

ACCESS EASEMENT

This access easement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by and between **Calvin John Monsma and Carol Jean Monsma, Trustees of the Calvin John and Carol Jean Monsma 2016 Revocable Trust dated the 21<sup>st</sup> day of December, 2016**, as “Grantors,” and **The Preserve at Courthouse Hollow Homeowners’ Association, formerly known as The Preserve Homeowners’ Association**, an Oklahoma not for profit corporation, having a mailing address of P. O. Box 6865, Grove, Oklahoma 74345, as “Grantee.”

WHEREAS, Grantors, in their capacity as Trustees, are the owners of the following described tracts of real estate situated in Delaware County, State of Oklahoma to wit:

**Lot 9, THE PRESERVE AT GRAND LAKE O’ THE CHEROKEES, a subdivision, according to the recorded plat thereof, Delaware County, Oklahoma**

**AND a Part Lot 10 legal more particularly described as follows:**

**THE WEST 15 FEET OF LOT 10 OF THE PRESERVE AT GRAND LAKE O’ THE CHEROKEES, a subdivision, according to the recorded plat thereof, Delaware County, Oklahoma, being more particularly described as follows:**

**BEGINNING AT THE SW CORNER OF SAID LOT 10 RUN N 51°41’41” W 116.83 FEET ALONG THE WEST LINE OF SAID LOT 10; THENCE N 60°38’00” E 16.22 FEET; THENCE S 51°41’41” E 123.68 FEET; THENCE S 79°38’38” W 19.98 FEET TO THE POINT OF BEGINNING CONTAINING 0.04 ACRES, MORE OR LESS**



WHEREAS, Grantee has requested from Grantors an easement for ingress and egress over and across the easement area that crosses over Grantors’ tracts and is more particularly described on Exhibit A, attached hereto (the “Easement”)<sup>1</sup>.

NOW, THEREFORE, in consideration of the mutual covenants of the parties hereinafter set forth, the parties hereto agree as follows:

1. Grantors hereby grant to Grantee a permanent non-exclusive access easement to serve as a cart path for pedestrian and vehicular access over and along the Easement crossing the Grantors’ tracts. The use of the Easement will be for the benefit of Grantee, its members, and their invitees.

<sup>1</sup> The attached legal description describes an easement area that extends beyond Grantors’ tracts. The easement area burdens portions of Lots 9-12 of The Preserve at Grand Lake O’ the Cherokees.

2. Grantee will not utilize the Easement in any manner that will damage other parts of Grantors' tracts or that will needlessly burden Grantors' use and enjoyment of Grantors' tracts.
3. Grantee will maintain the Easement and related drains, culverts, and safety rails at Grantee's expense. The surface covering to be maintained by Grantee will consist of #2 crushed rock. Grantee may elect to resurface the Easement with a more permanent material with the written consent of Grantors, which consent will not be unreasonably withheld. Grantee will maintain a posted "5 MPH" sign within the Easement area.
4. Grantee shall indemnify and hold harmless the Grantors from and against any and all claims, actions or demands for damages, losses or injury to persons or property arising out of the negligent acts of Grantee or failure to properly maintain the Easement.
5. The easement right granted herein will inure to the benefit of Grantee's successors in title.

Witness the hands of the parties hereto the day and year first above written.

"Grantee"

"Grantors"

The Preserve at Courthouse Hollow  
Homeowners' Association

The Calvin John and Carol Jean Monsma  
2016 Revocable Trust dated the 21<sup>st</sup> day  
of December, 2016

By: \_\_\_\_\_

President

By: \_\_\_\_\_

Calvin John Monsma, Trustee

By: \_\_\_\_\_

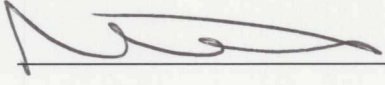
Carol Jean Monsma, Trustee

I-2022-003921 Book 2437 Pg 18  
04/21/2022 12:30pm Pg 0016-0025  
Fee: \$36.00 Doc: \$0.00  
Barbara Barnes - Delaware County Clerk  
State of OK

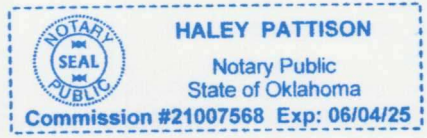
STATE OF OKLAHOMA )  
COUNTY OF Delaware )ss.

Before me, the undersigned, a Notary Public, in and for said County and State, on this 7 day of April, 2022, personally appeared James Sexton, as President of The Preserve at Courthouse Hollow Homeowners' Association, an Oklahoma not for profit corporation, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed on behalf of the corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed my notarial seal the day and year last above written.



Notary Public, No. 21007568  
My Commission Expires: 6/4/25



STATE OF OKLAHOMA )  
COUNTY OF Delaware )ss.

Before me, the undersigned, a Notary Public, in and for said County and State, on this 7 day of April, 2022, personally appeared Calvin John Monsma and Carol Jean Monsma, Trustees of the Calvin John and Carol Jean Monsma 2016 Revocable Trust dated the 21<sup>st</sup> day of December, 2016, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed as Trustees for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed my notarial seal the day and year last above written.



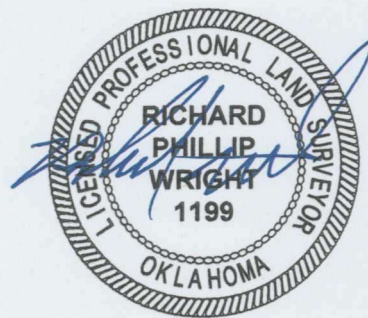
Notary Public, No. 21007568  
My Commission Expires: 6/4/25



I-2022-003921 Book 2437 Pg 19  
04/21/2022 12:30pm Pg 0016-0025  
Fee: \$36.00 Doc: \$0.00  
Barbara Bames - Delaware County Clerk  
State of OK

PROPERTY DESCRIPTION:

PART OF LOT 9, THE PRESERVE @ GRAND LAKE, A SUBDIVISION, DELAWARE COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING FROM THE SOUTHEAST CORNER OF SAID LOT 9; THENCE S 85°45'00" W 176.17 FEET ALONG THE SOUTH LINE OF SAID LOT 9 TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE S 85°45'00" W 16.03 FEET; THENCE LEAVING SAID SOUTH LINE AND ALONG THE EXISTING EDGE OF GRAVEL THE FOLLOWING 5 COURSES; THENCE N 39°53'17" W 2.61 FEET; S 86°55'39" W 10.30 FEET; THENCE 53.86 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 43.02 FEET, A CHORD DIRECTION OF N 14°41'15" E AND A CHORD LENGTH OF 50.41 FEET; THENCE N 58°09'31" E 51.45 FEET; THENCE S 88°15'04" E 20.47 FEET TO A POINT ON THE WEST LINE OF COMMONS 1 OF THE PRESERVE @ GRAND LAKE; THENCE LEAVING SAID EDGE OF GRAVEL AND ALONG SAID WEST LINE S 29°22'00" E (MEASURED S 29°09'46" E 6.84 FEET) TO A FOUND 5/8" IRON PIN; THENCE LEAVING SAID WEST LINE AND ALONG A SOUTHERLY LINE OF SAID COMMONS 1 N 60°38'00" E 94.42 FEET (MEASURED N 60°32'16" E 94.46 FEET) TO A FOUND 5/8" IRON PIN; THENCE ALONG A WESTERLY LINE OF SAID COMMONS 1 S 51°41'41" E (MEASURED S 51°18'32" E 17.09 FEET); THENCE ALONG THE EXISTING EDGE OF GRAVEL THE FOLLOWING 5 COURSES; THENCE S 60°20'58" W 109.86 FEET; THENCE S 24°26'02" W 8.73 FEET; THENCE S 63°32'15" W 22.06 FEET; THENCE S 64°29'44" W 16.97 FEET; THENCE 31.51 FEET ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 24.33 FEET, A CHORD DIRECTION OF S 27°58'14" W AND A CHORD LENGTH OF 29.35 FEET TO THE POINT OF BEGINNING, CONTAINING 0.12 ACRES, MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR OF FACT.



10-29-21

CA 4716 (PE/LS) EXPIRES 6/30/2021

PRESERVE BOARD OF  
DIRECTORS  
THE PRESERVE @ GRAND LAKE

R&M NO. 21305-00

**R&M**  
**ROSE & McCRARY, P.C.**  
ENGINEERING & LAND SURVEYING  
2125 South Broadway, Grove, OK 74344  
918-786-6350 FAX: 918-786-7536 www.rosemcrary.com  
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ACCESS EASEMENT

This access easement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by and between **Susan K. Vick, Trustee of The Susan K. Vick Trust dated December 6, 1996, as Amended and Restated**, as "Grantor," and **The Preserve at Courthouse Hollow Homeowners' Association, formerly known as The Preserve Homeowners' Association**, an Oklahoma not for profit corporation, having a mailing address of P. O. Box 6865, Grove, Oklahoma 74345, as "Grantee."

