

## GRANT OF EASEMENT

E-1718-61

KNOW ALL MEN BY THESE PRESENTS:

THAT Sooner Fashion Mall L.L.C., a Delaware limited liability company ("Grantor") 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, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation ("Grantee"), a non-exclusive public utility easement and right-of-way over, across, and under the following described real estate situated in the City of Norman, Cleveland County, Oklahoma, to wit:

A tract of land located in a portion of Amended Plat of Sooner Fashion Mall Addition to the City of Norman, Cleveland County, Oklahoma, being more particularly described as follows: Commencing at the Southeast Corner of Lot 8B of the Replat of Lot 8, Block 1 of River Oaks Addition Section 4; thence following the Westerly right-of-way line of North Interstate Drive along a curve to the right, having a radius of 445.00 feet, an arc length of 48.53 feet, a chord bearing of S 41°38'07" W and a chord distance of 48.50 feet; thence S 44°53'49" W, along the Westerly right-of-way line of Interstate Drive, a distance of 497.21 feet; thence N 45°06'11" W, a distance of 71.74 feet to the Point of Beginning; thence N 76°53'27" W, a distance of 11.83 feet to the Southeast corner of an existing platted utility easement; thence N 13°06'33" E, along the East line of said easement, a distance of 10.00 feet to the Northeast corner thereof; thence N 76°53'27" W, along the North line of the easement, a distance of 30.00 feet to the East line of an existing 50' pipeline easement; thence N 13°06'33" E, along said easement, a distance of 5.00 feet; thence S 76°53'27" E, a distance of 41.83 feet; thence S 13°06'33" W, a distance of 15.00 feet to the Point of Beginning. Containing an area of 327.42 square feet or 0.008 acres (the "Easement Area"), as shown on the attached Exhibit A.

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility as indicated below:

### Water Line

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

Grantee agrees, by the acceptance of this easement, that all Grantee's facilities shall be constructed underground at Grantee's sole expense, and that as long as and to the extent that the Water Line together with all appurtenances, located on said Easement Area pursuant to this Grant of Easement are used to provide water service, the Grantee will repair, replace, maintain and remove such facilities at its own expense (except as otherwise provided herein) and in connection with any repair, replacement, maintenance or removal of said system, the Grantee shall promptly restore Grantor's property to substantially the same condition as existed prior to such repair, replacement, maintenance or removal.

Nothing herein to the contrary shall prevent Grantor, at its own expense, from occupying, filling, landscaping, (with the exception of trees) sloping and/or grading the Easement Area and constructing parking areas, traffic circulation, curbs, sidewalks, signs, drainage lines, shade structures, bus stops and/or shelters and other improvements thereon (with the exception of buildings), or otherwise improving or using the area within or without the Easement Area, provided that nothing shall be constructed or placed upon the Easement Area which would materially impair access to the Easement Area. However, should Grantor place signs, drainage lines, shade structure, bus stops or shelters" over any portion of these easement, the cost of replacing any such items, should the City require removal in order to access the Easement Area, shall be born solely by Grantor.

The terms hereof shall be binding upon, and inure to the benefit of the successors and assigns of the parties hereto and shall run with the land.

SIGNED and delivered this 18<sup>th</sup> day of June, 2018.

Sooner Fashion Mall L.L.C.

By:   
Authorized Signatory

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF ILLINOIS, COUNTY OF COOK, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 18th day of June, 2018, personally appeared Gregory R. Lynch, to me known to be the identical person who executed the foregoing grant of easement and acknowledged to me that he/she executed the same in his/her capacity of Authorized Signatory of Sooner Fashion Mall L.L.C. as free and voluntary act and deed of said limited liability company for the uses and purposes therein set forth.

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

Notary Public

My Commission Expires: 10-17-2020



Approved as to form and legality this 21 day of June, 2018.

Beth Luckala  
City Attorney

Approved and accepted by the Council of the City of Norman, this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

SEAL:

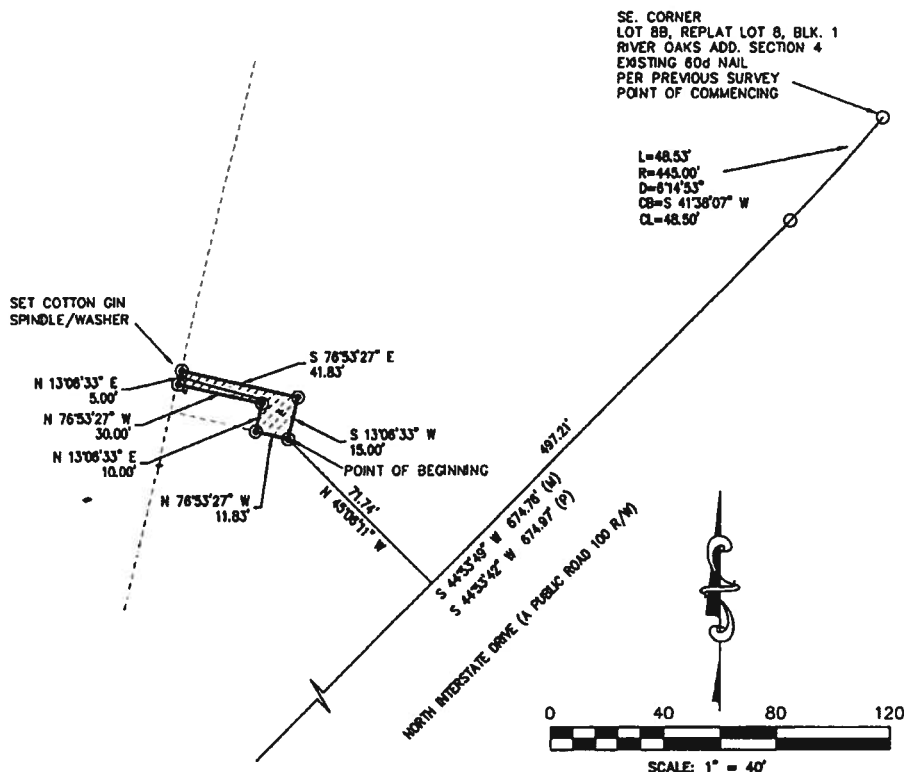
**EASEMENT DESCRIPTION**

(Written by William A. Booe, LS 1347, 5-9-2017)  
 A tract of land located in a portion of Amended Plat of Sooner Fashion Mall Addition to the City of Norman, Cleveland County, Oklahoma, being more particularly described as follows: Commencing at the Southeast corner of Lot 8B of the Replat of Lot 8, Block 1 of River Oaks Addition Section 4; thence following the Westerly right-of-way line of North Interstate Drive along a curve to the right, having a radius of 445.00 feet, an arc length of 48.53 feet, a chord bearing of S 41°38'07" W and a chord distance of 48.50 feet; thence S 44°53'49" W, along the Westerly right-of-way line of Interstate Drive, a distance of 497.21 feet; thence N 45°08'11" W, a distance of 71.74 feet to the Point of Beginning; thence N 76°53'27" W, a distance of 11.83 feet to the Southeast corner of an existing platted utility easement; thence N 13°06'33" E, along the East line of said easement, a distance of 10.00 feet to the Northeast corner thereof; thence N 76°53'27" W, along the North line of the easement, a distance of 30.00 feet to the East line of an existing 50' pipeline easement; thence N 13°06'33" E, along said easement, a distance of 5.00 feet; thence S 76°53'27" E, a distance of 41.83 feet; thence S 13°06'33" W, a distance of 15.00 feet to the Point of Beginning. Containing an area of 327.42 square feet or 0.008 acres.

# EASEMENT EXHIBIT A

**LEGEND**

- Existing Survey Monuments Origin Unknown (unless noted)
- ⊙ Set 1/2" Iron Rod/Cap (unless otherwise noted)
- △ Section Corner Origin Unknown (unless noted)
- New Easement Line
- - - Existing Easement Line
- (GLO) General Land Office
- (M) Measured Dimension
- (D) Dead Dimension
- (P) Plat Dimension
- R/W Right of Way



SE. CORNER  
 LOT 8B, REPLAT LOT 8, BLK. 1  
 RIVER OAKS ADD. SECTION 4  
 EXISTING 60d NAIL  
 PER PREVIOUS SURVEY  
 POINT OF COMMENCING

L=48.53'  
 R=445.00'  
 D=614.33'  
 CB=S 41°38'07" W  
 CL=48.50'

Revised 1-19-18 for typographical error only. No new field work.

**SURVEYOR'S CERTIFICATION**

I, William A. Booe, a duly licensed Land Surveyor in the State of Oklahoma, do hereby certify that this plat was prepared from the notes of an actual on the ground field survey done by me or under my direct supervision on 5th May, 2017 and that the information shown hereon is true and correct.

*William A. Booe*  
 William A. Booe, L.S. No. 1347  
 OKLAHOMA  
 19-18

**SURVEYOR'S NOTES**

1. The bearings shown hereon are based upon the Northwestery right-of-way line of North Interstate Drive, being previously surveyed as S 44°53'49" W.
2. This survey does not reflect any easements, rights-of-way, or other instruments of record which may encumber this property per agreement with client.
3. Underground, above ground utilities, nor improvements were located or shown on this survey.
4. All distances are measured unless otherwise noted.

Corp. License 3212 L.S. Expires 6-30-2018

**CORNERSTONE**  
 Regional Surveying, LLC  
 Serving Kansas, Missouri & Oklahoma  
 1921 North Penn, Independence, KS 67301 Ph: 620-231-6747

DRAWN BY: DATE: JOB NO.  
 C.B. 5-2-2017 1810275PMT  
 CHECKED BY: REVISION DATE: REF. JOB NO.  
 WAS 8-7-2017 1602039.1708246  
 PREPARED FOR:  
 R.A. SMITH NATIONAL

**EASEMENT EXHIBIT A**  
 of a portion of SOONER FASHION MALL  
 an ADDITION to the CITY of NORMAN  
 CLEVELAND COUNTY, OKLAHOMA