

EXHIBIT 1
CASE NARRATIVE FOR ENCROACHMENT APPLICATION

The applicants, Ricky and Krystal Hanks, are seeking approval of an Encroachment Agreement with the City of Broken Arrow (the “City”) for certain improvements being constructed on their property, to wit:

Lot Seventeen (17), Block One (1), SOUTHERN TRAILS ESTATES, a subdivision in the City of Broken Arrow, State of Oklahoma, according to the recorded plat thereof, also known as 4114 West Orlando Place (the “Property”).

The Hanks hired a contractor to construct a roofed terrace with outdoor fireplace (the “Improvement”) in the back yard of the Property. The Hanks received a Notice to Abate a Nuisance from the City (“Notice”) and, consequently, learned that the contractor failed to obtain the necessary permits and approval from the city prior to the construction of the Improvement. The Hanks also learned that a part of the Improvement encroaches upon a public easement/right-of-way located on the northerly eleven (11) feet of the Property.

Upon receipt of the Notice, the Hanks promptly halted the construction of the Improvement and began working with the City to resolve the encroachment issue. With this application, the Hanks request that the City approve the Encroachment Agreement, attached as **Exhibit “2”**, to allow the Hanks to complete the construction of the Improvement. A portion of the finished Improvement (approximately 7 ft x 20 ft) will encroach upon the Easement, as shown in the Site Plan depicting the Encroachment attached as **Exhibit “A”** to the Encroachment Agreement. The legal description of the encroachment area is also set forth in **Exhibit “A”** to the Encroachment Agreement.

The franchise utility holders have approved the Encroachment pursuant to the signature pages attached with the Encroachment Agreement and the City of Broken Arrow has no facilities in the part of the Easement impacted by the Encroachment. Accordingly, the Hanks respectfully request the City of Broken Arrow approve the Encroachment and allow the Hanks to complete the construction of the Improvement.

