

AS

COMMISSIONERS OF THE LAND OFFICE
STATE OF OKLAHOMA
EASEMENT

Easement No. 9747
Account No. 100804

County: Cleveland

THIS EASEMENT made and entered into the 4th day of April, 2018, by and between the Commissioners of the Land Office of the State of Oklahoma, Grantor, (CLO) and **City of Norman (Grantee)** 201A W Gray St, Norman, OK 73069:

WITNESSETH: That in consideration of the sum of **thirty one thousand fifty dollars and no cents (\$31,050.00)**, the CLO by power vested in them by the Constitution and laws of the State of Oklahoma grant and convey unto the **Grantee** the right to the uninterrupted access and enjoyment of an Easement for **a communication tower and access road** only, covering land situated in **Cleveland** County, State of Oklahoma, described as follows:

NW/4 SEC 16-T8N-R1WIM

The easement described is shown on the attached PLAT and the plat is part of this Agreement. The site is for a communication tower for the City of Norman. The tower is to be used only for public use to support activities such as police, ambulance, and other similar communication. Any outside antenna on the tower such as Verizon, AT&T or other for-profit structure would require reevaluation of the site by CLO. The tower will be approximately 300 feet tall, but will have a relatively small footprint on the tract. The location size will consist of a site 80'x80' with a 20'x20' access road. The term of the easement is **20 years ending April 4, 2038.**

NOTICE: No structures other than the communication tower and access road and line markers in fence rows may be placed upon or beneath the surface of the land under the terms and conditions of this Easement. The CLO, its surface lessees, successors and assigns reserve the right to use the surface for all purposes not inconsistent with the necessary servicing of the communication tower and access road. After construction **Grantee** shall, in a timely and workmanlike manner, restore the land as near as is reasonable and possible to its condition immediately prior to construction, and according to the specifications of CLO's supervising Real Estate Management Specialist.

PROVIDED it is expressly agreed by **Grantee** that the granting of this easement does not permit **Grantee** to unreasonably interfere with the CLO, its surface lessees, successors and assigns in the exercise of its free and uninterrupted access, use and enjoyment of the premises. It is further understood by **Grantee** that unreasonable interference with the CLO's, its surface lessees', successor's and assign's free use and enjoyment of the premises shall constitute forfeiture of all of its right, title and interest in the property. Upon failure to show due cause as to why this agreement should not be cancelled for such interference, **Grantee** agrees to remove all of its property whether real, personal or both within thirty (30) days from the date of receipt of notice.

This Easement shall not be transferred in whole or in part except by operation of law while legal title to the land remains in the State without written approval of CLO and payment of transfer fee. Should **Grantee**, its successors, heirs or assigns cease to use the land for the purposes granted for a period of more than one (1) year, the same shall revert to the State of Oklahoma or its assigns, and all rights and privileges granted shall cease and terminate. It is understood and agreed that such cessation of usage of the above described premises for a period of one (1) year or more shall constitute abandonment. In consideration of the execution of this easement, **Grantee** does grant, bargain, sell and convey all of its right, title and interest in the premises to CLO, its successors and assigns, in the event of abandonment.

It is expressly understood and agreed **Grantee** shall settle with the surface lessee of the land for any damages to improvements and/or crops by reason of construction or use of the right-of-way or Easement, with the further understanding that the CLO is neither entitled to nor responsible for payment of the proceeds of such settlement. Prior to the

expiration of the easement **Grantee** may apply for a renewal of this easement for another Twenty-year term at the appraised fair market value at time of renewal.

IN WITNESS WHEREOF, the Commissioners of the Land Office of the State of Oklahoma have authorized this easement to be executed by their Secretary.


Company Representative

By _____
Harry W. Birdwell, Secretary
Commissioners of the Land Office

STATE OF OKLAHOMA)
) **ss.**
COUNTY OF _____)

ACKNOWLEDGEMENT

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for said county and state, personally appeared to me _____, known to be the person who executed the foregoing instrument as its _____ and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes set forth.

