

DETENTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Pines at the Preserve, LLC the owner(s) of the legal and equitable title to the following described real estate situated in the City of Broken Arrow, Wagoner County, Oklahoma, for and in consideration of the sum of One Dollar, cash in hand, paid by the City of Broken Arrow, Oklahoma and other good and valuable considerations, receipt of which are hereby acknowledged, do(es) hereby dedicate to the public, forever, the following described property, to wit:

LEGAL DESCRIPTION

(See Attached Detention Easement Exhibit A)

with right of ingress and egress to and from the same, for the purpose of constructing, maintaining, operating, and replacing stormwater detention facilities and appurtenances.

The City is hereby given and granted the exclusive possession of said above described premises for the purposes aforesaid, and grantor(s), for him/her and their heirs, administrators, successors and assigns, covenant(s) and agree(s) that no building, structure, wall or other above ground obstruction will be placed, erected, installed or permitted upon the above described land; the stormwater detention facilities and appurtenances located thereon shall be maintained and kept clear of debris by the grantor(s), and further covenant(s) and agree(s) that in the event the terms of this paragraph are violated by the grantor(s) or any person in privity with them, such violation will be promptly corrected and eliminated immediately upon receipt of notice from City or City shall have right to remove or otherwise eliminate such violation, and grantor(s), his/her heirs, administrators, successors and assigns, shall promptly pay the actual cost thereof.

TO HAVE AND TO HOLD such easement and right of way unto the City of Broken Arrow, Oklahoma, its successors and assigns forever.

DATED this 31 day of October 2018.



Glenn Shaw, Manager

State of Oklahoma )  
 )ss.  
County of TULSA )

Before me, the undersigned Notary Public, in and for said County and State, on this 31<sup>ST</sup> day of October, 2018, personally appeared Glenn Shaw and \_\_\_\_\_ known to me 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 and voluntary act and deed 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 written above.

My Commission expires: 9-10-22

  
Notary Public

Approved as to Form:

  
Asst. City Attorney

Approved as to Substance:

\_\_\_\_\_  
City Manager

Engineer MO checked: 11-19-18  
Project:

