



**HISTORIC DISTRICT
REVIEW COMMISSION**

October 2, 2018

5:30 p.m.

**City Hall
Council Chambers
101 E. Kansas**



**HISTORIC DISTRICT REVIEW COMMISSION
Regular Meeting Agenda**

**October 2, 2018
5:30 p.m.
City Council Chambers**

I. Call to Order

II. Roll Call

John Carr, Vern Drottz, Mike Gilmore, Matt Grundy, Dail Hobbs, Clay Lozier,
Kelley Wrenn Pozel, Brett Rinker, Doug Wilson

III. Approval of Special Meeting Summary: September 4, 2018

**IV. HDRC Case #18-015D Consideration for a Certificate of Appropriateness for
demolition of home at 411 W. Kansas, Dougherty
Historic District**

Public Comment related to HDRC Case 18-015D

V. Other Business

Administrative Approvals since the September 4, 2018 meeting:

Miscellaneous matters from the Commission:

Miscellaneous matters from Staff:

Update on two grants submitted to DNR; one for a preservation plan and
another for a feasibility study for the Archives Building.

VI. Adjournment

LIBERTY HISTORIC DISTRICT REVIEW COMMISSION
Meeting Summary
Council Chambers, City Hall
September 4, 2018
5:30 p.m.

I. Call to Order

Vice Chairman Carr called the meeting to order at 5:30 p.m.

II. Roll Call

John Carr, Dail Hobbs, Clay Lozier, Mike Gilmore, Kelley Wrenn Pozel and Brett Rinker answered roll call.

Vern Drottz, Matt Grundy and Doug Wilson were absent.

Jeanine Thill, Community Development Manager represented staff.

III. Approval of Regular Meeting Summary: Aug 7, 2018

Motion by Commissioner Rinker approve the meeting summary as written, the motion was seconded by Commissioner Lozier. The motion passed 6-0-0.

IV. HDRC Case #18-004PH Consideration for a Certificate of Appropriateness for an addition at 130 S Terrace Ave.

Staff explained the applicant is proposing an addition to the back of the home. Commissioner Gilmore said the materials proposed to be removed are not historic and they are planning to add matching elements to the fenestration. Vice Chairman Carr asked about the roof shingles, the applicant said they will match the existing shingles. Vice Chairman Carr also commented he thought the five inch gutter would provide a better performance and profile. Bigger is better because you get a nice profile. The applicant said they will use a five inch gutter.

The applicant is proposing natural stone for the retaining wall and patio. When they address the retaining wall, if they do not use stone, they need to provide a sample to the Commission.

Commissioner Pozel said she thinks what is proposed looks very nice.

Commissioner Gilmore made a motion to approve the application as submitted because it meets the design standards. Commissioner Lozier seconded the motion. The motion passed 6-0-0.

Other Business

Administrative Approvals since the August 7, 2018 meeting:

418 Wilson, storm door

Miscellaneous matters from the Commission:

211 N. Water - The Design Sub-Committee met with the new owners, they plan to bring the exterior back to its original.

Commissioner Lozier said it may be a long time before the shingles come off the building at 22 N. Main, on the square.

Miscellaneous matters from Staff:

Two grants submitted to DNR. One for a preservation plan and another for a feasibility study for the Archives Building.

Other Business

The meeting adjourned at 5:53 pm.

Historic District Review Commission

The City of



HDRC Case No. 18-015D

Staff: Jeanine Thill, Community Development Manager

HDRC Meeting Date: October 2, 2018

GENERAL INFORMATION

Application: Certificate of Appropriateness for demolition of house
Applicant: Samuel Fiore
Location: 411 W. Kansas St.
District: Dougherty Historic District
NRHP Status/category: Non-contributing
File Date: September 21, 2018

SPECIFIC INFORMATION

PROPOSAL DESCRIPTION

The applicant had recently purchased the home with intentions to rehabilitate and had received approval to begin work on the home. The applicant now proposes to demolish the structure for possible in-fill development on the site due to structural damage to the home. A foundation specialist recently determined that the stone foundation is failing at multiple points and a floor level survey of the main floor measured at the floor joists suggest an 8 ¾" of differential movement from the west to the east side of the home.

SITE HISTORY

This plain vernacular house derives its form from the massed plan National houses. It has replacement 2/2 windows. The front door is set off to the right, and has a hipped roof portico with iron porch supports. Although lacking in historic character, the house is similar in mass and scale to the remaining historic houses in the neighborhood. The home sits very far back on the lot, at the rear lot line.

ANALYSIS

Unified Development Ordinance ("UDO") - The Unified Development Ordinance outlines design principles that have been adopted for all historic districts and landmarks in the City of Liberty.

Design Guidelines ("DG") - Design Guidelines were established to give the HDRC general guidance in making subjective preservation choices in accordance with accepted best practices and the Secretary of the Interior standards for historic preservation.

(DG) Sec. 30-72. District HP, design principles.

3. Demolition: *Demolition, in whole or in part, of individual landmarks or any structure within a historic district is not permitted. Exceptions are allowed only if a structure has been substantially damaged through fire, deterioration, or natural disaster or if there is*

substantial evidence that it would not be physically or economically feasible to rehabilitate the structure.

The applicant has provided a structural analysis which shows substantial deterioration of the foundation. There is evidence that rehabilitation of this structure is not economically feasible.

Deterioration caused by neglect or lack of routine maintenance by the existing owner does not provide grounds for the approval of demolition.

There is evidence that the structure has been substantially damaged through deterioration caused by neglect, lack of maintenance, and failure to stabilize the building in the past. Deterioration caused by neglect, however, does not provide grounds for the approval of demolition. The existing owner recently purchased the property with the intent to rehabilitate; the deterioration of the foundation was from years of neglect.

Other exceptions may be allowed if a structure does not possess the integrity, originality, craftsmanship, and age to merit preservation.

The structure does not possess the integrity, originality, or craftsmanship often associated with historic structures and is a non-contributing structure within the district.

PREVIOUS CASES / ADDITIONAL INFORMATION

Staff previously approved HDRC Case: #17-015D Certificate of Appropriateness issued for in-kind repairs to foundation, roof, soffit, foundation and siding by staff. COA renewed in March 2018.

This application for demolition is to be considered independently of any possible future development of the site. Any infill development would be single family, and required to meet design criteria and gain approval from HDRC and City Council.

Applications for demolition of a landmark or primary structure shall be reviewed by the HDRC and forwarded to the City Council with a recommendation. The City Council shall take formal action on the application. Approval shall be made by resolution of the City Council.

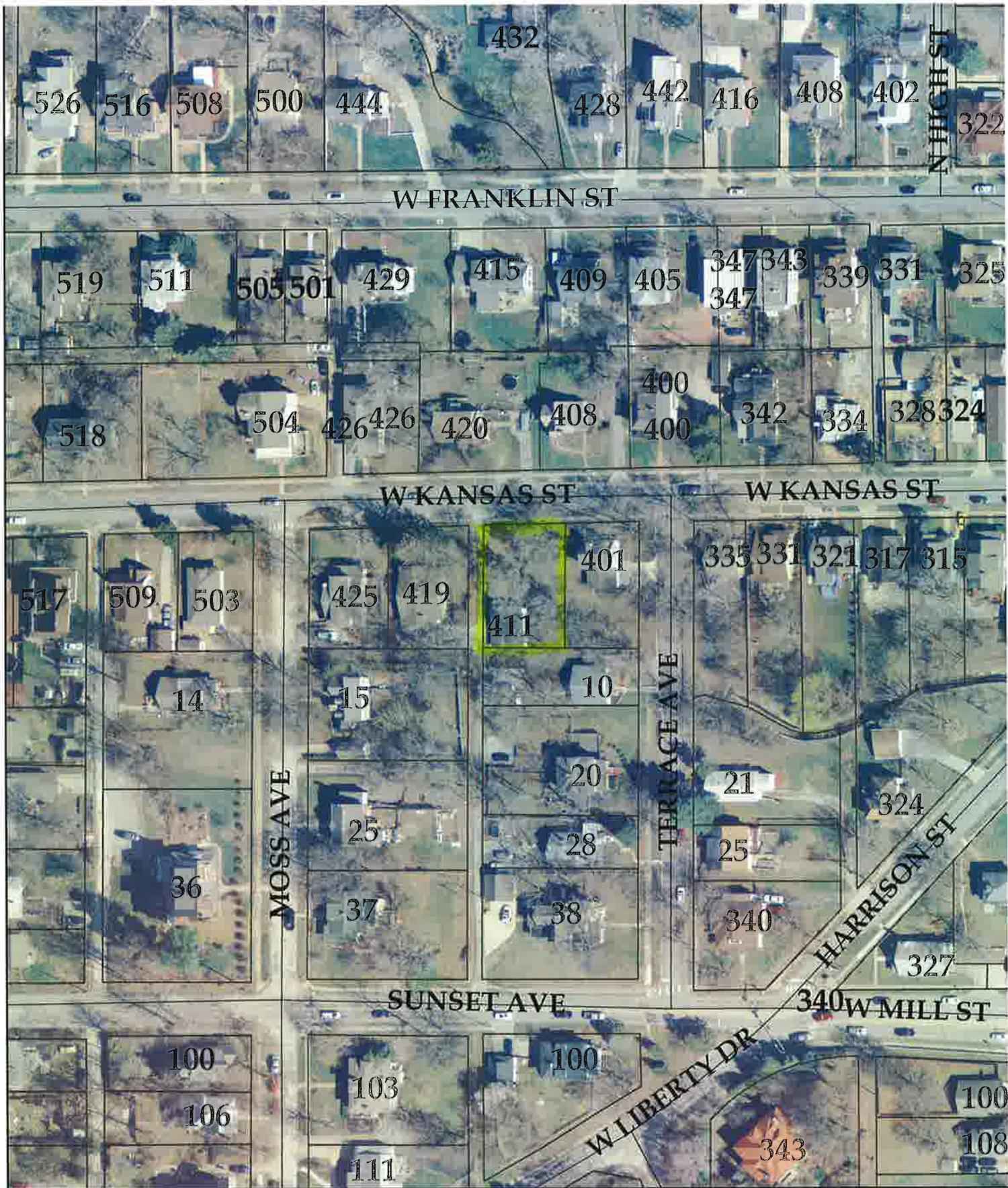
Infill of a single family structure will be required to meet design criteria and approved by HDRC.

