

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, FLORENCIO AND PASCUALA SANTIBANEZ, husband and wife, whose address is 1701 East Seattle Court, Broken Arrow, OK 74012, the Owner(s), of the legal and equitable title to the following described real estate situated in TULSA 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"

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 9th Street widening, Elgin to El Paso, project # ST1210.

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 1 day of JULY, 2016.

By: Florencio Santibanez
Florencio Santibanez

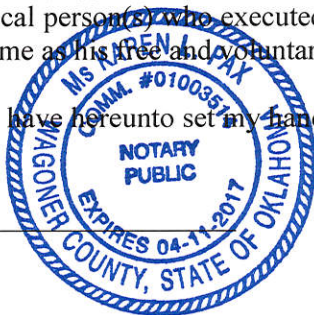
Pascuala Santibanez
Pascuala Santibanez

State of Oklahoma)
County of TULSA) §

Before me, the undersigned, a Notary Public within and for said County and State, on this 7th day of JULY, 2016, personally appeared FLORENCIO AND PASCUALA SANTIBANEZ, husband and wife, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the 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: _____



[Signature]
Notary Public

Approved as to Form:

[Signature]
Assistant City Attorney

Approved as to Substance:

City Manager

Attest:

Engineer: [Signature] checked: 08/08/16

City Clerk

PARCEL 28.1

OWNER: SANTIBANEZ, FLORENCIO & PASCUALA
TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF LOTS FIVE (5) AND SIX (6), BLOCK ONE (1), EAST HASKELL 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 THE NORTHEAST CORNER OF LOT 5, BLOCK 1, EAST HASKELL ADDITION; THENCE SOUTH 01°10'07" EAST ALONG THE EASTERLY LINE OF SAID LOT 5 FOR 14.00 FEET; THENCE SOUTH 88°32'20" WEST PARALLEL WITH AND 14.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID LOT 5 FOR 15.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE SOUTH 01°10'07" EAST PARALLEL WITH THE EASTERLY LINE OF SAID LOT 5 AND LOT 6 FOR 67.00 FEET; THENCE SOUTH 88°32'20" WEST PARALLEL WITH AND 21.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID LOT 6 FOR 5.00 FEET; THENCE NORTH 01°10'07" WEST PARALLEL WITH THE EASTERLY LINE OF SAID LOT 6 AND LOT 5 FOR 67.00 FEET; THENCE NORTH 88°32'20" EAST PARALLEL WITH AND 14.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID LOT 5 FOR 5.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 335 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

REAL PROPERTY CERTIFICATION

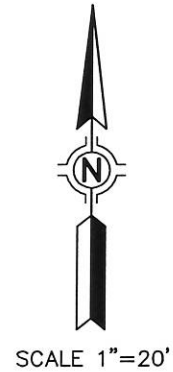
I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

1/9/13
DATE

SISEMORE WEISZ & ASSOCIATES, INC.
BY DEAN ROBINSON

DEAN ROBINSON
PLS No. 1146, STATE OF OKLAHOMA
C. A. No. 24, OKLAHOMA
EXPIRES: 6/5/15

K:\16720.04\PARCEL MAPS\PARCEL-28-1.DWG



PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/15
FILE NO. 1814.1100