

The City of Oklahoma City
Office of City Clerk
200 North Walker Ave.
Oklahoma City, Oklahoma 73102
(Drainage) Project No. PD-2023-00002

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT **WHEELER DISTRICT, LLC** its successors, and assigns (collectively "Grantor") for and in consideration of Ten Dollars and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey unto the **CITY OF OKLAHOMA CITY**, a municipal corporation, and its public trusts (collectively "Grantees") this Permanent Easement over, under, across, through and to the following described property situated in OKLAHOMA County, Oklahoma, shown on **Attachment "A"** ("Subject Property") for the use of the **Grantees** for the purpose of constructing, operating, maintaining, repairing, expanding, and replacing drainage systems and associated facilities, connections, utilities, and appurtenances thereto (collectively "Drainage Systems") and including the right of ingress and egress through Grantor's property to and from the Subject Property and all right, title and interest in and to any soil, earthen material, fixture, and appurtenances within the boundaries of the Subject Property, incidentally removed during the use of this Permanent Easement.

THIS EASEMENT IS MADE SUBJECT TO THE FOLLOWING:

1. Grantor agrees that no building or other similar structure shall be erected on, over or under the Subject Property.
2. Grantor agrees that Grantees will not maintain, repair or replace Grantor's improvements, including but not limited to fencing, landscaping, sprinklers, pools, sheds, mailboxes, driveways and parking areas whenever it becomes necessary to move or remove improvements, due to any operation, maintenance, replacement, expansion, or repair of the Drainage Systems.
3. This Permanent Easement does not create an obligation upon the Grantees to construct, operate, maintain, replace, expand or repair the Drainage Systems, or provide services or functions. Grantees only maintain Drainage Systems constructed and owned by the Grantees and Drainage Systems constructed by others and specifically conveyed to and accepted by Grantees by formal action of the governing body of the Grantees.
4. Grantees do not own the creek, river, lake, detention pond, if any, on or adjacent to the Subject Property by virtue of this Permanent Easement. Grantees do not own the drainage canal unless constructed by the Grantees. Grantees are not legally responsible nor does this Permanent Easement create an obligation upon the Grantees for changes, alterations and modifications to any part or parts of the Subject Property described herein, in the past, present or future, which may be affected in any manner by any change or changes in the course of the creek or waterway, by any accretion or erosion, or evulsion, or alluvion or combination thereof, touching or concerning any part of said Subject Property.

This Permanent Easement shall be perpetual and exclusive to Grantees and shall run in favor of the respective parties, hereto, their successors and assigns.

WHEELER DISTRICT, LLC

Dated this 9 day of OCTOBER, 2024.

By: Blair Humphreys

BLAIR HUMPHREYS, PRESIDENT & MANAGING MEMBER

STATE OF OKLAHOMA, COUNTY OF OKLAHOMA, SS.

This instrument was acknowledged before me on this 9 day of OCTOBER, 2024 by **BLAIR HUMPHREYS**, as **PRESIDENT & MANAGING MEMBER** of **WHEELER DISTRICT, LLC**.

My Commission Expires: 05/17/26
My Commission No. 22006907

[Signature]
Notary Public

ACCEPTED by The City of Oklahoma City
this ____ day of _____, 20 ____.

REVIEWED for form and legality

[Signature]
Assistant Municipal Counselor

City Clerk



ATTACHMENT "A-1"

LEGAL DESCRIPTION

Wheeler District Phase 3

September 9, 2024

Offsite 15' Drainage Easement #1

A strip of land being a part of the Southeast Quarter (SE/4) of Section Five (5), Township Eleven (11) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the southeast corner of said Southeast Quarter (SE/4);

THENCE North 00°27'24" West, along and with the east line of said Southeast Quarter (SE/4), a distance of 33.00 feet to the North 33' statutory right of way line of S.W. 15th Street extended;

