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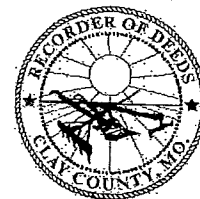
Instr #: 2018007887

Book: 8159 Page: 169

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Katee Porter
Recorder of Deeds

(ABOVE SPACE RESERVED FOR RECORDER OF DEEDS' USE)

Document Title: Twenty-Sixth Supplement to Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Benson Place
Document Date: May 30, 2017
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

TWENTY-SIXTH SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE

THIS TWENTY-SIXTH SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE (this "Supplemental Declaration") is made and executed as of May 30, 2017, 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").

D. On January 26, 2018, the Developer executed that certain subdivision plat entitled "BENSON PLACE FIELDSTONE – SEVENTH PLAT" (the "Fieldstone Seventh 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 "Twentieth Expansion Property"), which Fieldstone Seventh Plat was approved on 10-12, 2017, by the City Council of the City, and was recorded on March 16, 2018, under Document No. 2018007886, in Cabinet 1, at Sleeve 28.1, 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 Seventh 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 Twentieth Expansion Property and to subject the Twentieth 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 Twentieth Expansion Property.

2. **Expansion Effective Upon Recording.** The expansion set forth above, shall be effective immediately upon filing the Fieldstone Seventh 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 Seventh 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 Twentieth 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 Seventh Plat, and this Supplemental Declaration to include the Twentieth 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 Seventh 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 Twentieth Expansion Property, shall be subject to all of the terms and conditions of the Declaration immediately upon recording of the Fieldstone Seventh 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 and B as Private Open Space.** Tracts A and B of the Fieldstone Seventh Plat have been reserved as private open space and, at its cost, the Association shall maintain the same as private open space.

6. **Fencing Restriction on Restricted Lots.** Fences shall be permitted on the Lots described in (a) and (b) below (the "Restricted Lots") but only with the prior approval of the Review Committee and the following:

(a) The Owners of Lots 362 through and including 369 of the Fieldstone Seventh Plat (legally described on **EXHIBIT B** attached hereto) are hereby subjected to the following:

(i) Any fencing so 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

(ii) 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.

(b) The owners of Lots 331, 340, 352 and 353 of the Fieldstone Seventh Plat are hereby subjected to the following:

(i) Any fencing so permitted on such Lots as set forth below shall be constructed of only wrought iron (or synthetic materials as approved in advance by the Review Committee in its sole discretion), 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 therein; and

(ii) 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.

(c) The construction methods and location of fences so permitted on the Restricted Lots shall harmonize with the external design of the Single Family Residence in the Subdivision. No wire, chain link or other types of fences shall be permitted. Under no circumstances shall any fence on any Restricted Lot be permitted in violation of restrictions in any Plat of the Subdivision or any ordinance approving any Plat or any other Plat affecting the Property. No fence shall be placed in front of the rear wall of the Single Family Residence and, for a Single Family Residence on a corner Lot, no fence facing a street may be placed beyond the point where the side walls of the Single Family Residence meets the rear wall, without the prior approval of the Review Committee obtained in advance of construction.

7. **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 officer as of the day and year first above written.

DEVELOPER:

HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.

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

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

On this 30th day of May, 2017, 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 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:

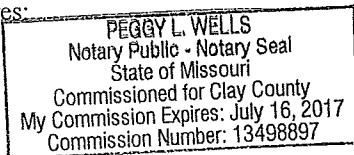


EXHIBIT A
TO
TWENTY-SIXTH SUPPLEMENT TO
DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE

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)
06-11-13/12-10-13	Doc. #2013045608/Book 7230, Page 36	Nineteenth	Benson Place – Fieldstone – 4 th Plat (16 th Expansion Property)
03-28-14/07-30-14	Doc. #2014021880/Book 7341, Page 136	Twentieth	Benson Place – Fieldstone – 5 th Plat (17 th Expansion Property)
07-14-14/06-29-15	Doc. #2015020940/Book 7524, Page 152	Twenty-First	Benson Place – Replat of Lot A, Patio Homes 2 nd Plat
06-30-15/10-06-15	Doc. #2015033978/Book 7588, Page 4	Twenty-Second	Benson Place – Revised Fencing Restrictions
10-24-16/11-18-16	Doc. #2016041386/Book 7854, Page 55	Twenty-Third	Benson Place – Fieldstone – 6 th Plat (18 th Expansion Property)
08-22-16/12-01-16	Doc. #2016042920/Book 7862, Page 42	Twenty-Fourth	Benson Place Villas – 1 st Plat (19 th Expansion Property)
/	Doc. # _____/Book _____, Page _____	Twenty-Fifth	Benson Place Villas Modifications

