



March 8, 2017

PACCAR, INC
R. B. Reifsnnyder
777 106th Ave NE
Bellevue, WA 98004 .

Dear Mr. Reifsnnyder:

RE: 9TH Street Widen Elgin to El Paso-ST1210-Parcel #23, 23.1

The City of Broken Arrow has completed the design phase and is beginning the right of way acquisition phase on the above named project. An appraisal from Mr. John Story has been delivered and reviewed by City staff. Additionally, I wanted to introduce myself to you as Broken Arrow's Contracted Right of Way Agent. With a fair market value for the portion to be acquired now completed, the City is able to place a fair market value on the acquisitions and make an offer to you. The following offer is being made by the City subject to City Council approval:

Permanent Right of Way: 5,288 sq. ft. @ \$3.00/sq. ft. = \$11,634
Permanent Utility Easement and
Temporary Construction Easement: 5,772 sq. ft. @ \$3.00/sq. ft. X 70% = \$8,889
Total Just Compensation Amount (Rounded) = \$20,500

Enclosed you will find a "Donation Certificate". Donations assist the City in its efforts to make infrastructure improvements. Please indicate on the form your decision to convey this right of way and utility easement either by donation (a) or by receiving compensation (b) and sign.

By your signature on this letter you have accepted the City's offer of \$20,500.00. Please return all documents to my attention for further processing. Please contact Mike Craddock if you have any questions about this offer. His direct number is 918-605-1436. Please respond within 14 days of receipt of this letter.

Respectfully,
CITY OF BROKEN ARROW



Michael L. Spurgeon

City Manager

MLS/kmw

enc

PACCAR, INC


R. B. Reifsnnyder,
Executive Director Property and Environment

GENERAL WARRANTY DEED

This Indenture: Made this 14 day of March, 2017 between PACCAR, INC., party(ies) of the first part, hereinafter called Grantor(s) and the CITY OF BROKEN ARROW, OKLAHOMA, a municipal corporation, party of the second part, hereinafter called Grantee.

WITNESSETH: That in consideration of the sum of Ten Dollars (\$10.00) and other goods and considerations, receipt of which is hereby acknowledged, said party grantor does, by these presents, grant, bargain, sell and convey unto Grantee, their heirs and assigns, all of the following described real estate, situated in the County of Tulsa, State of Oklahoma, to wit:

SEE EXHIBIT "A"

EXEMPT FROM DOCUMENTARY STAMPS PURSUANT TO 68 O.S. 3202 (11)

And said Grantor, for themselves and their heirs, executors, and administrators, does hereby covenant, promise and agree to and with said Grantee, at the delivery of these presents that he/she is lawfully seized in his/her own right of an absolute and indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatsoever nature and kind, EXCEPT: Easements, building restrictions of record and special assessments not yet due; and that Grantor will WARRANT AND FOREVER DEFEND the same unto the said Grantee, its successors or assigns, against said Grantor, his/her heirs and assigns and every person or persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 14 day of March, 2017

PACCAR, INC.

R. B. Reifsnnyder
R. B. Reifsnnyder,
Executive Director Property and
Environment

State of WA)
) §
County of kg)

Before me, the undersigned Notary Public, in and for said County and State, on this 14 day of Mar, 2017, personally appeared **R. B. REIFSNYDER** 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:

Approved as to Form:

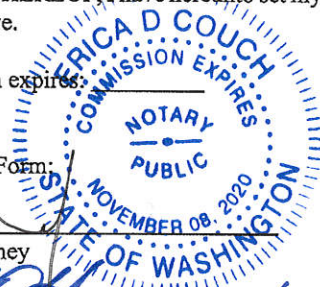
Asst. City Attorney

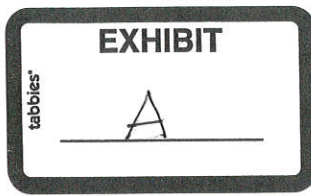
Engineer 9088 checked: 04/18/17
Project: 9TH Street Widen Elgin to El Paso-ST1210-Parcel #23, 23.1

[Signature]
Notary Public

Approved as to Substance:

City Manager





PARCEL 23
OWNER: PACCAR, INC.
REAL PROPERTY LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE/4 SE/4) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NE/4 SE/4; THENCE NORTH 01°10'07" WEST ALONG THE EASTERLY LINE OF SAID NE/4 SE/4 FOR 50.00 FEET; THENCE SOUTH 88°32'24" WEST PARALLEL WITH THE SOUTHERLY LINE OF SAID NE/4 SE/4 FOR 30.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING SOUTH 88°32'24" WEST PARALLEL WITH SAID SOUTHERLY LINE FOR 32.00 FEET; THENCE NORTH 01°10'07" WEST PARALLEL WITH SAID EASTERLY LINE FOR 45.00 FEET; THENCE NORTH 88°32'24" EAST PARALLEL WITH SAID SOUTHERLY LINE FOR 24.00 FEET; THENCE NORTH 01°10'07" WEST PARALLEL WITH SAID EASTERLY LINE FOR 481.00 FEET; THENCE NORTH 88°32'24" EAST PARALLEL WITH SAID SOUTHERLY LINE FOR 8.00 FEET; THENCE SOUTH 01°10'07" EAST PARALLEL WITH SAID EASTERLY LINE FOR 526.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 5,288 SQUARE FEET OR 0.121 ACRES, MORE OR LESS.

REAL PROPERTY CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION 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.

11/13/12
DATE

SISEMORE WEISZ & ASSOCIATES, INC.
BY DEAN ROBINSON

DEAN ROBINSON
PLS No. 146, STATE OF OKLAHOMA
C. A. NO. 2014
EXPIRES: 6/30/15

Parcel 23

Parcel Map Check Report

Date: 12/18/2013 4:04:13 PM

Parcel Name: PARCEL 23

North: 389,808.8830'

East: 2,624,789.6994'

Segment# 1: Line

Course: S88° 32' 24"W

Length: 32.000'

North: 389,808.0677'

East: 2,624,757.7097'

Segment# 2: Line

Course: N1° 10' 07"W

Length: 45.001'

North: 389,853.0593'

East: 2,624,756.7920'

Segment# 3: Line

Course: N88° 32' 24"E

Length: 24.000'

North: 389,853.6708'

East: 2,624,780.7842'

Segment# 4: Line

Course: N1° 10' 07"W

Length: 480.999'

North: 390,334.5698'

East: 2,624,770.9743'

Segment# 5: Line

Course: N88° 32' 24"E

Length: 8.000'

North: 390,334.7736'

East: 2,624,778.9717'

Segment# 6: Line

Course: S1° 10' 07"E

Length: 526.000'

North: 389,808.8830'

East: 2,624,789.6994'

Perimeter: 1,116.001'

Area: 5,288.01 Sq.Ft.

Error Closure: 0.0000

Course: S0° 00' 00"E

Error North : 0.00000

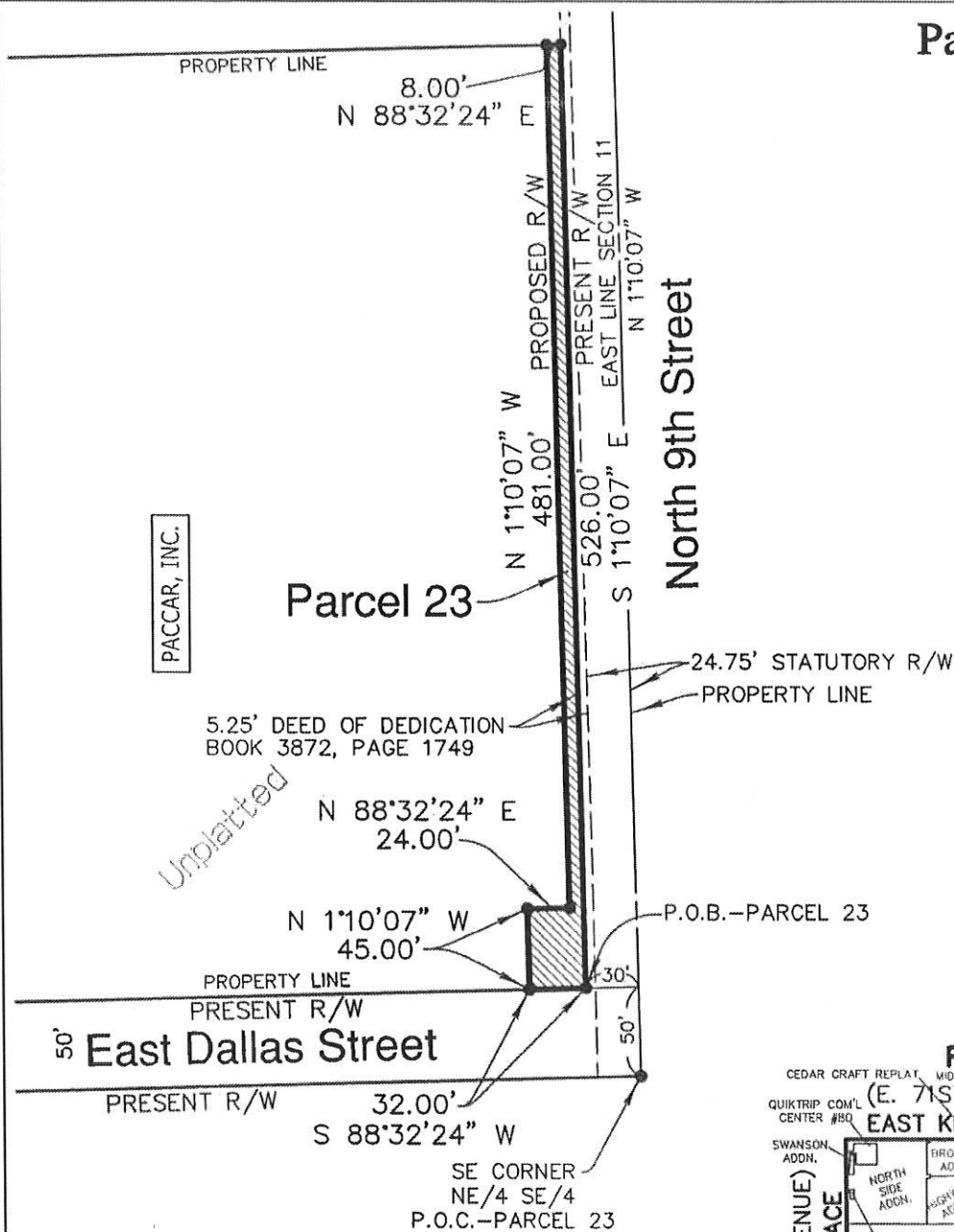
East: 0.00000

Precision 1: 1,116,000,000.000

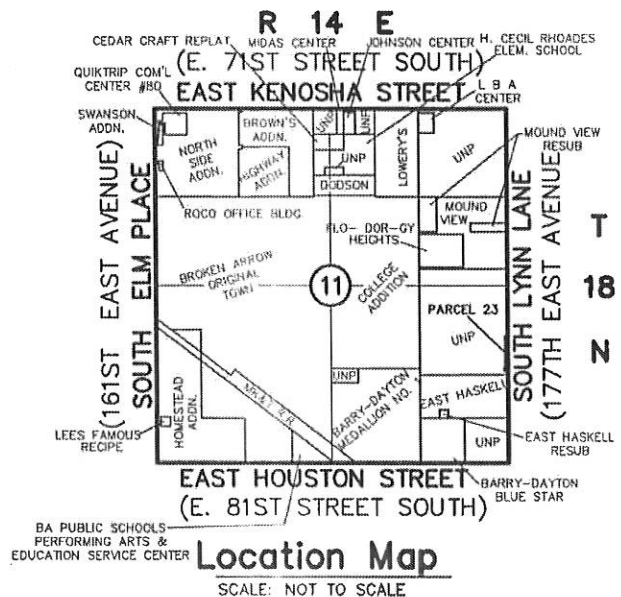
W:\16720.04\Parcel 23.doc

11/13/12 agm

Parcel Map



SCALE 1"=100'



TOTAL PROPERTY - 11.6 ACRES
PERMANENT R/W - 0.121 ACRES

P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
R/W - RIGHT-OF-WAY

DATE: 12/10/2013
SHEET 2 OF 2



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
W.O. NO. 16720.04

PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/15
FILE NO. 1814.1100

K:\16720.04\PARCEL MAPS\PARCEL-23.DWG

pg. 3 of 3

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **PACCAR, INC.**, 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 Tulsa 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 14 day of March 2017.


