

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, KENNETH LEWIS McBROOM AND SANDRA RAE McBROOM, husband and wife, whose address is 406 S 9TH Street, Broken Arrow, OK 74012 the owners 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 17 day of ~~August~~ ^{October} 2016.

By: Kenneth Lewis McBroom
KENNETH LEWIS McBROOM

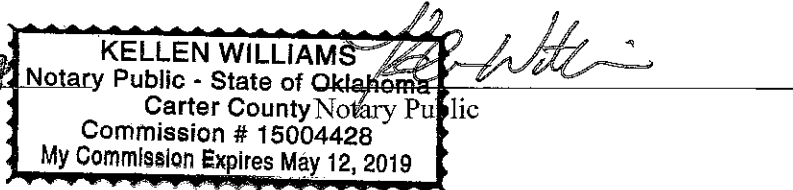
Sandra Rae McBroom
SANDRA RAE McBROOM

State of Oklahoma)
) §
County of Tulsa)

Before me, the undersigned, a Notary Public within and for said County and State, on this _____ day of August, 2016, personally appeared KENNETH LEWIS McBROOM AND SANDRA RAE McBROOM, husband and wife, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that they executed the same as a free and voluntary act and deed for the 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: 5/12/19



Approved as to Form:
Danny [Signature]
Assistant City Attorney

Approved as to Substance:

City Manager

Attest:

City Clerk

Engineer: [Signature] checked: 10/24/16
Project: 9th Street widening, Elgin to El Paso, project # ST1210. 33

PARCEL 33

OWNER: KENNETH LEWIS McBROOM AND SANDRA RAE McBROOM,
CO-TRUSTEES OF THE KENNETH LEWIS McBROOM AND SANDRA RAE
McBROOM LIVING TRUST, DATED JUNE 3, 1991
PERPETUAL UTILITY EASEMENT & TEMPORARY
CONSTRUCTION EASEMENT LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF LOTS TEN (10) AND ELEVEN (11), BLOCK ONE (1), EAST HASKELL ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS THE SOUTHEAST CORNER OF LOT 11, BLOCK 1, EAST HASKELL ADDITION; THENCE SOUTH 88°32'20" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 11 FOR 10.00 FEET; THENCE NORTH 01°10'07" WEST PARALLEL WITH THE EASTERLY LINE OF SAID LOT 11 AND LOT 10 FOR 70.00 FEET; THENCE NORTH 88°32'20" EAST PARALLEL WITH AND 50.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID LOT 10 FOR 10.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 10; THENCE SOUTH 01°10'07" EAST ALONG THE EASTERLY LINE OF SAID LOT 10 AND LOT 11 FOR 70.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 700 SQUARE FEET OR 0.016 ACRES, MORE OR LESS.

REAL PROPERTY CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

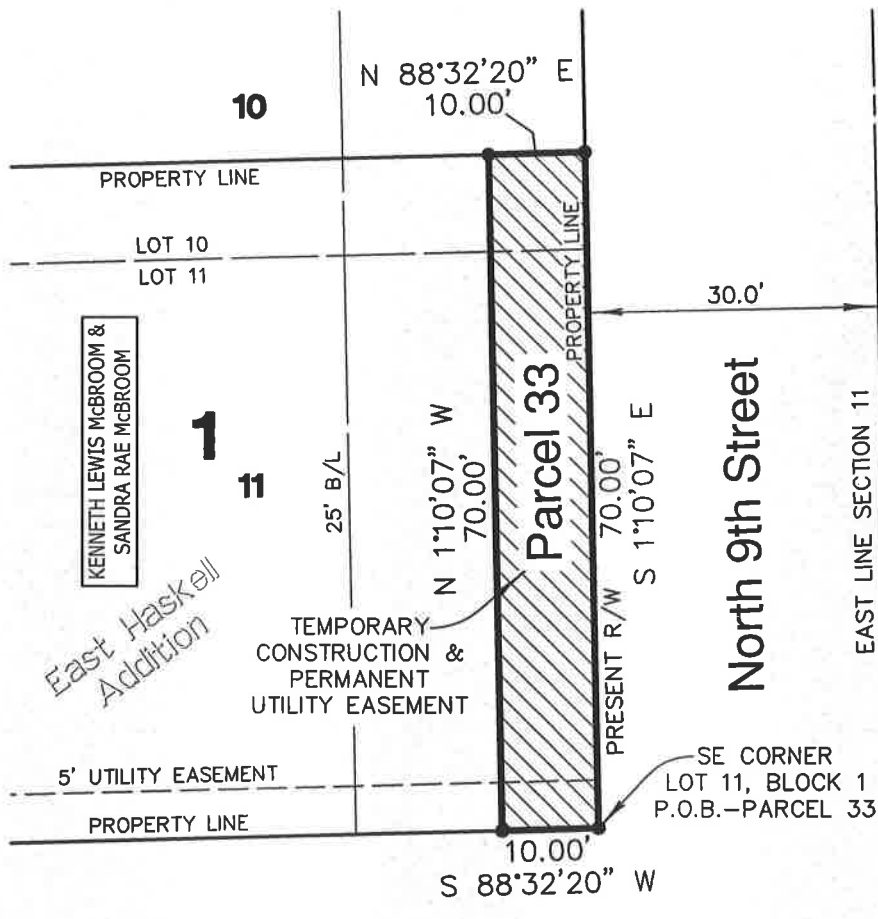
1/9/13
DATE

SISEMORE WEISZ & ASSOCIATES, INC.
BY DEAN ROBINSON

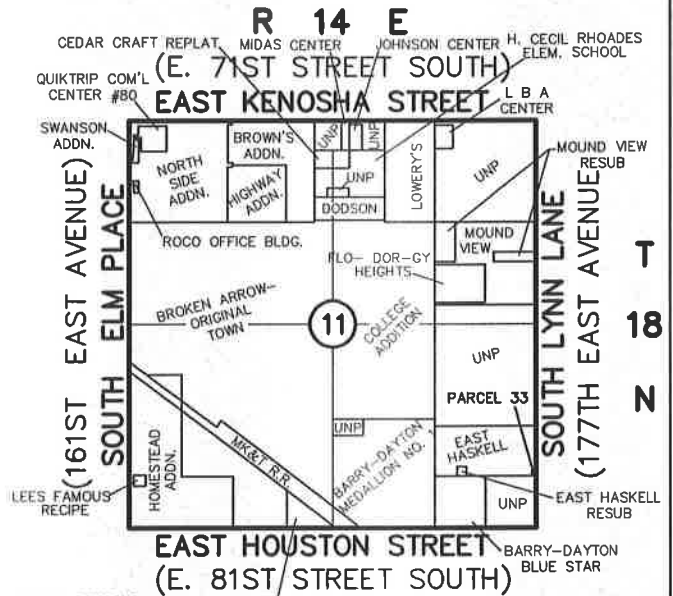
DEAN ROBINSON
PLS N 1146, STATE OF OKLAHOMA
C. A. N. 2421
EXPIRES. 11/14/16



Parcel Map



SCALE 1"=20'



Location Map

SCALE: NOT TO SCALE

TOTAL PROPERTY - 0.200 ACRES
 PERMANENT UTILITY ESMT. - 0.016 ACRES
 TEMPORARY CONSTRUCTION ESMT. - 0.016 ACRES

B.L. - BUILDING SETBACK LINE
 P.O.B. - POINT OF BEGINNING
 P.O.C. - POINT OF COMMENCEMENT
 R/W - RIGHT-OF-WAY



Sisemore Weisz & Associates, Inc.

DATE: 12/10/2013
 SHEET 2 OF 2

6111 EAST 32nd PLACE
 TULSA, OKLAHOMA 74135
 C.A. NO. 2421
 W.O. NO. 16720.04

PHONE: (918) 665-3600
 FAX: (918) 665-8668
 EXP. DATE 6/30/15
 FILE NO. 1814.1100

K:\16720.04\PARCEL MAPS\PARCEL-33.DWG