

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **BLUE BELL CREAMERIES, L.P.**, a Delaware limited partnership, 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 23 day of October 2025.

BLUE BELL CREAMERIES, L.P., a
Delaware limited partnership

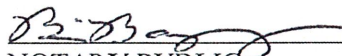
By: Marty Kilgore
Marty Kilgore, General Manager

STATE OF OKLAHOMA)
) §
COUNTY OF WAGONER)



BEFORE ME, a Notary Public in and for this state, on this 29 day of OCTOBER, 2025, personally appeared Marty Kilgore, as General Manager of Blue Bell Creameries, L.P., a Delaware limited partnership, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of the corporation, for the uses and purposes therein set forth.

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


NOTARY PUBLIC

Approved as to Form:

CITY of Broken Arrow, Oklahoma,
A municipal corporation



Assistant City Attorney

Approved as to Substance:

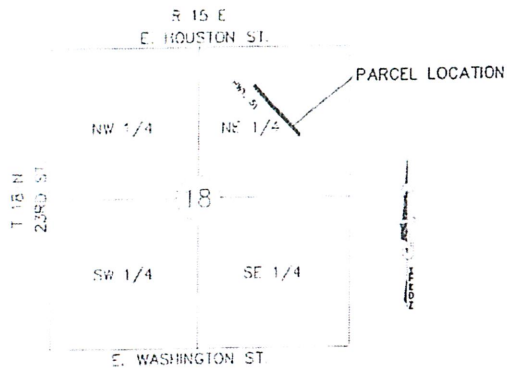
CITY of Broken Arrow, Oklahoma,
A municipal corporation

Michael L. Spurgeon, City Manager

Attest:

City Clerk

Engineer: ELR Date: 10/29/25
Project: S.25080 Highway 51 North Sewer Extension from Blue Bell Creameries to East Washington Street
Parcel 5.A



PARCEL NO. 5.A
COUNTY: WAGONER

LEGAL DESCRIPTION OF RECORD:
PART OF BLUEBELL XL IN
NE/4 OF SECTION 18, T18N, R15E
PERMANENT UTILITY EASEMENT - XXXX S.F.
TEMPORARY CONSTRUCTION EASEMENT - 10,575.88 S.F

LEGEND

- PROPERTY TO ACQUIRE
- TEMP. CONSTRUCTION EASEMENT

---' RECORDED DISTANCES

BASIS OF BEARING -- STATE PLANE COORDINATE SYSTEM (NAD 83)
OKLAHOMA NORTH ZONE

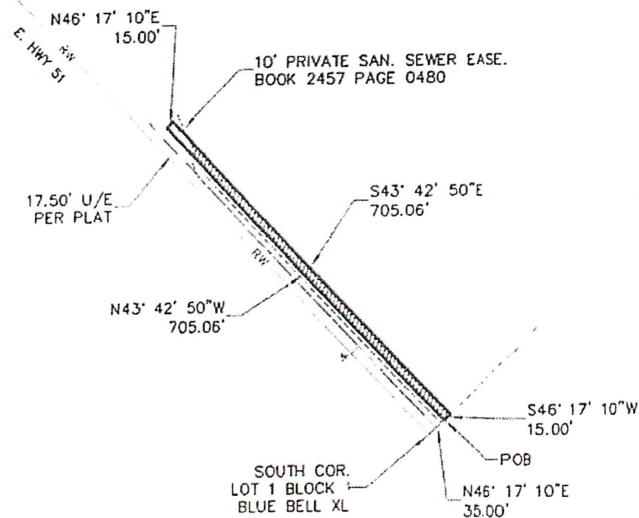
SCALE 1" = 300'

CHARLES W. CHASTAIN, OK. L.S. #1352

BLUE BELL XL

LOT 1

BLUE BELL CREAMERIES, LP



HOLLOWAY, UPDIKE AND BELLEN INC.
905-A SOUTH 9TH STREET, BROKEN ARROW, OK
918-251-0717, FAX 918-251-0754
CA #219, EXPIRES 06/30/21

TITLE:	HIGHWAY 51 NORTH SEWER EXTENSION FROM BLUE BELL CREAMERIES TO E. WASHINGTON ST.		
PROJECT:	24BABBLUEBELL	PROJ. # S.250B0	
OWNER:	BLUE BELL CREAMERIES, LP		
DATE:	SEPTEMBER 16, 2025	REVISION:	

Parcel No. 5.A
Blue Bell Creameries, LP

Date Written: September 16, 2025

TEMPORARY CONSTRUCTION EASEMENT

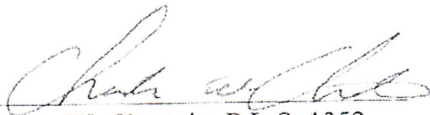
A strip, piece or parcel of land lying in part of the Lot 1, Block 1 of Blue Bell XL, a replat of Blue Bell and Lot 2, Block 1 of A.E.S. Industrial Center in part of the N1/2 NE1/4 of Section 18, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, Oklahoma being more particularly described as follows: Commencing at the most southerly corner of said Lot 1, thence N46°17'10"E along the Southeasterly line thereof 35.00 feet to the point of beginning; thence N43°42'50"W 705.06 feet; thence N46°17'10"E 15.00 feet; thence S43°42'50"E 705.06 feet to said Southeasterly line; thence S46°17'10"W along said Southeasterly line 15.00 feet to the point of beginning.

Containing 10,575.88 square feet or 0.24 acres.

Real Property Certification

I, Charles W. Chastain, P.L.S., Holloway, Updike and Bellen, Inc., certify that the attached Temporary Construction Easement 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.

9-22-25
Date


Charles W. Chastain, P.L.S. 1352

