



Christian County Commission

100 West Church St, Room 100
Ozark, MO 65721

January Term

<http://ChristianCountyMO.iqm2.com>

~ Minutes ~

Thursday, January 28, 2016

8:50 AM

The Christian County Courthouse

I. Convene

The meeting was called to order at 8:50 AM by Presiding Commissioner Ray Weter

Attendee Name	Title	Status	Arrived
Ray Weter	Presiding Commissioner	Present	8:50 AM
Bill Barnett	Western Commissioner	Present	8:50 AM
Sue Ann Childers	Eastern Commissioner	Present	8:50 AM
Nikki Thiessen	Assistant	Present	8:50 AM
Cheryl Mitchell	Assistant	Present	8:50 AM
Ashley Hannah	Secretary	Present	9:30 AM

II. Agenda

Motion/Vote - 8:50 AM Christian County Commission

Discussion - Approve Agenda

Attendees: Assistant Nikki Thiessen, and Secretary Cheryl Mitchell.

Presiding Commissioner Weter entertained a motion to approve the agenda for January 28, 2016.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sue Ann Childers, Eastern Commissioner
SECONDER:	Bill Barnett, Western Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote - 8:55 AM Kay Brown-Christian County Clerk

Minutes & Financials Approval - Approve Minutes and Financials

Attendees: Assistant Nikki Thiessen, and Secretary Cheryl Mitchell.

No financials to approve.

Presiding Commissioner Weter entertained a motion to approve the minutes for January 21, 2016.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Barnett, Western Commissioner
SECONDER:	Sue Ann Childers, Eastern Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote -

Minutes

Presiding Commissioner Weter entertained a motion to approve the minutes for January 25, 2016.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sue Ann Childers, Eastern Commissioner
SECONDER:	Bill Barnett, Western Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote - 9:00 AM Todd Wiesehan-Planning and Development

Discussion - Release of Funds Securing Infrastructure in Grandview Estates

Attendees: Assistant Nikki Thiessen, Secretary Cheryl Mitchell, and P&D Administrator Todd Wiesehan.

P&D Administrator Todd Wiesehan began by recounting the history of the request presented before the Commission. In October 2015, he had to call a Letter of Credit in the amount of \$17,930.00 from Bob and Helen Tate with regards to Grandview Estates until they could secure a new Letter of Credit. Mr. Wiesehan said that the Tate's had their case heard before Planning and Development on December 21, 2015, and the funds can be released back to the Tate's.

Mr. Wiesehan requested that the Commission instruct the County Treasurer to release the funds, in the amount of \$17,930.00.

Presiding Commissioner Weter entertained a motion to approve the release of funds that secured the infrastructure in Grandview Estates.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Barnett, Western Commissioner
SECONDER:	Sue Ann Childers, Eastern Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote - 9:15 AM Todd Wiesehan-Planning and Development

Right of Way Dedication - Right of Way Dedication-N Cheyenne Rd; E Country Crest; E Southernview Rd

Attendees: Assistant Nikki Thiessen, Secretary Cheryl Mitchell, P&D Administrator Todd Wiesehan and Judy Dollarhite.

Jack Rice of Rice Brothers Farms, owner of real property on North Cheyenne Road in the Ozark Special road district has executed a Right of Way deed to Christian County.

Todd Wiesehan asked the Commission to approve the Right of Way conveyance to Christian County.

Presiding Commissioner Weter entertained a motion to approve the Right of Way transfer on North Cheyenne Road.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Barnett, Western Commissioner
SECONDER:	Sue Ann Childers, Eastern Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote -

Right of Way Dedication-N Cheyenne Rd; E Country Crest; E Southernview Rd

Brannon Powers, owner of real property on North Country Crest in the Ozark Special road district has executed a Right of Way deed to Christian County.

Todd Wiesehan asked the Commission to approve the Right of Way conveyance to Christian County.

Presiding Commissioner Weter entertained a motion to approve the Right of Way transfer on North Country Crest road.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sue Ann Childers, Eastern Commissioner
SECONDER:	Bill Barnett, Western Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote -

Right of Way Dedication-N Cheyenne Rd; E Country Crest; E Southernview Rd

Jerome Nichols and Carla Nichols, owners of real property on East Southernview Road in the Ozark Special road district has executed a Right of Way deed to Christian County.

