

ADDENDUM TO TERRITORIAL AGREEMENT

This Addendum to Territorial Agreement (the "Addendum") is made and entered into this 2 day of MARCH 2011 by and between Public Water Supply District No. 2 of St. Charles County, Missouri, a Missouri political corporation (the "District") and Missouri-American Water Company, a Missouri corporation (the "Company").

RECITALS:

A. The District and the Company own and operate public water systems whose boundaries overlap in certain portions of their respective areas.

B. The District and the Company are parties to a Territorial Agreement dated October 4, 2000, and desire to amend the Territorial Agreement.

C. The Territorial Agreement provides that the parties may agree on a case-by-case basis by an Addendum to allow a structure to receive service from one party though the structure is located in the service area of the other, which Addendum shall be filed with the Missouri Public Service Commission.

Now Therefore, in consideration of the mutual covenants, conditions, obligations, promises, restrictions, and agreements herein contained, the District and the Company agree as follows:

1. The Company agrees to allow the District to serve the U.S. Army's Operational Maintenance Building ("OMS") located at Highway 94S, St. Charles, Missouri 63304 and to allow the District to serve any future U.S. Army building in the area more particularly described as follows: the area west of Company valve number 15Z-020 and inside the fence existing as of the date hereof (the "Fence"), as shown on Exhibit A. The District also agrees by separate Bill of Sale to convey to the Company that portion of the District's 24-inch water main located on the north side of Road A and outside the Fence east of Company fire hydrant number 15Z-023, as shown on Exhibit B.

2. The parties acknowledge that the boundary separating their respective service areas as it relates to the Auburn Trace subdivision, as shown on Exhibit C, is ambiguous. In order to clarify the ambiguity, the parties agree that the Company shall have the exclusive right to provide service to all existing and future customers located within the Autumn Trace subdivision.

3. All other terms and conditions of the Agreement not amended herein remain in full force and effect.

In Witness Whereof, the parties have executed this Addendum as of the date first above written.


MISSOURI-AMERICAN WATER COMPANY

By: 
Greg A. Weeks, Vice President

Attest:

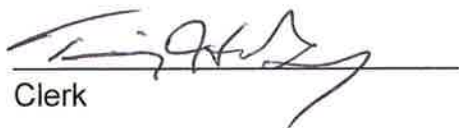

Secretary

PUBLIC WATER SUPPLY DISTRICT NO. 2
OF ST. CHARLES COUNTY, MISSOURI

By: 
Virginia L. Dowden, President

Attest:




Clerk

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

On this 11th day of July, 2011, before me appeared Greg Weeks, to me personally known, who, being by me duly sworn, did say that he is the VP of Missouri-American Water Company, and that said instrument was signed on behalf of said corporation; and said Greg Weeks acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY 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.

Julie M. Polzin
Notary Public
(SEAL)

JULIE M. POLZIN
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires 8/11/2012
Commission # 08575308

