

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **DAVID WARNE aka DAVID M. WARNE and SHARON WARNE aka SHARON E. WARNE, husband and wife**, the Owner(s), of the legal and equitable title to the following described real estate situated in Wagoner County, State of Oklahoma, for and in consideration of the sum of One Dollar (\$1.00), cash in hand, paid by the City of Broken Arrow, an municipal corporation, Oklahoma, and other good and valuable considerations, receipt of which are hereby acknowledged, do(es) hereby grant and convey unto the said **CITY OF BROKEN ARROW**, a municipal corporation, County of Tulsa, State of Oklahoma, a temporary easement, through, over, and under, and across the following described property, situated in said County, to-wit:

SEE EXHIBIT "A"

for a period of not more than 12 MONTHS FROM THE START OF CONSTRUCTION. This grant of temporary right to use and occupy is given for the purpose of permitting the City of Broken Arrow, its employees, representatives, agents, and/or persons under contract with it, to use said described property for construction of the roadway improvements.

That the Owner(s) agree that this temporary construction easement shall be binding upon their heirs, executors, administrators and personal representatives during the term hereof and further agree that in the event the premises covered by this temporary construction easement are sold, assigned or conveyed, that the purchaser or grantee thereof will be advised of the existence of this temporary grant and that said sale during said term shall be made subject to the rights herein given.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 30th day of March 2026.



David Warne aka David M. Warne



Sharon Warne aka Sharon E. Warne

STATE OF OKLAHOMA)
) §
COUNTY OF WAGONER)

30th BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this day of March, 2026, personally appeared David Warne aka David M. Warne and Sharon Warne aka Sharon E. Warne, to me known to be the identical person(s) who executed the within and foregoing instrument in writing and acknowledged to me that he (she) executed the same as his (her) free and voluntary act and deed, and as the free and voluntary act and deed for the uses and purposes therein set forth.

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



Amy J. O'Laughlin
NOTARY PUBLIC

Approved as to Form:
CITY of Broken Arrow, Oklahoma,
A municipal corporation

Approved as to Substance:
CITY of Broken Arrow, Oklahoma,
A municipal corporation

[Signature]
Assistant City Attorney

Michael L. Spurgeon, City Manager

Attest:

City Clerk

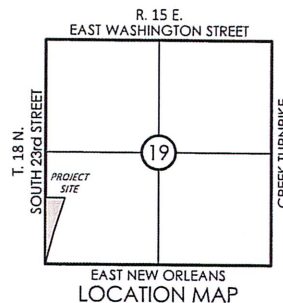
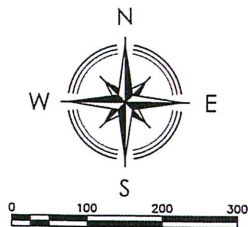
Engineer: ELR Date: 3/31/26
Project: 2154250 County Line Trunk Sewer Phase IIB - Sanitary Sewer Improvements
Parcel 23.1, 23.2, and 24.1

EXHIBIT "A" TEMPORARY CONSTRUCTION EASEMENT

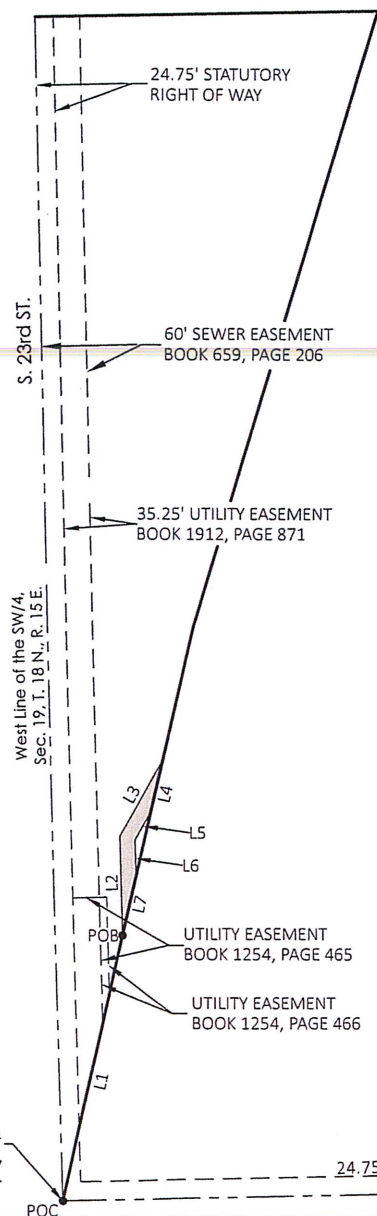
OWNER:
The Brandy LLC
PROPERTY ID:
730007021

PROPERTY ADDRESS:
No Address listed in County Records

STATEMENT OF BEARINGS:
Basis of Bearings: Oklahoma State Plane Coordinate System,
North Zone, 3501, NAD 83 (1993)



- LEGEND**
- POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - Temporary Construction Easement
3,392.93 s.f. or 0.08 acres, more or less



A tract of land located in the Southwest Quarter (SW/4) of Section Nineteen (19), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as follows:

COMMENCING at the Southwest corner of said SW/4; thence North 13°07'44" East, for a distance of 360.54 feet to the POINT OF BEGINNING; thence North 01°19'36" West and parallel with the West line of said SW/4, for a distance of 131.41 feet; thence North 29°27'40" East, for a distance of 116.66 feet; thence South 13°07'44" West, for a distance of 71.12 feet; thence South 29°27'40" West, for a distance of 42.90 feet; thence South 01°19'36" East and parallel with the West line of said SW/4, for a distance of 48.32 feet; thence South 13°07'44" West, for a distance of 80.12 feet to the POINT OF BEGINNING.

LINE	BEARING	DISTANCE
L1	N 13°07'44" E	360.54'
L2	N 01°19'36" W	131.41'
L3	N 29°27'40" E	116.66'
L4	S 13°07'44" W	71.12'
L5	S 29°27'40" W	42.90'
L6	S 01°19'36" E	48.32'
L7	S 13°07'44" W	80.12'

Nathaniel J. Reed **REED** Date: 2-18-2022
 Oklahoma P.L.S. # 1744



HARDEN & ASSOCIATES
SURVEYING AND MAPPING, PC
5807 South Garnett Road, Suite K, (918) 234-4859 Office
Tulsa, Oklahoma 74146 (918) 893-5552 Fax
Certificate of Authorization No. 4656 Expires June 30, 2023

PARCEL: TEMP CONSTR. ESMT.	PROJECT No.: 161027
DRAWING: PARCEL 23.1	DATE: OCT 2021
REVISION: FEB 2022	DRAWN: JLN
	SCALE: 1:200'
	CHECKED: NJR
	SHEET NO.: 1 OF 1

EXHIBIT "A" TEMPORARY CONSTRUCTION EASEMENT

OWNER:

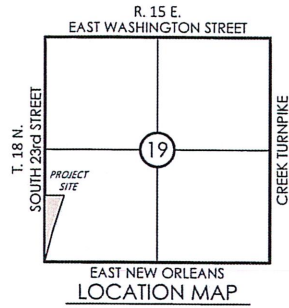
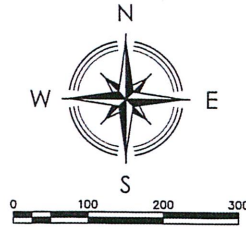
The Brandy LLC
PROPERTY ID:
730007021

PROPERTY ADDRESS:

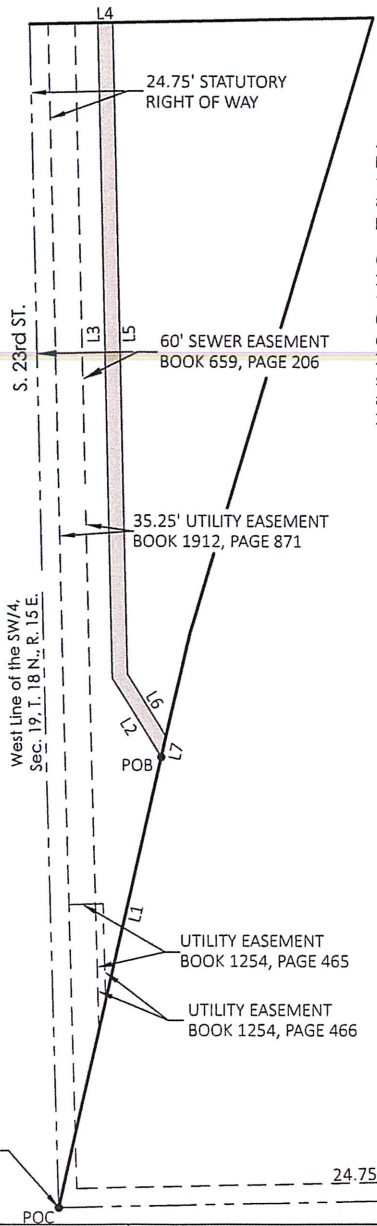
No Address listed in County Records

STATEMENT OF BEARINGS:

Basis of Bearings: Oklahoma State Plane Coordinate System,
North Zone, 3501, NAD 83 (1993)



- LEGEND**
- POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - Temporary Construction Easement
19,535.80 s.f. or 0.45 acres, more or less



A tract of land located in the Southwest Quarter (SW/4) of Section Nineteen (19), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as follows:

COMMENCING at the Southwest corner of said SW/4; thence North 13°07'44" East, for a distance of 612.32 feet to the POINT OF BEGINNING; thence North 32°06'52" West, for a distance of 122.79 feet; thence North 01°19'36" West and parallel with the West line of said SW/4, for a distance of 869.42 feet; thence North 88°40'22" East, for a distance of 20.00 feet; thence South 01°19'36" East and parallel with the West line of said SW/4, for a distance of 863.91 feet; thence South 32°06'52" East, for a distance of 97.46 feet; thence South 13°07'44" West, for a distance of 28.16 feet to the POINT OF BEGINNING.

