

PERMANENT UNDERGROUND INFRASTRUCTURE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Mary Oakley Foundation, Inc., a California non-profit corporation (an undivided 50% interest), The Morada Group, LP, a California Partnership (an undivided 45% interest) and Kenneth R. Ziegler and Roberta Ziegler, Trustees of the Ziegler Trust dated May 12, 1987 (an undivided 5% interest), certify that they own and possess all rights, title, and interest to the following described real property situated in Payne County, State of Oklahoma, to-wit:

A tract of land in the Southeast Quarter (SE/4) of Section Eighteen (18), Township Nineteen (19) North, Range Two (2) East of the Indian Meridian, Payne County, State of Oklahoma, being more particularly described as follows: BEGINNING at a point 1530.01 feet West and N 0°11'24" E a distance of 238.05 feet from the SE/corner of the SE/4 of said Section 18; THENCE, N 89°55'18" W a distance of 208.67 feet; THENCE N 0°11'24" E a distance of 479.07 feet; THENCE East along the South boundary line of WESTPARK ADDITION FIRST SECTION, a distance of 208.67 feet; THENCE S 0°11'24" W a distance of 479.36 feet to the Point of Beginning, containing 2.30 acres more or less.

and further that the undersigned, in consideration of the sum of One Dollar (\$1.00), in hand paid and other good and valuable consideration, for them, their heirs, successors, executors, administrators, and assigns do hereby grant, bargain, sell, and convey unto the City of Stillwater, Oklahoma, a Municipal Corporation, its successors and assigns, an easement for the installation and maintenance of a permanent underground infrastructure foundation for an offsite retaining wall through, over, under, and across the portions of the above-described property dedicated on said recorded plat or instrument, for the purpose heretofore stated as follows:

The West 3.00 feet of the above described parcel of land.

Said Permanent Easement contains 0.0329 acres more or less.

These easements contains 1,437.21 square feet or 0.0329 acres more or less and is subject to all recorded easements and rights of way thereof.

with the right of ingress and egress to and from same, for the purpose of permitting Stillwater to construct and maintain the underground infrastructure foundation for an offsite retaining wall 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, constructing, operating, repairing, maintaining said underground infrastructure foundation, and for the further purpose of enabling Stillwater to do any and all convenient things incident to the construction, operation, repairing, and maintaining of said underground infrastructure foundation.

Except as herein granted, the grantors shall continue to have the full use and enjoyment of the properties herein granted or described for appropriate purposes. At no time shall the grantors commit a use, occupation or enjoyment thereof that might cause a hazardous condition and no building, structure or obstruction shall be located or constructed on said easement by the grantors, their successors or assigns, nor shall the grantors allow said easement to be encumbered in any way so that the City of Stillwater shall not be afforded access to said underground infrastructure foundation at any and all times.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of February, 2016.

MARY OAKLEY FOUNDATION, INC

By: *William C. Stivelman*
William C. Stivelman, M.D., CEO

STATE OF California)
) ss.
COUNTY OF Ventura)

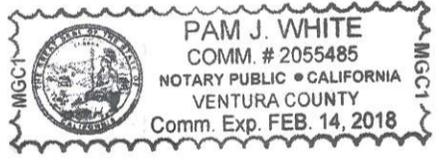
Before me, a Notary Public in and for said County and State on this 29 day of February, 2016, personally appeared, William C. Stivelman, M.D. to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its CEO and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of the California non-profit corporation for the uses and purposes therein set forth.

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

Pam J. White
NOTARY PUBLIC

(SEAL)

My Commission Expires: 2-14-18
My Commission Number: 2055485



KENNETH R. ZIEGLER AND ROBERTA ZIEGLER,
TRUSTEES OF THE ZIEGLER TRUST DATED MAY
12, 1987

By: Kenneth R. Ziegler, Trustee
Kenneth R. Ziegler, Trustee

By: Roberta Ziegler, Trustee
Roberta Ziegler, Trustee

STATE OF California)
) ss.
COUNTY OF Santa Barbara)

Before me, a Notary Public in and for said County and State on this 7th day of March, 2016, personally appeared, Kenneth R. Ziegler and Roberta Ziegler to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Trustees and acknowledged to me that they executed the same as their free and voluntary act and deed and as the free and voluntary act and deed of the trust for the uses and purposes therein set forth.

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

Susan L. Cervantes
NOTARY PUBLIC

(SEAL)

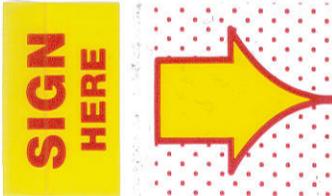
My Commission Expires: 11-20-2017
My Commission Number: 2046471



STATE OF OKLAHOMA)
) ss.
COUNTY OF PAYNE)

NOW, on this _____ day of _____, 201_, the City Council of the City of Stillwater, State of Oklahoma, a municipal corporation, acting for and in behalf of said municipal corporation, during regular session, does hereby approve and accept from the named Grantor this delivered easement and directs the Mayor and Clerk of said City of Stillwater to indicate the same by their signatures and seal of the City of Stillwater, State of Oklahoma.

(SEAL)



GINA J. NOBLE, MAYOR
CITY OF STILLWATER, OKLAHOMA

ATTEST:

ELIZABETH CHRZ, CITY CLERK
CITY OF STILLWATER, OKLAHOMA

Approved as to form and legality this _____ day of _____, 201_.

