

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **PATRICK M. HAYS**, a single person, **OTIS EARL HAYS III AND PATRICIA J. HAYS**, 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 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, 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.

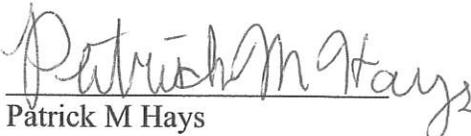
There is further granted, the right to remove any tree or parts of trees, which in the judgment of the City may interfere with the construction of the applicable utilities.

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 28 day of February, 2024.

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


Patrick M Hays

STATE OF OKLAHOMA)
) §
COUNTY OF Tulsa)

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this 28 day of February 2024, personally appeared Patrick M Hays, to me known to be the identical person(s) who executed the within and foregoing instrument in writing and acknowledged to me that he (she) executed the same as his (her) free and voluntary act and deed, and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last written above.



Darian Carr
NOTARY PUBLIC

Approved as to Form:
CITY of Broken Arrow, Oklahoma,
A municipal corporation

[Signature]
Assistant City Attorney

Approved as to Substance:
CITY of Broken Arrow, Oklahoma,
A municipal corporation

[Signature]
Michael L. Spurgeon, City Manager

Attest:

Engineer [Signature] Checked: 3/22/2024
Project: Melinda Park Sewer Improvement S.23030 Parcel No. 9

[Signature]
City Clerk

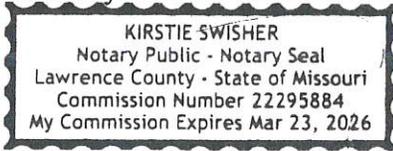
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 22 day of FEBRUARY, 2024.

Otis Earl Hays III
Otis Earl Hays III

STATE OF Missouri)
) §
COUNTY OF Lawrence)

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this 22nd day of February 2024, personally appeared Otis Earl Hays III, to me known to be the identical person(s) who executed the within and foregoing instrument in writing and acknowledged to me that he (she) executed the same as his (her) free and voluntary act and deed, and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last written above.



Kirstie Swisher
NOTARY PUBLIC

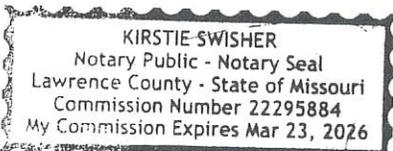
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 22 day of FEBRUARY, 2024.

Patricia J Hays
Patricia J Hays

STATE OF Missouri)
) §
COUNTY OF Lawrence)

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this 22nd day of February 2024, personally appeared Patricia J. Hays, to me known to be the identical person(s) who executed the within and foregoing instrument in writing and acknowledged to me that he (she) executed the same as his (her) free and voluntary act and deed, and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last written above.



