

## TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **W. O. SMITH TRUST**, 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, 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 6 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 4TH day of MARCH 2024.

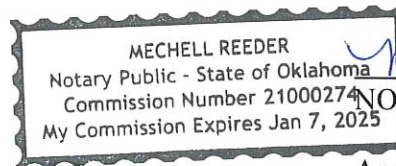
W. O. SMITH TRUST,

By: Weister O. Smith  
Weister O. Smith, Trustee

STATE OF OKLAHOMA           )  
COUNTY OF TULSA         ) §

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this 4TH day of MARCH, 2024, personally appeared Weister O. Smith, 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

Amn

Assistant City Attorney

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

Michael L. Spurgeon, City Manager

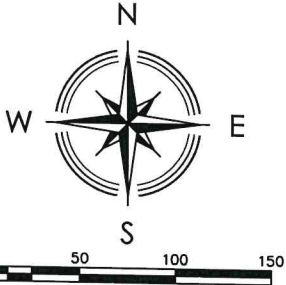
Attest:

Engineer JS Checked: 3/22/2020  
Project: County Line Trunk Sewer Phase II Rehabilitation  
Project No. 2154250 Parcel No. 33

City Clerk

EXHIBIT "A"  
TEMPORARY CONSTRUCTION EASEMENT

OWNER:  
Smith, W.O. Trust Weister O. Smith TRUSTEE  
PROPERTY ID:  
55740-84-24-62020  
PROPERTY ADDRESS:  
19223 E. 101st ST. S.  
STATEMENT OF BEARINGS:  
Basis of Bearings: Oklahoma State Plane Coordinate System,  
North Zone, 3501, NAD 83 (1993)



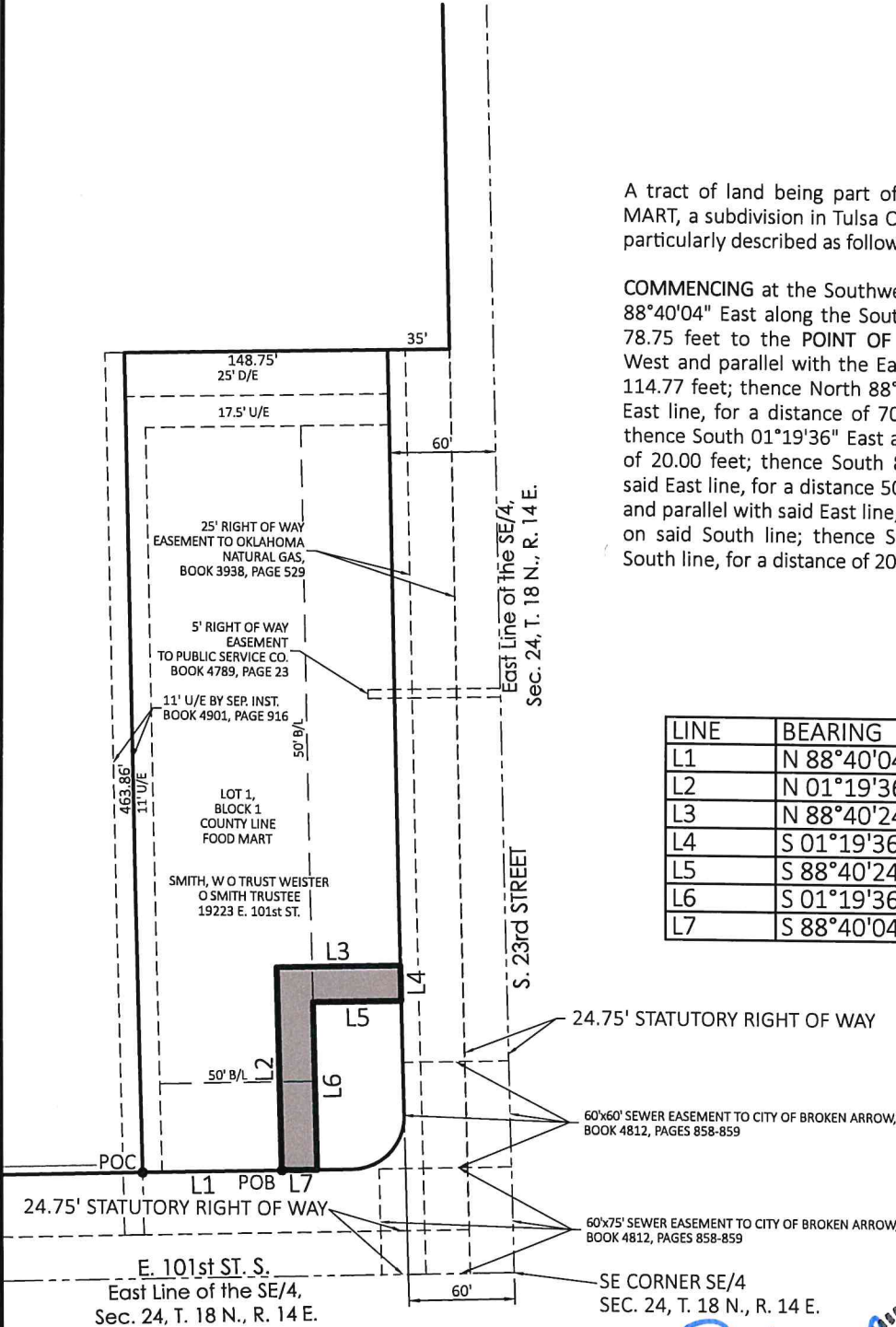
LEGEND

- POB POINT OF BEGINNING  
POC POINT OF COMMENCEMENT  
Temporary Construction Easement  
3,295.42 s.f. or 0.08 acres, more or less

A tract of land being part of Lot 1, Block 1, COUNTY LINE FOOD MART, a subdivision in Tulsa County, State of Oklahoma, being more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 1; thence North 88°40'04" East along the South line of said Lot 1, for a distance of 78.75 feet to the POINT OF BEGINNING; thence North 01°19'36" West and parallel with the East line of said Lot 1, for a distance of 114.77 feet; thence North 88°40'24" East and perpendicular to said East line, for a distance of 70.00 feet to a point on said East line; thence South 01°19'36" East and along said East line, for a distance of 20.00 feet; thence South 88°40'24" West and perpendicular to said East line, for a distance 50.00 feet; thence South 01°19'36" East and parallel with said East line, for a distance of 94.77 feet to a point on said South line; thence South 88°40'04" West and along said South line, for a distance of 20.00 feet to the POINT OF BEGINNING.

LINE	BEARING	DISTANCE
L1	N 88°40'04" E	78.75'
L2	N 01°19'36" W	114.77'
L3	N 88°40'24" E	70.00'
L4	S 01°19'36" E	20.00'
L5	S 88°40'24" W	50.00'
L6	S 01°19'36" E	94.77'
L7	S 88°40'04" W	20.00'



Nathaniel J. Reed  
Oklahoma P.L.S. #1744  
Date



**HARDEN & ASSOCIATES**  
SURVEYING AND MAPPING, PC  
5807 South Garnett Road, Suite K, (918) 234-4859 Office  
Tulsa, Oklahoma 74146 (918) 839-5552 Fax  
Certificate of Authorization No. 4656 Expires June 30, 2025

PARCEL: TEMP CONSTR. ESMT.	PROJECT No.: 161027
DRAWING: PARCEL 33.1	DATE: APRIL 2023
REVISION: JULY 2023	DRAWN: JLN
	SCALE: 1:100'
	CHECKED: NJR
	SHEET NO.: 1 OF 1