

TITLE OF DOCUMENT:

WATER LINE EASEMENT DEED

DATE OF DOCUMENT:

JULY 29, 2024

GRANTORS:

**DANIEL ALVAREZ LEON AND
HILDA D. ALVAREZ-ARAMBULA &
ANTONIO TREJO AND DELIA
TREJO, ALL AS JOINT TENANTS
WITH RIGHTS OF SURVIVORSHIP
AND NOT AS TENANTS IN COMMON**

GRANTORS MAILING ADDRESS:

**323 ASHLEY DRIVE
CAPE GIRARDEAU, MISSOURI 63701**

GRANTORS DEED RECORDING:

DOCUMENT #2008-05887

GRANTEE:

**CITY OF JACKSON, MISSOURI
101 COURT STREET
JACKSON, MISSOURI 63755**

PROPERTY ADDRESS:

**1830 EAST JACKSON BOULEVARD
JACKSON, MISSOURI 63755**

LEGAL DESCRIPTION OF EASEMENT:

SEE PAGES 2, 3, & 4 OF DEED

WATER LINE EASEMENT DEED

THIS DEED, made and entered into this 29th day of July, 2024, by and between

DANIEL ALVAREZ LEON,
by **CURTIS SESSION**, in his capacity as **Attorney-in-Fact**
Pursuant to **Durable Power of Attorney dated June 9, 2023**
and filed as **Document No. 2024-05293**, in the
Cape Girardeau County, Missouri Recorder's Office,

and

HILDA D. ALVAREZ-ARAMBULA, husband and wife,

and

ANTONIO TREFO AND DELIA TREJO, husband and wife,

all as joint tenants with rights of survivorship and not as tenants in common,
of the County of Cape Girardeau, State of Missouri, Grantors,

and

THE CITY OF JACKSON, MISSOURI, a Municipal Corporation,
of the County of Cape Girardeau, State of Missouri, Grantee.

WITNESSETH, that the said Grantors, for and in consideration of the sum of Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00) and Other Good and Valuable Consideration, paid by the said Grantee, the receipt of which is hereby acknowledged, do by these presents **GRANT** unto the said Grantee, **AN EASEMENT** for the following purposes:

To construct, maintain, repair, replace, and operate a water line and necessary appurtenances thereto, over, upon, across, under, in and through the following described real estate situated in the City of Jackson, County of Cape Girardeau, and State of Missouri, to-wit:

Permanent Easement:

THAT PART OF LOT 1 OF LITZ BROTHERS SUBDIVISION NO. 4, IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI, AS RECORDED IN PLAT BOOK 14, PAGE 69 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 07°14'40" EAST ALONG THE WEST LINE OF SAID LOT 1, 35.83 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, CONTINUE ALONG SAID WEST LINE, NORTH 07°14'40" EAST 10.93 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 59°00'19" EAST 75.80 FEET; THENCE SOUTH 13°34'08" EAST 46.03 FEET; THENCE SOUTH 59°00'19" EAST 81.21 FEET; THENCE SOUTH 81°58'18" EAST 56.10 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1, ALSO BEING THE WEST RIGHT OF WAY LINE OF KIMBEL LANE; THENCE SOUTH 07°14'52" WEST ALONG SAID LINE, 10.00 FEET; THENCE LEAVING SAID LINE, NORTH 81°58'18" WEST 58.27 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST JACKSON BOULEVARD; THENCE NORTH 59°00'19" WEST ALONG SAID NORTH RIGHT OF WAY LINE, 87.49 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, NORTH 13°30'58" WEST 45.99 FEET; THENCE NORTH 59°00'19" WEST 67.21 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED EASEMENT CONTAINS 2,591 SQUARE FEET.

Temporary Easement No. 1:

THAT PART OF LOT 1 OF LITZ BROTHERS SUBDIVISION NO. 4, IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI, AS RECORDED IN PLAT BOOK 14, PAGE 69 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 07°14'40" EAST ALONG THE WEST LINE OF SAID LOT 1, 35.83 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 59°00'19" EAST 67.21 FEET; THENCE SOUTH 13°30'58" EAST 45.99 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST JACKSON BOULEVARD; THENCE NORTH 59°00'19" WEST ALONG SAID NORTH RIGHT OF WAY LINE, 85.02 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED EASEMENT CONTAINS 2,496 SQUARE FEET.

SAID TEMPORARY CONSTRUCTION EASEMENT BEING NULL AND VOID UPON COMPLETION OF CONSTRUCTION.

Temporary Easement No. 2:

THAT PART OF LOT 1 OF LITZ BROTHERS SUBDIVISION NO. 4, IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI, AS RECORDED IN PLAT BOOK 14, PAGE 69 IN THE LAND RECORDS OF

CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 59°00'19" WEST ALONG THE NORTH RIGHT OF WAY LINE OF EAST JACKSON BOULEVARD, 63.65 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, SOUTH 81°58'18" EAST 58.27 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1, ALSO BEING THE WEST RIGHT OF WAY LINE OF KIMBEL LANE; THENCE SOUTH 07°14'52" WEST ALONG SAID LINE, 24.84 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED EASEMENT CONTAINS 724 SQUARE FEET.

SAID TEMPORARY CONSTRUCTION EASEMENT BEING NULL AND VOID UPON COMPLETION OF CONSTRUCTION.

Temporary Easement No. 3:

THAT PART OF LOT 1 OF LITZ BROTHERS SUBDIVISION NO. 4, IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI, AS RECORDED IN PLAT BOOK 14, PAGE 69 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 07°14'40" EAST ALONG THE WEST LINE OF SAID LOT 1, 46.76 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, CONTINUE ALONG SAID WEST LINE, NORTH 07°14'40" EAST 10.93 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 59°00'19" EAST 84.39 FEET; THENCE SOUTH 13°34'08" EAST 46.03 FEET; THENCE SOUTH 59°00'19" EAST 31.87 FEET; THENCE SOUTH 30°59'41" WEST 10.00 FEET; THENCE NORTH 59°00'19" WEST 36.05 FEET; THENCE NORTH 13°34'08" WEST 46.03 FEET; THENCE NORTH 59°00'19" WEST 75.80 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED EASEMENT CONTAINS 1,601 SQUARE FEET.

SAID TEMPORARY CONSTRUCTION EASEMENT BEING NULL AND VOID UPON COMPLETION OF CONSTRUCTION.

TO HAVE AND TO HOLD the said **EASEMENT**, together with all rights and appurtenances to the same belonging, unto the said Grantee, and to its successors, heirs and assigns forever.

IN CONSIDERATION OF THE FOREGOING, the parties mutually agree as follows:

1. The Grantee agrees that the use hereby granted shall be limited exclusively to water utility facilities and uses incidental thereto.
2. The Grantee agrees that it will indemnify and hold harmless the Grantors from all claims and actions at law and in equity which may arise out of, or because of negligence of the Grantee, or its authorized agents, servants, employees or assigns, in maintaining, repairing, and utilizing the easement granted hereunder.
3. The Grantors hereby reserve the right to use the easement premises in any manner that will not prevent or interfere with the exercise by the Grantee of the rights granted hereunder; provided, however, that the Grantors shall not obstruct, or permit to be obstructed, the easement premises at any time whatsoever without the express prior written consent of the Grantee.
4. The Grantors agree that the Grantee may assign the rights granted to it hereunder to any assignee who demonstrates sufficient competence and gives adequate assurances that any work to be performed pursuant to such assignment shall be conducted in a skillful manner, and that the owner's interest in the easement premises shall be protected to the same extent as hereunder.
5. The Grantee agrees to restore the surface of the ground to the same condition in which it was before the start of the improvement or any future maintenance work, as near as practicable.
6. The Grantee shall pay to Grantor the sum of Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00) in return for this Water Line Easement Deed and said sum shall be paid within thirty (30) days from date of execution.

[Remainder of page intentionally left blank. Signatures appear on following page.]

29th IN WITNESS WHEREOF, the said Grantors have executed these presents this
day of July, 2024.

[Signature]
DANIEL ALVAREZ LEON by CURTIS SESSION,
in his capacity as Attorney-in-Fact
Pursuant to Durable Power of Attorney dated
June 9, 2023 and filed as Document No. 2024-05293,
in the Cape Girardeau County, Missouri Recorder's Office

[Signature]
HILDA D. ALVAREZ-ARAMBULA

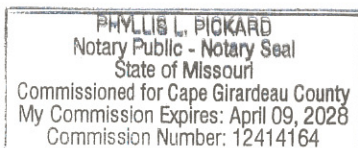
[Signature]
ANTONIO TREJO

[Signature]
DELIA TREJO

STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

On this 29th day of July, 2024, before me personally CURTIS SESSION, in his capacity as Attorney-in-Fact for Daniel Alvarez Leon Pursuant to Durable Power of Attorney dated June 9, 2023 and filed as Document No. 2024-05293, in the Cape Girardeau County, Missouri Recorder's Office, to me known to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same as Attorney-in-Fact for Daniel Alvarez Leon as free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year first above written.



[Signature]
Phyllis L. Pickard, Notary Public
State of Missouri
County of Cape Girardeau
My term expires: 04/09/28

STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

On this 29th day of July, 2024, before me personally appeared Hilda D. Alvarez-Arambula, Antonio Trejo, and Delia Trejo, to me known to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year first above written.

Phyllis L. Pickard, Notary Public
State of Missouri
County of Cape Girardeau
My term expires: 04/09/28



NORTH BASIS
MISSOURI STATE PLANE
COORDINATE SYSTEM 1983
EAST ZONE
MODOT VRS NAD83(2011)

60 0 60 120

REFERENCES

1. DOCUMENT NO. 2008-05887 (SUBJECT)
2. LITZ BROTHERS SUBDIVISION NO. 4, PLAT BOOK 14, PAGE 69

RHODES DEVELOPMENT
COMPANY, LLC
(DOC. NO.
2015-03236)

COUNTRY LIFE
INVESTMENTS, LLC
(DOC. NO.
2013-12203)

DANIEL ALVAREZ LEON AND HILDA D.
ALVAREZ-ARUMBULA
AND ANTONIO TREJO AND DELIA TREJO
(DOC. NO.
2008-05887)

EASEMENT SURVEY FOR DANIEL ALVAREZ LEON & HILDA D. ALVAREZ-ARUMBULA AND ANTONIO TREJO & DELIA TREJO

Part of Lot 1 of Litz Brothers Subdivision No. 4, City of Jackson,
Cape Girardeau County, Missouri.

PARCEL LINE TABLE

Line #	Direction	Length
L13	N7°14'40"E	10.93
L17	N7°14'40"E	35.83
L22	N7°14'40"E	10.93
L23	(N)S59°00'19"E(W)	75.80
L24	(N)S13°34'08"E(W)	46.03
L25	S59°00'19"E	81.21
L26	S81°58'18"E	56.10
L27	S7°14'52"W	10.00
L28	(S)N81°58'18"W(E)	58.27
L29	N59°00'19"W	87.49
L30	(S)N13°30'58"W(E)	45.99
L31	(S)N59°00'19"W(E)	67.21
L32	N59°00'19"W	85.02
L33	N59°00'19"W	63.65
L34	S7°14'52"W	24.84
L35	S59°00'19"E	84.39
L36	S13°34'08"E	46.03
L37	S59°00'19"E	31.87
L38	S30°59'41"W	10.00
L39	N59°00'19"W	36.05

POINT OF COMMENCEMENT PERMANENT EASEMENT &
TEMPORARY CONSTRUCTION EASEMENT 3
POINT OF BEGINNING
TEMPORARY CONSTRUCTION EASEMENT 1
SW CORNER LOT 1 OF LITZ BROTHERS SUBDIVISION
NO. 4, PLAT BOOK 14, PAGE 69
(FOUND IRON ROD WITH CAP)

POINT OF BEGINNING
TEMPORARY CONSTRUCTION
EASEMENT 2
SE CORNER LOT 1 OF
LITZ BROTHERS SUBDIVISION NO. 4,
PLAT BOOK 14, PAGE 69

ACCURACY STANDARD: TYPE URBAN

LEGEND

1. IRON ROD W/CAP (FOUND)
2. IRON ROD (FOUND)
3. RIGHT-OF-WAY MARKER

PERMANENT EASEMENT
 TEMPORARY CONSTRUCTION
EASEMENT



THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE
CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY
SURVEYS AS MADE EFFECTIVE JUNE 1, 2022. IN WITNESS
WHEREOF, I HAVE SET MY SEAL AND SIGNATURE THIS 14TH
DAY OF FEBRUARY 2023.

RODNEY W. AMOS MO-PLS 2007000072
113 WEST MAIN STREET
JACKSON, MISSOURI 63755



**STRICKLAND
ENGINEERING**

113 WEST MAIN STREET
JACKSON, MISSOURI 63755
TEL: 573-243-4080
FAX: 573-243-2191

CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING

**EASEMENT SURVEY FOR
DANIEL ALVAREZ LEON & HILDA
D. ALVAREZ-ARUMBULA AND
ANTONIO TREJO & DELIA TREJO
1830 E. JACKSON BLVD.
JACKSON, MO**

SCALE	1"=60'
DATE	02-14-2023
DRAWN BY	RA
CHECKED BY	DR
PROJECT #	21-231