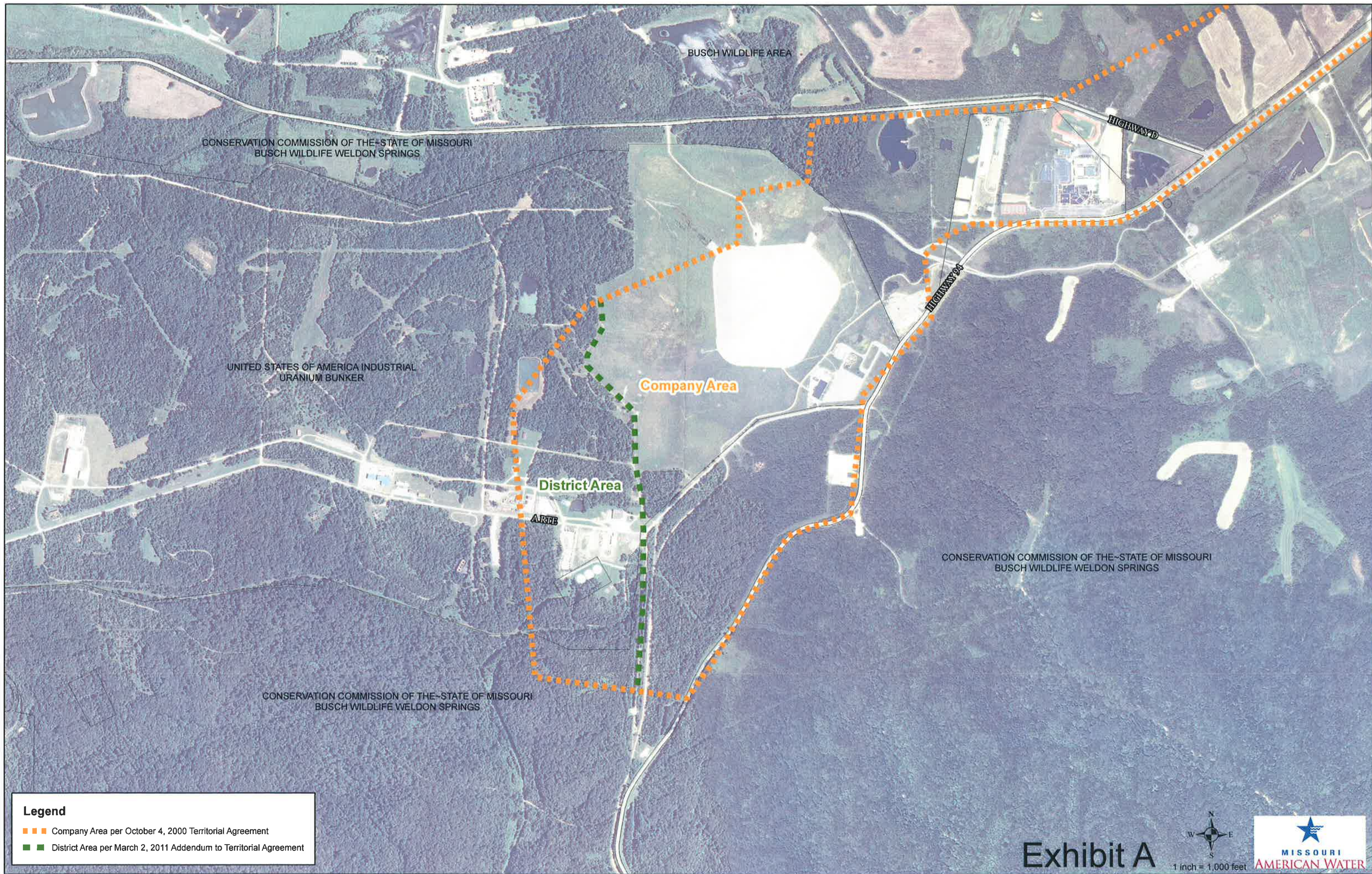
STATE OF MISSOURI)
) SS
COUNTY OF ST. CHARLES)

On this 2nd day of March, 2011, before me appeared Virginia L. Dowden to me personally known, who, being by me duly sworn, did say that she is the President of Public Water Supply District No. 2 of St. Charles County, Missouri, and that said instrument was signed on behalf of said water district; and said Virginia L. Dowden acknowledged said instrument to be the free act and deed of said Water District.

IN TESTIMONY 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.