THENCE South 89°51'00" West, along and with said North 33' statutory right of way, a distance of 342.50 feet to the POINT OF BEGINNING;

THENCE continuing South 89°51'00" West, along and with said North 33' statutory right of way, a distance of 15.06 feet;

THENCE North 05°13'21" West, departing said 33' North statutory right of way, a distance of 189.12 feet;

THENCE North 00°09'00" West, a distance of 341.01 feet;

THENCE North 89°52'06" East, a distance of 22.79 feet;

THENCE South 85°40'10" East, a distance of 20.29 feet;

THENCE South 04°19'50" West, a distance of 15.00 feet;

THENCE North 85°40'10" West, a distance of 19.71 feet;

THENCE South 89°52'06" West, a distance of 7.21 feet;

THENCE South 00°09'00" East, a distance of 325.34 feet;

THENCE South 05°13'21" East, a distance of 189.79 feet to the POINT OF BEGINNING.

Containing 8,364 square feet or 0.1920 acres, more or less.

ATTACHMENT "A-1"

Offsite 15' Drainage Easement #2

A strip of land being a part of the Southeast Quarter (SE/4) of Section Five (5), Township Eleven (11) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the southeast corner of said Southeast Quarter (SE/4);

THENCE North 00°27'24" West, along and with the east line of said Southeast Quarter (SE/4), a distance of 33.00 feet to the North 33' statutory right of way line of S.W. 15th Street extended;

THENCE South 89°51'00" West, along and with said North 33' statutory right of way, a distance of 861.68 feet to the POINT OF BEGINNING;

THENCE continuing South 89°51'00" West, along and with said North 33' statutory right of way, a distance 15.24 feet;

THENCE North 10°16'08" West, departing said North 33' statutory right of way, a distance of 51.13 feet;

THENCE North 10°16'15" West, a distance of 1,154.70 feet;

THENCE North 56°26'22" East, a distance of 38.10 feet;

THENCE North 10°16'15" West, a distance of 81.38 feet;

THENCE North 09°13'33" West, a distance of 34.88 feet;

THENCE North 49°40'38" East, a distance of 120.49 feet;

THENCE South 47°31'49" East, a distance of 15.12 feet;

THENCE South 49°40'38" West, a distance of 113.92 feet;

THENCE South 09°13'33" East, a distance of 26.27 feet;

THENCE South 10°16'15" East, a distance of 91.11 feet;

THENCE South 56°26'22" West, a distance of 38.10 feet;

THENCE South 10°16'15" East, a distance of 1,144.83 feet;

THENCE South 10°16'08" East, a distance of 53.81 feet to the POINT OF BEGINNING.

Containing 22,115 square feet or 0.5077 acres, more or less.

Basis of Bearing: Oklahoma State Plane Coordinate System (North Zone, NAD83) using a bearing of S 89°51'00" W along the south line of the Southeast Quarter of Section 5, T11N, R3W. All Distances are grid distances in U.S. Survey Feet.

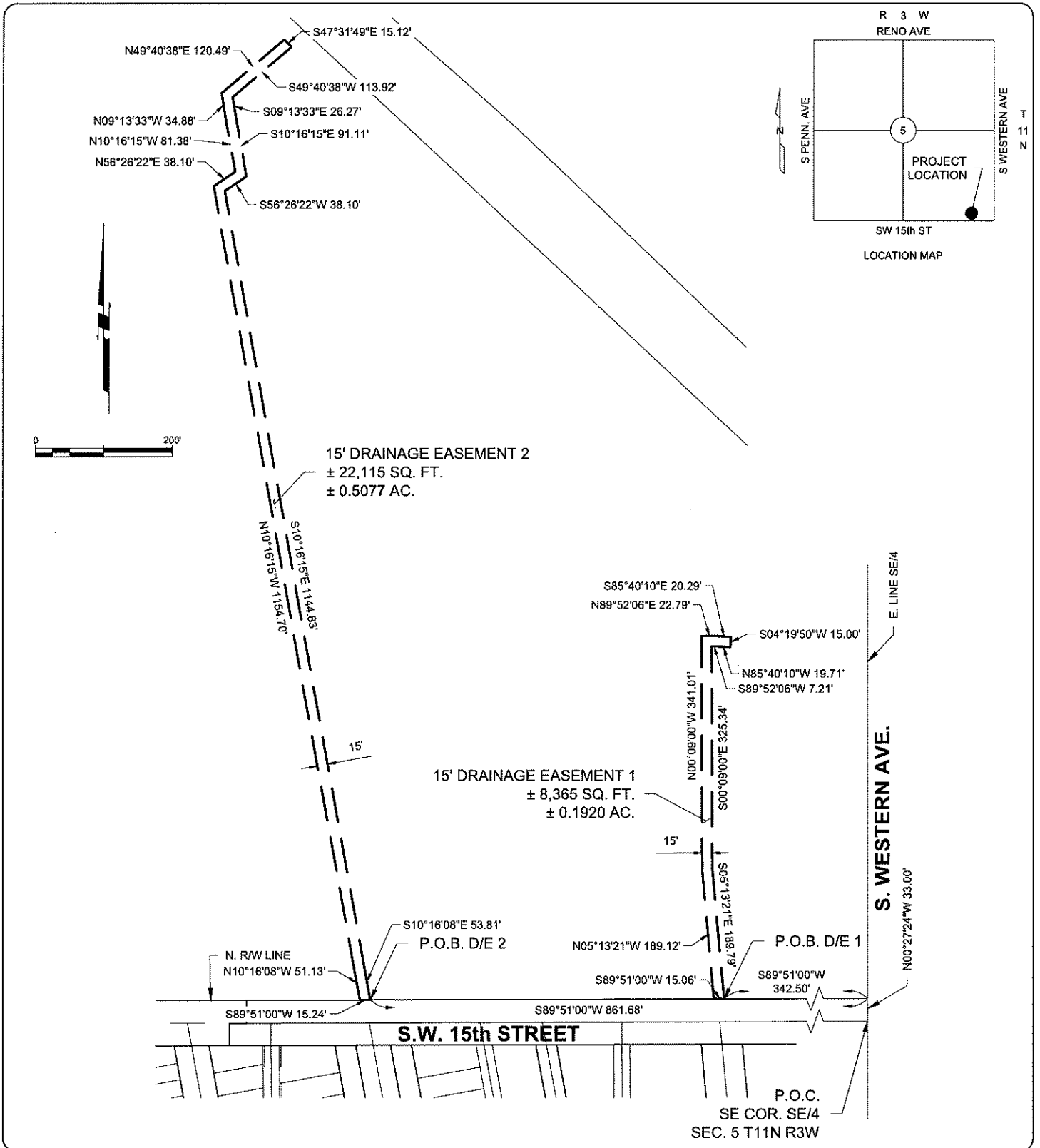
Prepared by Matthew Johnson P.L.S. 1807

Johnson & Associates

Certificate of Authorization No. 1484 (Expires 6-30-25)

S:\~ CIVIL\4000 - 4999\4731\4731004\Legal Descriptions\4731004 - 2ND Offsite UE 1 & 2 Legal Description.docx

ATTACHMENT "A-2"



ACAD FILE: H:\4731\4731004\Exhibits\4731004 - Exhibit.dwg, 10/9/2024 11:21 AM, Jesse Patten
XREFS LOADED: 4731004-FPLT.dwg 4731004-bdy provided.dwg

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Proj. No.: 4731004
Date: 8-6-2024
Scale: 1"=200'

WHEELER DISTRICT PHASE 3

S.W. 15th STREET & S. WESTERN AVENUE
OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA

OFFSITE DRAINAGE EASEMENTS



Johnson & Associates
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Certificate of Authorization #1484 Exp. Date: 06-30-2025
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