

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Aspen Meadows LLC, a Delaware Limited Liability company, 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, 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 Tulsa County, State of Oklahoma, to wit: SEE ATTACHED

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 trees or parts of trees, which in the judgement 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 30th day of December 2021.

Aspen Meadows LLC

A Delaware Limited Liability Company

By: Entrepreneurial Properties Investors XVII LLC,
a Delaware limited liability company,
Member

By: Entrepreneurial Properties Corporation
a Nevada corporation,
Manager

By: _____

Name: Matthew V. Wherry
Title: Executive Vice President



State of Virginia)
) ss.
City of Richmond)

This instrument was acknowledged before me this 30th Day of DEC, 2021, by Matthew V. Wherry as executive Vice President of Entrepreneurial Properties Corporation, as manager of Entrepreneurial Properties XVII LLC, as member of Aspen Meadows LLC

My Commission number: 8074191

My Commission expires: 03/31/2027

Notary Public

Approved as to Form:

Asst. City Attorney

Approved as to Substance: _____

City Manager

Engineer: _____ checked: _____

Project: _____