

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, INDEPENDENT SCHOOL DISTRICT NO. 3 OF TULSA COUNTY, OKLAHOMA, a.k.a. BROKEN ARROW PUBLIC SCHOOLS, the Owner, 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 Florence Street Improvements, Olive to Aspen, project # ST1410. All School property to include existing driveways and/or parking lots outside the easement area are not to be used for parking, storing equipment, or materials.

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<sup>th</sup> day of July, 2018.

  
MICHELLE BERGWALL, C.O.O.  
BROKEN ARROW PUBLIC SCHOOLS

State of Oklahoma )  
 ) s.  
County of Tulsa )

Before me, the undersigned, a Notary Public within and for said County and State, on this 17<sup>th</sup> day of July, 2018, personally appeared MICHELLE BERGWALL, 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.



  
Notary Public

Approved as to Form:

  
Assistant City Attorney

Approved as to Substance:

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

Attest:

Engineer:  checked: 7-19-18

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

**EXHIBIT A**

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**LEGAL DESCRIPTION**

Part of the SE/4 of Section 28  
T-18-N R-14-E

**Independent School  
Temporary Construction Easement**

A tract of land lying in the Southeast Quarter (SE/4) of Section 28, Township 18 North, Range 14 East, I.M., Tulsa County, Oklahoma. Said tract of land being described by metes and bounds as follows:

Commencing at the Southwest Corner of the Southeast Quarter (SE/4) of Section 28;

Thence N 88°34'36" E on the South line of said Southeast Quarter (SE/4) a distance of 295.88 feet;

Thence N 01°25'24" W and departing the South line of said Southeast Quarter (SE/4) a distance of 50.00 feet to a point on the Northerly Permanent Right of Way line of Florence Street, said point being the point of beginning;

Thence N 01°25'24" W departing said Northerly Permanent Right of Way line of Florence Street a distance of 30.00 feet;

Thence N 88°34'36" E on a line parallel with and 80.00 feet North of the South line of said Southeast Quarter (SE/4) a distance of 55.00 feet;

Thence S 01°25'24" E a distance of 30.00 feet to a point on the Northerly Permanent Right of Way line on Florence Street;

Thence S 88°34'36" E on the Northerly Permanent Right of Way of Florence Street a distance of 55.00 feet to the point of beginning.

Said tract contains 0.04 acres (1650.0 sq. ft.) of land as described

**Real Property Certification**

I, Brian C. Bird, certify that the attached legal description closes in accordance 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.

  
Brian C. Bird  
Oklahoma P.L.S. # 1869  
CEC Corporation  
Certificate of Authorization No. 32  
CA Expiration Date: June 30, 2018