WHEREAS, Grantor is the owner of the following described tract of real estate situated in Delaware County, State of Oklahoma to wit:

**Lot 10, THE PRESERVE AT GRAND LAKE O' THE CHEROKEES, a subdivision, according to the recorded plat thereof, Delaware County, Oklahoma. LESS AND EXCEPT THE WEST 15 FEET OF SAID LOT 10, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID LOT 10 RUN N 51" 41' 41" WEST 116.83 FEET ALONG THE WEST LINE OF SAID LOT 10; THENCE N 60" 38' 00" EAST 16.22 FEET; THENCE S 51" 41' 41" EAST 123.68 FEET; THENCE S 79" 38' 38" WEST 19.98 FEET TO THE POINT OF BEGINNING.**

WHEREAS, Grantee has requested from Grantor an easement for ingress and egress over and across the easement area that crosses over Grantor's tract and is more particularly described on Exhibit A, attached hereto (the "Easement")<sup>1</sup>.

NOW, THEREFORE, in consideration of the mutual covenants of the parties hereinafter set forth, the parties hereto agree as follows:

1. Grantor hereby grants to Grantee a permanent non-exclusive access easement to serve as a cart path for pedestrian and vehicular access over and along the Easement crossing the Grantor's tract. The use of the Easement will be for the benefit of Grantee, its members, and their invitees.
2. Grantee will not utilize the Easement in any manner that will damage other parts of Grantor's tract or that will needlessly burden Grantor's use and enjoyment of Grantor's tract.
3. Grantee will maintain the Easement and related drains, culverts, and safety rails at Grantee's expense. The surface covering to be maintained by Grantee will consist of #2 crushed rock. Grantee may elect to resurface the Easement with a more permanent material with the written consent of Grantor, which consent will not be unreasonably withheld. Grantee will maintain a posted "5 MPH" sign within the Easement area.

<sup>1</sup> The attached legal description describes an easement area that extends beyond Grantor's tract. The easement area burdens portions of Lots 9-12 of The Preserve at Grand Lake O' the Cherokees.

4. Grantee shall indemnify and hold harmless the Grantor from and against any and all claims, actions or demands for damages, losses or injury to persons or property arising out of the negligent acts of Grantee or failure to properly maintain the Easement.
5. The easement right granted herein will inure to the benefit of Grantee's successors in title.


Witness the hands of the parties hereto the day and year first above written.

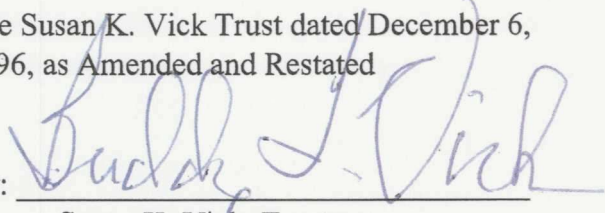
"Grantee"

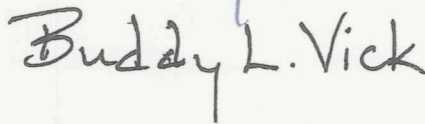
"Grantor"

The Preserve at Courthouse Hollow  
Homeowners' Association

The Susan K. Vick Trust dated December 6,  
1996, as Amended and Restated

By:   
President

By:   
Susan K. Vick, Trustee



1-2022-003921 Book 2437 Pg 22  
04/21/2022 12:30pm Pg 0016-0025  
Fee: \$36.00 Doc: \$0.00  
Barbara Barnes - Delaware County Clerk  
State of OK

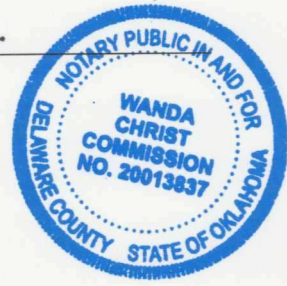
STATE OF OKLAHOMA )  
COUNTY OF Delaware )ss.

Before me, the undersigned, a Notary Public, in and for said County and State, on this 7<sup>th</sup> day of April, 2022, personally appeared James Sexton, as President of The Preserve at Courthouse Hollow Homeowners' Association, an Oklahoma not for profit corporation, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed on behalf of the corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed my notarial seal the day and year last above written.

