

APPLICATION FOR SHORELINE USE PERMIT/LICENSE

(ER 1130-2-406)

Print or type information requested below. Submit completed and original signed copy of this application to the project Operations Manager.

| | | | |
|-------------------|---|-----------------------------|---------------------|
| PROJECT | TABLE ROCK LAKE | DATE OF APPLICATION | January 1, 2022 |
| NAME OF APPLICANT | JACQUE CREEK BOAT DOCK ASSOCIATION of KAREN CUNNINGHAM <i>e/o</i> | PHONE: (314) 308-2522 CELL: | |
| STREET | 610 SUSAN ROAD | CITY, STATE, ZIP CODE | ST. LOUIS, MO 63129 |

ONLY ITEMS AND STRUCTURES LISTED BELOW ARE AUTHORIZED

WATER-BASED STRUCTURE: BOAT DOCK - 4-slip
LAND-BASED STRUCTURE(S): OVERHEAD DOCK POWER LINE
DACW03-3-11-TR-0008007 10 x 190 WHITE GRAVEL ROAD (See Exhibit A)

BRIEF DESCRIPTION OF
FACILITY LOCATION:TRACT NO. B-228-2
COUNTY OF STONE
STATE OF MO

OTHER (Describe):

THE FOLLOWING ALTERNATE PARTY WILL BE READILY AVAILABLE ON SHORT-NOTICE CALL AND RESPONSIBLE FOR PROVIDING ANY NEEDED SURVEILLANCE OF THE STRUCTURE IN MY ABSENCE.

| | |
|--------|---------------------------------|
| NAME | TELEPHONE (including area code) |
| STREET | CITY, STATE, ZIP CODE |

SIGNATURE OF ALTERNATE

I UNDERSTAND THE CONDITIONS OF THIS SHORELINE USE PERMIT/LICENSE AND HEREBY ACCEPT THIS INSTRUMENT, TOGETHER WITH ALL CONDITIONS THEREOF, ON THIS _____ DAY OF _____, 20_____.

SIGNATURE OF APPLICANT

(DO NOT WRITE BELOW THIS LINE)

SPECIAL PERMIT/LICENSE CONDITIONS: Road facilities shall be open to the public for use without charge. Vehicular traffic shall be restricted to the approved right-of-way only. Large boulders, heavy enough to prevent easy removal, may be required around the perimeter of the right-of-way and spaced to prevent vehicular access but not impede pedestrian access. The facilities may be repaired and maintained to ensure their licensed purpose, but may not be enlarged or otherwise further improved in any manner. Unauthorized expansion may result in termination of this license, removal and/or closure of the road authorized herein, and a citation for destruction of public property under Title 36, part 327.14, Public Property.

THE SECRETARY OF THE ARMY HEREBY GRANTS TO THE APPLICANT NAMED ABOVE A PERMIT FOR THE WATER-BASED STRUCTURE AND A LICENSE FOR THE LAND-BASED STRUCTURE(S) TO CONSTRUCT, USE AND MAINTAIN THE ITEMS SPECIFIED AND DESCRIBED ABOVE FOR THE PERIOD SPECIFIED ABOVE. THIS PERMIT/LICENSE IS GRANTED SUBJECT TO THE CONDITIONS SHOWN IN EXHIBIT C AND ALL OTHER RULES AND REGULATIONS OF THE CORPS OF ENGINEERS ON WATERS UNDER THE CONTROL OF THE U. S. ARMY, CORPS OF ENGINEERS.

| | |
|-------------------------------|------------------------------------|
| DATE ISSUED | DATE EXPIRES 12/31/2026 |
| SHORELINE PERMIT NO. 0008007 | LICENSE NO. DACW03-3-11-TR-0008007 |
| (Date) _____ Resource Manager | (Date) _____ Realty Specialist |

DATA REQUIRED BY THE PRIVACY ACT OF 1974**AUTHORITY:** The Rivers and Harbors Act of 1894 as amended and supplemented (33 U.S.C. 1)**PRINCIPAL PURPOSE:** Provide the Corps of Engineers with information for contact of the responsible person applying for and/or receiving a Shoreline Management permit. The description of the activity is needed to assure conditions of the permit requirements are met.**ROUTINE USES:** The information on this application is used in considering the issuance of shoreline management permits on Corps of Engineers projects. This information is collected and maintained at project offices and is used as a basis for issuing permits. It provides auditing information for this program which has financial involvement.**DISCLOSURE:** Disclosure of information is voluntary. However, failure to provide the requested information will preclude the issuance of a

