

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, Wal-Mart Real Estate Business Trust, A Delaware Statutory Trust, by Drew Quitschau, its Senior Manager II of Real Estate, the Owner(s), of the legal and equitable title to the following described real estate situated in Tulsa County, State of Oklahoma, "Grantor," in consideration of the sum of One Dollar (\$1.00), cash in hand, receipt of which is acknowledged, do hereby assign, grant and convey 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 Tulsa County, State of Oklahoma, to wit:

See Exhibit 'A'

with right of ingress and egress to and from the same, for the purpose of constructing, maintaining, 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.

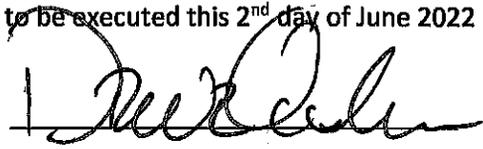
There is further granted the right to remove any tree or parts of trees, which in the judgment of the Grantee may interfere with the construction of the applicable utilities.

Grantee acknowledges and agrees that the easement, is subject to all terms, conditions, requirements and obligations set forth in the Addendum to Easement attached hereto as Exhibit 'B' which exhibit is incorporated herein for all purposes.

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

(signature page and exhibits to follow)

IN WITNESS WHEREOF, the parties have caused this instrument to be executed this 2nd day of June 2022



By: Drew Quitschau

Its: Senior Real Estate Manager II

State of Arkansas)

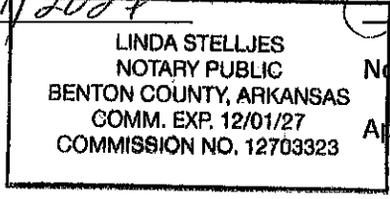
) ss.

County of Benton)

Before me, the undersigned, a Notary Public within and for said County and State, on this 2nd day of June 2022, personally appeared for Wal-Mart Real Estate Business Trust to me known to be the identical person(s) who executed the within and foregoing instrument as its (signatory officer or general partner) and as the free and voluntary act and deed of such corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My Commission expires: 12/01/2027



Approved as to Form: 

Approved as to Substance:

Asst. City Attorney

City Manager

Engineer: JPD checked: 6-7-22

Project: