

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 15th day of February, 2017.

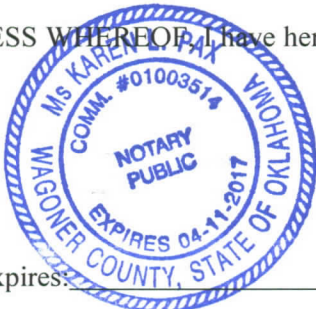
B-Z PROPERTIES, L.L.C.

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 15th 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. 209th E. Ave. Lift Station and Force Main, Project No. S.1608, Parcel 2.0

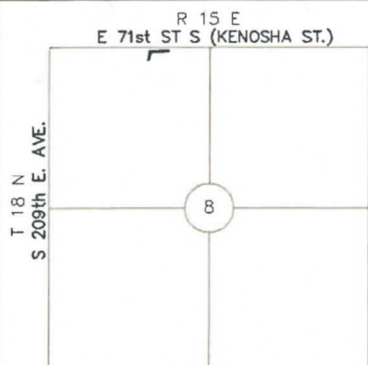
EXHIBIT A

JOB NUMBER:
PARCEL NO. 2
COUNTY: WAGONER

LEGAL DESCRIPTION OF RECORD:
PART OF NW1/4
SECTION 8, T18N, R15E
PERMANENT EASEMENT - 6596.906 S.F.

CHARLES CHASTAIN, OK. L.S. #1352

CHARLES CHASTAIN, OK. L.S. #1352

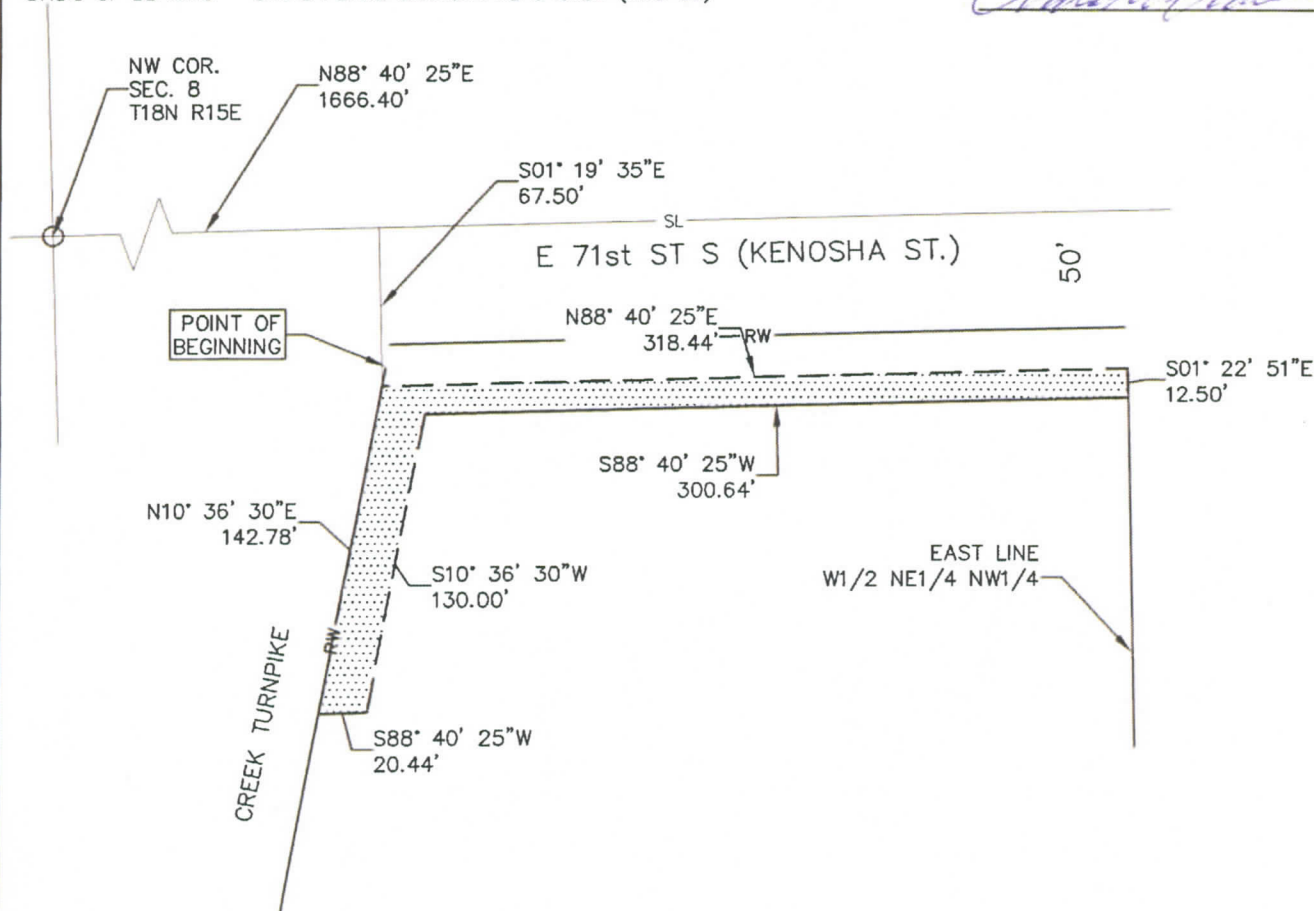


LEGEND

- PERMANENT EASEMENT
-  TEMP. CONSTRUCTION EASEMENT

---,---' RECORDED DISTANCES

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



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: | NOVEMBER 14, 2016 | REVISION: 1/31/2017 |

Parcel No. 2
B-Z Properties, LLC

Date Written: November 14, 2016

PERMANENT EASEMENT

A parcel of land lying in part of the NW1/4 of Section 8, Township 18 North, Range 15 East, Wagoner County, Oklahoma being more particularly described as follow:

Commencing at the Northwest corner of said Section 8, thence N88°40'25"E along the North line thereof 1,664.81 feet; thence S01°19'35"E 67.50 feet to the point of beginning; thence N88°40'25"E 318.64 feet to the East line of the W1/2 NE1/4 NW1/4 of said Section 8; thence S01°22'51"E along said East line 12.5 feet; thence S88°40'25"W 300.64 feet; thence S10°36'30"W 130.00 feet; thence S88°40'25"W 20.44 feet to the easterly right-of-way line of the Creek Turnpike; thence N10°36'30"E along said easterly right-of-way line 142.78 feet to the point of beginning.

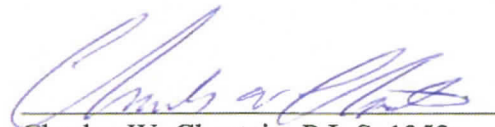
Containing 6596.906 square feet or 0.15 acres.

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.

Jan. 31, 2017
Date


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