DOCK OWNER INFORMATION

Permit #: 0008007

Date: January 1, 2022

The Corps of Engineers must maintain a current list of the owners of docks on Table Rock Lake. The name and address of each owner must be provided along with the State registration number (i.e. MO-2186-AX) for all boats which will be moored in the dock. This information should be submitted in the form of a current boat registration indicating the boat owner name(s) and boat registration number(s) along with this completed form. This information is required of all owners regardless of whether the dock is individually or group owned. Please return this form with the requested information.

[illegible]

October 15, 2021

US Army Corps of Engineers
4600 State Highway 65
Branson, MO 65616

To Whom it May Concern:

We, the slip owners of the Jacques Creek Boat Dock Association (Permit # 0008007), hereby agree that the designated permittee/representative of our Association is Kenton Marsh.

We wish him to remain the permittee unless we provide further written notice.

Sincerely,

Kenton Marsh

Monica Marsh



Karen M. Cunningham

**FEE SCHEDULE
BOAT DOCK #0008007**

Permittee: JACQUE CREEK BOAT DOCK ASSOCIATION
Mail to: ~~KAREN CUNNINGHAM~~
~~610 SUSAN ROAD~~
~~ST. LOUIS, MO 63129~~

Permit and Administrative Fees:

| | |
|-----------------|----------|
| Dock Permit Fee | \$ 30.00 |
| Inspection Fee | 100.00 |
| License Fee | 550.00 |

Fair Market Value Fees:

| | |
|-----------|-------|
| Powerline | 75.00 |
| ROAD | 75.00 |

TOTAL DUE

\$830.00

Checks should be made payable to: FAO, US Army, SWL

Amount Due: **\$830.00**

Amount Paid:

Paid Date:

Exhibit B

EASEMENT AGREEMENT

This Agreement, effective this 22 day of July, 1997, by and between WAYNE CUNNINGHAM and KAREN M. CUNNINGHAM, his wife, 5354 Oaklawn Drive, St. Louis, MO 63128, referred to herein as "Cunningham," and JERRY W. RUTHERFORD and RUTH E. RUTHERFORD, his wife, 5353 East Stonehaven, Springfield, MO 65804, referred to herein as "Rutherford," WITNESSETH:

WHEREAS, Cunningham is the owner of the following described real estate located in Stone County, Missouri, to-wit:

A part of the NW¼ of the SW¼ of Section 33, Township 23 North, Range 22 West, described as follows: Beginning at the Northwest corner of the SW¼ of the NW¼ of the SW¼ of said Section 33; thence North 46°23'17" East along Government Fee Take Line Tract B-228-1, 470.70 feet; thence South 19°15'40" East 332.49 feet to the Northerly right of way of an existing road; thence South 24°08'22" East 20.00 feet to the centerline of said road; thence Southwesterly along centerline on a 7.17° curve to the left, 198.96 feet; thence South 51°35'38" West along centerline 382.78 feet to a point on the West line of said Section 33, thence North 1°50'38" East along said West line 348.61 feet to the Point of Beginning;

and;

WHEREAS, Rutherford is the owner of the following described real estate located in Stone County, Missouri, to-wit:

A part of the NW¼ of the SW¼ of Section 33, Township 23 North, Range 22 West, described as follows: Beginning at the center of the NE¼ of the SW¼ of the NW¼ of the SW¼ of said Section 33; thence North 88°32'17" West along GFTL Tract B-228-2, 495.36 feet; thence North 1°50'38" East along GFTL 151.01 feet to the centerline of an existing road; thence North 51°35'38" East along centerline 382.78 feet; thence along centerline on a 7.17° curve to the right 198.96 feet; thence South 24°08'22" East 20.00 feet to the Southerly right of way of said road; thence South 1°30'09" East 486.24 feet to the point of beginning; containing 3.8 acres, more or less. Subject to a 20.00 foot road easement as located along the Northwesterly boundary thereof;

and;

WHEREAS, each of the parties is the owner of a slip or slips in a four-stall boat dock, Jacque Creek Boat Dock, the said boat dock and all improvements thereto or replacements or reconstructions thereof being referred to herein as the "boat dock" or "dock"; and

WHEREAS, the parties wish to enter into an agreement assuring present and future owners of each slip or undivided interest in the boat dock of access thereto for ingress and egress and for utility purposes and for parking purposes for the beneficial use of said dock by all parties having an interest therein now or in the future;

NOW, THEREFORE, in consideration of the agreements herein contained, the parties hereby covenant and agree as follows:

1. The parties hereto, their heirs, personal representatives, successors and assigns, and all persons having an ownership interest in the boat dock shall have an easement for parking purposes on and over the following described tract:

Parking Easement "A":

A part of the NW¼ of the SW¼ of Section 33, Township 23 North, Range 22 West, Stone County, Missouri, being more particularly described as: Beginning at the Northwest corner of the SW¼ of the NW¼ of said NW¼ of the SW¼ of Section 33, said point being Corps of Engineer's Monument 228-1-1, thence South 1°50'38" West along the Government Fee Take Line 283.10 feet to the True Point of Beginning, thence North 51°35'38" East departing said Government Fee Take Line 65.51 feet, thence South 01°50'38" West 65.51 feet to the South line of a tract of land described in Book 286 at Page 1557, records of Stone County Recorder's Office, thence South 51°35'38" West along said line 65.51 feet to the Government Fee Take Line, thence North 01°50'38" East departing said deed line along said Government Fee Take Line 65.51 feet to the True Point of Beginning.

2. The parties hereto, their heirs, personal representatives, successors and assigns, and all persons having an ownership interest in the boat dock shall have an easement for utility purposes to lay, erect, construct, repair, maintain and replace electric and utility service lines of said boat dock over the following described tract:

20.00 Foot Utility Easement "B":

A part of the NW¼ of the SW¼ of Section 33, Township 23 North, Range 22 West, Stone County, Missouri, being more particularly described as being 20.00 feet in width and lying to the left (North) of a centerline described as: Beginning at the Northwest corner of the SW¼ of the NW¼ of said NW¼ of the SW¼ of Section 33, said corner being Corps of Engineer's Monument 228-1-1, thence South 01°50'38" West along the Government Fee Take Line 348.61 feet to the True Point of Beginning of the herein described centerline, thence North 51°35'38" East 382.78 feet to the Point of Terminus of the herein described 20.00 foot utility easement lying left (North) of said centerline. Sidelines of easement to be shortened or lengthened so as to terminate at the appropriate line.

3. The parties hereto, their heirs, personal representatives, successors and assigns, and all persons having an ownership interest in the boat dock shall have an easement for utility purposes to lay, erect, construct, repair, maintain and replace electric and utility service lines for said boat dock, and a right of way for ingress and egress by foot or by vehicle in connection with the use of the boat dock over the following described tract:

20.00 Foot Ingress-Egress and Utility Easement "C":

A part of the NW¼ of the SW¼ of Section 33, Township 23 North, Range 22 West, Stone County, Missouri, being more particularly described as being 20.00 feet in width and lying 10.00 feet each side of a centerline described as: Beginning at the center of the NE¼ of the SW¼ of said NW¼ of the SW¼ of Section 33, said corner being Corps of Engineer's Monument 228-2-3, thence North 88°32'17" West along the Government Fee Take Line 479.01 feet to the True Point of Beginning of the herein described centerline, thence North 26°30'03" East departing said Government Fee Take Line 92.64 feet, thence North 05°45'54" West 102.66 feet to the North line of a tract described in Book 159 at page 1302, records of Stone County Recorder's Office, to the Point of Terminus of the herein described centerline. Sidelines of easement to be shortened or lengthened so as to terminate at the appropriate line.

4. The easements hereunder shall be for the use of the parties hereto, their heirs, personal representatives, successors and assigns and all persons now or hereafter having an ownership interest in the boat dock and for any permitted guests or invitees of persons having the beneficial use of the easements given hereunder.

5. This agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, personal representatives and assigns.

IN WITNESS WHEREOF, the parties have executed this agreement effective the date first set forth above.

Wayne Cunningham
WAYNE CUNNINGHAM

Karen M. Cunningham
KAREN M. CUNNINGHAM

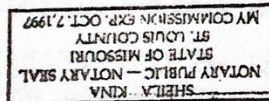
JERRY W. RUTHERFORD

RUTH E. RUTHERFORD

STATE OF MISSOURI)
) ss:
COUNTY OF ST. LOUIS)

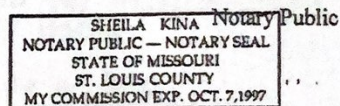
On this 22ND day of JULY, 1997, before me, a notary public, personally appeared WAYNE CUNNINGHAM and KAREN M. CUNNINGHAM, his wife, to me known to be the persons described in and who executed the above instrument in writing and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the county and state aforesaid on the date last above written.



My commission expires: 10-7-97

Sheila Kina



STATE OF MISSOURI)
) ss:
COUNTY OF _____)

On this _____ day of _____, 1997, before me, a notary public, personally appeared JERRY W. RUTHERFORD and RUTH E. RUTHERFORD, his wife, to me known to be the persons described in and who executed the above instrument in writing and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the county and state aforesaid on the date last above written.

My commission expires:

Notary Public

COMMUNITY DOCK OWNERS ASSOCIATION AGREEMENT

I, the undersigned, certify that I am an owner of a boat stall or stalls, in the Jacobs Creek community dock, and agree to the following statements and conditions:

1. I agree that by unanimous vote Wayne Cunningham has been elected as representative of the owners and as such is listed as the permittee. The permittee is responsible for maintaining the dock in accordance with the rules and regulations of the Corps of Engineers, and will continue as such until replaced by a majority vote of the owners.
2. I agree that the amount and type of insurance to be carried on said dock shall be determined by majority vote of the dock owners, and the cost thereof shared.
3. I agree that all approved new additions shall conform in design and construction to the existing dock and shall be painted the same color.
4. I agree that in the event approval is granted to attach one or more stalls to the dock, for each stall attached shall compensate the Owners Association in the amount of \$ Not Applicable for their proportionate share of such items as stiffarms, cable and anchors, walkways, and electrical service.
5. I agree that I own no other boat slips in any other dock.
6. I agree that a family will be limited to two (2) single slips and mooring of two (2) boats in a community dock.
7. I agree that all boats will be moored inside a slip.
8. I agree to provide a notarized bill of sale to the Table Rock Resident Office and the respective County of any change in ownership of dock slips.
9. I agree not to rent or lease any boat slips.
10. I agree that prior to a change of the permittee a request must be submitted, with signatures of the majority of stall owners. Also included will be a complete application for Lakeshore Use Permit.
11. I agree to be responsible for a percentage of the expenses of the maintenance and general upkeep of this dock - 25%
for each boat slip owned.

(See continuation on Page 2)

In signing this agreement, I also agree to abide by all rules and regulations pertaining to the private floating facilities as provided by the U. S. Army Corps of Engineers. I have completed all the necessary forms and read the "Conditions for Permit for Lakeshore Use". I attest that all owner information provided by the Corps of Engineers is factual and bonafide and that any misrepresentation to obtain a permit will result in termination or disqualification of the permit application.

Signed and dated this _____ day of _____, 19____.

State of Missouri
County of _____

On this _____ day of _____, 19____.

_____ to me known to be person or persons described in and who executed the foregoing instrument, and acknowledge that _____ executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed by official seal in the County and State aforementioned, the day and year first above written.

Notary Public

My term expires _____, 19____.

BILL OF SALE

_____, Grantor(s) does hereby convey the boat slip(s)
 numbered _____ Dock: _____ Permit #: _____ to
 Address: _____, Grantee(s),
 for One Dollar and other consideration as of this _____ day of
 _____, 20_____.

 Seller/Grantor

 Seller/Grantor

STATE OF _____)
)
 COUNTY OF _____)

On this _____ day of _____, 20_____, before me personally appeared
 _____ and _____, his wife, to me known to
 be the person(s) described in and who executed the foregoing instrument, and acknowledged
 that _____ executed the same as _____ free act and deed.

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

My term expires: _____

 Notary Public