Todd Wiesehan asked the Commission to approve the Right of Way conveyance to Christian County.

Presiding Commissioner Weter entertained a motion to approve the Right of Way transfer on East Southernview Road.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Barnett, Western Commissioner
SECONDER:	Sue Ann Childers, Eastern Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote - 9:30 AM Don Stewart-Citizen

Discussion - Replatting of Spokane Highlands

Attendees: Assistant Nikki Thiessen, Assistant Ashley Hannah, Donald Stewart, Clerk Amy York, Judy Dollarhite, Highway Administrator Miranda Beadles, Sheri Weter, Recorder Kelly Hall, P&D Administrator Todd Wiesehan, and Assessor Danny Gray.

Donald Stewart presented documents related to the re-plat of Spokane Highlands performed in 2000. He is asking the Commission to void the re-plat.

Documents were reviewed by the Commissioners and discussion was held.

Presiding Commissioner Weter asked Mr. Stewart why he was bringing his request to the County Commission rather than present his case before the Court. Answer: He believes that it's within the right of the Commission to void the re-plat.

Presiding Commissioner Weter disagreed, saying that the Commission has no authority to make decisions over individual lot lines. Commissioner Barnett asked Todd Wiesehan for his opinion as the current Planning and Development Administrator. Answer: He believes that it is not the responsibility of the Commission to make this decision. Since the re-plat has been recorded, the issue should be taken in front of a judge.

Recorder Kelly Hall said that if she received a court order to vacate the re-plat then she would have to record that, making the re-plat void. At that time, the County Assessor can reassess the properties. Assessor Danny Gray agreed.

Mr. Stewart said he would consult with his attorney and thanked the Commissioners.

Presiding Commissioner Weter concluded with a statement that this was an administrative hearing only.

III. Adjournment

The meeting was closed at 10:07 AM

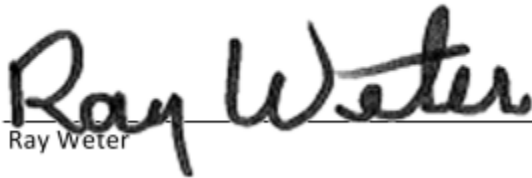
Motion/Vote -

Adjourn

The County Commission completed the scheduled meetings for today and will resume session on February 1, 2016.

Presiding Commissioner Weter entertained a motion to adjourn.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sue Ann Childers, Eastern Commissioner
SECONDER:	Bill Barnett, Western Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers



Ray Weter

Presiding Commissioner, Ray Weter



Bill Barnett

Western Commissioner, Bill Barnett



Sue Ann Childers

Sue Ann Childers

Eastern Commissioner, Sue Ann Childers

RIGHT OF WAY DEED

THIS DEED is made and entered into this 23 day of SEPT, 2015, by and between BKE BROTHERS FARMS LLC of CHRISTIAN, Missouri, hereinafter referred to as "Grantor", and **CHRISTIAN COUNTY, MISSOURI**, a political subdivision of the State of Missouri, its successors, administrators and assigns, all of which are hereinafter collectively referred to as "Grantee."

WITNESSETH, that the **Grantor**, in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration to it paid by the **Grantee**, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said **Grantee**, its successors and assigns, a Right of Way easement for construction, improvement, reconstruction and maintenance of a right of way for public use as a street, roadway thoroughfare or related purposes, including without limitation, the use of conduits, water, gas, sewer pipes, poles, wires, surface drainage facilities, ducts, cables on, over, along, across, and under the following described tracts or parcels of real estate in the County of Christian, State of Missouri, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD THE SAME, together with all and singular the rights, privileges and appurtenances and immunities thereunto belong or in any way appertaining, unto the said Grantee, and unto to its successors and assigns forever; the **Grantor** further covenanting on its part and on behalf of its heirs and assigns that it is lawfully seized of title to the real estate through which said easement is granted and that it has good and lawful right to convey said easement to the **Grantee** herein; that the premises are fee and clear of any encumbrances done or suffered by **Grantor** or those under whom **Grantor** claims; and that said **Grantor** will warrant and defend the title to the said premises unto the said **Grantee** and unto its successors and assigns forever against the lawful claims and demands of all persons whomsoever, except the lien of taxes for the current year and thereafter, special taxes and assessments becoming a lien after the date hereof, all covenants, restrictions, easements, reservations, and other matters of record and a billboard advertising sign lease applicable to the property.

GRANTOR, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), hereby waives any right to request vacation of the easement herein granted.

N Cheyenne Rd
Ozark Special

**RESOLUTION
OF THE
OZARK SPECIAL ROAD DISTRICT**

SUBJECT: Acceptance of Conveyance of Right of Way within the boundaries of the Ozark Special Road District

WHEREAS, ^{RICE BROTHERS FARMS LLC} ~~JACK RICE~~, the owner of record of certain real property in Christian County, Missouri has executed a Right of Way deed to Christian County, Missouri (grantee),

WHEREAS, the conveyance of right-of-way conveyed an interest in certain land lying within Christian County, Missouri and the Ozark Special Road District, legally described on **Exhibit "A"** attached hereto, for the purpose of establishing and maintaining public roads on said land,

WHEREAS, the Ozark Special Road District maintains control and jurisdiction over all public highways within the district,

NOW, THEREFORE, it is hereby agreed and resolved by the Ozark Special Road Commission that the Christian County Commission should accept this conveyance of right-of-way to be recorded in the Christian County Recorder of Deeds Office.

Approved this 12th day of JANUARY, ²⁰¹⁶ ~~2015~~.



Scott Bilyeu, Presiding Commissioner




John Elkins, Secretary

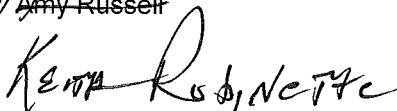


Ed Addington, Commissioner

ATTEST:



Amy Russell



Kemp Robinson

Attachment: Right of Way dedication Cheyenne, ountry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

THIS GRANT and easement shall, at all times be deemed to be and shall be, a continuing covenant running with the land and shall be binding upon the successors and assigns for the Grantor.

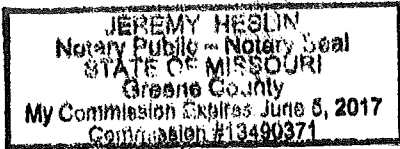
IN WITNESS WHEREOF, the undersigned Grantor has signed this deed the day and year first above written.

Jack Rice
BICE BROTHER FARMS LLC

STATE OF MISSOURI)
) SS
COUNTY OF Greene)

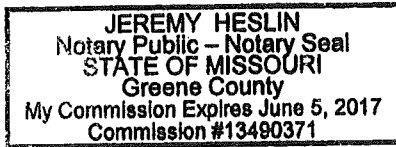
On this 23rd day of Sept, 2015, before me personally appeared Jack Rice, to me personally known, who, being by me duly sworn, did state that he/she executed the foregoing instrument as his/her own free act and deed.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the date and year first above written.



Jeremy Heslin
Notary Public
Jeremy Heslin
(Printed Name)

My Commission Expires:



The Christian County Commission hereby accepts the interest in real property conveyed by the Right-of-Way Warranty Deed from Grantor to Christian County, Missouri, as Grantee, for the property legally described above and hereby consents to the recordation of this Right-of-Way Warranty Deed.

Passed, Approved, and Adopted this 28th day of January, 2015.



ATTEST:

Kay B. Smith
County Clerk

Ray Weter
Ray Weter, Presiding Commissioner
Sue Ann Childers
Sue Ann Childers, Eastern Commissioner
Bill Barnett
Bill Barnett, Western Commissioner

Attachment: Right of Way dedication Cheyenne, ountry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

EXHIBIT "A"

THAT CERTAIN PARCEL OR TRACT OF LAND BEING A PART OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 8, TOWNSHIP 27 NORTH, RANGE 21 WEST, IN CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING 60D NAIL AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 8; THENCE N01°41'05"E, ALONG THE WEST LINE OF SAID NW1/4, A DISTANCE OF 1340.46 FEET TO AN IRON PIN SET AT THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2013 AT PAGE 1647 IN THE CHRISTIAN COUNTY RECORDER'S OFFICE FOR A POINT OF BEGINNING; THENCE CONTINUING N01°41'05"E, ALONG SAID WEST LINE, A DISTANCE OF 564.70 FEET TO AN EXISTING IRON PIN AT THE SOUTHWEST CORNER OF LOT 1 OF THE REPLAT OF LOTS 5, 6, & 7 IN FAIR HAVEN ESTATES PHASE IV, A SUBDIVISION IN CHRISTIAN COUNTY, MISSOURI; THENCE S87°20'03"E, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 40.01 FEET TO AN IRON PIN SET; THENCE S01°41'05"W, PARALLEL WITH THE WEST LINE OF SAID NW1/4, A DISTANCE OF 564.69 FEET TO AN IRON PIN SET ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2013 AT PAGE 1647 IN THE CHRISTIAN COUNTY RECORDER'S OFFICE; THENCE N87°21'17"W (N87°47'16"W DEED), ALONG THE NORTH LINE OF SAID TRACT OF LAND, A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 0.518 ACRES (MORE OR LESS) AND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.

