

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **JACK HELSCEL, SR. AND JAMES D. HELSCEL**, 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**, 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)

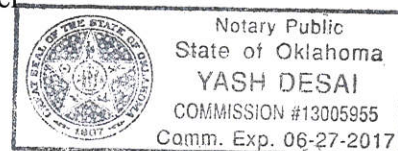
for a period of not more than 12 months from the date of the start of construction. This grant of temporary right to use and occupy is given for the purpose of permitting the City of Broken Arrow, its employees, representatives, agents, and/or persons under contract with it, to use said described property 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 9th day of December 2016.

Jack Helscel, Sr.
Jack Helscel, Sr.

James D. Helscel
James D. Helscel



OKLAHOMA
TULSA
sworn before me this 31st
Dec. 2016 by James D. Helscel
Yash

STATE OF OKLAHOMA)
)
COUNTY OF Pittsburg)

The undersigned, of lawful age, being first duly sworn, on oath says that this invoice of claim is true and correct. Affiant further states that the conditions for payment as shown by this invoice or claim have been completed or supplied, or will be upon approval of the city council, in accordance with the offer, contracts or agreements furnished the affidavit. Affiant further states that he/she has made no payment directly or indirectly to any elected official, officer or employee of the state of Oklahoma, any county or local subdivision of the state, of money or any other thing of value to obtain payment.

Jack S. Helscel, Sr.
Jack Helscel, Sr.

Date: 12-8-2016

Subscribed and sworn to before me this 9th day of December, 2016



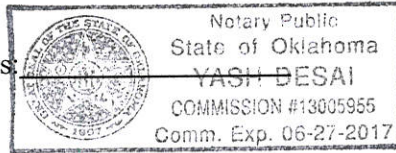
Brittnie Hackler
Notary

State of Oklahoma)
County of Tulsa) §

Before me, the undersigned, a Notary Public within and for said County and State, on this 31st day of December 20 16, personally appeared James D Hinsel 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:



Yash
Notary Public

Approved as to Form:

Danny Lopez
Asst. City Attorney

Approved as to Substance:

City Manager

Engineer: [Signature] checked: 01/20/17

Project: ROADWAY IMPROVEMENTS: 37TH STREET: HOUSTON TO ALBANY, PROJECT NO. ST1413

EXHIBIT "A"
Jack Helscel, SR
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:

The east 10 feet of the west 34.75 feet of the north 140 feet of the south 240 feet of the north 461.5 feet of said Northwest Quarter of said Section 5.

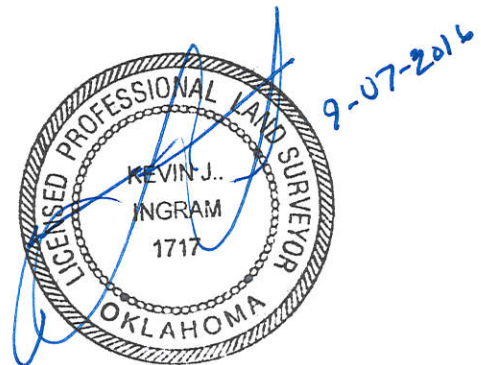
Said lands lying in the City of Broken Arrow, Wagoner County, Oklahoma and containing 1,400 square feet more or less.

This description was prepared on August 25, 2016 by Kevin J. Ingram, PLS Oklahoma Licensed Surveyor No. 1717

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.

*Kevin J. Ingram, 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, 2017



<p>©2016 MKEC Engineering All Rights Reserved www.mkec.com</p> <p>These drawings and their contents, including, but not limited to, all concepts, designs, & ideas are the exclusive property of MKEC Engineering (MKEC), and may not be used or reproduced in any way without the express consent of MKEC.</p>	 <p>MKEC</p> <p>Oklahoma City, OK 405-842-8558 CA - 2958 EXP. 6-30-2017</p>
--	---

	<p>CITY OF BROKEN ARROW <i>Where opportunity lives</i></p>
--	---

PARCEL: TEMP. CONSTR. ESMT.	PROJECT NO. 1603010067
DRAWING: TRACT MAP 5	PAGE: 1 of 2
REV:	DATE: AUGUST 2016
	DRAWN BY: DSN
	SCALE: 1: 60
	CHK'D BY: JCM

J:\PROJECTS\2016\1603010067_CITY OF BROKEN ARROW_2016_AVE 04 SURVEY\DWG\TRACT MAPS\16067 TRACT MAPS.DWG

EXHIBIT "A"

Jack Helscel, SR

TEMPORARY CONSTRUCTION EASEMENT

OWNER:

Jack Helscel, SR

ADDRESS:

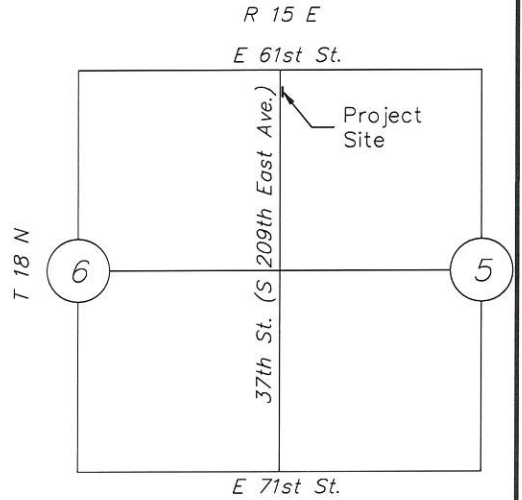
6131 S. 209th E Ave.
Broken Arrow, OK 74014-1929

