

MUTUAL ACCESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

FOR AND 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, **THE BOARD OF EDUCATION OF INDEPENDENT SCHOOL DISTRICT NO. 3**, (“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”

For Mutual Access, and for the purpose of permitting the construction of a paved trail for ingress and egress to, from, upon and over the described tract, to provide access to other property owned by Grantee.

The undersigned parties are hereby given and granted the mutual possession of described tract for the purposes aforesaid, and both the grantor and grantee, for them and their heirs, administrators, successors and assignees, covenant and agree that no building structure, wall or other above ground obstruction will be placed, erected, installed or permitted upon the described tract; and further covenant and agree that in the event the terms of this paragraph are violated by the grantor, the grantee, or any person in privy with them, such violation will be promptly corrected and eliminated immediately upon receipt of notice from City, grantor or grantee, their heirs, administrators, successors and assignees, and shall promptly pay the actual cost thereof.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this _____ day of _____, 2022.

THE BOARD OF EDUCATION OF
INDEPENDENT SCHOOL DISTRICT NO. 3

Michael A. Leitch

State of Oklahoma)
) §
County of Tulsa)

Before me, the undersigned, a Notary Public within and for said County and State, on this ___ day of _____, 2022, personally appeared Michael A. Leitch, to me known to be the identical

person(s) who executed the within and foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the purposes therein set forth.

CITY OF BROKEN ARROW. an Oklahoma municipality

Debra Wimpee, Mayor

State of Oklahoma)
) §
County of Tulsa)

Before me, the undersigned, a Notary Public within and for said County and State, on this ___ day of _____, 2022, personally appeared Debra Wimpee, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that she executed the same as her 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.

Notary Public

Approved as to Form:

Approved as to Substance:

Assistant City Attorney

City Manager

Attest:

Engineer: _____ checked: _____

City Clerk

Project: BA Trail, Phase I, Project No. 146020 No. 2

MUTUAL ACCESS EASEMENT
Parcel: 2.0

Exhibit A

LEGAL DESCRIPTION:

A tract of land that is a part of the Northwest Quarter of the Northeast Quarter (NW4 NE4) of Section 26, Township 18 North, Range 14 East of the Indian Meridian, Tulsa County, Oklahoma, more particularly described as follows; Point of Commencement at the Northeast Corner of Lot 43 of Block 1 of "HIDDEN SPRINGS" an addition to the City of Broken Arrow, filed as plat #3390 at the office of the Tulsa County Clerk; thence N 88°35'20" E a distance of 24.00' to the Point of Beginning; thence N 01°24'40" W a distance of 443.86' thence N 88°35'20" E a distance of 58.00' thence S 01°24'40" E a distance of 443.86' thence S 88°35'20" W a distance of 58.00' to the Point of Beginning.

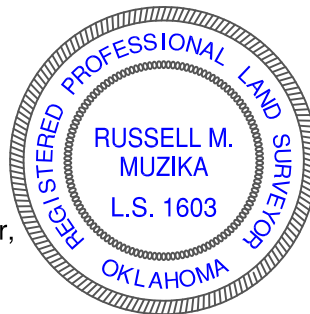
Having an area of 25,744 Square Feet or 0.5910 Acres

Bearings based on the Oklahoma State Plan Grid North

This legal description meets the minimum technical standards for legal descriptions in the State of Oklahoma.