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

When Recorded Return To:
Water Utilities Department
City of Stillwater
PO Box 1449
Stillwater, OK 74076

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Mary Oakley Foundation, Inc., a California non-profit corporation (an undivided 50% interest), The Morada Group, LP, a California Partnership (an undivided 45% interest) and Kenneth R. Ziegler and Roberta Ziegler, Trustees of the Ziegler Trust dated May 12, 1987 (an undivided 5% interest), certify that they own and possess all rights, title, and interest to the following described real property situated in Payne County, State of Oklahoma, to-wit:

A tract of land in the Southeast Quarter (SE/4) of Section Eighteen (18), Township Nineteen (19) North, Range Two (2) East of the Indian Meridian, Payne County, State of Oklahoma, being more particularly described as follows: BEGINNING at a point 1530.01 feet West and N 0°11'24" E a distance of 238.05 feet from the SE/corner of the SE/4 of said Section 18; THENCE, N 89°55'18" W a distance of 208.67 feet; THENCE N 0°11'24" E a distance of 479.07 feet; THENCE East along the South boundary line of WESTPARK ADDITION FIRST SECTION, a distance of 208.67 feet; THENCE S 0°11'24" W a distance of 479.36 feet to the Point of Beginning, containing 2.30 acres more or less.

and further that the undersigned, in consideration of the sum of One Dollar (\$1.00), in hand paid and other good and valuable consideration, for them, their heirs, successors, executors, administrators, and assigns do hereby grant, bargain, sell, and convey unto the City of Stillwater, Oklahoma, a Municipal Corporation, its successors and assigns, a temporary construction easement for the installation of an underground foundation for an offsite retaining wall through, over, under, and across the following described real property and premises situated in Payne County, State of Oklahoma:

The East 15.00 feet of the West 18.00 feet of the above described parcel of land.

Said Temporary Construction Easement contains 0.1649 acres more or less.

for the purpose of permitting Stillwater, its officers, agents, employees, contractors, permittees and assigns the right to enter the above described tract of land to install an underground foundation for an offsite retaining wall over, under, and across said property, and shall include the right to use, remove, and/or store any and all dirt, rock, gravel, sand and/or other building material from and/or upon the above described tract of land.

The temporary construction easement contains 7,186.05 square feet or 0.1649 acres more or less and is subject to all recorded easements and rights of way thereof.

It is a condition of this temporary construction easement that it shall not be filed for record and that all rights conveyed to the City of Stillwater by this instrument shall terminate upon completion of the project.

IN WITNESS WHEREOF, I have hereunto set my hand this th 29 day of February, 2016.

MARY OAKLEY FOUNDATION, INC

By: William C. Stivelman
William C. Stivelman, M.D., CEO

STATE OF California)
) ss.
COUNTY OF Ventura)

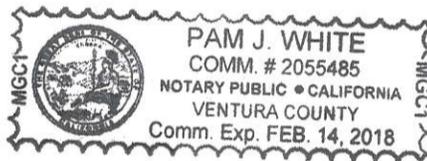
Before me, a Notary Public in and for said County and State on this 29 day of February, 2016, personally appeared, William C. Stivelman, M.D. to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its CEO and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of the California non-profit corporation for the uses and purposes therein set forth.

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

Pam J. White
NOTARY PUBLIC

(SEAL)

My Commission Expires: 2-14-18
My Commission Number: 2055485



KENNETH R. ZIEGLER AND ROBERTA ZIEGLER,
TRUSTEES OF THE ZIEGLER TRUST DATED MAY
12, 1987

By: *Kenneth R. Ziegler* Trustee
Kenneth R. Ziegler, Trustee

By: *Roberta Ziegler* Trustee
Roberta Ziegler, Trustee

STATE OF California)
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COUNTY OF Santa Barbara)

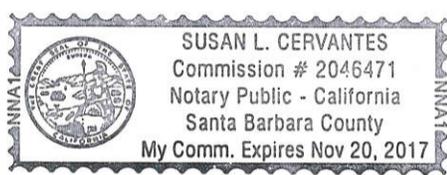
Before me, a Notary Public in and for said County and State on this 7th day of March, 2016, personally appeared, Kenneth R. Ziegler and Roberta Ziegler to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Trustees and acknowledged to me that they executed the same as their free and voluntary act and deed and as the free and voluntary act and deed of the trust for the uses and purposes therein set forth.

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

Susan L. Cervantes
NOTARY PUBLIC

(SEAL)

My Commission Expires: 11-20-2017
My Commission Number: 2046471



STATE OF OKLAHOMA)
) ss.
COUNTY OF PAYNE)

NOW, on this _____ day of _____, 201_, the City Council of the City of Stillwater, State of Oklahoma, a municipal corporation, acting for and in behalf of said municipal corporation, during regular session, does hereby approve and accept from the named Grantor this delivered easement and directs the Mayor and Clerk of said City of Stillwater to indicate the same by their signatures and seal of the City of Stillwater, State of Oklahoma.



GINA J. NOBLE, MAYOR
CITY OF STILLWATER, OKLAHOMA

(SEAL)

ATTEST:

ELIZABETH CHRZ, CITY CLERK
CITY OF STILLWATER, OKLAHOMA

Approved as to form and legality this _____ day of _____, 201_.

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