Kirstie Swisher
NOTARY PUBLIC

**PERMANENT EASEMENT
Parcel: 9.0**

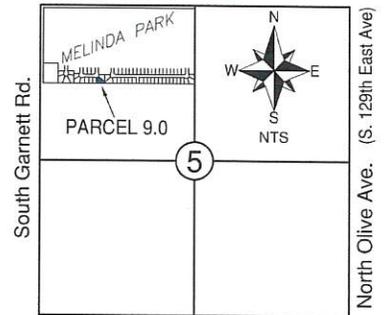


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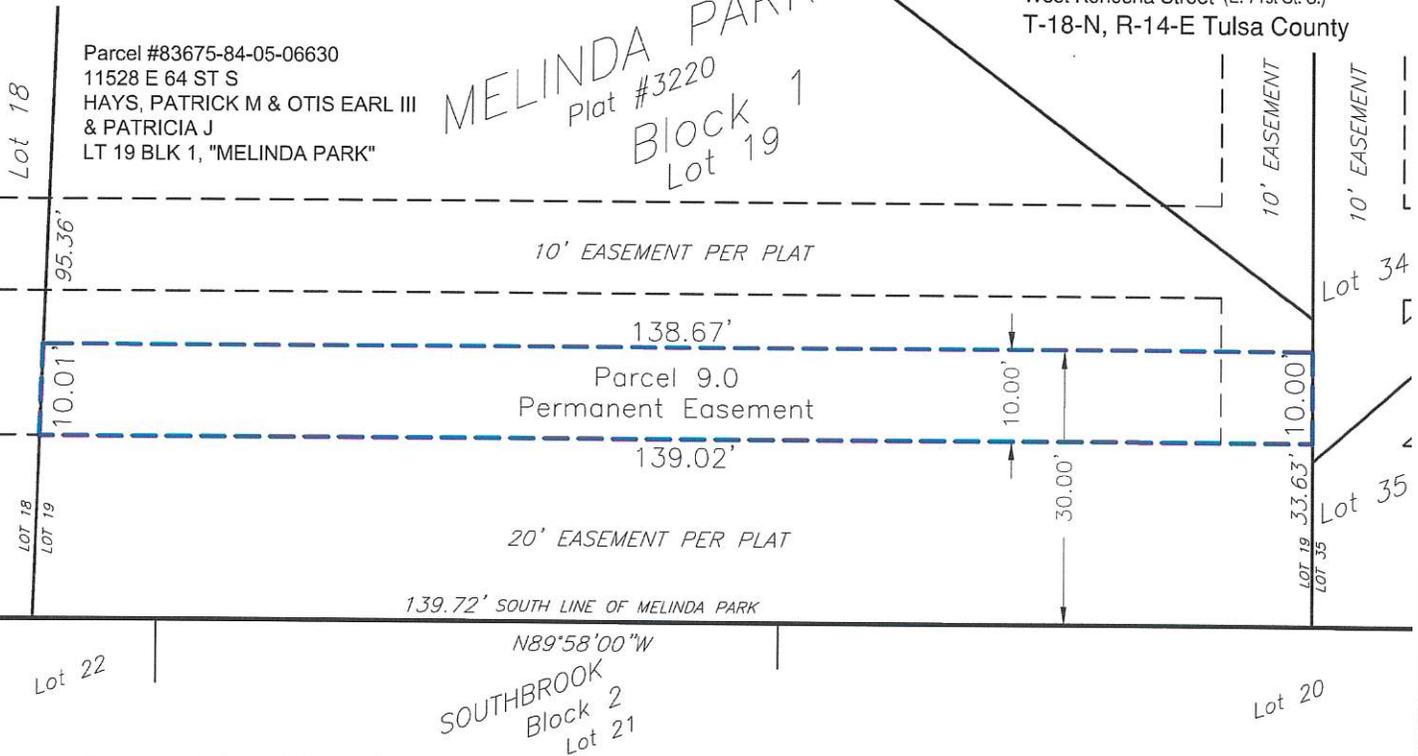
Scale 1 Inch / 20 Feet

Bearings based on the platted lines of
"MELINDA PARK" Plat #3220, Tulsa County

West Albany Street (E. 61st Street S.)



West Kenosha Street (E. 71st St. S.)
T-18-N, R-14-E Tulsa County



Parcel 9.0 Legal Description

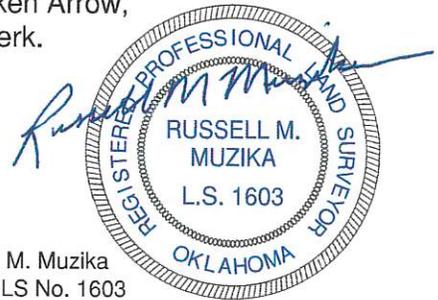
A Tract of Land that is the North 10.00 feet of the South 30.00 feet of Lot Nineteen (19) of Block One (1), "MELINDA PARK" an addition to the City of Broken Arrow, Oklahoma, filed as Plat #3220 at the office of the Tulsa County Clerk.

Gross area within Lot, 1388 Square Feet or 0.0319 Acres

Net area without existing easement, 1288 Square Feet or 0.0296 Acres

This legal description meets the minimum technical standards for legal descriptions in the State of Oklahoma.

Prepared by Russell M. Muzika, Oklahoma PLS No. 1603



Russell M. Muzika
Okla. PLS No. 1603
GEODECA LLC

2023.12.21 16:28:29 -06'00'

Exhibit A

 <p align="center"> GEODECA LLC P.O.Box 33012, Tulsa, Ok. 74153 918 949 4064 CA # 5524 exp 6/30/2024 </p>	HAYS, PATRICK M & OTIS EARL III & PATRICIA J	
	11528 East 64th Street South	PERMANENT EASEMENT
	Lot 19, Block 1, "MELINDA PARK"	Parcel: 9.0
	Gross Area: 1388 Sq.Ft. or 0.0319 Acres	Revision: 0
	Net Area: 1288 Sq. Ft. or 0.0296 Acres	Date: December 21st, 2023