

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, INDEPENDENT SCHOOL DISTRICT NO. 3 OF TULSA COUNTY, OKLAHOMA, a.k.a. BROKEN ARROW PUBLIC SCHOOLS, 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 installation of a permanent 5'-0" concrete sidewalk as shown on exhibit "A" by the City of Broken Arrow, Oklahoma and would benefit the public at large during and after construction, 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"

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 Southside Drainage Improvements, Albany Street: 9<sup>th</sup> – 23rd, Project # ST1411A. All School property to include existing driveways and/or parking lots outside the easement area are not to be used for parking, storing equipment, or materials.

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 30<sup>th</sup> day of October, 2018.

  
MICHELLE BERGWALL, C.O.O.  
BROKEN ARROW PUBLIC SCHOOLS

State of Oklahoma       )  
                                      ) §.  
County of Tulsa        )

Before me, the undersigned, a Notary Public within and for said County and State, on this 30<sup>th</sup> day of October, 2018, personally appeared MICHELLE BERGWALL, 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.



  
Notary Public

Approved as to Form:

  
Assistant City Attorney

Approved as to Substance:

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

Attest:

Engineer: LSC checked: 10-31-18

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

# Exhibit "A"

Parcel No. 3  
Broken Arrow Public Schools  
Tulsa County

Date Written: September 26, 2018

## TEMPORARY EASEMENT

A parcel of land lying in part of the NE1/4 NW1/4 of Section 1, Township 18 North, Range 14 East, Tulsa County, Oklahoma being more particularly described as follow:

Commencing at the Northeast corner of said Section 1, thence S01°19'15"E along the East line thereof 50.00 feet; thence S88°40'55"W 411.00 feet to the point of beginning, said point being on the South right-of-way line of Albany Street; thence S01°19'00"E 95.00 feet; thence S88°40'55"W 250.00 feet; thence N01°19'05"W 75.00 feet; thence S88°40'55"W 659.90 feet; thence N01°16'20"W 20.00 feet to said South right-of-way line; thence N88°40'55"E along said South right-of-way line 909.88 feet to the point of beginning.

Containing 36,948 square feet or 0.85 acres.

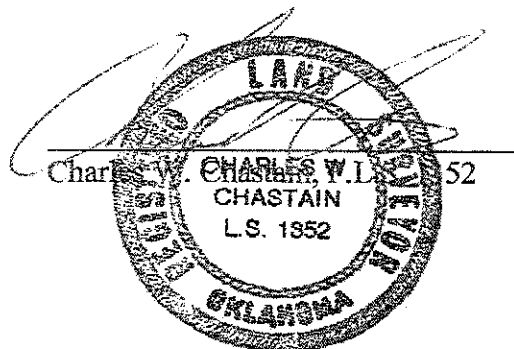
NOTE: The Grantor specifies that all school property including existing driveways and/or parking lots outside the easement area described above are not to be used for parking, storing equipment, or materials.

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

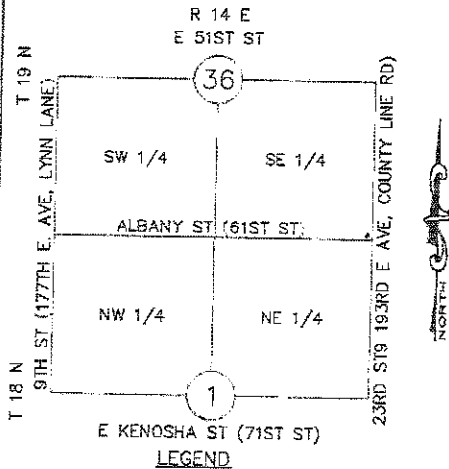
## Real Property Certification

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

9/27/18  
Date



# Exhibit "A"



JOB NUMBER: 13BA61STSTR  
 PARCEL NO. 3  
 COUNTY: TULSA COUNTY

LEGAL DESCRIPTION OF RECORD:  
 NE/4 NW/4 SECTION 1, T 18 N, R 14 E

TEMPORARY CONSTRUCTION EASEMENT - 36,948 S.F

TEMPORARY CONSTRUCTION EASEMENT

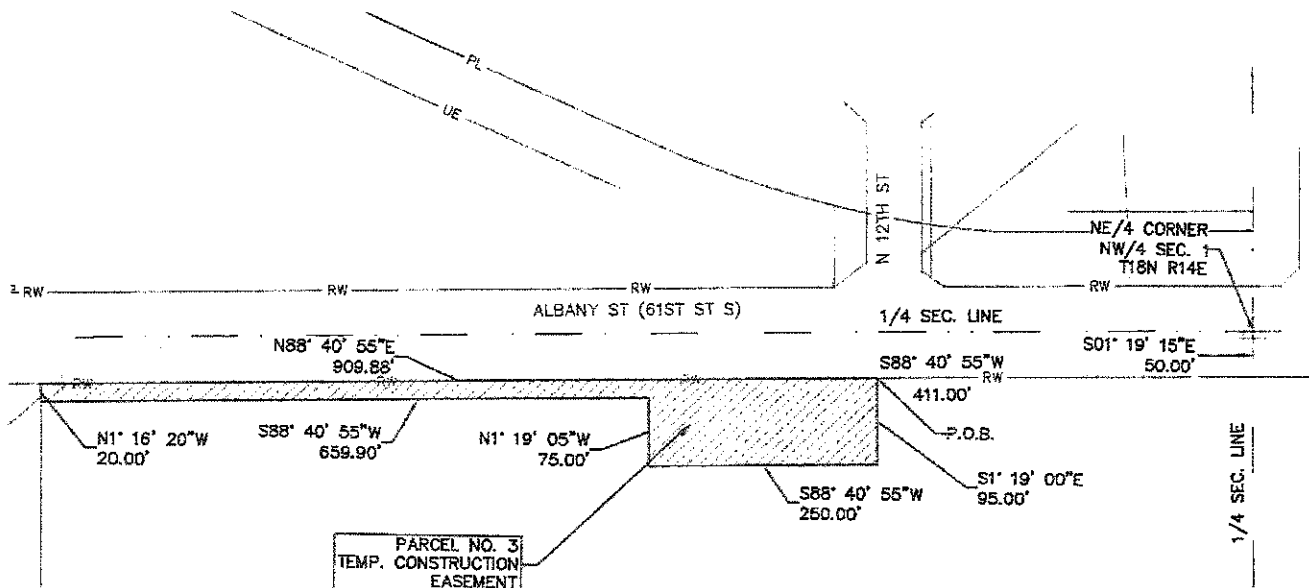
---' RECORDED DISTANCES



SCALE 1" = 200'

BASIS OF BEARING - STATE PLANE COORDINATE SYSTEM (NAD 93)

CHARLES W. CHASTAIN, OK. L.S. #1352



HOLLOWAY, UPDIKE AND BELLEN INC.  
 905-A SOUTH 9TH STREET, BROKEN ARROW, OK  
 918-251-0717, FAX 918-251-0754  
 CA #219, EXPIRES 06/30/15

TITLE:	TEMPORARY CONSTRUCTION EASEMENT	
PROJECT:	13BA61STSTR	
OWNER:	BROKEN ARROW PUBLIC SCHOOLS	
DATE:	8-29-18	REVISION: