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Filed:08-17-2023 TMH

12:46:59 PM EA

Canadian County, OK 4E

Ret to:

The City of Oklahoma City  
Office of City Clerk  
200 North Walker Ave.  
Oklahoma City, Oklahoma 73102  
Project No. PC-0556, Parcel 1

PERMANENT EASEMENT  
E # 36,290

KNOW ALL MEN BY THESE PRESENTS THAT Louis William Krivanek, Jr. and Marilyn Jolene Krivanek, as Trustees of the Louis Jr. and Marilyn Krivanek Living Trust dated the 18<sup>th</sup> day of January, 2023 their heirs, 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** and **THE CITY OF MUSTANG, OK**, for City utilities, and all other public utilities regulated by the Oklahoma Corporation Commission, (collectively “Grantees”) this Permanent Easement over, under, across, through and to the following described property situated in Canadian 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 public streets and water and wastewater systems and associated facilities, connections, utilities, sidewalks, drainage, storm sewers, traffic controls, and appurtenances thereto (collectively “Streets and Utility 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, fixturc, and appurtenances within the boundaries of the Subject Property, incidentally removed during the use of this Permanent Easement.

This easement is purchased by The City of Oklahoma City for its use and subject and subordinate to the use of the City for use by other public utilities as defined above. The City of Oklahoma City has prior and superior rights over conflicting facilities and may direct relocation at the expense of the other public utilities.

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 Streets and/or Utility Systems.
3. This Permanent Easement does not create an obligation upon the Grantees to construct, operate, maintain, replace, expand or repair the Streets and/or Utility Systems, or provide services or functions. Grantees only maintain Drainage, Streets and/or Utility Systems constructed and owned by the Grantees and Drainage, Streets and/or Utility Systems constructed by others and specifically conveyed to and accepted by formal action of the governing body of the Grantees.
4. Grantees do not own the creek, river, lake, detention pond, drainage canal, if any, on or adjacent to the Subject Property and 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.
5. Grantee will backfill holes and re-sod excavated, and re-graded land disturbed by Grantee or its contractor.

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

Dated this 23<sup>rd</sup> day of May, 2023.

Louis William Krivanek Jr.  
Louis William Krivanek, Jr., Trustee

Marilyn Jolene Krivanek  
Marilyn Jolene Krivanek, Trustee

STATE OF OKLAHOMA, COUNTY OF CANADIAN, SS

This instrument was acknowledged before me on this 23<sup>rd</sup> day of May, 2023, by Louis William Krivanek, Jr. and Marilyn Jolene Krivanek, as Trustees of the Louis Jr. and Marilyn Krivanek Living Trust dated the 18<sup>th</sup> day of January, 2023.

My Commission Expires: 9-20-25  
My Commission No. 21012394

Dawn Smith  
Notary Public  
4/24

ACCEPTED by The City of Mustang

this 1<sup>st</sup> day of August, 2023.

Brian Grider  
Brian Grider, Mayor

ATTEST:

Lisa Martin  
Lisa Martin, City Clerk

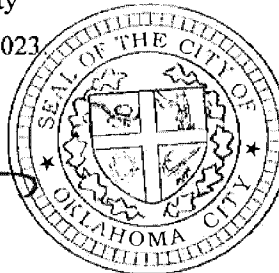
REVIEWED for form

John E. Miller  
Municipal Counselor

ACCEPTED by The City of Oklahoma City

this 15<sup>th</sup> day of August, 2023

Amy K. Simpson  
City Clerk



REVIEWED for form and legality

Patricia Mann  
Assistant Municipal Counselor

**RECORDER'S MEMORANDUM**

*At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc.*

25 NW 146<sup>th</sup> Street • Edmond, OK 73013  
(405) 848-2471 • [www.macokc.com](http://www.macokc.com)



Project No. PC-0556  
Attachment "A"  
Parcel 1

A tract of land in the Northeast (NE/4) of Section Twenty-Five (25), Township Eleven (11) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, being more particularly described as follows:

Commencing at the Northeast corner of said Northeast Quarter (NE/4)

Thence S 00°10'46" E a distance of 33.00 feet;

Thence S 89°21'01" W a distance of 33.00 feet to the Point of Beginning;

Thence S 00°10'46" E a distance of 412.96 feet;

Thence S 89°25'47" W a distance of 27.00 feet;

Thence N 00°10'46" W a distance of 363.88 feet;

Thence N 34°51'17" W a distance of 26.65 feet;

Thence S 89°21'01" W a distance of 474.75 feet;

Thence N 00°15'32" W a distance of 27.00 feet;

Thence N 89°21'01" E a distance of 516.95 feet to the Point of Beginning.

This description has an area of 24544.66 Square Feet or 0.563 Acres

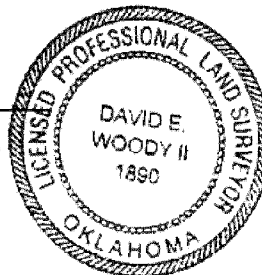
PREPARED BY:

MacArthur Associated Consultants LLC

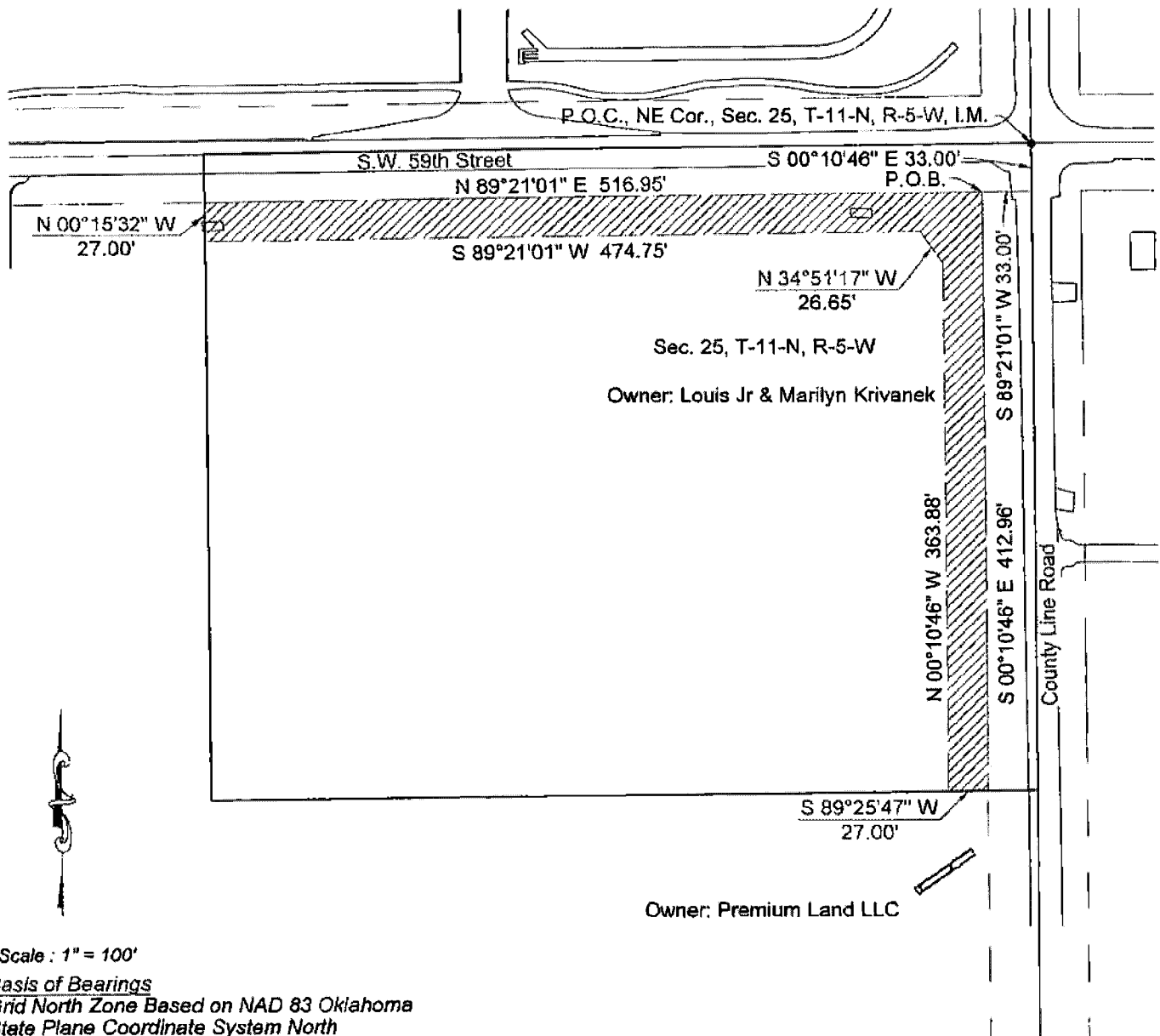
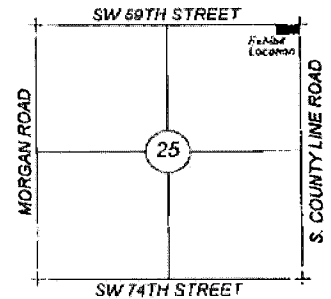
David E. Woody II, PLS 1890

09/12/2022

Date



Project No. PC-0556  
Attachment "A" Continued  
Parcel 1



Scale : 1" = 100'

Basis of Bearings

Grid North Zone Based on NAD 83 Oklahoma  
State Plane Coordinate System North

This description was prepared by:

David E. Woody II, PLS #1890  
MacArthur Associated Consultants, CA #699

*This sketch is not a boundary survey. It is intended to show the configuration of proposed easement. It should not be used to locate property lines and does not meet Minimum Standards for Property Boundary Surveys.*

PROJECT NO:	19-06
DRAWN BY:	DGB
DATE:	8/31/2022

Project No. PC-0556  
Parcel 1

**MacArthur**  
Associated Consultants  
20 N.W. 15th Street - Miami, FL 33135 - 405.244.2471  
S.O.A. No. 0008 Renewed 06-30-20

ATTACHMENT
A