

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **DAVID WARNE aka DAVID M. WARNE and SHARON WARNE aka SHARON E. WARNE, husband and wife**, the owner(s), 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 by the City of Broken Arrow, Oklahoma and other good and valuable considerations, receipt of which is hereby acknowledged, do 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 EXHIBIT "A"

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 30th day of March, 2026.

Return to:
City of Broken Arrow
City Clerk
PO Box 610
Broken Arrow, OK 74013



David Warne aka David M. Warne



Sharon Warne aka Sharon E. Warne

EXHIBIT "A" PERMANENT EASEMENT

OWNER:

The Brandy LLC

PROPERTY ID:

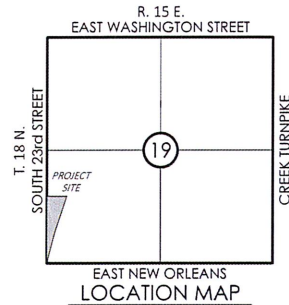
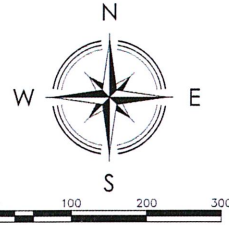
730007021

PROPERTY ADDRESS:

No Address listed in County Records

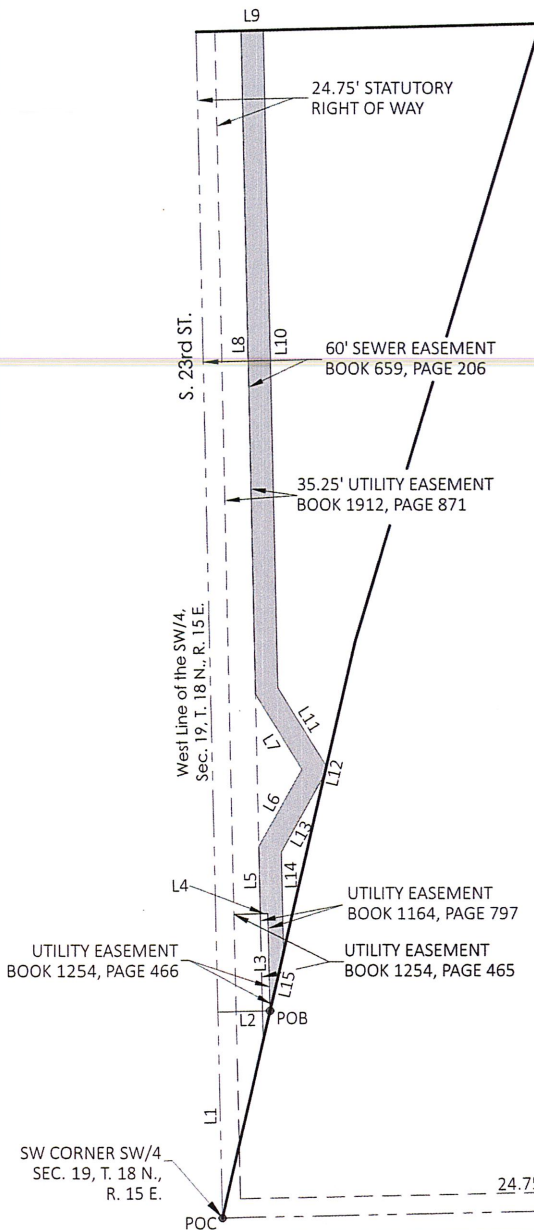
STATEMENT OF BEARINGS:

Basis of Bearings: Oklahoma State Plane Coordinate System,
North Zone, 3501, NAD 83 (1993)



LEGEND

- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- Permanent Easement
- 37,842.42 s.f. or 0.87 acres, more or less



A tract of land located in the Southwest Quarter (SW/4) of Section Nineteen (19), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as follows:

COMMENCING at the Southwest corner of said SW/4; thence North 01°19'36" West and along the West line of said SW/4, for a distance of 271.54 feet; Thence North 88°40'24" East and perpendicular to the West line of said SW/4, for a distance of 70.00 feet to the **POINT OF BEGINNING**; thence North 01°19'36" West and parallel with the West line of said SW/4, for a distance of 128.46 feet; thence South 88°40'24" West and perpendicular to the West line of said SW/4, for a distance of 10.00 feet; thence North 01°19'36" West and parallel with the West line of said SW/4, for a distance of 88.79 feet; thence North 29°27'40" East, for a distance of 117.20 feet; thence North 32°06'52" West, for a distance of 117.20 feet; thence North 01°19'36" West and parallel with the West line of said SW/4, for a distance of 877.68 feet; thence North 88°40'22" East, for a distance of 30.00 feet; thence South 01°19'36" East and parallel with the West line of said SW/4, for a distance of 869.42 feet; thence South 32°06'52" East, for a distance of 122.79 feet; thence South 13°07'44" West, for a distance of 12.59 feet; thence South 29°27'40" West, for a distance of 116.66 feet; thence South 01°19'36" East and parallel with the West line of said SW/4, for a distance of 131.41 feet; thence South 13°07'44" West, for a distance of 80.12 feet to the **POINT OF BEGINNING**.

