

Recorded in Jasper County, Missouri

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Instr #: **2023011279**

Type: **NOTICE**

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Electronically Recorded

Charlotte Pickering
Recorder of Deeds

DEED NOTATION

Empire District Electric Company, A Liberty Utilities Company, as required by the Final Rule on Disposal of Coal Combustion Residuals from Electric Utilities (EPA CCR Rule) is providing the following Deed Notation for the Asbury Power Plant CCR Surface Impoundment. CCR Rule requires a notation on the deed must in perpetuity notify any potential purchaser of the property that:

- (i) The land has been used as a CCR unit; and
- (ii) Its use is restricted under the post-closure care.

1. PROPERTY DESCRIPTION

The subject property is located in northern Jasper County, Missouri on a tract of land being part of the North Half of Section 17, Township 30 North, and Range 33 West on the Asbury 7.5-Minute Quadrangle Map. The property is further defined within Attachment 1 of the Deed Notation.

2. DEED NOTIFICATION

The CCR Rule requires following closure of a CCR unit, the owner or operator must record a notation on the deed to the property indicating the Property was used as a CCR Unit as defined in 40 CFR 257.53. The CCR Unit has been closed in accordance with 40 CRF 257.102 and is subject to post-closure care obligations.

3. RUNNING WITH THE LAND

Compliance with the CCR Rule is perpetual and runs with the land and is binding on the owner and all successors.

Notice of Obligation

This Notice of Obligation has been recorded with the Jasper County Register of Deeds for the purpose of notifying any potential purchaser pursuant to 40 CFR 257.102(i) that:

- The land has been used as a Coal Combustion Residual unit (CCR); and
- its use is restricted under the post-closure care requirements as provided by 40 CFR 257.104(d)(1)(iii).

The property is the former location of the Asbury Power Plant and is located at 21133 Uphill Road, Asbury MO, 64832 Jasper County and legally described in Attachment A attached hereto ("Property").

This Notice of Obligation shall run with the Property and shall be binding upon all future owners, successors, lessees or assigns and their authorized agents, employees, or persons acting under their direction and control. A copy of this Notice of Obligation shall be provided to all future owners, heirs, successors, lessees, assigns, and transferees by the person transferring the interest.

The undersigned person executing this Notice of Obligation is the Owner, or has the express written permission of the Owner, and represents and certifies that he or she is duly authorized and has been empowered to execute and deliver this Notice of Obligation.

The Empire District Company

By:  _____

Tim Wilson President - Central Region Electric

NOTARY CERTIFICATE

State of: Missouri

County of: Jasper Newton

On this 17 day of August, 2023

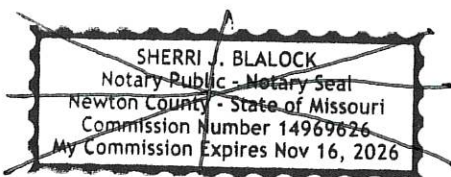
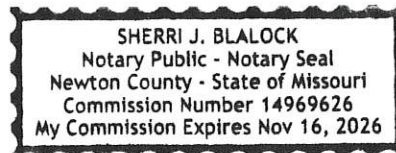
before me personally appeared: Tim Wilson

to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

WITNESS MY HAND AND OFFICIAL SEAL

Sherrri J. Blalock My Commission Expires: Nov. 16, 2026

Notary Public Name: Sherrri J Blalock



ATTACHMENT 1

A TRACT OF LAND BEING PART OF THE NORTH-HALF (N1/2) OF SECTION 17 TOWNSHIP 30 NORTH RANGE 33 WEST ALL IN JASPER COUNTY, MISSOURI. PARENT TRACT BEING RECORDED IN BOOK 1158 AT PAGE 1930 AND BOOK 1085 AT PAGE 613 IN THE JASPER COUNTY RECORDER'S OFFICE IN CARTHAGE, MISSOURI. BEING DESCRIBED MORE FULLY AS FOLLOWS:

COMMENCING AT A FOUND IRON PIN AT THE NORTHEAST CORNER OF SAID SECTION 17, A FOUND SURVEY MONUMENT IN PLACE;
THENCE S01°42'45"W A DISTANCE OF 1928.29 FEET ALONG THE EAST LINE OF SAID NORTH-HALF (N1/2) OF SECTION 17;
THENCE N88°17'15"W LEAVING SAID EAST LINE A DISTANCE OF 879.56 FEET TO THE POINT OF BEGINNING;

