

2122

BOOK 7061 PAGE 117

REC. _____
COMP. _____
MISC. _____
MISC. _____

SIDEWALK/BICYCLE ROUTE EASEMENT
(Corporate Form)

KNOW ALL MEN BY THESE PRESENTS:

THAT **Board of Education of the Independent School District #8** of Comanche County, State of Oklahoma, hereinafter called the Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good, valuable and sufficient considerations, do hereby grant, bargain, sell, convey to the **CITY OF LAWTON, A MUNICIPAL CORPORATION, of 212 SW 9TH STREET, LAWTON, OKLAHOMA 73501**, Comanche County, State of Oklahoma, a perpetual easement to the surfaces of the following described lots or parcels of land for the purpose of establishing thereon a public sidewalk/bicycle route or facilities necessary and incidental thereto, and including all right and interest in and to the airspace, light and view above the surface of the lands described herein, for the term of this agreement to-wit:

Doc # I-2013-016787
Bk 007061
Pg 0117-0119
Date 10-10-2013 2:11 pm
Filing fee \$17.00
Documentary Tax \$0.00
State of Oklahoma
County of Comanche
Comanche County Clerk
Carrie Tubbs CS

A strip, piece, or parcel of land lying in the NW 1/4 of Section 30, Township Two North (T-2-N), Range Eleven West (R-11-W) of the Indian Meridian, Comanche County, Oklahoma. Said parcel of land being more particularly described as follows:

COMMENCING at the NW Corner of the NW 1/4 of Section 30, THENCE S00°17'51"W a distance of 1578.39 Feet along the Section Line to a point, THENCE S89°42'09"E a distance of 70.51 Feet to a point on the Existing Right of Way the POINT OF BEGINNING.

THENCE, along a curve to the right with a radius of 2814.79 Feet, an arc length of 413.55 Feet, along the existing Right-of-Way Recorded in Book 411 Page 23 a distance of 383.26 Feet to a Point,

THENCE continuing along the existing Right-of-Way Recorded in Book 411 Page 24 a distance of 30.29 Feet to a Point; with a Delta angle of 08°25'04", a chord direction of N08°57'47"E, and a chord distance of 413.18 Feet to a point on the North Boundary of a Deed Recorded in Book 381 Page 390 to the Board of Education Independent School District Number 8 (Lawton High School), and the South Boundary of a Deed Recorded in Book 3497 Page 3 to the Board of Education Independent School District Number 8 (Central Middle School);

THENCE, N89°57'33"E a distance of 41.10 along the North Boundary of a Deed Recorded in Book 381 Page 390 to the Board of Education Independent School District Number 8 (Lawton High School), and the South Boundary of a Deed Recorded in Book 3497 Page 3 to the Board of Education Independent School District Number 8 (Central Middle School) a distance of 41.10 Feet to a Point;

THENCE, parallel with the existing Right-of-Way on a curve to the left with a radius of 2774.79 Feet, an arc length of 258.49 Feet, a Delta angle of 05°20'15", a chord direction of S10°41'50"W, and a chord distance of 258.40 Feet to a point;

THENCE, radial to said curve N81°58'18"W a distance of 25.00 Feet to a Point;

THENCE, parallel with the existing Right-of-Way on a curve to the left with a radius of 2799.79 Feet, an arc length of 160.00 Feet, a Delta angle of 03°16'28", a chord direction of S06°23'29"W, and a chord distance of 159.98 Feet to a point;

City of Lawton
Office of the City Clerk
212 SW 9th St.
Lawton, OK 73501



THENCE, radial to said curve N85°14'45"W a distance of 15.00 Feet to the POINT OF BEGINNING.

Containing 0.29 Acres More or Less.

For the same consideration hereinbefore recited, said Grantor grants and conveys to the **City of Lawton**, the right to use and remove any and all dirt, rock, gravel, sand and other sidewalk/bicycle route building materials from the realty described, but excepting unto said Grantors the mineral rights therein; provided , however, that any explorations or development of said reserved mineral rights shall not directly or indirectly interfere with the use of said land for the purpose herein granted;

To have and to hold said above described premises unto the said **City of Lawton**, free, clear and discharged from any and all claims of damages or injury that may be sustained directly or indirectly to the remaining lands of the Grantor by reason of the construction and maintenance of a public sidewalk/bicycle route, and all sidewalk/bicycle route excavations, embankments, structures, bridges, drains, sight distance or safety areas and other facilities that may now or hereafter be, in the discretion of the grantee, necessary for the construction and maintenance of a public sidewalk/bicycle route and incidental facilities over, across or along the above described real estate; the supervision and control of said public sidewalk/bicycle route to be in such municipality, county or other agency of the **City of Lawton**, as has or may have jurisdiction thereof by the laws of the **City of Lawton**, its officers, agents, contractors and employees are hereby granted free access to said property for the purpose of entering upon, constructing, maintaining or regulating the use of said public sidewalk/bicycle route and incidental facilities.

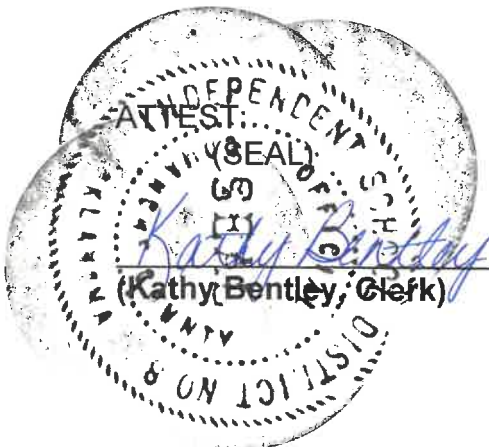
Said Grantor hereby covenants and warrants that at the time of delivery of these presents they are the owners of the above described premises and that same are free and clear of all liens and claims whatsoever, except, _____.

IN WITNESS WHEREOF, the Grantor herein named has hereunto set his hand and seals this the 19th day of September, 2013.

**Board of Education of the Independent
School District #8**



(Kent Jester, President)



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CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) §
COUNTY OF COMANCHE)

Before me Rosemarie A. Hill in and for said County and State on this 19th day of Sept, 2013, personally appeared **Kent Jester**, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its **President**, 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 **Board of Education of the Independent School District #8**, for the uses and purposes therein set forth.

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

Rosemarie A. Hill
Notary Public

My commission expires:

May 10, 2014

My commission number:

02006724



ACCEPTANCE

Accepted by the Lawton City Council for and on behalf of the City of Lawton, Oklahoma, this 8th day of October, 2013.

CITY OF LAWTON, OKLAHOMA
a Municipal Corporation

Fred L. Fitch
Fred L. Fitch, Mayor

Traci L. Hushbeck
Traci L. Hushbeck, City Clerk

APPROVED, as to form and legality on behalf of the City of Lawton this 24 day of Oct, 2013.

Frank V. Jensen
Frank V. Jensen, City Attorney