

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **GOODWILL INDUSTRIES OF TULSA, INC.**, 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, 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 street improvements for the Washington Street Improvements, Olive to Aspen, project # ST1616A.

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 22nd day of OCTOBER, 2019.

GOODWILL INDUSTRIES OF TULSA,
INC.

By: David S. Oliver
David Oliver, President

STATE OF OKLAHOMA)
) §
COUNTY OF TULSA)

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this 22 day of OCTOBER, 2019, personally appeared David Oliver, 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.




NOTARY PUBLIC

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


Assistant City Attorney

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

Michael L. Spurgeon, City Manager

Attest:

Engineer RDH Checked: 10/25/19
Project: ST1616A Washington Improvements: Olive to Aspen, Parcel 5A

City Clerk

EXHIBIT "A"

TEMPORARY CONSTRUCTION EASEMENT

PARCEL 5.A

PROJECT NO. ST1616A

TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 18 NORTH, RANGE 14 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE, WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 517.40 FEET, ON A BEARING OF S88°34'33"W (BEING THE BASIS OF BEARING FOR THIS DESCRIPTION), THENCE, NORTHERLY, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 60.00 FEET, ON A BEARING OF N01°25'27"W, TO A POINT ON THE EXISTING NORTH RIGHT-OF-WAY LINE, SAID POINT BEING A POINT OF BEGINNING; THENCE, WESTERLY ON A BEARING OF S88°34'33"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 41.84 FEET; THENCE, NORTHERLY, ON A BEARING OF N01°25'27"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 5.00 FEET; THENCE, EASTERLY, ON A BEARING OF N88°34'33"E, PARALLEL TO SAID SOUTH LINE, A DISTANCE OF 50.00 FEET; THENCE, SOUTHERLY, PERPENDICULAR TO SAID SOUTH LINE, ON A BEARING OF S01°23'22"E, A DISTANCE OF 0.33 FEET; THENCE, WESTERLY ON A BEARING OF S58°47'59"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 9.40 FEET, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 231 SQUARE FEET AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

SURVEYOR'S CERTIFICATE

I, CAREY E. HARRIS, P.L.S., KEYSTONE ENGINEERING AND LAND SURVEYING, INC., CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 20th DAY OF SEPTEMBER, 2019.



SEH

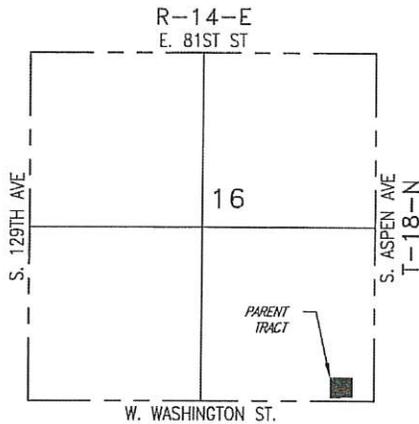
CAREY E. HARRIS, P.L.S. #1719

C.A. NO.: 5877

EXPIRES: 6/30/21

EXHIBIT "A"

Parcel No.: 5.A
 County: Tulsa
 Project Number: ST1616A



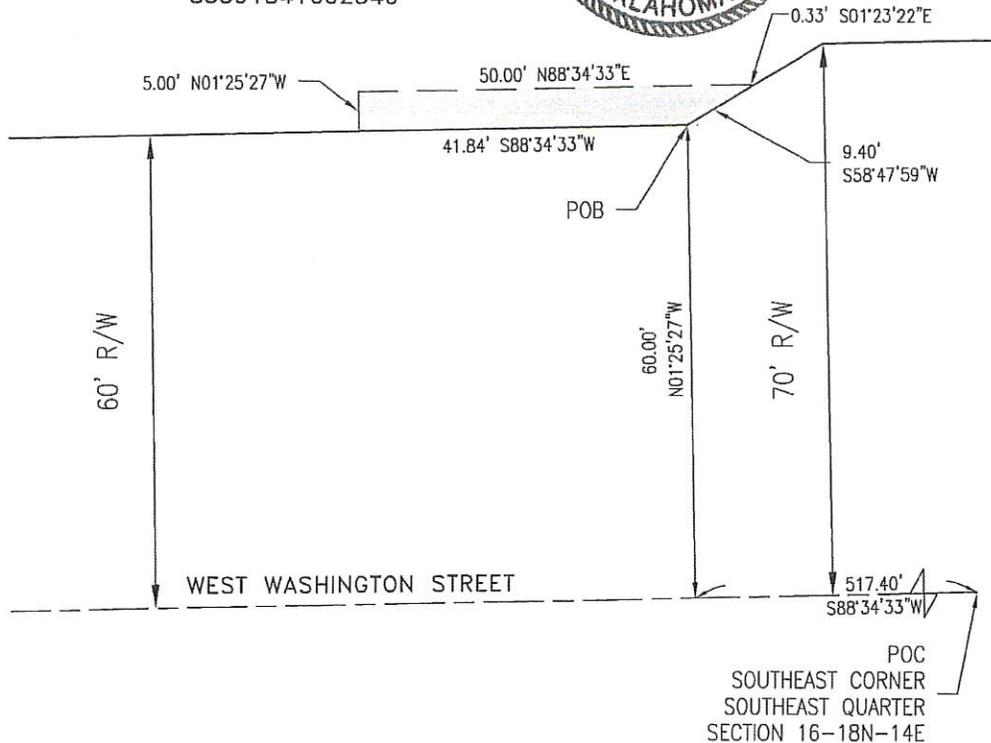
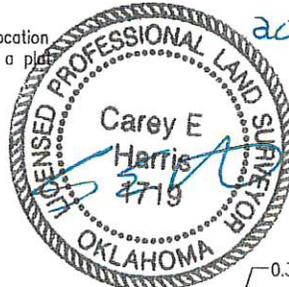
LEGEND
 POB - Point of Beginning
 POC - Point of Commencement
 SPC - State Plane Coordinates
 R/W - Right-of-Way

Tract Area	94,244	S.F.	2.16 Acres
Existing R/W	-	S.F.	0.00 Acres
Proposed R/W	-	S.F.	0.00 Acres
Rem in Tract	-	S.F.	0.00 Acres
Perpetual Easement	-	S.F.	0.00 Acres
Temp Construction Easement	231	S.F.	0.01 Acres

EXHIBIT NOTES

- This Exhibit is a sketch descriptive only of the size, shape and location of the proposed Right-of-Way easement and does not constitute a plan or survey of the Grantor's Property.

GOODWILL INDUSTRIES
 OF TULSA
 Bk 6042, Pg 1167
 PARCEL#
 83591841602540



SCALE: 1"=20'