

Documentary taxes not required  
Okla. Stat. tit. 68, § 3202 (11)

Grantee's Address:  
City-County Library Commission of Tulsa County  
400 Civic Center  
Tulsa, OK 74103

**SPECIAL WARRANTY DEED  
AND RESERVATION OF APPURTENANT EASEMENT**

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the **BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA** (the "Grantor"), hereby grants, bargains, assigns, transfers and conveys unto the **CITY-COUNTY LIBRARY COMMISSION OF TULSA COUNTY** (the "Grantee"), all right, title and interest of Grantor, in and to that certain real estate situated in Tulsa County, State of Oklahoma, more particularly described as follows:

Lots 1 through 6 and the vacated 20 foot alley adjacent to Lots 1 through 6,  
Block 132, Original Town of Tulsa, Tulsa County, Oklahoma,

together with all improvements thereon and all rights, hereditaments and appurtenances thereunto belonging (the "Property") to have and to hold the Property unto Grantee, and unto Grantee's successors and assigns, forever, less and except any interest in and to oil, gas, coal, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interest and estates of whatsoever nature incident thereto or arising thereunder, and warrant the title to the same, against any challenge claiming by, through or under Grantor, but not otherwise, and

**LESS AND EXCEPT GRANTOR'S RESERVATION OF AN EASEMENT** appurtenant to Block 152, Original Town of Tulsa, Tulsa County, Oklahoma, in the real property which for the past fifty years has been, and is presently, used as the northern end of Grantor's two-level sheltered/underground parking garage, described on Exhibit "A" attached hereto and depicted on Exhibit "B" attached hereto (referred to as the "Easement Property"), **THE SPECIFIC TERMS OF SAID EASEMENT TO BE AS FOLLOWS:**

Lower Level Parking Garage Easement

Grantor hereby reserves a perpetual and exclusive vehicular and pedestrian access and parking easement and right-of-way over, under, on, across and through the Easement Property as it pertains to the lower level of Grantor's Parking Garage, together with the right of ingress and egress to and from the surrounding public streets on driveways as may be maintained from time to time on Grantee's property, for the continued use of the Easement Property as the northern end of Grantor's Parking Garage. Said easement includes the entrances, gates, driveways, ramps, parking spaces, stairwells, walkways and other pedestrian facilities, as well as any and all equipment such as security camera systems, parking booths, signs, lights, ventilation, ducts, conduits, fire suppression sprinkler systems, and the like, as may now or in the future exist on the Easement Property. Said easement is to be used by the Grantor and its tenants, customers, employees, agents, contractors, licensees and invitees for any and all uses reasonably

necessary to facilitate the continued use of the Easement Property as the northern end of Grantor's Parking Garage. Grantor shall have control over all parking spaces on the lower level of Grantor's Parking Garage.

#### Upper Level Parking Garage Easement

Grantor hereby reserves a perpetual non-exclusive vehicular and pedestrian access and parking easement and right-of-way over, under, on, across and through the Easement Property as it pertains to the upper level of Grantor's Parking Garage, together with the right of ingress and egress to and from the surrounding public streets on driveways as may be maintained from time to time on Grantee's property, for the continued use of the Easement Property as the northern end of Grantor's Parking Garage. Said easement includes the entrances, gates, driveways, ramps, parking spaces, stairwells, walkways and other pedestrian facilities, as well as any and all equipment such as security camera systems, parking booths, signs, lights, ventilation, ducts, conduits, fire suppression sprinkler systems, and the like, as may now or in the future exist on the Easement Property. Said easement is to be shared in common by Grantor and Grantee and to be used by Grantor and Grantee and their tenants, customers, employees, agents, contractors, licensees and invitees for any and all uses reasonably necessary to facilitate the continued use of the Easement Property as the northern end of Grantor's Parking Garage. Grantee and Grantor shall apportion the parking spaces on the upper level of Grantor's Parking Garage as follows: Grantor shall have control over all parking spaces on the southern one-half of the upper level of Grantor's Parking Garage, and Grantee shall have control over all parking spaces on the northern one-half of the upper level of Grantor's Parking Garage. Grantor shall do nothing to block or otherwise interfere with Grantee's use of its parking spaces, and Grantee shall do nothing to block or otherwise interfere with Grantor's use of its parking spaces. Grantee may nevertheless block ingress and egress to the upper level of Grantor's Parking Garage from West Fourth Street as may be necessary to construct its own parking garage provided that ingress and egress to the upper level of Grantor's Parking Garage is provided through some other means.

