

**TEMPORARY EASEMENT FOR ACCESS**

Pursuant to the Oklahoma Environmental Quality Code (27A O.S. §2-1-101 *et seq.*, including the Solid Waste Management Act, the rules promulgated thereunder, and in accordance with the conditions and requirements of Permit No. \_\_\_\_\_, issued by the Oklahoma State Department of Health, the predecessor in interest to the Oklahoma Department of Environmental Quality (DEQ) on (date)\_\_\_\_, (name of permittee)\_\_\_\_, (his/her heirs and assigns) (its successors and assigns), hereinafter referred to as Grantor, does hereby grant unto the DEQ, including its contractors, employees, and its successors and assigns, the right of access for purposes of performing closure, post-closure monitoring, or corrective action in the event of default by the owner or operator. The Easement is granted over and across the following described land, situated in \_\_\_\_\_County, State of Oklahoma:

**Tract 1** (the permitted area): (legal description of permitted area), more particularly described as the permitted area of (facility name) landfill, Oklahoma Department of Environmental Quality Permit Number \_\_\_\_\_; and

**Tract 2** (the borrow area): (legal description of borrow area).

This Temporary Easement for Access is given subject to the following conditions:

1. The Grantor hereby grants unto the DEQ an easement and right-of-way over and across Tract 1, above set out, for access to said Tract 1 for the purposes of conducting closure and post-closure activities and/or corrective action as prescribed by the laws of the State of Oklahoma and Rules of the DEQ;
2. The Grantor hereby grants unto the DEQ an easement and right-of-way over and across Tract 2, above set out, for access to said Tract 2 for the purposes of utilizing borrow material while performing closure and post-closure activities and/or corrective action as prescribed by the laws of the State of Oklahoma and Rules of the DEQ;
3. This Easement is temporary and shall become null and void upon certification by the DEQ that post-closure and/or corrective action has been properly completed.

This Easement shall be binding upon the heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the Grantor has hereunto set (his/her/its) hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Name, Title)

**ACKNOWLEDGMENT**

STATE OF OKLAHOMA            )  
  )     SS:  
COUNTY OF \_\_\_\_\_ )

Before me, the undersigned, a Notary Public within and for said County and State, on this \_\_\_\_\_ day of \_\_\_\_\_, 20  , personally appeared (name, title), to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that (he/she) executed the same as (his/her) free and voluntary act and deed, for the uses and purposes therein set forth.

Witness my hand and official seal the date above written.

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

My commission expires:

\_\_\_\_\_