Wanda Christ

Notary Public, No. 20013837  
My Commission Expires: 11.10.29



STATE OF OKLAHOMA )  
COUNTY OF Delaware )ss.

Before me, the undersigned, a Notary Public, in and for said County and State, on this 7 day of April, 2022, personally appeared <sup>Buffy</sup>~~Susan K.~~ Vick, Trustee of The Susan K. Vick Trust dated December 6, 1996, as Amended and Restated, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed as Trustee for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed my notarial seal the day and year last above written.

Wanda Christ

Notary Public, No. 20013837  
My Commission Expires: 11.10.29



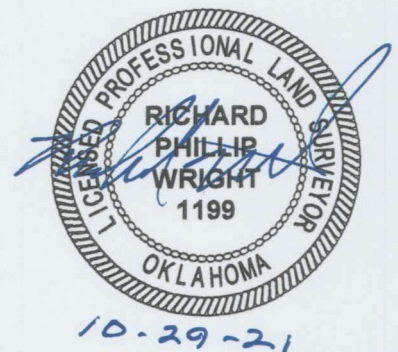
PROPERTY DESCRIPTION:

PART OF LOT 10, THE PRESERVE @ GRAND LAKE, A SUBDIVISION, DELAWARE COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND 5/8" IRON PIN AT THE SOUTHEAST CORNER OF SAID LOT 10; THENCE ALONG THE SOUTH LINE OF SAID LOT 10 S 79°35'38" W (MEASURED S 79°49'39" W 14.62 FEET); THENCE LEAVING THE SOUTH LINE AND ALONG THE EXISTING EDGE OF GRAVEL THE FOLLOWING 5 COURSES; THENCE N 37°28'11" W 34.23 FEET; THENCE N 41°33'51" W 34.79 FEET; THENCE N 50°41'01" W 27.57 FEET; THENCE 67.39 FEET ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 67.25 FEET, A CHORD DIRECTION OF N 81°17'37" W AND A CHORD LENGTH OF 64.60 FEET; THENCE S 71°58'20" W 110.85 FEET TO A POINT ON THE SOUTH LINE OF COMMONS 1 OF THE PRESERVE @ GRAND LAKE; THENCE ALONG SAID SOUTH LINE N 60°38'00" E (MEASURED N 60°43'54" E 52.53 FEET); THENCE LEAVING SAID SOUTH LINE AND ALONG THE EXISTING EDGE OF EXISTING GRAVEL THE FOLLOWING 2 COURSES; THENCE N 70°02'41" E 52.37 FEET; THENCE 53.59 FEET ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 73.68 FEET, A CHORD DIRECTION OF N 83°07'56" E AND A CHORD DIRECTION OF 52.42 FEET TO A POINT ON THE EAST LINE OF AFORESAID LOT 10; THENCE ALONG SAID EAST LINE S 47°28'04" E 138.15 FEET TO THE POINT OF BEGINNING, CONTAINING 0.05 ACRES, MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR OF FACT.

AND

PROPERTY DESCRIPTION:

PART OF LOT 10, THE PRESERVE @ GRAND LAKE, A SUBDIVISION, DELAWARE COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING FROM A FOUND 5/8" IRON PIN AT THE SOUTHEAST CORNER OF SAID LOT 10; THENCE ALONG THE EAST LINE OF SAID LOT 10 N 47°28'04" W 174.64 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EXISTING EDGE OF GRAVEL S 62°06'51" W 74.01 FEET TO A POINT ON THE EAST LINE OF COMMONS 1 OF THE PRESERVE @ GRAND LAKE; THENCE ALONG SAID EAST LINE N 29°22'00" W (MEASURED N 29°09'47" W 14.71 FEET); THENCE LEAVING SAID EAST LINE AND ALONG AFORESAID EDGE OF GRAVEL N 61°29'28" E 68.84 FEET TO A POINT ON AFORESAID EAST LINE OF LOT 10; THENCE S 47°28'04" E 16.41 ALONG SAID EAST LINE TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES, MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR OF FACT.