#### Utility Easement

Grantor hereby reserves a perpetual, non-exclusive easement for purposes of installation, testing, inspection, maintenance, repair and replacement of utility services, including without limitation electricity, gas, water, sewer, telephone, cable television, and storm drains appurtenant to the Easement Property over, under, on, across and through all parts of the Easement Property and the improvements thereon, to be used by the Grantor, along with its employees, agents, contractors, licensees and invitees, for such utility services.

Support Easement

Grantor hereby reserves a perpetual, non-exclusive easement for lateral and sub adjacent support over, under, on, across and through all parts of the Easement Property and the improvements thereon for the maintenance, repair and construction of any and all elements of the Grantor's two-level sheltered/underground parking garage.

**IN WITNESS WHEREOF**, Grantor has made, executed and delivered this Special Warranty Deed as of the \_\_\_\_ day of October, 2013.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
TULSA COUNTY, OKLAHOMA

\_\_\_\_\_  
Karen Keith, Chair and Commissioner District 2

\_\_\_\_\_  
John Smaligo, Commissioner District 1

\_\_\_\_\_  
Ron Peters, Commissioner District 3

\_\_\_\_\_  
Pat Key, County Clerk

State of Oklahoma     )  
  ) ss.  
County of Tulsa)

This document was acknowledged before me this \_\_\_\_ day of October, 2013, by all three members of the Board of County Commissioners of Tulsa County: Karen Keith, John Smaligo and Ron Peters.

My Commission expires:

\_\_\_\_\_  
Notary Public

# Easement Property

## LEGAL DESCRIPTION

A TRACT OF LAND THAT IS ALL OF THE SOUTHEASTERLY 44.0 FEET OF LOTS 3 AND 4 AND THE ADJACENT VACATED ALLEYWAY IN BLOCK 132 'ORIGINAL TOWN OF TULSA', CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE OFFICIAL PLAT THEREOF AND THE NORTHWESTERLY HALF OF WEST 5TH STREET AND THE EASTERLY HALF OF SOUTH ELWOOD AVENUE EXTENDING TO THE INTERSECTION OF SAID CENTERLINES AND WHICH ARE ADJACENT TO SAID BLOCK 132, ALL LYING BELOW AN ELEVATION OF 709.9 FEET, NORTH AMERICAN VERTICAL DATUM 1988, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

"BEGINNING AT A POINT" THAT IS THE INTERSECTION OF THE CENTERLINES OF WEST 5TH STREET AND SOUTH ELWOOD AVENUE; THENCE NORTHWESTERLY ALONG THE CENTERLINE OF SOUTH ELWOOD AVENUE FOR 84.00 FEET; THENCE NORTHEASTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF BLOCK 132 FOR 40.00 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 4, SAID POINT BEING 44.00 FEET NORTHWESTERLY OF THE SOUTHWEST CORNER OF LOT 4; THENCE CONTINUING NORTHEASTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF BLOCK 132 FOR 300.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 3; THENCE SOUTHEASTERLY ALONG SAID EASTERLY LINE FOR 44.00 FEET TO THE SOUTHEAST CORNER OF LOT 3; THENCE SOUTHEASTERLY ALONG AN EXTENSION OF THE EASTERLY LINE OF LOT 3 FOR 40.00 FEET TO A POINT ON THE CENTERLINE OF WEST 5TH STREET; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF WEST 5TH STREET FOR 340.00 FEET TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND, ALL LYING BELOW AN ELEVATION OF 709.9 FEET, NORTH AMERICAN VERTICAL DATUM 1988.

