



The City of Oklahoma City

Office of City Clerk
200 North Walker Ave.
Oklahoma City, Oklahoma 73102
(Drainage Streets and Utilities) Project No. DD-0925

PERMANENT EASEMENT

E 35,911
KNOW ALL MEN BY THESE PRESENTS THAT OKANA MDE, 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, described on **Attachment "A-1"** and depicted on **Attachment A-2" ("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 "Drainage, 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, 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, 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 Drainage, 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, 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.

Dated this 21 day of April, 2022 by: Dakota Cole

STATE OF OKLAHOMA, COUNTY OF Pontotoc, SS.

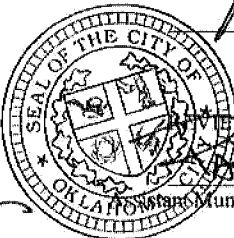
This instrument was acknowledged before me on this 21st day of April, 2022 by Dakota Cole as Manager of Okana MDE, LLC.

My Commission Expires: 7-12-2024

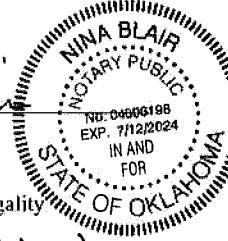
My Commission No. 04006198

ACCEPTED by The City of Oklahoma City
this 16 day of August, 2022

City Clerk



Notary Public



VIEWED for form and legality

Dakota Cole
Municipal Counselor

3/22

ATTACHMENT "A-1"

LEGAL DESCRIPTION

OKANA
Drainage & Utility Easement

April 14, 2022

A tract of land being a part of the Northeast Quarter (NE/4) of Section Two (2), Township Eleven (11) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

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

THENCE South 00°21'09" West, along and with the East line of said Northeast Quarter (NE/4), a distance of 1,800.00 feet;

THENCE North 89°38'51" West, departing said East line, a distance of 80.00 feet to a point on the West right-of-way line of Eastern Avenue, said point being the POINT OF BEGINNING;

THENCE South 00°21'09" West, along and with the West right-of-way line of Eastern Avenue, a distance of 365.00 feet;

THENCE North 89°38'51" West, departing said West line, a distance of 70.00 feet;

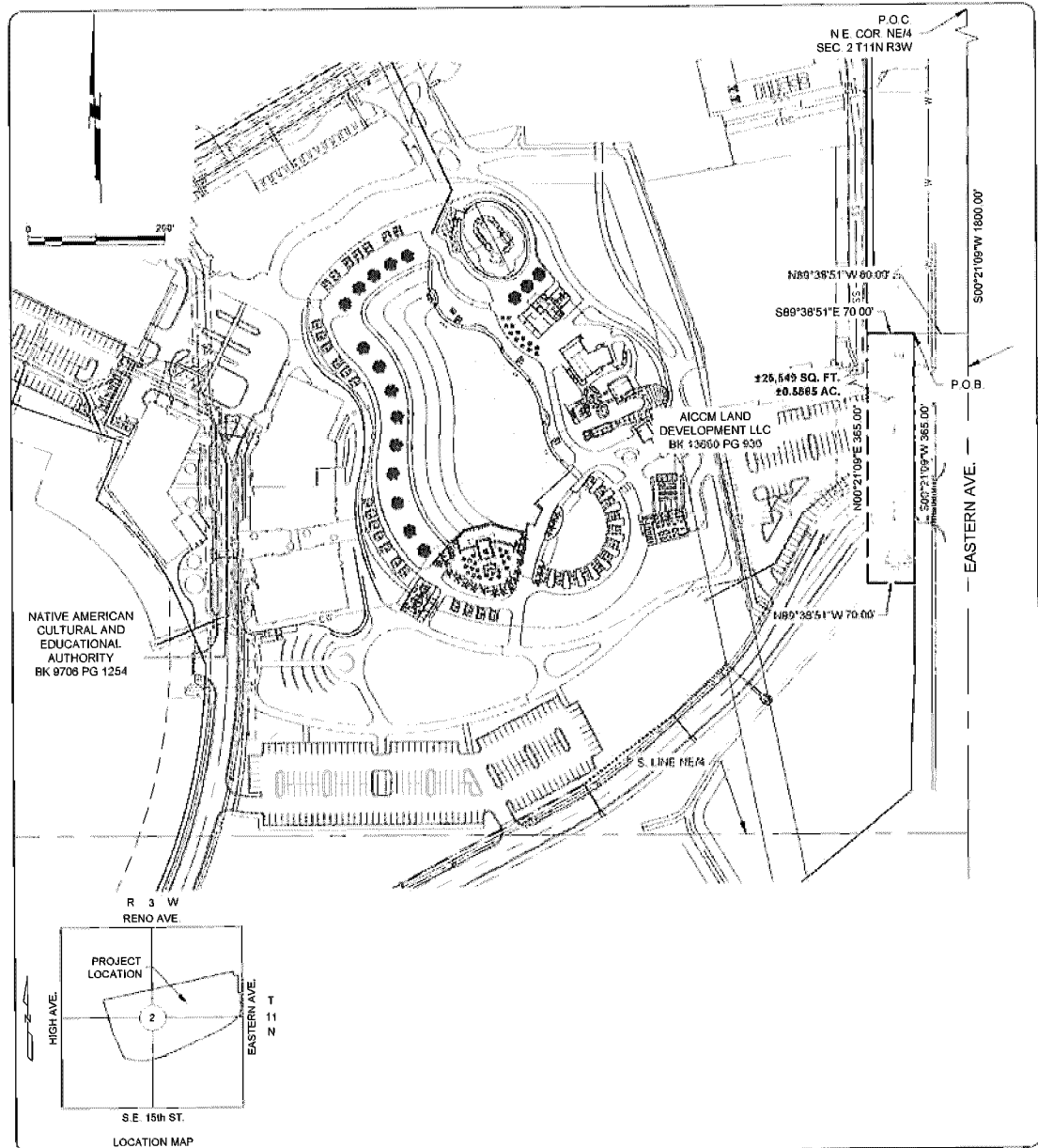
THENCE North 00°21'09" East, a distance of 365.00 feet to a point on the West right-of-way line of Eastern Avenue;

THENCE South 89°38'51" East, along and with the West right-of-way line of Eastern Avenue, a distance of 70.00 feet to the POINT OF BEGINNING.

Containing 25,549 square feet or 0.5865 acres, more or less.

Basis of Bearing: Grid North as established by state plane datum (Oklahoma State Plane North Zone NAD83)

ATTACHMENT "A-2"



ACAD FILE: H:\4427\4427003\Exhibit\4427003-Drainage & Utility Easement.dwg 4/14/2022 8:30 AM, Matt Johnson
XREFS LOADED: 4427003-bdy.dwg 4427003-BKGD.dwg ARCH PLAN.dwg

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Proj No: 4427003
Date: 4-14-22
Scale: 1"=200'

OKANA
OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA
DRAINAGE & UTILITY EASEMENT



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Certified Professional Engineer - Exp. Date 05-30-2023
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