TITLE OPINION EASEMENTS AND RIGHTS-OF-WAY

1. EASEMENTS, SETBACK LINES, AND RESTRICTIONS OF SPECIAL WARRANTY DEED IN FAVOR OF WAGONER COUNTY, OKLAHOMA, DATED JANUARY 27, 1942, FILED FEBRUARY 3, 1942 AND RECORDED IN BOOK 232, PAGE 32 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

2. EASEMENTS, SETBACK LINES, AND RESTRICTIONS OF ORDER TO ENLARGE THE PURPOSES AND POWERS OF RURAL WATER DISTRICT NO. 4 IN WAGONER COUNTY, OKLAHOMA, DATED NOVEMBER 7, 1984, FILED NOVEMBER 7, 1984 AND RECORDED IN BOOK 662, PAGE 539 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: SUBJECT PROPERTY IS MADE PART OF THE ORDER TO ENLARGE BY VIRTUE OF BEING INCLUDED WITHIN THE LANDS DESCRIBED THEREIN.)

3. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY DEED IN FAVOR OF MISSOURI, KANSAS & OKLAHOMA RAILROAD COMPANY, DATED AUGUST 11, 1902, FILED SEPTEMBER 8, 1919 AND RECORDED IN BOOK 135, PAGE 298 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 100.00 FOOT WIDE STRIP FOR RIGHT OF WAY DEED DOES NOT AFFECT SUBJECT PROPERTY. A PORTION OF THE SOUTHERLY LINE FOR RIGHT OF WAY DEED IS THE COMMON BOUNDARY TO A NORTHERLY LINE OF SUBJECT PROPERTY. SHOWN FOR INFORMATIONAL PURPOSES.)

4. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY DEED IN FAVOR OF MISSOURI, KANSAS AND OKLAHOMA RAILROAD COMPANY, DATED OCTOBER 30, 1902, FILED SEPTEMBER 8, 1919 AND RECORDED IN BOOK 135, PAGE 299 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 25.00 FOOT WIDE STRIP FOR RIGHT OF WAY DEED DOES NOT AFFECT SUBJECT PROPERTY. A PORTION OF THE SOUTHERLY LINE FOR RIGHT OF WAY DEED IS THE COMMON BOUNDARY TO A NORTHERLY LINE OF SUBJECT PROPERTY. SHOWN FOR INFORMATIONAL PURPOSES.)

5. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY EASEMENT IN FAVOR OF RURAL WATER DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA, DATED MARCH 22, 1967, FILED MAY 18, 1967 AND RECORDED IN BOOK 358, PAGE 208 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: EASEMENT NOT TO EXCEED 10.00 FEET IN WIDTH ACROSS THE SE/4 OF NW/4 AND "SHALL BE PARALLEL TO EXISTING ROAD EASEMENTS AND THE CENTERLINE SHALL NOT EXCEED --- FEET FROM THE CENTER OF THE ROAD". WE DOT KNOW OF ANY ROAD EASEMENTS COVERING THE SE/4 OF NW/4 AT THE TIME OF THIS INSTRUMENTS FILING. WATER FACILITIES, AS PROVIDED BY THE CITY OF BROKEN ARROW, SHOW NO WATERLINE IN THE SE/4 OF NW/4. NOTHING CAN BE PLOTTED.)

6. TERMS, CONDITIONS AND PROVISIONS OF ORDER IN FAVOR OF M.K. & T. RAILROAD COMPANY, DATED MAY 18, 1905, FILED JANUARY 17, 1912 AND RECORDED IN BOOK 89, PAGE 267 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: REFEREES APPOINTED TO DETERMINE AND APPRAISE COMPENSATION FOR LAND PROPERTY THAT IS SHOWN HEREON FOR RAILROAD.)

7. TERMS, CONDITIONS AND PROVISIONS OF DEDICATION DEED FOR RIGHT OF WAY IN FAVOR OF STATE OF OKLAHOMA, DATED OCTOBER 14, 1950, FILED NOVEMBER 24, 1950 AND RECORDED IN BOOK 256, PAGE 124 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

8. TERMS, CONDITIONS AND PROVISIONS OF RIGHT-OF-WAY EASEMENT IN FAVOR OF RURAL WATER DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA, DATED AUGUST 18, 1976, FILED SEPTEMBER 13, 1976 AND RECORDED IN BOOK 470, PAGE 22 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

9. TERMS, CONDITIONS AND PROVISIONS OF SEWER LINE EASEMENT CORPORATE IN FAVOR OF THE CITY OF BROKEN ARROW, DATED APRIL 28, 1997, FILED MAY 21, 1997 AND RECORDED IN BOOK 953, PAGE 484 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 20.00 FEET WIDE AND AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.)

10. TERMS, CONDITIONS AND PROVISIONS OF RIGHT-OF-WAY EASEMENT IN FAVOR OF RURAL WATER AND SEWER DISTRICT NO. 4, WAGONER COUNTY, DATED DECEMBER 25, 2005, FILED FEBRUARY 6, 2006 AS DOCUMENT NO. 2006-1740 AND RECORDED IN BOOK 1557, PAGE 547 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY. SHOWN HEREON FOR INFORMATIONAL PURPOSES.)

11. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, STYLED CONNIE L. WEATHERS, RALPH COMPTON, AND JAN L. HUNTER-HARDEN, ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED, PLAINTIFFS, VS. SPRINT COMMUNICATIONS COMPANY L.P., QWEST COMMUNICATIONS COMPANY, LLC, AND LEVEL 3 COMMUNICATIONS, LLC, DEFENDANTS, IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA, CASE NO. CIV-11-1475-W, DATED NOVEMBER 28, 2012, FILED NOVEMBER 28, 2012. (SURVEYORS NOTE: THERE ARE NO MATHEMATICAL DESCRIPTIONS FOR "EASEMENT" FOR "TELECOMMUNICATIONS CABLE SYSTEM" AS COLLECTIVELY DEFINED THEREIN AND LIMITED TO "TEN (10) FEET ON EACH SIDE OF THE GRANTEE'S TELECOMMUNICATIONS CABLE SYSTEM ...AS IT EXISTED ON MARCH 22, 2012" AND THE TERMS, CONDITIONS AND PROVISIONS THEREIN. THE EXHIBIT PROVIDED, FOR AFFECTED LANDOWNERS (OUTSIDE OF RAILROAD, ETC.), MAKES REFERENCE TO GERALD M. BROTHER (FEE OWNER OF A PORTION OF SUBJECT PROPERTY) AND SITUATED IN SECTION 20, T-18-N, R-15-E, WAGONER COUNTY. WE MAKE NOTE OF SEVERAL FIBER OPTIC ROUTE MARKERS ALONG THE NORTH SIDE OF SUBJECT PROPERTY. IT CANNOT BE ENTIRELY CONSTRUED THAT FACILITIES EXIST THERE TODAY AND THEREFORE NOTHING CAN BE PLOTTED. EASEMENT RIGHTS MAY EXIST OVER A PORTION OF SUBJECT PROPERTY.)

Miscellaneous Notes

A. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. CALL "OKIE" (1-800-522-6543) BEFORE DIGGING! (WE DO NOT CERTIFY TO THE EXISTENCE OR LOCATION OF UNDERGROUND UTILITIES.)

B. EXHIBIT "A" TRACT DESCRIBED HEREON AND LYING SOUTH OF EXHIBIT "B" TRACT CONTAINS 39.083 ACRES OR 1,702,458 SQUARE FEET.

EXHIBIT "A" TRACT DESCRIBED HEREON AND LYING NORTH OF EXHIBIT "B" TRACT CONTAINS 38.734 ACRES OR 1,687,270 SQUARE FEET.

EXHIBIT "B" TRACT DESCRIBED HEREON CONTAINS 2.441 ACRES OR 106,314 SQUARE FEET.

C. THE BEARING BASE FOR THIS SURVEY IS BASED ON GRID BEARINGS AND THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

D. THE PROPERTY DESCRIBED HEREON CONTAINS NO STRIPED PARKING SPACES.

E. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF SURVEY.

F. WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, CITY OF BROKEN ARROW, WAGONER COUNTY, OKLAHOMA AND INCORPORATED AREAS, MAP NO. 40145C0115J, MAP EFFECTIVE: SEPTEMBER 30, 2016, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE X WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN. (PER: https://msc.fema.gov/portal)

G. THE PROPERTY DESCRIBED HEREON HAS NO ADDRESS AT DATE OF SURVEY.

H. THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AS MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING JURISDICTION. NO EVIDENCE OF STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

I. THERE WERE NO WETLANDS MARKERS OBSERVED FOR THE SUBJECT PROPERTY.

J. ELEVATIONS SHOWN HEREON BASED ON 1988 NAVD.

K. 3/8" IRON PINS SET AT ALL CORNER UNLESS OTHERWISE NOTED.

L. ALL EASEMENTS AND RIGHTS-OF-WAY CONTAINED IN TITLE OPINION BY KIVELL, RAYMENT AND FRANCIS, P.C., DATED JANUARY 18, 2019, ARE SHOWN OR NOTED HEREON.

