

GREGORY D. WILLIAMS
ATTORNEY AT LAW
HIGHWAY 5 AT 5-33
P. O. BOX 431
SUNRISE BEACH, MO 65079

573 / 374-8761

FAX 573 / 374-4432

August 16, 2002

Hon. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Mo 65102

Attn: Filing Desk

Re: In Re Environmental Utilities and Osage Water Company
New Application

Dear Sirs:

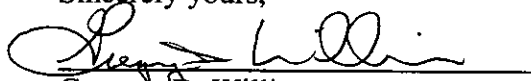
Please find enclosed for filing the original and 8 copies of the following:

1. Application.

An additional copy is also enclosed to be stamped "filed" and returned to me in the enclosed envelop.

If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely yours,


Gregory D. Williams

FILED³
AUG 23 2002
Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of
Environmental Utilities, LLC to acquire by
Foreclosure the franchise, water works, and
Sewer Systems of Osage Water Company.

Case No. _____

FILED³

AUG 23 2002

**Missouri Public
Service Commission**

APPLICATION

COMES NOW Environmental Utilities, LLC, (the "Applicant"), pursuant to Section
393.190 RSMo, and states as follows:

1. Applicant is duly organized and operates as a limited liability company under the laws of the State of Missouri, and maintains its principal office and place of business as Highway 5 at Lake Road 5-33, P.O. Box 650, Sunrise Beach, Missouri, and is a public utility as defined in Section 396.020 RSMo subject to the jurisdiction, supervision, and control of the Commission over the transmission, distribution and sale of water in Applicant's service area in Camden County, Missouri. Applicant was approved by this Commission to provide water utility service in Case WA-2002-65.
2. Osage Water Company is an administratively dissolved corporation organized under the laws of the State of Missouri and has been authorized by this Commission to provide water and sewer utility service in various specific service areas in Camden county, Missouri.
3. Communications regarding this Application should be made to:

Gregory D. Williams
Attorney at Law
P.O. Box 431
Sunrise Beach, MO 65079
573-374-8761 Telephone
573-374-4432 Facsimile
gregw@laurie.net e-mail

4. Applicant proposes to acquire by foreclosure the franchise, water works, and sewer systems presently owned and operated by Osage Water Company and necessary or useful to provide water and/or sewer utility service to its customers in the certificated service areas of Osage Water Company, under the terms and conditions of a promissory note executed by William P. Mitchell as president of Osage Water Company, with a current principal balance of \$500,000 issued by Osage Water Company on February 15, 2002 to secure payment of balances due from Osage Water Company to Gregory D. Williams for legal services rendered, and which promissory note is secured by a Future Advance Deed of Trust & Security Agreement of the same date filed of record on March 6, 2001 in Book 210 at Page 59 in the Office of the Recorder of Deeds of Camden County, Missouri, a copy of which is attached hereto as Appendix A. Osage Water Company is in default for failing to pay any of the principal or interest installments due under said note. Applicant acquired said promissory note and Future Advance Deed of Trust by Assignment dated August 14, 2002 and recorded in Book 540 at Page 563 in the Office of the Recorder of Deeds of Camden County, Missouri.
5. Said Future Advance Deed of Trust is subordinated to a Deed of Trust executed by Osage Water Company in favor of Central Bank of Lake of the Ozarks on July 9, 1997 and recorded in Book 186 at Page 394 in the Office of the Recorder of Deeds of Camden County, Missouri, and a Judgment of Mechanic's Lien in favor of Jim Clary Concrete Construction, Inc. dated April 9, 2002 and recorded in Lien Book 7 at Page 698 in the Office of the Recorder of Deeds of Camden County, Missouri.

6. Applicant has commenced foreclosure proceedings with respect to said Future Advance Deed of Trust and contemplates that a trustee's sale thereunder will be held on September 13, 2002 at 1:00 p.m. at the East Front Door of the Camden County Courthouse. A copy of the Notice of Foreclosure is attached hereto as Appendix B.
7. While Applicant cannot assure the Commission that it will be the successful bidder at said foreclosure sale, Applicant desires to place the Commission on notice of the pendency of said foreclosure and of Applicant's desire to obtain the Commission's approval to acquire said assets of Osage Water Company and to operate the same under the jurisdiction and regulation of the Commission if it is the successful bidder at said sale.
8. The proposed transaction would not harm the public interest in that (a) Applicant is an existing regulated utility company operating under the jurisdiction and regulation of the Commission and has a water tariff on file with the Commission; (b) Osage Water Company is an administratively dissolved corporation and is not authorized to conduct business in the State of Missouri; (c) Osage Water Company is insolvent and unable to pay its debts as they come due; (d) Osage Water Company is unable to obtain capital necessary to repair its systems and to expand the same for additional customers, (e) the sale of all of the assets of Osage Water Company is in the best interests of the customers thereof as breaking the same down into component portions for sale may result in higher operating costs for each respective component thereof.
9. Customers of Osage Water Company will not initially experience any change in rates after the transfer, as Applicant's rates for water service are identical to those of Osage Water Company, and Applicant proposed to initially adopt the terms and conditions

of Osage Water Company's sewer tariff if this Application is approved. Future rate changes by Applicant will be subject to the Commission's rate making procedures.

10. No change in tax revenues to Camden County should occur as a result of the approval of this Application.
11. Upon completion of the foreclosure sale and approval of this Application, Osage Water Company will no longer have any utility assets subject to the jurisdiction of the Commission and its certificates of convenience and necessity may be terminated by the Commission.

WHEREFORE, Applicant respectfully requests the Commission to issue an order:

- (1) Approving the foreclosure of all of the assets of Osage Water Company, and upon successful acquisition at said foreclosure sale by Applicant, approving the transfer of all of said assets to Applicant; and
- (2) Granting to Applicant certificates of convenience and necessity to provide public water and/or sewer utility service within the current certificated water and sewer service areas of Osage Water Company; and
- (3) Terminating the certificates of convenience and necessity heretofore granted to Osage Water Company.



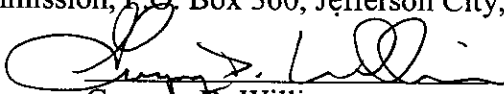
Gregory D. Williams #32272
Highway 5 at Lake Road 5-33
P.O. Box 431
Sunrise Beach, MO 65079
(573) 374-8761

CERTIFICATE OF SERVICE

I, Gregory D. Williams, do hereby certify that a true copy of the foregoing was on this 16th day of August, 2002, mailed, postage prepaid, to the following:

William P. Mitchell, President, Osage Water Company, P.O. Box 826, Linn Creek, MO 65052;

Office of Public Counsel, P.O. Box 7800, Jefferson City, MO 65102; Office of the General Counsel, Missouri Public Service Commission, P.O. Box 360, Jefferson City, MO 65102.



Gregory D. Williams

FACSIMILE COVER PAGE

To : Pat Mitchell
Sent : 2/15/01 at 11:16:04 AM
Subject : Note & Deed of Trust for Legal Work

From : Gregory D. Williams
Pages : 8 (including Cover)

Pat -

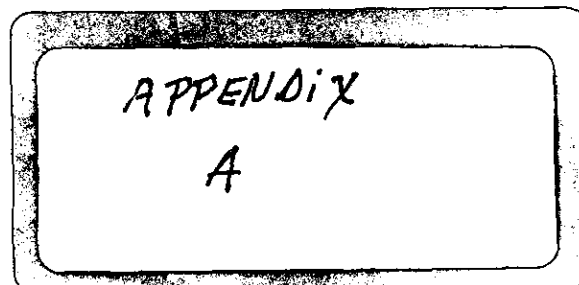
I spoke with Mike McDorman with respect to whether an Answer needed to be filed in the suit by Hancock against Osage Water Company. He advised that there is no agreement with you that would make an answer unnecessary, and therefore one should be filed. The due date for the answer is today.

As I advised earlier, I will require a note and deed of trust to secure payment of my legal fees before I enter my appearance in this or any other additional lawsuits. A future advance deed of trust and promissory note to secure up to \$500,000 in legal fees follows for your review.

Obviously this is a legal document of great significance, and you should consult with your own legal counsel prior to signing it if you have any questions about the legal effect of the document.

I look forward to your reply.

GDW



PROMISSORY NOTE

On this 15th day of February, 2001, for value received, the undersigned promises to pay to the order of the holder hereof the sum of Five Hundred Thousand Dollars (\$500,000.00) with interest from the date hereof at the rate of Eight percent (8%) per annum, compounded monthly on the unpaid balance until paid.

Said Principal and interest shall be payable as follows:

Interest shall be due and payable in quarterly installments commencing on the 1st day of April, 2001, and on the first day of every 3rd month thereafter, until the entire principal and all accrued interest due hereunder is paid in full. Principal shall be due and payable upon demand, but if no demand is made, in equal monthly installments of \$1,000.00 each commencing on April 1, 2001, and on the first day of each month thereafter until the entire balance of principal and interest is paid in full.

In the event of default in the payment of any installment under this note, and if such default is not made good within ten (10) days of the date when such installment is due, the holder hereof may, at its option, declare the balance of the debt hereunder due and payable, with interest thereof to the date of such acceleration. Failure of the holder hereof to exercise this option shall not constitute a waiver of the right to exercise it at any other time.

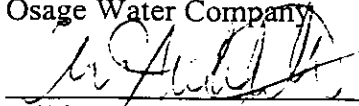
Privilege is reserved by the undersigned to pay the debt in whole, or any part thereof, at any time prior to the date due, with no prepayment penalty.

The undersigned agrees to pay all expenses of the holder in collection of this note, including a reasonable attorney's fee and other costs incurred by the holder hereof as a result of default.

This note is secured by a Deed of Trust of even date herewith on property therein described. In the event that said property is sold, transferred or conveyed, including a sale under Contract for Deed, or is leased for a term of more than three (3) years, this note shall be immediately due and payable in full.

This note contemplates that the principal balance secured hereby may be advanced in one or more installments by the holder hereof. The principal balance at the date of execution hereof is \$436,328.47.

Osage Water Company



William P. Mitchell, President

**FUTURE ADVANCE DEED OF TRUST & SECURITY AGREEMENT
STATE OF MISSOURI**

THIS DEED OF TRUST SECURES FUTURE ADVANCES AND FUTURE OBLIGATIONS AND IS GOVERNED BY THE PROVISIONS OF SECTION 443.055 RSMo.

THIS DEED, MADE AND ENTERED INTO THIS 15 day of February, 2001, by and between Osage Water Company, A Missouri Corporation, Grantor, whose address is P.O. Box 777, Camdenton, MO 65020 and

Debra J. Williams, Trustee, whose address is P.O. Box 231, Sunrise Beach, MO 65079; and

Gregory D. Williams, Attorney at Law, whose address is P.O. Box 431, Sunrise Beach, MO 65079, Beneficiary.

WITNESSETH, That the Grantor, in consideration of One Dollar to it in hand paid by the Trustee, receipt of which is hereby acknowledged, does hereby grant, bargain and sell to the Trustee the land in Camden County, Missouri, and grants to the Beneficiary a Security Interest in the fixtures, equipment, and intangibles described as follows:

All property owned by Osage Water Company in Camden County, Missouri, including, but not limited to, the following described tracts of land:

All of Lot 99A of Shawnee Bend No. 5, a subdivision in Camden County, Missouri.

ALSO: A tract of land in the Southeast Quarter of Section 12, Township 39 North, Range 16 West, and being a part of a tract as described in Book 96, Page 572, Camden County Records, Camden County, Missouri, more particularly described as follows: Commencing at the Southwest corner of the Southeast Quarter of said Section 12, thence South 89 Degrees 52 minutes 20 seconds East along the South line of said Section 12, 614.68 feet, to the true point of beginning; thence continuing South 89 degrees 52 minutes 20 seconds East 82.28 feet, to the Southeast corner of said tract as described in Book 96, Page 572; thence leaving the section line North along the east line of said tract 164.70 feet, to the Northeast corner of said tract; thence South 89 degrees 49 minutes 54 seconds West along the South line of PASSOVER ROAD, and the north line of said tract, 10.0 feet; thence leaving said north line South 111.66 feet; thence West 72.28 feet; thence South 53.04 feet to the true point of beginning.

Together with an easement for the operation, maintenance, repair and replacement of the existing water lines and water system now located in or hereafter installed or constructed in PARKVIEW BAY SUBDIVISION.

ALSO: A tract of land in Government Lot 3, in Section 3, and a part of the Northwest Quarter of the Northeast Quarter of Section 10, all in Township 39 North, Range 16 West, and being part of a tract as described in Book 225, Page 815, Camden County, Missouri, more particularly described as follows:

Beginning at the Southwest Corner of the Northwest quarter of the Northeast Quarter of Section 10, thence North along the west line of the Northwest Quarter of the Northeast Quarter 570.6 feet; thence East 29.6 feet; thence North 42 degrees 28 Minutes East 610.5 feet to the centerline of

road, said point being the point of beginning of said tract as described in Book 225, Page 815, thence along said centerline and the Southwesterly line of said tract the following courses: thence North 10 degrees 57 minutes 47 seconds west, 165.58 feet; thence North 53 degrees 58 minutes 40 seconds West 280.96 feet, to the true point of beginning; thence continuing along said centerline North 53 degrees 58 minutes 40 seconds West 66.2 feet to the Northwestern corner of said tract; thence leaving said centerline North 73 degrees 30 minutes 00 seconds East, along the northerly line of said tract 75.64 feet; thence leaving said northerly line South 53 degrees 58 minutes 40 seconds east 20.14 feet; thence South 36 degrees 01 minute 20 seconds West, 60.0 feet to the true point of beginning. Subject to the right of way of said road.

ALSO: A tract of land in Government Lot 2 of the Northwest quarter of Section 34, Township 38 North, Range 17 West, and being a part of a tract as described in Book 57, Page 224, Camden County Records Office, Camden County, Missouri, more particularly described as follows: Beginning at a stone at the southwest corner of said Lot 2, thence North 04 degrees 01 minute 58 seconds West along the west line of Lot 2, 266.14 feet; thence leaving said west line North 85 degrees 58 minutes 01 second East, 144.96 feet to the true point of beginning; thence North 05 degrees 43 minutes 14 seconds East, 27.92 feet; thence South 84 degrees 16 minutes 46 seconds East, 35.00 feet; thence South 05 degrees 43 minutes 14 seconds West, 27.92 feet; thence North 84 degrees 16 minutes 46 seconds West, 35.00 feet to the true point of beginning.

A tract of land in Government Lot 2 of the Northwest quarter of Section 34, Township 38 North, Range 17 West, and being a part of a tract as described in Book 57, Page 224, Camden County Records Office, Camden County, Missouri, more particularly described as follows: Beginning at a stone at the southwest corner of said Lot 2, thence North 04 degrees 01 minute 58 seconds West along the west line of Lot 2, 266.14 feet; thence leaving said west line North 85 degrees 58 minutes 01 second East, 144.96 feet to the true point of beginning; thence North 05 degrees 43 minutes 14 seconds East, 27.92 feet; thence South 84 degrees 16 minutes 46 seconds East, 35.00 feet; thence South 05 degrees 43 minutes 14 seconds West, 27.92 feet; thence North 84 degrees 16 minutes 46 seconds West, 35.00 feet to the true point of beginning.

ALSO: All of Well Easement "B" as shown on the Plat of Survey recorded in Book 25 at Page 9 in the Office of the Recorder of Deeds of Camden County, Missouri.

ALSO: All that part of Tract 8 of TUTTLE'S ACREAGES, a subdivision in Camden County, Missouri, according to the plat thereof on file and of record in the Office of the Recorder of Deeds, Camden County, Missouri, described as follows: All that part of the Southwest Quarter of the Southeast Quarter of Section 1, Township 39 North, Range 16 West, described as follows: Commencing at a point on the Quarter Section line 607.2 feet South from a stone marking the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 1; thence continue South along said Quarter Section line 250.7 feet to the Northwest corner of tract of land deeded to Hazel Evans by deed recorded in Book 84, Page 259; thence South 87 degrees 11 minutes East along the North line of Hazel Evans property 142.5 feet, more or less, to the Westerly right-of-way line of Highway 54 as located in November, 1966; thence along said Westerly right-of-way 120.7 feet to an existing iron pin at the Easterly most corner of a tract of land conveyed to Shoney's Inc. in Book 354, Page 937 of the Camden County, Missouri warranty deed records; thence departing said right-of-way line North 51 degrees 46 minutes West 220.00 feet to the point of beginning of the tract of land described herein; thence continue North 51 degrees 46 minutes West 20 feet; thence South 38 degrees 14 minutes West 20 feet; thence South 51 degrees 46 minutes East 20 feet; thence North 38 degrees 14 minutes East 20.0 feet to the point of beginning.

ALSO: A tract of land being a part of a tract designated "PHASE 2", "THE LEDGES, THIRD AMENDED PLAT", a subdivision of Camden County, Missouri, more particularly described as follows: Beginning at the intersection of the southeasterly line Lot 1, adjacent to Lot 2, and the tangent of a 99 degree curve as shown on the plat of said subdivision, thence along said tangent and the centerline of LEDGES DRIVE, South 66 degrees 21 minutes East 174.69 feet; thence leaving said centerline South 23 degrees 39 minutes West 34.0 feet, to a point on the southerly right-of-

way of said LEDGES DRIVE and the true point of beginning; thence North 66 degrees 21 minutes West along said Southerly right-of-way 12.56 feet; thence leaving said right-of-way line South 23 degrees 39 minutes West 30.25 feet; thence South 20 degrees 08 minutes 24 seconds East 15.33 feet; thence North 69 degrees 51 minutes 36 seconds East 17.40 feet; thence North 20 degrees 08 minutes 24 seconds West 15.33 feet; thence North 23 degrees 39 minutes East 18.21 feet to the true point of beginning.

Together with all easements owned by Osage Water Company in Camden County, Missouri, including, but not limited to, the following:

All of the Eagle Woods development which is located in Section 7, Township 39 North, Range 16 West, more specifically described as follows:

Beginning at the intersection of State Route KK and the East Section line of Section 7, Township 39 North, Range 16 West, thence North along said East Section line 1402 feet, more or less, to the Southeast Corner of the Northeast Quarter of the Northeast Quarter of Section 7, Township 39 North, Range 16 West, thence West along the South line of the Northeast Quarter of the Northeast Quarter of Section 7 1,320 feet, more or less, to the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 7, thence North along the West line of the Northeast Quarter of the Northeast Quarter of Section 7 1,320 feet, more or less, to the North Section line of Section 7, thence West along said North Section line of Section 7 475 feet, more or less, to the centerline of State Route KK, thence along the centerline of State Route KK south and east 3,390 feet, more or less, to the point of beginning.

AN EASEMENT, said easement being a part of Lot 1, "CHAUVINS KK COMMERCIAL PARK", a subdivision of Camden county, Missouri, more particularly described as beginning at the easternmost corner of said Lot 1, thence North 47 Degrees 47 Minutes 22 Seconds West, along the northeasterly line of said Lot 1, 257.47 feet, to the true point of beginning of said tract; thence continuing North 47 Degrees 47 Minutes 22 Seconds West, along said lot line 30.24 feet; thence leaving said lot line South 42 Degrees 12 Minutes 38 Seconds West, 30.12 feet; thence South 47 Degrees 47 Minutes 22 Seconds East, 30.24 feet; thence North 42 Degrees 12 Minutes 38 Seconds East, 30.12 feet, to the true point of beginning.

ALSO AN EASEMENT across a part of said Lot 1, said easement being 10.0 ft. wide, 5.0 feet each side of and parallel to the following described centerline more particularly described as follows: Beginning at the easternmost corner of said Lot 1, thence North 42 Degrees 13 Minutes 54 Seconds West, along the southeasterly line of Lot 1, 15.65 feet, to the true point of beginning; thence leaving said southeasterly line North 47 Degrees 38 Minutes 59 Seconds West, 257.46 feet; thence returning South 47 Degrees 38 Minutes 59 Seconds East, 145.91 feet; thence South 42 Degrees 21 Minutes 01 Seconds West, 52.61 feet, to an existing meter and the end.

AN EASEMENT, said easement being a part of Lot 1, "CHAUVINS KK COMMERCIAL PARK", a subdivision of Camden County, Missouri, more particularly described as beginning at the easternmost corner of said Lot 1, thence North 47 Degrees 47 Minutes 22 Seconds West along the northeasterly line of said Lot 1, 258.71 feet, to the true point of beginning of said tract; thence continuing North 47 degrees 47 minutes 22 seconds West, along said lot line 261.29 feet, to the northernmost corner of said Lot 1; thence South 42 Degrees 10 Minutes 53 Seconds West, along the northwesterly line of said Lot 1, 35.00 feet; thence South 47 Degrees 47 Minutes 22 Seconds East 261.29 feet; thence North 42 Degrees 12 Minutes 38 Minutes East, 35.00 feet, to the true point of beginning.

An Easement 10.0 feet wide across a part of Lots 1, 2, 3 and 4 of CRAIG'S SUBDIVISION, a subdivision in Camden County, Missouri, said easement lying parallel to, westerly and southerly of the following described line: Beginning at the Southeast corner of said Lot 4, thence North along the east line of said Lot 4, 175.19 feet, to the Northeast Corner of Lot 4; thence along the Northerly lines of said Lots 4, 3, 2, and 1 the following courses: Along a curve to the right, said curve having a radius of 199.0 feet, and an arc length of 104.07 feet; thence North 60 degrees 34

minutes 55 seconds West 34.49 feet; thence on a curve to the left, said curve having a radius of 151.0 feet and an arc length of 79.09 feet; thence South 89 degrees 28 minutes 34 seconds West 436.9 feet, to the easterly right-of-way of U.S. Highway No. 54 and the End.

ALSO: A 15 foot wide easement for easting water lines lying in TUTTLE'S ACREAGES, a subdivision in Camden County, Missouri, according to the plat thereof on file and of record in the Office of the Recorder of Deeds, Camden County, Missouri, the centerline of said easement being described as follows: All that part of the Southwest Quarter of the Southeast Quarter of Section 1, Township 39 North, Range 16 West, described as follows: Commencing at a point on the Quarter Section line 607.2 feet South from a stone marking the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 1; thence continue South along said Quarter Section line 250.7 feet to the Northwest corner of tract of land deeded to Hazel Evans by deed recorded in Book 84, Page 259; thence South 87 degrees 11 minutes East along the North line of Hazel Evans property 142.5 feet, more or less, to the Westerly right-of-way line of Highway 54 as located in November, 1966; thence along said Westerly right-of-way 120.7 feet to an existing iron pin at the Easterly most corner of a tract of land conveyed to Shoney's Inc. in Book 354, Page 937 of the Camden County, Missouri warranty deed records; thence departing said right-of-way line North 51 degrees 46 minutes West 267.5 feet, more or less, to an existing iron pin; thence South 65 degrees 00 minutes 42 seconds West 8.40 feet; thence North 2 degrees 10 minutes 09 seconds East 264.06 feet to an existing water hydrant for the point of beginning of the easement described herein; thence run along centerline of said easement South 2 degrees 10 minutes 09 seconds West 264.06 feet; thence South 51 degrees 46 minutes East 30.25 feet; thence South 38 degrees 14 minutes West along the existing water lines 236.34 feet; more or less; thence South 1 degrees 44 minutes East 140.94 feet to an existing water hydrant for the point of termination of the easement described herein.

ALSO: Together with an easement for the operation, maintenance, repair and replacement of the existing water lines and water system located in THE LEDGES, THIRD AMENDED PLAT, a subdivision in Camden County, Missouri.

ALSO: Waterline easement as described in Book 468, Page 424, Camden County Recorder's Office.

ALSO: Waterline easements as described in Book 377, Page 240, Camden County Recorder's Office.

Together with all fixtures and equipment located on or within said tracts of land and easements.

Together with all Permits issued by the Missouri Department of Natural Resources for the operation of all wastewater collection and treatment facilities located in Camden County, Missouri or for the operation of all water supplies and distribution systems located in Camden County, Missouri.

Together with all certificates of convenience and necessity granted by the Missouri Public Service Commission for the operation of all water or sewer systems located in Camden County, Missouri.

TO HAVE AND TO HOLD THE SAME with all easements, rights and appurtenances belonging thereto, to the Trustee in trust for the following purposes:

WHEREAS, the Grantor did on this date execute to the Beneficiary a promissory note of even date herewith, and

WHEREAS, the Grantor agrees (1) to pay all present and future taxes and assessments, general and special, against said property before the same become delinquent or actionable, (2) to pay all liens or claims that may take precedence of this

STATE OF MISSOURI)
) ss
 COUNTY OF)

On this 15th day of February, 2001, before me appeared William P. Mitchell, to me personally known, who, being by me duly sworn, did say that he is the president of Osage Water Company, a Missouri Corporation, 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 of directors, and said William P. Mitchell acknowledged said instrument to be the free act and deed of said corporation.

Nancy L. Reuter
 Notary Public

My commission expires:



STATE OF MISSOURI
 COUNTY OF CAMDEN
 CERTIFICATE OF RECORD

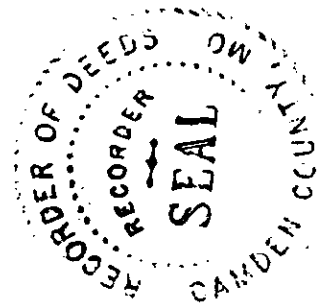
2001 MAR -6 P 1:35 PM

BOOK 210 PAGE 59
 DONNIE SNELLING, RECORDER

Linda Shumway DEPUTY

33⁰⁰

G. William



GREGORY D. WILLIAMS
ATTORNEY AT LAW
HIGHWAY 5 AT 5-33
P. O. BOX 431
SUNRISE BEACH, MO 65079

573 / 374-8761

FAX 573 / 374-4432

August 15, 2002

The Lake-Sun Leader
Highway 5
Camdenton, MO 65020

ATTN: Legal Publication Department

FAX: 346-4508

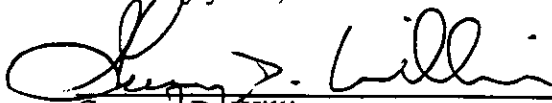
Re: Notice of Trustee's Sale
Osage Water Company to Environmental Utilities, LLC

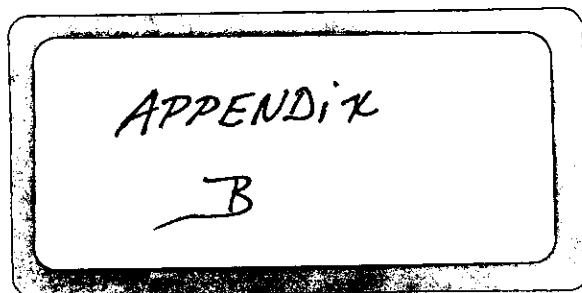
Dear Sirs:

Please find enclosed for publication a Notice of Trustee's Sale for publication in the Wednesday edition of your paper on August 21, August 28, September 4, and September 11. In the event you are unable to publish the notice on these dates for any reason, please contact my office immediately.

If you would be so kind as to prepare a proof of publication for the same prior to the scheduled sale date of September 13, I will pick it up at your office prior to the sale. Please prepare your statement for services in the name of Environmental Utilities, LLC, and deliver the same to my office. If you have any questions in this matter, please call.

Sincerely yours,


Gregory D. Williams



NOTICE OF TRUSTEE'S SALE

Default having been made in the payment of the note described in an secured by a Future Advance Deed of Trust & Security Agreement dated February 15, 2001 executed by Osage Water Company, A Missouri Corporation, and recorded in the Office of the Recorder of Deeds of Camden County, Missouri in Deed of Trust Book 210 at Page 59, and conveying to Debra J. Williams as Trustee the following described property in Camden County, Missouri, to-wit:

All property owned by Osage Water Company in Camden County, Missouri, including, but not limited to, the following described tracts of land:

All of Lot 99A of Shawnee Bend No. 5, a subdivision in Camden County, Missouri.

ALSO: A tract of land in the Southeast Quarter of Section 12, Township 39 North, Range 16 West, and being a part of a tract as described in Book 96, Page 572, Camden County Records, Camden County, Missouri, more particularly described as follows: Commencing at the Southwest corner of the Southeast Quarter of said Section 12, thence South 89 Degrees 52 minutes 20 seconds East along the South line of said Section 12, 614.68 feet, to the true point of beginning; thence continuing South 89 degrees 52 minutes 20 seconds East 82.28 feet, to the Southeast corner of said tract as described in Book 96, Page 572; thence leaving the section line North along the east line of said tract 164.70 feet, to the Northeast corner of said tract; thence South 89 degrees 49 minutes 54 seconds West along the South line of PASSOVER ROAD, and the north line of said tract, 10.0 feet; thence leaving said north line South 111.66 feet; thence West 72.28 feet; thence South 53.04 feet to the true point of beginning.

Together with an easement for the operation, maintenance, repair and replacement of the existing water lines and water system now located in or hereafter installed or constructed in PARKVIEW BAY SUBDIVISION.

ALSO: A tract of land in Government Lot 3, in Section 3, and a part of the Northwest Quarter of the Northeast Quarter of Section 10, all in Township 39 North, Range 16 West, and being part of a tract as described in Book 225, Page 815, Camden County, Missouri, more particularly described as follows: Beginning at the Southwest Corner of the Northwest quarter of the Northeast Quarter of Section 10, thence North along the west line of the Northwest Quarter of the Northeast Quarter 570.6 feet; thence East 29.6 feet; thence North 42 degrees 28 Minutes East 610.5 feet to the centerline of road, said point being the point of beginning of said tract as described in Book 225, Page 815, thence along said centerline and the Southwesterly line of said tract the following courses: thence North 10 degrees 57 minutes 47 seconds west, 165.58 feet; thence North 53 degrees 58 minutes 40 seconds West 280.96 feet, to the true point of beginning; thence continuing along said centerline North 53 degrees 58 minutes 40 seconds West 66.2 feet to the Northwesterly corner of said tract; thence leaving said centerline North 73 degrees 30 minutes 00 seconds East, along the northerly line of said tract 75.64 feet; thence leaving said northerly line South 53 degrees 58 minutes 40 seconds east 20.14 feet; thence South 36 degrees 01 minute 20 seconds West, 60.0 feet to the true point of beginning. Subject to the right of way of said road.

ALSO: A tract of land in Government Lot 2 of the Northwest quarter of Section 34, Township 38 North, Range 17 West, and being a part of a tract as described in Book 57, Page 224, Camden County Records Office, Camden County, Missouri, more particularly described as follows:

Beginning at a stone at the southwest corner of said Lot 2, thence North 04 degrees 01 minute 58 seconds West along the west line of Lot 2, 266.14 feet; thence leaving said west line North 85 degrees 58 minutes 01 second East, 144.96 feet to the true point of beginning; thence North 05 degrees 43 minutes 14 seconds East, 27.92 feet; thence South 84 degrees 16 minutes 46 seconds East, 35.00 feet; thence South 05 degrees 43 minutes 14 seconds West, 27.92 feet; thence North 84 degrees 16 minutes 46 seconds West, 35.00 feet to the true point of beginning.

A tract of land in Government Lot 2 of the Northwest quarter of Section 34, Township 38 North, Range 17 West, and being a part of a tract as described in Book 57, Page 224, Camden County Records Office, Camden County, Missouri, more particularly described as follows:

Beginning at a stone at the southwest corner of said Lot 2, thence North 04 degrees 01 minute 58 seconds West along the west line of Lot 2, 266.14 feet; thence leaving said west line North 85 degrees 58 minutes 01 second East, 144.96 feet to the true point of beginning; thence North 05 degrees 43 minutes 14 seconds East, 27.92 feet; thence South 84 degrees 16 minutes 46 seconds East, 35.00 feet; thence South 05 degrees 43 minutes 14 seconds West, 27.92 feet; thence North 84 degrees 16 minutes 46 seconds West, 35.00 feet to the true point of beginning.

ALSO: All of Well Easement "B" as shown on the Plat of Survey recorded in Book 25 at Page 9 in the Office of the Recorder of Deeds of Camden County, Missouri.

ALSO: All that part of Tract 8 of TUTTLE'S ACREAGES, a subdivision in Camden County, Missouri, according to the plat thereof on file and of record in the Office of the Recorder of Deeds, Camden County, Missouri, described as follows: All that part of the Southwest Quarter of the Southeast Quarter of Section 1, Township 39 North, Range 16 West, described as follows: Commencing at a point on the Quarter Section line 607.2 feet South from a stone marking the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 1; thence continue South along said Quarter Section line 250.7 feet to the Northwest corner of tract of land deeded to Hazel Evans by deed recorded in Book 84, Page 259; thence South 87 degrees 11 minutes East along the North line of Hazel Evans property 142.5 feet, more or less, to the Westerly right-of-way line of Highway 54 as located in November, 1966; thence along said Westerly right-of-way 120.7 feet to an existing iron pin at the Easterly most corner of a tract of land conveyed to Shoney's Inc. in Book 354, Page 937 of the Camden County, Missouri warranty deed records; thence departing said right-of-way line North 51 degrees 46 minutes West 220.00 feet to the point of beginning of the tract of land described herein; thence continue North 51 degrees 46 minutes West 20 feet; thence South 38 degrees 14 minutes West 20 feet; thence South 51 degrees 46 minutes East 20 feet; thence North 38 degrees 14 minutes East 20.0 feet to the point of beginning.

ALSO: A tract of land being a part of a tract designated "PHASE 2", "THE LEDGES, THIRD AMENDED PLAT", a subdivision of Camden County, Missouri, more particularly described as follows: Beginning at the intersection of the southeasterly line Lot 1, adjacent to Lot 2, and the tangent of a 99 degree curve as shown on the plat of said subdivision, thence along said tangent and the centerline of LEDGES DRIVE, South 66 degrees 21 minutes East 174.69 feet; thence leaving said centerline South 23 degrees 39 minutes West 34.0 feet, to a point on the southerly right-of-way of said LEDGES DRIVE and the true point of beginning; thence North 66 degrees 21 minutes West along said Southerly right-of-way 12.56 feet; thence leaving said right-of-way line South 23 degrees 39 minutes West 30.25 feet; thence South 20 degrees 08 minutes 24 seconds East 15.33 feet; thence North 69 degrees 51 minutes 36 seconds East 17.40 feet; thence North 20 degrees 08 minutes 24 seconds West 15.33 feet; thence North 23 degrees 39 minutes East 18.21 feet to the true point of beginning.

Together with all easements owned by Osage Water Company in Camden County, Missouri, including, but not limited to, the following:

All of the Eagle Woods development which is located in Section 7, Township 39 North, Range 16 West, more specifically described as follows:

Beginning at the intersection of State Route KK and the East Section line of Section 7, Township 39 North, Range 16 West, thence North along said East Section line 1402 feet, more or less, to the Southeast Corner of the Northeast Quarter of the Northeast Quarter of Section 7, Township 39 North, Range 16 West, thence West along the South line of the Northeast Quarter of the Northeast Quarter of Section 7 1,320 feet, more or less, to the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 7, thence North along the West line of the Northeast Quarter of the Northeast Quarter of Section 7 1,320 feet, more or less, to the North Section line of Section 7, thence West along said North Section line of Section 7 475 feet, more or less, to the centerline of State Route KK, thence along the centerline of State Route KK south and east 3,390 feet, more or less, to the point of beginning.

AN EASEMENT, said easement being a part of Lot 1, "CHAUVINS KK COMMERCIAL PARK", a subdivision of Camden county, Missouri, more particularly described as beginning at the easternmost corner of said Lot 1, thence North 47 Degrees 47 Minutes 22 Seconds West, along the northeasterly line of said Lot 1, 257.47 feet, to the true point of beginning of said tract; thence continuing North 47 Degrees 47 Minutes 22 Seconds West, along said lot line 30.24 feet; thence leaving said lot line South 42 Degrees 12 Minutes 38 Seconds West, 30.12 feet; thence South 47 Degrees 47 Minutes 22 Seconds East, 30.24 feet; thence North 42 Degrees 12 Minutes 38 Seconds East, 30.12 feet, to the true point of beginning.

ALSO AN EASEMENT across a part of said Lot 1, said easement being 10.0 ft. wide, 5.0 feet each side of and parallel to the following described centerline more particularly described as follows: Beginning at the easternmost corner of said Lot 1, thence North 42 Degrees 13 Minutes 54 Seconds West, along the southeasterly line of Lot 1, 15.65 feet, to the true point of beginning; thence leaving said southeasterly line North 47 Degrees 38 Minutes 59 Seconds West, 257.46 feet; thence returning South 47 Degrees 38 Minutes 59 Seconds East, 145.91 feet; thence South 42 Degrees 21 Minutes 01 Seconds West, 52.61 feet, to an existing meter and the end.

AN EASEMENT, said easement being a part of Lot 1, "CHAUVINS KK COMMERCIAL PARK", a subdivision of Camden County, Missouri, more particularly described as beginning at the easternmost corner of said Lot 1, thence North 47 Degrees 47 Minutes 22 Seconds West along the northeasterly line of said Lot 1, 258.71 feet, to the true point of beginning of said tract; thence continuing North 47 degrees 47 minutes 22 seconds West, along said lot line 261.29 feet, to the northernmost corner of said Lot 1; thence South 42 Degrees 10 Minutes 53 Seconds West, along the northwesterly line of said Lot 1, 35.00 feet; thence South 47 Degrees 47 Minutes 22 Seconds East 261.29 feet; thence North 42 Degrees 12 Minutes 38 Minutes East, 35.00 feet, to the true point of beginning.

An Easement 10.0 feet wide across a part of Lots 1, 2, 3 and 4 of CRAIG'S SUBDIVISION, a subdivision in Camden County, Missouri, said easement lying parallel to, westerly and southerly of the following described line: Beginning at the Southeast corner of said Lot 4, thence North along the east line of said Lot 4, 175.19 feet, to the

Northeast Corner of Lot 4; thence along the Northerly lines of said Lots 4, 3, 2, and 1 the following courses: Along a curve to the right, said curve having a radius of 199.0 feet, and an arc length of 104.07 feet; thence North 60 degrees 34 minutes 55 seconds West 34.49 feet; thence on a curve to the left, said curve having a radius of 151.0 feet and an arc length of 79.09 feet; thence South 89 degrees 28 minutes 34 seconds West 436.9 feet, to the easterly right-of-way of U.S. Highway No. 54 and the End.

ALSO: A 15 foot wide easement for existing water lines lying in TUTTLE'S ACREAGES, a subdivision in Camden County, Missouri, according to the plat thereof on file and of record in the Office of the Recorder of Deeds, Camden County, Missouri, the centerline of said easement being described as follows: All that part of the Southwest Quarter of the Southeast Quarter of Section 1, Township 39 North, Range 16 West, described as follows: Commencing at a point on the Quarter Section line 607.2 feet South from a stone marking the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 1; thence continue South along said Quarter Section line 250.7 feet to the Northwest corner of tract of land deeded to Hazel Evans by deed recorded in Book 84, Page 259; thence South 87 degrees 11 minutes East along the North line of Hazel Evans property 142.5 feet, more or less, to the Westerly right-of-way line of Highway 54 as located in November, 1966; thence along said Westerly right-of-way 120.7 feet to an existing iron pin at the Easterly most corner of a tract of land conveyed to Shoney's Inc. in Book 354, Page 937 of the Camden County, Missouri warranty deed records; thence departing said right-of-way line North 51 degrees 46 minutes West 267.5 feet, more or less, to an existing iron pin; thence South 65 degrees 00 minutes 42 seconds West 8.40 feet; thence North 2 degrees 10 minutes 09 seconds East 264.06 feet to an existing water hydrant for the point of beginning of the easement described herein; thence run along centerline of said easement South 2 degrees 10 minutes 09 seconds West 264.06 feet; thence South 51 degrees 46 minutes East 30.25 feet; thence South 38 degrees 14 minutes West along the existing water lines 236.34 feet; more or less; thence South 1 degrees 44 minutes East 140.94 feet to an existing water hydrant for the point of termination of the easement described herein.

ALSO: Together with an easement for the operation, maintenance, repair and replacement of the existing water lines and water system located in THE LEDGES, THIRD AMENDED PLAT, a subdivision in Camden County, Missouri.

ALSO: Waterline easement as described in Book 468, Page 424, Camden County Recorder's Office.

ALSO: Waterline easements as described in Book 377, Page 240, Camden County Recorder's Office.

ALSO: Sewer Line Easement as described in Book 495, Page 731, Camden County Recorder's Office.

Together with all fixtures and equipment located on or within said tracts of land and easements.

Together with all Permits issued by the Missouri Department of Natural Resources for the operation of all wastewater collection and treatment facilities located in Camden County, Missouri or for the operation of all water supplies and distribution systems located in Camden County, Missouri.

Together with all certificates of convenience and necessity granted by the Missouri Public Service Commission for the operation of all water or sewer systems located in Camden County, Missouri.

Whereas, at the request of the legal holder of said note who has elected to declare the entire indebtedness due and payable, and in accordance with the provisions of the Deed of Trust, the undersigned Trustee will on Friday, the 13th day of September, 2002, between the hours of 9:00 o'clock a.m. and 5:00 o'clock p.m., to-wit: commencing at 1:00 p.m., sell said property at public vendue to the highest bidder for cash at the East front door of the Camden County Court House (Old Courthouse) in the City of Camdenton, Camden County, Missouri, to satisfy said note and costs.


Debra J. Williams, Trustee