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Jay Lawson
Recorder of Deeds

(ABOVE SPACE RESERVED FOR RECORDER OF DEEDS' USE)

Document Title: Nineteenth Supplement to Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Benson Place
 Document Date: June 11, 2013
 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 Benson Place, Document No. R24799, Book 3699, Page 69

NINETEENTH SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE

THIS NINETEENTH SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE (this "Supplemental Declaration") is made and executed as of June 11, 2013, 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 June 6, 2002, the Developer executed that certain subdivision plat entitled "BENSON PLACE - 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, the streets, roadways and other areas shown and marked on the First Plat as identified therein and in the Declaration defined below (collectively, the "Property" or the "Benson Place Property"), which First Plat was approved on July 2, 2002, by the City Council of the City of Kansas City, Missouri, and was recorded on July 24, 2002, under Document No. R24798, in Cabinet F, at Sleeve 27, in the Office of the Recorder of Deeds of Clay County, Missouri, at Liberty.

B. The Developer has executed that certain Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Benson Place, dated May 15, 2002, which was recorded on July 24, 2002, under Document No. R24799, in Book 3699, at Page 69, in the Office of the Recorder of Deeds of Clay County, Missouri, at Liberty, as amended and supplemented by those Supplemental Declarations identified on **Exhibit A** attached hereto (collectively, the "Declaration"), pursuant to which Declaration the Developer subjected the Benson Place Property, as expanded by the Supplemental Declarations identified on **Exhibit A**, to certain covenants, conditions, restrictions and easements for the purpose of protecting the value and desirability of the Property.

C. 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 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").

KANSAS CITY TITLE
166368

D. On _____, 2013, the Developer executed that certain subdivision plat entitled "BENSON PLACE FIELDSTONE – FOURTH PLAT" (the "Fieldstone Fourth 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, if any (the "Sixteenth Expansion Property"), which Fieldstone Fourth Plat was approved on _____, 2013, by the City Council of the City, and was recorded on 12 - 10, 2013, under Document No. 2013 045607, in Cabinet 14, at Sleeve 83, in said Recorder of Deeds' Office.

E. The Developer presently owns all of the Lots, Tracts, Common Areas, Restricted Common Areas or other areas, if any, shown on the Fieldstone Fourth Plat.

F. The 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 Sixteenth Expansion Property and to subject the Sixteenth Expansion Property to the covenants, conditions, restrictions and easements contained within the Declaration.

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

1. **Exercise of Right to Expand.** The Developer hereby exercises its unilateral right to expand the Property to include the additional Lots, Tracts, Common Areas, Restricted Common Areas or other areas, if any, which constitute the Sixteenth Expansion Property.

2. **Expansion Effective Upon Recording.** The expansion set forth above, shall be effective immediately upon filing the Fieldstone Fourth Plat and this Supplemental Declaration of record in the Office of the Recorder of Deeds for Clay County, Missouri, at Liberty. Recording of the Fieldstone Fourth 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 Sixteenth 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 Fieldstone Fourth Plat, and this Supplemental Declaration to include the Sixteenth 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 in the Fieldstone Fourth 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 Lots, Tracts, Common Areas or Restricted Common Areas, which constitute the Sixteenth Expansion Property, shall be subject to all of the terms and conditions of the Declaration immediately upon recording of the Fieldstone Fourth Plat and this Supplemental Declaration in the Office of the Recorder of Deeds for Clay County, Missouri, at Liberty.

5. **Association's Maintenance of Tracts A, B, C, D, E and F as Private Open Space; Swimming Pool.** Tracts A, B, C, D, E and F of the Fieldstone Fourth Plat have been reserved as private open space and, at its cost, the Association shall maintain the same as private open space. Additionally, the Developer will be constructing on Tract F a swimming pool and related amenities. Once completed and conveyed or transferred to the Association, the Association shall be responsible, at its cost, for all maintenance, repair, replacement and operation of such facilities.

6. **Fencing Restriction on Restricted Lots.** The Owners of Lots 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 199, 200, 201, 202, 203, 205, and 211 of the Fieldstone Fourth Plat (legally described on **EXHIBIT B** attached hereto) are hereby subjected to the following:

a) Any fencing permitted on such Lots as set forth below shall be constructed of only natural cedar (unstained), dog eared pickets, no more than four (4) feet in height, with the finished side facing out, all as set forth in the fencing guidelines established from time to time by the Review Committee and no other fencing of any type shall be permitted thereon; and

b) Such fencing shall be permitted only at locations on such Lots as are approved in advance by the Review Committee upon application of a Lot Owner affected hereby.

7. **No Fencing on Certain Lots.** The Owners of Lots 167, 195, 196 and 204 of the Fieldstone Fourth Plat shall not at any time install, erect or construct on or in any part of such Lots any fencing of any type and, in the event of any violation of the foregoing restriction, the Developer or the Association at any time may enter upon any such Lot and remove or cause the removal of such fencing without liability of any kind to the Owner, without prior notice, and the Owner of any such Lot shall have no recourse against the Developer or the association for such entry and removal.

8. **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.

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

All signatures must be in black ink!

