

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, BRYAN S. PAYNE TRUST, 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, does 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 24 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 utility improvements for the County Line Trunk Sewer Replacement, project # S.1609.

That the Owner agrees 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.

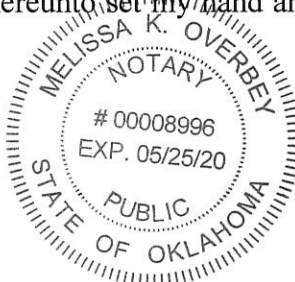
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 6<sup>th</sup> day of Nov., 2018.

Bryan S. Payne  
Bryan S. Payne Trust

State of Oklahoma     )  
County of Wagoner §

Before me, the undersigned, a Notary Public within and for said County and State, on this 6<sup>th</sup> day of Nov., 2018, personally appeared Bryan S. Payne, 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.



Melissa K. Overbey  
Notary Public

Approved as to Form:

Lesli Myers  
Assistant City Attorney

Approved as to Substance:

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

Attest:

Engineer: WSE checked: 11-9-18  
Project: County Line Trunk Sewer Replacement # S.1609, Parcel 18 .1

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

EXHIBIT "A"  
TEMPORARY CONSTRUCTION EASEMENT

OWNER:

Bryan S. & Norma J. Payne

PROPERTY ID:

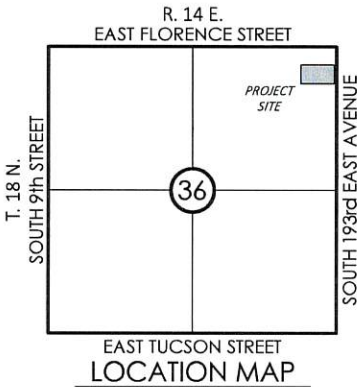
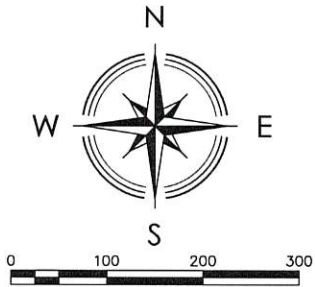
98436-84-36-00510

PROPERTY ADDRESS:

19208 E. 11th ST. S.

STATEMENT OF BEARINGS:

Basis of Bearings: Oklahoma State Plane Coordinate System,  
North Zone, 3501, NAD 83 (1993)



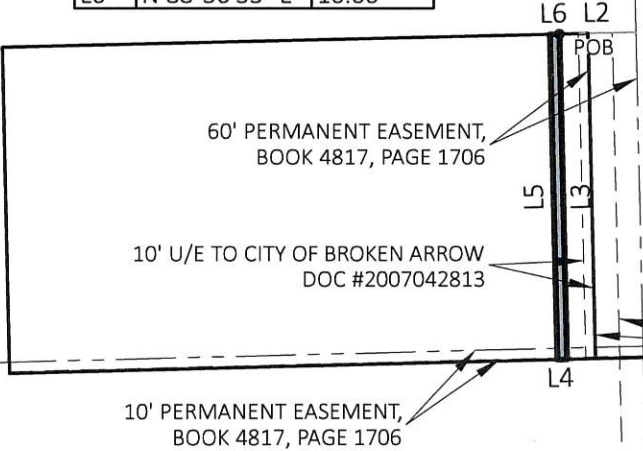
LEGEND

POB POINT OF BEGINNING  
POC POINT OF COMMENCEMENT

Temporary Construction Easement  
3,417.83 s.f. or 0.08 acres, more or less

NE CORNER NE/4  
SEC. 36, T. 18 N., R. 14 E.  
POC

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 01°23'27" E | 329.23'  |
| L2   | S 88°36'33" W | 79.71'   |
| L3   | S 01°23'27" E | 341.78'  |
| L4   | S 88°36'33" W | 10.00'   |
| L5   | N 01°23'27" W | 341.78'  |
| L6   | N 88°36'33" E | 10.00'   |



25.25' DEDICATION DEED  
DOC #2004011254  
DOC #2005021204  
BOOK 7223, PAGE 2184

A tract of land located in the Northeast Quarter of the Northeast Quarter (NE/4 NE/4) of Section Thirty-Six (36), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according the United States Government Survey thereof, being more particularly described as follows:

COMMENCING at the Northeast corner of said NE/4; Thence South 01°23'27" East and along the East line of said NE/4, for a distance of 329.23 feet; Thence South 88°36'33" West and perpendicular to said East line, for a distance of 79.71 feet to the POINT OF BEGINNING; Thence South 01°23'27" East and parallel with said East line, for a distance of 341.78 feet; Thence South 88°36'33" West and perpendicular to said East line, for a distance of 10.00 feet; Thence North 01°23'27" West and parallel with said East line, for a distance of 341.78 feet; Thence North 88°36'33" East and perpendicular to said East line, for a distance of 10.00 feet to the POINT OF BEGINNING.

24.75' STATUTORY RIGHT OF WAY  
East Line of the NE/4,  
Sec. 36, T. 18 N., R. 14 E.

Nathaniel J. Reed  
Oklahoma P.L.S. #1744  
Date 6.1.18



**HARDEN & ASSOCIATES**  
SURVEYING AND MAPPING, PC  
5807 South Garnett Road, Suite K, (918) 234-4859 Office  
Tulsa, Oklahoma 74146 (918) 893-5552 Fax  
Certificate of Authorization No. 4656 Expires June 30, 2019

|                            |                     |
|----------------------------|---------------------|
| PARCEL: TEMP CONSTR. ESMT. | PROJECT No.: 161027 |
| DRAWING: PARCEL 18.1       | DATE: JUNE 2018     |
| REVISION: JUNE 2018        | DRAWN: JLN          |
|                            | SCALE: 1:200'       |
|                            | CHECKED: NJR        |
|                            | SHEET NO.: 1 OF 1   |