

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **B-Z PROPERTIES L.L.C.**, an Oklahoma Limited Liability Company, 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"**  
**EXEMPT FROM DOCUMENTARY STAMPS PURSUANT TO 68 O.S. 3202 (11)**

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 15<sup>th</sup> day of February, 2017.

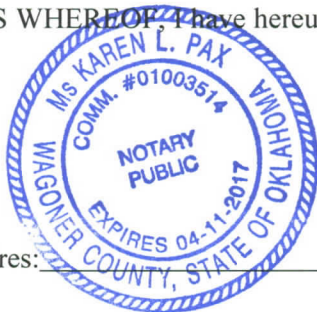
**B-Z PROPERTIES, L.L.C.**

  
\_\_\_\_\_  
ROGER BROACH, MANAGER

State of Oklahoma        )  
                                  ) §  
County of Tulsa         )

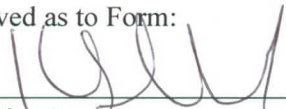
Before me, the undersigned, a Notary Public within and for said County and State, on this 15<sup>th</sup> day of February, 2017, personally appeared **ROGER BROACH** to me known to be the identical person(s) who executed the within and foregoing instrument as the free and voluntary act and deed of such 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: \_\_\_\_\_

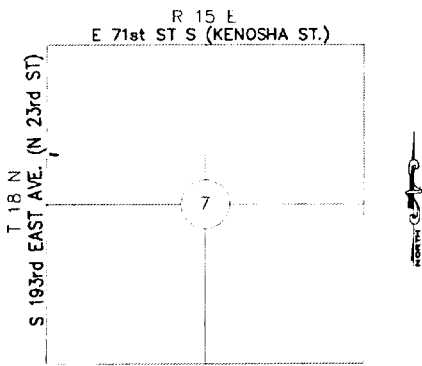
  
\_\_\_\_\_  
Notary Public

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

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

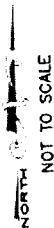
Engineer:  checked: 02/15/17  
Project: S. 209<sup>th</sup> E. Ave. Lift Station and Force Main, Project No. S.1608, Parcel 4.0

EXHIBIT A



JOB NUMBER:  
PARCEL NO. 4  
COUNTY: WAGONER

LEGAL DESCRIPTION OF RECORD:  
PART OF NW1/4  
SECTION 7, T18N, R15E  
PERMANENT EASEMENT - 1,488.57 S.F.

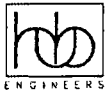
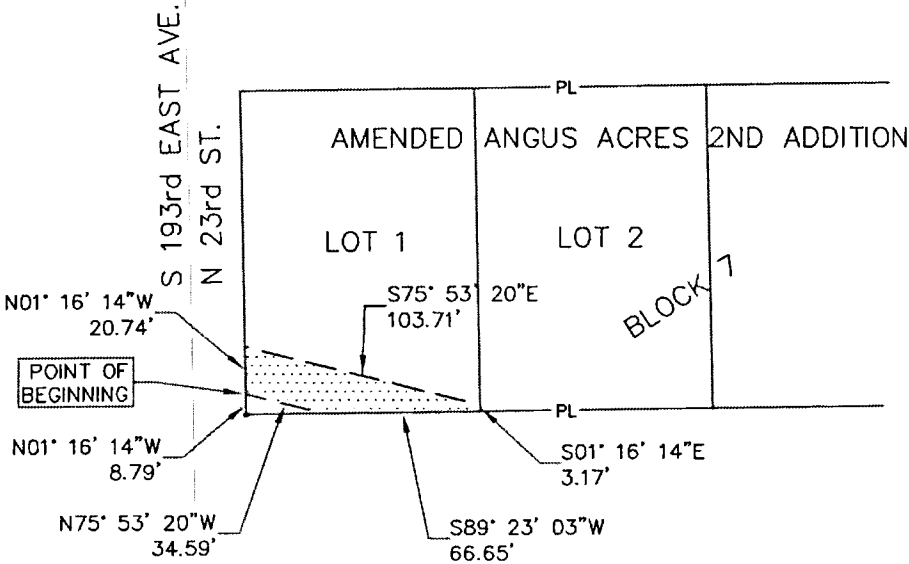


LEGEND

- PERMANENT EASEMENT
- TEMP. CONSTRUCTION EASEMENT

---' RECORDED DISTANCES  
BASIS OF BEARING - STATE PLANE COORDINATE SYSTEM (NAD 83)

CHARLES CHASTAIN, OK. L.P. #1352



HOLLOWAY, UPDIKE AND BELLEN INC.  
905-A SOUTH 9TH STREET, BROKEN ARROW, OK  
918-251-0717, FAX 918-251-0754  
CA #219, EXPIRES 06/30/17

TITLE:	S 209TH E AVE FORCE MAIN
PROJECT:	16BA209LSFM
OWNER:	B-Z PROPERTIES, LLC
DATE:	JANUARY 23, 2017

Parcel No. 4  
B-Z Properties, LLC

Date Written: January 23, 2017

PERMANENT EASEMENT

A parcel of land lying in part of Lot 1, Block 7 of Amended Angus Acres 2nd Addition, a subdivision lying in the NW1/4 of Section 7, Township 18 North, Range 15 East, Wagoner County, Oklahoma being more particularly described as follow:

Commencing at the Southwest corner of said Lot 1, thence N01°16'14"W along the West line thereof 8.79 feet to the point of beginning; thence N01°16'14"W along said West line 20.74 feet; thence S75°53'20"E 103.71 feet to the East line of said Lot 1; thence S01°16'14"E along said East line 3.17 feet to the Southeast corner of said Lot 1; thence S89°23'03"W along the South line of said Lot 1 66.65 feet; thence N75°53'20"W 34.59 feet to the point of beginning.

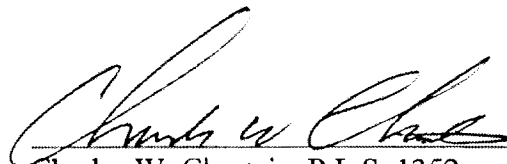
Containing 1,488.57 square feet or 0.03 acres.

Bearings based on Oklahoma State Plane Coordinate system, North Zone.

Real Property Certification

I, Charles W. Chastain, P.L.S., Holloway, Updike and Bellen, Inc., certify that the attached Permanent Easement closes in accord with existing records, is a true representation of the real property as described, and meets the minimum technical standards for land surveying of the State of Oklahoma.

1-23-17  
Date

  
Charles W. Chastain, P.L.S. 1352

