AGREEMENT REGARDING EASEMENT

THIS AGREEMENT dated the 24 day of May, 2000 by and between **Patricia Tarrants,** a single person hereinafter referred to as "Tarrants", **Billy G. Dameron and Deloris A. Dameron**, Trustees of the Billy G. Dameron and Deloris A. Dameron Family Trust dated 1/8/99, hereinafter referred to as "Dameron", and the **Moniteau Creek Watershed Subdistrict**, hereinafter referred to as "Moniteau"

WHEREAS, Tarrants is the owner of land situated in the County of Randolph, State of Missouri, described as Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, Moniteau for the purpose of construction of a dam and impoundment of water designated as Site M-88 has obtained an Easement from Tarrants for construction of said dam; and

WHEREAS, Dameron is the owner of ten (10) acres, more or less, of real estate situated in the County of Randolph, State of Missouri, more fully described as follows:

The North ½ of the South ½ of the Southwest 1/4 of the Southeast 1/4 Section 15, Township 52 Range 14.

WHEREAS, the construction of Site M-88 to be constructed on land owned by Tarrants will also cause water to be discharged onto one-tenth (1/10) of an acre owned by Dameron located in the above described real estate; and

WHEREAS, Dameron desires to have a continuous flow of water onto their property from a stock water pipe to be installed in said dam on Tarrants' real estate.

THEREFORE, the parties agree as follows:

1. That Moniteau, its heirs, successors and assigns shall construct said dam to allow for a 1 1/4 inch pipe from the dam across Tarrants' property to allow for the flow of water through the stock pipe to the Dameron property.

2. That Moniteau, its heirs, successors and assigns shall maintain, repair and replace the water pipe to allow for the continuous flow of water to the Dameron property.

3. That the parties hereto and their subsequent heirs or assigns will in no way impede or terminate the flow of water to and from the water pipe which said water will be discharged on

the Dameron Property as hereinabove described.

Patricia Tarrants, a single person

Billy Dameron, Trustee of the Billy G. Dameron and Deloris A. Dameron Family Trust dated January 8, 1999

Moniteau Creek Watershed Subdistrict, by Robert Wilcox, Secretary

Deloris Dameron, Trustee of the Billy G. Dameron and Deloris A. Dameron Family Trust dated January 8, 1999

Moniteau Creek Watershed Subdistrict, by Hartley Frink, President/Trustee 5-24-2000

STATE OF MISSOURI
COUNTY OF BOONE

On the 24 day of May, 2000, before me personally appeared Patricia Tarrants, a single person, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

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

Notary Public

MARY L GOLOB
NOTARY PUBLIC STATE OF MISSOURI
HOWARD COUNTY
MY COMMISSION EXP. SEPT 22,2002

Commission Expires:

STATE OF MISSOURI
COUNTY OF HOWARD

On the 24 day of May, 2000, before me personally appeared Hartley Frink, President/Trustee of Moniteau Creek Watershed Subdistrict, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

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

Mary L Golob
Notary Public

Commission Expires: MARY L GOLOB NOTARY PUBLIC STATE OF MISSOURI HOWARD COUNTY MY COMMISSION EXP. SEPT 22,2002

STATE OF MISSOURI
COUNTY OF Randolph

On the 25 day of May, 2000, before me personally appeared Robert Wilcox, Secretary of Moniteau Creek Watershed Subdistrict, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

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

Mary L Golob
Notary Public

Commission Expires: MARY L GOLOB NOTARY PUBLIC STATE OF MISSOURI HOWARD COUNTY MY COMMISSION EXP. SEPT 22,2002

STATE OF MISSOURI
COUNTY OF Randolph

On the 25 day of May, 2000, before me personally appeared Billy G. Dameron and Deloris A. Dameron, Trustees of the Billy G. Dameron and Deloris A. Dameron Family Trust dated January 8, 1999, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

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

Mary R Golob
Notary Public

Commission Expires: MARY L GOLOB NOTARY PUBLIC STATE OF MISSOURI HOWARD COUNTY MY COMMISSION EXP. SEPT 22,2002

272

548

ATTACHMENT A

Keystone - Tarrants legal description:

The North Half (N½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) and the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), EXCEPT 5.00 acres in the Northwest corner, all in Section 15, Township 52 North, Range 14 West, Randolph County, Missouri, more particularly described as follows: Beginning at 5/8" iron rod set at the Center Quarter Section of corner of Section 15, Township 52 North, Range 14 West, Randolph County, Missouri; thence along the West line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15, South 01 degree 34 minutes 29 seconds West 528.70 feet to a 1/2" iron rod set and the True Point of Beginning of Tract 6; thence leaving said West line South 88 degrees 36 minutes 56 seconds East 411.95 feet to a 1/2" iron rod set; thence North 01 degree 34 minutes 29 seconds East 528.70 feet to a 1/2" iron rod set at the intersection with the North line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along said North line South 88 degrees 36 minutes 56 seconds East 913.36 feet to a 1/2" iron rod set at the Northeast corner of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along the East line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15, South 01 degree 35 minutes 09 seconds West 1328.75 feet to a 1/2" iron rod set at the Southeast corner of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along the East line of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section 15, South 01 degree 35 minutes 09 seconds West 672.28 feet to a 1/2" iron rod set at the Southeast corner of the North Half (N½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along the South line of the North Half (N½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼), North 88 degrees 47 minutes 08 seconds West 1325.14 feet to a 1/2" iron rod set at the Southwest corner of said North Half (N½); thence along the West line of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section 15, North 01 degree 34 minutes 29 seconds East 668.32 feet to the Northwest corner of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along the West line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), North 01 degree 34 minutes 29 seconds East 807.93 feet to the True Point of Beginning of Tract 6.

