

## PEDESTRIAN EASEMENT

### KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, STARWIVOK, LLC, an Oklahoma Limited Liability Company, certifies 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 that is a part of Lot 2, J.T. GRAY'S SUBDIVISION located in the City of Stillwater, Payne County, State of Oklahoma, more particularly described as follows: Commencing from the Northwest Corner of said Lot 2, J.T. GRAY'S SUBDIVISION; Thence along the north line of said Lot 2, North 89°27'33" East a distance of 25.00 feet; Thence along the East line of a 50 foot dedicated right of way, recorded in Book 143, page 270 at the office of the Payne County Clerk, South 01°21'11" East a distance of 66.96 feet to the point of beginning; Thence continuing South 01°21'11" East a distance of 124.84 feet; Thence North 89°21'48" East a distance of 182.01 feet; Thence North 01°21'11" West a distance of 139.84 feet to a point on the south line of a perpetual easement, recorded in Book 55, page 207; Thence along said South line, South 89°21'48" West a distance of 38.12 feet to a point that is the northeast corner of a 15 foot dedicated right of way, recorded in Book 140 page 473 at the office of the Payne County Clerk; Thence South 44°00'13" West a distance of 21.08 feet to a point on the south line of said 15 foot right of way; thence along the south line of said 15 foot right of way, South 89°21'48" West a distance of 128.90 feet to the point of beginning;

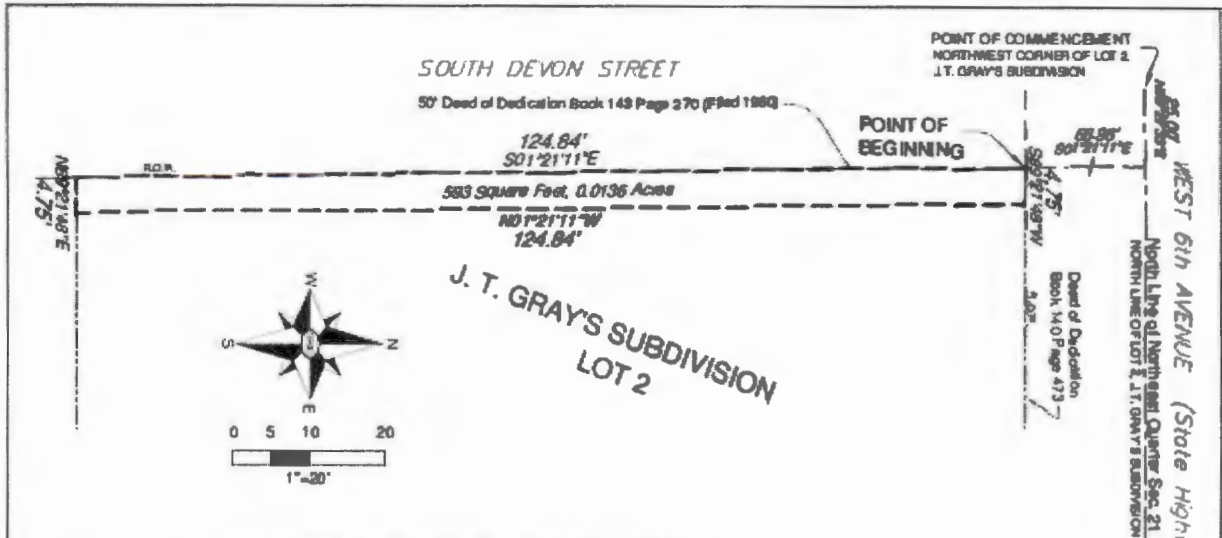
Having an area of 23405 square feet or 0.5373 acres

Bearings based on Oklahoma State Plane Zone North Grid

This legal description meets the minimum technical standards for legal descriptions in the State of Oklahoma.

and further that the undersigned, 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, this easements for access and pedestrian use through, over, under, and across the portions of the above-described property dedicated on said recorded plat, together with the right of ingress and egress to and from same, for the purpose heretofore stated.

1. Pedestrian Easement. A permanent pedestrian easement ("Pedestrian Easement") to Grantee, dedicated for use by the public, upon the area shown and described in the exhibit attached hereto and incorporated herein ("Pedestrian Easement Area"). Grantor shall retain the right to implement and amend commercially reasonable rules governing Grantee's use of the Pedestrian Easement Area. Such use of the Pedestrian Easement Area by Grantee shall not unreasonable interfere with Grantor's use and enjoyment of the Grantor Property including the Pedestrian Easement Area. The Pedestrian Easement shall be deemed perpetual, run with the land and shall be binding on Grantor and on Grantor's heirs, successors and assigns.



