

EASEMENT FOR ACCESS TO PROPERTY

FOR AN IN CONSIDERATION of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Kenneth E. Lovelace ("Grantor") hereby grants and conveys to City of Broken Arrow, Oklahoma, a municipal corporation, ("Grantee"), its successors and assigns, a perpetual, non-exclusive right of way and easement ("Easement") in, under, upon, about, over and through the property described on the attached Exhibit "A", hereto and incorporated herein by reference ("Property").

SEE EXHIBIT "A"

- 1. Grant. The easement granted hereby shall be for ingress and egress to, from, upon and over the Property described to provide access to other property owned by Grantee.
2. Grantor agrees not to build or construct any building or buildings upon the Mutual Access area. However, Grantor expressly reserves the right to build and construct sidewalks, streets or driveways across said premises herein described.
3. Termination. This Easement shall be terminated at any time by an instrument executed for such purpose and signed by both parties.
4. Amendment. This Easement shall be amended only by a written and recorded instrument signed by both parties or the then current owner of the Property and the Easement.
5. This Easement shall be binding upon and inure to the benefit of the parties successors and assigns, heirs, beneficiaries and personal representatives.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 1 day of May, 2018.

GRANTOR

GRANTEE

[Signature of Kenneth E. Lovelace]
Kenneth E. Lovelace

[Signature of Craig Thurmond]
Craig Thurmond, Mayor

State of Oklahoma )
) §
County of Tulsa )

Before me, the undersigned, a Notary Public within and for said County and State, on this 1 day of May, 2018, personally appeared Kenneth E. Lovelace and Craig Thurmond, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the 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.



KAREN L. PAX
Notary Public
Wagoner County
State of Oklahoma
Commission # 01003514
Expires: April 11, 2021

[Signature of Karen L. Pax]
Notary Public

Approved as to Form:

Approved as to Substance:

[Signature of Lesli Myers]
Assistant City Attorney

City Manager

Attest:

Engineer: [Signature] checked: [Signature]

City Clerk

EXHIBIT A

Parcel No. 3.3  
Kenneth E. Lovelace

Date Written: December 1, 2017

RIGHT OF ACCESS 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 Northeast corner of said NW1/4, thence S01°24'32"E along the East line thereof 50.00 feet to the South right-of-way line of East 71st Street South; thence S88°40'25"W along said South right-of-way line 53.43 feet to the point of beginning; S10°51'47"E 36.01 feet; thence S85°19'08"W 43.61 feet; thence N36°16'59"W 22.04 feet; thence N01°00'54"W 20.00 feet to said South right-of-way line; thence N88°40'25"E along said South right-of-way line 50.09 feet to the point of beginning.

Containing 1,860.95 square feet or 0.04 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 Right of Access 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.

12/1/17  
Date

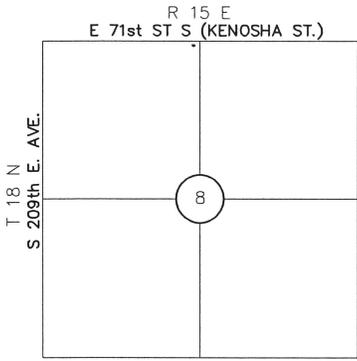


[Signature]  
Charles W. Chastain, P.L.S. 1352

# EXHIBIT A

JOB NUMBER:  
 PARCEL NO. 3.3  
 COUNTY: WAGONER

LEGAL DESCRIPTION OF RECORD:  
 PART OF NW1/4  
 SECTION 8, T18N, R15E  
 RIGHT OF ACCESS EASEMENT – 1,860.95 S.F.



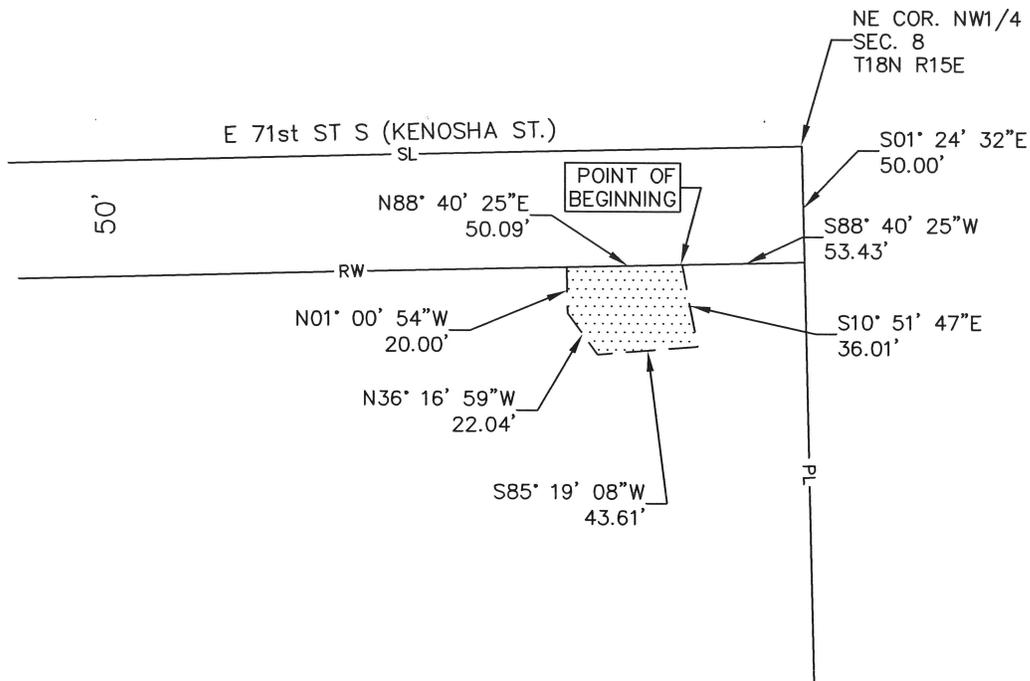
**LEGEND**

- RIGHT OF ACCESS EASEMENT
- TEMP. CONSTRUCTION EASEMENT

---' RECORDED DISTANCES

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

CHARLES CHASTAIN, OK. L.S. #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:	KENNETH E. LOVELACE		
DATE:	DECEMBER 1, 2017	REVISION:	