



The City of Oklahoma City
Office of City Clerk
200 North Walker Ave.
Oklahoma City, Oklahoma 73102
(Water/Wastewater) Project No. SD-2022-00107

E 436,192

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT Kingsgate Land Development, LLC, an Oklahoma 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 Attachments "A" & "B" ("Subject Property") for the use of the Grantees for the purpose of constructing, operating, maintaining, repairing, expanding, and replacing water and wastewater systems and associated facilities, connections, utilities, and appurtenances thereto (collectively "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 may construct driveways and parking areas on the Subject Property.
3. 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 Utility Systems.
4. This Permanent Easement does not create an obligation upon the Grantees to construct the Utility Systems, or provide services or functions. Once the Utility System is constructed the Grantees agree to operate, maintain, replace, expand, or repair the Utility System in accordance with Grantees' standards and policies.
5. The 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.

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

Kingsgate Land Development, LLC, an Oklahoma limited liability company

Dated this 21st day of April, 2023.

By: [Signature]

, Manager

STATE OF OKLAHOMA, COUNTY OF Cleveland, SS.

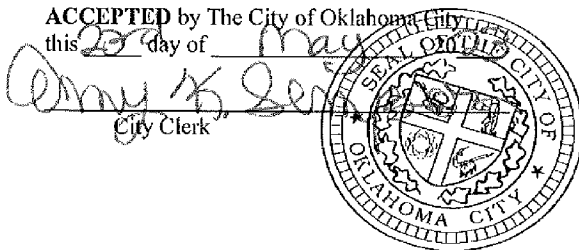
This instrument was acknowledged before me on this 21st day of April, 2023 by HOSSEIN FARZANOW as Manager of Kingsgate Land Development, LLC, an Oklahoma limited liability company.

My Commission Expires: 6/3/2025

My Commission No. 21007470

[Signature]
Notary Public

ACCEPTED by The City of Oklahoma City
this 20th day of May



REVIEWED for form and legality

[Signature]
Assistant Municipal Counselor

3/22

ATTACHMENT "A"

LEGAL DESCRIPTION

**CASTLEBERRY WEST VILLAS, SECTION 1
OFFSITE UTILITY EASEMENTS – SD-2022-00107
KINGSGATE LAND DEVELOPMENT, LLC
OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA**

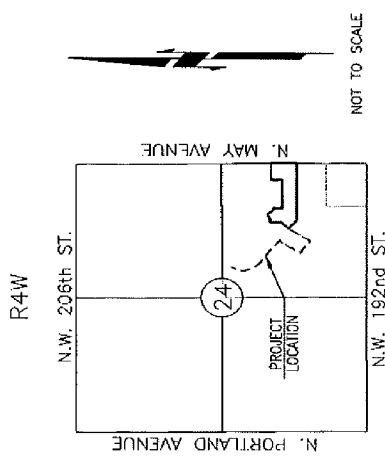
A Utility easement lying in the Southeast Quarter (S.E. $\frac{1}{4}$), of Section Twenty-Four (24), Township Fourteen North (T14N), Range Four West (R4W), of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, said easement being a utility easement of varying widths and being more particularly described as follows:

EASEMENT

COMMENCING at the Southeast corner of said S.E. $\frac{1}{4}$; THENCE North $00^{\circ}17'03''$ West along the East line of said S.E. $\frac{1}{4}$ a distance of 1276.88 feet; THENCE South $89^{\circ}42'57''$ West a distance of 1121.26 feet; THENCE North $58^{\circ}30'33''$ West a distance of 53.40 feet; THENCE North $49^{\circ}51'42''$ West a distance of 50.00 feet; THENCE North $40^{\circ}08'18''$ East a distance of 11.77 feet; THENCE North $49^{\circ}51'42''$ West a distance of 110.00 feet; to the **POINT OF BEGINNING**;

THENCE North $49^{\circ}51'42''$ West a distance of 10.00 feet; THENCE North $40^{\circ}08'18''$ East a distance of 180.47 feet; THENCE North $00^{\circ}20'09''$ West a distance of 19.81 feet; THENCE North $89^{\circ}39'51''$ East a distance of 10.00 feet; THENCE South $00^{\circ}20'09''$ East a distance of 23.49 feet; THENCE South $40^{\circ}08'18''$ West a distance of 184.16 feet to the **POINT OF BEGINNING**.

Said easement contains 0.05 acres, more or less.



ATTACHMENT "B"
CASTLEBERRY WEST VILLAGES, SECTION 1
OFFSITE UTILITY EASEMENTS
SD-2022-00107 - KINGSGATE LAND DEVELOPMENT, LLC
OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA

