

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **MARY THAN, as Trustee of THE MARY THAN LIVING TRUST, U/A dated June 1, 2024**, 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, a temporary easement, through, over, and under, and across the following described property, situated in the County of WAGONER, State of Oklahoma, 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 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 23rd day of September 2025.

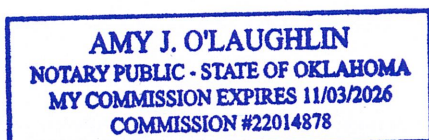


Mary Than, Trustee

STATE OF Oklahoma)
) §
COUNTY OF Wagoner)

23rd BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this day of September, 2025, personally appeared MARY THAN, as Trustee of THE MARY THAN LIVING TRUST, U/A dated June 1, 2024, 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

A handwritten signature in blue ink, appearing to be "Dan M.", written over a horizontal line.

Assistant City Attorney

A handwritten signature in blue ink, appearing to be "Amy J. O'Laughlin", written over a horizontal line.
NOTARY PUBLIC

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

Michael L. Spurgeon, City Manager

Attest:

City Clerk

Engineer: LT Date: 9/25/25
Project: ST21390 37th Street Roadway Widening from Omaha St to Dearborn St
Parcel 16.1

TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)
PARCEL NO. 16.1

EXHIBIT A

LEGAL DESCRIPTION

A 20-foot-wide temporary construction easement (T.C.E.),
said easement being a part of the North Half (N 1/2) of Lot 4, Block 4, of Sun City IV,
a subdivision to Wagoner County, Oklahoma, and said easement being more particularly described as follow:
Commencing (POINT OF COMMENCEMENT, P.O.C.) at the Northwest corner of said North Half (N 1/2) of Lot 4, Block 4,
thence along the north line of said Lot 4, North 88 degrees 40 minutes 00 seconds East a distance of 25.00 feet
to the east right of way line of North 37th Street;
thence leaving said north line,
along said east line South 01 degrees 23 minutes 09 seconds East a distance of 10.0 feet to
the POINT OF BEGINNING (P.O.B.);
thence leaving said east line North 88 degrees 40 minutes 00 seconds East a distance of 20.00 feet;
thence South 01 degrees 20 minutes 00 seconds East a distance of 86.50 feet;
thence South 88 degrees 40 minutes 00 seconds West a distance of 20.00 feet
to the east right of way line of North 37th Street;
thence along said east right of way line North 01 degrees 20 minutes 00 seconds West a distance of 86.50 feet
to the POINT OF BEGINNING (P.O.B.), containing 1,730 square feet, or 0.04 acres.

Bearings based on the Oklahoma State Plane Grid North Zone.

This legal description meets the minimum standards for legal description in the State of Oklahoma.

Prepared by Paul Walla, Oklahoma PLS # 1903.

Paul Walla,
Professional Land Surveyor
Oklahoma PLS # 1903
McClelland Consulting Engineers, Inc.



LEGEND

730011042 — TAX PARCEL NUMBER
B: 2014 P: 421 — DEED RECORD
— — — — — EXISTING PROPERTY LINE
——— PROPOSED RIGHT-OF-WAY
——— PROPOSED UTILITY EASEMENT
——— PROPOSED TEMP. CONST. EASEMENT

BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH ZONE. (NOT A PLAT OF SURVEY)

PROJ. MANAGER: PW
DATE: 03/27/2025
SCALE: AS NOTED

1 OF 2

TEMPORARY
CONSTRUCTION
EASEMENT
(T.C.E.)

E. 37TH ST IMPROVEMENTS
BROKEN ARROW, OK
PARCEL NO. 16.1
OWNER: MARY THAN LIVING TRUST 06/19/2024

MCE MCCLELLAND
CONSULTING
ENGINEERS, INC.
7302 KANIS RD
LITTLE ROCK, AR 72204
(479) 443-2377
HTTP://WWW.MCE.US.COM

TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)
PARCEL NO. 16.1

P.O.C
 NW CORNER
 N½ LOT 4 BLOCK 4
 SUN CITY IV

R/W

N88° 40' 00"E-25.00'

501° 20' 00"E-10.00'

P.O.B

N88° 40' 00"E-20.00'

R/W

E 37TH ST

10' U.E.

10' U.E.

TCE

R/W

05° 98' 10.00"W-02° 01' 01"N

TCE

1730 SQ. FT.
 0.04 AC.

TCE

05° 98' 10.00"W-02° 01' 01"N

TCE

S88° 40' 00"W-20.00'

R/W

PARCEL ID: 730084025

CITY OF BROKEN ARROW
 PO BOX 610
 29-19-15 W 25' OF LOT 4 BLK 4 SUN CITY IV
 BK 204785 DEED BOOK 2014 PAGE 478

R/W

R 15 E

T 19 N
 E DEARBORN ST

E 37TH ST

E OMAHA ST

PROJECT SITE

TCE

LOCATION MAP N.T.S.

0 15 30

SCALE 1" = 30'

PARCEL ID: 730011042

THAN, MARY
 4455 S 209 E AVE
 TULSA OK 74129

N2 OF LOT 4 BLK 4, LESS THE WEST 25' THEREOF
 SUN CITY IV
 BOOK: 2014 PAGE: 421

730011042 — TAX PARCEL NUMBER

B: 2014 P: 421 — DEED RECORD

— — — — — EXISTING PROPERTY LINE

 — PROPOSED RIGHT-OF-WAY

 — PROPOSED UTILITY EASEMENT

 — PROPOSED TEMP. CONST. EASEMENT

PROJ. MANAGER:	DRAWN BY:
PW	JJM
DATE:	REVISION:
03/27/2025	
SCALE:	PROJ. NUMBER:
AS NOTED	217104

TEMPORARY
CONSTRUCTION
EASEMENT
(T.C.E)

E. 37TH ST IMPROVEMENTS
BROKEN ARROW, OK
PARCEL NO. 16.1
OWNER: MARY THAN LIVING TRUST 06/19/2024

