



**The City of Oklahoma City**

Office of City Clerk  
200 North Walker Ave.  
Oklahoma City, Oklahoma 73102  
(Drainage Streets and Utilities) Project No. M4-TTE10  
Parcel No.(s): 4013.01 (16P)

**PERMANENT EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS THAT** The Park at Tuscany, LLC, a Delaware Limited Liability Company, 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 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 1st day of April, 2024.

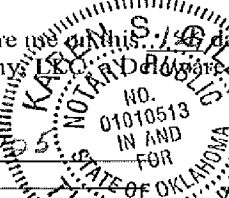
By: Matthew V. Wherry, Executive V.P. of Manager

STATE OF Oklahoma, COUNTY OF Tulsa, SS.

This instrument was acknowledged before me on this 1st day of April, 2024 by Matthew V. Wherry as Exec VP of mgr of The Park at Tuscany, LLC, a Delaware Limited Liability Company.

My Commission Expires: 7-25-2025

My Commission No. 8101P513



Notary Public

**ACCEPTED** by The City of Oklahoma City  
this 29th day of August, 2024

City Clerk: Maressa Treat

for form and legality

Assistant Municipal Counselor

Project No. M4-TTE10  
 Parcel 4013.01  
 Attachment "A"

### ATTACHMENT "A"

A TRACT OF LAND LYING IN PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION SEVEN (7), TOWNSHIP THIRTEEN (13) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, OKLAHOMA COUNTY, OKLAHOMA, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SW/4 OF SAID SECTION 7;  
 THENCE N 00°00'00" E, ALONG THE WEST LINE OF SAID SW/4 A DISTANCE OF 1655.63 FEET;  
 THENCE N 90°00'00" E A DISTANCE OF 50.00 FEET TO A POINT ON THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF NORTH MAY AVENUE;  
 THENCE S 44°49'54" E A DISTANCE OF 28.37 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NORTHWEST 140TH STREET;  
 THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. S 89°39'50" E A DISTANCE OF 168.30 FEET;
2. S 78°21'38" E A DISTANCE OF 61.19 FEET;
3. S 89°39'50" E A DISTANCE OF 597.17 FEET TO THE SOUTHWEST CORNER OF A PROPERTY DESCRIBED IN BOOK 11796 PAGE 811 AS RECORDED IN THE OKLAHOMA COUNTY PUBLIC RECORDS;

THENCE CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF NORTHWEST 140TH STREET, ALSO BEING ALONG THE SOUTH LINE OF AFOREMENTIONED PROPERTY, A DISTANCE OF 436.34 FEET TO THE POINT OF BEGINNING;

THENCE N 00°20'10" E A DISTANCE OF 8.58 FEET;  
 THENCE S 89°32'34" E A DISTANCE OF 18.69 FEET;  
 THENCE S 44°32'34" E A DISTANCE OF 11.56 FEET;  
 THENCE S 89°32'34" E A DISTANCE OF 35.18 FEET;  
 THENCE N 00°27'26" E A DISTANCE OF 6.00 FEET;  
 THENCE S 89°32'34" E A DISTANCE OF 27.00 FEET;  
 THENCE S 00°27'26" W A DISTANCE OF 6.22 FEET;  
 THENCE N 89°39'50" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF NORTHWEST 140TH STREET, ALSO BEING ALONG THE SOUTH LINE OF AFOREMENTIONED PROPERTY, A DISTANCE OF 89.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.0086 ACRES (375.67 SQ. FT.) AS DESCRIBED.