Montevideo Creek watershed

STATE OF MO. RANDOLPH CO.
BOOK 462 PAGE 269
MAY 26 2000
HOUR 8 MIN 35 AM
MARK PRICE, RECORDER
Sandra Vaughan

6 27

4884

EASEMENT

For and in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged.

Patricia Tarrants (Name of Landowner) 4590 McGee Road Columbia, Mo. 65202 (Address)

Grantor, does hereby grant, bargain, sell, convey and release unto the Moniteau Creek Watershed Subdistrict of Fayette, Missouri, Grantee, its successors and assigns, an easement in, over and upon the following described land situated in the County of Randolph, State of Missouri to Wit:

SEE ATTACHMENT A (Keystone-Tarrants legal description)

for the purpose of: CONSTRUCTION OF DAM AND IMPOUNDMENT OF WATER:

For or in connection with the construction, operation, maintenance, and inspection of Floodwater Retarding structure, designated as Site M-88 in the plans for Moniteau Creek Watershed Project, to be located on the above described land; for the flowage of any waters in, over, upon, or through such structure; and for the permanent storage and temporary detention, either or both, of any waters that are impounded, stored or detained by such structure.

1. This easement includes the right of ingress and egress at any time over and upon the above described land of the Grantor.

2. There is reserved to the Grantor, his heirs and assigns, the right and privilege to use the above described land of the Grantor at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the rights and privileges herein granted. The Grantor may not modify the structure without proper authorization from the Grantee.

3. The Grantee is responsible for operating and maintaining the above described works of improvement.

TO HAVE AND TO HOLD the aforesaid easement in, over and upon the above described land of the Grantor, with all the rights, privileges and appurtenances thereto belonging or in anywise appertaining, unto the Grantee, its successors and assigns, forever.

Patricia Tarrants
Signature and Date of Grantor)

STATE OF MISSOURI)
)
COUNTY OF RANDOLPH)

On the 14th day of September, 1999 before me personally appeared Patricia Tarrants a single person, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

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

Notary Public in and for said County and State
My term expires

Mary Alice Nelson
Boone County Missouri
9-14-99

NOTARY PUBLIC NOTARY MARY ALICE NELSON SEAL STATE OF MISSOURI

MARY ALICE NELSON
NOTARY PUBLIC - STATE OF MISSOURI
BOONE COUNTY
MY COMMISSION EXP. FEB. 20,2003

540

ATTACHMENT A

Keystone - Tarrants legal description:

The North Half (N½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) and the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), EXCEPT 5.00 acres in the Northwest corner, all in Section 15, Township 52 North, Range 14 West, Randolph County, Missouri, more particularly described as follows: Beginning at 5/8" iron rod set at the Center Quarter Section of corner of Section 15, Township 52 North, Range 14 West, Randolph County, Missouri; thence along the West line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15, South 01 degree 34 minutes 29 seconds West 528.70 feet to a 1/2" iron rod set and the True Point of Beginning of Tract 6; thence leaving said West line South 88 degrees 36 minutes 56 seconds East 411.95 feet to a 1/2" iron rod set; thence North 01 degree 34 minutes 29 seconds East 528.70 Feet to a 1/2" iron rod set at the intersection with the North line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along said North line South 88 degrees 36 minutes 56 seconds East 913.56 feet to a 1/2" iron rod set at the Northeast corner of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along the East line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15, South 01 degree 35 minutes 09 seconds West 1328.75 feet to a 1/2" iron rod set at the Southeast corner of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along the East line of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section 15, South 01 degree 35 minutes 09 seconds West 672.28 feet to a 1/2" iron rod set at the Southeast corner of the North Half (N½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along the South line of the North Half (N½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼), North 88 degrees 47 minutes 08 seconds West 1325.14 feet to a 1/2" iron rod set at the Southwest corner of said North Half (N½); thence along the West line of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section 15, North 01 degree 34 minutes 29 seconds East 668.32 feet to the Northwest corner of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of said Section 15; thence along the West line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), North 01 degree 34 minutes 29 seconds East 807.93 Feet to the True Point of Beginning of Tract 6.

ORDER OF DEEDS OF RECORD SEAL

STATE OF MO. RANDOLPH CO.
BOOK 451 PAGE 539

DEC - 9 1999
HOUR 9 MIN 45AM
MARK PRICE, RECORDER
Mark Price

#21 Moniteau Creek Watershed