

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Lovelle Properties, LLC the owner(s), of the legal and 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, receipt of which is hereby acknowledged, do(es) 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 22<sup>nd</sup> day of FEB 2018.

Lovelle Properties, LLC  
Nathan Lovelle, Mgr  
X [Signature]

State of Oklahoma )  
County of Tulsa ) ss.

Before me, the undersigned, a Notary Public within and for said County and State, on this 21 day of Feb 2018, personally appeared Nathan Lovelle to me known to be the identical person(s) who executed the within and foregoing instrument as the free and voluntary act and deed of such person 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.

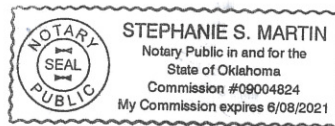
My Commission expires: June 8, 2021

[Signature]  
Notary Public

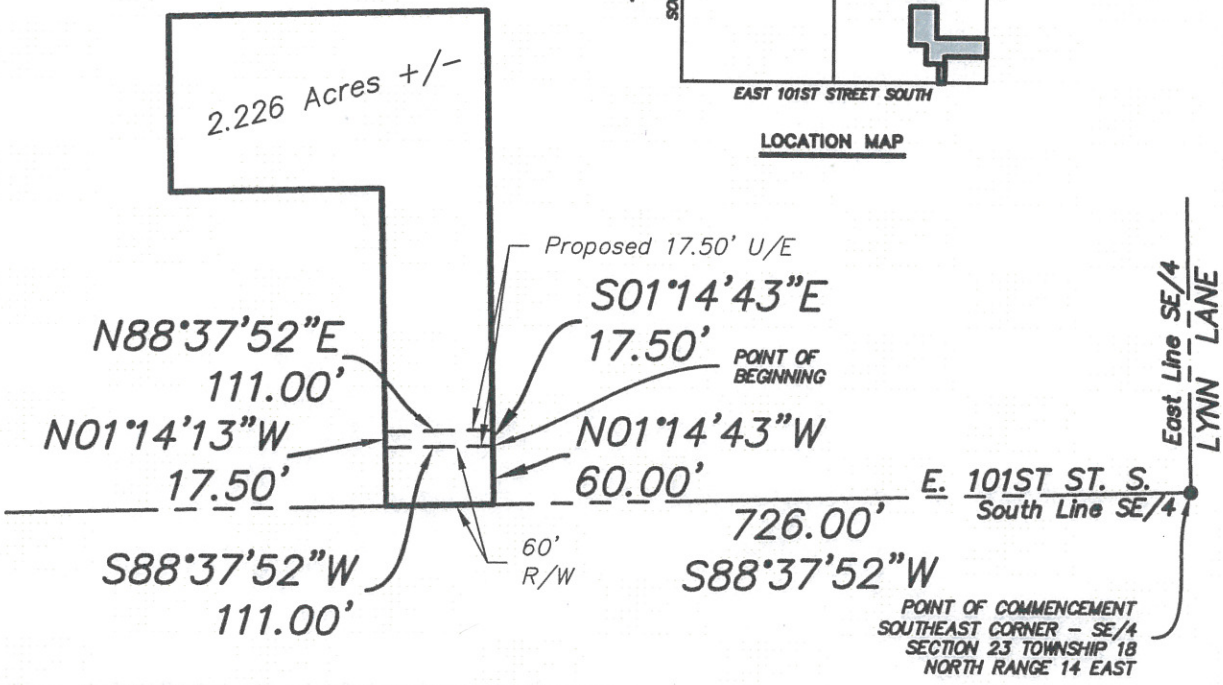
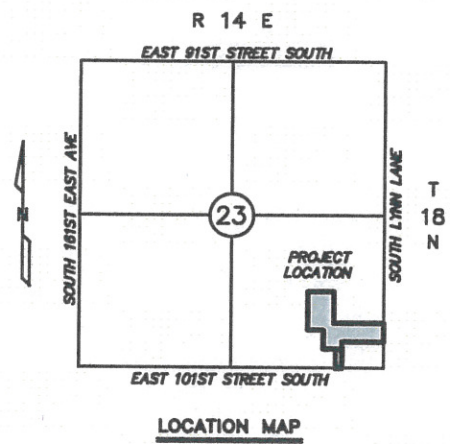
Approved as to Form:  
[Signature]  
Asst. City Attorney

Approved as to Substance:  
\_\_\_\_\_  
City Manager

Engineer: [Signature] checked: 2-28-18  
Project:



# EASEMENT EXHIBIT A



### LEGAL DESCRIPTION, 17.5-FOOT UTILITY EASEMENT:

A 17.5-foot Utility Easement being a part of the Southeast Quarter (SE/4) of Section Twenty-Three (23), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, City of Broken Arrow, Tulsa County, State of Oklahoma, said Tract being described as follows: COMMENCING at the Southeast Corner of said SE/4; Thence North 88°37'52" West along the Southerly Line of said SE/4 for 726.00 feet; Thence North 01°14'43" West for 60.00 feet to the POINT OF BEGINNING of said 17.5-foot Utility Easement; Thence South 88°37'52" West and Parallel with said Southerly line of the SE/4 for 111.00 feet; Thence North 01°14'43" West and parallel the said Easterly line of said SE/4 for 17.50 feet; Thence North 88°37'52" East and parallel with said Southerly line of the SE/4 for 111.00 feet; Thence South 01°14'43" East and parallel with said Easterly line of the SE/4 for 17.50 feet to the POINT OF BEGINNING of said 17.5-foot Utility Easement. Said described tract contains 1,943 Square Feet or 0.044 Acres, more or less.

## SURVEYOR'S CERTIFICATE

I, Charles D. Cahill, Professional Land Surveyor 1470, do hereby certify that the attached exhibits and legal descriptions were prepared by myself or under my direct supervision.



CHARLES D. CAHILL, P.L.S. NO. 1470

DATED: 2/19/2018

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	<b>LEMKE LAND SURVEYING, LLC</b>		Surveyed By: N/A	Project: 17.5-FOOT UTILITY EASEMENT EXHIBIT	Sheet Number  1  Sheet 1 of 1
	7080 YALE AVE., STE. 803, TULSA, OK 74136		Drawn By: CDC	Project Location: PART OF THE SE/4 SECTION 23 TOWNSHIP 18 NORTH RANGE 14 EAST	
	PH.(918)895-8383 FAX(918)895-9788		Approved By: CDC	Client: NATHAN LOVELLE	
	CA # 6975 <a href="http://www.lemke-lls.com">http://www.lemke-lls.com</a>		Date: 2/8/2018	Project No: NLOS180070	