Prepared by Russell M. Muzika, Oklahoma PLS No. 1603

Russell M. Muzika
Professional Land Surveyor,
Oklahoma No. 1603
GEODECA LLC



GEODECA LLC
P.O.Box 33012, Tulsa, Ok. 74153
918 949 4064
CA # 5524 exp 6/30/2022

MUTUAL ACCESS EASEMENT

Area: 25,744 Sq.Ft. or 0.5910 Acres

Owner: Board of Education of Independent School District No 3

Address: Unknown

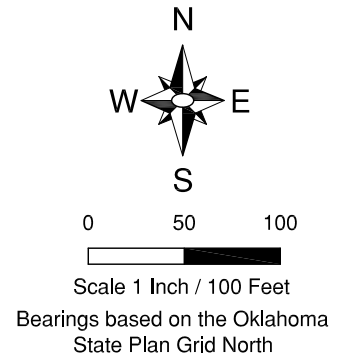
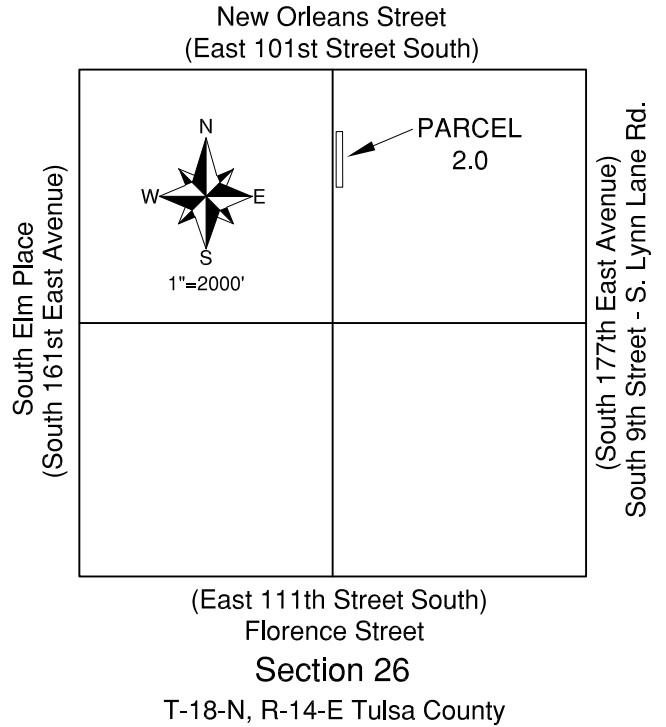
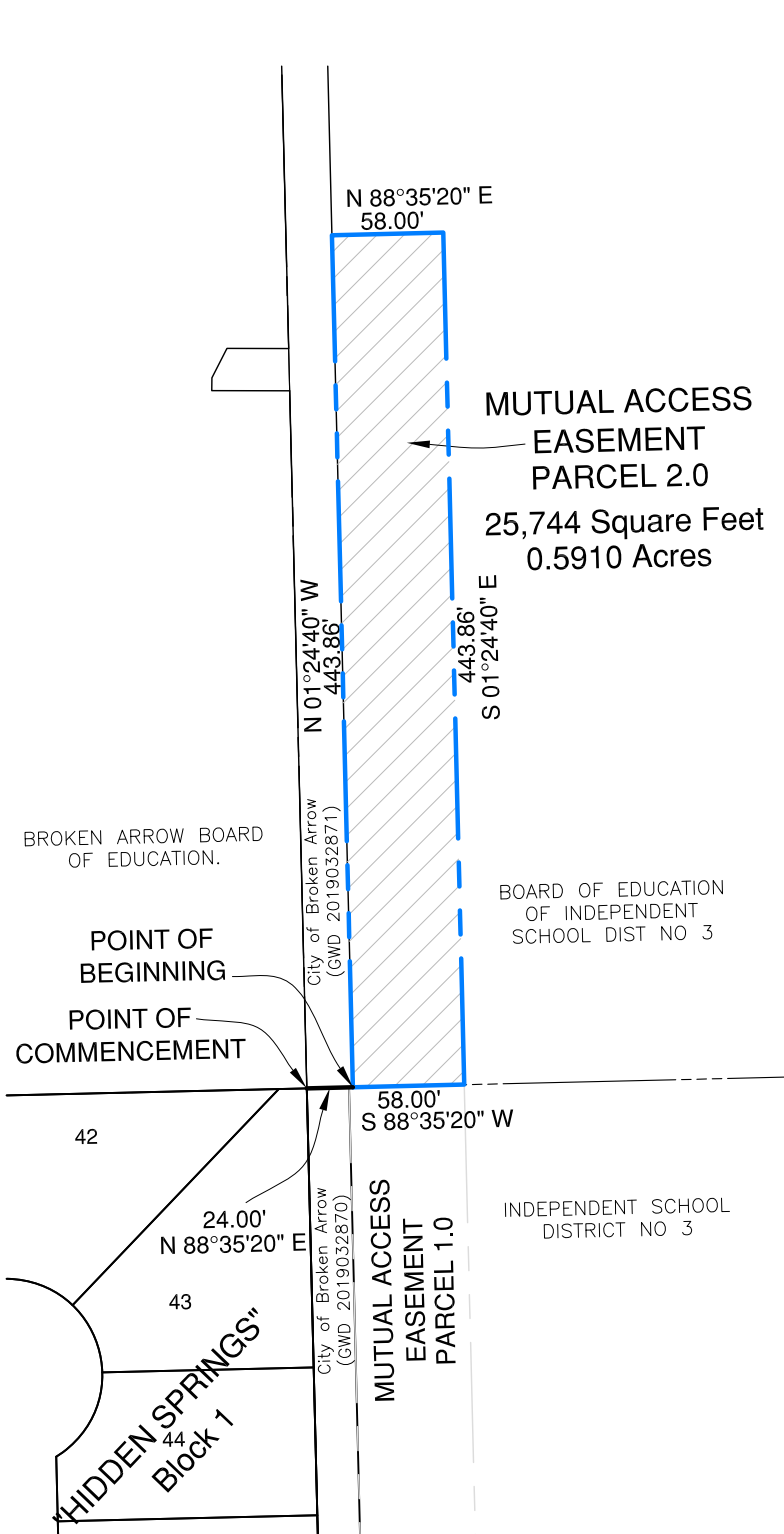
Parcel: 2.0

Revision: 1

Date: June 7th, 2022

MUTUAL ACCESS EASEMENT
Parcel: 2.0

Exhibit A



GEODECA LLC
P.O.Box 33012, Tulsa, Ok. 74153
918 949 4064
CA # 5524 exp 6/30/2022

MUTUAL ACCESS EASEMENT	Parcel: 2.0
Area: 25,744 Sq.Ft. or 0.5910 Acres	Revision: 1
Owner: Board of Education of Independent School District No 3	
Address: Unknown	Date: June 7th, 2022