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Katee Porter
Recorder of Deeds

(ABOVE SPACE RESERVED FOR RECORDER OF DEEDS' USE)

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

Document Date: December 14, 2021

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 Exhibit B attached

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

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

THIS SECOND SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF CADENCE (this "Supplemental Declaration") is made and executed as of December 14, 2021, by **HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.**, a Missouri corporation (the "Developer"), Suite 100, 8300 N.E. Underground Drive, Kansas City, Missouri 64161.

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 "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

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1, 2020, under Document No. 2020017531, in Book 8692, at Page 172, in the 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. 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**);

D. 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").

E. On 1-5, 2021, Developer executed that certain subdivision plat entitled "CADENCE - SECOND PLAT" (the "Cadence Second Plat"), covering the real property formerly legally described as shown therein and on **EXHIBIT B** 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 C** attached to this Supplemental Declaration (the "Second Expansion Property"), which Cadence Second Plat was approved on February 2, 2021, by the City Council of the City, and was recorded on February 7, 2021, under Document No. ~~2021~~ 2022 004469, in Cabinet 1, at Sleeve 16.1, in the Recorder's Office.

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

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

H. 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 "Cadence Second Plat" and "Cadence 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., Cadence Second Plat Lots), Tracts, Common Areas, Restricted Common Areas or other areas, if any, which constitute the First Expansion Property.

2. **Expansion Effective Upon Recording.** The expansion set forth above, shall be effective immediately upon filing the Cadence Second Plat and this Supplemental Declaration of record in the Recorder's Office. Recording of the Cadence 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 Second 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 Cadence Second Plat, and this Supplemental Declaration to include the Second 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 and the Cadence Second Plat Lots in the Cadence 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 Cadence Second Plat Lots, Tracts, Common Areas or Restricted Common Areas, which constitute the Second Expansion Property, shall be subject to all of the terms and conditions of the Declaration immediately upon recording of the Cadence Second Plat and this Supplemental Declaration in the 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 Cadence 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.

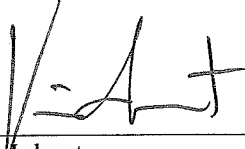
6. **Ratification of Declaration.** The Developer, on behalf of itself and as the holder of a majority of the votes possible to be cast under the Declaration, hereby ratifies, affirms and confirms all covenants, conditions, restrictions and easements contained in the Declaration, which covenants, conditions 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.

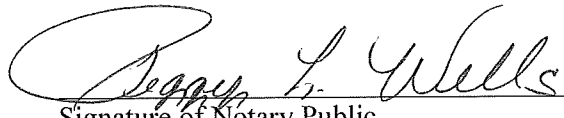
DEVELOPER:

HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.

By: 
Vincent T. Johnston
Vice President and Chief Financial Officer

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

On this 14th day of December, 2021, before me, the undersigned Notary Public in and for said County and State, personally appeared Vincent T. Johnston, who, being by me first duly sworn, did say that he is a Vice President and Chief Financial Officer 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.


Signature of Notary Public

Peggy L. Wells
Typed or Printed Name of Notary

My Commission expires:

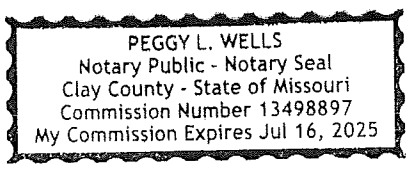


EXHIBIT A
TO
SECOND SUPPLEMENT TO
DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF CADENCE

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

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

Legal Description of Second Expansion Property Prior to Platting:

A tract of land in the Southwest Quarter of Section 27 and Northwest Quarter of Section 34, all in Township 52 North, Range 33 West of the 5th Principal Meridian in Kansas City, Clay County, Missouri being bounded and described by or under the direct supervision of Jason S Roudebush, P.L.S. 2002014092 as follows: Commencing at the Northeast corner of said Southwest Quarter; thence South 00°17'16" West, on the East line of said Southwest Quarter, 704.55 feet to the Southeast corner of CADENCE - FIRST PLAT, a subdivision in said Kansas City recorded as Instrument Number 2020017530 in Book I at Page 102.1 in the Clay County Recorder of Deeds Office, also being a point on the West line of HOLLY FARMS - 1ST PLAT, a subdivision in said Kansas City recorded as Instrument Number 2020038590 in Book I at Page 114.4 in said Clay County Recorder of Deeds Office, also being the Point of Beginning of the tract of land to be herein described; thence continuing South 00°17'16" West on said East line, also along said West line and its Southerly extension 1,943.06 feet to the Southeast corner of said Southwest Quarter, also being the Northeast corner of said Northwest Quarter; thence South 00°33'26" West, on the East line of said Northwest Quarter, 142.12 feet; thence leaving said East line, North 89°42'44" West, 199.33 feet; thence North 00°17'16" East, 80.18 feet; thence Northwesterly, along a curve to the left, being tangent to the last described course with a radius of 15.00 feet, a central angle of 90°00'00" and an arc distance of 23.56 feet; thence North 89°42'44" West, 66.24 feet; thence North 00°17'16" East, 255.90 feet; thence North 64°06'18" West, 107.53 feet; thence North 17°49'56" West, 214.30 feet; thence South 82°29'49" West, 50.74 feet; thence North 07°30'11" West, 305.02 feet; thence North 16°14'09" West, 163.32 feet; thence North 27°50'08" West, 190.84 feet; thence North 31°44'41" West, 223.28 feet; thence North 51°57'50" West, 173.70 feet; thence North 23°37'45" West, 187.34 feet to a point on the Southerly line of said CADENCE - FIRST PLAT; thence North 68°43'55" East, along said Southerly line, 836.49 feet; thence North 23°34'11" East, along said Southerly line, 30.00 feet; thence Easterly, along said Southerly line, along a curve to the left having an initial tangent bearing of South 66°25'49" East with a radius of 50.00 feet, a central angle of 89°40'31" and an arc distance of 78.26 feet; thence South 66°06'20" East, along said Southerly, 30.00 feet; thence North 68°43'55" East, along said Southerly line, 130.85 feet to the Point of Beginning. Containing 1,132,270 square feet or 25.99 acres, more or less.

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

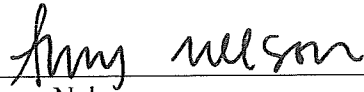
Description of Lots Contained in the Cadence Second Plat

Lots 64 through and including 113, and Tracts G and F, CADENCE – SECOND PLAT, a subdivision in Kansas City, Clay 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 14 day of December, 2021.



Amy Nelson