

## NON-EXCLUSIVE UTILITY EASEMENT

### KNOW ALL MEN BY THESE PRESENTS:

That Forest Ridge Development Limited Partnership, an Oklahoma limited partnership, of Wagoner County, State of Oklahoma, ("Grantor"), the owner of the legal and equitable title to the following described real estate situated in the City of Broken Arrow, Wagoner County, State of Oklahoma, in consideration of the sum of One and no/100 Dollars in hand paid, receipt of which is hereby acknowledged, do hereby assign, grant and convey to the City of Broken Arrow, Wagoner County, Oklahoma, a municipal corporation, its successors and assigns, ("Grantee") a non-exclusive easement and right-of-way over and across the following described real property and premises, situated in Wagoner County, State of Oklahoma, to wit:

[Spring Hill Utility Easement 5 - North of Southwest Detention Facility]

A 20-foot strip of land located in the NE/4 of Section 11, T-18-N, R-15-E of the Indian Meridian, Wagoner County, State of Oklahoma, according to the Official U.S. Government Survey thereof, being more particularly described as follows:

Commencing at the north quarter corner of Section 11, T-18-N, R-15-E of the Indian Meridian, Wagoner County, State of Oklahoma, according to the Official U.S. Government Survey thereof;

Thence S 00°01'33"W a distance of 1,395.83 feet along the west line of the NE/4 of said Section 11;

Thence S 89°58'27"E a distance of 122.43 feet to the "Point of Beginning";

Thence N 53°16'20"E a distance of 19.73 feet;

Thence N 77°48'57"E a distance of 126.90 feet;

Thence N 01°01'44"W a distance of 64.91 feet;

Thence N 53°16'20"E a distance of 286.87 feet;

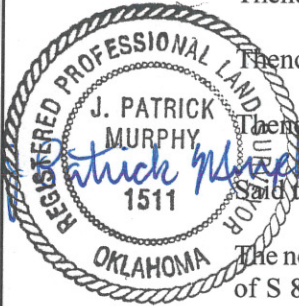
Thence S 36°43'40"E a distance of 20.00 feet;

Thence S 53°16'20"W a distance of 276.61 feet;

Thence S 01°01'44"E a distance of 58.45 feet;

Thence S 48°45'31"E a distance of 18.25 feet;

Thence S 29°00'00"W a distance of 20.47 feet;



Thence N 48°45'31"W a distance of 21.98 feet;

Thence S 77°48'57"W a distance of 142.64 feet;

Thence N 36°43'40"W a distance of 12.98 feet to the "Point of Beginning".

Said tracts contain a combined 10,271 square feet or 0.2358 Acres.

The non-astronomic bearings for said tract are based on an assumed bearing of S 89°40'27"E along the north line of the NE/4 of Section 11, T-18-N, R-15-E of the Indian Meridian, Wagoner County, State of Oklahoma, according to the Official U.S. Government Survey thereof.

and

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 buildings, structure, wall or other above ground obstruction will be placed, erected, installed or permitted upon the 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.

Grantor reserves the right specifically to use the above described land and to grant other easement(s) (utility or otherwise) through, over, under and across the above described land, in accordance with the City of Broken Arrow, Oklahoma standard construction specifications.

Other than the normal restoration and replacement usually done and determined by City of Broken Arrow, Grantor is responsible for the repair or replacement of Grantor's improvements as a result of any necessary repair, maintenance or replacement of the City of Broken Arrows's utilities within the Easement Area.

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

