

PERMANENT WATER LINE EASEMENT
240-250 S. Silver Springs Road, Cape Girardeau, MO

KNOW ALL PERSONS BY THESE PRESENTS: **Drury Land Development, Inc., a Missouri Corporation**, hereinafter referred to as "Grantor", in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby remise and convey to the **CITY OF CAPE GIRARDEAU, MISSOURI, a Missouri municipal corporation**, its successors and assigns, hereinafter referred to as the "City" or "Grantee", subject to the terms and conditions set forth herein, the right, privilege, permission and authority (the "**Easement**") to enter on and upon the following described property, which is solely owned by the Grantor and located in the City and County of Cape Girardeau, State of Missouri, to-wit:

Water Line Easement No. 1

A PART OF LOT NO. 1, WEST PARK CENTER SUBDIVISION AS RECORDED IN PLAT DOCUMENT NO. 2015-07566 OF THE LAND RECORDS OF THE COUNTY RECORDER'S OFFICE, AND A PART OF LOT NO. 2 OF THE RODNEY 400 ARPEN TRACT AND, UNITED STATES PRIVATE SURVEY NO. 2199, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 10.00 FEET WIDE, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT 1/2" IRON PIN (SET) AT THE SOUTHWEST CORNER OF LOT NO. 1, WEST PARK CENTER SUBDIVISION AS RECORDED IN PLAT DOCUMENT

NO. 2015-07566, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF S. SILVER SPRINGS ROAD; THENCE N 02° 52' 58" E, 35.48 FEET ALONG SAID EAST RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING:

THENCE N 84° 57' 27" E, 194.43 FEET AND THERE TERMINATING.

Water Line Easement No. 2

A PART OF LOT NO. 1, WEST PARK CENTER SUBDIVISION AS RECORDED IN PLAT DOCUMENT NO. 2015-07566 OF THE LAND RECORDS OF THE COUNTY RECORDER'S OFFICE, AND A PART OF LOT NO. 2 OF THE RODNEY 400 ARPEN TRACT, UNITED STATES PRIVATE SURVEY NO. 2199,

TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 20.00 FEET WIDE, LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT 1/2" IRON PIN (SET) AT THE SOUTHWEST CORNER OF LOT NO. 1, WEST PARK CENTER SUBDIVISION AS RECORDED IN PLAT DOCUMENT

NO. 2015-07566, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF S. SILVER SPRINGS ROAD; THENCE N 02° 52' 58" E, 35.48 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE LEAVING SAID EAST RIGHT OF WAY LINE, N 84° 57' 27" E, 184.42 FEET TO THE TRUE POINT OF BEGINNING:

THENCE S 07° 10' 37" E, 62.66 FEET; THENCE
S 50° 31' 28" E, 78.56 FEET; THENCE
S 89° 38' 24" E, 16.71 FEET; THENCE
N 52° 27' 03" E, 45.59 FEET; THENCE
N 34° 41' 17" E, 14.51 FEET; THENCE
N 07° 35' 38" W, 32.26 FEET AND THERE TERMINATING.

Water Line Easement No. 3

A PART OF LOT NO. 1, WEST PARK CENTER SUBDIVISION AS RECORDED IN PLAT DOCUMENT NO. 2015-07566 OF THE LAND RECORDS OF THE COUNTY RECORDER'S OFFICE, AND A PART OF LOT NO. 2 OF THE RODNEY 400 ARPEN TRACT, UNITED STATES PRIVATE SURVEY NO. 2199, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 10.00 FEET WIDE, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT 1/2" IRON PIN (SET) AT THE SOUTHWEST CORNER OF LOT NO. 1, WEST PARK CENTER SUBDIVISION AS RECORDED IN PLAT DOCUMENT

NO. 2015-07566, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF S. SILVER SPRINGS ROAD; THENCE N 02° 52' 58" E, 35.48 FEET ALONG SAID EAST RIGHT OF WAY LINE; THENCE LEAVING SAID EAST RIGHT OF WAY LINE, N 84° 57' 27" E, 184.42 FEET; THENCE
S 07° 10' 37" E, 62.66 FEET; THENCE

S 50° 31' 28" E, 78.56 FEET; THENCE
S 89° 38' 24" E, 16.71 FEET; THENCE
N 52° 27' 03" E, 45.59 FEET; THENCE
N 34° 41' 17" E, 14.51 FEET; THENCE
N 07° 35' 38" W, 32.26 FEET TO THE TRUE POINT OF BEGINNING:

THENCE N 04° 53' 56" W, 425.00 FEET; THENCE
N 44° 42' 04" E, 53.98 FEET TO THE NORTH LINE OF A TRACT OF
LAND RECORDED IN BOOK NO. 663 AT PAGE NO. 511 AND THERE
TERMINATING.

(“**Easement Areas**” also depicted in **Exhibit A**)

Said Easements are granted for the sole purpose of enabling Grantee, its agents, servants and assigns to use the Easement Areas to excavate, build, construct, operate, maintain and repair underground water facilities, together with all of the useful, necessary and proper adjuncts, appurtenances and appliances in connection therewith, from time to time, in, on, or across the Easement Areas, as shown on the plans and specifications on file in the Office of the City Engineer of the City of Cape Girardeau. These Easements are perpetual and shall run with the land.

In exercising the rights granted herein, Grantee shall promptly repair any damage or disturbance resulting in connection therewith to the same or as good condition as existed immediately prior to Grantee’s entry on to the Easement Area, including restoring the ground to grade, seeding and strawing, and replacing pavement as applicable.

At all times, Grantee shall maintain worker’s compensation insurance for any and all employees entering onto or performing any work within the Easement Areas. In addition, Grantee shall require any and all contractors retained by Grantee to perform any work within or to enter upon the Easement Areas to maintain worker’s compensation insurance and commercial liability insurance in reasonable and customary amounts covering any personal injury and property damage arising in connection with such work.

All work performed by or on behalf of Grantee in the Easement Areas shall be paid for in full by Grantee, and shall be performed in a good and workmanlike manner, in compliance with all applicable laws.

The undersigned covenants that he/she is the owner in fee simple of the above described property and has the legal right to convey same.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the undersigned has executed this easement this 5th day of October, 2021.

DRURY LAND DEVELOPMENT, INC.



Timothy M. Drury, President

TIMOTHY DRURY PRESIDENT
Printed name and Title

STATE OF Missouri)
) ss.
COUNTY OF St. Louis)

BE IT REMEMBERED, that on this 5th day of October, 2021 before me, the undersigned notary public, personally appeared Timothy M. Drury, who, being by me duly sworn, did state that he is the President of Drury Land Development, Inc., a Missouri corporation, and that he executed the foregoing instrument on behalf of said corporation by the authority of its Board of Directors for the consideration stated herein and no other, and that said instrument was executed as the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said County and State the date last above written.

My Commission Expires: _____



Alison E. Winka
[Printed Name of Notary Public]

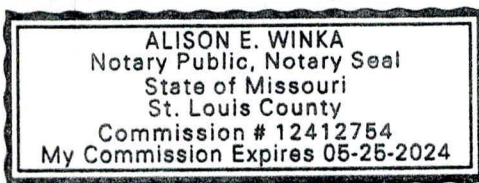


EXHIBIT A