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY  DATE 4/11/18

My Commission Expires:
Commission # _____

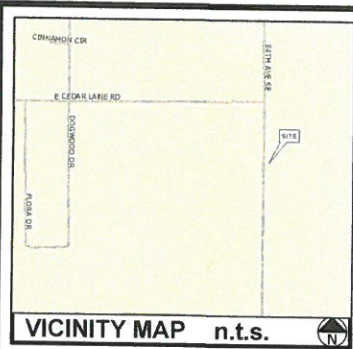
STATE OF OKLAHOMA)
) **ss.**
COUNTY OF OKLAHOMA)

ACKNOWLEDGEMENT

On this ____ day of _____, 2018, before me, the undersigned, a Notary Public in and for said county and state, personally appeared to me Harry W. Birdwell, known to be the person who executed the foregoing instrument as its Secretary and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes set forth.

My Commission Expires:
Commission #:

Easement E-1718-59

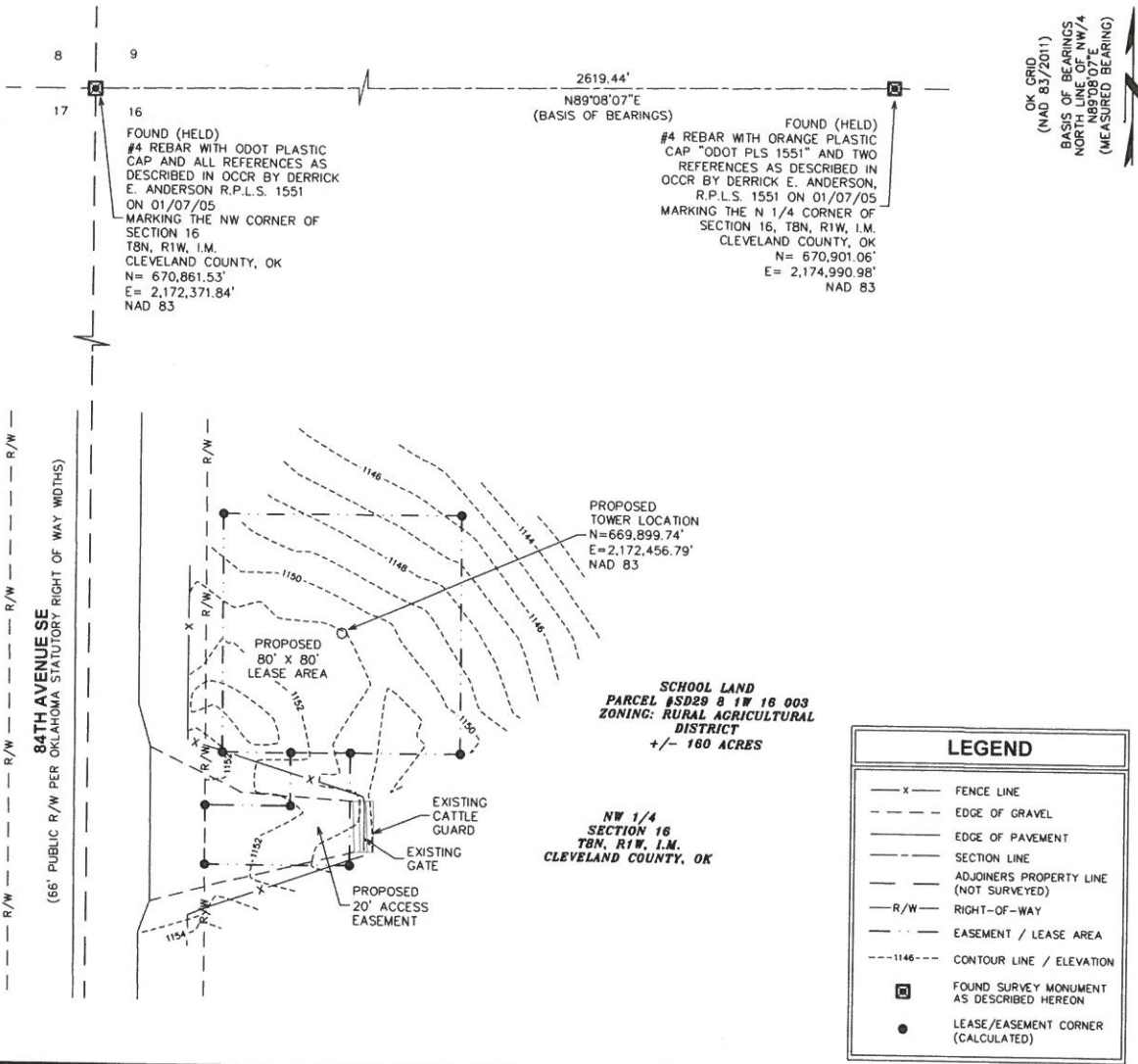


- NOTES:**
1. PLAN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
 2. PLAN DOES NOT REPRESENT AN ALTA/NSPS LAND TITLE SURVEY.
 3. BASIS OF THE BEARINGS AND COORDINATES IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NORTH AMERICAN DATUM (NAD 83/2011) BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON AUGUST 31, 2017. TIED TO THE NATIONAL SPATIAL REFERENCE SYSTEM VIA CORS STATIONS AND OPUS AND EXPRESSED IN US SURVEY FEET.
 4. VERTICAL INFORMATION BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AND EXPRESSED IN US SURVEY FEET.
 5. THIS PLAN DOES NOT REPRESENT AN ACTUAL BOUNDARY SURVEY OF THE PARENT PARCEL. PROPERTY LINES ARE DRAWN FROM FIELD LOCATIONS OF MONUMENTATION, GIS, TAX MAPS, AND INFORMATION FOUND FROM THE CLEVELAND COUNTY ASSESSOR'S OFFICE PARCEL NO. SD29 8 1W 16 003.