STAFF RECOMMENDATION

Staff believes the building meets the criteria for demolition, and the building's condition and cost of rehabilitation are significant barriers to its preservation. The application meets the standards for demolition; therefore staff recommends approval of HDRC Case #18-015D.

ATTACHMENTS

1. Exhibit A: Vicinity Map
2. Exhibit B: Inventory Data Sheet
3. Exhibit C: Letter from Samuel Fiore requesting demolition due to foundation issues
4. Exhibit D: Foundation documentation- Letter from structural engineer and bid
5. Exhibit E: Photos of Existing Conditions



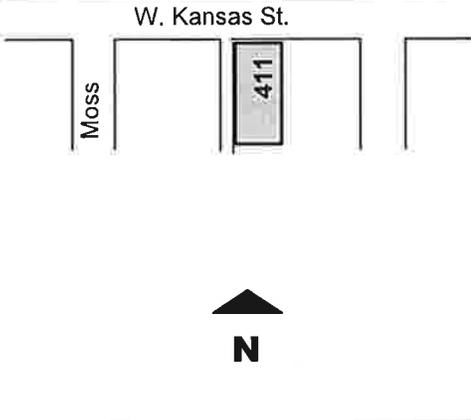
HDRC Case #18-015D
411 W Kansas



EXHIBIT A:
VICINITY MAP



ARCHITECTURAL/HISTORIC INVENTORY FORM

1 No. E-19		4 Present Name(s) 411 W. Kansas	
2 County Clay		5 Other Name(s)	
3 Location of Negatives Liberty Planning & Development			
6 Specific Location 411 W. Kansas Township <u>51N</u> Range <u>31W</u> Section <u>7</u>		16 Thematic Category	29 Number of Stories 1
7 City or Town If Rural, Township & Vicinity Liberty		17 Date(s) or Period 1929	30 Basement Yes (<input checked="" type="checkbox"/>) No ()
8 Site Plan with North Arrow 		18 Style or Design Vernacular	31 Foundation Material Stone
		19 Architect or Engineer	32 Wall Construction Frame
		20 Contractor or Builder	33 Roof Type & Material Front gable; composition shingle
		21 Original Use, if apparent Residence	34 Number of Bays Front 3 Side 3
		22 Present Use Residential – rental	35 Wall Treatment Clapboard
		23 Ownership Public () Private (<input checked="" type="checkbox"/>)	36 Plan Shape Rectangular
		24 Owner's Name & Address, if known 2010 – Hector & Cory Jauregui 1987- Jay M. & Pamela A. Rusk	37 Changes (Explain in #43) Addition () Altered (<input checked="" type="checkbox"/>) Moved () Other ()
Coordinates UTM Latitude N121,250 Longitude E520,850		25 Open to Public? Yes () No (<input checked="" type="checkbox"/>)	38 Condition Interior () Exterior (<input checked="" type="checkbox"/>) Fair
10 Site () Structure () Building (<input checked="" type="checkbox"/>) Object ()		26 Local Contact Person or Organization Preservation office, City of Liberty	39 Preservation Underway? Yes () window replacement No (<input checked="" type="checkbox"/>)
11 On National Register? Yes () No (<input checked="" type="checkbox"/>) 12 Is It Eligible? Yes () No (<input checked="" type="checkbox"/>)		27 Other Surveys in Which Included	40 Endangered? Yes () No (<input checked="" type="checkbox"/>) By What?
13 Part of Estab. Hist. Distr.? Yes (<input checked="" type="checkbox"/>) No () 14 District Potential? Yes () No ()		28 Porches small front entry stoop	41 Visible from Public Road? Yes (<input checked="" type="checkbox"/>) No ()
15 Name of Established District Dougherty – non-contributing			42 Distance from and Frontage on Road
43 Further Description of Important Features 2007- Newer front door. 1987- This plain vernacular house derives its form from the massed plan National houses. It has replacement 2/2 windows. The front door is set off to the right, and has a hipped roof portico with iron porch supports.			

<p>44 History and Significance</p> <p><u>1987</u>- Although lacking in historic character, the house is similar in mass, scale, and set back to the remaining historic houses in the neighborhood.</p>	
<p>45 Description of Environment and Outbuildings</p> <p><u>2007</u>- No outbuildings</p> <p><u>1987</u>- The lot slopes steeply from the alley on the right property line to the left. A curved, stepped walk leads up to the house, which sits on a foundation. Parking is in the front yard on a gravel pad.</p>	
<p>46 Sources of Information</p> <p><u>2007</u>- Observation & 1986 historic inventory form</p> <p><u>1986</u>- City building permit</p>	<p>47 Prepared By</p> <p>Bob Kennedy</p>
	<p>48 Organization</p> <p>Liberty Preservation Office</p>
	<p>49 Date 07/18/07 50 Revision Date(s)</p>

Image(s) of the house:

MISSOURI OFFICE OF HISTORIC PRESERVATION

ARCHITECTURAL/HISTORIC INVENTORY SURVEY FORM

<p>1. NO. <u>E-19</u></p> <p>2. VTY <u>Clay</u></p> <p>3. LOCATION <u>of Liberty Community Development</u> NEGATIVES</p>	<p>4. PRESENT LOCAL NAME(S) OR DESIGNATION(S) <u>411 W. Kansas</u></p> <p>5. OTHER NAME(S)</p>	1. NO.	
<p>6. SPECIFIC LEGAL LOCATION TOWNSHIP <u>51N</u> RANGE <u>31W</u> SECTION <u>7</u> IF CITY OR TOWN, STREET ADDRESS <u>411 W. Kansas</u></p> <p>7. CITY OR TOWN IF RURAL, VICINITY <u>Liberty</u></p> <p>9. DESCRIPTION OF LOCATION</p> <div style="text-align: center;"> </div> <p>9. COORDINATES UTM LAT <u>N121,250</u> LONG <u>E520,850</u></p> <p>10. SITE () STRUCTURE () BUILDING (X) OBJECT ()</p> <p>11. NATIONAL YES () IS IT YES () STER? NO (X) ELIGIBLE? NO (X)</p> <p>13. PART OF ESTAB. YES () 14. DISTRICT YES () HIST. DISTRICT? NO (X) POTENTIAL? NO (X)</p> <p>15. NAME OF ESTABLISHED DISTRICT</p>	<p>16. THEMATIC CATEGORY</p> <p>17. DATE(S) OR PERIOD <u>1929</u></p> <p>18. STYLE OR DESIGN <u>vernacular</u></p> <p>19. ARCHITECT OR ENGINEER</p> <p>20. CONTRACTOR OR BUILDER</p> <p>21. ORIGINAL USE, IF APPARENT <u>residence</u></p> <p>22. PRESENT USE <u>residence</u></p> <p>23. OWNERSHIP PUBLIC () PRIVATE (X)</p> <p>24. OWNER'S NAME AND ADDRESS IF KNOWN <u>Jay M. & Pamela A Rusk</u></p> <p>25. OPEN TO PUBLIC? YES () NO (X)</p> <p>26. LOCAL CONTACT PERSON OR ORGANIZATION <u>Jared Cooper</u></p> <p>27. OTHER SURVEYS IN WHICH INCLUDED</p>	<p>28. NO. OF STORIES <u>1</u></p> <p>29. BASEMENT? YES (X) NO ()</p> <p>30. FOUNDATION MATERIAL <u>stone</u></p> <p>31. WALL CONSTRUCTION <u>frame</u></p> <p>32. ROOF TYPE AND MATERIAL <u>front gable; shingle</u> composition</p> <p>33. NO. OF BAYS FRONT <u>3</u> SIDE <u>3</u></p> <p>34. WALL TREATMENT <u>clapboard</u></p> <p>35. PLAN SHAPE <u>rectangle</u></p> <p>36. CHANGES ADDITION () (EXPLAIN IN ALTERED (X) NO. 42) MOVED ()</p> <p>37. CONDITION INTERIOR _____ EXTERIOR <u>fair</u></p> <p>38. PRESERVATION UNDERWAY? YES () NO (X)</p> <p>39. ENDANGERED? YES () BY WHAT? NO (X)</p> <p>40. VISIBLE FROM YES (X) PUBLIC ROAD? NO ()</p> <p>41. DISTANCE FROM AND FRONTAGE ON ROAD</p>	2. COUNTY
<p>42. FURTHER DESCRIPTION OF IMPORTANT FEATURES <u>This plain vernacular house derives its form from the massed plan National houses. It has replacement 2/2 windows. The front door is set off to the right, and has a hipped roof portico with iron porch supports.</u></p>	<p style="font-size: 2em; font-weight: bold;">PHOTO MUST BE PROVIDED</p>	4. PRESENT LOCAL NAME(S) OR DESIGNATION(S)	
<p>43. HISTORY AND SIGNIFICANCE <u>Although lacking in historic character, the house is similar in mass, scale, and setback to the remaining historic houses in the neighborhood.</u></p>	<p>44. DESCRIPTION OF ENVIRONMENT AND OUTBUILDINGS <u>The lot slopes steeply from the alley on the right property line to the left. A curved, stepped walk leads up to the house, which site on a hi foundation. Parking is in the front yard on a gravel pad.</u></p>	5. OTHER NAME(S)	
<p>45. SOURCES OF INFORMATION <u>City water permits</u></p>	<p>46. PREPARED BY <u>Deon Wolfenbarger</u></p> <p>47. ORGANIZATION <u>Community Development</u></p> <p>48. DATE <u>2/87</u></p> <p>49. REVISION DATE(S)</p>	6. TOWNSHIP	