Legend

ACC	ACCESS	OE	OVERHEAD ELECTRIC
A/C	AIR CONDITIONER	P.O.B.	POINT OF BEGINNING
AS	AUTO SPRINKLER	P.O.C.	POINT OF COMMENCEMENT
BLDG	BUILDING	PP	POWER POLE
B/L	BUILDING SETBACK LINE	PPT	POWER POLE W/TRANSFORMER
BW	BOTTOM OF WALL	PVC	POLYVINYL CHLORIDE PIPE
CB	CHORD BEARING	RCB	REINFORCED CONCRETE BOX
CD	CHORD DISTANCE	RCP	REINFORCED CONCRETE PIPE
CF	CONCRETE FLUME	RR	RAILROAD
CGMP	CORRUGATED METAL PIPE	R/W	RIGHT-OF-WAY
CO	SEWER CLEAN-OUT	SC	SUPPORT COLUMN
CONC	CONCRETE	SD	STORM DRAIN
COT	CITY OF TULSA	SDMH	STORM DRAIN MANHOLE
CPED	CABLE TELEVISION PEDESTAL	SGDI	SINGLE GRATE DROP INLET
DESC.	DESCRIBED	SPHD	SPRINKLER HEAD
DGDI	DOUBLE GRATE DROP INLET	SS	SANITARY SEWER
DS	DOWNSPOUT	SSLH	SANITARY SEWER LAMPHOLE
EB	ELECTRIC BOX	SSMH	SANITARY SEWER MANHOLE
EM	ELECTRIC METER	TC	TOP OF CURB
EP	EDGE OF PAVEMENT	TG	TOP OF INLET GRATE
EPED	ELECTRIC PEDESTAL	TGDI	TRIPLE GRATE DROP INLET
ESMT	EASEMENT	TH	TOP OF HEADWALL
FH	FIRE HYDRANT	TP	TOP OF PAVING
F.M.	FIELD MEASURED	TPED	TELEPHONE PEDESTAL
FNC	FENCE	TR	TOP OF MANHOLE RIM
FND	FOUND	TSMH	TRAFFIC SIGNAL MANHOLE
FP	FLAGPOLE	TRSL	TRAFFIC SIGNAL LID
G	GUTTER	TW	TOP OF WALL
GL	GROUND LIGHT	TYP	TYPICAL
GM	GAS METER	UC	UNDERGROUND CABLE
GP	GUARD POST	UG	UNDERGROUND GAS LINE
GR	GAS RISER	UE	UNDERGROUND ELECTRIC
GUY	GUY DOWN	U/E	UTILITY EASEMENT
GV	GAS VALVE	UNP	UNPLATTED
HDWL	CONCRETE HEADWALL	UT	UNDERGROUND TELEPHONE
ICV	IRRIGATION CONTROL VALVE	UTMH	UTILITY MANHOLE
IP	IRON PIN	WL	WATERLINE
LNA	LIMITS OF NO ACCESS	WM	WATER METER
LP	LIGHT POLE	WMH	WATER MANHOLE
MA/E	MUTUAL ACCESS EASEMENT	WV	WATER VALVE
ML	METAL LID	WS	WATER SPIGOT
OC	OVERHEAD CABLE	XFMR	TRANSFORMER

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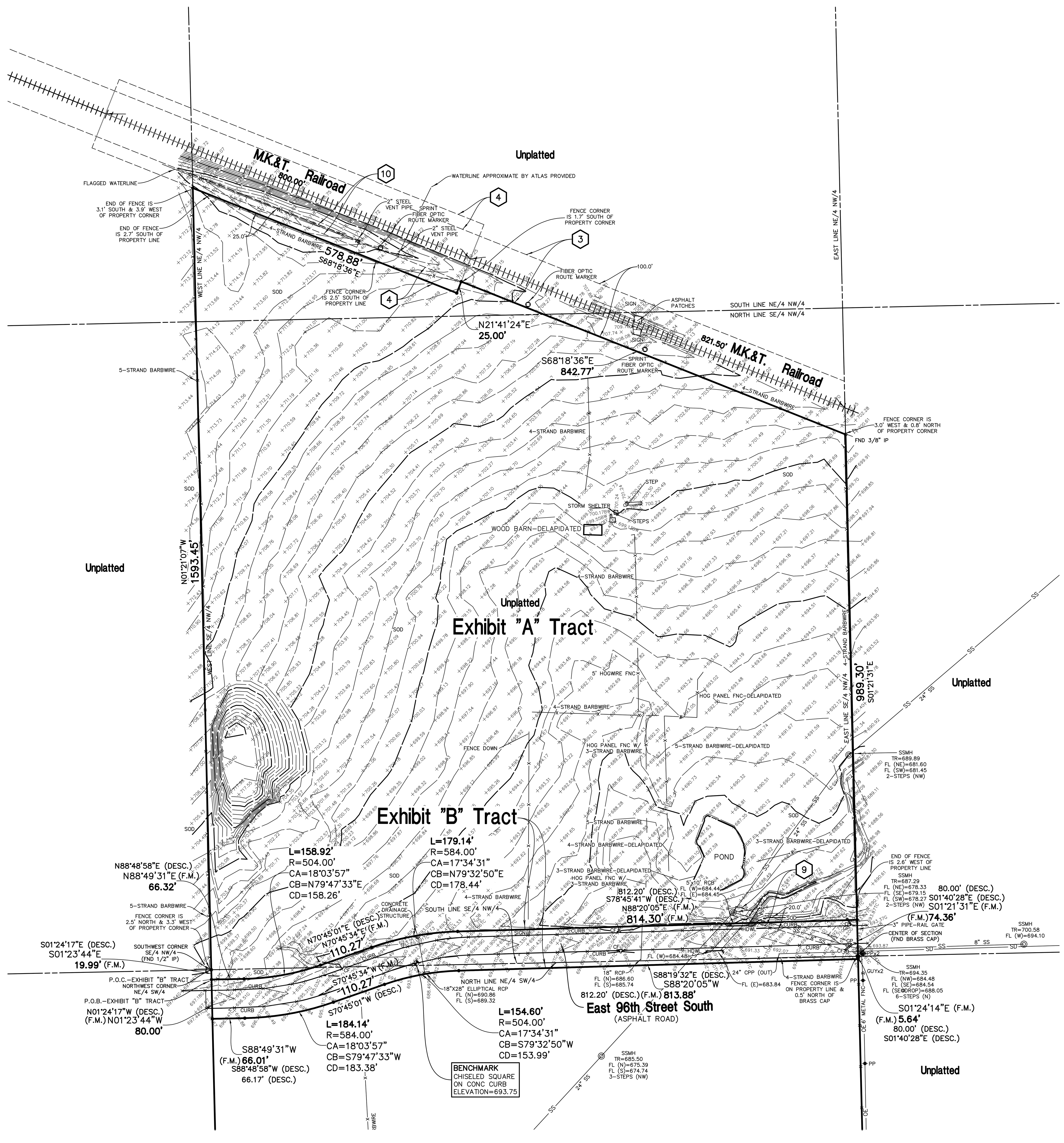


Legal Description (From Title Opinion)

FROM SUCH EXAMINATION, WE FIND THAT THE ABSOLUTE, INDEFEASIBLE FEE SIMPLE RECORD TITLE TO THE ABOVE DESCRIBED PROPERTY WAS, AT THE DATE OF THE TITLE REPORT, VESTED IN:

GERALD M. BROTHER (REMAINDER PARCEL, SHOWN AS EXHIBIT "A") AND CITY OF BROKEN ARROW, OKLAHOMA, A MUNICIPAL CORPORATION (PARCEL A, SHOWN AS EXHIBIT "B")

BY VIRTUE OF THE FOLLOWING INSTRUMENTS:

1. QUIT CLAIM DEED FROM COMMELLA J. BROTHER TO GERALD M. BROTHER, DATED MARCH 19, 2001, FILED MARCH 28, 2001 AND RECORDED IN BOOK 1131, PAGE 386 IN THE OFFICE OF THE WAGONER COUNTY CLERK, AS SHOWN ON PAGE 67 OF ABSTRACT #523500. A COPY OF SAME IS ATTACHED HERETO AND IS MARKED EXHIBIT "A".

