



**AGREEMENT FOR EASEMENT,  
NOTICE AND COVENANT RUNNING WITH LAND**

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
between the City of Lee's Summit, Missouri hereinafter called Owner and Missouri Department  
of Natural Resources, hereinafter called Department, to satisfy the requirements of the Missouri  
Solid Waste Management Law.

WITNESSETH.

Owner wishes to execute an Agreement for Easement, Notice and Covenant Running  
with Land for a solid waste disposal area permitted as Lee's Summit Sanitary Landfill, permit  
number #0109520, (hereinafter called landfill) on property owned by Owner in Jackson County,  
Missouri, and more fully described as follows: (Insert detailed legal description, as per Deed  
conveying title)

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 16 AND SECTION 21,  
AND ALL OF LOT 2 OF THE LEE'S SUMMIT PROCESSING FACILITY, MINOR PLAT,  
IN TOWNSHIP 47 NORTH, RANGE 31 WEST, LYING IN LEE'S SUMMIT, JACKSON  
COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1" SQUARE BAR BEING THE NORTHEAST CORNER OF  
THE NORTHWEST QUARTER OF SAID SECTION 21;  
THENCE S 15° 46' 16" E, A DISTANCE OF 1276.66 FEET;  
THENCE S 02° 29' 17" W, A DISTANCE OF 1606.17 FEET;  
THENCE S 34° 02' 05" W, A DISTANCE OF 764.54 FEET TO A SET 5/8" REBAR WITH  
ALUMINUM CAP, BEING A POINT ON THE EAST LINE OF THE SOUTHWEST  
QUARTER OF SAID SECTION 21;  
THENCE S 02° 29' 17" W, ALONG SAID EAST LINE OF SAID SOUTHWEST QUARTER,  
A DISTANCE OF 341.88 FEET TO A SET 5/8" REBAR WITH ALUMINUM CAP, BEING A  
POINT ON THE EASTERLY LINE OF THE MISSOURI PACIFIC RAILROAD RIGHT OF  
WAY;  
THENCE NORTHWESTERLY ALONG SAID EASTERLY LINE, ALONG A CURVE TO  
THE LEFT, HAVING A RADIUS OF 2523.20 FEET, AN ARC LENGTH OF 302.42 FEET, A  
CHORD BEARING N 44° 16' 00" W, AND A CHORD DISTANCE OF 302.24 FEET, TO A  
POINT OF COMPOUND CURVATURE AND A SET 5/8" REBAR WITH ALUMINUM CAP;  
THENCE CONTINUING NORTHWESTERLY ALONG SAID EASTERLY LINE, ALONG A  
CURVE TO THE LEFT, HAVING A RADIUS OF 4240.63 FEET, AN ARC LENGTH OF

113.68 FEET, A CHORD BEARING OF N 47° 28' 52" W AND A CHORD DISTANCE OF 113.68 FEET, TO A SET 5/8" REBAR WITH ALUMINUM CAP;  
THENCE N 49° 17' 00" W ALONG SAID EASTERLY LINE, A DISTANCE OF 339.70 FEET TO A POINT OF CURVATURE AND A SET 5/8" REBAR WITH ALUMINUM CAP;  
THENCE CONTINUING NORTHWESTERLY ALONG SAID EASTERLY LINE, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 5727.16 FEET, AN ARC LENGTH OF 196.56 FEET, A CHORD BEARING OF N 48° 18' 00" W AND A CHORD DISTANCE OF 196.55 FEET, TO A POINT OF COMPOUND CURVATURE AND A SET 5/8" REBAR WITH ALUMINUM CAP;  
THENCE CONTINUING NORTHWESTERLY AND NORTHERLY, ALONG SAID EASTERLY LINE, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2857.24 FEET, AN ARC LENGTH OF 1903.72 FEET, A CHORD BEARING OF N 28° 13' 45" W AND A CHORD DISTANCE OF 1868.70 FEET, TO A POINT OF COMPOUND CURVATURE AND A SET 5/8" REBAR WITH ALUMINUM CAP;  
THENCE CONTINUING NORTHERLY, ALONG SAID EASTERLY LINE, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 5726.03 FEET, AN ARC LENGTH OF 196.56 FEET, A CHORD BEARING OF N 08° 09' 30" W AND A CHORD DISTANCE OF 196.55 FEET, TO A POINT OF TANGENCY AND A SET 5/8" REBAR WITH ALUMINUM CAP;  
THENCE N 07° 10' 30" W ALONG SAID EASTERLY LINE, A DISTANCE OF 298.89 FEET TO A POINT OF CURVATURE AND A SET 5/8" REBAR WITH ALUMINUM CAP;  
THENCE CONTINUING NORTHERLY, ALONG SAID EASTERLY LINE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 13357.40 FEET, AN ARC LENGTH OF 120.46 FEET, A CHORD BEARING OF N 07° 13' 01" W AND A CHORD DISTANCE OF 120.46 FEET, TO A POINT OF COMPOUND CURVATURE AND A SET 5/8" REBAR WITH ALUMINUM CAP;  
THENCE CONTINUING NORTHERLY, ALONG SAID EASTERLY LINE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 5876.94 FEET, AN ARC LENGTH OF 820.85 FEET, A CHORD BEARING OF N 11° 54' 00" W AND A CHORD DISTANCE OF 820.18 FEET, TO A POINT OF COMPOUND CURVATURE AND A FOUND 5/8" IRON BAR WITH PLASTIC CAP, BEING THE SOUTHWEST CORNER OF LOT 2 OF A MINOR PLAT "LEE'S SUMMIT PROCESSING FACILITY, LOT 1 & LOT 2", AS INSTRUMENT NUMBER 2022E0049184, IN BOOK I202 AT PAGE 1;  
THENCE CONTINUING NORTHERLY, ALONG SAID EASTERLY LINE, ALSO BEING THE WEST LINE OF SAID LOT 2, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 5876.77 FEET, AN ARC LENGTH OF 111.92 FEET, A CHORD BEARING OF N 16° 26' 54" W AND A CHORD DISTANCE OF 111.92 FEET, TO A 5/8" IRON BAR WITH CAP;  
THENCE N 20° 48' 15" E, LEAVING SAID EASTERLY LINE AND ALONG SAID WEST LINE OF SAID LOT 3, ALSO BEING THE EAST RIGHT OF WAY LINE OF SOUTHEAST HAMBLEN ROAD AS NOW ESTABLISHED, A DISTANCE OF 64.92 FEET TO A 5/8" IRON BAR WITH CAP;  
THENCE N 06° 20' 38" W, ALONG SAID EAST RIGHT OF WAY LINE AND SAID WEST LINE, A DISTANCE OF 146.24 FEET TO A 5/8" IRON BAR WITH CAP, BEING THE NORTHWEST CORNER OF SAID LOT 2;

THENCE S 38° 09' 57" E, LEAVING SAID EAST RIGHT OF WAY LINE AND SAID WEST LINE, BEING THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 241.10 FEET TO A 1/2" IRON BAR WITH CAP;  
THENCE S 80° 12' 14" E, ALONG SAID NORTH LINE, A DISTANCE OF 806.17 FEET TO A 1/2" IRON BAR WITH CAP;  
THENCE S 71° 10' 31" E, ALONG SAID NORTH LINE, A DISTANCE OF 315.59 FEET TO THE NORTHEAST CORNER OF SAID LOT 2;  
THENCE S 71° 10' 37" E, ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 47.94 FEET TO A 1/2" IRON BAR WITH CAP;  
THENCE N 09° 47' 50" E, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 219.55 FEET TO A 1/2" IRON BAR WITH CAP;  
THENCE S 88° 08' 50" E, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 330.00 FEET TO A 1/2" IRON BAR WITH CAP;  
THENCE N 14° 12' 28" E, ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 38.02 FEET TO A 1/2" IRON BAR WITH CAP;  
THENCE N 08° 35' 04" W, ALONG SAID EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 2.92 FEET TO A SET 5/8" IRON BAR WITH ALUMINUM CAP, BEING A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SAID SECTION 21;  
THENCE S 88° 08' 55" E, ALONG SAID NORTH LINE, A DISTANCE OF 359.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,107,194.74 SQUARE FEET OR 140.20 ACRES, MORE OR LESS.

Owner has access to the above described landfill as follows:

LEGAL DESCRIPTION - INGRESS & EGRESS EASEMENT AREA

A MINOR PLAT "LEE'S SUMMIT PROCESSING FACILITY, LOT 1 & LOT 2", INSTRUMENT NO. 2022E0049184, BOOK I202, AT PAGE 1, LYING IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ACCESS THROUGH, OVER AND ACROSS ALL OF SAID LOTS 1 & 2, TO ACCESS THE LANDFILL PROPERTY AS DESCRIBED PREVIOUSLY.

NOW, THEREFORE, in consideration of the mutual covenants of the parties and other valuable consideration, receipt of which is hereby acknowledged, the Department and Owner agree as follows:

1. The Department has issued Solid Waste Disposal Area Operating Permit No. 0109520 to the City of Lee's Summit, dated October 28, 1991, for the operation of a landfill by Owner in compliance with the provisions pursuant to the Missouri Solid Waste Management Law.

2. The owner hereby grants, bargains, sells and conveys to the Department, its agents, contractors, successors and assigns an easement in the landfill described above, together with an easement in the access property owned by landowner as described above, to enter the landfill, in accordance with 260.205.11 RSMo, as necessary to complete work specified in the closure plan, or to monitor or maintain the site if specified in a post-closure plan, or to take remedial action during the post-closure period. "Closure plan", "post-closure plan", and "post-closure period" are defined pursuant to the Missouri Solid Waste Management Law and for the purpose of this agreement are described in permit number 0109520. If the landfill is accessible only through property not owned by landowner, the Owner/Operator should obtain a separate easement from the access property's owner(s) in favor of the Department for appropriate access.

3. This agreement, when filed by the Owner with the Recorder of Deeds for Jackson County, Missouri, shall serve as notice that the property described herein has been permitted as a solid waste disposal area and, that use of the property in any manner which interferes with the closure and, where appropriate, post-closure plans filed with the Department is prohibited.

4. The Owner, heirs, successors in title, personal representatives and assigns shall not use the herein described property in any manner which interferes with any closure and/or post-closure plans which are filed with the Department. Further, the use of the herein described property is subject to the Missouri Solid Waste Management Law and the rules promulgated thereunder.

5. Any restriction in this agreement on the use of the herein described property is a covenant running with the land.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

OWNER:

\_\_\_\_\_  
City of Lee's Summit

\_\_\_\_\_  
Title

Notary for Owner:

STATE OF MISSOURI     )  
  ) ss  
COUNTY OF             )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

Commission in \_\_\_\_\_ County.

My Commission Expires: \_\_\_\_\_.

MISSOURI DEPARTMENT OF NATURAL RESOURCES  
WASTE MANAGEMENT PROGRAM:

\_\_\_\_\_  
Waste Management Program Director

Notary for Missouri Department of Natural Resources

STATE OF MISSOURI     )  
  ) ss  
COUNTY OF COLE     )

On this \_\_\_\_\_ day of \_\_\_\_\_ in the year 20\_\_\_\_\_ before me, a Notary Public in and for the said state, personally appeared \_\_\_\_\_, Missouri Department of Natural Resources, known to me to be the person who executed the within document in behalf of the Department and acknowledged to me that he/she executed the same for the purposes therein stated.

\_\_\_\_\_  
Notary Public

Commissioned in \_\_\_\_\_ County

My Commission Expires: \_\_\_\_\_