LINE	BEARING	DISTANCE
L1	N 13°07'44" E	612.32'
L2	N 32°06'52" W	122.79'
L3	N 01°19'36" W	869.42'
L4	N 88°40'22" E	20.00'
L5	S 01°19'36" E	863.91'
L6	S 32°06'52" E	97.46'
L7	S 13°07'44" W	28.16'

Nathaniel J. Reed, P.L.S. #1744
 Date: 2-18-2022



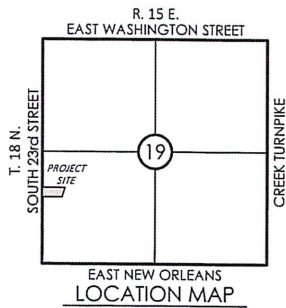
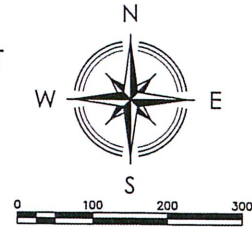
HARDEN & ASSOCIATES
SURVEYING AND MAPPING, PC
5807 South Garnett Road, Suite K, (918) 234-4859 Office
Tulsa, Oklahoma 74146 (918) 893-5552 Fax
Certificate of Authorization No. 4656 Expires June 30, 2023

PARCEL: TEMP CONSTR. ESMT.	PROJECT No.: 161027
DRAWING: PARCEL 23.2	DATE: OCT 2021
REVISION: FEB 2022	DRAWN: JLN
	SCALE: 1:200'
	CHECKED: NJR
	SHEET NO.: 1 OF 1

EXHIBIT "A"
TEMPORARY CONSTRUCTION EASEMENT

OWNER:
David M. & Sharon E. Warne
PROPERTY ID:
730061577
PROPERTY ADDRESS:
9665 S. 193rd E. AVE.

STATEMENT OF BEARINGS:
Basis of Bearings: Oklahoma State Plane Coordinate System,
North Zone, 3501, NAD 83 (1993)



- LEGEND**
- POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - Temporary Construction Easement
4,404.72 s.f. or 0.10 acres, more or less

LINE	BEARING	DISTANCE
L1	S 01°19'36" E	847.80'
L2	N 88°40'22" E	90.00'
L3	N 88°40'22" E	20.00'
L4	S 01°19'36" E	220.24'
L5	S 88°40'22" W	20.00'
L6	N 01°19'36" W	220.24'

NW CORNER SW/4
SEC. 19, T. 18 N.,
R. 15 E.

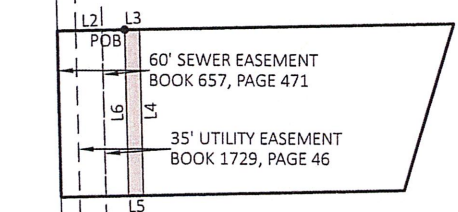
POC

North Line of the SW/4,
Sec. 19, T. 18 N., R. 15 E.

A tract of land located in the Southwest Quarter (SW/4) of Section Nineteen (19), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, according the United States Government Survey thereof, being more particularly described as follows:

COMMENCING at the Northwest corner of said SW/4; thence South 01°19'36" East and along the West line of said SW/4, for a distance of 847.80 feet; thence North 88°40'22" East, for a distance of 90.00 feet to the POINT OF BEGINNING; thence continuing North 88°40'22" East, for a distance of 20.00 feet; thence South 01°19'36" East and parallel with the West line of said SW/4, for a distance of 220.24 feet; thence South 88°40'22" West, for a distance of 20.00 feet; thence North 01°19'36" West and parallel with the West line of said SW/4, for a distance of 220.24 feet to the POINT OF BEGINNING.

West Line of the SW/4,
Sec. 19, T. 18 N., R. 15 E.



S. 23rd ST.

24-75' STATUTORY RIGHT OF WAY

Nathaniel J. Reed, P.L.S. #1744
 Date: 2-18-2022



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PARCEL: TEMP CONSTR. ESMT.	PROJECT No.: 161027
DRAWING: PARCEL 24.1	DATE: OCT 2021
REVISION: FEB 2022	DRAWN: JLN
	SCALE: 1:200'
	CHECKED: NJR
	SHEET NO.: 1 OF 1