

PUBLIC RIGHT-OF-WAY AND SIDEWALK EASEMENT

City of Norman

Know all men by these presents:

That The Board of Regents of the University of Oklahoma, for and in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, does hereby grant the City of Norman, a municipal corporation, a Right-of-Way Easement over, across, and through the real estate and as described in Exhibits A and B for the purpose of erecting, constructing, installing, or laying, and thereafter using, operating, inspecting, repairing, maintaining, replacing, or removing the following:

Public Right-of-Way and Sidewalk

1. Such rights granted to Grantee's hereunder include the right of ingress and egress over Grantor's adjacent lands. Grantor retains the right of ingress and egress to and from and across the property for uses of its own in a manner and place consistent with the rights granted under this easement and acceptable to Grantee, acceptance not to be withheld unreasonably.

2. Grantee shall be deemed to have abandoned this easement by (i) making an affirmative statement that it is abandoning the easement, (ii) ceasing use or maintenance of any installed facilities for a period of at least eighteen (18) months, or (iii) failing to use the premises for the above purpose(s) for a continuous twelve (12) month period. Upon abandonment (i) Grantee's rights hereunder shall extinguish and (ii) within thirty (30) days of abandonment, Grantor may request that Grantee restore the Property to its previous condition at Grantee's cost.

3. Grantee is responsible for any and all damages relating to or arising from installation of any facilities or use of the Property and shall repair any damage caused to Grantor's Property by Grantee's installation or use of the facilities.

4. Grantee will plant two (2) trees of equivalent (or mutually agreeable) size, in a mutually agreed area outside of the easement, for every one (1) existing tree removed or damaged by installation or use of the facilities.

5. Grantee, its successors and assigns shall keep, repair, and maintain the installed facilities in a proper, attractive and workmanlike manner and consistent with Grantor's adjacent properties, at Grantee's sole cost. Grantee shall notify Grantor of its intent to repair or maintain the installed facilities prior to entry, unless under emergency conditions in which case notice shall be given on the first business day thereafter.

To have and to hold the same unto the said City of Norman, its successors, and assigns.

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Signed and delivered this 12 day of October, 2020

The Board of Regents of the University of Oklahoma

By: Chris A. Purcell Vice President for University
Governance & Executive Secretary
of the Board of Regents
Title

REPRESENTATIVE ACKNOWLEDGEMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 12 day of October, 2020, personally appeared Chris A. Purcell, to me known to be the identical person(s) who executed the foregoing grant of easement and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Notary Public: Linda K. Miller

My Commission Expires: Aug 31, 2022

Commission No.: 06008619



Approved as to form and legality this _____ day of _____, 20__.

City Attorney

Approved and accepted by the Council of the City of Norman, this ____ day of _____, 20__.

Mayor

ATTEST:

City Clerk

SEAL:

EXHIBIT "A"

LEGAL DESCRIPTION

RIGHT OF WAY EASEMENT

A PARCEL OF LAND IN BLOCK 4 FORMER NAVAL AIR TECHNICAL TRAINING CENTER TO NORMAN, RECORDED IN CLEVELAND COUNTY CLERK'S PLAT BOOK 4 PAGE 47 AND ALSO LYING IN THE SOUTH HALF (S/2) OF SECTION FIVE (5) TOWNSHIP 8 NORTH (T-8-N), RANGE 2 WEST (R-2-W), OF THE INDIAN MERIDIAN (I.M.), CLEVELAND COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 4 FORMER NAVAL AIR TECHNICAL TRAINING CENTER;

THENCE S 89°44'57" W ALONG THE SOUTH LINE OF BLOCK 4 A DISTANCE OF 84.57 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING S 89°44'57" W ALONG THE SOUTH LINE OF BLOCK 4 A DISTANCE OF 571.50 FEET;

THENCE N 00°15'03" W A DISTANCE OF 15.00 FEET;

THENCE N 89°44'57" E ON A LINE PARALLEL WITH AND 15.00 FEET NORTH OF THE SOUTH LINE OF BLOCK 4 A DISTANCE OF 110.00 FEET;

THENCE N 00°15'03" W A DISTANCE OF 8.62 FEET;

THENCE N 50°57'06" E A DISTANCE OF 21.35 FEET;

THENCE N 89°44'57" E ON A LINE BEING PARALLEL WITH AND 37.00 FEET NORTH OF THE SOUTH LINE OF BLOCK 4 A DISTANCE OF 323.36 FEET;

THENCE S 00°15'03" E A DISTANCE OF 8.00 FEET; THENCE N 89°44'57" E ON A LINE BEING PARALLEL WITH AND 29.00 FEET NORTH OF THE SOUTH LINE OF BLOCK 4 A DISTANCE OF 121.50 FEET;

THENCE S 00°15'03" E A DISTANCE OF 29.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.40 ACRES (17,642.2 SQUARE FEET) MORE OR LESS.



SURVEYOR'S CERTIFICATE

I, Shane D. Carroll, Registered Professional Land Surveyor, hereby state that the attached drawing is a true and accurate representation of the easement description, as shown hereon, it is not a Land or Boundary Survey.

Shane D. Carroll, PLS No. 1981
4555 W. Memorial Rd.
Oklahoma City, OK 73142

BASIS OF BEARING

The Bearing Base for this survey is the South Line of Block 4 Former Naval Air Technical Training Center, Bearing S 89°44'57" W Oklahoma State System NAD-83/2011, Oklahoma South Zone, U.S. Feet. Legal description prepared by or under the direct supervision of Shane D. Carroll PLS# 1981.



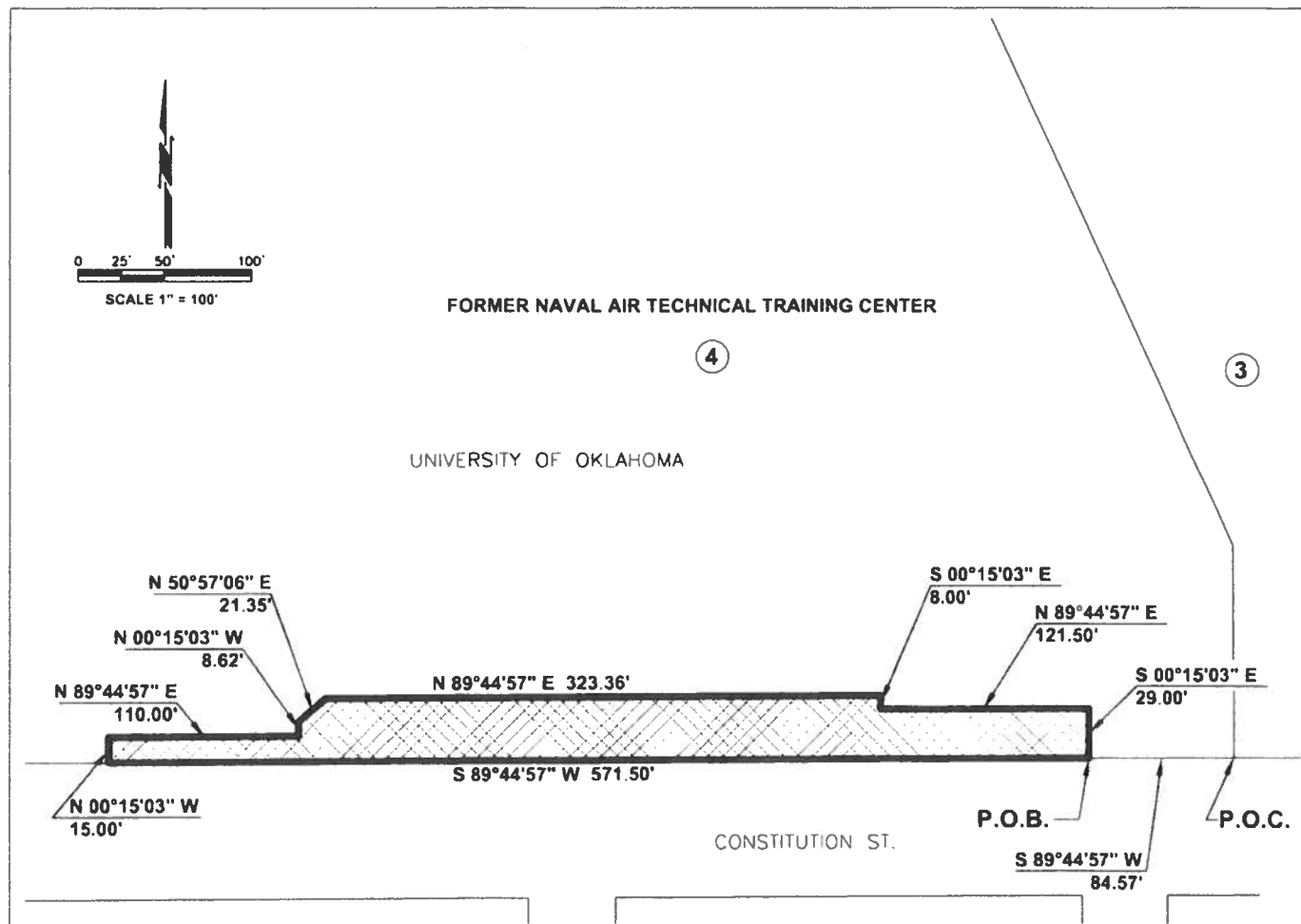
CEC

4555 W. MEMORIAL ROAD
OKLAHOMA CITY, OK 73142
(405) 753.4200
CA #32 EXP. 06-30-20

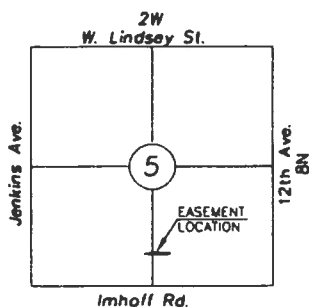
DATE: 5/06/2020
CONSTITUTION STREET
RIGHT OF WAY EASEMENT
CITY OF NORMAN

**RIGHT OF WAY
EASEMENT (PARCEL 2)**

PROJECT NO. J/P 33271(04)

EXHIBIT "B"**RIGHT OF WAY EASEMENT****BASIS OF BEARING**

The Bearing Base for this survey is the South Line of Block 4 Former Naval Air Technical Training Center Bearing S 89°44'57" W Oklahoma State System NAD-83/2011, Oklahoma South Zone, U.S. Feet.



4555 W. MEMORIAL ROAD
OKLAHOMA CITY, OK 73142
(405) 753 4200
CA #32 EXP. 06-30-20

DATE: 05/06/2020

CONSTITUTION STREET

RIGHT OF WAY EASEMENT

CITY OF NORMAN

**RIGHT OF WAY
EASEMENT (PARCEL 2)**

PROJECT NO. J/P 33271(04)