THENCE N00°04'13"E A DISTANCE OF 42.99 FEET;
THENCE N03°09'54"E A DISTANCE OF 1360.23 FEET;
THENCE N00°49'32"E A DISTANCE OF 292.22 FEET;
THENCE N17°24'47"W A DISTANCE OF 67.84 FEET;
THENCE N67°52'35"W A DISTANCE OF 60.47 FEET;
THENCE N88°00'56"W A DISTANCE OF 1745.03 FEET;
THENCE S89°32'35"W A DISTANCE OF 74.15 FEET;
THENCE N04°49'17"W A DISTANCE OF 42.99 FEET;
THENCE N70°49'51"W A DISTANCE OF 44.83 FEET;
THENCE N79°16'38"W A DISTANCE OF 84.77 FEET;
THENCE S89°12'39"W A DISTANCE OF 19.77 FEET;
THENCE S85°11'42"W A DISTANCE OF 91.01 FEET;
THENCE S82°10'46"W A DISTANCE OF 98.49 FEET;
THENCE S21°51'16"W A DISTANCE OF 40.45 FEET;
THENCE S01°27'47"W A DISTANCE OF 1100.67 FEET;
THENCE S12°17'52"W A DISTANCE OF 67.92 FEET;
THENCE S59°52'58"W A DISTANCE OF 79.34 FEET;
THENCE S85°32'41"W A DISTANCE OF 28.69 FEET;
THENCE N87°18'07"W A DISTANCE OF 425.41 FEET;
THENCE S80°10'55"W A DISTANCE OF 58.28 FEET;
THENCE S72°04'29"W A DISTANCE OF 15.73 FEET;
THENCE S22°45'34"W A DISTANCE OF 24.64 FEET;
THENCE S04°21'46"W A DISTANCE OF 293.59 FEET;
THENCE S02°01'07"W A DISTANCE OF 405.07 FEET;
THENCE S01°54'54"W A DISTANCE OF 234.89 FEET;
THENCE S07°53'16"E A DISTANCE OF 61.25 FEET;
THENCE S64°24'43"E A DISTANCE OF 64.29 FEET;

THENCE S84°53'04"E A DISTANCE OF 397.31 FEET;
THENCE S86°14'43"E A DISTANCE OF 413.40 FEET;
THENCE N89°00'17"E A DISTANCE OF 22.85 FEET;
THENCE N48°06'34"E A DISTANCE OF 30.36 FEET;
THENCE N48°04'26"E A DISTANCE OF 20.00 FEET;
THENCE N76°37'58"E A DISTANCE OF 77.67 FEET;
THENCE N65°06'00"E A DISTANCE OF 28.82 FEET;
THENCE N25°04'25"E A DISTANCE OF 13.45 FEET;
THENCE N03°20'48"E A DISTANCE OF 402.50 FEET;
THENCE N15°11'17"W A DISTANCE OF 158.17 FEET;
THENCE N05°32'07"E A DISTANCE OF 90.75 FEET;
THENCE N01°13'59"E A DISTANCE OF 336.56 FEET;
THENCE N23°25'28"E A DISTANCE OF 48.41 FEET;
THENCE N82°34'27"E A DISTANCE OF 78.88 FEET;
THENCE S76°24'07"E A DISTANCE OF 290.24 FEET;
THENCE S45°24'57"E A DISTANCE OF 62.56 FEET;
THENCE S24°34'58"E A DISTANCE OF 49.57 FEET;
THENCE S04°17'54"W A DISTANCE OF 67.03 FEET;
THENCE S14°50'33"W A DISTANCE OF 146.01 FEET;
THENCE S09°54'57"W A DISTANCE OF 254.46 FEET;
THENCE S86°47'51"E A DISTANCE OF 488.94 FEET;
THENCE S88°53'42"E A DISTANCE OF 80.23 FEET;
THENCE S05°46'01"W A DISTANCE OF 9.19 FEET;
THENCE S84°13'59"E A DISTANCE OF 13.60 FEET;
THENCE N05°46'01"E A DISTANCE OF 11.25 FEET;
THENCE S83°14'32"E A DISTANCE OF 234.97 FEET;
THENCE S87°13'12"E A DISTANCE OF 192.96 FEET;
THENCE S88°42'25"E A DISTANCE OF 355.45 FEET;
THENCE S89°17'14"E A DISTANCE OF 39.11 FEET;
THENCE N60°56'38"E A DISTANCE OF 65.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 107.55 ACRES (4,684,721 SQUARE FEET) MORE OR LESS.
BASIS OF BEARINGS: MISSOURI STATE PLANE COORDINATE SYSTEM, WEST
ZONE, GRID NORTH.

EXHIBIT A

A TRACT OF LAND BEING PART OF THE NORTH-HALF (N1/2) OF SECTION 17 TOWNSHIP 30 NORTH RANGE 33 WEST ALL IN JASPER COUNTY, MISSOURI. PARENT TRACT BEING RECORDED IN BOOK 1158 AT PAGE 1930 AND BOOK 1085 AT PAGE 613 IN THE JASPER COUNTY RECORDER'S OFFICE IN CARTHAGE, MISSOURI. BEING DESCRIBED MORE FULLY AS FOLLOWS:

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