

GRANT OF EASEMENT FOR UTILITY AND DRAINAGE PURPOSES

THIS INDENTURE, made on the _____ day of _____, 20____, by and between Thel Sargent and Gail Sargent, a husband and wife of the State of Missouri, and James Propes and Deborah Propes, a husband and wife of the State of Missouri, and New Haven Custom Homes, LLC, a limited liability company of the State of Missouri, Grantors and the City of Columbia, Missouri, a municipal corporation, Grantee, Grantee's mailing address Post Office Box 6015, Columbia, MO 65205;

WITNESSETH:

That the said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, paid by the Grantee, the receipt of which is hereby acknowledged does hereby grant unto said City, its successors and assigns, the privilege, authority and right to construct, operate, replace, repair and maintain water mains, electric light and power transmission lines, communications facilities, regardless of technology, and all other public utilities and all necessary appurtenances to make these utilities complete and useable; a storm drainage system which is all drainage facilities used for collecting and conducting storm water to, through, and from drainage areas to the points of final outlet including, but not limited to the following: conduits, and appurtenant features, canals, ditches, streams, gullies, flumes, culverts and gutters, under across and upon the following described real estate, owned by us, situated in the County of Boone, State of Missouri, to wit:

Ordinance #:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 14, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOTS 227, 228, 237 AND 238 OF OLD HAWTHORNE NORTH, PLAT NO. 1, RECORDED IN PLAT BOOK 56, PAGE 66 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE WESTERLY RIGHT-OF-WAY LINE OF ASH DOWN DRIVE AT THE COMMON LOT CORNERS FOR LOTS 237 AND 238 AND WITH THE WESTERLY RIGHT-OF-WAY LINE THEREOF, 6.00 FEET ALONG A 510.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S 29°21'00"W, 6.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, N 60°59'15"W, 96.95 FEET; THENCE S 65°59'10"W, 39.03 FEET; THENCE N 56°24'50"W, 131.33 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF WALTON HEATH DRIVE; THENCE WITH SAID EASTERLY RIGHT-OF-WAY LINE, 12.00 FEET ALONG A 260.00-FOOT RADIUS, NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 33°35'10"E, 12.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S 56°24'50"E, 88.47 FEET; THENCE N 82°17'30"E, 46.50 FEET; THENCE S 60°59'15"E, 124.92 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID ASH DOWN DRIVE; THENCE WITH SAID WESTERLY RIGHT-OF-WAY LINE, 6.00 FEET ALONG A 510.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S 28°40'35"W, 6.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.09 ACRES.

This grant includes the right of the City of Columbia, Missouri, its officers, agents and employees, to enter upon said real estate at any time for the purpose of exercising any of the rights herein granted, also the right to trim, clear or remove at any time from said easement any tree, brush, structure or obstruction of any kind or character whatsoever which in the reasonable judgment of the City may endanger the safety or interfere with the operation and maintenance of the City's facilities.

The Grantor covenants that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above-described land and has the right and authority to make and execute and will defend this Grant of Easement.

Witness our hands the day and year first written above.

By: _____
Thel Sargent

By: _____
Gail Sargent

STATE OF)
COUNTY OF)ss.
)

On this _____ day of _____ in the year 20____, before me, a Notary Public in and for said state, personally appeared, Thel Sargent and Gail Sargent, who being by me duly sworn, acknowledged that they are husband and wife and that said instrument was signed and further acknowledged that they executed the same as a free act and deed for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

Notary Public

My commission expires:

Witness our hands the day and year first written above.

By: _____
James Propes

By: _____
Deborah Propes

STATE OF)
COUNTY OF)ss.
)

On this _____ day of _____ in the year 20____, before me, a Notary Public in and for said state, personally appeared, James Propes and Deborah Propes, who being by me duly sworn, acknowledged that they are husband and wife and that said instrument was signed and further acknowledged that they executed the same as a free act and deed for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

Notary Public

My commission expires:

IN WITNESS WHEREOF, the said New Haven Custom Homes, LLC has caused these presents to be signed by its authorized member(s) the day and year first written above.

New Haven Custom Homes, LLC

By: _____
Russ Anderson, member

By: _____
Andrea Anderson, member

STATE OF)
)ss.
COUNTY OF)

On this _____ day of _____ in the year 20 _____, before me, a Notary Public in and for said state, personally appeared, Russ Anderson and Andrea Anderson, who being by me duly sworn, acknowledged that they are member(s) of New Haven Custom Homes, LLC, a limited liability company, and that said instrument was signed in behalf of said company and further acknowledged that they executed the same as a free act and deed for the purposes therein stated and that they have been granted the authority by said limited liability company to execute the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal.

Notary Public