

## TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:


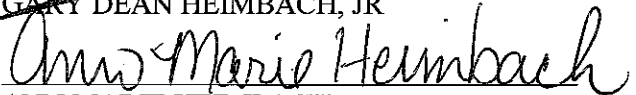
That all undersigned, GARY DEAN HEIMBACH, JR. and ANN MARIE HEIMBACH, the Owner(s), of the legal and equitable title to the following described real estate situated in TULSA County, State of Oklahoma, for and in consideration of the sum of Seven hundred eight dollars and 04/100 (\$708.04), cash in hand, 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"

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(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 4 day of January, 2019.

  
GARY DEAN HEIMBACH, JR.  
  
ANN MARIE HEIMBACH

State of Oklahoma     )  
County of Tulsa     ) §

Before me, the undersigned, a Notary Public within and for said County and State, on this 4 day of January, 2019, personally appeared GARY DEAN HEIMBACH, JR. AND ANN MARIE HEIMBACH, 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.

LESLIE DAWN GRAYSON  
NOTARY PUBLIC - STATE OF OKLAHOMA  
MY COMMISSION EXPIRES 02/22/2021  
COMMISSION #17001768

  
Notary Public

Approved as to Form:

  
Assistant City Attorney

Approved as to Substance:

Michael L. Spurgeon, City Manager

Attest:

Engineer: WSC checked: 1-4-19  
Project: County Line Trunk Sewer Replacement, project # S.1609, parcel 17.1

City Clerk

EXHIBIT "A"  
TEMPORARY CONSTRUCTION EASEMENT

OWNER:

Gary Dean Heimbach, Jr. & Ann Marie Heimbach

PROPERTY ID:

98436-84-36-02810

PROPERTY ADDRESS:

11228 S. 193th E. AVE.

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  
2,360.12 s.f. or 0.05 acres, more or less

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

POC

L1

LINE	BEARING	DISTANCE
L1	S 01°23'27" E	671.01'
L2	S 88°36'33" W	79.71'
L3	S 01°23'27" E	326.08'
L4	S 88°42'50" W	5.00'
L5	N 01°23'27" W	180.06'
L6	N 90°00'00" W	5.00'
L7	N 01°23'27" W	145.89'
L8	N 88°36'33" E	10.00'

L8 L2

10' U/E TO CITY OF BROKEN ARROW  
DOC #2007042813

25.25' DEDICATION DEED  
BOOK 7223, PAGE 2183

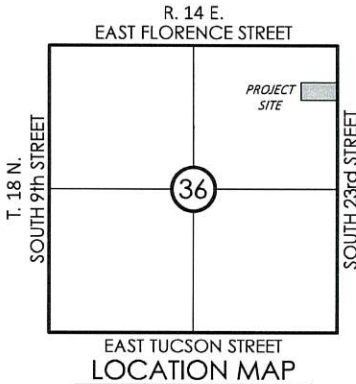
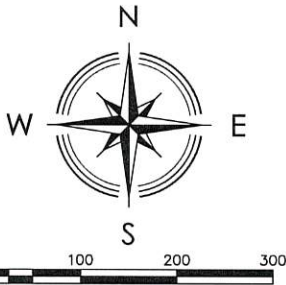
60' PERMANENT EASEMENT,  
BOOK 4821, PAGE 80

E. 114th St. S.

A tract of land located in the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE/4 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 671.01 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 326.08 feet; Thence South 88°42'50" West, for a distance of 5.00 feet; Thence North 01°23'27" West and parallel with said East line, for a distance of 180.06 feet; Thence North 90°00'00" West, for a distance of 5.00 feet; Thence North 01°23'27" West and parallel with said East line, for a distance of 145.89 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.  
S. 23rd St.



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.

DRAWING: PARCEL 17.1

REVISION: JUNE 2018

PROJECT No.: 161027

DATE: JUNE 2018

DRAWN: JLN

SCALE: 1:200'

CHECKED: NJR

SHEET NO.: 1 OF 1