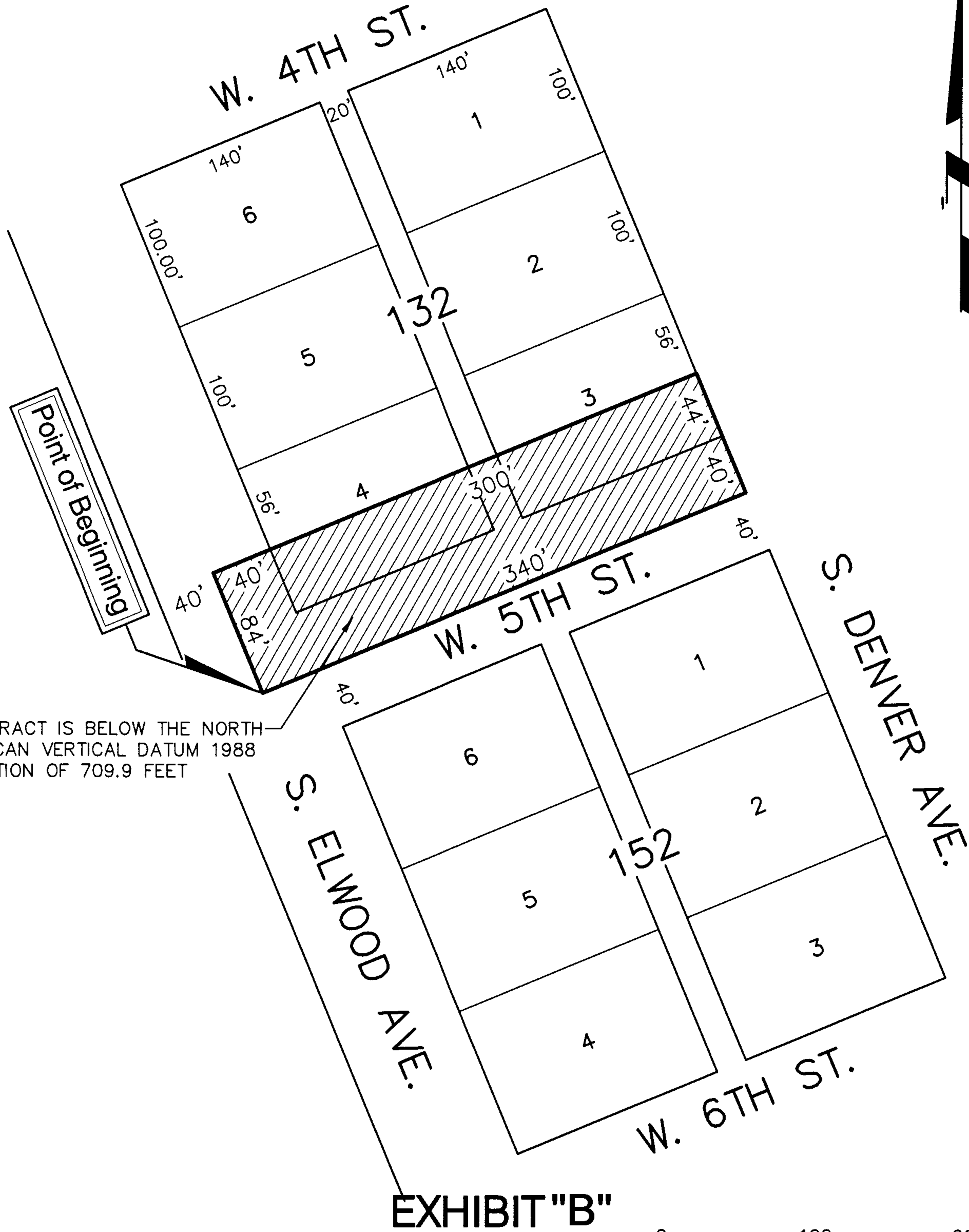
THE AREA (TOP VIEW) OF THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 28,560 SQUARE FEET OR 0.6556 ACRES.

THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY RONNIE LEE MARTIN, OKLAHOMA LICENSED PROFESSIONAL LAND SURVEYOR NO. 1203, ON OCTOBER 10, 2013. (CA NO. 1783)

G065A (57)  
10/14/13:RM:sky  
1912.02 Tulsa County Library-Metes & Bounds

EXHIBIT "A"

# Easement Property



THIS TRACT IS BELOW THE NORTH AMERICAN VERTICAL DATUM 1988 ELEVATION OF 709.9 FEET

### EXHIBIT "B"

