

**TEMPORARY CONSTRUCTION EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, KENNETH LEWIS McBROOM AND SANDRA RAE McBROOM, husband and wife, whose address is 406 S 9TH Street, Broken Arrow, OK 74012, the Owners 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, does 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 9<sup>th</sup> 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 17 day of August, 2016.

October

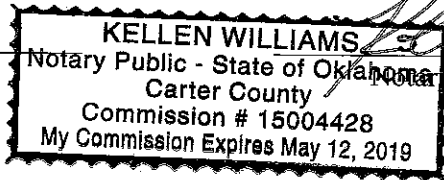
By: Kenneth Lewis McBroom  
KENNETH LEWIS McBROOM  
Sandra Rae McBroom  
SANDRA RAE McBROOM

State of Oklahoma     )  
  ) §  
County of Tulsa     )

Before me, the undersigned, a Notary Public within and for said County and State, on this \_\_\_\_\_ day of August, 2016, personally appeared KENNETH LEWIS McBROOM AND SANDRA RAE McBROOM, 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: 5/12/19



Approved as to Form:

Danny Lopez  
Assistant City Attorney

Approved as to Substance:

\_\_\_\_\_  
City Manager

Attest:

Engineer: WPA checked: 10/24/16

\_\_\_\_\_  
City Clerk

PARCEL 33

OWNER: KENNETH LEWIS McBROOM AND SANDRA RAE McBROOM,  
CO-TRUSTEES OF THE KENNETH LEWIS McBROOM AND SANDRA RAE  
McBROOM LIVING TRUST, DATED JUNE 3, 1991  
PERPETUAL UTILITY EASEMENT & TEMPORARY  
CONSTRUCTION EASEMENT LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF LOTS TEN (10) AND ELEVEN (11), 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:

BEGINNING AT A POINT THAT IS THE SOUTHEAST CORNER OF LOT 11, BLOCK 1, EAST HASKELL ADDITION; THENCE SOUTH 88°32'20" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 11 FOR 10.00 FEET; THENCE NORTH 01°10'07" WEST PARALLEL WITH THE EASTERLY LINE OF SAID LOT 11 AND LOT 10 FOR 70.00 FEET; THENCE NORTH 88°32'20" EAST PARALLEL WITH AND 50.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID LOT 10 FOR 10.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 10; THENCE SOUTH 01°10'07" EAST ALONG THE EASTERLY LINE OF SAID LOT 10 AND LOT 11 FOR 70.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

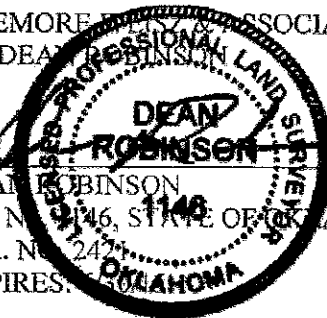
THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 700 SQUARE FEET OR 0.016 ACRES, MORE OR LESS.

REAL PROPERTY CERTIFICATION

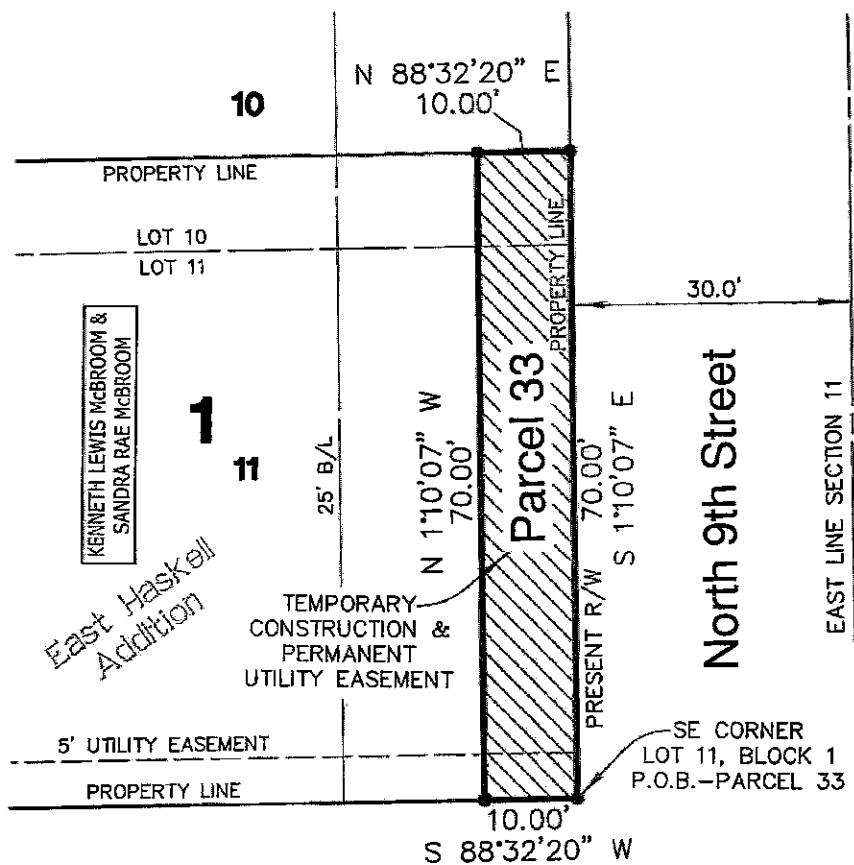
I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

1/9/13  
DATE

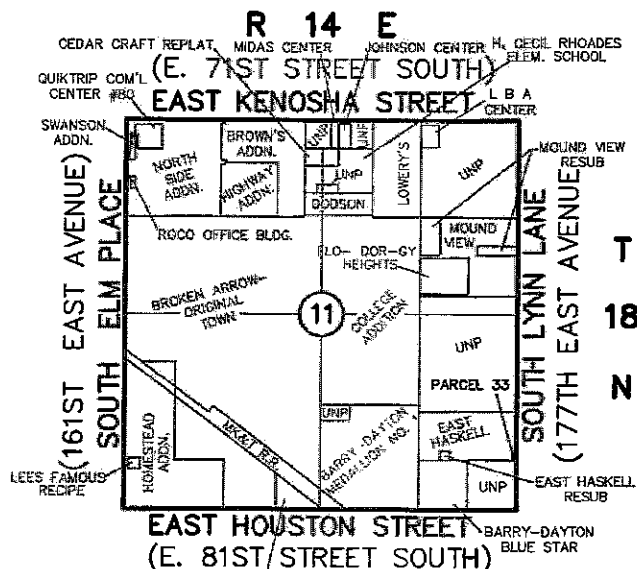
SISEMORE WEISZ & ASSOCIATES, INC.  
BY DEAN ROBINSON

DEAN ROBINSON  
PLS NO. 1146, STATE OF OKLAHOMA  
C. A. No. 247  
EXPIRES: 01/09/13  


# Parcel Map



SCALE 1"=20'



TOTAL PROPERTY - 0.200 ACRES  
 PERMANENT UTILITY ESMT. - 0.016 ACRES  
 TEMPORARY CONSTRUCTION ESMT. - 0.016 ACRES

B.L. - BUILDING SETBACK LINE  
 P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 R/W - RIGHT-OF-WAY

## Location Map

SCALE: NOT TO SCALE

K:\16720.04\PARCEL MAPS\PARCEL-33.DWG

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. 16720.04

PHONE: (918) 665-3600  
 FAX: (918) 665-8668  
 EXP. DATE 6/30/16  
 FILE NO. 1814.1100