

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **W.O. SMITH TRUST**, the owner(s), 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 4th day of MARCH, 2024.

Return to:
City of Broken Arrow
City Clerk
PO Box 610
Broken Arrow, OK 74013

W. O. SMITH TRUST

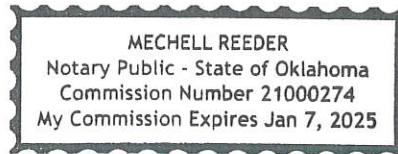


Weister O. Smith, Trustee

STATE OF OKLAHOMA)
) §
COUNTY OF TULSA)

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this 4TH day of MARCH 2024, personally appeared Weister O. Smith, to me known to be the identical person(s) who executed the within and foregoing instrument in writing and acknowledged to me that he (she) executed the same as his (her) free and voluntary act and deed, and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last written above.



Mechelle Reeder
NOTARY PUBLIC

Approved as to Form:
CITY of Broken Arrow, Oklahoma,
A municipal corporation



Assistant City Attorney

Approved as to Substance:
CITY of Broken Arrow, Oklahoma,
A municipal corporation

Michael L. Spurgeon, City Manager

Attest:

Engineer JH Checked: 3/22/2024
Project: County Line Trunk Sewer Phase II Rehabilitation
Project No. 2154250 Parcel No. 33

City Clerk

EXHIBIT "A"
PERMANENT EASEMENT

OWNER:

Smith, W.O. Trust Weister O. Smith TRUSTEE

PROPERTY ID:

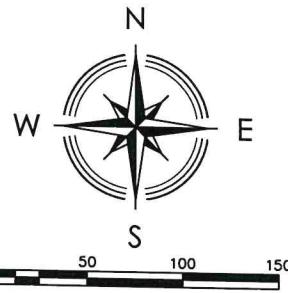
55740-84-24-62020

PROPERTY ADDRESS:

19223 E. 101st ST. S.

STATEMENT OF BEARINGS:

Basis of Bearings: Oklahoma State Plane Coordinate System, North Zone, 3501, NAD 83 (1993)



LEGEND

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

Permanent Easement
4,545.27 s.f. or 0.10 acres, more or less



A tract of land being part of Lot 1, Block 1, COUNTY LINE FOOD MART, a subdivision in Tulsa County, State of Oklahoma, being more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 1; thence North 88°40'04" East along the South line of said Lot 1, for a distance of 98.75 feet to the POINT OF BEGINNING; thence North 01°19'36" West and parallel with the East line of said Lot 1, for a distance of 94.77 feet; thence North 88°40'24" East and perpendicular to said East line, for a distance of 50.00 feet to a point on said East line; thence South 01°19'36" East and along said East line, for a distance of 64.77 feet to a point of curve; thence along a curve to the right with a radius of 30.00 feet, a chord bearing of South 43°40'14" West, a chord distance of 42.42 feet, for an arc distance of 47.12 feet to a point on the South line of said Lot 1; thence South 88°40'04" West and along said South line, for a distance of 20.00 feet to the POINT OF BEGINNING.

LINE	BEARING	DISTANCE
L1	N 88°40'04" E	98.75'
L2	N 01°19'36" W	94.77'
L3	N 88°40'24" E	50.00'
L4	S 01°19'36" E	64.77'
L5	S 88°40'04" W	20.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH
C1	30.00'	47.12'	42.42'

CHORD BEARING	DELTA ANGLE
N 43°40'14" E	89°59'40"