Kim Cantrell
Notary Public
(SEAL)

KIM CANTRELL
Notary Public - Notary Seal
STATE OF MISSOURI
St. Charles County
Commission Expires June 20, 2012
Commission # 08412220



Legend

- Company Area per October 4, 2000 Territorial Agreement
- District Area per March 2, 2011 Addendum to Territorial Agreement

Exhibit A



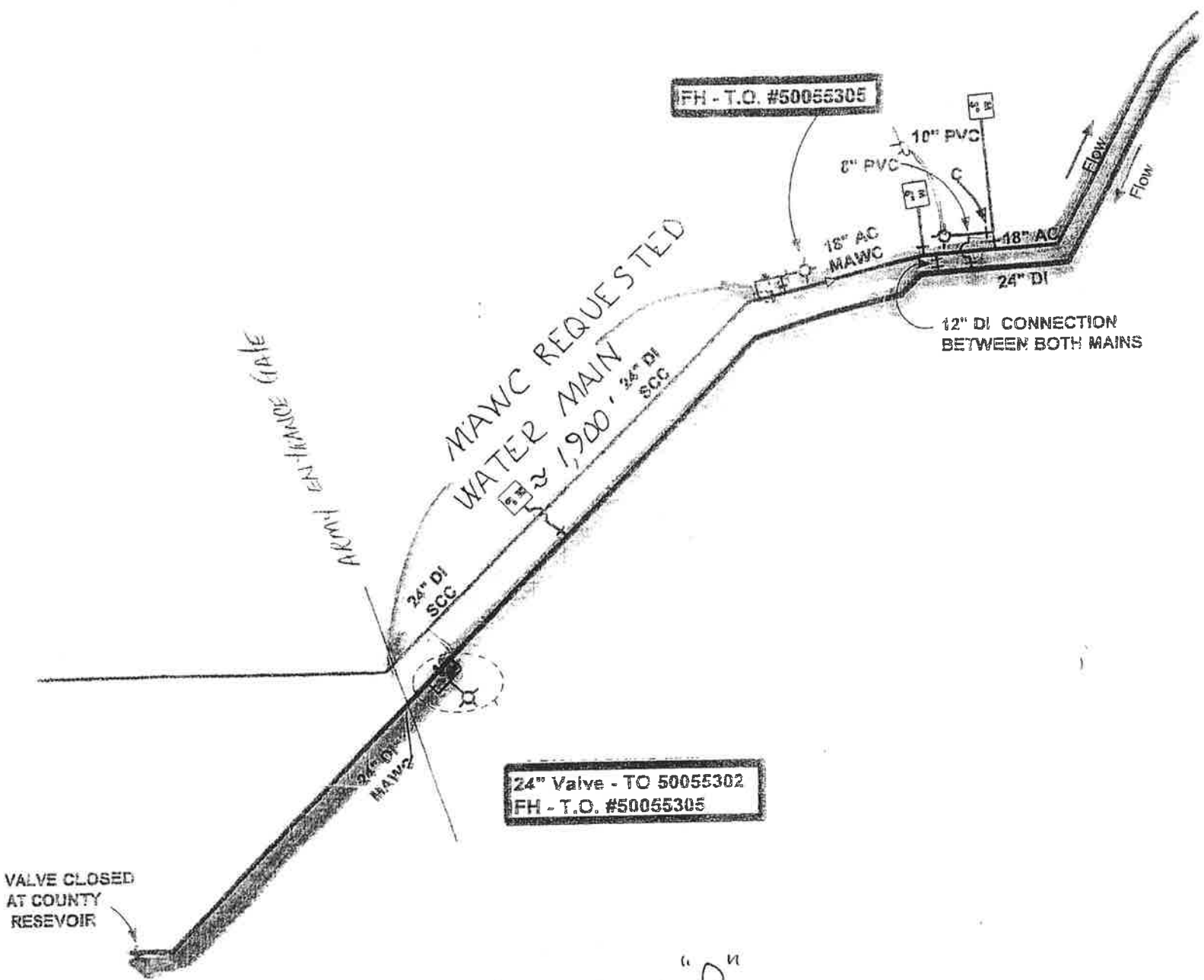



EXHIBIT "B"

