

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

MARTHA A. HELM, DEBORAH A. (HELM) CASKEY AND LINDA G (HELM) DYSERT, AS TRUSTEES,  
That the undersigned, whether jointly or severally, of THE MARTHA A. HELM TRUST 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:

THE WEST 17.50 FEET OF THE EAST 77.50 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE/4 NE/4 NE/4 SE/4) AND THE WEST 17.50 FEET OF THE EAST 77.50 FEET OF THE NORTH 60.00 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 NE/4 SE/4) OF SECTION EIGHT (8), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF. See also exhibit "A"  
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 20 day of August 2018.

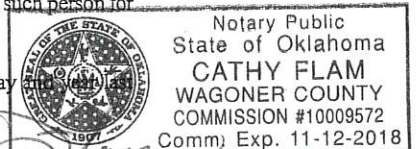
Deborah A Caskey

State of Oklahoma )  
County of Wagoner ) ss.

Before me, the undersigned, a Notary Public within and for said County and State, on this 20th day of Aug 2018, personally appeared Deborah A Caskey 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 date above written.

My Commission expires: 11-12-2018



Cathy Flam  
Notary Public

Approved as to Form:

[Signature]  
Asst. City Attorney

Approved as to Substance:

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

Engineer: \_\_\_\_\_ checked: \_\_\_\_\_  
Project: \_\_\_\_\_