

Boone County, Missouri

Filed for record on July 29 at 9:37:16 P M in Boone Co. Mo.
Deputy Recorder, Bertie Johnson, Recorder of Deeds

Unofficial Document

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UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT:

In consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Haubein and McDowell, Inc, a Missouri corporation, Party of the First Part, for itself and its successors and assigns, does hereby grant, bargain, sell and convey unto GTE MIDWEST INCORPORATED, a Delaware Corporation, 625 Cherry, Columbia, Missouri 65201, Boone County, Missouri; and TCI CABLEVISION OF MISSOURI, INC., a Missouri Corporation, 5619 DTC Parkway, Englewood, Colorado 80111, Parties of the Second Part, its successors and assigns, forever and in perpetuity from the date hereof, a utility right-of-way and easement over, under, through and across the following described real estate situated in the City of Centralia, Boone County, Missouri:

A strip of land fifteen (15') feet in width through Lot One (1) and through a portion of Lot Two (2) of Poage's Addition to the City of Centralia, Boone County, Missouri, the centerline of which is more particularly described as follows: Beginning on the North line of Lot One of Poage's Addition to the City of Centralia, Boone County, Missouri at a point which is one-half the distance between the northwest corner of the said Lot One and the northeast corner of the said Lot One; thence in a southerly direction parallel to the West and East lines of the said Lot One and Lot Two of Poage's Addition a distance of One Hundred Twenty-seven and one-half (127.50') feet.

for the purpose of constructing, laying, maintaining, repairing, replacing, using and operating telephone and cable television lines and all necessary attachments and appurtenances thereon and thereto.

TO HAVE AND TO HOLD unto the said Parties of the Second Part, its successors and assigns, forever, and the undersigned Party of the First Part does hereby expressly covenant that it is the owner, in fee simple, of the above described real estate, that it has good right and authority to make and execute this instrument and that the said Parties of the Second Part, its employees, officers, agents, successors and assigns, shall, at all times, have free access to and ingress and egress to and from and over, through and across said real estate for the purposes herein described.

Nora Dietzel, Recorder of Deeds

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The said Parties of the Second Part, its employees, officers, agents, successors and assigns, further shall, at all times, have the right to enter upon and trim, clear, move or remove from the above described property any tree, bush, brush, vegetation, structure, fence or obstruction of any kind or character whatsoever which, in the sole judgment of the Parties of the Second Part, may endanger the safety of or interfere with the operation and maintenance of the easement or the utility facilities for which the easement was granted. In addition, the said Parties of the Second Part, its employees, officers, agents, successors and assigns, shall, at all times, have the right to use the above described property to pile earth, place or move equipment and machinery, place or store materials and perform any other act necessary for the purpose of exercising any of the rights herein granted.

If the Parties of the Second Part, its employees, officers, agents, successors and assigns, in constructing, laying, maintaining, repairing, replacing, using or operating the telephone and cable television lines enter upon the above described property and disturb the ground in doing so, then the Parties of the Second Part, or its successors and assigns, shall to the best of its ability, restore the ground to as near as possible the same condition that existed prior to entrance, and shall sow grass seed over ground that had grass before being disturbed. Neither the Parties of the Second Part, nor its successors and assigns shall have any obligation or responsibility to replace any structure, obstruction, fence, improvement, tree, bush, shrub, flower or plant of any kind that is cleared, trimmed, moved or removed under the terms of this easement.

No permanent buildings shall hereafter be built over the above described property, which said prohibition may be enforced by injunctive relief in addition to any available remedies at law.

This easement conveyance is non-exclusive, shall run with the land and shall be binding upon the Party of the First Part and its successors and assigns.

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IN WITNESS WHEREOF, the Party of the First Part has hereunto signed this easement this 29th day of July, 1993.

Haubein and McDowell, Inc.



By: H. Dennis Haubein
H. Dennis Haubein, President

ATTEST:

Patti S. Haubein
Patti S. Haubein, Secretary

STATE OF MISSOURI)
) ss
COUNTY OF BOONE)

On this 29th day of July, 1993, before me personally appeared H. Dennis Haubein, to me personally known, who, being by me duly sworn, did say that he is the president of Haubein and McDowell, Inc., a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and the said H. Dennis Haubein acknowledged said instrument to be the free act and deed of said corporation.

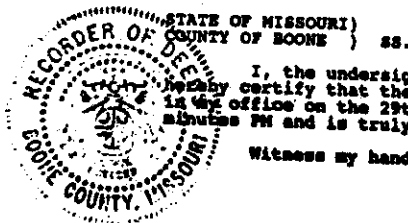
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Centralia, Boone County, Missouri the day and year last above



Brenda M. Rabert
BRENDA M. RABERT
Notary Public
STATE OF MISSOURI, Commissioned in Boone County

commission expires: 12-9-93

Document No. 17155



I, the undersigned Recorder of Deeds for said county and state do hereby certify that the foregoing instrument of writing was filed for record in my office on the 29th day of July, 1993 at 2 o'clock and 37:16 minutes PM and is truly recorded in Book 1003 Page 649.

Witness my hand and official seal on the day and year aforesaid.

BETTIE JOHNSON, RECORDER OF DEEDS
by Bettie Johnson deputy
Bettie Johnson