PROPERTY ID:

730007447

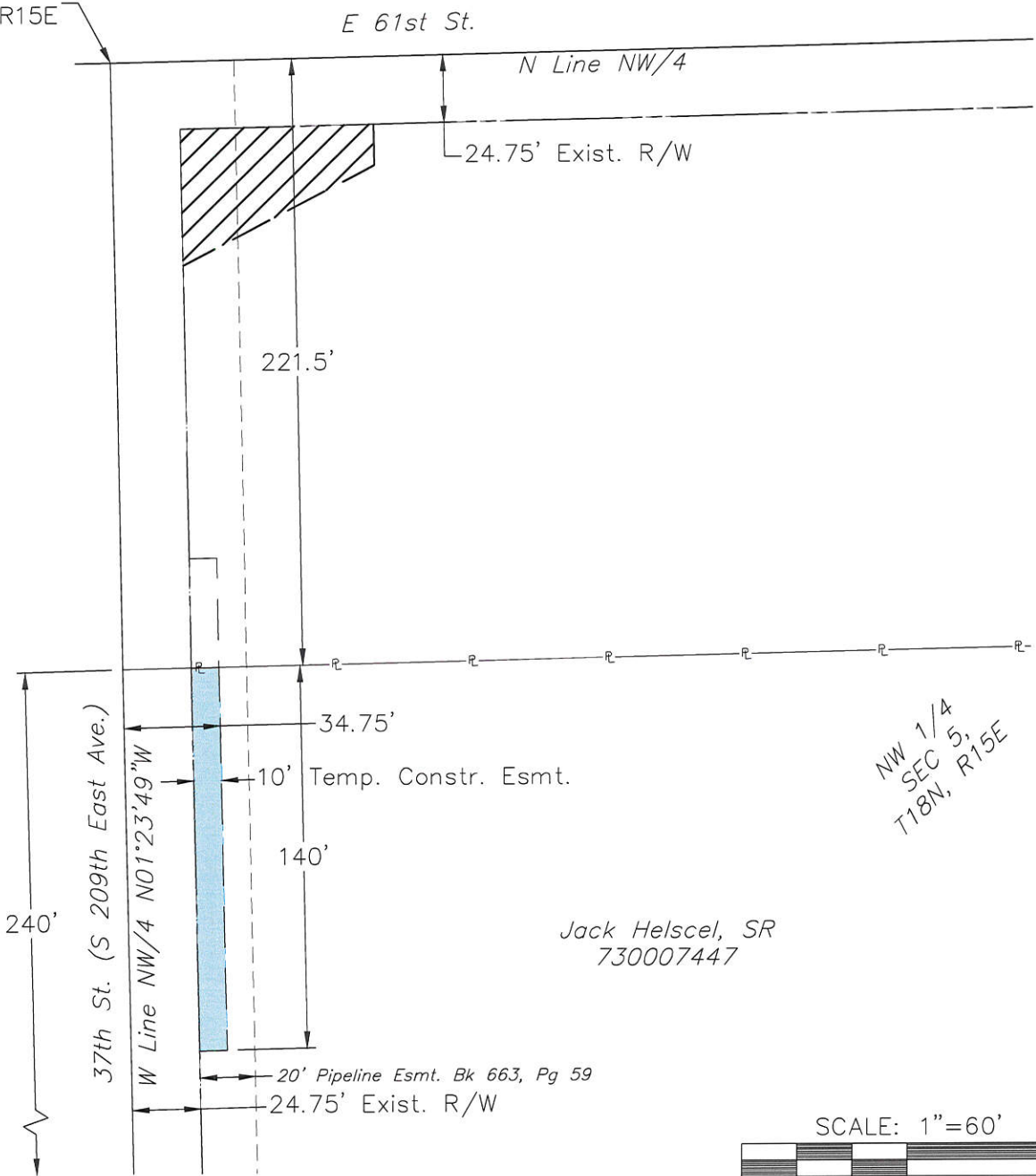
STATEMENT OF BEARINGS:

Basis of Bearings: Oklahoma Coordinate System 1983, North Zone Being $N01^{\circ}23'49''W$ along the west line of the NW $\frac{1}{4}$ of Sec. 5, T18N, R15E, I.M.



VICINITY MAP

NW Cor. Sec 5
T18N, R15E

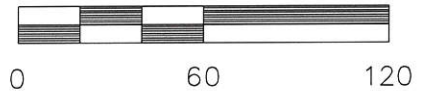


Jack Helscel, SR
730007447

NW 1/4
SEC 5,
T18N, R15E



SCALE: 1"=60'



LEGEND:

- Temporary Construction Easements = 1,400 sq. ft.
- Right of Way Acquisition

THIS TRACT EXHIBIT DOES NOT CONSTITUTE A BOUNDARY SURVEY PLAT

PROJECT NO. 1603010067	
PAGE: 2 of 2	
DATE: AUGUST 2016	
DRAWN BY: DSN	
SCALE: 1: 60	
CHK'D BY: JCM	

©2016
MKEC Engineering
All Rights Reserved
www.mkec.com
These drawings and their contents, including, but not limited to, all concepts, designs, & ideas are the exclusive property of MKEC Engineering (MKEC), and may not be used or reproduced in any way without the express consent of MKEC.



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

S:\PROJECTS\2016\1603010067_CITY OF BROKEN ARROW_209TH_AVE\04_SURVEY\DWG\TRACT MAPS\16067 TRACT MAPS.DWG