 6. PROPERTY LOCATED IN FLOOD ZONE "X", AREA DETERMINED TO BE OUTSIDE 0.2% CHANCE OF ANNUAL FLOOD BASED UPON FEMA COMMUNITY PANEL NO. 40027C0315H EFFECTIVE SEPTEMBER 26, 2008.
 7. LESSEE INFORMATION:
PM&A
1000 HOLCOMB WOODS PKWY, SUITE 210
ROSWELL, GA 30076
 8. PROPERTY INFORMATION:
SCHOOL LAND
NORMAN, OK 73026
(CLEVELAND COUNTY, OK)

1A CERTIFICATE	
LATITUDE:	N 035° 10' 19.81" (NAD 83)
LONGITUDE:	W 097° 19' 03.24" (NAD 83)
GROUND ELEV. (AMSL):	1,151.09± (NAVD 88)

SITE SURVEY

SCALE: 1" = 40'



OK GRID
(NAD 83/2011)
BASIS OF BEARINGS
NORTH LINE OF NW/4
(MEASURED BEARING)

PREPARED FOR:

PM&A
1000 HOLCOMB WOODS PKWY, SUITE 210
ROSWELL, GA 30076
(678) 280-2325

PROJECT INFORMATION:

JIM BLUE CREEK

NORMAN, OK 73026
(CLEVELAND COUNTY, OK)

PREPARED BY:

TOWER ENGINEERING PROFESSIONALS
500 E. 84th AVENUE, SUITE C10
THORNTON, CO 80229
(303) 566-9914
CA #7226

CERTIFICATE OF SURVEY:

THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARD FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

Andres H. Estrada
ANDRES H. ESTRADA PLS # 1928

10/05/2017
DATE OF SIGNATURE

08/31/2017
DATE OF LAST SITE VISIT

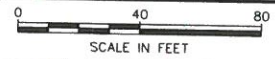


ANDRES H. ESTRADA
OKLAHOMA PLS #1928

SHEET TITLE:

SITE SURVEY

DATE: 10/05/2017	REVISION: 1
SHEET #: 1 OF 2	TEP #: 00240



I:\00240\79259-131579-1\Jim Blue Creek_Site Survey\Draw\Plot\00240 - JIM BLUE CREEK (10-5-2017).dwg

Easement E-1718-59

LEGAL DESCRIPTION OF A 80' X 80' LEASE AREA

A DESCRIPTION OF A 80 FEET BY 80 FEET LEASE AREA SITUATED IN THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 8 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA AND BEING A PORTION OF PARCEL OF LAND NO. SD29 8 1W 16 003 AS SHOWN ON PUBLIC RECORDS OF CLEVELAND COUNTY, OKLAHOMA AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND NO. 4 REBAR WITH ODOT PLASTIC CAP AS SHOWN ON OKLAHOMA CERTIFIED CORNER RECORD FILED BY DERRICK E. ANDERSON ON JANUARY 7, 2005, OFFICIAL PUBLIC RECORDS OF OKLAHOMA CITY, OKLAHOMA, MARKING THE NORTHWEST CORNER OF SAID SECTION 16, AND HAVING OKLAHOMA STATE PLANE COORDINATES, SOUTH ZONE, NAD 83, OF NORTHING= 670,861.53', AND EASTING= 2,172,371.84' FROM WHICH A FOUND NO. 4 REBAR WITH ODOT PLASTIC CAP AS SHOWN ON CERTIFIED CORNER RECORD FILED BY DERRICK E. ANDERSON ON JANUARY 7, 2005, OFFICIAL PUBLIC RECORDS OF OKLAHOMA CITY, OKLAHOMA, MARKING THE NORTH 1/4 CORNER OF SAID SECTION 16, BEARS N89°08'07"E, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 2,619.44 FEET;

THENCE THROUGH SAID PARCEL OF LAND, S07°42'32"E, A DISTANCE OF 929.99 FEET TO A CALCULATED POINT AND THE POINT OF BEGINNING, HAVING OKLAHOMA STATE PLANE COORDINATES, SOUTH ZONE, NAD 83, OF NORTHING= 669,939.94', AND EASTING= 2,172,496.59';

THENCE CONTINUING THROUGH SAID PARCEL OF LAND, S00°17'21"E, A DISTANCE OF 80.00 FEET TO A CALCULATED POINT;
 THENCE S89°42'39"W, A DISTANCE OF 80.00 FEET TO A CALCULATED POINT;
 THENCE N00°17'21"W, A DISTANCE OF 80.00 FEET TO A CALCULATED POINT;
 THENCE N89°42'39"E, A DISTANCE OF 80.00 FEET TO SAID POINT OF BEGINNING.

CONTAINING AN AREA OF 6,400 SQUARE FEET OR 0.147 ACRES, MORE OR LESS.

LEGAL DESCRIPTION OF A 20' ACCESS EASEMENT

A DESCRIPTION OF A 20 FOOT ACCESS EASEMENT SITUATED IN THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 8 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA AND BEING A PORTION OF PARCEL OF LAND NO. SD29 8 1W 16 003 AS SHOWN ON PUBLIC RECORDS OF CLEVELAND COUNTY, OKLAHOMA AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND NO. 4 REBAR WITH ODOT PLASTIC CAP AS SHOWN ON OKLAHOMA CERTIFIED CORNER RECORD FILED BY DERRICK E. ANDERSON ON JANUARY 7, 2005, OFFICIAL PUBLIC RECORDS OF OKLAHOMA CITY, OKLAHOMA, MARKING THE NORTHWEST CORNER OF SAID SECTION 16, AND HAVING OKLAHOMA STATE PLANE COORDINATES, SOUTH ZONE, NAD 83, OF NORTHING= 670,861.53', AND EASTING= 2,172,371.84' FROM WHICH A FOUND NO. 4 REBAR WITH ODOT PLASTIC CAP AS SHOWN ON CERTIFIED CORNER RECORD FILED BY DERRICK E. ANDERSON ON JANUARY 7, 2005, OFFICIAL PUBLIC RECORDS OF OKLAHOMA CITY, OKLAHOMA, MARKING THE NORTH 1/4 CORNER OF SAID SECTION 16, BEARS N89°08'07"E, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 2,619.44 FEET;

THENCE THROUGH SAID PARCEL OF LAND, S02°13'19"E, A DISTANCE OF 1,020.58 FEET TO A CALCULATED POINT ON THE EASTERLY RIGHT OF WAY LINE OF 84TH AVENUE SE AND THE POINT OF BEGINNING, HAVING OKLAHOMA STATE PLANE COORDINATES, SOUTH ZONE, NAD 83, OF NORTHING= 669,841.71', AND EASTING= 2,172,411.41';

THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, CONTINUING THROUGH SAID PARCEL OF LAND, N89°42'39"E, A DISTANCE OF 28.74 FEET TO A CALCULATED POINT;
 THENCE N00°17'21"W, A DISTANCE OF 17.80 FEET TO A CALCULATED POINT;
 THENCE N89°42'39"E, A DISTANCE OF 20.00 FEET TO A CALCULATED POINT;
 THENCE S00°17'21"E, A DISTANCE OF 37.80 FEET TO A CALCULATED POINT;
 THENCE S89°42'39"W, A DISTANCE OF 48.74 FEET TO A CALCULATED POINT ON SAID EASTERLY RIGHT OF WAY LINE;
 THENCE N00°17'21"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 20.00 FEET TO SAID POINT OF BEGINNING.

CONTAINING AN AREA OF 1,331 SQUARE FEET OR 0.031 ACRES, MORE OR LESS.

LEGAL DESCRIPTIONS

SCALE: 1" = 40'

FOUND (HELD)
 #4 REBAR WITH ODOT PLASTIC CAP AND ALL REFERENCES AS DESCRIBED IN OCCR BY DERRICK E. ANDERSON R.P.L.S. 1551 ON 01/07/05 MARKING THE NW CORNER OF SECTION 16, T8N, R1W, I.M. CLEVELAND COUNTY, OK
 N= 670,861.53'
 E= 2,172,371.84'
 NAD 83

FOUND (HELD)
 #4 REBAR WITH ORANGE PLASTIC CAP "ODOT PLS 1551" AND TWO REFERENCES AS DESCRIBED IN OCCR BY DERRICK E. ANDERSON, R.P.L.S. 1551 ON 01/07/05 MARKING THE N 1/4 CORNER OF SECTION 16, T8N, R1W, I.M. CLEVELAND COUNTY, OK
 N= 670,901.06'
 E= 2,174,990.98'
 NAD 83

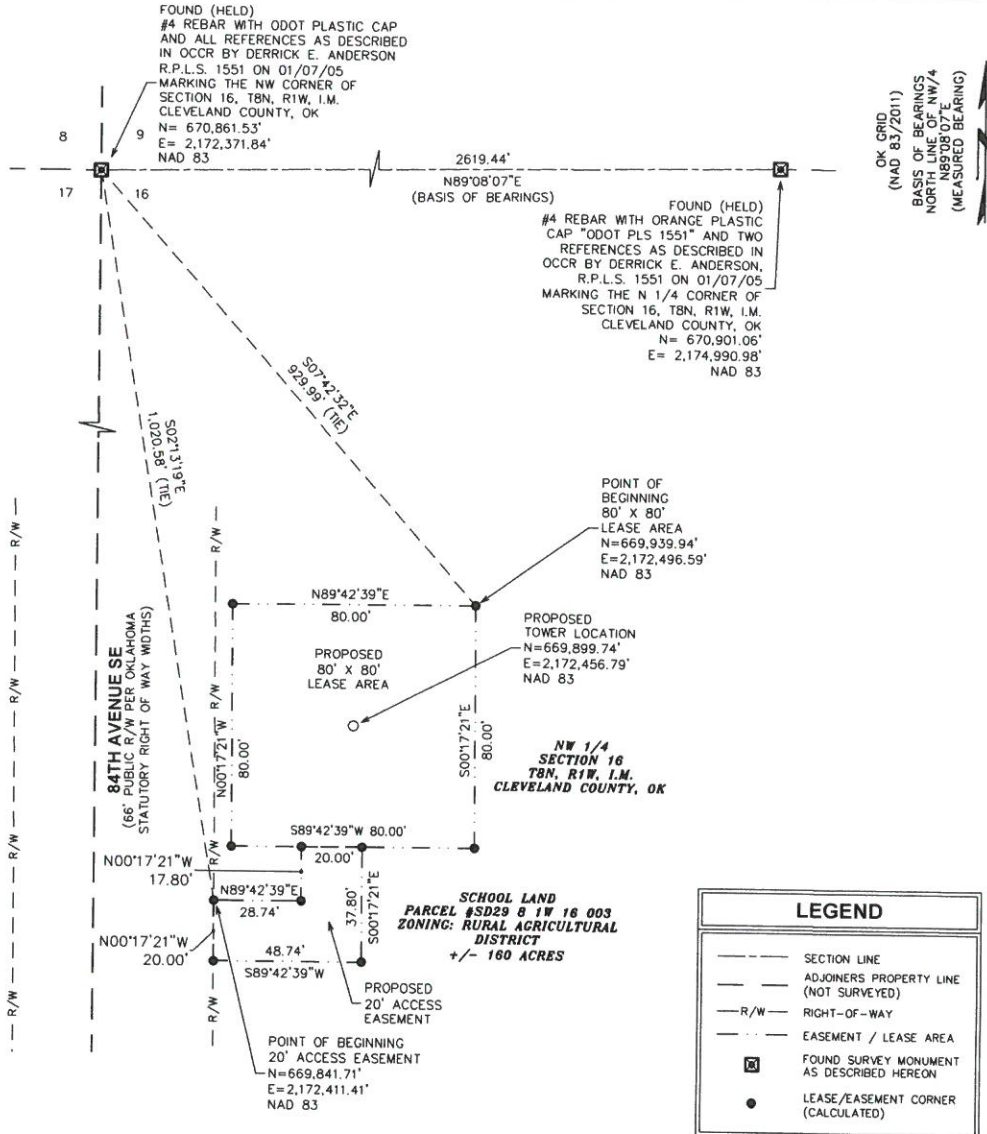
POINT OF BEGINNING 80' X 80' LEASE AREA
 N=669,939.94'
 E=2,172,496.59'
 NAD 83

PROPOSED TOWER LOCATION
 N=669,899.74'
 E=2,172,456.79'
 NAD 83

NW 1/4 SECTION 16
 T8N, R1W, I.M.
 CLEVELAND COUNTY, OK

SCHOOL LAND
 PARCEL #SD29 8 1W 16 003
 ZONING: RURAL AGRICULTURAL DISTRICT
 +/- 160 ACRES

POINT OF BEGINNING 20' ACCESS EASEMENT
 N=669,841.71'
 E=2,172,411.41'
 NAD 83



OK GRID (NAD 83/2011)
 BASIS OF BEARINGS NORTH LINE OF NW 1/4 N89°08'07"E (MEASURED BEARING)

PREPARED FOR:

 1000 HOLCOMB WOODS PKWY, SUITE 210
 ROSWELL, GA 30076
 (678) 280-2325

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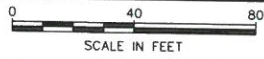


ANDRES H. ESTRADA
 OKLAHOMA PLS #1928

SHEET TITLE:
LEGAL DESCRIPTIONS

LEGEND

- SECTION LINE
- ADJOINERS PROPERTY LINE (NOT SURVEYED)
- R/W- RIGHT-OF-WAY
- EASEMENT / LEASE AREA
- ☒ FOUND SURVEY MONUMENT AS DESCRIBED HEREON
- LEASE/EASEMENT CORNER (CALCULATED)



DATE: 10/05/2017	REVISION: 1
SHEET #: 2 OF 2	TEP #: 80240

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