BRYANT, RICKIE EUGENE (TRUST)
110308002001002000

PARKER, MICHAEL & JANET
110308002001003000

N CHEYENNE RD

RUMSON RD

Sec: 7
Twn: 27
Rng: 21
NICHOLS, SCOTT A & JENNA L
110308002002001000

SUNDY, PAUL S & CRYSTAL S
110308002002002000

Sec: 8
Twn: 27
Rng: 21

NEW
ROW

RICE BROTHER FARMS LLC
110308000000077001

MCLAUHLIN, JACOB & JANA E
11030800000006000

WASZKIEWICZ, BRANDIE J
110308000000077001

OZARK SPECIAL

Attachment: Right of Way dedication Cheyenne, ountry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

C

RIGHT OF WAY DEED # 2015-0204

THIS DEED is made and entered into this 7th day of AUGUST, 2015, by and between JEROME NICHOLS CARLA NICHOLS of Christian County, Missouri, hereinafter referred to as "Grantor", and **CHRISTIAN COUNTY, MISSOURI**, a political subdivision of the State of Missouri, its successors, administrators and assigns, all of which are hereinafter collectively referred to as "Grantee."

WITNESSETH, that the **Grantor**, in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration to it paid by the **Grantee**, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said **Grantee**, its successors and assigns, a Right of Way easement for construction, improvement, reconstruction and maintenance of a right of way for public use as a street, roadway thoroughfare or related purposes, including without limitation, the use of conduits, water, gas, sewer pipes, poles, wires, surface drainage facilities, ducts, cables on, over, along, across, and under the following described tracts or parcels of real estate in the County of Christian, State of Missouri, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD THE SAME, together with all and singular the rights, privileges and appurtenances and immunities thereunto belong or in any way appertaining, unto the said Grantee, and unto to its successors and assigns forever; the **Grantor** further covenanting on its part and on behalf of its heirs and assigns that it is lawfully seized of title to the real estate through which said easement is granted and that it has good and lawful right to convey said easement to the **Grantee** herein; that the premises are fee and clear of any encumbrances done or suffered by **Grantor** or those under whom **Grantor** claims; and that said **Grantor** will warrant and defend the title to the said premises unto the said **Grantee** and unto its successors and assigns forever against the lawful claims and demands of all persons whomsoever, except the lien of taxes for the current year and thereafter, special taxes and assessments becoming a lien after the date hereof, all covenants, restrictions, easements, reservations, and other matters of record and a billboard advertising sign lease applicable to the property.

GRANTOR, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), hereby waives any right to request vacation of the easement herein granted.

E Southernview Rd
Ozark Special

Attachment: Right of Way dedication Cheyenne, ountry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

RESOLUTION
OF THE
OZARK SPECIAL ROAD DISTRICT

SUBJECT: Acceptance of Conveyance of Right of Way within the boundaries of the Ozark Special Road District


WHEREAS, JEROME & CARLA NICHOLS, the owner of record of certain real property in Christian County, Missouri has executed a Right of Way deed to Christian County, Missouri (grantee),

WHEREAS, the conveyance of right-of-way conveyed an interest in certain land lying within Christian County, Missouri and the Ozark Special Road District, legally described on **Exhibit "A"** attached hereto, for the purpose of establishing and maintaining public roads on said land,


WHEREAS, the Ozark Special Road District maintains control and jurisdiction over all public highways within the district,

NOW, THEREFORE, it is hereby agreed and resolved by the Ozark Special Road Commission that the Christian County Commission should accept this conveyance of right-of-way to be recorded in the Christian County Recorder of Deeds Office.


Approved this 12th day of JANUARY, ²⁰¹⁶ ~~2015~~.