RETURN THIS FORM WHEN COMPLETED TO: OFFICE OF HISTORIC PRESERVATION
P.O. BOX 176
JEFFERSON CITY, MISSOURI 65102

IF ADDITIONAL SPACE IS NEEDED, ATTACH SEPARATE SHEET(S) TO THIS FORM

1. NO.

2. COUNTY

4. PRESENT LOCAL NAME(S) OR DESIGNATION(S)

5. OTHER NAME(S)

6. TOWNSHIP

RANGE

SECTION

Sketch map of location

Site No. E-19

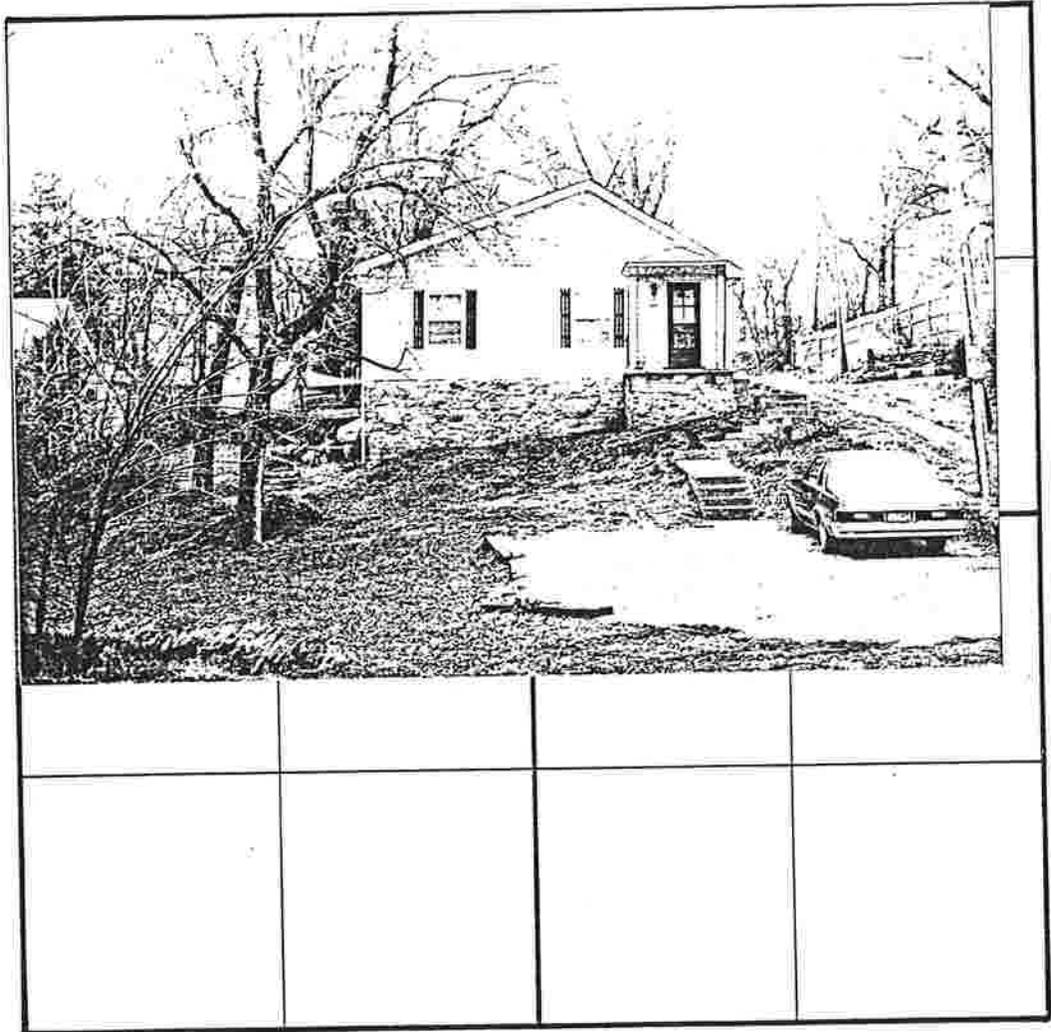
Section 7 Township 51N Range 31W

Indicate the chief topographical features, such as streams and elevations. Also indicate houses and roads. Indicate the site location by enclosing the site area with dotted line. Note scale of map and portion of section included in sketch map. Include drawings, photographs, etc. on additional pages.

