

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **B-Z PROPERTIES, L.L.C.**, a Oklahoma limited liability company, the Owner, 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 street improvements for the 37th Street Improvements, Albany to Houston, Project # ST1413.

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 3RD day of JULY, 2019.

B-Z PROPERTIES, L.L.C. an Oklahoma
limited liability company

By: 
ROGER BROACH, MANAGING MEMBER

STATE OF OKLAHOMA)
)
COUNTY OF Tulsa)

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this 3rd day of July, 2019, personally appeared ROGER BROACH, 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.



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

J. Swift
Assistant City Attorney

7/18/19

Marilyn Queen
NOTARY PUBLIC

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

Michael L. Spurgeon, City Manager

Attest:

City Clerk

Engineer ROH Checked: 7/17/19
Project: ST1413, 37th Street Improvements: Albany-Houston, Parcel 12

EXHIBIT "A"
B-Z PROPERTIES, L.L.C.
TEMPORARY CONSTRUCTION EASEMENT

LEGAL DESCRIPTION:

2 tracts of land lying in the Northeast Quarter Section 7, Township 18 North, Range 15 East of the Indian Meridian, Wagoner County, Oklahoma, being more particularly described as follows:

The south 410 feet of the north 1080 feet of the west 45 feet of the east 95 feet of said Northeast Quarter.

AND

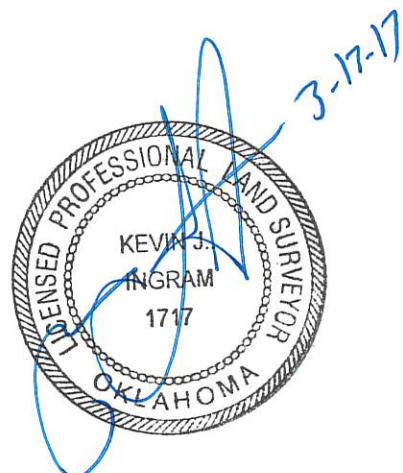
The south 250 feet of the north 1550 feet of the west 10 feet of the east 60 feet of said Northeast Quarter.

Said lands lying in the City of Broken Arrow, Wagoner County, Oklahoma and containing 20,950 square feet, more or less.

This description was prepared on November 1, 2016 by Kevin J. Ingram, PLS Oklahoma Licensed Surveyor No. 1717

Basis of Bearings: Oklahoma Coordinate System 1983, North Zone Being N01°24'19"W along the east line of the NE ¼ of Sec. 7, T18N, R15E, I.M.

Kevin J. Ingram, PLS
MKEC Engineering, Inc.
1000 W. Wilshire Blvd., Suite 401
Oklahoma City, OK 73116
405-842-8558
Certificate of Authorization Number CA 2958, Expires June 30, 2017.



PROJECT NO.	1603010067
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PARCEL: TEMP. CONSTR. ESMT.	DATE: AUGUST 2016
DRAWING: TRACT MAP 12a	DRAWN BY: DSN
REV: NOVEMBER 2016	SCALE: 1: 500
	CHK'D BY: JCM



