

**TEMPORARY CONSTRUCTION EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **William J. Penners and Kelly Penners and Shonna J. Crawford and Michael Crawford**, 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, 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:

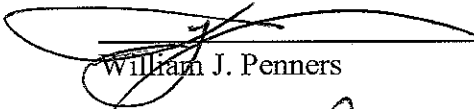

**SEE EXHIBIT "A"**


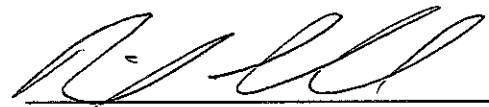
**EXEMPT FROM DOCUMENTARY STAMPS PURSUANT TO 68 O.S. 3202 (11)**

for a period of not more than 12 months from the date of 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 a trunk sewer line.

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 12<sup>th</sup> day of October 2016.

  
\_\_\_\_\_  
William J. Penners  
  
\_\_\_\_\_  
Kelly Penners

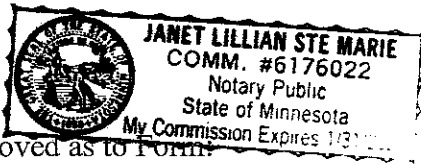
  
\_\_\_\_\_  
Shonna R. Crawford  
  
\_\_\_\_\_  
Michael Crawford

State of MN,  
County of Hennepin ) ss.

Before me, the undersigned, a Notary Public within and for said County and State, on this 18<sup>th</sup> day of October 2016, personally appeared **Williams J. Penners and Kelly Penners** to me known to be the identical person(s) who executed the within and foregoing instrument as the free and voluntary act and deed of such person for the uses and 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: 01/31/2020 Janet Lillian Ste Marie  
Notary Public



Approved as to Form: \_\_\_\_\_

Approved as to Substance: \_\_\_\_\_

\_\_\_\_\_  
Asst. City Attorney

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

Engineer: \_\_\_\_\_ checked: \_\_\_\_\_

Project: ST1210 9<sup>th</sup> St Widening, Elgin to El Paso, Parcel #11

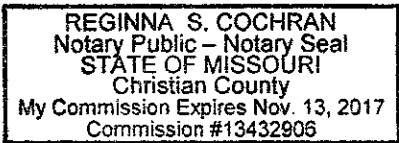
State of MO )  
 ) ss.  
County of Christian

Before me, the undersigned, a Notary Public within and for said County and State, on this 12<sup>th</sup> day of October 2016, personally appeared **Shonna R. Crawford and Michael Crawford** to me known to be the identical person(s) who executed the within and foregoing instrument as the free and voluntary act and deed of such person for the uses and 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: Nov. 13, 2017

Regina S Cochran  
Notary Public



Approved as to Form:  
Danny Lutz  
Asst. City Attorney

Approved as to Substance:  
\_\_\_\_\_  
City Manager

Engineer: WA checked: 10/24/16  
Project: ST1210 9<sup>th</sup> St Widening, Elgin to El Paso, Parcel #11

**PARCEL 11.1**  
**OWNER: PENNERS, WILLIAM J. AND CRAWFORD, SHONNA R.**  
**PERPETUAL UTILITY EASEMENT & TEMPORARY**  
**CONSTRUCTION EASEMENT LEGAL DESCRIPTION**

A TRACT OF LAND THAT IS PART OF LOT SIX (6), BLOCK TWO (2), LEMON ADDITION, AN 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:

COMMENCING AT A POINT THAT IS THE NORTHWEST CORNER OF LOT 6, BLOCK 2, LEMON ADDITION; THENCE NORTH 88°46'52" EAST ALONG THE NORTHERLY LINE OF SAID LOT 6 FOR 7.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 88°46'52" EAST ALONG THE NORTHERLY LINE OF SAID LOT 6 FOR 13.00 FEET; THENCE SOUTH 01°10'07" EAST PARALLEL WITH THE WESTERLY LINE OF SAID LOT 6 FOR 61.97 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 6; THENCE SOUTH 88°46'52" WEST ALONG SAID SOUTHERLY LINE OF LOT 6 FOR 13.00 FEET; THENCE NORTH 01°10'07" WEST PARALLEL WITH SAID WESTERLY LINE OF LOT 6 FOR 61.97 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

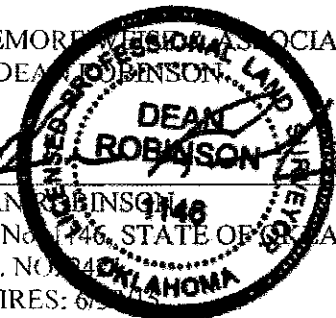
THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 806 SQUARE FEET OR 0.018 ACRES, MORE OR LESS.