R. B. Reifsnnyder,
Executive Director Property and
Environment

State of WA)
County of King) §

Before me, the undersigned, a Notary Public within and for said County and State, on this 14 day of March 2017, personally appeared **R. B. REIFSNYDER** 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:

Approved as to Form:

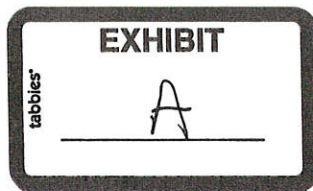
Asst. City Attorney

Engineer:  checked: 04/18/17
Project: 9TH Street Widen Elgin to El Paso-ST1210-Parcel #23, 23.1


Notary Public

Approved as to Substance:

City Manager



PARCEL 23.1
OWNER: PACCAR, INC.
PERPETUAL UTILITY EASEMENT & TEMPORARY
CONSTRUCTION EASEMENT LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE/4 SE/4) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NE/4 SE/4; THENCE NORTH 01°10'07" WEST ALONG THE EASTERLY LINE OF SAID NE/4 SE/4 FOR 95.00 FEET; THENCE SOUTH 88°32'24" WEST PARALLEL WITH THE SOUTHERLY LINE OF SAID NE/4 SE/4 FOR 38.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING SOUTH 88°32'24" WEST PARALLEL WITH SAID SOUTHERLY LINE FOR 12.00 FEET; THENCE NORTH 01°10'07" WEST PARALLEL WITH SAID EASTERLY LINE FOR 481.00 FEET; THENCE NORTH 88°32'24" EAST PARALLEL WITH SAID SOUTHERLY LINE FOR 12.00 FEET; THENCE SOUTH 01°10'07" EAST PARALLEL WITH SAID EASTERLY LINE FOR 481.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 5,772 SQUARE FEET OR 0.133 ACRES, MORE OR LESS.

REAL PROPERTY CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION 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.

11/13/12
DATE

SISEMORE WEISZ & ASSOCIATES, INC.
BY DEAN ROBINSON
DEAN ROBINSON
1146
DEAN ROBINSON
PLS NO. 1146, STATE OF OKLAHOMA
C. A. NO. 1146
EXPIRES: 6/30/15

Parcel 23.1

Parcel Map Check Report

Date: 12/18/2013 4:10:23 PM

Parcel Name: PARCEL 23.1

North: 389,853.6704'

East: 2,624,780.7841'

Segment# 1: Line

Course: S88° 32' 24"W

Length: 12.000'

North: 389,853.3646'

East: 2,624,768.7880'

Segment# 2: Line

Course: N1° 10' 07"W

Length: 480.999'

North: 390,334.2636'

East: 2,624,758.9782'

Segment# 3: Line

Course: N88° 32' 24"E

Length: 12.000'

North: 390,334.5694'

East: 2,624,770.9743'

Segment# 4: Line

Course: S1° 10' 07"E

Length: 480.999'

North: 389,853.6704'

East: 2,624,780.7841'

Perimeter: 985.999'

Area: 5,771.99Sq.Ft.

Error Closure: 0.0000

Course: N0° 00' 00"E

Error North : 0.00000

East: 0.00000

Precision 1: 985,998,000.000

Parcel Map

TEMPORARY CONSTRUCTION
EASEMENT & PERMANENT
UTILITY EASEMENT

PACCAR, INC.

Parcel 23.1

5.25' DEED OF DEDICATION
BOOK 3872, PAGE 1749

S 88°32'24" W
12.00'

PROPOSED R/W
N 1°10'07" W
481.00'

PRESENT R/W
S 1°10'07" E
481.00'

North 9th Street

24.75' STATUTORY R/W
PROPERTY LINE

P.O.B. - PARCEL 23.1

PROPERTY LINE
PRESENT R/W

50' East Dallas Street

PRESENT R/W

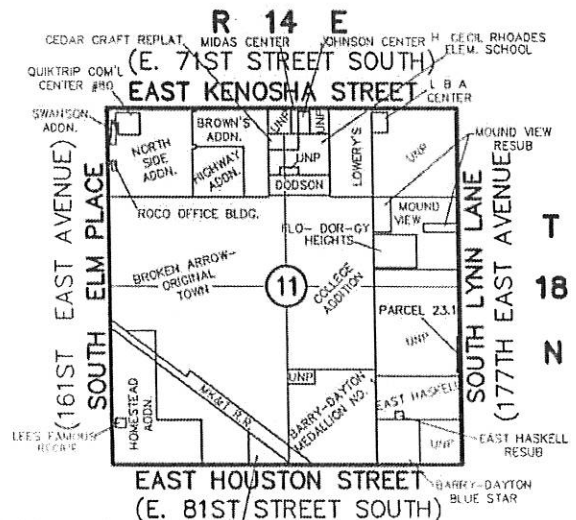
SE CORNER
NE/4 SE/4
P.O.C. - PARCEL 23.1

