

TEMPORARY CONSTRUCTION EASEMENT

This Agreement made and entered into this 29th day of July, 2016, by The Board of Regents for the Oklahoma Agriculture and Mechanical Colleges acting for and on behalf of Oklahoma State University, ("Grantor") the owner of the legal and equitable title to the premises described herein and the City of Stillwater, Oklahoma, a municipal corporation ("Stillwater"). For and in consideration of the sum of Ten and no/100ths Dollars (\$10.00) and other good and valuable consideration duly paid by Stillwater to Grantor, the receipt of which is acknowledged, Grantor does hereby grant and convey to Stillwater, a temporary construction easement, over, under and across the following described real property and premises situated in County, State of Oklahoma:

STPW05 Parcel No. 5.7
See Exhibit "A"

for the purpose of permitting Stillwater to construct, operate, and maintain a public street, drainage, and other public utilities thereto, through, over, under, and across said property, together with all necessary and convenient appurtenances on the premises; and to use and maintain the same and of affording, its officers, agents, employees, and all persons under contract with it, the right to enter upon the premises and strip of land for the purpose of surveying, excavating for, laying, constructing, operating, repairing, relaying and maintaining said public street, and for the further purpose of enabling Stillwater to do any and all convenient things incident to the construction, operation, repairing, and maintaining of the street.

It is a condition of this easement that it shall not be filed of record and that all rights acquired by the City of Stillwater herein pertaining to the above described property shall terminate upon completion of project or December 1, 2017, whichever occurs later.

TO HAVE AND TO HOLD such easement unto the City of Stillwater, Oklahoma, forever. In witness whereof, the parties have duly executed this agreement.

The Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, acting for and on behalf of Oklahoma State University

Lou Watkins
By: Lou Watkins, Chair

Attest:

Jason Ramsey
Secretary Jason Ramsey

BOARD ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
) ss.
COUNTY OF PAYNE)

Before me, a Notary Public in and for said County and State, on this 29th day of July, 2016, personally appeared Lou Watkins to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he/she/they executed the same as his/her/their free and voluntary act and deed, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.



Jason Ramsey
Notary Public

My Commission Expires: 8/21/16
My Commission Number: 00012265

Parcel No. – 5.7
City of Stillwater Project No. – STPW05
State Project No. – J3-1595-(04)
Job No. – 31595(04)

STATE OF OKLAHOMA)
) ss.
COUNTY OF PAYNE)

Now, on this _____ day of _____, 2016, the Stillwater City Council, acting for and on behalf of the City of Stillwater, Oklahoma, municipal corporation, during regular session, does hereby approve and accept this easement and directs the Mayor and Clerk of said City of Stillwater, Oklahoma, to indicate the same by their signatures and affixing the seal of the City of Stillwater, Oklahoma.

GINA J. NOBLE, MAYOR
CITY OF STILLWATER, OKLAHOMA

(SEAL)

ATTEST:

CITY CLERK
CITY OF STILLWATER, OKLAHOMA

Approved as to form and legality this _____ day of _____, 2016.

JOHN E. DORMAN, CITY ATTORNEY
CITY OF STILLWATER, OKLAHOMA

EXHIBIT "A"

A Temporary Construction Easement, being 5.00 feet on each side of a centerline, located in the Southeast Quarter of Section 09, Township 19 North, Range 2 East of the Indian Meridian, Payne County, State of Oklahoma, according to the U.S. Government Survey thereof, said Temporary Construction Easement being more particularly described as follows:

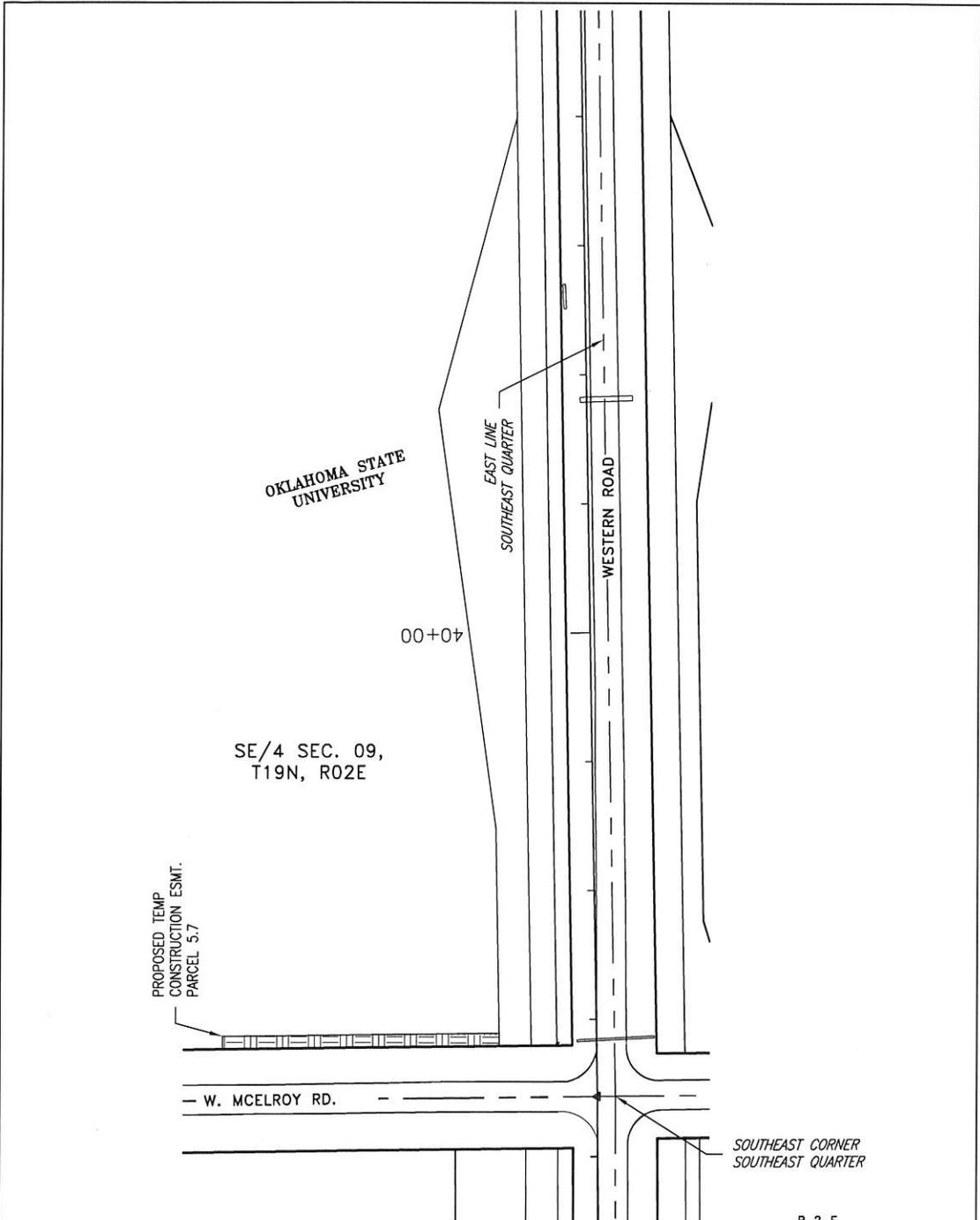
Commencing at a PK Nail occupying the Southeast corner of said Southeast Quarter of Section 09;

thence, a distance of 45.71 feet, on a bearing of N01°08'02"W, along the East line of said Southeast Quarter of Section 09;

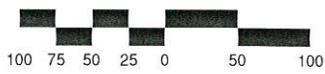
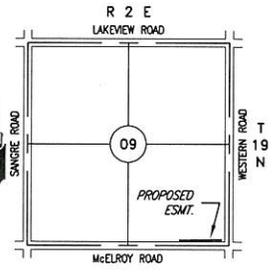
thence, a distance of 90.00 feet, on a bearing of S88°51'58"W, perpendicular to the East line of the Southeast Quarter, to a Point of Beginning for said Temporary Construction Easement centerline;

thence, S89°13'15"W, a distance of 216.68 feet, to the Point of Termination for said Temporary Construction Easement centerline.

Said Easement being 216.80 feet in length, and containing 2166.80 square feet, or 0.0497 acres, more or less.



SOUTHEAST CORNER SOUTHEAST QUARTER



GRAPHIC SCALE
1"=100'

NOTES

1. LINES AND DISTANCES WERE TAKEN FROM SURVEY DATA CONTAINED ON THE PLAN SHEETS FOR CITY OF STILLWATER, PROJECT NO. STP-260B(019)MS, STATE JOB NO. 31415(04) -WESTERN ROAD, W HALL OF FAME AVENUE TO MCELROY ROAD AND CITY OF STILLWATER, PROJECT NO J3-1595-(04), STATE JOB NO. 31595(04) - WESTERN ROAD, MCELROY ROAD TO LAKEVIEW ROAD.
2. PREPARED BY KEYSTONE ENGINEERING AND LAND SURVEYING, INC. OF STILLWATER, OKLAHOMA, CA NUMBER 5877, EXPIRES JUNE 30, 2017.