**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.

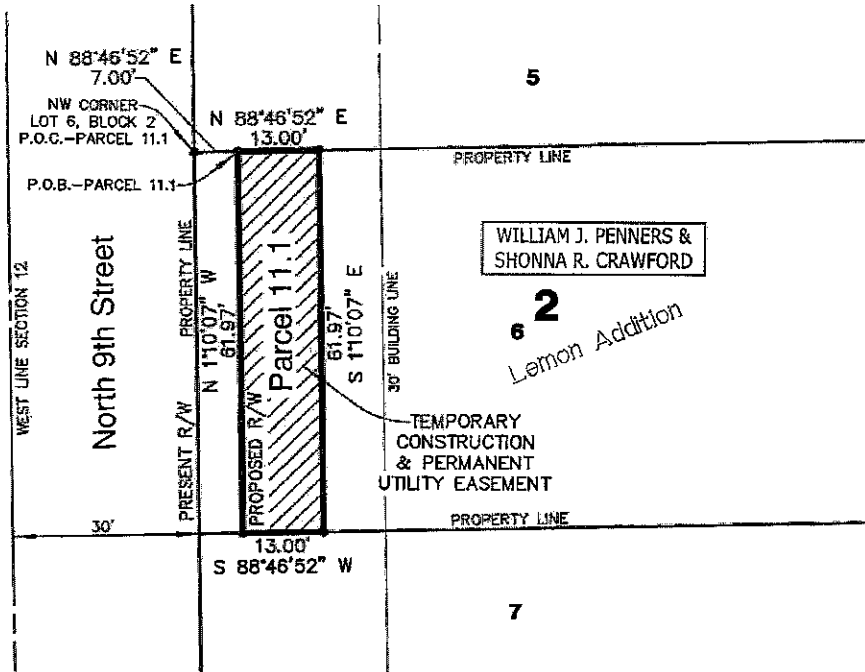
9/20/12  
DATE

SISEMORE WEISZ & ASSOCIATES, INC.  
BY DEAN ROBINSON

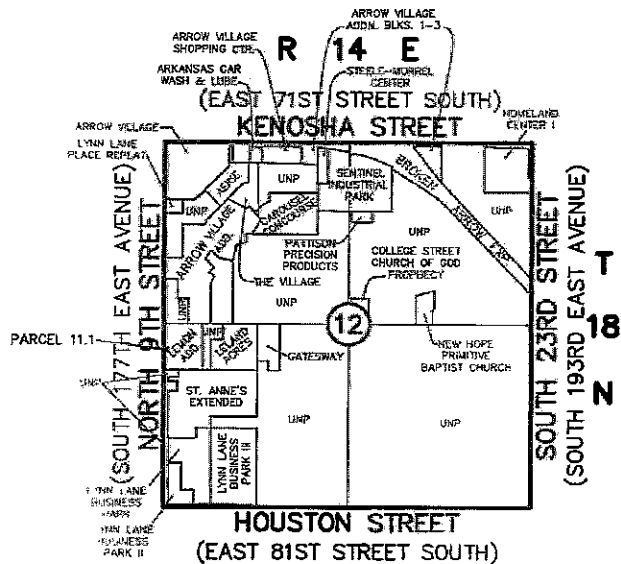


DEAN ROBINSON  
PLS No. 97146, STATE OF OKLAHOMA  
C. A. NO. 24  
EXPIRES: 6/30/14

# Parcel Map



SCALE 1" = 20'



## Location Map

SCALE: NOT TO SCALE

TOTAL PROPERTY - 0.225 ACRES  
 PERMANENT UTILITY ESMT. - 0.018 ACRES  
 TEMP. CONSTRUCTION ESMT. - 0.018 ACRES

P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 R/W - RIGHT-OF-WAY



**Sisemore Weisz & Associates, Inc.**

6111 EAST 32nd PLACE  
 TULSA, OKLAHOMA 74135  
 C.A. NO. 2421  
 W.O. NO. 16720.04

PHONE: (918) 685-3600  
 FAX: (918) 685-8668  
 EXP DATE 6/30/15  
 FILE NO. 1614.1200

DATE: 12/10/2013  
 SHEET 2 OF 2