TOTAL PROPERTY - 11.6 ACRES
PERMANENT UTILITY ESMT. - 0.133 ACRES
TEMPORARY CONSTRUCTION ESMT. - 0.133 ACRES

P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
R/W - RIGHT-OF-WAY



SCALE 1"=100'



Location Map

SCALE: NOT TO SCALE



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO 2421
W.O. NO 16720.04

PHONE: (918) 665-3600
FAX: (918) 665-8868
EXP. DATE 6/30/15
FILE NO 1814.1100

DATE: 12/10/2013
SHEET 2 OF 2

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **PACCAR, INC.**, the Owner(s), of the legal and equitable title to the following described real estate situated in Tulsa County, State of Oklahoma, for and in consideration of the sum of One Dollar (\$1.00), 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 grant and convey unto the said City of Broken Arrow, County of Tulsa, State of Oklahoma, a temporary easement, through, over, and under, and across the following described property, situated in said County, to-wit:

SEE EXHIBIT "A"
EXEMPT FROM DOCUMENTARY STAMPS PURSUANT TO 68 O.S. 3202 (11)

for a period of not more than 12 months from the date of the start of construction. This grant of temporary right to use and occupy is given for the purpose of permitting the City of Broken Arrow, its employees, representatives, agents, and/or persons under contract with it, to use said described property for relocation of utilities and construction of a roadway.

That the Owner(s) agree that this temporary construction easement shall be binding upon their heirs, executors, administrators and personal representatives during the term hereof and further agree that in the event the premises covered by this temporary construction easement are sold, assigned or conveyed, that the purchaser or grantee thereof will be advised of the existence of this temporary grant and that said sale during said term shall be made subject to the rights herein given.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 14 day of March 2017.

PACCAR, INC.

R. B. Reifsnyder
R. B. Reifsnyder,
Executive Director Property and
Environment

State of WA)
County of Ky) §

Before me, the undersigned, a Notary Public within and for said County and State, on this 14th day of March 2017, personally appeared **R. B. Reifsnyder** 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.

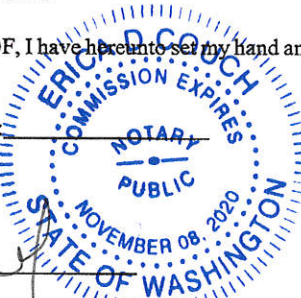
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My Commission expires: _____

Approved as to Form: _____

Asst. City Attorney

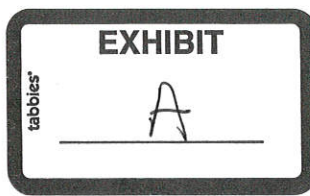
Engineer: UDH checked: 04/18/17
Project: 9TH Street Widen Elgin to El Paso-ST1210-Parcel #23, 23.1



[Signature]
Notary Public

Approved as to Substance: _____

City Manager



PARCEL 23.1
OWNER: PACCAR, INC.
PERPETUAL UTILITY EASEMENT & TEMPORARY
CONSTRUCTION EASEMENT LEGAL DESCRIPTION

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DATE

SISEMORE WEISZ & ASSOCIATES, INC.

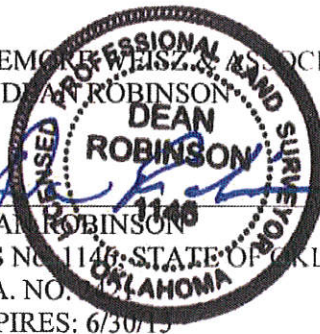
BY DEAN ROBINSON

DEAN ROBINSON

PLS NO. 1146, STATE OF OKLAHOMA

C. A. NO. 1146, OKLAHOMA

EXPIRES: 6/30/15



Parcel 23.1

Parcel Map Check Report

Date: 12/18/2013 4:10:23 PM

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Segment# 1: Line

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Length: 12.000'

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Length: 480.999'

North: 389,853.6704'

East: 2,624,780.7841'

Perimeter: 985.999'

Area: 5,771.99Sq.Ft.

Error Closure: 0.0000

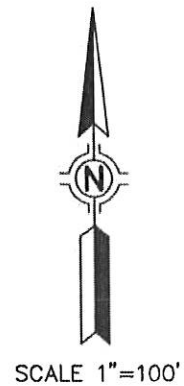
Course: N0° 00' 00"E

Error North : 0.00000

East: 0.00000

Precision 1: 985,998,000.000

K:\16720.04\PARCEL MAPS\PARCEL-23-1.DWG



PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 8/30/15
FILE NO 1814.1100