

**THE 3-TRAILS VILLAGE COMMUNITY IMPROVEMENT DISTRICT**

**RESOLUTION OF THE 3-TRAILS COMMUNITY IMPROVEMENT DISTRICT  
AUTHORIZING DISTRICT MANAGER TO EXECUTE ANY AND ALL DOCUMENTS  
AND TAKE OTHER NECESSARY STEPS TO SECURE TRANSFER OF REAL  
PROPERTY FROM BP RESIDUAL PROPERTIES, LLC**

WHEREAS, BP Residual Properties, LLC ("Transferor"), a Missouri limited liability company, seeks to transfer seven (7) vacant parcels of land, such property being described in Exhibit A, attached hereto, (the "Property") to the 3-Trails Village Community Improvement District (the "District");

WHEREAS, CWB Associates #3, Inc., a Missouri corporation ("CWB"), MD Associates #4, Inc., a Missouri corporation ("MD") (CWB and MD shall be referred to collectively as "Developers"), and the City of Kansas City, Missouri (the "City") executed that certain Maintenance Agreement, dated as of January 26, 1986 (the "Maintenance Agreement"), pursuant to which Developers incurred certain maintenance rights and obligations with respect to the Property;

WHEREAS, Transferor and Developers, along with certain other parties, entered into that certain Agreement and Declaration of Covenants, dated as of March 1, 1989 (the "Declaration"), pursuant to which owners of the Property incurred certain obligations with respect to the Property;

WHEREAS, Transferor and Developers seek to assign all rights and obligations of Transferor and Developers under the Maintenance Agreement and the Declaration;

WHEREAS, subject to the terms set forth below, the District seeks accept transfer of the land and assume the rights and obligations of Transferor and Developers under the Maintenance Agreement and Declaration.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the District:

Section 1. The Board of Directors of the District supports the acceptance of the transfer of the Property and the assumption of the Maintenance Agreement and Declaration, subject to payment of all real property and other taxes, fees and assessments imposed upon the Property through and including January 31, 2007.

Section 2. The Board of Directors of the District authorizes the District Manager to execute the Special Warranty Deed and any and all other agreements or documents and take other necessary steps to secure the transfer of the Property.

Section 3. The Board of Directors of the District authorizes the District Manager to execute the Assignment and Release Agreement and the Assignment and Assumption of

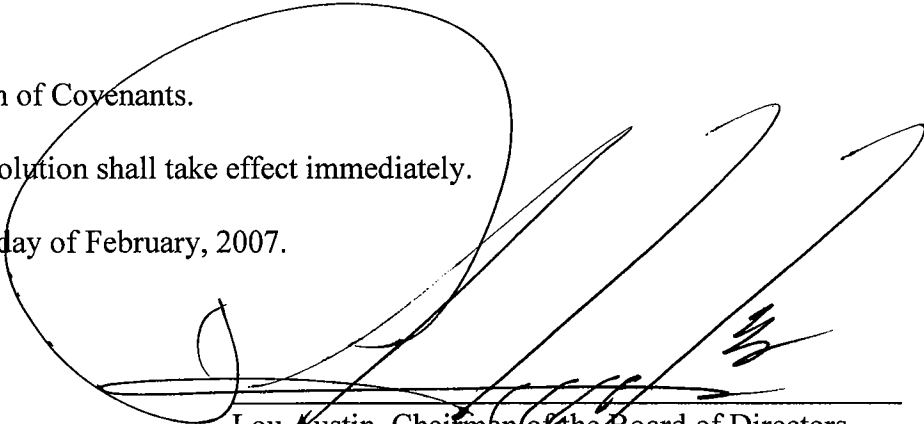
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Agreement and Declaration of Covenants.

Section 4. This resolution shall take effect immediately.

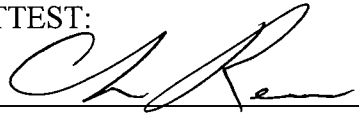
Adopted this 14 day of February, 2007.



\_\_\_\_\_  
Lou Austin, Chairman of the Board of Directors,  
3-Trails Village Community Improvement District

2/14/07

ATTEST:



\_\_\_\_\_  
Charles Renner, Acting Secretary

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**EXHIBIT A**

**Legal Description of the Property**

Tract No. 1:

Tax Parcel ID # 49-130-02-31-00-0-00-000

Lot 3, BENJAMIN PLAZA, FIRST PLAT, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

AND

Tract No. 2:

Tax Parcel ID # 49-130-03-02-00-0-00-000

All that part of the South half of the Southwest-Quarter of Section 24, Township 48N., Range 33W., in the city of Kansas City, Jackson County, Missouri, being more particularly described as follows:

Beginning at the most Northerly Northwest corner of Lot 1, BENJAMIN PLAZA SECOND PLAT, a subdivision in City, County and State, according to the recorded plat thereof, being also a point on the Easterly right-of-way line of Hillcrest Road as now established; thence Northeasterly along the Easterly right-of-way line of said Hillcrest Road along a curve to the right, having an initial tangent bearing of North 44 degrees 42 minutes 26 seconds East a radius of 1,845.00 feet and a central angle of 01 degrees 04 minutes 27 seconds, an arc length of 34.59 feet; thence South 41, degrees 48 minutes 00 seconds East, no longer along said Easterly right-of-way line, a distance of 171.77 feet; thence South 86 degrees 47 minutes 53 seconds East, 566.26 feet; thence South 02 degrees 14 minutes 29 seconds West, 116.92 feet; thence South 42 degrees 45 minutes 31 seconds East, 25.85 feet to the Northeast corner of Tract C, as shown on said BENJAMIN PLAZA SECOND PLAT; thence North 87 degrees 45 minutes 31 seconds West along the Northerly line of said Tract C, a distance of 486.67 feet to the most Southerly Southeast corner of said Lot 1; thence Northerly, Westerly and Northwesterly along the Easterly, Northerly and Northeasterly lines of said Lot 1 the following courses and distances; thence North 25 degrees 19 minutes 48 seconds West, 29.33 feet; thence North 02 degrees 14 minutes 29 seconds East, 61.31 feet; thence North 87 degrees 45 minutes 31 seconds West, 125.38 feet; thence Northwesterly along a curve to the right, tangent to the last described course, having a radius of 40.00 feet and a central angle of 76 degrees 03 minutes 47 seconds, an arc length of 53.10 feet to a point of reverse curvature, thence Northwesterly along a curve to the left, tangent to the last described curve, having a radius of 290.00 feet and a central angle of 25 degrees 05 minutes 36 seconds, an arc length of 127.01 feet to a point of reverse curvature; thence Northwesterly along a curve to the right, tangent to the last described curve, having a radius of 40.00 feet and a central angle of 20 degrees 24 minutes 13 seconds, an arc length of 14.24 feet to the Point of Beginning. Containing 83,286 square feet or 1.912 acres, more or less.

AND

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Tract No. 3:

Tax Parcel ID # 49-130-03-03-00-0-00-000

Lot 1, BENJAMIN PLAZA SECOND PLAT, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

AND

Tract No. 4:

Tax Parcel ID # 49-620-01-19-00-0-00-000

All that part of the unplatted portion shown as being surrounded by Tract B, BENJAMIN PLAZA THIRD PLAT, a subdivision in the city of Kansas City, Jackson County Missouri, according to the recorded plat thereof, all being in the Northeast Quarter of the Northwest - Quarter of Section 25, Township 48N, Range 33W, in said City, County and State, being more particularly described as follows:

Commencing at the most East, Southeast corner of said Tract B, being also a point on the Northerly right-of-way line of 93rd Street as now established, said point being 40 feet Northerly of the Southerly line of said Section 25 as measured perpendicular thereto; thence North 86 degrees 50 minutes 48 seconds West along the Southerly line of said Tract B and along the Northerly right-of-way line of said 93<sup>rd</sup> street, 40 feet Northerly of and parallel with the Southerly line of said Section 25, a distance of 86.69 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 86 degrees 50 minutes 48 seconds West along the last described course, a distance of 234.99 feet to the most West, Southeast corner of said Tract B; thence Northerly, Northeasterly, Easterly and Southerly along the Westerly, Northerly and Easterly lines of the unplatted portion being surrounded by said Tract B, the following courses and distances; thence North 02 degrees 14 minutes 29 seconds East, 529.86 feet to an angle point therein; thence North 47 degrees 14 minutes 29 seconds East, 213.13 feet; thence Northeasterly, Easterly, Southeasterly and Southerly along a curve to the right, tangent to the last described course, having a radius of 50.00 feet and a central angle of 133 degrees 17 minutes 17 seconds, an arc length of 116.32 feet; thence South 00 degrees 31 minutes 46 seconds West, tangent to the last described course, a distance of 615.19 feet; thence Southerly and Southwesterly along a curve to the right, tangent to the last described course, having a radius of 40.00 feet and a central angle of 60 degrees 50 minutes 08 seconds an arc length of 42.47 feet to the Point of Beginning.

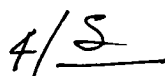


Containing 156,392 square feet or 3.590 acres, more or less.

AND

Tract No. 5:

Tax Parcel ID # 49-130-02-26-00-0-00-000



Lot 1, AMENDED PLAT OF LOT 1 BENJAMIN PLAZA, FIRST PLAT, a subdivision in Kansas City, Jackson County, Missouri according to the recorded plat thereof.

AND

Tract No. 6:

Tax Parcel ID # 49-130-02-29-00-0-00-000

Lot 2, BENJAMIN PLAZA, FIRST PLAT, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

AND

Tract No. 7:

Tax Parcel ID # 49-130-03-05-00-0-00-000

All that part of the Southeast Quarter of the Southwest Quarter of Section 24, Township 48N., Range 33W., in the city of Kansas City, Jackson County, Missouri, the tract of land to be herein described lies Easterly of Tract B, BENJAMIN PLAZA THIRD PLAT and Southerly of Tract C, BENJAMIN PLAZA SECOND PLAT, each being recorded subdivisions in said City, County and State, more particularly described as follows:

Beginning at the Northeast corner of said Tract B, BENJAMIN PLAZA THIRD PLAT, being also a point on the Southerly line of said Tract C, BENJAMIN PLAZA SECOND PLAT; thence South 87 degrees 45 minutes 31 seconds East along the Southerly line of said Tract C, a distance of 92.19 feet to the Southeast corner of said Tract C; thence South 2 degrees 14 minutes 29 seconds West, 62.57 feet to a point on the Northerly right-of-way line of 91st Street, as now established, said point being 20 feet Northerly of the Southerly line of said Quarter-Quarter Section; thence North 86 degrees 49 minutes 52 seconds West along the Northerly right-of-way Line of said 91st Street, 20 feet Northerly of and parallel with the Southerly line of said Quarter-Quarter Section a distance of 92.14 feet to a point on the Easterly line of said Tract B, BENJAMIN PLAZA THIRD PLAT; thence North 2 degrees 10 minutes 58 seconds East along the Easterly line thereof a distance of 61.08 feet to the Point of Beginning. Containing 5,698 square feet or 0.131 acres, more or less.

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