2. GENERAL WARRANTY DEED FROM GERALD M. BROTHER TO CITY OF BROKEN ARROW, OKLAHOMA, A MUNICIPAL CORPORATION, DATED DECEMBER 3, 2012, FILED DECEMBER 13, 2012 AS DOCUMENT NO. 2012-15505 AND RECORDED IN BOOK 2056, PAGE 696 IN THE OFFICE OF THE WAGONER COUNTY CLERK, AS SHOWN ON PAGE 87 OF ABSTRACT #523500. A COPY OF SAME IS ATTACHED HERETO AND IS MARKED EXHIBIT "B".

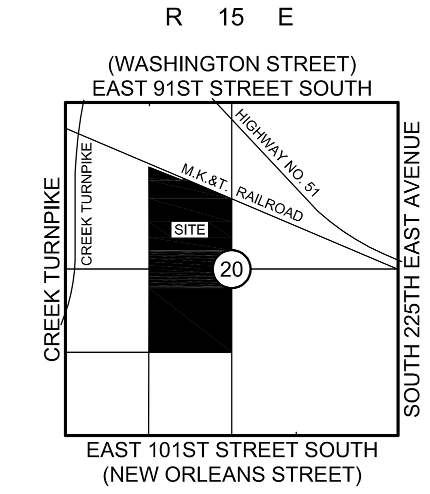
EXHIBIT A TRACT DESCRIBED AS FOLLOWS: THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4) AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) AND ALL THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4 NW/4) LYING SOUTH AND WEST OF M.K. & T. RAILROAD RIGHT-OF-WAY IN SECTION TWENTY (20), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

EXHIBIT "B" TRACT DESCRIBED AS FOLLOWS: A TRACT OF LAND THAT IS IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4) AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) AND ALL THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4 NW/4) LYING SOUTH AND WEST OF M.K. & T. RAILROAD RIGHT-OF-WAY IN SECTION TWENTY (20), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF WEST HALF OF THE SOUTHWEST QUARTER (W/2, SW/4) OF SAID SECTION TWENTY (20); THENCE S 1° 24' 17" E A DISTANCE OF 19.99 FEET TO THE POINT OF BEGINNING; THENCE N 88° 48' 58" E A DISTANCE OF 66.32 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 18° 03' 57", WITH A RADIUS OF 504.00 FEET FOR A DISTANCE OF 158.92 FEET; THENCE N 70° 45' 01" E A DISTANCE OF 110.27 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 17° 34' 31", WITH A RADIUS OF 584.00 FEET FOR A DISTANCE OF 179.14 FEET; THENCE S 78° 45' 41.00" W A DISTANCE OF 812.20 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE S 1° 40' 28" E A DISTANCE OF 80.00 FEET; THENCE S 88° 19' 32" W A DISTANCE OF 812.20 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 17° 34' 31" AND A RADIUS OF 504.00 FEET FOR A DISTANCE OF 154.60 FEET; THENCE S 70° 45' 01" W A DISTANCE OF 110.27 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 18° 03' 57" AND A RADIUS OF 584.00 FEET FOR A DISTANCE OF 184.14 FEET; THENCE S 88° 48' 58" W A DISTANCE OF 66.17 FEET; THENCE N 1° 24' 17" W A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.

Scale: 1"=100'

0 50 100 200 300



Location Map

SCALE: 1"=2000'

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OKIE811 Know what's below. Call before you dig.

REVISION	BY	DATE
REVISED CERTIFICATION	GM	2.7.19

FILE: 1815.2000	SURVEY BY: MJL
ORDER: 18246	DRAWN BY: AGM
BOOK:	CHECKED BY: SAC
DATE: 2/01/2019	SCALE: 1"=100'

ALTA/NSPS Land Title Survey with Partial Topography
of
Part of the NW/4 & Part of the SW/4
Section 20, T-18-N, R-15-E
Wagoner County, State of Oklahoma

Sisemore Weisz & Associates, Inc.
Surveying ~ Civil Engineering ~ Land Planning
6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/19
(www.sw-assoc.com)

LICENSED PROFESSIONAL LAND SURVEYOR SHAWN A. COLLINS 1768 OKLAHOMA

SHEET
1 OF 2