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Recording Date/Time: **10/24/2023** at **11:20:54 AM**

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Book: **2494** Page: **923**

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Pages: **5**

Fee: **\$58.00 N**



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ID: BOOK 2494 PAGE 923

County: LINCOLN

Date: 10/24/23 Time: 11:20AM

WATER WELL AGREEMENT AND EASEMENT

THIS AGREEMENT, made and entered into this 20th day of October, 2023, by and between

David Bohigian, Trustee of the Jeanne S. Fausek Irrevocable Trust for the benefit of William F. Fausek dated 9/10/2008, hereinafter referred to as FIRST PARTY, (Grantor),

Address: 2970 Chain Bridge Road, NW Washington, DC 20016

and David Bohigian, Trustee of the Jeanne S. Fausek Irrevocable Trust for the benefit of William F. Fausek dated 9/10/2008, hereinafter referred to as SECOND PARTY, (Grantee).

Address: 2970 Chain Bridge Road NW - Washington DC 20016

WHEREAS, FIRST PARTY is the owner of Real Estate which shall be referred to as Parcel "A" and being approximately 16.3 acres described as follows (Tract 15 of Boundary Survey #2023-008243):

A TRACT OF LAND LYING IN U.S. SURVEY #3131, TOWNSHIP 51 NORTH, RANGE 1 WEST, LINCOLN COUNTY, MISSOURI AND BEING MORE FULLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT A FOUND STONE MARKING THE SOUTHEAST CORNER OF THE MERIWETHER TRACT PER BOOK 156 PAGE 473 IN THE OFFICE OF THE RECORDER OF DEEDS OF LINCOLN COUNTY, MISSOURI; THENCE SOUTH 69 DEGREES, 18 MINUTES AND 01 SECOND WEST 688.73 FEET TO A 5/8" IRON PIN; THENCE SOUTH 26 DEGREES, 24 MINUTES AND 48 SECONDS EAST 1694.17 FEET TO A 5/8" IRON PIN MARKING THE TRUE POINT OF BEGINNING; THENCE NORTH 80 DEGREES, 12 MINUTES AND 56 SECONDS EAST 73.20 FEET TO A 5/8" IRON PIN; THENCE SOUTH 10 DEGREES, 32 MINUTES AND 17 SECONDS EAST 427.41 FEET TO A 5/8" IRON PIN; THENCE SOUTH 89 DEGREES, 14 MINUTES AND 51 SECONDS EAST 34.88 FEET TO A 5/8" IRON PIN; THENCE SOUTH 22 DEGREES, 44 MINUTES AND 13 SECONDS EAST 35.72 FEET TO A 5/8" IRON PIN; THENCE SOUTH 72 DEGREES, 00 MINUTES AND 19 SECONDS EAST 112.55 FEET TO A POINT FROM WHICH A 5/8" IRON PIN BEARS NORTH 72 DEGREES, 00 MINUTES AND 19 SECONDS WEST 13.59 FEET; THENCE SOUTH 19 DEGREES, 34 MINUTES AND 19 SECONDS WEST 162.70 FEET TO A 5/8" IRON PIN; THENCE SOUTH 35 DEGREES, 10 MINUTES AND 25 SECONDS WEST 58.38 FEET TO A 5/8" IRON PIN; THENCE SOUTH 57 DEGREES, 01 MINUTE AND 48 SECONDS WEST 67.35 FEET TO A 5/8" IRON PIN; THENCE SOUTH 69 DEGREES, 34 MINUTES AND 19 SECONDS WEST 718.54 FEET TO A POINT FROM WHICH A 5/8" IRON

PIN BEARS NORTH 31 DEGREES, 03 MINUTES AND 54 SECONDS WEST 20.00 FEET; THENCE NORTH 31 DEGREES, 03 MINUTES AND 54 SECONDS WEST 819.74 FEET TO A 5/8" IRON PIN; THENCE NORTH 74 DEGREES, 20 MINUTES AND 02 SECONDS EAST 971.03 FEET TO THE POINT OF BEGINNING, CONTAINING 16.3 ACRES, MORE OR LESS, WITH THE ABOVE DESCRIBED BEING SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR NOT OF RECORD, IF ANY. AS PER SURVEY #2023-008243 OF JASON D. JANES, MISSOURI PROFESSIONAL LAND SURVEYOR #2004017826 DURING SEPTEMBER OF 2023.

WHEREAS, SECOND PARTY is the owner of Real Estate which shall be referred to as Parcel "B" and being approximately 14.2 acres described as follows (Tract 16 of Boundary Survey #2023-008243):

A TRACT OF LAND LYING IN U.S. SURVEY #1638 & U.S. SURVEY #3131, TOWNSHIP 51 NORTH, RANGE 1 WEST, LINCOLN COUNTY, MISSOURI AND BEING MORE FULLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT A FOUND 5/8" IRON PIN MARKING THE SOUTHWEST CORNER OF U.S. SURVEY #1638; THENCE NORTH 21 DEGREES, 00 MINUTES AND 04 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID U.S. SURVEY #1638 A DISTANCE OF 2266.90 FEET TO A 5/8" IRON PIN; THENCE NORTH 20 DEGREES, 59 MINUTES AND 39 SECONDS WEST ALONG SAID SOUTHWESTERLY LINE 2020.25 FEET TO THE CENTERLINE OF LEO HARDY ROAD; THENCE SOUTH 68 DEGREES, 25 MINUTES AND 52 SECONDS WEST LEAVING SAID SOUTHWESTERLY LINE AND ALONG SAID CENTERLINE 233.57 FEET TO A POINT FROM WHICH A 5/8" IRON PIN BEARS NORTH 19 DEGREES, 54 MINUTES AND 26 SECONDS WEST 15.00 FEET; THENCE NORTH 19 DEGREES, 54 MINUTES AND 26 SECONDS WEST LEAVING SAID CENTERLINE 3045.92 FEET TO A 5/8" IRON PIN MARKING THE TRUE POINT OF BEGINNING; THENCE SOUTH 69 DEGREES, 00 MINUTES AND 08 SECONDS WEST 542.91 FEET TO A 5/8" IRON PIN; THENCE NORTH 19 DEGREES, 54 MINUTES AND 26 SECONDS WEST 748.98 FEET TO A POINT FROM WHICH A 5/8" IRON PIN BEARS SOUTH 19 DEGREES, 54 MINUTES AND 26 SECONDS EAST 8.00 FEET; THENCE NORTH 69 DEGREES, 34 MINUTES AND 19 SECONDS EAST 70.97 FEET TO A 5/8" IRON PIN; THENCE NORTH 57 DEGREES, 01 MINUTE AND 48 SECONDS EAST 67.35 FEET TO A 5/8" IRON PIN; THENCE NORTH 35 DEGREES, 10 MINUTES AND 25 SECONDS EAST 58.38 FEET TO A 5/8" IRON PIN; THENCE NORTH 19 DEGREES, 34 MINUTES AND 19 SECONDS EAST 162.70 FEET; THENCE CONTINUE NORTH 19 DEGREES, 19 MINUTES AND 20 SECONDS EAST 2.95 FEET; THENCE NORTH 63 DEGREES, 47 MINUTES AND 51 SECONDS EAST 16.27 FEET TO A 5/8" IRON PIN; THENCE NORTH 63 DEGREES, 47 MINUTES AND 51 SECONDS EAST 267.39 FEET TO A 5/8" IRON PIN; THENCE NORTH 59 DEGREES, 29 MINUTES AND 23 SECONDS EAST 138.70 FEET TO A 5/8" IRON PIN; THENCE SOUTH 19 DEGREES, 21 MINUTES AND 58 SECONDS EAST 969.50 FEET TO A 5/8" IRON PIN; THENCE SOUTH 69 DEGREES, 00 MINUTES AND 08 SECONDS WEST 156.10 FEET TO THE POINT OF BEGINNING, CONTAINING 14.2 ACRES, MORE OR LESS, WITH THE ABOVE DESCRIBED BEING SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR NOT OF RECORD, IF ANY. AS PER SURVEY #2023-008243 OF JASON D. JANES, MISSOURI PROFESSIONAL LAND SURVEYOR #2004017826 DURING SEPTEMBER OF 2023.