THIS IS TO CERTIFY THAT AT THE REQUEST OF EXECUTIVE HOMES, INC., MR. CRAIG NORDEN, AND DURING THE MONTH OF JULY, 2004, THAT WE HAVE MADE A BOUNDARY SURVEY (WITH NO LOCATION OF IMPROVEMENTS) OF PART OF A TRACT OF LAND BEING DESCRIBED IN DEED TO CHARLES D. ARNOLD AND ALTA JANE ARNOLD, HUSBAND AND WIFE, AS RECORDED IN BOOK 1485, PAGE 225 OF THE ST. CHARLES COUNTY OFFICE OF THE RECORDER, BEING WITHIN FRACTIONAL SECTIONS 3 AND 10, TOWNSHIP 46 NORTH, RANGE 3 EAST, ST. CHARLES COUNTY, MISSOURI, AND THAT THE RESULTS OF SAID SUBDIVISION ARE CORRECTLY REPRESENTED UPON THIS PLAT. SAID SURVEY BEING PERFORMED PER THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS (20 CSR 20.30-16.010).

DATE: AUGUST 12, 2004

MUSLER ENGINEERING CO.


FRED VILIGRAM, MO. P.L.S. #2073
MO. CORPORATE LICENSE NO.: LS 284.0

THE UNDERSIGNED OWNER OF THE TRACT OF LAND DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE HAS CAUSED SAID TRACT TO BE SURVEYED AND SUBDIVIDED IN THE MANNER SHOWN HEREON, WHICH SUBDIVISION SHALL HEREAFTER BE KNOWN AS "AUBURN TRACE". THE UNDERSIGNED OWNER HEREBY DESIGNATES THE STREETS AND ROADWAYS HATCHED HEREON INCLUDING ALL BOUNDARIES AT INTERSECTIONS AND CUL-DE-SACS AS PUBLIC STREETS AND ROADWAYS AND AGREES THAT COUNTY ACCEPTANCE OF SAID STREETS AND ROADWAYS SHALL NOT BE PETITIONED UNTIL THE STREETS AND ROADWAYS ARE IMPROVED IN SUCH A MANNER AS TO COMPLY WITH THE REQUIRED IMPROVEMENT SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE OF ST. CHARLES COUNTY CHAPTER 410, LAND SUBDIVISION REGULATIONS, AUGUST, 1999.

ALL RIGHTS-OF-WAY AND EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DESIGNATED AS PUBLIC UTILITY EASEMENTS OR AS SHOWN OTHERWISE; AND ARE HEREBY DEDICATED TO THE COUNTY OF ST. CHARLES, MISSOURI AND ARE HEREBY DEDICATED TO THE VARIOUS UTILITY COMPANIES AS THEIR INTEREST MAY APPEAR AND THEIR SUCCESSORS AND ASSIGNS FOR THE INSTALLATION, USE, MAINTENANCE, REPAIR AND REPLACEMENT OF STORM AND SANITARY SEWERS, WATER LINES, GAS LINES, ELECTRIC, TELEPHONE AND TELEGRAPH LINES, AND CABLE TELEVISION LINES OVER, UNDER AND ACROSS SAID EASEMENTS.

ALL EASEMENTS, UNLESS SPECIFIED FOR OTHER PURPOSES AS SHOWN ON THIS PLAT, ARE HEREBY GRANTED TO ST. CHARLES COUNTY, MISSOURI, AMEREN UE ELECTRIC COMPANY, SOUTHWESTERN BELL TELEPHONE COMPANY, MISSOURI AMERICAN WATER COMPANY, LACLEDE GAS COMPANY AND DUCKETT CREEK SANITARY DISTRICT, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTEREST MAY APPEAR FOR THE PURPOSE OF CONSTRUCTING, REPAIRING, AND MAINTAINING OF PUBLIC UTILITIES, SEWER AND DRAINAGE FACILITIES WITH THE RIGHT OF TEMPORARY USE OF ADJACENT GROUND NOT OCCUPIED BY IMPROVEMENTS, FOR THE EXCAVATION AND STORAGE OF MATERIALS DURING INSTALLATION, REPAIR OR REPLACEMENT OF SAID UTILITIES, SEWERS AND DRAINAGE FACILITIES. NO BUILDING OR STRUCTURE SHALL BE ERECTED ON ANY EASEMENT, AND THE GRADE OVER ANY EASEMENT SHALL NOT BE CHANGED AFTER INSTALLATION OF ANY UTILITY.

