

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, ZION USA TULSA OKLA, LLC 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 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 May 2017.

Steven A. Wilson + Marcella A. Wilson

State of Oklahoma )  
County of Tulsa ) ss.

Before me, the undersigned, a Notary Public within and for said County and State, on this 4 day of May 2017, personally appeared Steven A. Wilson + Marcella A. Wilson 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 the day and year last above written.

My Commission expires: 

J. Finley  
Notary Public

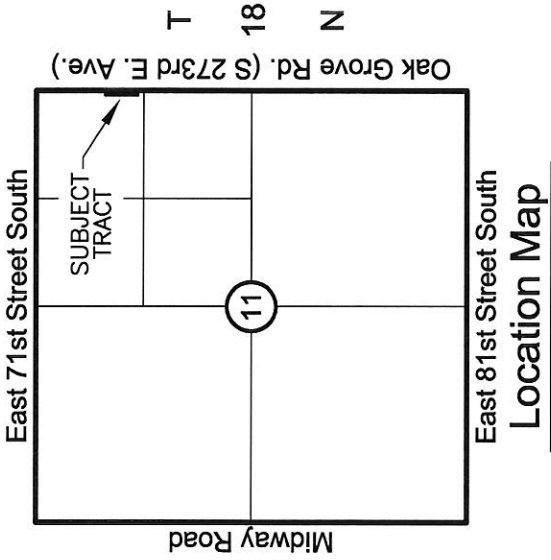
Approved as to Form:  
\_\_\_\_\_  
Asst. City Attorney

Approved as to Substance:  
\_\_\_\_\_  
City Manager

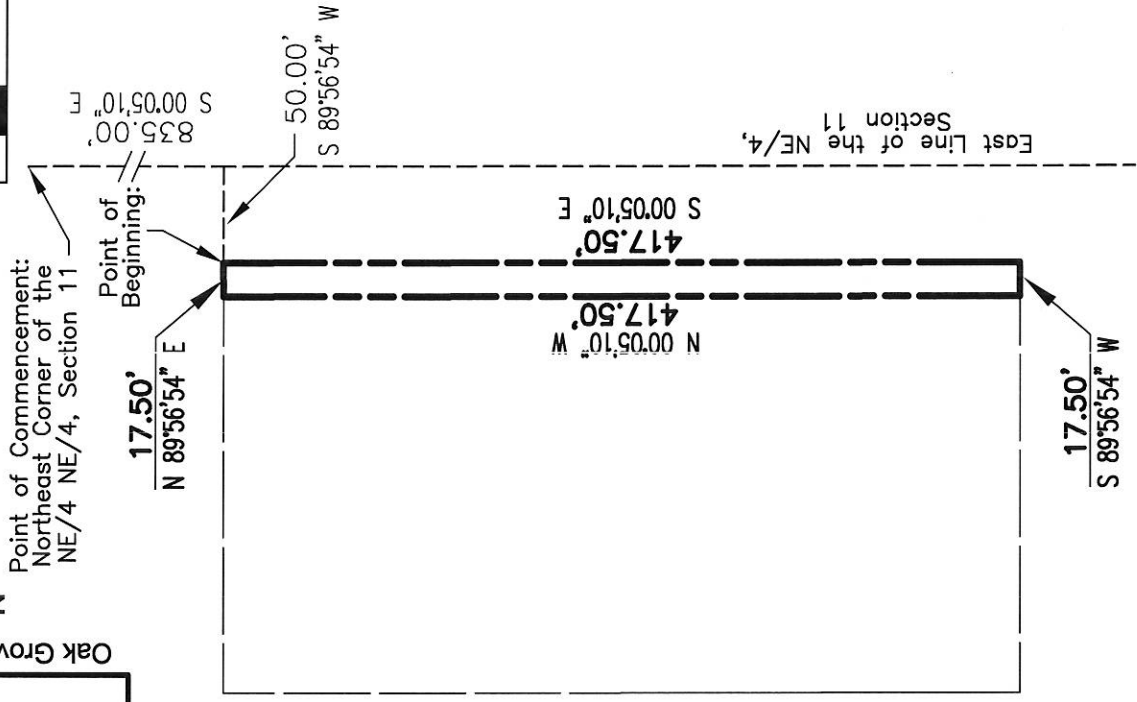
Engineer: \_\_\_\_\_ checked: \_\_\_\_\_  
Project: \_\_\_\_\_

# UTILITY EASEMENT EXHIBIT "A"

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Scale: 1" = 100'



FILE: 171610LG-2

## Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE EAST LINE OF THE NE/4 NE/4 OF SECTION 11 AS S00°05'10"E.
2. SEE EXHIBIT "A" PAGE 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.



**BENNETT  
SURVEYING, INC.**

P.O. BOX 848, CHOUTEAU, OK 74337  
PHONE: (918) 476-7484 FAX: (918) 476-7485  
C.A. NO.: 4502 EXP. DATE: 6/30/18



UTILITY EASEMENT  
EXHIBIT "A"

LEGAL DESCRIPTION

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE/4 NE/4) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF SAID NE/4 NE/4 THENCE S00°05'10"E ALONG THE EAST LINE OF SAID NE/4 NE/4 A DISTANCE OF 835.00 FEET; THENCE S89°56'54"W FOR A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**; THENCE S00°05'10"E, PARALLEL WITH THE EAST LINE OF THE NE/4 NE/4, FOR A DISTANCE OF 417.50 FEET; THENCE S89°56'54"W FOR A DISTANCE OF 17.50 FEET; THENCE N00°05'10"W, PARALLEL WITH THE EAST LINE OF THE NE/4 NE/4, FOR A DISTANCE OF 417.50 FEET; THENCE N89°56'54"E FOR A DISTANCE OF 17.50 FEET TO THE **POINT OF BEGINNING**, CONTAINING 7306 SQUARE FEET OR 0.17 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, CLIFF BENNETT OF BENNETT SURVEYING, INC., CERTIFY THAT THE LEGAL DESCRIPTIONS HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE LEGAL DESCRIPTIONS DESCRIBED, AND THAT THE SURVEY OF THE LEGAL DESCRIPTIONS MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 25TH DAY OF APRIL, 2017.



CLIFF BENNETT, PLS  
OKLAHOMA NO.1815  
CERT. OF AUTH. NO. 4502  
EXP. DATE JUNE 30, 2018