

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, Tahoe II Properties, LLC, an Oklahoma Limited Liability Company by James C. Norton, its Manager, 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.

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 have caused this instrument to be executed this 6th day of October 20 17.

Tahoe II Properties, LLC
By James C. Norton
James C. Norton, Manager

State of Oklahoma)
)ss.
County of Osage)

Before me, the undersigned, a Notary Public within and for said County and State, on this 6th day of October 20 17, personally appeared James C. Norton for Tahoe II Properties, LLC to me known to be the identical person(s) who executed

the within and foregoing instrument as its Manager and as the free and voluntary act and deed of such limited liability company 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~~ ^{year} last above written.

My commission expires: August 26, 2021

Donna K. Sack

Notary Public



Approved as to Form:

Approved as to Substance: *COMMISSION NO. 01012358*

Asst. City Attorney

City Manager

Engineer: _____ checked: _____

Project:

EXHIBIT A
LEGAL DESCRIPTION OF UTILITY EASEMENT

(PAGE 1 OF 2)

A 15.00 FOOT WIDE STRIP OF LAND THAT IS PART OF THE SW/4 OF SECTION 34, T-19-N, R-14-E OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT A POINT THAT IS THE NORTHWEST CORNER OF LOT 1 IN BLOCK 1 OF "THE GREENS AT BATTLE CREEK", AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA, ACCORDING TO RECORDED DOC #6428 THEREOF, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF WEST ALBANY DRIVE; THENCE N 10°22'18" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 10.61 FEET TO A POINT ON THE NORTHERLY LINE OF AN EXISTING 20.00 FOOT WIDE SANITARY SEWER EASEMENT DATED JANUARY 24, 1989, RECORDED IN BOOK 5166, PAGE 2266; THENCE S 80°53'04" W ALONG SAID NORTHERLY LINE FOR 84.75 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF WEST ALBANY DRIVE; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 02°18'18" AND A RADIUS OF 390.00 FEET FOR 15.69 FEET, HAVING A CHORD BEARING OF S 07°55'55" W AND A CHORD LENGTH OF 15.69 FEET TO THE "POINT OF BEGINNING" OF SAID STRIP OF LAND; THENCE CONTINUING SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 02°16'44" AND A RADIUS OF 390.00 FEET FOR 15.51 FEET HAVING A CHORD BEARING OF S 05°38'24" W AND A CHORD LENGTH OF 15.51 FEET; THENCE S 80°53'04" W FOR 115.12 FEET TO A POINT ON THE NORTHEASTERLY LINE OF AN EXISTING UTILITY EASEMENT DATED AUGUST 19, 1994, RECORDED IN BOOK 5655 AT PAGE 2003; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE ON A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 01°47'43" AND A RADIUS OF 680.46 FEET FOR 21.32 FEET, HAVING A CHORD BEARING OF N 54°24'11" W AND A CHORD LENGTH OF 21.32 FEET; THENCE N 80°53'04" E FOR 134.22 FEET TO THE "POINT OF BEGINNING" OF SAID STRIP OF LAND.

THE ABOVE DESCRIBED STRIP OF LAND CONTAINS 1,868 SQUARE FEET OR 0.0429 ACRES.

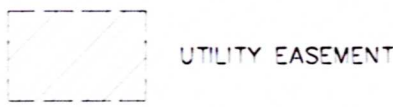
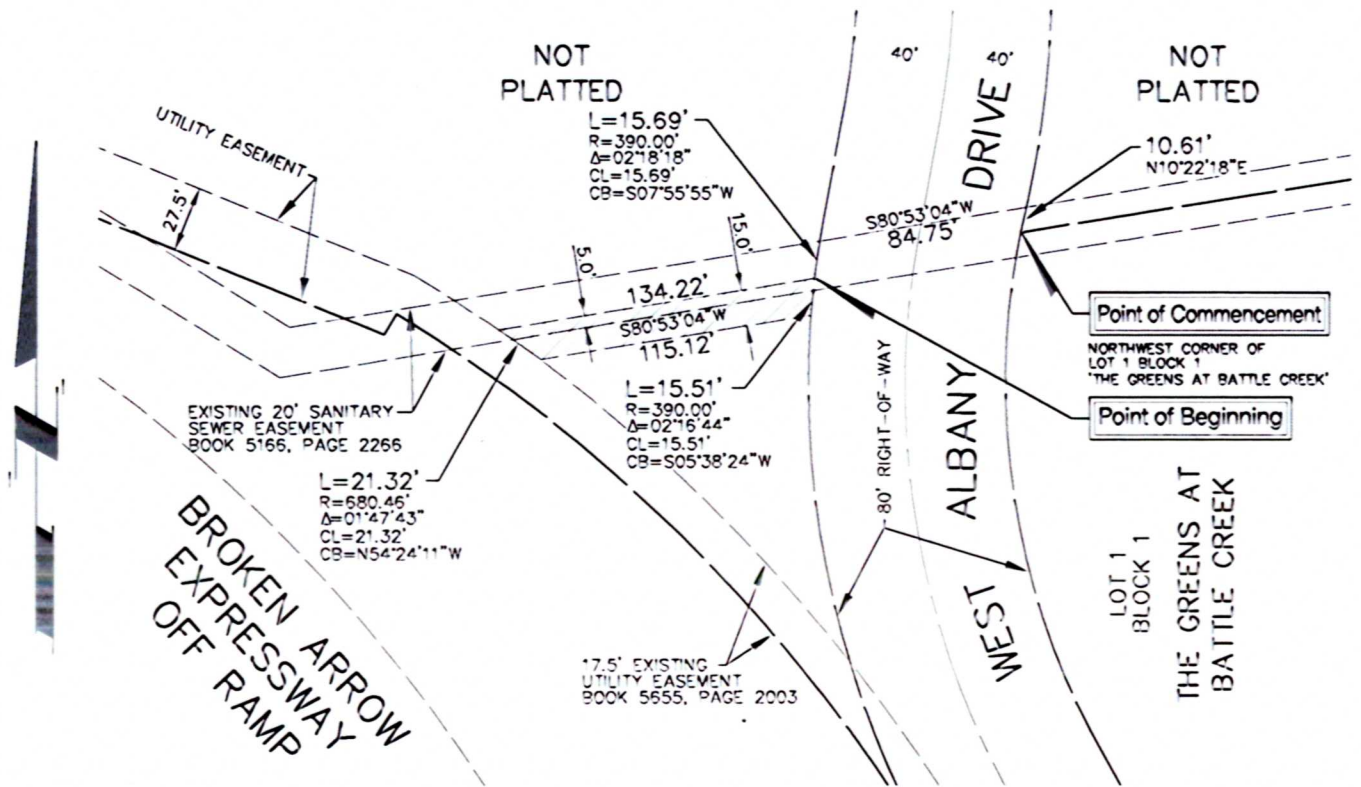
THE BEARINGS USED IN THE ABOVE LEGAL DESCRIPTION ARE BASED ON THE WEST LINE OF THE RECORDED PLAT OF "OUTLET MALL", PLAT NUMBER 4440, HAVING A NON-ASTRONOMICAL BEARING OF DUE NORTH.

THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY RONNIE LEE MARTIN, OKLAHOMA LICENSED PROFESSIONAL LAND SURVEYOR NO. 1203, ON SEPTEMBER 13, 2017. (CA NO. 1783)

G313A (20)

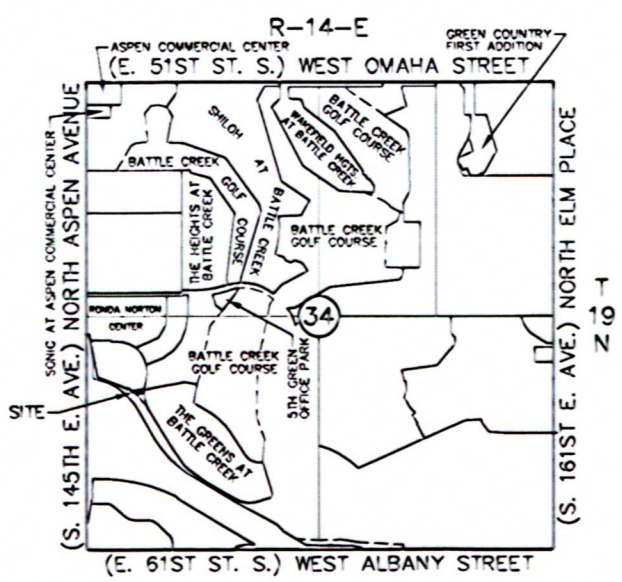
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1914.34 Jim Norton Chevy Exp-Util Esmt.doc



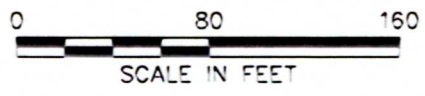
Note

THE BEARINGS SHOWN HEREON ARE BASED ON THE WESTERLY LINE OF THE RECORDED PLAT OF 'OUTLET MALL' HAVING A NON-ASTRONOMICAL BEARING OF DUE NORTH.



Location Map

**EXHIBIT FOR UTILITY EASEMENT
IN PART OF THE
SW/4
OF
SECTION 34, T-19-N, R-14-E
CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA**



Project: ALBANY AND REDBUD-A Drawing: EXHIBIT REF: COPYRIGHT S-811X SEAL-RLM T-SAI2
Drawn: CDH Order: 0313A File: 1914.34 Drawer: Plotted: 28 SEP 2017