

VACATION OF THE PLAT
OF
BOL ADDITION

This Vacation of the Plat of BOL ADDITION is dated this 11th day of ²⁰¹⁵Dec..

Recitals

- A. This instrument is made and entered into pursuant to Title II Okla. Stat. 42-106 for the purpose of vacation of the plat described as follows:

BOL ADDITION, a subdivision of the City of Broken Arrow, Wagoner County, Oklahoma, according to the recorded plat (No. PLC5-409B 2010) Thereof ("BOL ADDITION" or the "Subdivision").

- B. The undersigned vacate the Plat of BOL ADDITION described as follows:

Lot 1, Block 1, BOL ADDITION, being a part of the East Half of the Southeast Quarter (E1/2 SE1/4) of Section 21, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 21, Township 18 North, Range 15 East; thence South 00 Degrees 10 Minutes 50 Seconds West along the East line of the Southeast Quarter a distance of 1,660.00 feet; thence North 89 Degrees 38 Minutes 10 Seconds West, a distance of 24.75 feet to the POINT OF BEGINNING, also being described as the Northeast corner of Lot 10 of the partially vacated Plat of Prairie Dale Addition, by Certificate to Vacate, filed in Book 1990 at Page 602 in the County Clerks office of Wagoner County, Oklahoma ; thence South 00 Degrees 10 Minutes 50 Seconds West along the East line of said Vacated Prairie Dale Addition and parallel to the East line of said Section 21, a distance of 341.19 feet; thence North 66 Degrees 52 Minutes 08 Seconds West, a distance of 388.77 feet to a point that is the Southwest corner of Lot 11 of said Vacated Prairie Dale Addition, also being the Southwest corner of said Lot 1, Block 1 BOL Addition; thence North 00 Degrees 13 Minutes 31 Seconds East, a distance of 190.39 feet to the Northwest corner of said Lot 10 of said Vacated Prairie Dale Addition, also being the Northwest corner of said Lot 1, Block 1 BOL Addition; thence South 89 Degrees 41 Minutes 32 Seconds East, a distance of 357.85 feet to the POINT OF BEGINNING. Said tract containing 95,137 square feet or 2.184 acres, more or less.

And all the building lines and easements established by the Plat of BOL ADDITION and located within the Vacated Tract.

- C. The undersigned collectively are the owners of the Vacated Tract and of more than 60% of the lots in the Plat of BOL ADDITION lying outside the Vacated Tract.
- D. The action taken by this Vacation of Plat is not prohibited by any restrictive covenants encumbering lots in the Plat of BOL ADDITION.

THEREFORE, in consideration of the above and for other good and valuable consideration:

The undersigned hereby vacate the following described Plat of BOL ADDITION.

Lot 1, Block 1, BOL ADDITION, being a part of the East Half of the Southeast Quarter (E1/2 SE1/4) of Section 21, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 21, Township 18 North, Range 15 East; thence South 00 Degrees 10 Minutes 50 Seconds West along the East line of the Southeast Quarter a distance of 1,660.00 feet; thence North 89 Degrees 38 Minutes 10 Seconds West, a distance of 24.75 feet to the POINT OF BEGINNING, also being described as the Northeast corner of Lot 10 of the partially vacated Plat of Prairie Dale Addition, by Certificate to Vacate, filed in Book 1990 at Page 602 in the County Clerks office of Wagoner County, Oklahoma ; thence South 00 Degrees 10 Minutes 50 Seconds West along the East line of said Vacated Prairie Dale Addition and parallel to the East line of said Section 21, a distance of 341.19 feet; thence North 66 Degrees 52 Minutes 08 Seconds West, a distance of 388.77 feet to a point that is the Southwest corner of Lot 11 of said Vacated Prairie Dale Addition, also being the Southwest corner of said Lot 1, Block 1 BOL Addition; thence North 00 Degrees 13 Minutes 31 Seconds East, a distance of 190.39 feet to the Northwest corner of said Lot 10 of said Vacated Prairie Dale Addition, also being the Northwest corner of said Lot 1, Block 1 BOL Addition; thence South 89 Degrees 41 Minutes 32 Seconds East, a distance of 357.85 feet to the POINT OF BEGINNING. Said tract containing 95,137 square feet or 2.184 acres, more or less.

and all building lines and easements located within the above described portion of the BOL ADDITION.

This instrument was acknowledged before me on this 15th day of Dec., 2015, by Charles W. Campbell as GEN. COUNSEL & SEC. of KG Store 837, L.L.C., an Iowa Limited Liability Company.



Nick Halfhill
Notary Public

My commission expires: 3-18-16
My commission number: 762227

APPROVED BY
THE CITY COUNCIL
CITY OF BROKEN ARROW, OKLAHOMA
ON _____, 20__

By: _____
Mayor – Vice Mayor

ATTEST: _____
City Clerk, City of Broken Arrow, Oklahoma

APPROVED AS TO FORM:

Lesli Myers
Asst. City Attorney
City of Broken Arrow, Oklahoma

Date: January 7, 2016

INCUMBENCY CERTIFICATE AND SECRETARY'S CERTIFICATE


Date: December 28, 2015

The undersigned, Charles W. Campbell, does hereby certify that he is the Secretary of KG Store 837, L.L.C., an Iowa limited liability company (the "Company"), and that the following are true and correct certifications of the Company as contained in duly adopted resolutions or the operating agreement of the Company. The undersigned further certifies that the information contained herein is true and accurate as of the date of this Certificate.

The following are the presently elected officers of KG Store 837, L.L.C. and authorized by the Manager(s) under the Operating Agreement to transact business on behalf of the Company:


Individual	Office
Kyle J. Krause	Manager, Chief Executive Officer and President
Craig A. Bergstrom	Chief Financial Officer, Vice President and Treasurer
Mark H. Hasting	Chief Operating Officer
Charles W. Campbell	General Counsel and Secretary

The undersigned Secretary does hereby certify that each of the individuals listed above in their capacity as officers, are each hereby authorized and directed in the name of the Company and on its behalf, acting alone, to execute all papers or documents deemed necessary or advisable or required in connection with the business of the Company, including, but not limited to, the execution of papers or documents effecting the transfer of title to real property.


Charles W. Campbell, Secretary

STATE OF IOWA, COUNTY OF DALLAS

This instrument was acknowledged before me on December 28, 2015, by Charles W. Campbell as Secretary of KG Store 837, L.L.C., an Iowa limited liability company.


Notary Public