THE LANDSCAPE ISLAND/MEDIAN EASEMENTS, AS SHOWN HEREON, ARE HEREBY GRANTED TO THE SUBDIVISION HOMEOWNERS ASSOCIATION AS EASEMENTS FOR THE PURPOSES OF MAINTAINING VEGETATION, LANDSCAPING, AND SUBDIVISION MONUMENTS, SUBORDINATE HOWEVER, TO THE PLATTED RIGHT-OF-WAY.

MAINTENANCE OF ANY VEGETATION, LANDSCAPING, AND/OR SUBDIVISION MONUMENTS ON CUL-DE-SAC ISLANDS AND RAISED MEDIANS SHALL BE THE RESPONSIBILITY OF THE SUBDIVISION HOMEOWNERS ASSOCIATION. LANDSCAPING AND SUBDIVISION MONUMENTS PROPOSED FOR CUL-DE-SAC ISLANDS AND RAISED MEDIANS SHALL MEET THE REQUIREMENTS SET FORTH IN SECTION 40.50 OF ST. CHARLES COUNTY'S DESIGN CRITERIA FOR THE PREPARATION OF IMPROVEMENT PLANS, AS ISSUED BY THE ST. CHARLES COUNTY HIGHWAY DEPARTMENT IN FEBRUARY 2002, OR AS AMENDED THEREAFTER, AND SHALL BE APPROVED BY THE COUNTY ENGINEER AND SHALL REQUIRE THE ISSUANCE OF A SPECIAL-USE PERMIT FROM THE ST. CHARLES COUNTY HIGHWAY DEPARTMENT. A SPECIAL-USE PERMIT SHALL NOT BE REQUIRED FOR THE ROUTINE MAINTENANCE TO VEGETATION, LANDSCAPING, AND SUBDIVISION MONUMENTS; HOWEVER A SPECIAL-USE PERMIT SHALL BE REQUIRED FOR ANY RENOVATIONS OR ALTERATIONS PROPOSED FOR MONUMENTS, MEDIANS, OR LANDSCAPING.


ANY AND ALL DETENTION AREA EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO ST. CHARLES COUNTY, MISSOURI PURSUANT TO THE UNIFIED DEVELOPMENT ORDINANCE OF ST. CHARLES COUNTY, SEC. 410.210.E, OSCOMo, FOR THE PURPOSE OF INGRESS/EGRESS AND INSPECTION AND ENFORCEMENT OF ALL APPLICABLE REGULATIONS OF SUCH DETENTION AREAS.

ANY AREA SHOWN AS COMMON GROUND IS HEREBY GRANTED TO THE AUBURN TRACE HOMEOWNERS ASSOCIATION.

THIS SUBDIVISION IS SUBJECT TO CONDITIONS AND RESTRICTIONS RECORDED IN AN INSTRUMENT FILED IN BOOK 5148, PAGE 1929, IN THE ST. CHARLES COUNTY RECORDER'S OFFICE.

ALL BUILDING LINES AS SHOWN ON THIS PLAT ARE HEREBY ESTABLISHED.

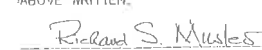
ALL TAXES DUE AND PAYABLE AGAINST THIS PROPERTY HAVE BEEN PAID IN FULL. ALL TAP ON FEES HAVE BEEN PAID TO DUCKETT CREEK SEWER DISTRICT.


