

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, GARY DEAN HEIMBACH, JR. and ANN MARIE HEIMBACH, husband and wife, the owner(s), of the legal and equitable title to the following described real estate, "Grantor," in consideration of the sum of Seven thousand two hundred twenty nine dollars (\$7,229.00), 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.

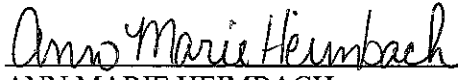
Grantor agrees not to build or construct any building or buildings upon the permanent easement area. However, Grantor expressly reserves the right to build and construct sidewalks, streets and driveways, water mains, gas lines, electrical lines and other public service facilities across said premises 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.

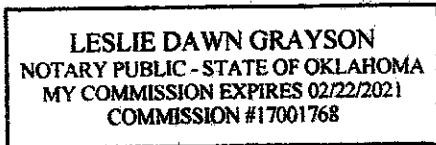
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 4 day of January, 2019.

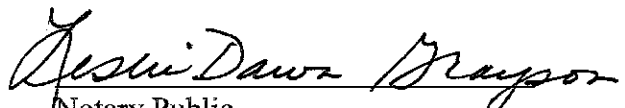

GARY DEAN HEIMBACH, JR.

ANN MARIE HEIMBACH

State of Oklahoma)
County of Tulsa) §

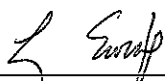
Before me, the undersigned, a Notary Public within and for said County and State, on this 4 day of January, 2019, personally appeared GARY DEAN HEIMBACH, JR. and ANN MARIE HEIMBACH, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that 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.




Notary Public

Approved as to Form:


Assistant City Attorney

Approved as to Substance:

Michael L. Spurgeon, City Manager

Attest:

City Clerk

EXHIBIT "A"
PERMANENT EASEMENT

OWNER:

Gary Dean Heimbach, Jr. & Ann Marie Heimbach

PROPERTY ID:

98436-84-36-02810

PROPERTY ADDRESS:

11228 S. 193th E. AVE.

STATEMENT OF BEARINGS:

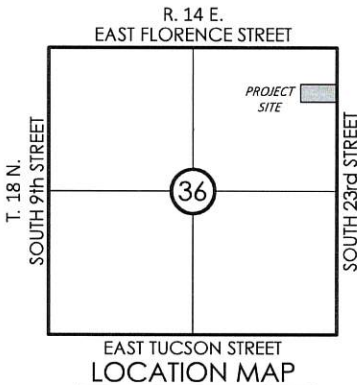
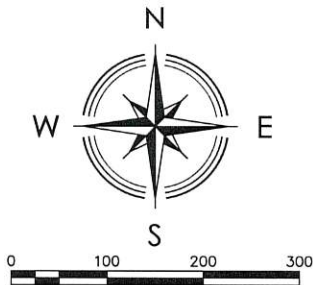
Basis of Bearings: Oklahoma State Plane Coordinate System,
North Zone, 3501, NAD 83 (1993)

LEGEND

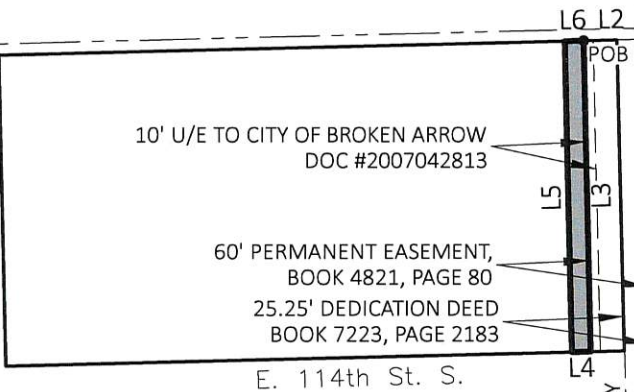
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

 Permanent Easement
6,425.83 s.f. or 0.15 acres, more or less

NE CORNER NE/4
SEC. 36, T. 18 N., R. 14 E.
POC



LINE	BEARING	DISTANCE
L1	S 01°23'27" E	671.01'
L2	S 88°36'33" W	60.00'
L3	S 01°23'27" E	326.12'
L4	S 88°42'50" W	19.71'
L5	N 01°23'27" W	326.08'
L6	N 88°36'33" E	19.71'



A tract of land located in the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE/4 NE/4 NE/4) of Section Thirty-Six (36), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according the United States Government Survey thereof, being more particularly described as follows:

COMMENCING at the Northeast corner of said NE/4; Thence South 01°23'27" East and along the East line of said NE/4, for a distance of 671.01 feet; Thence South 88°36'33" West and perpendicular to said East line, for a distance of 60.00 feet to the POINT OF BEGINNING; Thence South 01°23'27" East and parallel with said East line, for a distance of 326.12 feet; Thence South 88°42'50" East, for a distance of 19.71 feet; Thence North 01°23'27" West and parallel with said East line, for a distance of 326.08 feet; Thence North 88°36'33" East and perpendicular to said East line, for a distance of 19.71 feet to the POINT OF BEGINNING.


Nathaniel J. Reed
Oklahoma P.L.S. #1744
Date



HARDEN & ASSOCIATES
SURVEYING AND MAPPING, PC
5807 South Garnett Road, Suite K, (918) 234-4859 Office
Tulsa, Oklahoma 74146 (918) 893-5552 Fax
Certificate of Authorization No. 4656 Expires June 30, 2019

PARCEL: PERMANENT ESMT.	PROJECT No.: 161027
DRAWING: PARCEL 17.0	DATE: JUNE 2018
REVISION: JUNE 2018	DRAWN: JLN
	SCALE: 1:200'
	CHECKED: NJR
	SHEET NO.: 1 OF 1