CA 4716 (PE/LS) EXPIRES 6/30/2021

PRESERVE BOARD OF  
DIRECTORS

THE PRESERVE @ GRAND LAKE

R&M NO. 21305-00



**ROSE & McCRARY, P.C.**

ENGINEERING & LAND SURVEYING

2125 South Broadway, Grove, OK 74344

918-786-6350 FAX: 918-786-7536 www.rosemcrary.com

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# Delaware

Data provided by LARENA ELLIS COOK County Assessor

Property Information - Date 04/19/2022

The Delaware County Assessor's Office has made every effort to insure the accuracy of the data contained on this web site; however, this material may be slightly dated which could have an impact on its accuracy.

The information must be accepted and used by the recipient with the understanding that the data was developed and collected only for the purpose of establishing fair market value for ad valorem taxation. Although changes may be made periodically to the tax laws, administrative rules and similar directives, these changes may not always be incorporated in the material on this web site.

The Delaware County Assessor's Office assumes no liability for any damages incurred, whether directly or indirectly, incidental, punitive or consequential, as a result of any errors, omissions or discrepancies in any information published on this web site or by any use of this web site.

Assessment Data			Primary Image			
Account	210083089		<div style="border: 1px solid gray; padding: 5px; text-align: center;"> <b>I-2022-003921</b>      Book 2437 Pg 24            04/21/2022 12:30pm      Pg 0016-0025            Fee: \$36.00      Doc: \$0.00            Barbara Barnes - Delaware County Clerk            State of OK         </div> <p style="text-align: center; margin-top: 20px;"><b>No Image On File</b></p>			
Parcel ID	24N23E-23-0-00537-000-0000					
Cadastral ID						
Property Type	REAL - Real Property					
Property Class	RR					
Tax Area	6 - Grove Rural					
Lot Size	1.00 - Lots					
Owners Name	THE PRESERVE OF GRAND LAKE LLC PO BOX 6865 GROVE OK 74344					
<b>Parcel Location</b>						
Situs						
Subdivision	Preserve @ Grand Lake					
Lot/Block	0000 /					
Sec/Twn/Rng	23 - 24N - 23E - 0					
Neighborhood	3414 - OW 2 THUR 11 24/23					
<b>Legal Description</b>						
PRESERVE @ GRAND LAKE COMMONS 1 & 2 1901-793						
<b>Valuation</b>			<b>Tax Detail (Millages)</b>			
	<b>Current</b>	<b>2021</b>	<b>%</b>	<b>Mills</b>	<b>Dollars</b>	
Land Value	1	1	C001 DELAWARE COUNTY			
Improvements	0	0	GENERAL FUND	12.5	10.45	.00
Mobile Home	0	0	HEALTH FUND	2.5	2.09	.00
Fair Market Value	1	1	LIBRARY FUND	2.5	2.09	.00
Taxable Value - Capped	1	1	SCHOOL FOUR MILL	5.0	4.18	.00
Assement Ratio	11.5%	11.5%	SI02 GROVE ISD			
Gross Assessed	0	0	GENERAL FUND	43.7	36.40	.00
Exemptions	0	0	BUILDING FUND	6.2	5.20	.00
Net Assessed	0	0	SINKING FUND	10.5	8.74	.00
Tax Rate	83.3100	83.3100	V001 NORTHEAST TECH CENTER			
Estimated Taxes	0.00	0.00	GENERAL FUND	12.5	10.45	.00
			BUILDING FUND	1.2	1.00	.00
			GEMS GROVE-DELAWARE EMS BD 21			
			GENERAL FUND EMS	3.3	2.71	.00



I-2022-003921 Book 2437 Pg 25  
 04/21/2022 12:30pm Pg 0016-0025  
 Fee: \$36.00 Doc: \$0.00  
 Barbara Barnes - Delaware County Clerk  
 State of OK

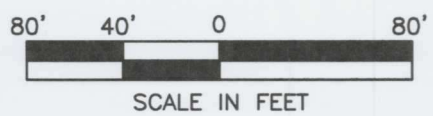


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 RECORDS AND IS NOT A FINAL SURVEY  
 AND SEALED DOCUMENT*

THIS SKETCH PLAT IS FOR CLARIFICATION PURPOSES ONLY AND IS NOT AN ACTUAL SURVEY.

Revisions:

CA 4716 (PE/LS) EXPIRES 6/30/2023



**ROSE & McCRARY, P.C.**

ENGINEERING & LAND SURVEYING  
 2125 South Broadway, Grove, OK 74344

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FOR:  
 PRESERVE B.O.D.

R&M NO.  
 21305-00