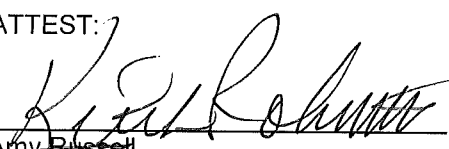
Scott Bilyeu, Presiding Commissioner




John Elkins, Secretary



Ed Addington, Commissioner

ATTEST:


Arny Russell


KEITH ROBINETTE

Attachment: Right of Way dedication Cheyenne, ountry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

THIS GRANT and easement shall, at all times be deemed to be and shall be, a continuing covenant running with the land and shall be binding upon the successors and assigns for the Grantor.

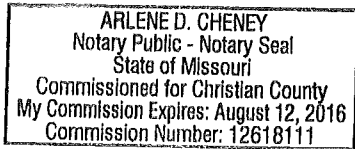
IN WITNESS WHEREOF, the undersigned Grantor has signed this deed the day and year first above written.

[Handwritten signature]

STATE OF MISSOURI)
) SS
COUNTY OF CHRISTIAN)

On this 7th day of August, 2015, before me personally appeared Carla & Jerome Nichols, to me personally known, who, being by me duly sworn, did state that he/she executed the foregoing instrument as his/her own free act and deed.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the date and year first above written.

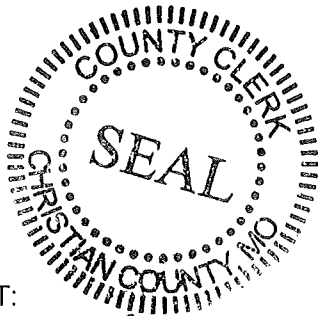


[Handwritten signature]
Notary Public
Arlene D. Cheney
(Printed Name)

My Commission Expires: Aug 12, 16

The Christian County Commission hereby accepts the interest in real property conveyed by the Right-of-Way Warranty Deed from Grantor to Christian County, Missouri, as Grantee, for the property legally described above and hereby consents to the recordation of this Right-of-Way Warranty Deed.

Passed, Approved, and Adopted this 28th day of January, 2015.)



ATTEST:

Kay Brown
County Clerk

Ray Weter
Ray Weter, Presiding Commissioner

Sue Ann Childers
Sue Ann Childers, Eastern Commissioner

Bill Barnett
Bill Barnett, Western Commissioner

Attachment: Right of Way dedication Cheyenne, ountry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

KELTNER PROPERTIES, LLC
04073500000001000
Ozark

TURNER BUILDING & DEVELOPMENT INC
040736000000006001

E SOUTHERNVIEW RD

Secs 35
Twns 28
Rngs 21

NEW OZARK SPECIAL ROW

CHAPMAN, GARY B & ROSALIE A
040735004004024000

N STATE HIGHWAY NN

Secs 36
Twns 28
Rngs 21

NICHOLS, JEROME H & CARLA S (TRUST)
040736000000007000

BARB, MATTHEW DEAN & CHRISTY
040735004004023009

COUNTY ROW ~ MODOT

NICHOLS, JEROME & CARLA
040736000000007002

WEVER, KRISTA
040735004004019000

SUTTON, OSCAR & CURTNER, DANA FEHR, GARY K
040736000000008000 040736000000009000

OZARK SPECIAL

Attachment: Right of Way dedication Cheyenne, ontry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