EXECUTIVE HOMES, INC.
CRAIG R. NORDEN

STATE OF MISSOURI)
COUNTY OF ST. CHARLES)

ON THIS 24th DAY OF MARCH, 2009, BEFORE ME APPEARED CRAIG R. NORDEN, TO ME PERSONALLY KNOWN AND WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF EXECUTIVE HOMES, INCORPORATED, A CORPORATION OF THE STATE OF MISSOURI, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT SAID INSTRUMENT WAS SIGNED AND SEALED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD DIRECTORS, AND SAID PRESIDENT ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION.

IN TESTIMONY 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.


RICHARD S. MUSLER
NOTARY PUBLIC

MY COMMISSION EXPIRES:
17 APRIL 2012



CERTIFIED-FILED FOR RECORD
Barbara J. Hall
Recorder of Deeds
St. Charles County, Missouri
08/12/2009 01:49:31 PM 1/2

P. Goodrich

A RECORD PLAT OF AUBURN TRACE

A TRACT OF LAND BEING PART OF
FRACTIONAL SECTIONS 3 AND 10, TOWNSHIP 46 NORTH, RANGE 3 EAST
ST. CHARLES COUNTY, MISSOURI



NOTES

ALL EASEMENTS ADJACENT TO RIGHT-OF-WAY ARE 10' WIDE UNLESS SHOWN OTHERWISE.
ALL SIDE LOT EASEMENTS ARE 5' WIDE UNLESS SHOWN OTHERWISE.
ALL REAR LOT EASEMENTS ALONG SUBDIVISION BOUNDARY ARE 10' WIDE UNLESS SHOWN OTHERWISE.
ALL INTERNAL REAR LOT EASEMENTS ARE 5' WIDE UNLESS SHOWN OTHERWISE.
ALL FRONT BUILDING LINES ARE 25'.
ALL SIDE YARD SETBACKS ARE 7'.
ALL REAR YARD SETBACKS ARE 25'.
CROSSES TO BE CUT AT ALL STREET CENTERLINE INTERSECTIONS AND AT ALL P.C.'S AND P.T.'S OF CURVES AT THE STREET CENTERLINE.
CROSSES TO BE CUT ON THE CURB AT THE PROLONGATION OF THE SIDE LOT LINES AFTER THE COMPLETION OF STREET CONSTRUCTION.
SEMI-PERMANENT MONUMENTS TO BE SET AT THE REAR LOT CORNERS AFTER COMPLETION OF CONSTRUCTION ACTIVITIES.
TOTAL NUMBER OF LOTS IN THIS PLAT IS 40.
THIS PLAT CONTAINS 14.9 ACRES
ALL HOMES MUST HAVE DRIVEWAY ACCESS TO INTERIOR SUBDIVISION STREETS.
THIS PROPERTY IS TRIBUTARY TO AN UNNAMED BRANCH OF TRIBUTARY NO. 2 OF DARDENNE CREEK, AND IS UNAFFECTED BY ANY SPECIAL FLOOD HAZARD AREAS. PER F.L.R.M. 29183C0243 E

- (XXX) DENOTES LOT ADDRESS
• DENOTES PERMANENT MONUMENT TO BE SET UPON COMPLETION OF CONSTRUCTION ACTIVITIES

CORNER OF RECORD: FOUND VARIOUS CROSSES MARKING THE CENTERLINE OF ROADWAYS AND THE PROLONGATION OF LOT LINES ONTO THE PAVEMENT OF SAID ROADWAYS OF "AVONDALE HEIGHTS-PLAT 2", AS RECORDED IN PLAT BOOK 34, PAGE 310.
BASIS OF BEARINGS: THE ADOPTED BEARING SYSTEM OF THE RECORDED PLAT OF "AVONDALE HEIGHTS-PLAT 2" AS RECORDED IN PLAT BOOK 34, PAGE 310.
SOURCE OF RECORD: FILED DEED TO CHARLES D. ARNOLD AND ALTA JANE ARNOLD, HUSBAND AND WIFE, AS RECORDED IN BOOK 1485, PAGE 225.

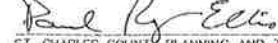
THIS PLAT HAS BEEN APPROVED BY ST. CHARLES COUNTY, MISSOURI:



ST. CHARLES COUNTY PLANNING AND ZONING DIVISION
DIRECTOR
STEVEN G. LAUER

3-27-09

DATE



ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION
SECRETARY/CHAIRPERSON Paul Roger Ellis

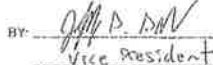
3/26/09

DATE

THE UNDERSIGNED HOLDER OR LEGAL OWNER OF NOTES SECURED BY A DEED OF TRUST RECORDED IN BOOK 5148, PAGE 1929, OF ST. CHARLES COUNTY, MISSOURI, RECORD OF DEEDS OFFICE HEREBY JOINS IN AND APPROVES IN EVERY DETAIL OF THIS "AUBURN TRACE" RECORD PLAT.

IN WITNESS WHEREOF, SAID HOLDER OR LEGAL OWNER HAS SIGNED AND SEALED THIS PLAT THIS 24th DAY OF March, 2009.

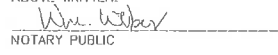
LENDER: Fortsnac Bank

BY: 
Vice President

STATE OF MISSOURI)
COUNTY OF ST. CHARLES)

ON THIS 24th DAY OF March, 2009, BEFORE ME APPEARED J. P. Davis, TO ME PERSONALLY KNOWN AND WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT OF Fortsnac Bank, A CORPORATION OF THE STATE OF MISSOURI, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT SAID INSTRUMENT WAS SIGNED AND SEALED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD DIRECTORS, AND SAID PRESIDENT ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION.

IN TESTIMONY 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

PRINTED NAME
Wm. Weber

MY COMMISSION EXPIRES:
7/30/2010



NOTE: No abstract of title was provided to the Surveyor for this survey, therefore reference can only be made to the Commitment of Title prepared by:

U.S. Title Company - St. Charles, Mo., agent for Transation Title Insurance Company

