Office on October 26, 2021 and recorded as Instrument Number 2021020387 in Book 22 at Page 305 in Platte County Recorder of Deeds Office on October 27, 2021; thence leaving said West line, North  $68^{\circ}43'27''$  East, along the Southerly line of said CADENCE VILLAS - FIRST PLAT, 688.65 feet to Southeast corner of said CADENCE VILLAS - FIRST PLAT; thence South  $00^{\circ}09'42''$  West, 135.87 feet; thence South  $89^{\circ}50'18''$  East, 150.46 feet; thence Southerly, along a curve to the left having an initial tangent bearing of South  $28^{\circ}57'01''$  West with a radius of 206.00 feet, a central angle of  $28^{\circ}47'19''$  and an arc distance of 103.51 feet; thence South  $00^{\circ}09'42''$  West, 15.80 feet; thence Southwesterly, along a curve to the right being tangent to the last described course with a radius of 15.00 feet, a central angle of  $90^{\circ}00'00''$  and an arc distance of 23.56 feet; thence South  $00^{\circ}09'42''$  West, 50.00 feet; thence Southeasterly, along a curve to the right having an initial tangent bearing of South  $89^{\circ}50'18''$  East with a radius of 15.00 feet, a central angle of  $90^{\circ}00'00''$  and an arc distance of 23.56 feet; thence South  $00^{\circ}09'42''$  West, 230.00 feet; thence Southwesterly, along a curve to the right being tangent to the last described course with a radius of 15.00 feet, a central angle of  $90^{\circ}00'00''$  and an arc distance of 23.56 feet; thence South  $00^{\circ}09'42''$  West, 50.00 feet; thence Southeasterly, along a curve to the right having an initial tangent bearing of South  $89^{\circ}50'18''$  East with a radius of 15.00 feet, a central angle of  $90^{\circ}00'00''$  and an arc distance of 23.56 feet; thence South  $00^{\circ}09'42''$  West, 235.34 feet; thence Southwesterly, along a curve to the right being tangent to the last described course with a radius of 15.00 feet, a central angle of  $90^{\circ}00'00''$  and an arc distance of 23.56 feet; thence South  $00^{\circ}09'42''$  West, 50.00 feet; thence Southeasterly, along a curve to the right having an initial tangent bearing of South  $89^{\circ}50'18''$  East with a radius of 15.00 feet, a central angle of  $90^{\circ}00'00''$  and an arc distance of 23.56 feet; thence South  $00^{\circ}09'42''$  West, 129.10 feet; thence Southwesterly, along a curve to the right being tangent to the last described course with a radius of 15.00 feet, a central angle of  $83^{\circ}14'11''$  and an arc distance of 21.79 feet; thence Westerly, along a curve to the left having a common tangent with the last described course with a radius of 2,000.00 feet, a central angle of  $05^{\circ}33'38''$  and an arc distance of 194.10 feet; thence Westerly, along a curve to the left having a common tangent with the last described course with a radius of 2,230.00 feet, a central angle of  $03^{\circ}59'22''$  and an arc distance of 155.28 feet; thence South  $75^{\circ}09'52''$  West, 75.31 feet; thence Westerly, along a curve to the left having an initial tangent bearing of South  $71^{\circ}54'57''$  West with a radius of 2,233.00 feet, a central angle of  $02^{\circ}58'03''$  and an arc distance of 115.65 feet; thence Westerly, along a curve to the right having an initial tangent bearing of South  $68^{\circ}52'36''$  West with a radius of 466.63 feet, a central angle of  $21^{\circ}35'39''$  and an arc distance of 175.87 feet; thence North  $89^{\circ}31'59''$  West, 2.07 feet; thence Westerly, along a curve to the right being tangent to the last described course with a radius of 25.00 feet, a central angle of  $28^{\circ}55'24''$  and an arc distance of 12.62 feet; thence North  $00^{\circ}36'17''$  East, 120.68 feet to a point on the South line of said Southwest Quarter, also being the North line of said Northwest Quarter; thence North  $89^{\circ}42'25''$  West on said North and South lines, 50.00 feet to the Point of Beginning. Containing 803,650 square feet or 18.45 acres, more or less.

**EXHIBIT C  
TO  
FOURTH SUPPLEMENT TO  
DECLARATION OF HOMES ASSOCIATION AND  
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF CADENCE**

Description of Lots Contained in the Villas Second Plat

Lots 55 through and including 116, and Tract C, CADENCE VILLAS – SECOND PLAT, a subdivision in Kansas City, Clay County and Platte County Missouri.

**CERTIFICATE OF SECRETARY  
OF  
THE CADENCE HOME OWNERS ASSOCIATION**

I, Amy Nelson, hereby certify that I am the duly elected and qualified Secretary/Treasurer of the Cadence Home Owners Association. I hereby also certify that Hunt Midwest Real Estate Development, Inc., the Developer identified in the Declaration of Covenants, Conditions, Restrictions and Easements of Cadence, dated February 19, 2020 (the "Declaration"), is the sole Class B Member of The Cadence Home Owners Association and the owner of sufficient Lots in the District to give Hunt Midwest Real Estate Development, Inc. a majority of the votes possible to be cast under the Declaration.

Dated this 22 day of March, 2022.

  
\_\_\_\_\_  
Amy Nelson

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Recorded in Platte County, Missouri

Recording Date/Time: 08/05/2022 at 09:16:00 AM

Instr Number: 2022010969

Book: 1382 Page: 476

Type: DE DEC

Pages: 9

Fee: \$45.00 E



Grantor: HUNT MIDWEST REAL ESTATE DEVELOPMEN...

Gloria Boyer,

Grantee: HUNT MIDWEST REAL ESTATE DEVELOPMEN...

Recorder of Deeds

## PLATTE COUNTY MISSOURI CERTIFICATION RECORDER OF DEEDS

### EXEMPT DOCUMENT

The Recorder of Deeds has added this page to your document per compliance with State law under Exempt Status.

RSMo 59.310.4 (effective January 1, 2002)

Gloria Boyer  
Recorder of Deeds  
415 Third St., Suite 70  
Platte City, MO 64079

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