**BASIS OF BEARINGS:**

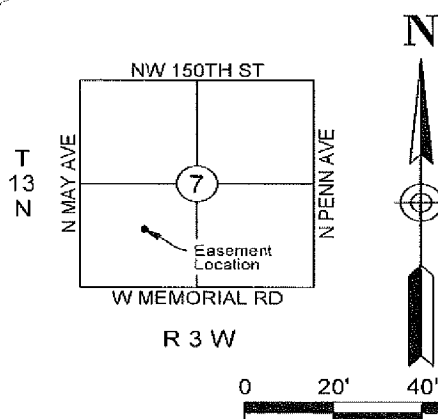
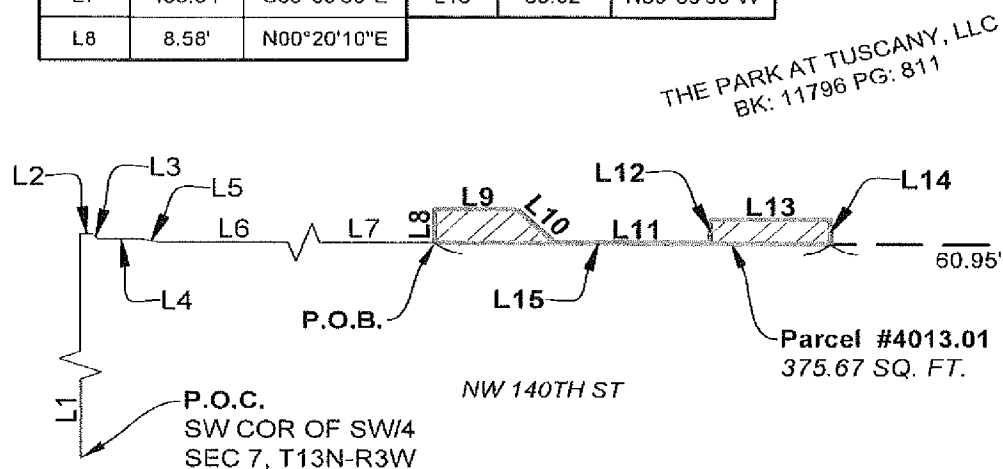
RECORD NORTH BASED ON DEEDED BEARINGS AS RECORDED IN  
 BK: 11796 PG: 811 IN THE OKLAHOMA COUNTY PUBLIC RECORDS

**THIS DESCRIPTION WAS PREPARED BY:**

SHANE D. CARROLL, PLS #1981  
 ELEVATION LAND SURVEYING, CA #8524

**ATTACHMENT "A"**

Line Table					
Line #	Length	Direction	Line #	Length	Direction
L1	1655.63'	N00°00'00"E	L9	18.69'	S89°32'34"E
L2	50.00'	N90°00'00"E	L10	11.56'	S44°32'34"E
L3	28.37'	S44°49'54"E	L11	35.18'	S89°32'34"E
L4	168.30'	S89°39'50"E	L12	6.00'	N00°27'26"E
L5	61.19'	S78°21'38"E	L13	27.00'	S89°32'34"E
L6	597.17'	S89°39'50"E	L14	6.22'	S00°27'26"W
L7	436.34'	S89°39'50"E	L15	89.02'	N89°39'50"W
L8	8.58'	N00°20'10"E			

**SURVEYOR'S CERTIFICATE**

I, SHANE D. CARROLL, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY STATE THAT THE ATTACHED EXHIBIT IS A TRUE AND ACCURATE REPRESENTATION OF THE EASEMENT DESCRIPTION, AS SHOWN HEREON, IT IS NOT A LAND OR BOUNDARY SURVEY.

SHANE D. CARROLL  
PROFESSIONAL LAND SURVEYOR #1981

**BASIS OF BEARING**  
Deduced Bearings as recorded  
in BK: 11796 PG: 811 of the  
Oklahoma County Records



ELS No. 2023.29

Drawn By: SDC

Date: 06.30.2023

ATTACHMENT "A"  
Project No. M4-TTE10  
Parcel 4013.01

ELEVATION  
LAND SURVEYING

8501 SW 15th Street  
Oklahoma City, OK 73128  
405.493.9393  
C.A. #8524 Exp. 06.30.2024