

## TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, Wade Revocable Trust, 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 20th day of April, 2024.

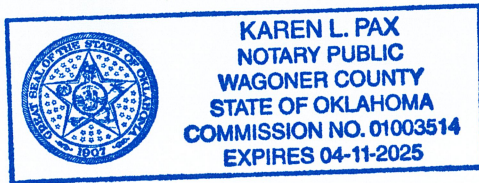
WADE REVOCABLE TRUST

By: Lawrence O Wade  
Lawrence O. Wade, Trustee


STATE OF OKLAHOMA    )  
  ) §  
COUNTY OF WAGONER    )

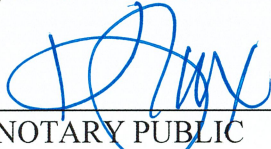
25th BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this day of April, 2024, personally appeared Lawrence Wade, to me known to be the identical person(s) who executed the within and foregoing instrument in writing and acknowledged to me that he (she) executed the same 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

  
\_\_\_\_\_  
Assistant City Attorney  
Deputy

  
\_\_\_\_\_  
NOTARY PUBLIC

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

\_\_\_\_\_  
Michael L. Spurgeon, City Manager

Attest:

Engineer EUR Checked: 4/30/24  
Project: ST1413, 37th: Albany-Kenosha roadway imp. Tract Map 5

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



**EXHIBIT "A"**  
**Wade Revocable Trust**  
**TEMPORARY CONSTRUCTION EASEMENT**

**LEGAL DESCRIPTION:**

*A tract of land lying in the Northwest Quarter Section 5, Township 18 North, Range 15 East of the Indian Meridian, Wagoner County, Oklahoma, being more particularly described as follows:*

**Commencing** at the Southwest corner of the Northwest Quarter of the Northwest Quarter Section 5, Township 18 North, Range 15 East of the Indian Meridian, Wagoner County, Oklahoma; thence N01°23'49"W, 713.75 feet along the west line of said Northwest Quarter; thence perpendicular to said west line N88°36'11"E, 24.75 feet to a point on the 37th St. (S. 209th East Ave.) existing right of way and the **Point of Beginning**; thence parallel with said west line N01°23'49"W, 135.00 feet; thence perpendicular to said west line N88°36'11"E, 10.00 feet; thence parallel with said west line S01°23'49"E, 135.00 feet; thence perpendicular to said west line S88°36'11"W, 10.00 feet to the **Point of Beginning**. Said lands lying in the City of Broken Arrow, Wagoner County, Oklahoma and containing 1,350 square feet more or less.

**TOGETHER WITH**

*A tract of land lying in the Northwest Quarter Section 5, Township 18 North, Range 15 East of the Indian Meridian, Wagoner County, Oklahoma, being more particularly described as follows:*

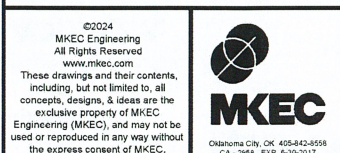
**Commencing** at the Southwest corner of the Northwest Quarter of Section 5, Township 18 North, Range 15 East of the Indian Meridian, Wagoner County, Oklahoma; thence N01°23'49"W, 417.75 feet along the west line of said Northwest Quarter; thence perpendicular to said west line N88°36'11"E, 24.75 feet to a point on the 37th St. (S. 209th East Ave.) existing right of way and the **Point of Beginning**; thence parallel with said west line N01°23'49"W, 121.00 feet; thence perpendicular to said west line N88°36'11"E, 5.00 feet; thence parallel with said west line S01°23'49"E, 61.00 feet; thence perpendicular to said west line N88°36'11"E, 20.00 feet; thence parallel with said west line S01°23'49"E, 60.00 feet; thence perpendicular to said west line S88°36'11"W, 25.00 feet to the **Point of Beginning**. Said lands lying in the City of Broken Arrow, Wagoner County, Oklahoma and containing 1,805 square feet more or less.

*This description was prepared on December 27, 2023 by Michael E. Small, PLS Oklahoma Licensed Surveyor No. 1770*

*Basis of Bearings: Oklahoma Coordinate System 1983, North Zone Being N01°23'49"W along the west line of the NW ¼ of Sec. 5, T18N, R15E, I.M.*

Michael E. Small, PLS  
MKEC Engineering, Inc.  
1000 W. Wilshire Blvd., Suite 401  
Oklahoma City, OK 73116  
405-842-8558

Certificate of Authorization Number CA 2958, Expires June 30, 2025



CITY OF  
**BROKEN ARROW**  
Where opportunity lives

PARCEL: TEMP. CONSTR. ESMT.  
DRAWING: TRACT MAP 5  
REV:

PROJECT NO. 2001010354  
PAGE: 1 of 2  
DATE: JANUARY 2024  
DRAWN BY: DSN  
SCALE: 1:60  
CHK'D BY: MS

2: \PROJECTS\2020\2001010354 - BROKEN ARROW - 37TH - HENOSHA 04 SURVEY\DWG\TRACT MAPS\2034 TRACT MAPS.DWG



PARCEL:TEMP. CONSTR. ESMT.
DRAWING:TRACT MAP 5
REV: