

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, DONALD R. TREDWAY and DONNA J TREDWAY, Trustees of THE DONALD R. TREDWAY AND DONNA J. TREDWAY FAMILY TRUST, dated June 25, 1993, the owner(s), of the legal and of the legal and equitable title to the following described real estate, "Grantor," in consideration of the sum of One Dollar (\$1.00), cash in hand paid, receipt of which is hereby acknowledged, do(es) hereby assign(s), grant(s) and convey(s) to the City of Broken Arrow, Tulsa County, Oklahoma, a municipal corporation, its successors and assigns, "Grantee," an easement and right of way over and across the following described real property and premises, situated in Wagoner County, State of Oklahoma to wit:

SEE TRACT "B" UTILITY EASEMENT

with right of ingress and egress to and from the same, for the purpose of constructing, operating, and replacing utility lines and appurtenances.

Grantor agrees not to build or construct any building or buildings upon the permanent easement area. However, Grantor expressly reserves the right to build and construct sidewalks, streets and driveways, water mains, gas lines, electrical lines and other public service facilities across said premises herein described.

There is further granted the right to remove any tree or parts of trees, which in the judgment of the City may interfere with the construction of the applicable utilities.

PROVIDED, that the said Grantor, his/her heirs, executors, administrators and assigns, shall fully use and enjoy the said premises except as may be necessary for the purposes herein granted to the City, its successors or assigns.

TO HAVE AND TO HOLD such easement and right of way unto the City of Broken Arrow, Oklahoma, its successors and assigns forever.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 15 day of August, 2016.

By: [Signature]
DONALD R. TREDWAY, Trustee
THE DONALD R. TREDWAY AND DONNA J.
TREDWAY FAMILY TRUST, dated June 25, 1993

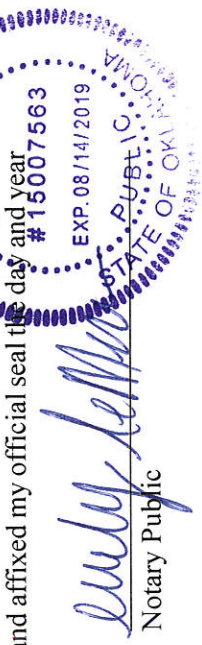
[Signature]
DONNA J TREDWAY, Trustee
THE DONALD R. TREDWAY AND DONNA J.
TREDWAY FAMILY TRUST, dated June 25, 1993

State of Oklahoma)
) ss.
County of _____)

Before me, the undersigned, a Notary Public within and for said County and State, on this 1st day of August, 2016, personally appeared Donald R. and Donna J Tredway to me known to be the identical person(s) who executed the within and foregoing instrument as the free and voluntary act and deed of such person for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day and year 2016.

My Commission expires: 8/14/19



[Signature]
Notary Public

Approved as to Form:
[Signature]
Assistant City Attorney

Approved as to Substance:

City Manager

Development Services: _____ Date Checked: _____



Sisemore Weisz & Associates, Inc.

Engineering
Land Surveying
Land Planning

TRACT "B" UTILITY EASEMENT

A TRACT OF LAND THAT IS PART OF THE WEST HALF (W/2) OF THE NORTHWEST QUARTER (NW/4) OF SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION FOUR (4); THENCE NORTH 01°29'40" WEST ALONG THE WESTERLY LINE OF SAID NORTHWEST QUARTER (NW/4) FOR 357.05 FEET; THENCE NORTH 88°55'27" EAST FOR 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°29'40" WEST FOR 607.21 FEET; THENCE NORTH 88°55'27" EAST FOR 17.50 FEET; THENCE SOUTH 01°29'40" EAST FOR 607.21 FEET; THENCE SOUTH 88°55'27" WEST FOR 17.50 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.


THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 10,626.18 SQUARE FEET OR 0.244 ACRES, MORE OR LESS.

CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS. THIS LEGAL DESCRIPTION MEETS THE MINIMUM STANDARDS FOR LEGAL DESCRIPTIONS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

4.23.14

DATE

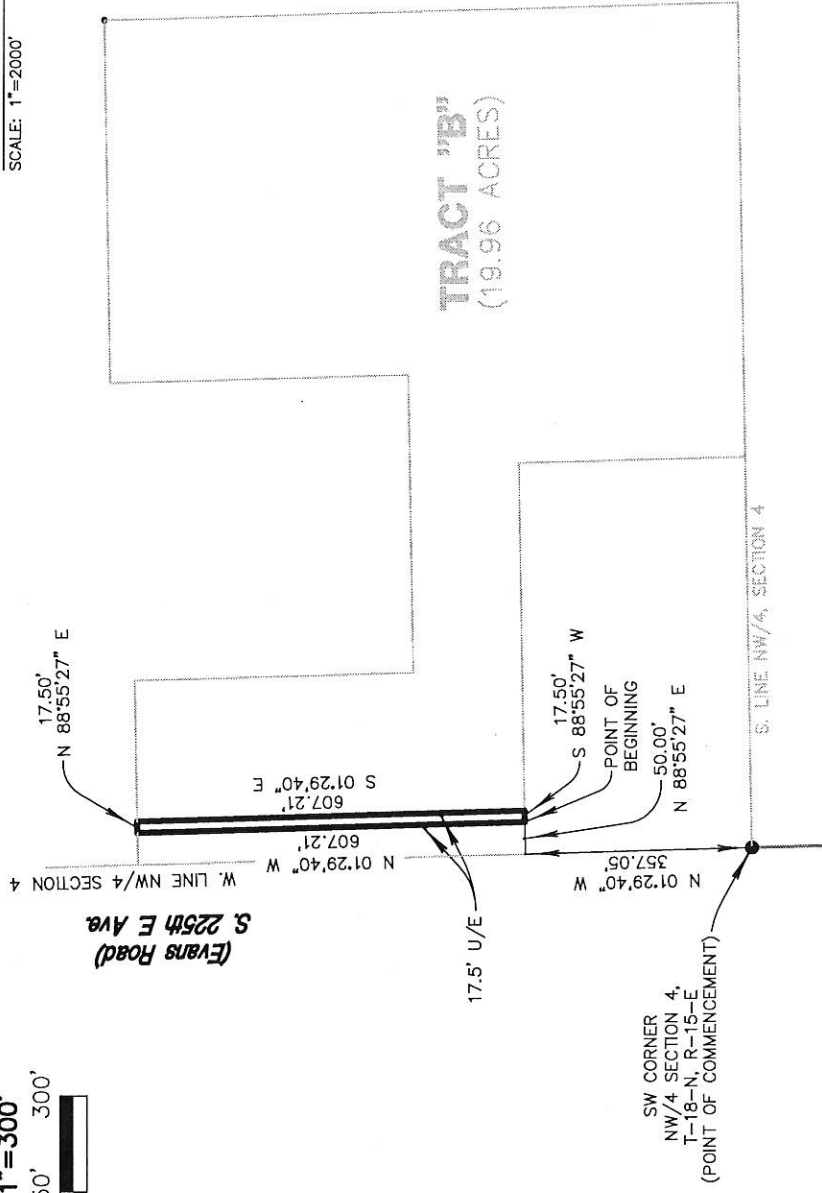
SISEMORE WEISZ & ASSOCIATES, INC.
 BY DEAN ROBINSON

 DEAN ROBINSON
 P.L. No. 1-146, STATE OF OKLAHOMA
 C. A. 9/24/2010
 EXPIRES: 07/30/17

W:\13200.05\TRACT B UTIL ESMT.doc
05/16/16 MK DRAFT
06/22/2016 JRH FINAL

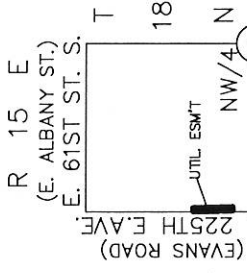
Utility Easement EXHIBIT



Scale: 1"=300'
 0 150' 300'



TRACT "B"
(19.96 ACRES)



Location Map
 SCALE: 1"=2000'

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THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 10,626.18 SQUARE FEET OR 0.244 ACRES, MORE OR LESS.



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
 TULSA, OKLAHOMA 74135
 C.A. NO. 2421
 W.C. NO. 13200.05

PHONE: (918) 665-3600
 FAX: (918) 665-8668
 EXP. DATE 6/30/17
 FILE NO: 1815.0400

Parcel Map Check Report

Client:

Client

Client Company

Address 1

Date: 5/16/2016 10:04:05 AM

Prepared by:

Preparer

Your Company Name

123 Main Street

Parcel Name: Site 1 - Property : 1

Segment# 1: Line

Course: N01°29'40"W

Length: 607.21'

Segment# 2: Line

Course: N88°55'27"E

Length: 17.50'

Segment# 3: Line

Course: S01°29'40"E

Length: 607.21'

Segment# 4: Line

Course: S88°55'27"W

Length: 17.50'

Perimeter: 1,249.420'

Area: 10,626.17Sq.Ft.

Error Closure: 0.0000

Course: N90°00'00"W

Precision 1: 1,249,420,000.000