N

Indicate part of section included in sketch map.

W



E

S

Notes:

THIS IS PROBABLY THE ONE MOST IMPORTANT PART OF THIS DATA FORM!

Please Attach a copy of a topographic map with the site marked on it.

September 27, 2018

Samuel R Fiore
411 W Kansas
Liberty, Mo 64068

Dear Historic District Review Commission,

I am writing to share our situation regarding the property at 411 W Kansas.

We purchased the property last year in hopes to renovate and restore the home inside and out so as to compliment the historic neighborhood around. I initially last year met with Jeanine Thill with the City of Liberty to find out what we needed to do to move forward with exterior rehab so to comply with the historic district. She sent me a packet of information and an application to fill out. She also set up a meeting with a sub-design committee at the house to go over acceptable materials and to hear some of their suggestions.

I was shortly after granted a Certificate of Appropriateness to replace the roof, windows, and repairs to the siding, soffits, guttering, and fascia. Not long after, I encountered some title issues and had to get those resolved before my loan could be approved for the funds to renovate. By May of this year, I was ready to start and applied again for a COA and was granted it on May 29th, 2018.

Starting in June I had many foundation companies come to give me an estimate to repair the existing foundation so that the house will be stable, level, and waterproof in the basement. The majority of the companies left declining to do anything since it was a stone foundation and very difficult to work with. I finally found someone willing to do the work but he asked that I get a structural engineer to come and do a report so that the foundation work will be done right. He recommended one and I met the engineer at the home. He did his evaluation and report and said that this house had the most drop and shifting in any foundation he has seen and explained that not only the foundation needed to be replaced but also the center beams and posts and that new piers need to be set under the poles. He asked why don't I just tear this house down and build new with all the work needing to be done on the existing foundation plus the rehab needed on the existing structure. I told him that this is a historic district and that the goal is to restore and preserve the old structures and bring them back to their old glory. I received the report later and forwarded it the foundation company for them to submit a bid. Initially he figured around 30-40k to repair but after he got the engineer's report the bid was around 100-110k! This really shocked me and threw me for a loop.

I had all intentions to renovate and bring this house back to a diamond in the neighborhood instead of an eye sore. I'm sorry I really tried but the damages are more than I anticipated and the repairs are going to be more than the house is even worth and what I can get a loan for. Please consider my request to remove this structure and build a new one that compliments the neighborhood. I will work closely with the HDRC so that it complies with what is desired in the area and I promise to make the City of Liberty and the neighbors proud to have me in the neighborhood. I sent Jeanine and Katherine a proposed plan/idea of a house that is very similar to ones in the area. I hope you like it.

Thank you for consideration!

Sincerely,

Samuel R. Fiore

Exhibit C

ASSESSMENT REPORT

July 3, 2018

Sam Fiore
411 W Kansas St.
Liberty, MO 64068

RE: Structural review of single family home at 411 W Kansas Street in Liberty, Missouri

Foundation Engineering Specialists (FES) performed a site visit on June 12, 2018, to evaluate the condition of the foundation at the address listed above. FES did not evaluate the structure above the main floor, including the load bearing walls and shear walls, and the roof structure.

Findings

The basement walls are stone, with the exception of the south-segment of the east wall, which is poured concrete. Interior beams are (3) 2x8 boards running continuous over tube steel and masonry columns. Floor joists are 2x8 at 16" on center at the front (north) third of the house, and 2x8 at 24" on center in the rear two-thirds of the house. These wood beams are sagging. Some beams have signs of termite damage and rot.

It appears that the south and east stone walls of the basement were crumbling and leaning inward excessively at one point, and were repaired by adding a new, 4" thick solid concrete block wall (with no reinforcing) interior to the existing walls. Both of those walls are now also leaning inward, with the south block wall breaking out and several blocks now missing.

FES performed a floor level survey of the main floor (measured at the underside of the floor joists). Measurements suggest 8¼" of differential movement from the west down to the east side of the house. Cracks in the foundation wall and at the main floor support the findings of the measurements.

Conclusions and Recommendations

The floor joists that are spaced at 24" on center are undersized for their span. FES recommends doubling all those joists to achieve 2x8 at 12" on center for the south two-thirds of the main floor framing. FES also recommends replacing the wood beams in the basement with new steel wide-flange beams compliant with the loading requirements of the 2012 International Residential Code.

Due to the deterioration of the east and south walls, and the signs of excessive movement at the west wall, FES recommends removing and rebuilding the entire east, south and west basement walls (including the 4" thick block walls and the stone walls). New walls can be 8" thick reinforced concrete

Erik Messner, P.E.
816.265.1081

SAM FIORE REPORT

erik@fes-kc.com
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Exhibit D

basement walls, or 8" thick reinforced concrete block walls, and must be compliant with the requirements of the 2012 *International Residential Code*. After these walls are rebuilt, FES recommends piling all four basement walls with resistance push piers driven to refusal to prevent future movement. FES also recommends replacing all interior columns with new adjustable steel jack columns with concrete footings below, and piling the footings under these columns.

Thank you for choosing FES. If you have any questions, please feel free to call.

Erik Messner, PE
Structural Engineer



- LIMITATIONS -

The scope of this assessment was limited to the items listed in the report. Our professional services were performed in accordance with the standards of skill and care generally exercised by other professional consultants acting under similar circumstances and conditions at the time the services are performed. No other warranty, expressed or implied, is made as to the professional advice presented in this report. No warranty of future performance is expressed or implied by the conclusions of this report.

In recognition of the relative risks, rewards and benefits of this engineering service to both the undersigned (client) and FES, the risks have been allocated such that the client agrees that, to the fullest extent permitted by law, FES's total liability for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes, shall not exceed \$500. Such causes include, but are not limited to FES's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

Erik Messner, P.E.
816.265.1081

SAM FIORE REPORT

erik@fes-kc.com
Page 2 of 2

Exhibit D



Foundation Guy, Inc.
 1712 SW New Orleans Avenue
 Lee's Summit, MO 64081
 816-560-5937
 www.foundationsguy.com
 jeff@foundationsguy.com

Customer: Sam Fiore
 411 W Kansas
 Liberty, MO
 699-8282

AGREEMENT

1. **Parties:** Foundation Guy, Inc., a Missouri corporation ("Foundation Guy"); and
 Sam Piori

2. **Project Location/Address:** Sam Piori, Liberty MO

3. **Project Description and Price:** The structures faces north for the purpose of this report and is bearing on poured concrete walls, stone masonry walls and concrete block walls which enclose a walk-out basement.

Location / Type of Work	Description	Unit Price	Line Total
Overhead/support beams and posts	West: (1) 25 ft. beam/ 3 posts/3 pier pads. Also (1) 8 ft. beam/ 2 posts/ 2 pler pads. East: (2) 20 ft. beams/ 6 posts/ 6 pier pads. (per engineers specs.)	\$12,000	\$12,000
Wall removal/replacement	Remove and replace the E-W-S. basement walls. The South and west walls are stone, with additional interior block. The East wall is poured concrete. Pour new footings, build block reinforced walls. Tar-coat exterior. Install footing drains. (per engineers specs.)	\$62,000	\$62,000
Piers	Install 26 piers (per engineers specs.) Entire perimeter	\$32,500	\$32,500
Joists	Install new joists (per engineers specs.)	\$2000	\$2000
South exterior retaining wall	Install a 4' tall x 20' long block retaining wall, add 5 cubic yards of dirt to divert rainwater and control "run-off".	\$2750	\$2750
Project Price/Labor & Materials:			\$111,250

4. **Completion:** The Parties agree that Foundation Guy will complete the Project in a reasonable time. Foundation Guy is not responsible for any delays caused by unavoidable casualties or contingencies beyond its control or any damages resulting from such unavoidable delay.

5. **Payment:** Payment in full is due upon completion of the Project. Payments more than thirty (30) days late are subject to a 15% late fee plus interest accruing at the rate of 18% per year. Foundation Guy shall be entitled to recover its legal costs, expenses and reasonable attorney's fees incurred in enforcing this Agreement.

6. **Cancellation:** Either party may cancel this Agreement upon reasonable written notice to the other party. In such case, Foundation Guy shall receive payment for all labor and material provided up to the date of cancellation.

7. **Condition of Property:** Proper homeowner maintenance is required. Grading must be kept at a positive slope away from the foundation. Gutters and downspouts must be kept clean and free-flowing away from the foundation. Watering maintenance is required during drought conditions.

8. **Warranties:** Foundation Guy shall use its reasonable best efforts to perform its work in a commercially reasonable and workmanlike manner. We offer a 10-year warranty stating no further differential settlement of pried and stabilized areas.