Effective Date: June 18, 2004
Commitment No.: 04S111055

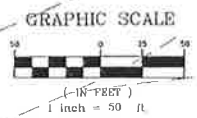
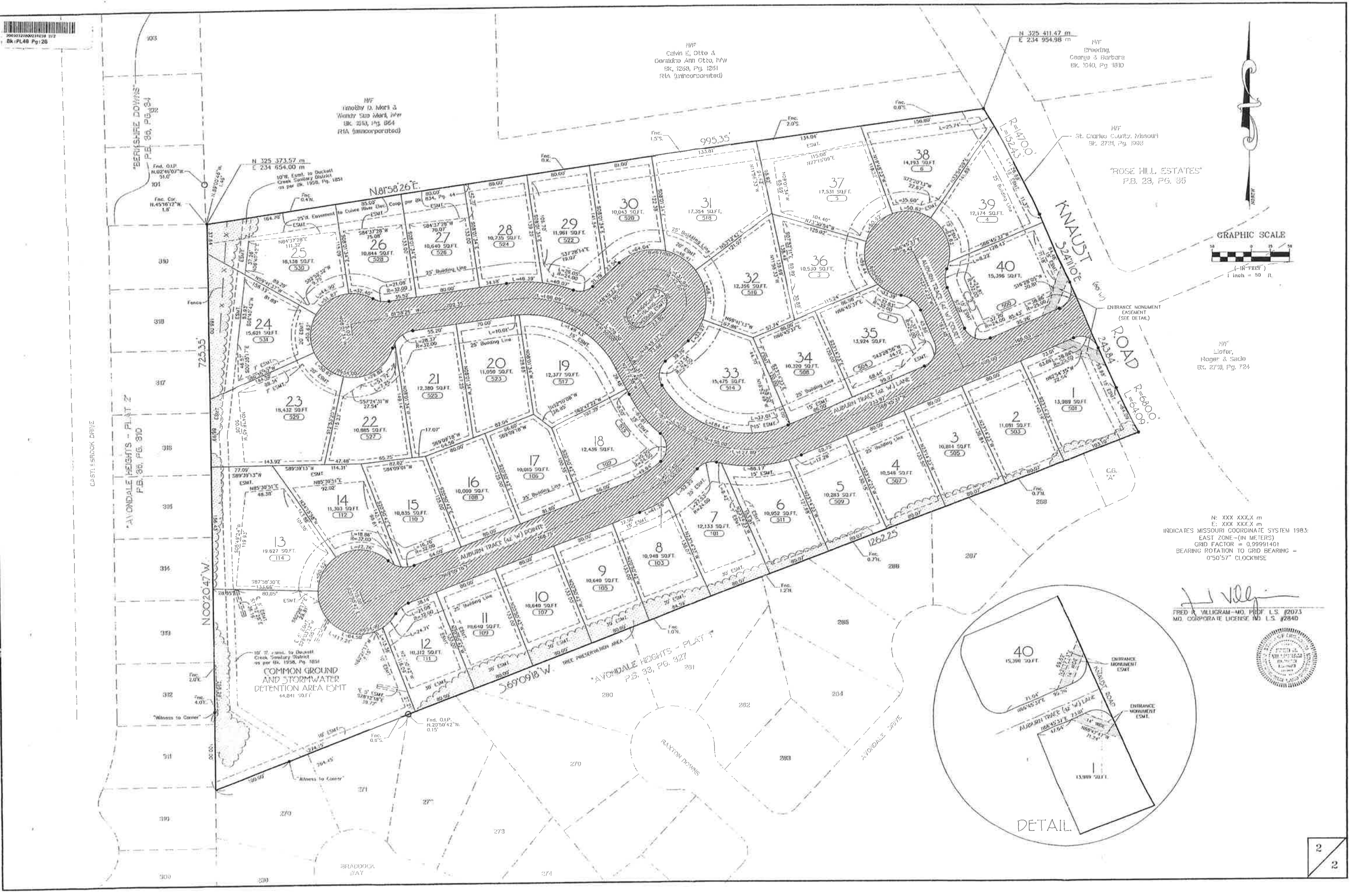
Surveyor's Comments on Schedule B, Section 2

- Item 8. Easement granted to Cuivre River Electric Cooperative, Inc., by instrument recorded in Book 834, Page 44. Plotted on drawing.
Item 9. Easement granted to Duckett Creek Sanitary District by instrument recorded in Book 1958, Page 1951. Plotted on drawing.
Item 10. Temporary Slope Construction Easement granted to County of St. Charles by instrument recorded in Book 2731, Page 1998. Plotted on drawing.

EXHIBIT "C"

RECORD PLAT OF
AUBURN TRACE - CONTAINS 14.88 ACRES

DATE:	NO.:	REVISION:
MUSLER ENGINEERING COMPANY		
CIVIL ENGINEERING - PLANNING - LAND SURVEYING		
32 Portwest Court, St. Charles, Missouri 63303		
Telephone: (636) 916-0444 Fax (636) 916-3444		
DATE:	DRAWN:	CHECKED:
JAN. 2009	BCV	FRY
PROJECT NO.:	SHEET NO.:	
04-826	1 of 2	



N: XXX XXX.X m
E: XXX XXX.X m
INDICATES MISSOURI COORDINATE SYSTEM 1983:
EAST ZONE-(IN METERS)
GRID FACTOR = 0.99991401
BEARING ROTATION TO GRID BEARING =
0°50'57" CLOCKWISE

[Signature]
FRED R. VALLIGRAM-MO. PROF. L.S. #2073
MO. CORPORATE LICENSE NO. L.S. #2840

