

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **CAROL J. BELL AND JAMES M. BELL, WIFE AND HUSBAND**, 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**, 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, 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"

EXEMPT FROM DOCUMENTARY STAMPS PURSUANT TO 68 O.S. 3202 (11)

for a period of not more than 12 months from the date of 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 a trunk sewer line.

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 31 day of July 2017.

Carol J. Bell
CAROL J. BELL

James M. Bell
JAMES M. BELL

State of Oklahoma)
) §
County of Tulsa)

Before me, the undersigned, a Notary Public within and for said County and State, on this 31 day of 2017, personally appeared **Carol J. Bell and James M. Bell** to me known to be the identical person(s) who executed the within and foregoing instrument as the free and voluntary act and deed of such person for the uses and purposes therein set forth.

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

My Commission expires: _____

Approved as to Form:

[Signature]

Assistant City Attorney

[Signature]
Notary Public

Approved as to Substance:

City Manager

Attest:

Engineer: [Signature] checked: 08/03/17
Project: 9th Street widening Elgin to El Paso #1210, Parcel #7

City Clerk

PARCEL 7.1
OWNER: WILSON, CHARLES I. AND MARVELL
PERPETUAL UTILITY EASEMENT & TEMPORARY
CONSTRUCTION EASEMENT LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF LOT TWO (2), BLOCK TWO (2), LEMON ADDITION, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT THAT IS THE NORTHWEST CORNER OF LOT 2, BLOCK 2, LEMON ADDITION; THENCE NORTH 88°46'52" EAST ALONG THE NORTHERLY LINE OF SAID LOT 2 FOR 7.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 88°46'52" EAST ALONG THE NORTHERLY LINE OF SAID LOT 2 FOR 13.00 FEET; THENCE SOUTH 01°10'07" EAST PARALLEL WITH THE WESTERLY LINE OF SAID LOT 2 FOR 61.97 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 2; THENCE SOUTH 88°46'52" WEST ALONG SAID SOUTHERLY LINE OF LOT 2 FOR 13.00 FEET; THENCE NORTH 01°10'07" WEST PARALLEL WITH SAID WESTERLY LINE OF LOT 2 FOR 61.97 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 806 SQUARE FEET OR 0.018 ACRES, MORE OR LESS.

REAL PROPERTY CERTIFICATION

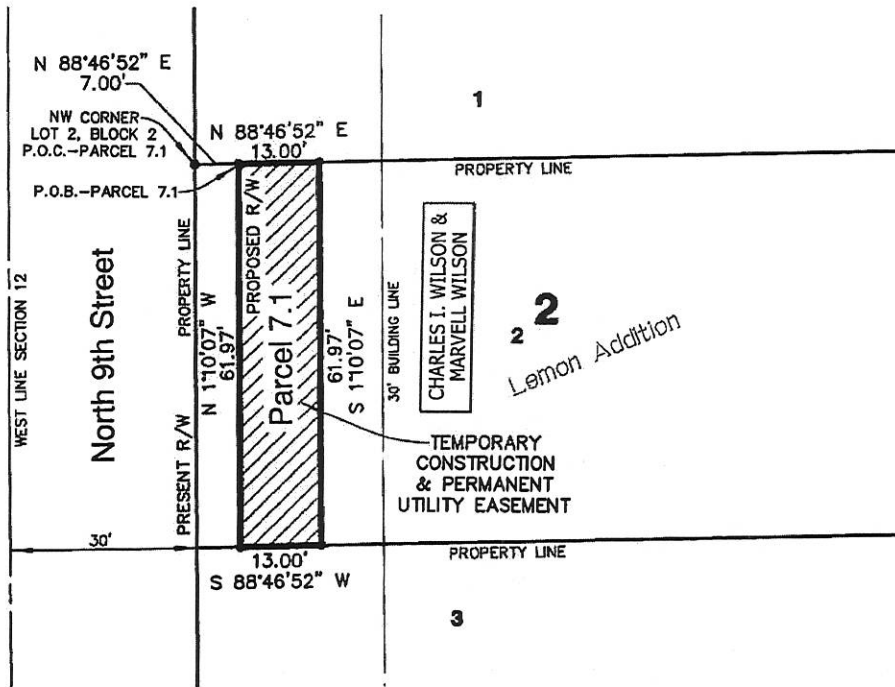
I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

9/20/12
DATE

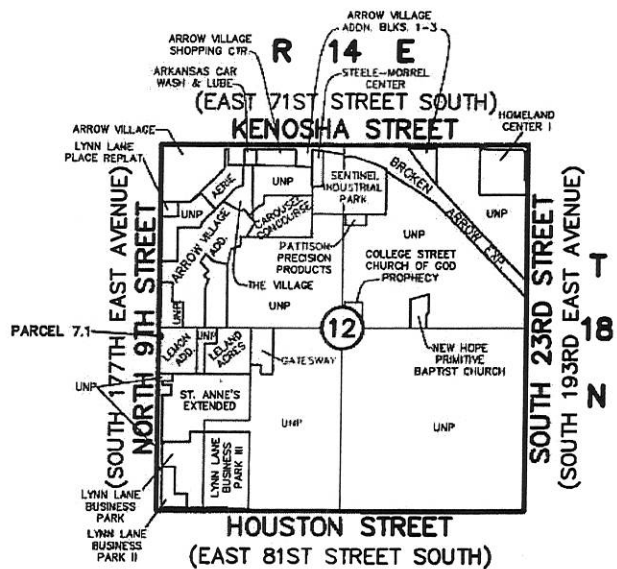
SISEMORE WEISZ & ASSOCIATES, INC.
BY DEAN ROBINSON

DEAN ROBINSON
PLS No. 1146 STATE OF OKLAHOMA
C. A. NO. 2 OKLAHOMA
EXPIRES: 6/30/13

Parcel Map



SCALE 1"=20'



TOTAL PROPERTY - 0.225 ACRES
PERMANENT UTILITY ESMT. - 0.018 ACRES
TEMP. CONSTRUCTION ESMT. - 0.018 ACRES

P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
R/W - RIGHT-OF-WAY

DATE: 12/10/2013
SHEET 2 OF 2



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
W.O. NO. 1672004

PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/15
FILE NO. 1814.1200

Parcel 7.1

Parcel Map Check Report

Date: 12/18/2013 1:53:31 PM

Parcel Name: PARCEL 7.1

North: 390,988.2093'

East: 2,624,832.6568'

Segment# 1: Line

Course: N88° 46' 52"E

Length: 13.000'

North: 390,988.4858'

East: 2,624,845.6539'

Segment# 2: Line

Course: S1° 10' 07"E

Length: 61.968'

North: 390,926.5307'

East: 2,624,846.9177'

Segment# 3: Line

Course: S88° 46' 52"W

Length: 13.000'

North: 390,926.2541'

East: 2,624,833.9206'

Segment# 4: Line

Course: N1° 10' 07"W

Length: 61.968'

North: 390,988.2093'

East: 2,624,832.6568'

Perimeter: 149.935'

Area: 805.58Sq.Ft.

Error Closure: 0.0000

Course: N0° 00' 00"E

Error North : 0.00000

East: 0.00000

Precision 1: 149,936,000.000