9. **Lien:** Pursuant to Mo. Rev. Stat. § 429.010, any person who shall do or perform any work or labor upon land, rent any machinery or equipment, or use any rental machinery or equipment, or furnish any material, fixtures, engine, boiler or machinery for any building, erection or improvements upon land, or for repairing, grading, excavating, or filling of the same, or furnish and plant trees, shrubs, bushes or other plants or provides any type of landscaping goods or services or who installs outdoor irrigation systems under or by virtue of any contract with the owner or proprietor thereof, or his or her agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local

ordinances pursuant to section 67.410, upon complying with the provisions of sections 429.010 to 429.340, shall have for his or her work or labor done, machinery or equipment rented or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants furnished, or any type of landscaping goods or services provided, a lien upon such building, erection or improvements, and upon the land belonging to such owner or proprietor on which the same are situated, to the extent of three acres; or if such building, erection or improvements be upon any lot of land in any town, city or village, or if such building, erection or improvements be for manufacturing, industrial or commercial purposes and not within any city, town or village, then such lien shall be upon such building, erection or improvements, and the lot, tract or parcel of land upon which the same are situated, and not limited to the extent of three acres, to secure the payment of such work or labor done, machinery or equipment rented, or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants or any type of landscaping goods or services furnished, or outdoor irrigation systems installed; except that if such building, erection or improvements be not within the limits of any city, town or village, then such lien shall be also upon the land to the extent necessary to provide a roadway for ingress to and egress from the lot, tract or parcel of land upon which such building, erection or improvements are situated, not to exceed forty feet in width, to the nearest public road or highway. Such lien shall be enforceable only against the property of the original purchaser of such plants unless the lien is filed against the property prior to the conveyance of such property to a third person. For claims involving the rental of machinery or equipment, the lien shall be for the reasonable rental value of the machinery or equipment during the period of actual use and any periods of nonuse taken into account in the rental contract, while the machinery or equipment is on the property in question.

10. Notice to Owner: Pursuant to Mo. Rev. Stat. § 429.012.

FAILURE OF THIS CONTRACTOR TO PAY THOSE PERSONS SUPPLYING MATERIAL OR SERVICES TO COMPLETE THIS CONTRACT CAN RESULT IN THE FILING OF A MECHANIC'S LIEN ON THE PROPERTY WHICH IS THE SUBJECT OF THIS CONTRACT PURSUANT TO CHAPTER 4296, RSMO. TO AVOID THIS RESULT, YOU MAY ASK THIS CONTRACTOR FOR "LIEN WAIVERS" FROM ALL PERSONS SUPPLYING MATERIAL OR SERVICES FOR THE WORK DESCRIBED IN THIS CONTRACT. FAILURE TO SECURE LIEN WAIVERS MAY RESULT IN YOUR PAYING FOR LABOR AND MATERIAL TWICE.

11. Notice for Lawsuit: Pursuant to Mo. Rev. Stat. § 436.353 there are important requirements you must follow before you may file a lawsuit for defective construction against the contractor who constructed or performed remodeling services on your home. Please read carefully the following notice regarding those requirements:

SECTIONS 436.350 TO 436.365 OF MISSOURI REVISED STATUTES PROVIDE YOU WITH CERTAIN RIGHTS IF YOU HAVE A DISPUTE WITH A CONTRACTOR REGARDING CONSTRUCTION DEFECTS. EXCEPT FOR CLAIMS FILED IN SMALL CLAIMS COURT. IF YOU HAVE A DISPUTE WITH A CONTRACTOR, YOU MUST DELIVER TO THE CONTRACTOR A WRITTEN CLAIM OF ANY CONSTRUCTION CONDITIONS YOU ALLEGE ARE DEFECTIVE AND PROVIDE YOUR CONTRACTOR THE OPPORTUNITY TO MAKE AN OFFER TO REPAIR OR PAY FOR THE DEFECTS. YOU ARE NOT OBLIGATED TO ACCEPT ANY OFFER MADE BY THE CONTRACTOR. READ THIS NOTICE CAREFULLY. THERE ARE STRICT DEADLINES AND PROCEDURES UNDER SECTIONS 436.350 TO 436.365 WHICH MUST BE OBEYED IN ORDER TO PRESERVE YOUR ABILITY TO FILE A LAWSUIT. OTHER THAN REPAIRS TO WORK DONE BY THE CONTRACTOR THAT ARE NECESSARY TO PROTECT THE LIFE, HEALTH, OR SAFETY OF PERSONS LIVING IN A RESIDENCE, OR TO AVOID ADDITIONAL SIGNIFICANT AND MATERIAL DAMAGE TO THE RESIDENCE PURSUANT TO SUBSECTION 10 OF SECTION 436.356, YOU MAY NOT INCLUDE IN CLAIMS AGAINST YOUR CONTRACTOR THE COSTS OF OTHER REPAIRS YOU PERFORM BEFORE YOU ARE ENTITLED TO FILE A LAWSUIT UNDER SECTIONS 436.350 TO 436.365.

12. Acceptance of Contract: By signing and accepting this proposal Customer is entering into a contract above with Foundation Guy for the completion of the Project Proposal above. This embodies the entire understanding between the parties with respect to the subject matter. Any modification of this contract shall be in writing.



411 W Kansas
North and East
Elevations



411 W Kansas
South & East
Elevations

Existing Conditions 411 W Kansas



East Elevation



West Elevation



Front Stoop



Foundation