

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **B-Z PROPERTIES, LLC**, an Oklahoma Limited Liability Company, 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.

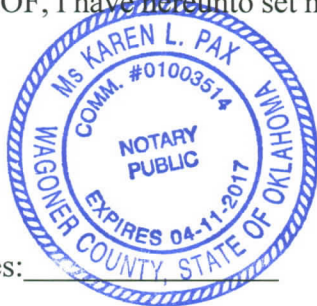
IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed this 15<sup>th</sup> day of February, 2017.

ROGER BROACH, MANAGER

State of Oklahoma     )  
                                      ) §  
County of Tulsa        )

Before me, the undersigned, a Notary Public within and for said County and State, on this 15<sup>th</sup> day of February, 2017 personally appeared **ROGER BROACH** 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: \_\_\_\_\_

Notary Public

Approved as to Form:

Asst. City Attorney

Approved as to Substance:

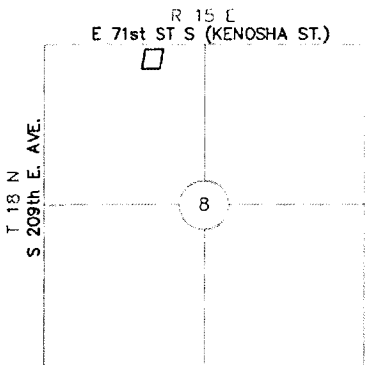
City Manager

Engineer:  checked: 02/15/17

Project: S. 209<sup>th</sup> Lift Station and Force Main, Project No. S.1608, Parcel 2.1

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EXHIBIT A



JOB NUMBER:  
PARCEL NO. 2.1  
COUNTY: WAGONER

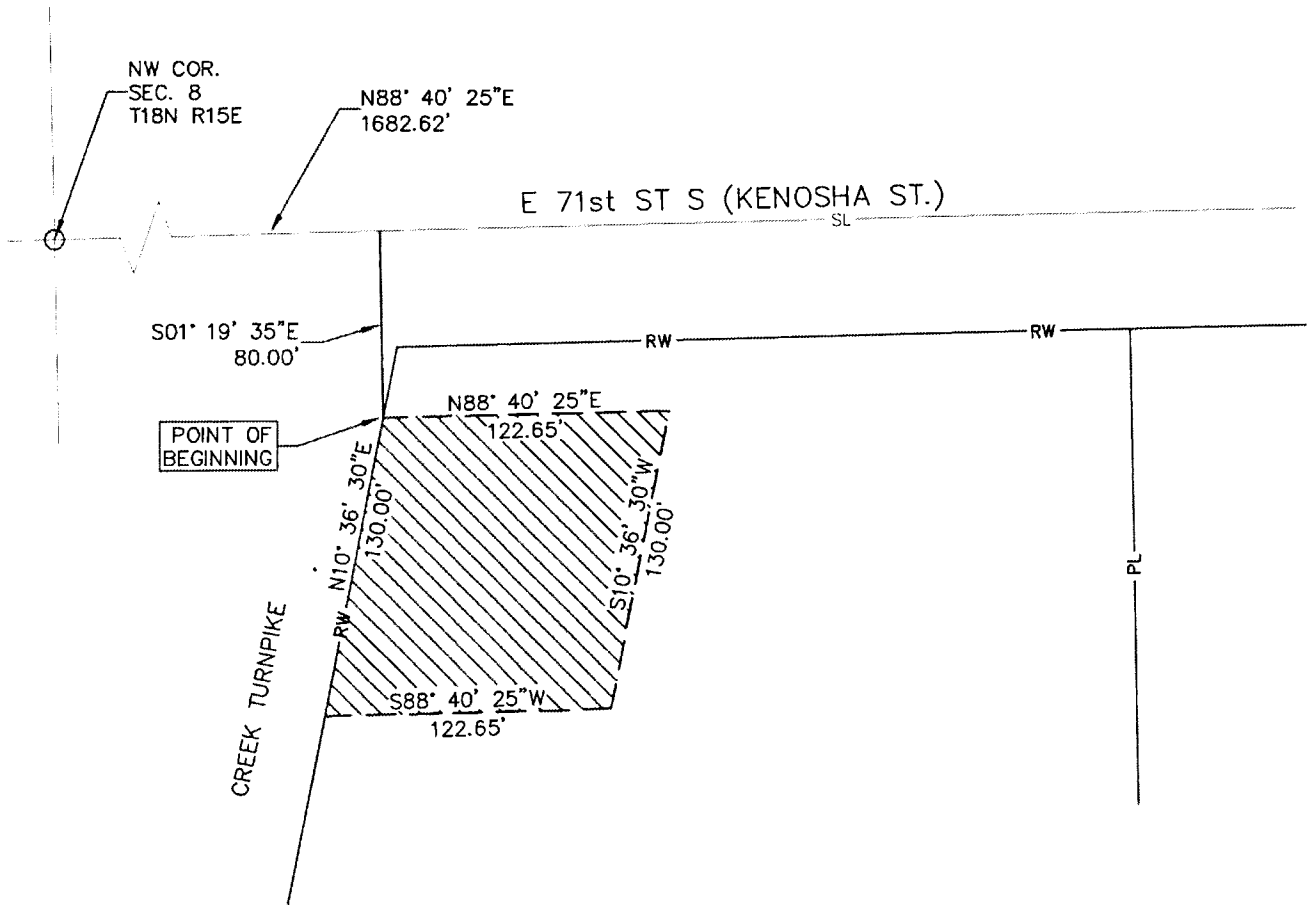
LEGAL DESCRIPTION OF RECORD:  
PART OF NW1/4  
SECTION 8, T18N, R15E  
TEMPORARY EASEMENT - 15,600.00 S.F.

LEGEND

- PERMANENT EASEMENT
- TEMP. CONSTRUCTION EASEMENT

---' RECORDED DISTANCES  
BASIS OF BEARING - STATE PLANE COORDINATE SYSTEM (NAD 83)

CHARLES CHASTAIN, OK. L.S. #352



HOLLOWAY, UPDIKE AND BELLEN INC.  
905-A SOUTH 9TH STREET, BROKEN ARROW, OK  
918-251-0717, FAX 918-251-0754  
CA #219, EXPIRES 06/30/17

TITLE:	S 209TH E AVE FORCE MAIN		
PROJECT:	16BA209LSFM		
OWNER:	B-Z PROPERTIES, LLC		
DATE:	NOVEMBER 14, 2016	REVISION: 1/31/2017	

Date Written: November 14, 2016

#### TEMPORARY CONSTRUCTION EASEMENT

A parcel of land lying in part of the NW1/4 of Section 8, Township 18 North, Range 15 East, Wagoner County, Oklahoma being more particularly described as follow:

Commencing at the Northwest corner of said Section 8, thence N88°40'25"E along the North line thereof 1,682.62 feet; thence S01°19'35"E 80.00 feet to the point of beginning said point being on the easterly right-of-way line of the Creek Turnpike; thence N88°40'25"E 122.65 feet; thence S10°36'30"W 130.00 feet; thence S88°40'25"W 122.65 feet to said easterly right-of-way line; thence N10°36'30"E along said easterly right-of-way line 130.00 feet to the point of beginning.


Containing 15,600.00 square feet or 0.36 acres.

Bearings based on Oklahoma State Plane Coordinate system, North Zone.

#### Real Property Certification

I, Charles W. Chastain, P.L.S., Holloway, Updike and Bellen, Inc., certify that the attached Temporary Construction Easement 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.

Jan 31, 2017  
Date

  
Charles W. Chastain, P.L.S. 1352