DEVELOPER:

HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.

{Corporate Seal}

By:

Ora H. Reynolds

Ora H. Reynolds, President

ATTEST:

By:

Donald K. Hagan

Donald K. Hagan, Secretary

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

On this 11th day of June, 2013, before me, the undersigned Notary Public in and for said County and State, personally appeared Ora H. Reynolds, who, being by me first duly sworn, did say that she is the President of Hunt Midwest Real Estate Development, Inc., a Missouri corporation, that she executed the foregoing instrument on behalf of said corporation under and with the authority of its Board of Directors and that she acknowledged that she so executed the same as the free act and deed of said corporation for the purposes therein stated.

Connie S. Thomas

Signature of Notary Public

{Notary Stamp}

CONNIE S. THOMAS
Notary Public - Notary Seal
State of Missouri
Commissioned for Ray County
My Commission Expires: January 22, 2014
Commission Number: 10440209

Connie S. Thomas

Typed or Printed Name of Notary

My Commission expires:

1-22-14

EXHIBIT A
TO
NINETEENTH SUPPLEMENT TO
DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE

Previous Supplements to Declaration

DATE EXECUTED/ DATE RECORDED	RECORDING INFORMATION	SUPPLEMENT #	INFORMATION
08-12-02/08-16-02	Doc #R29197/Book 3725, Page 928	First	Benson Place – Townhomes – 1 st Plat (1 st Expansion Property)
08-13-02/08-16-02	Doc #R29198/Book 3725, Page 933	First	Benson Place – 1 st Plat (Landscaping and Fencing)
09-23-02/09-23-02	Doc #R36640/Book 3780, Page 238	Third	Benson Place – Sign Monumentation Easements
09-24-02/10-04-02	Doc #R39449/Book 3799, Page 120	Fourth	Benson Place – Patio Homes – 1 st Plat (2 nd Expansion Property)
04-25-03/07-25-03	Doc #S09742/Book 4246, Page 281	Fifth	Benson Place – 2 nd Plat (3 rd Expansion Property)
04-25-03/08-25-03	Doc #S18375/Book 4301, Page 819	Sixth	Benson Place – Townhomes – 2 nd Plat (4 th Expansion Property)
04-08-04/07-22-04	Doc. #S83939/Book 4696, Page 904	Seventh	Benson Place – 3 rd Plat (5 th Expansion Property) and Detention Plat
05-06-04/07-22-04	Doc. #S83944/Book 4696, Page 927	Eighth	Benson Place – Townhomes 3 rd Plat (6 th Expansion Property)
07-1904/10-07-04	Doc. #S98223/Book 4782, Page 789	Ninth	Benson Place – Fieldstone – 1 st Plat (7 th Expansion Property)
10-01-04/01-26-05	Doc. #2005003637/Book 4889, Page 99	Twelfth	Benson Place – Single Family – 4 th Plat (8 th Expansion Property)
02-17-05/05-06-05	Doc. #2005020572/Book 4992, Page 94	Eleventh	Benson Place – Replat – Lots 27 and 44
08-01-05/09-22-05	Doc. #2005046131/Book 5150, Page 4	Twelfth	Benson Place – 5 th Plat (9 th Expansion Property)
08-01-05/10-07-05	Doc. #2005049075/Book 5168, Page 121	Thirteenth	Benson Place – Woodchase – 2 nd Plat (10 th Expansion Property)
04-12-06/07-19-06	Doc. #2006030908/Book 5436, Page 130	Fourteenth	Benson Place – Woodchase – 3 rd Plat (11 th Expansion Property)
04-27-06/07-31-06	Doc. #2006033128/Book 5449, Page 102	Fifteenth	Benson Place Fieldstone – 1 st Plat (12 th Expansion Property)
10-26-06/10-26-06	Doc #2006047419/Book 5535, Page 34	Sixteenth	Benson Place – Patio Homes – 2 nd Plat (13 th Expansion Property)
07-12-11/11-21-11	Doc. #2011037828/Book 6727, Page 14	Seventeenth	Benson Place – Fieldstone – 2 nd Plat (14 th Expansion Property)
06-05-12/09-06-12	Doc. #2012035094/Book 6921, Page 98	Eighteenth	Benson Place – Fieldstone – 3 rd Plat (15 th Expansion Property)

EXHIBIT B
TO
NINETEENTH SUPPLEMENT TO
DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE

Legal Description of Sixteenth Expansion Property:

Lots 167 through and including 204, Block 1, Lots 205 through and including 211, Block 2, and Tracts A, B, C, D, E and F, BENSON PLACE FIELDSTONE – FOURTH PLAT, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

Legal Description of Sixteenth Expansion Property Prior to Platting:

A tract of land in the North Half of Section 34, Township 52 North, Range 32 West of the 5th Principal Meridian in Kansas City, Clay County, Missouri being bounded and described as follows:

Commencing at the Northwest corner of the Northeast Quarter of said Section 34; thence South 00°08'40" West, along the West line of said Northeast Quarter, 1,996.04 feet to the Point of Beginning of the tract of land to be herein described; thence South 67°57'52" East, 155.86 feet; thence North 19°31'50" East, 115.12 feet; thence North 42°00'44" East, 157.46 feet; thence North 89°15'17" East, 157.48 feet; thence North 10°15'29" East, 128.74 feet to the Southwest corner of Lot 19, BENSON PLACE FIELDSTONE-FIRST PLAT, a subdivision in said Kansas City, Clay County, Missouri; thence South 59°09'01" East, along the South lines of Lots 19, 18, 17 and Tract D, said BENSON PLACE FIELDSTONE-FIRST PLAT, 311.14 feet to the Southeast corner of said Tract D, said point also being on the Northwesterly right-of-way line of N. Tullis Drive, as now established; thence Southwesterly, along said right-of-way, along a curve to the right having an initial tangent bearing of South 22°51'49" West with a radius of 875.00 feet, a central angle of 14°59'06" and an arc distance of 228.85 feet; thence South 37°50'56" West, continuing along said right-of-way, 12.27 feet; thence Southwesterly, continuing along said right-of-way, along a curve to the right being tangent to the last described course with a radius of 1,650.00 feet, a central angle of 03°47'26" and an arc distance of 109.16 feet; thence Westerly, continuing along said right-of-way, along a curve to the right having a common tangent with the last described course with a radius of 15.00 feet, a central angle of 91°37'16" and an arc distance of 23.99 feet; thence South 42°54'50" West, continuing along said right-of-way, 50.00 feet; thence Southerly, continuing along said right-of-way, along a curve to the right having an initial tangent bearing of South 46°45'17" East with a radius of 15.00 feet, a central angle of 91°09'06" and an arc distance of 23.86 feet; thence South 44°23'49" West, continuing along said right-of-way, 472.59 feet; thence North 45°36'11" West, 177.64 feet; thence North 60°05'38" West, 265.89 feet; thence North 76°37'59" West, 495.23 feet; thence North 66°49'18" West, 103.39 feet; thence North 60°24'08" West, 50.00 feet; thence Northeasterly along a curve to the left having an initial tangent bearing of North 29°35'52" East with a radius of 475.00 feet, a central angle of 10°09'36" and an arc distance of 84.23 feet; thence North 19°26'16" East, 41.25 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 85°45'07" and an arc distance of 22.45 feet; thence North 23°41'09" East, 50.00 feet; thence Easterly along a curve to the left having an initial tangent bearing of South 66°18'51" East with a radius of 475.00 feet, a central angle of 05°55'58" and an arc distance of 49.19 feet; thence North 17°45'11" East, 130.99 feet; thence South 76°37'59" East, 612.76 feet; thence South 67°57'52" East, 83.68 feet to the Point of Beginning. Containing 584,143 square feet or 13.41 acres, more or less.

Also,

Commencing at the Northwest corner of said Northeast Quarter; thence North 89°21'13" West, along the North line of the Northwest Quarter of said Section 34, and along the North line of Tract "A", BENSON PLACE FIELDSTONE – SECOND PLAT, a subdivision in said Kansas City,

Clay County, Missouri, 36.11 feet to the Northwest corner of said Tract "A", said point being the Point of Beginning of the tract of land to be herein described; thence South 00°38'32" West, along the West line of Tract "A", Lot 114 and Lot 113, BENSON PLACE FIELDSTONE - SECOND PLAT, 324.08 feet; thence South 44°33'45" East, along the West line of said Lot 113, 63.88 feet to the Southwest corner of said Lot 113; thence South 39°13'11" East, along the West line of Lot 112, BENSON PLACE FIELDSTONE - SECOND PLAT, 71.40 feet to the Southwest corner of said Lot 112; thence South 34°16'44" East, along the West line of Lot 111, BENSON PLACE FIELDSTONE - SECOND PLAT, 70.44 feet to the Northeast corner of Lot 109, BENSON PLACE FIELDSTONE - SECOND PLAT; thence South 58°23'15" West, along the North line of said Lot 109, 130.89 feet to a point on the Easterly right-of-way line of N. Tullis Drive, as now established; thence Northwesterly, along said Easterly right-of-way line, along a curve to the left having an initial tangent bearing of North 31°36'45" West with a radius of 670.00 feet, a central angle of 03°14'17" and an arc distance of 37.86 feet; thence South 55°08'59" West, 183.45 feet to the Northwest corner of Lot 108, BENSON PLACE FIELDSTONE - SECOND PLAT; thence North 36°08'06" West, 70.00 feet; thence North 46°56'18" East, 130.00 feet; thence Northwesterly along a curve to the left having an initial tangent bearing of North 43°03'42" West with a radius of 620.00 feet, a central angle of 40°05'38" and an arc distance of 433.86 feet; thence North 06°50'41" East, 192.17 feet; thence North 00°39'53" East, 101.68 feet to a point on the North line of said Northwest Quarter; thence South 89°21'13" East, along said North line, 458.09 feet to the Point of Beginning. Containing 210,287 square feet or 4.83 acres, more or less.

The aggregate total area of the above described property containing 794,430 square feet or 18.24 acres, more or less.