EXHIBIT A

COMMENCING AT AN EXISTING SURVEY MONUMENT MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 36, TOWNSHIP 28, RANGE 21, CHRISTIAN COUNTY, MISSOURI; THENCE S87°35'48"E, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW1/4), A DISTANCE OF 75.06 FEET TO THE POINT OF BEGINNING; THENCE S87°35'48"E, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 923.53 FEET TO THE EAST LINE OF THE WEST ONE-HALF (W1/2) OF THE EAST ONE-HALF (E1/2) OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 36; THENCE S01°32'40"W, ALONG SAID EAST LINE, A DISTANCE OF 35.72 FEET TO A SET SURVEY MONUMENT CAPPED LS 267D, SAID POINT BEING 32.5 FEET SOUTH OF THE CENTERLINE OF SOUTHERNVIEW ROAD AS IT NOW EXISTS; THENCE N87°36'13"W, PARALLEL WITH SAID CENTERLINE, A DISTANCE OF 332.86 FEET TO A SET SURVEY MONUMENT CAPPED LS 267D; THENCE N87°20'32"W, PARALLEL WITH SAID CENTERLINE, A DISTANCE OF 580.60 FEET TO A SET SURVEY MONUMENT CAPPED LS 267D; THENCE S47°01'01"W, A DISTANCE OF 41.95 FEET TO A SET SURVEY MONUMENT CAPPED LS 267D; THENCE S01°22'33"W, A DISTANCE OF 600.37 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SOUTHWEST QUARTER (SW1/4) AND A SET SURVEY MONUMENT; THENCE N87°29'47"W, ALONG SAID SOUTH LINE, A DISTANCE OF 25.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY NN AND A SET SURVEY MONUMENT; THENCE N01°22'33"E, ALONG SAID EAST LINE, A DISTANCE OF 589.16 FEET TO THE ANGLE POINT OF SAID EAST LINE AND A SET SURVEY MONUMENT CAPPED LS 267D; THENCE N32°52'31"E, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 86.09 FEET TO THE POINT OF BEGINNING, CONTAINING 48,262 SQ. FT. AND ALL BEING IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 28, RANGE 21, CHRISTIAN COUNTY, MISSOURI.

BEARINGS LISTED ARE BASED ON MISSOURI STATE PLANE, CENTRAL ZONE, NAD83.

RIGHT OF WAY DEED

THIS DEED is made and entered into this 21st day of December, 2015, by and between **Brannon Powers** of Greene County, Missouri, hereinafter referred to as "Grantor", and **CHRISTIAN COUNTY, MISSOURI**, a political subdivision of the State of Missouri, its successors, administrators and assigns, all of which are hereinafter collectively referred to as "Grantee."

WITNESSETH, that the **Grantor**, in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration to it paid by the **Grantee**, the receipt and sufficiency of which is hereby acknowledged, does by these presents grant, bargain, sell, convey, and confirm unto said **Grantee**, its successors and assigns, a Right of Way easement for construction, improvement, reconstruction and maintenance of a right of way for public use as a street, roadway thoroughfare or related purposes, including without limitation, the use of conduits, water, gas, sewer pipes, poles, wires, surface drainage facilities, ducts, cables on, over, along, across, and under the following described tracts or parcels of real estate in the County of Christian, State of Missouri, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD THE SAME, together with all and singular the rights, privileges and appurtenances and immunities thereunto belong or in any way appertaining, unto the said Grantee, and unto to its successors and assigns forever; the **Grantor** further covenanting on its part and on behalf of its heirs and assigns that it is lawfully seized of title to the real estate through which said easement is granted and that it has good and lawful right to convey said easement to the **Grantee** herein; that the premises are fee and clear of any encumbrances done or suffered by **Grantor** or those under whom **Grantor** claims; and that said **Grantor** will warrant and defend the title to the said premises unto the said **Grantee** and unto its successors and assigns forever against the lawful claims and demands of all persons whomsoever, except the lien of taxes for the current year and thereafter, special taxes and assessments becoming a lien after the date hereof, all covenants, restrictions, easements, reservations, and other matters of record and a billboard advertising sign lease applicable to the property.

GRANTOR, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), hereby waives any right to request vacation of the easement herein granted.

E Country Crest
Ozark Special

THIS GRANT and easement shall, at all times be deemed to be and shall be, a continuing covenant running with the land and shall be binding upon the successors and assigns for the Grantor.

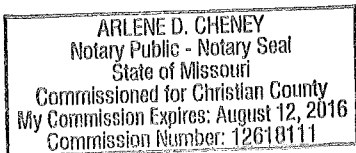
IN WITNESS WHEREOF, the undersigned Grantor has signed this deed the day and year first above written.

[Handwritten signature]

STATE OF MISSOURI)
) SS
COUNTY OF CHRISTIAN)

On this 21st day of December, 2015, before me personally appeared Bronnon Powers, to me personally known, who, being by me duly sworn, did state that he/she executed the foregoing instrument as his/her own free act and deed.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the date and year first above written.



[Handwritten signature: Arlene D. Cheney]

Notary Public
Arlene D. Cheney
(Printed Name)

My Commission Expires: Aug 12, 2016

The Christian County Commission hereby accepts the interest in real property conveyed by the Right-of-Way Warranty Deed from Grantor to Christian County, Missouri, as Grantee, for the property legally described above and hereby consents to the recordation of this Right-of-Way Warranty Deed.

Passed, Approved, and Adopted this 28th day of January, 2015.

[Handwritten signature: Ray Weter]

Ray Weter, Presiding Commissioner

[Handwritten signature: Sue Ann Childers]

Sue Ann Childers, Eastern Commissioner

[Handwritten signature: Bill Barnett]

Bill Barnett, Western Commissioner



ATTEST:

[Handwritten signature: Kay Brown]

County Clerk

Attachment: Right of Way dedication Cheyenne, ountry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

RESOLUTION
OF THE
OZARK SPECIAL ROAD DISTRICT

SUBJECT: Acceptance of Conveyance of Right of Way within the boundaries of the Ozark Special Road District


WHEREAS, Bryan Powers the owner of record of certain real property in Christian County, Missouri has executed a Right of Way deed to Christian County, Missouri (grantee),

WHEREAS, the conveyance of right-of-way conveyed an interest in certain land lying within Christian County, Missouri and the Ozark Special Road District, legally described on **Exhibit "A"** attached hereto, for the purpose of establishing and maintaining public roads on said land,

WHEREAS, the Ozark Special Road District maintains control and jurisdiction over all public highways within the district,

NOW, THEREFORE, it is hereby agreed and resolved by the Ozark Special Road Commission that the Christian County Commission should accept this conveyance of right-of-way to be recorded in the Christian County Recorder of Deeds Office.

Approved this 12th day of JANUARY, 2016



Scott Bilyeu, Presiding Commissioner



John Elkins, Secretary



Ed Addington, Commissioner

ATTEST:



Amy Russell

Keith Robinette

Attachment: Right of Way dedication Cheyenne, ountry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

TOWNSEND, ORVAL & NAOMI
110614000000128000

STOKES, VANCE L MOORE, JOSHUA A & TIFFANY N
110614000000118000 110614000000097000

BURLEW, DAVID D & LETICIA C
110614000000129000

STONE RIDGE HOMES OWNERS ASSOC
110614000000017000

E ROCK CREEK

Ozark

EASLEY, KEVIN & MELISA M
110614000000094000

WINTERS, NANCY J (TRUST)
110614000000096000

BARNES, LARRY R
110614000000031034

EDDINGS, CASEY J & PATRICIA A
110614000000031024

CRANN, RICHARD & SUSAN
110614000000033000

Sec: 14
Twn: 27
Rng: 21

POWERS, BRANNON J
110614000000032000

SHIVLER, ROLAND & SARAH
110614000000031022

SABOR, MARY L FOX
110614000000031021

JAMES, NANCY
110614000000031020

NEW ROW
↓

E COUNTRY CREST RD

COUNTRY CREST PROPERTY OWNERS
110623001014049000

Sec: 23
Twn: 27
Rng: 21

HESLIP, KAREN L
110623001014003000

GREY, ROLAND & FRANCES
110623001021001000

E CLAY WETER, KARYN KAY
110623001014002000

CASEY, JAMES B & MARCELENE
110623001002002000

SUNSET PARTS LLC
110623001001001000

BALL, JILLIAN BEETS, ADAM E & JODI L
110623001015003000 110623001015001000

CONDON, DARREN
110623001020001000

OZARK SPECIAL

Attachment: Right of Way dedication Cheyenne, ontry, southernview (2772 : Right of Way Dedication-N Cheyenne Rd; E Country Crest; E

Exhibit "A"

DESCRIPTION OF RIGHT OF WAY:

A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION FOURTEEN (14), TOWNSHIP TWENTY-SEVEN NORTH (T27N), RANGE TWENTY-ONE WEST (R21W) OF THE 5th P.M. IN CHRISTIAN COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING FROM THE SOUTHWEST CORNER OF SAID SW1/4 OF THE SE1/4, THENCE S87°29'11"E, ALONG THE SOUTH LINE OF SAID SECTION 14, THENCE S87°29'11"E, 651.66 FEET TO THE POINT OF BEGINNING; THENCE S87°29'11"E, 651.66 FEET; THENCE S87°29'11"E, 660.14 FEET; THENCE N01°22'48"E, 19.25 FEET; THENCE N87°13'17"W, 660.16 FEET; THENCE S01°30'42"W, 22.30 FEET TO THE POINT OF BEGINNING.