

## UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **WAYNE A. MURTHA AND TINA I. MURTHA**, 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 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.

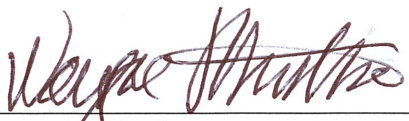

There is further granted, the right to remove any tree or parts of trees, which in the judgment of the City may interfere with the construction of the applicable utilities.

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 23<sup>rd</sup> day of April, 2025.

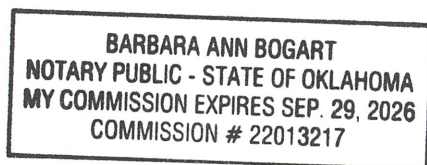
Return to:  
City of Broken Arrow  
City Clerk  
PO Box 610  
Broken Arrow, OK 74013

  
\_\_\_\_\_  
Wayne A. Murtha  
  
\_\_\_\_\_  
Tina I. Murtha

STATE OF OKLAHOMA     )  
  ) §  
COUNTY OF TULSA        )

23<sup>RD</sup> BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this  
day of April 2025, personally appeared Wayne A. Murtha and Tina I.  
Murtha, 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.



Barbara Ann Bogart  
NOTARY PUBLIC

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

[Signature]  
Assistant City Attorney

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

\_\_\_\_\_  
Michael L. Spurgeon, City Manager

Attest:

Engineer ELR Checked: 4/14/25  
Project: WL23080 24" Waterline Extension 9<sup>th</sup> St / Florence, Parcel 9

\_\_\_\_\_  
City Clerk

**EXHIBIT "A" LEGAL DESCRIPTION**

A TRACT OF LAND LYING IN PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-SIX (26), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SAID SOUTHEAST QUARTER (SE/4);

**THENCE** S 00°00'00" E, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE/4), A DISTANCE OF 310.00 FEET;

**THENCE** N 89°58'56" W A DISTANCE OF 71.32 FEET TO A POINT ON THE WEST EXISTING RIGHT-OF-WAY LINE FOR S. 177TH E. AVENUE AS DESCRIBED IN A RIGHT-OF-WAY DEED IN FAVOR OF TULSA COUNTY AS RECORDED IN BOOK 580 PAGE 364 OF THE TULSA COUNTY PUBLIC RECORDS;

**THENCE** ALONG SAID WEST EXISTING RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT A DISTANCE OF 17.66 FEET, SAID CURVE HAVING A RADIUS OF 256.01 FEET AND A CHORD DISTANCE OF 17.66 FEET WITH A CHORD BEARING OF N 07°45'16" W TO A POINT, SAID POINT BEING THE **POINT OF BEGINNING**;

**THENCE** N 07°58'31" W, DEPARTING THE WEST LINE OF SAID EXISTING RIGHT-OF-WAY, A DISTANCE OF 140.69 FEET;

**THENCE** N 03°24'37" E A DISTANCE OF 55.96 FEET;

**THENCE** N 07°50'23" W A DISTANCE OF 12.44 FEET TO A POINT ON THE NORTH LINE OF A PROPERTY AS DESCRIBED AND RECORDED IN DOCUMENT NO. 2014100038 OF THE TULSA COUNTY PUBLIC RECORDS;

**THENCE** S 89°58'56" E, ALONG THE NORTH LINE OF SAID PROPERTY, A DISTANCE OF 16.59 FEET TO A POINT ON THE WEST LINE OF THE AFOREMENTIONED EXISTING RIGHT-OF-WAY IN FAVOR OF TULSA COUNTY;

**THENCE** S 00°00'00" E, ALONG SAID WEST EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 181.73 FEET TO A POINT OF CURVATURE;

**THENCE** CONTINUING ALONG SAID WEST EXISTING RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT A DISTANCE OF 25.82 FEET, SAID CURVE HAVING A RADIUS OF 256.01 FEET AND A CHORD DISTANCE OF 25.81 FEET WITH A CHORD BEARING OF S 02°53'21" E TO THE **POINT OF BEGINNING**.

CONTAINING 0.053 ACRES (2,308.39 SQ. FT.) AS DESCRIBED.

**BASIS OF BEARINGS:**


DEEDED BEARINGS AS RECORDED IN DOC. NO.2014100038  
OF THE TULSA COUNTY PUBLIC RECORDS

**SURVEYOR'S CERTIFICATE**

I, SHANE D. CARROLL, REGISTERED PROFESSIONAL LAND SURVEYOR OF ELEVATION LAND SURVEYING, LLC., HEREBY CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE AND ACCURATE REPRESENTATION OF THE EASEMENT DESCRIBED, IT IS NOT A LAND OR BOUNDARY SURVEY.

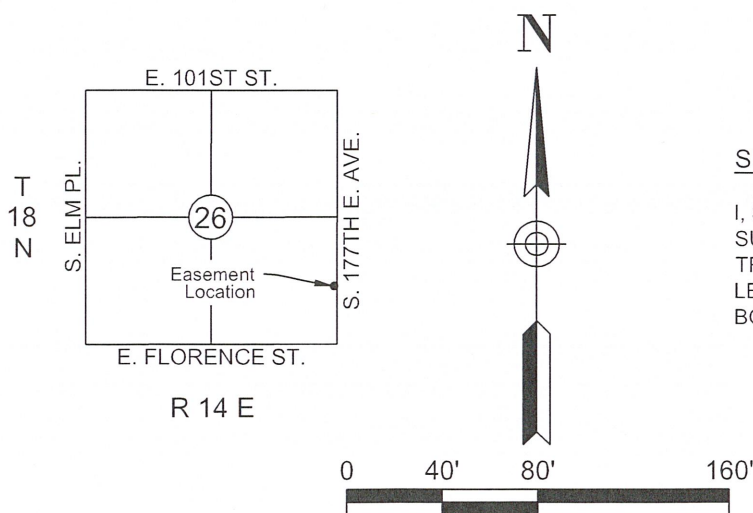
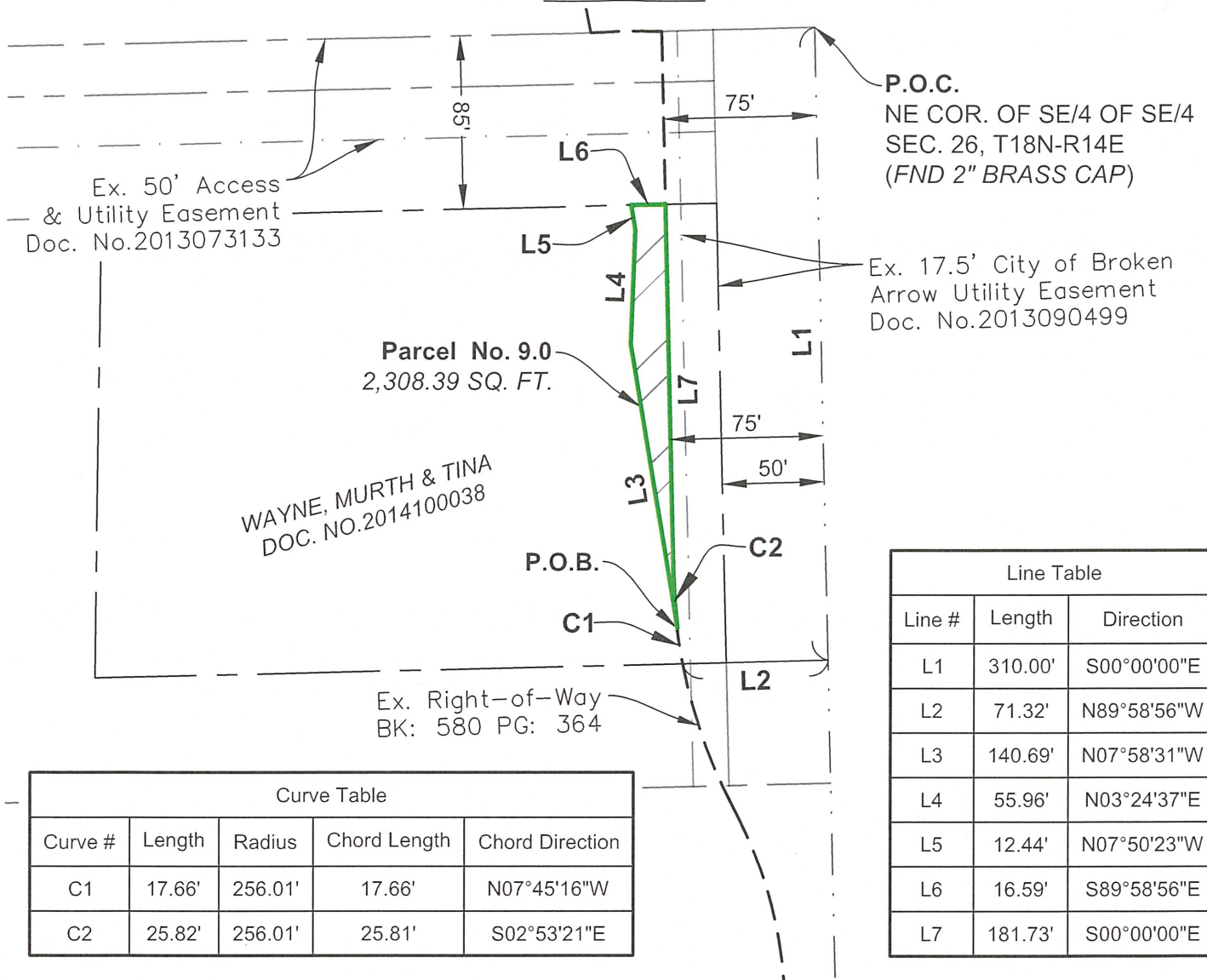
WITNESS MY HAND AND SEAL THIS 25TH DAY OF AUGUST, 2023.



  
SHANE D. CARROLL, PLS  
OKLAHOMA NO.1981  
CERT. OF AUTH. NO. 8524  
EXP. DATE JUNE 30, 2024



# EXHIBIT "A"



Note  
See Exhibit "A" page 1 for Legal Description and  
Surveyor's Certificate

## SURVEYOR'S NOTE:

I, SHANE D. CARROLL, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY STATE THAT THE ATTACHED EXHIBIT IS A TRUE AND ACCURATE REPRESENTATION OF THE EASEMENT LEGAL DESCRIPTION, AS SHOWN HEREON, IT IS NOT A LAND OR BOUNDARY SURVEY.

## BASIS OF BEARING

Deeded Bearings as recorded in  
Document No. 2014100038 of the  
Tulsa County Public Records

ELS No. 2023.08

Drawn By: SDC

Date: 08.24.2023

EXHIBIT "A"  
Parcel No. 9.0  
page 2 of 2

ELEVATION  
LAND SURVEYING

8501 SW 15th Street  
Oklahoma City, OK 73128  
405.493.9393  
C.A. #8524 Exp. 06.30.2024