

**Missouri Department of Natural Resources
Solid Waste Management Program**

**AGREEMENT FOR EASEMENT,
NOTICE AND COVENANT RUNNING WITH LAND**
(Standard Form 05-14-03)

This Agreement made this _____ day of _____, 20____, between
, hereinafter called Owner and Missouri Department of Natural Resources, hereinafter called the
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 (hereinafter called landfill) on property owned by owner in _____
County, Missouri, and more fully described as follows:

Owner has access to the above described landfill as follows: (Insert detailed legal description, as per Deed conveying title, and separately identifying access property not owned by landowner)

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. ____ to _____, dated _____, 20____, for (insert person(s) that permit is issued to) the operation of a landfill by Owner [and _____] in (insert name of operator, if different than Owner) compliance with the provisions pursuant to the Missouri Solid Waste Management Law.

2. Pursuant to the requirements of Section 260.205.11, RSMo, 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 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 _____. 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. The Department will provide assistance if this is necessary.

3. This agreement, shall be filed by the Owner with the Recorder of Deeds for _____ County, Missouri, and 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.

MISSOURI DEPARTMENT OF NATURAL RESOURCES,
SOLID WASTE MANAGEMENT PROGRAM:

Chris Nagel, Director

Title

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 executed the same for the
purposes therein stated.

Notary Public

Commissioned in _____ County.

My Commission Expires: _____.