



026036-24 23 Aug 2024 10:29:57AM



Book:2024
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REAL ESTATE DOCUMENT
GREENE COUNTY, MISSOURI
RECORDERS CERTIFICATION

Christina Spaulding
RECORDER OF DEEDS

jmcguire

PERMANENT DRAINAGE EASEMENT

This indenture, Made on the 31st day of July, 2024 A.D. by and between THE PECK IRREVOCABLE TRUST u/t/a dated June 1, 2023, Laura E. Tattershall, Trustee, of the County of Greene, State of Missouri, hereinafter referred to as Grantor, and the City of Republic, Missouri, County of Greene, State of Missouri hereinafter referred to as Grantee whose mailing address is :

213 N. Main Street., Republic, MO 65738

WITNESSETH, that the said grantor, for and in consideration of the sum of One Dollar(\$1.00) and other valuable considerations paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said Grantee, its successors and assigns, a perpetual, non-exclusive easement for the purposes of construction and maintenance of a public pedestrian and bicycling trail, with the right, privilege and authority to Grantee, its successors and assigns, to locate, construct, maintain, repair, reconstruct, replace, operate, extend, patrol, and/or remove its present or future recreational trail or pedestrian way, and/or any appurtenances thereof, on, though, under and across the following described land, situated in the County of Greene, State of Missouri, it Wit:

A perpetual trail easement and temporary construction easement are described as follows:

(See Attachment "A" and "B")

Grantee declares and covenants that the trail shall be constructed and maintained in conformance the generally accepted design standards, and may include paved and unpaved trail surfaces, at-grade shoulders, vegetative buffers (with irrigation), ~~benches~~ and such improvements as necessary to comply with all lawful requirements, including the Americans with Disabilities Act. Grantor hereby declares and covenants that the general public shall have and be allowed regular access to the Trail Easement Area, for the purpose of walking, jogging, running, bicycling and like activities, but specifically excluding all motorized vehicles except as authorized by Grantee for maintenance, management, police and emergency purposes.

Grantee shall have the right to regulate public access to, and activities within, the Trail Easement Area, and shall further have the right to require Grantor to keep the Trail Easement Area free from obstructions which prevent reasonable public access to and along the Trail Easement Area, including but



R+B
Kim

not limited to structures, fences and fallen trees. The Grantee covenants to maintain the easement in good repair so that no permanent damage will result from its use to the adjacent land of the grantor or grantor's successors and assigns.

Grantor covenants to and with Grantee that subject to existing easements, if any, grantor is lawfully seized and possessed of said lands, and has a good and lawful right and power to sell and convey said easement. The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the grantee, its successors and assigns.

This conveyance is made subject to Easements, Restrictions, Reservations, and Covenants of record, if any.

IN WITNESS WHEREOF, the said grantor has hereunto caused this instrument to be executed the day and year first above written.

GRANTOR(S):

[Signature]
Laura E. Tattershall, Trustee of THE PECK IRREVOCABLE TRUST, dated u/t/a June 1, 2023

State of ~~Missouri~~ Maine
County of ~~Greene~~ Kennebec SS.

ACKNOWLEDGMENT

On this 19 day of July, 2024, before me personally appeared Laura Tattershall, to me known to be the person(s) described in and who executed the forgoing instrument, an acknowledged that they executed the same as their free act and deed.

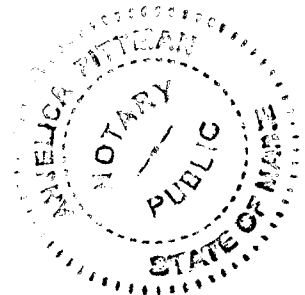
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in, Beadfield, Maine, ~~Missouri~~ the day and year first above written.

[Signature]
Notary Public

Print Name: Anjelica Pittman

My commission expires April 13, 2030

"Notary Seal"



Anjelica Pittman
Notary Public, State of Maine
My Commission Expires April 13, 2030

GRANTEE(S)

Accepted by the City of Republic under the provision of Section 120.140 of the Municipal Code on this day 17 of JUNE, 2024

[Signature]
Karen Haynes, BUILD5 Planning Manager

EXHIBIT A

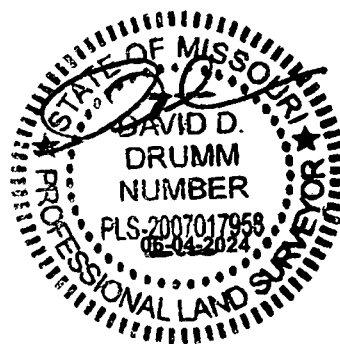
Property Owner: Phillip C. Peck

A PERMANENT DRAINAGE EASEMENT:

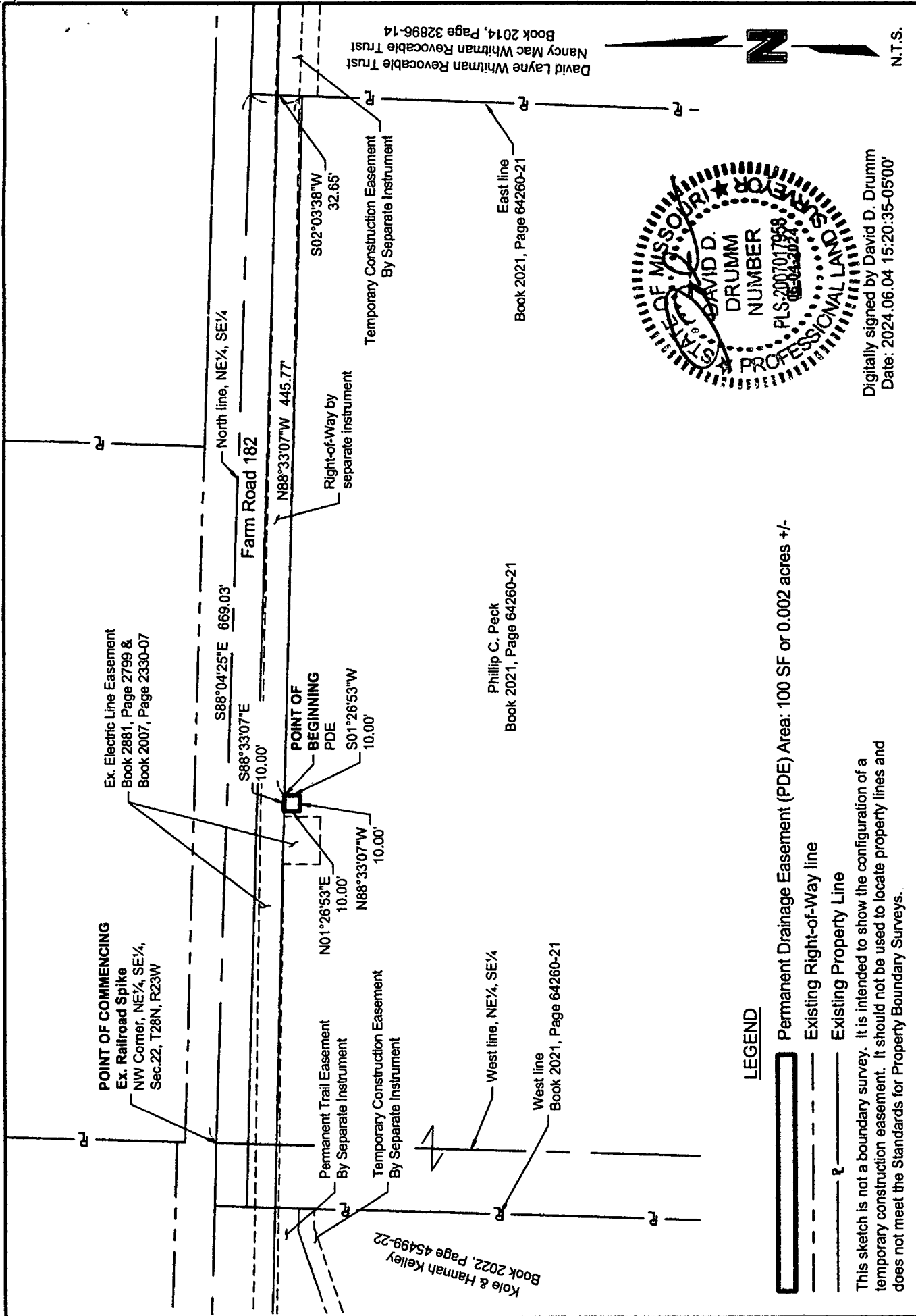
All that part of the Southeast Quarter (SE¼) of Section 22, Township 28 North, Range 23 West, Greene County, Missouri, being a part of the tract of land recorded in the Greene County Recorder's Office in Book 2021 at Page 64260-21, and being more particularly described as follows:

COMMENCING at an existing railroad spike at the Northwest corner of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of said Section 22; thence S88°04'25"E, along the North line of said NE¼ of the SE¼, a distance of 669.03 feet, to a 5/8" iron bar with illegible cap; thence S02°03'38"W, leaving said North line, a distance of 32.65 feet to a 1/2" iron bar marked "WLS LCS 370"; thence N88°33'07"W, a distance of 445.77 feet, to the POINT OF BEGINNING; thence S01°26'53"W, a distance of 10.00 feet; thence N88°33'07"W, a distance of 10.00 feet; thence N01°26'53"E, a distance of 10.00 feet; thence S88°33'07"E, a distance of 10.00 feet, to the POINT OF BEGINNING, containing 100 square feet or 0.002 acres, more or less, and subject to any rights-of-way, easements, and restrictions of record.

Prepared by: Olsson, Inc.
Survey MO Certificate of Authority #LC366
550 St. Louis Street
Springfield MO 65806
Tel 417.890.8802
Prepared for: Greene County, MO
Project No.: 021-00218



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LEGEND

- Permanent Drainage Easement (PDE) Area: 100 SF or 0.002 acres +/-
- Existing Right-of-Way line
- Existing Property Line

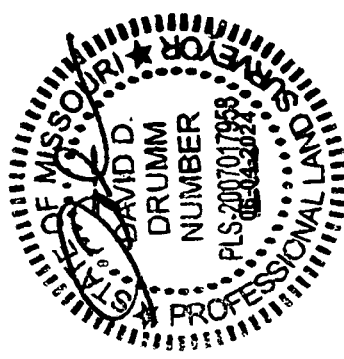
This sketch is not a boundary survey. It is intended to show the configuration of a temporary construction easement. It should not be used to locate property lines and does not meet the Standards for Property Boundary Surveys.

PROJECT NO:	021-00218
DRAWN BY:	DDD
DATE:	06.03.2024

SHUYLER CREEK TRAIL PERMANENT DRAINAGE ESMT.
PHILLIP C. PECK

Olsson, Inc. Survey MO
Certificate of Authority #LC366
550 St. Louis Street
Springfield, MO 65806
TEL 417.890.8802 FAX 417.890.8805

EXHIBIT
B



Digitally signed by David D. Drumm
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N.T.S.