WHEREAS, First Party does by these presents, Remise, Release and forever Grant unto the Second

Party a nonexclusive perpetual easement 10 feet wide over the real property described as Parcel "A" for the benefit of the real property described as Parcel "B", described as follows:

A 10.00 FEET WIDE WELL EASEMENT LYING IN U.S. SURVEY #3131, TOWNSHIP 51 NORTH, RANGE 1 WEST, LINCOLN COUNTY, MISSOURI AND LYING 5.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED LINE TO-WIT:
COMMENCING AT THE SOUTHWEST CORNER OF U.S. SURVEY #1638; THENCE NORTH 21 DEGREES, 00 MINUTES AND 04 SECONDS WEST 2266.90 FEET; THENCE NORTH 20 DEGREES, 59 MINUTES AND 39 SECONDS WEST 2020.25 FEET; THENCE SOUTH 68 DEGREES, 25 MINUTES AND 52 SECONDS WEST 233.57 FEET; THENCE NORTH 19 DEGREES, 54 MINUTES AND 26 SECONDS WEST 3045.92 FEET; THENCE SOUTH 69 DEGREES, 00 MINUTES AND 08 SECONDS WEST 542.91 FEET; THENCE NORTH 19 DEGREES, 54 MINUTES AND 26 SECONDS WEST 748.98 FEET; THENCE NORTH 69 DEGREES, 34 MINUTES AND 19 SECONDS EAST 70.97 FEET; THENCE NORTH 57 DEGREES, 01 MINUTE AND 48 SECONDS EAST 48.17 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE; THENCE NORTH 32 DEGREES, 58 MINUTES AND 12 SECONDS WEST 50.00 FEET TO THE POINT OF TERMINATION OF SAID LINE. AS PER SURVEY #2023-008243 OF JASON D. JANES, MISSOURI PROFESSIONAL LAND SURVEYOR #2004017826 DURING SEPTEMBER OF 2023.

WHEREAS, this Agreement shall run with the land.

IN WITNESS WHEREOF, the said Parties have hereunto set their hands, this 20th day of October, 2023.

Jeanne S. Fausek Irrevocable Trust for
the benefit of William F. Fausek, as
Grantor

BY: [Signature]
David Bohigian
Trustee

SEE SUPPLEMENTAL SIGNATURE PAGE ATTACHED HERETO AND MADE A PART HEREOF.

District of Columbia

Signed and sworn to (or affirmed) before me on _____ by _____.
(Date) Name of Individual making statement

Signature of Notarial Officer

Title of Office

My Commission Expires: _____

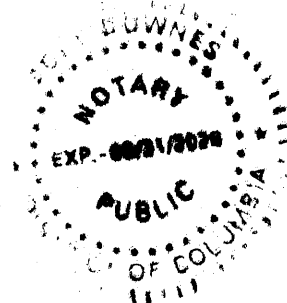
District of Columbia

Signed and sworn to (or affirmed) before me on
October 20, 2023 by David Bohigian
Date Name(s) of Individual(s) making statement

[Signature]
Joey Dawnes Joey Dawnes
Signature of Notarial Officer Seal

Notary Public
Title of Office

My Commission Expires: 8/31/2028



SUPPLEMENTAL SIGNATURE PAGE

IN WITNESS WHEREOF, the said Parties have hereunto set their hands, this 20th day of October, 2023.

Jeanne S. Fausek Irrevocable Trust for
the benefit of William F. Fausek, as
Grantee

BY: [Signature]
David Bohigian
Trustee

District of Columbia

Signed and sworn to (or affirmed) before me on _____ by _____.
(Date) Name of Individual making statement

Signature of Notarial Officer

Title of Office

My Commission Expires: _____

District of Columbia

Signed and sworn to (or affirmed) before me on
October 20, 2023 by David Bohigian
Date Name(s) of Individual(s) making statement

[Signature] Zoe Dawnes
Signature of Notarial Officer
Notary Public Seal

My Commission Expires: 8/31/2028