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 01°19'36" W | 271.54' |
| L2 | N 88°40'24" E | 70.00' |
| L3 | N 01°19'36" W | 128.46' |
| L4 | S 88°40'24" W | 10.00' |
| L5 | N 01°19'36" W | 88.79' |
| L6 | N 29°27'40" E | 117.20' |
| L7 | N 32°06'52" W | 117.20' |
| L8 | N 01°19'36" W | 877.68' |
| L9 | N 88°40'22" E | 30.00' |
| L10 | S 01°19'36" E | 869.42' |
| L11 | S 32°06'52" E | 122.79' |
| L12 | S 13°07'44" W | 12.59' |
| L13 | S 29°27'40" W | 116.66' |
| L14 | S 01°19'36" E | 131.41' |
| L15 | S 13°07'44" W | 80.12' |

Nathaniel J. Reed
 Oklahoma, P.L.S. #1744
 Date: 09/23/2025



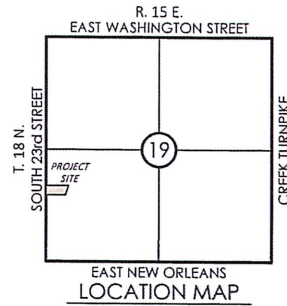
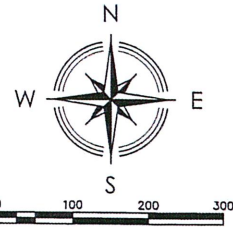
HARDEN & ASSOCIATES
 SURVEYING AND MAPPING, PC
 5807 South Garnett Road, Suite K, (918) 234-4859 Office
 Tulsa, Oklahoma 74146 (918) 893-5552 Fax
 Certificate of Authorization No. 4656 Expires June 30, 2023

| | |
|-------------------------|---------------------|
| PARCEL: PERMANENT ESMT. | PROJECT No.: 161027 |
| DRAWING: PARCEL 23.0 | DATE: OCT 2021 |
| REVISION: SEPT 2025 | DRAWN: JLN |
| | SCALE: 1:200' |
| | CHECKED: NJR |
| | SHEET NO.: 1 OF 1 |

EXHIBIT "A" PERMANENT EASEMENT

OWNER:
David M. & Sharon E. Warne
PROPERTY ID:
730061577
PROPERTY ADDRESS:
9665 S. 193rd E. AVE.

STATEMENT OF BEARINGS:
Basis of Bearings: Oklahoma State Plane Coordinate System,
North Zone, 3501, NAD 83 (1993)



LEGEND
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
 Permanent Easement
6,607.06 s.f. or 0.15 acres, more or less

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 01°19'36" E | 847.80' |
| L2 | N 88°40'22" E | 60.00' |
| L3 | N 88°40'22" E | 30.00' |
| L4 | S 01°19'36" E | 220.24' |
| L5 | S 88°40'22" W | 30.00' |
| L6 | N 01°19'36" W | 220.24' |

NW CORNER SW/4
SEC. 19, T. 18 N.,
R. 15 E.

North Line of the SW/4.
Sec. 19, T. 18 N., R. 15 E.

POC

A tract of land located in the Southwest Quarter (SW/4) of Section Nineteen (19), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, according the United States Government Survey thereof, being more particularly described as follows:

COMMENCING at the Northwest corner of said SW/4; thence South 01°19'36" East and along the West line of said SW/4, for a distance of 847.80 feet; thence North 88°40'22" East, for a distance of 60.00 feet to the POINT OF BEGINNING; thence continuing North 88°40'22" East, for a distance of 30.00 feet; thence South 01°19'36" East and parallel with the West line of said SW/4, for a distance of 220.24 feet; thence South 88°40'22" West, for a distance of 30.00 feet; thence North 01°19'36" West and parallel with the West line of said SW/4, for a distance of 220.24 feet to the POINT OF BEGINNING.

West Line of the SW/4.
Sec. 19, T. 18 N., R. 15 E.

L2

L3

POB

60' SEWER EASEMENT
BOOK 657, PAGE 471

35' UTILITY EASEMENT
BOOK 1729, PAGE 46

S. 23rd ST.
24.75' STATUTORY RIGHT OF WAY

Nathaniel J. Reed
 Oklahoma P.L.S. #1744
 Date: 2-18-2022



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SURVEYING AND MAPPING, PC
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Tulsa, Oklahoma 74146 (918) 893-5552 Fax
Certificate of Authorization No. 4656 Expires June 30, 2023

| | |
|-------------------------|---------------------|
| PARCEL: PERMANENT ESMT. | PROJECT No.: 161027 |
| DRAWING: PARCEL 24.0 | DATE: OCT 2021 |
| REVISION: FEB 2022 | DRAWN: JLN |
| | SCALE: 1:200' |
| | CHECKED: NJR |
| | SHEET NO.: 1 OF 1 |