

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, DONALD R. TREDWAY and DONNA J TREDWAY, Trustees of THE DONALD R. TREDWAY AND DONNA J. TREDWAY FAMILY TRUST, dated June 25, 1993, the owner(s), of the legal and 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, receipt of which is hereby acknowledged, do(es) 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 Wagoner County, State of Oklahoma to wit:

SEE TRACT "D" UTILITY EASEMENT

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 August day of 2016.

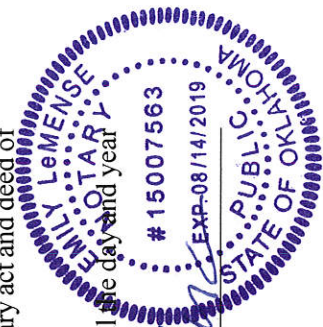
By: [Signature] DONALD R. TREDWAY, Trustee
[Signature] DONNA J TREDWAY, Trustee
THE DONALD R. TREDWAY AND DONNA J.
TREDWAY FAMILY TRUST, dated June 25, 1993
THE DONALD R. TREDWAY AND DONNA J.
TREDWAY FAMILY TRUST, dated June 25, 1993

State of Oklahoma)
) ss.
County of _____)

Before me, the undersigned, a Notary Public within and for said County and State, on this 1st day of August, 2016, personally appeared Donald R. and Donna J Tredway to me known to be the identical person(s) who executed the within and foregoing instrument as the free and voluntary act and deed of such person for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written.

My Commission expires: 8/14/19



[Signature]
Notary Public

Approved as to Form:
[Signature]
Assistant City Attorney

Approved as to Substance:

City Manager

Development Services: _____ Date Checked: _____



Sisemore Weisz & Associates, Inc.

Engineering
Land Surveying
Land Planning

TRACT "D" UTILITY EASEMENT

A TRACT OF LAND THAT IS PART OF THE WEST HALF (W/2) OF THE NORTHWEST QUARTER (NW/4) OF SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:


COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION FOUR (4); THENCE SOUTH 01°29'40" EAST ALONG THE WESTERLY LINE OF SAID NORTHWEST QUARTER (NW/4) FOR 515.00 FEET; THENCE NORTH 88°47'50" EAST FOR 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°47'50" EAST FOR 17.50 FEET; THENCE SOUTH 01°29'40" EAST FOR 548.49 FEET; THENCE SOUTH 88°51'38" WEST FOR 17.50 FEET; THENCE NORTH 01°29'40" WEST FOR 548.47 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 9,598.46 SQUARE FEET OR 0.220 ACRES, MORE OR LESS.

CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS. THIS LEGAL DESCRIPTION MEETS THE MINIMUM STANDARDS FOR LEGAL DESCRIPTIONS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

6.23.16
DATE

SISEMORE WEISZ & ASSOCIATES, INC.
BY DEAN ROBINSON

DEAN ROBINSON
PLS No. 1146 STATE OF OKLAHOMA
C. A. NO. 2421
EXPIRES: 6/30/17

W:\13200.05\TRACT D UTILITY ESMT.doc
05/16/2016 MK DRAFT
06/22/2016 JRH FINAL

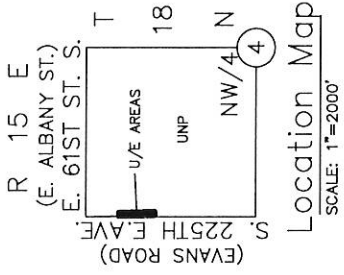
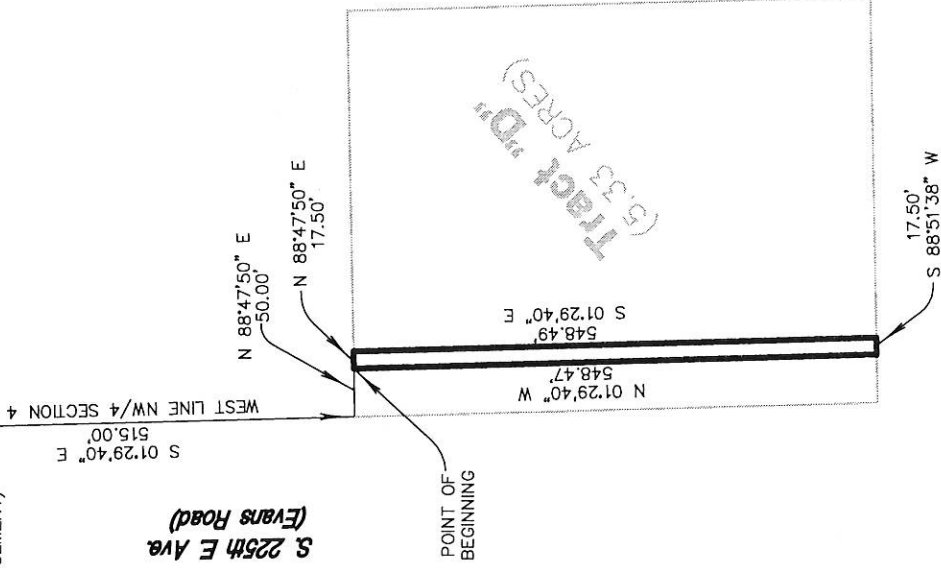
Utility Easement EXHIBIT



Scale: 1"=200



NW CORNER
SECTION 4,
T-18-N, R-15-E
(POINT OF COMMENCEMENT)



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THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 9,598.46 SQUARE FEET OR 0.220 ACRES, MORE OR LESS.



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
W.O. NO. 13200005

PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/17
FILE NO: 1815.0400

Parcel Map Check Report

Client:

Client

Client Company

Address 1

Date: 6/13/2016 8:05:12 AM

Prepared by:

Preparer

Your Company Name

123 Main Street

Segment# 1: Line

Course: N88°47'50"E

Length: 17.50'

Segment# 2: Line

Course: S1°29'40"E

Length: 548.49'

North: 4,761.0719'

East: 13,980.9655'

Segment# 3: Line

Course: S88°51'38"W

Length: 17.50'

Segment# 4: Line

Course: N1°29'40"W

Length: 548.47'

Perimeter: 1,131.967'

Area: 9,598.46Sq.Ft.

Error Closure: 0.0007

Course: S10°56'20"E

Precision 1: 1,617,094.286