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

Legal Description of Twentieth Expansion Property:

Lots 331 through and including 369, and Tracts A and B, BENSON PLACE FIELDSTONE – SEVENTH PLAT, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

Legal Description of Twentieth Expansion Property Prior to Platting:

A tract of land in Northwest Quarter 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: Beginning at the Northeast corner of Lot 330, BENSON PLACE FIELDSTONE – SIXTH PLAT, a subdivision in said Kansas City, Clay County, Missouri; thence North 51°36'54" West, along the East line of said BENSON PLACE FIELDSTONE – SIXTH PLAT, 188.49 feet; thence North 45°14'30" West, continuing along said East line, 583.81 feet; thence North 20°12'03" West, continuing along said East line, 114.42 feet; thence North 20°04'57" West, continuing along said East line, 50.00 feet; thence South 69°55'03" West, continuing along said East line, 26.55 feet; thence North 20°04'57" West, continuing along said East line, 130.00 feet; thence North 69°55'03" East, continuing along said East line, 150.00 feet; thence South 87°43'40" East, continuing along said East line, 67.83 feet; thence North 66°44'43" East, continuing along said East line, 420.21 feet; thence North 43°08'28" East, continuing along said East line, 98.16 feet; thence South 41°44'48" East, 348.56 feet; thence South 49°10'44" East, 157.39 feet; thence South 59°28'40" East, 92.82 feet; thence South 30°31'20" West, 113.67 feet to the Northeast corner of Tract D, BENSON PLACE FIELDSTONE – FOURTH PLAT, a subdivision in said Kansas City, Clay County, Missouri; thence North 76°37'59" West, along the North line of said Tract D, 26.84 feet to the Northeast corner of said Tract D; thence South 17°45'11" West, along the East line of said BENSON PLACE FIELDSTONE – FOURTH PLAT, 130.99 feet; thence Westerly, continuing along said East line, along a curve to the right, having an initial tangent bearing of North 72°14'49" West with a radius of 475.00 feet, a central angle of 05°55'58" and an arc distance of 49.19 feet; thence South 23°41'09" West, continuing along said East line, 50.00 feet; thence Southeasterly, continuing along said East line, along a curve to the right, having an initial tangent bearing of South 66°18'51" East with a radius of 15.00 feet, a central angle of 85°45'07" and an arc distance of 22.45 feet; thence South 19°26'16" West, continuing along said East line, 41.25 feet; thence Southwesterly, along a curve to the right, continuing along said East line and along the East line of BENSON PLACE FIELDSTONE – FIFTH PLAT, a subdivision in said Kansas City, Clay County, Missouri, being tangent to the last described course with a radius of 475.00 feet, a central angle of 11°21'42" and an arc distance of 94.19 feet; thence South 30°47'58" West, continuing along the East line of said BENSON PLACE FIELDSTONE – FIFTH PLAT, 127.30 feet; thence Westerly, continuing along said East line, along a curve to the right, being tangent to the last described course with a radius of 15.00 feet, a central angle of 92°23'17" and an arc distance of 24.19 feet; thence South 29°25'29" West, continuing along said East line, 50.10 feet; thence Southerly, continuing along said East line, along a curve to the right, having an initial tangent bearing of South 56°59'47" East with a radius of 15.00 feet, a central angle of 87°47'45" and an arc distance of 22.98 feet; thence South 30°47'58" West, continuing along said East line, 76.26 feet; thence Southwesterly, along a curve to the left, continuing along said East line, being tangent to the last described course with a radius of 5,025.00 feet, a central angle of 00°32'07" and an arc distance of 46.93 feet to the Point of Beginning. Containing 601,339 square feet or 13.80 acres, more or less.