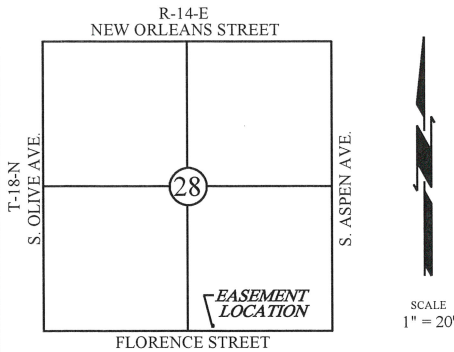


# Temporary Construction Easement

PARCEL 5.1

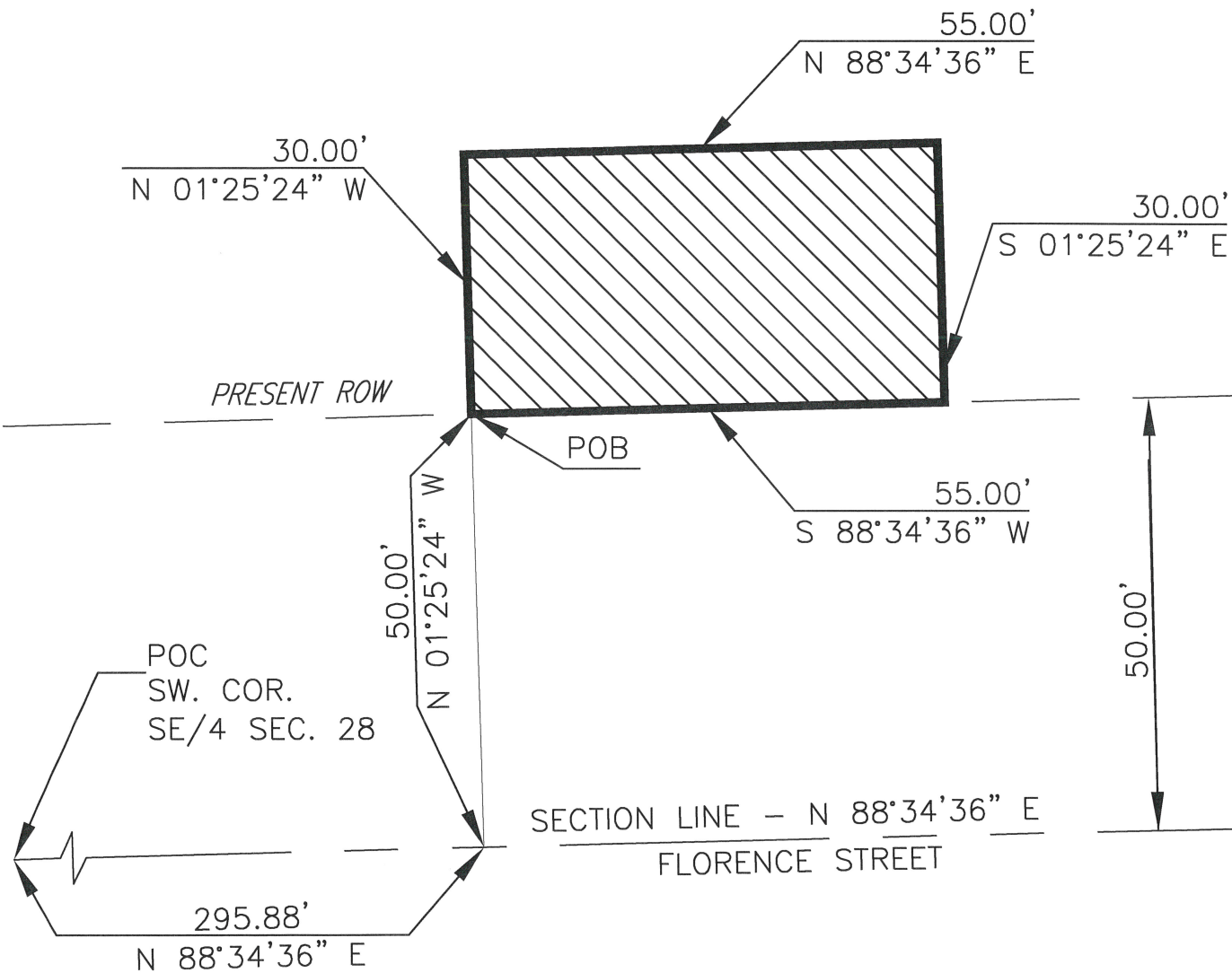
## EXHIBIT "A"

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BASIS OF BEARING FOR THIS SURVEY IS  
THE SOUTH LINE OF THE SE/4 OF  
SECTION 28 BEING N 88°34'36" E

PART OF THE SE/4 OF SECTION 28  
T-18-N R-14-E  
INDEPENDENT SCHOOL  
(0.04 ACRES (1,650.0 SQ. FT.))  
OF TEMPORARY CONSTRUCTION EASEMENT



BRIAN C. BIRD  
PROFESSIONAL LAND SURVEYOR # 1869

Temporary Construction Easement

CEC Corporation  
Surveying & Mapping Division  
4555 W. MEMORIAL RD.  
OKLAHOMA CITY, OK 73142  
405.753.4200

CA #32 EXP. 06-30-18

|           |              |
|-----------|--------------|
| REVISED:  |              |
| DRAWN:    | CEC 04/27/18 |
| APPROVED: | BCB 04/27/18 |