**LEGAL DESCRIPTION: PEDESTRIAN EASEMENT**

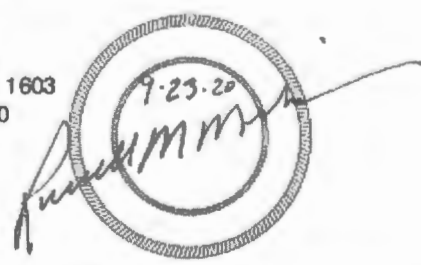
A tract of land that is a part of Lot 2, J.T. GRAYS SUBDIVISION located in the City of Stillwater, Payne County, State of Oklahoma, more particularly described as follows:  
 Commencing from the Northwest Corner of said Lot 2, J.T. GRAY'S SUBDIVISION;  
 Thence along the north line of said Lot 2, North 89°27'33" East a distance of 25.00 feet;  
 Thence along the East line of a 50 foot dedicated right of way, recorded in Book 143, page 270 at the office of the Payne County Clerk, South 01°21'11" East a distance of 66.96 feet to the Point of Beginning; Thence continuing South 01°21'11" East a distance of 124.84 feet;  
 Thence North 89°21'52" East a distance of 4.75 feet;  
 Thence North 01°21'11" West a distance of 124.84 feet;  
 Thence along said South line of a 15 foot dedicated right of way, recorded in Book 140 page 473 at the office of the Payne County Clerk, South 89°21'48" West a distance of 4.75 feet to the Point of Beginning;


Having an area of 593 square feet or 0.0136 acres.

Bearings based on the Oklahoma State Plane Zone North Grid.

This legal description meets the minimum technical standards for legal descriptions in the State of Oklahoma.

Russell M. Muzika,  
 Oklahoma PLS No. 1603  
 September 23, 2020  
 2020.09.23 14:3945-0507



 <b>GEODECA</b> <small>a land surveying &amp; mapping company</small>	<b>GEODECA LLC</b> P.O. Box 330281, Tulsa, Ok. 74133 918 949 4064 CA # 5524 exp 6/30/2022	<b>J.T. GRAY'S SUBDIVISION</b> Section 21, T19N, R2E Payne County	<b>PEDESTRIAN EASEMENT</b> Revision: 0	
	Area: 593 Sq. Ft. or 0.0136 Acres	Date: September 23, 2020		

The easement contains 593 square feet or 0.0136 acres more or less and is subject to all recorded easements and rights of way thereof.

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 at any and all times.

STARWIVOK, LLC, an Oklahoma limited liability company

By: Gregory J. Wiviott, Trustee Its: Sole Member/Manager

STATE OF OKLAHOMA )

) ss. \* see attached notary certificate. \*

COUNTY OF PAYNE )

Before me, a Notary Public in and for said County and State on this \_\_\_\_ day of \_\_\_\_\_, 2021, personally appeared, \_\_\_\_\_ and \_\_\_\_\_ (include legal title information), to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument and acknowledged to me that he/she/they executed the same as his/her/their free and voluntary act and deed and as the free and voluntary act and deed of such corporation/partnership/LLC, for the uses and purposes therein set forth.

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

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

My Commission Number:

(SEAL)

STATE OF OKLAHOMA     )  
  ) ss.  
COUNTY OF PAYNE     )

NOW, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, 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 pedestrian 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.

\_\_\_\_\_  
WILLIAM H. JOYCE, MAYOR  
CITY OF STILLWATER, OKLAHOMA

(SEAL)

ATTEST:

\_\_\_\_\_  
THERESA KADAVY, CITY CLERK  
CITY OF STILLWATER, OKLAHOMA

Approved as to form and legality this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
KIMBERLY CARNLEY, CITY ATTORNEY  
CITY OF STILLWATER, OKLAHOMA

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

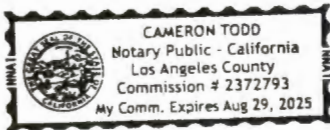
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of LOS angeles )  
On 12-3-2021 before me, Cameron Todd, notary public,  
Date Here Insert Name and Title of the Officer  
personally appeared Gregory J. Wivioff  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Ce Todd  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Pedestrian Easement Document Date: n/a  
Number of Pages: 4 Signer(s) Other Than Named Above: none

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Gregory J. Wivioff  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: Starwivok, LLC

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_