

## TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, WILLIAM PAUL SOMMER REVOCABLE 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 Eight thousand one hundred six dollars and 84/100 (\$8,106.84), 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 street improvements for the County Line Truck 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 22nd day of January, 2019.

WILLIAM PAUL SOMMER REVOCABLE TRUST

Michael S. Sommer  
MICHAEL S. SOMMER, TRUSTEE

State of Oklahoma )

County of Tulsa ) §

Before me, the undersigned, a Notary Public within and for said County and State, on this day 22nd of January, 2019, personally appeared MICHAEL S. SOMMER, 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.



**KAREN L. PAX**  
Notary Public  
Wagoner County  
State of Oklahoma  
Commission # 01003514  
Expires: April 11, 2021

Karen L. Pax  
Notary Public

Approved as to Form:

[Signature]  
Assistant City Attorney

Approved as to Substance:

[Signature]  
Michael L. Spurgeon, City Manager

Attest:

Engineer: WSC checked: 1/22/19

Project: County Line Trunk Sewer Replacement, project # S.1609 parcel 13.1 City Clerk

EXHIBIT "A"

OWNER:

Michael S. & W. Paul Sommer, Revocable Trust

PROPERTY ID:

98436-84-36-48610

PROPERTY ADDRESS:

8615 S. 74th E. AVE.

STATEMENT OF BEARINGS:

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

LEGEND

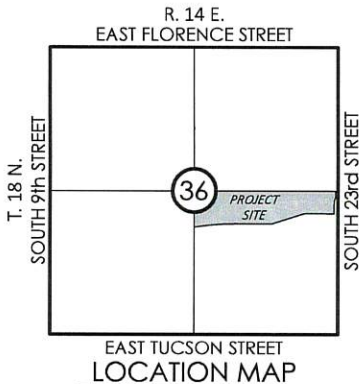
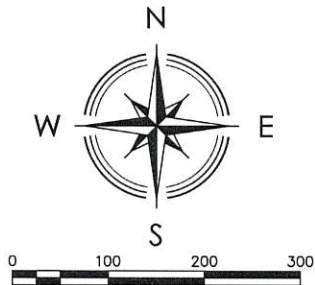
POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT



Temporary Construction Easement  
17,645.00 s.f. or 0.41 acres, more or less

LINE	BEARING	DISTANCE
L1	S 88°40'39" W	85.25'
L2	S 04°06'44" E	195.78'
L3	S 01°06'53" E	229.07'
L4	S 88°53'07" W	40.00'
L5	N 00°59'32" W	227.96'
L6	N 04°15'20" W	196.78'
L7	N 88°40'39" E	40.06'



North Line of the SE/4  
Sec. 36, T. 18 N., R. 14 E.

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

DEDICATION DEED  
DOC. #2004079785

60' PERMANENT EASEMENT,  
BOOK 4815, PAGE 1030

60' SEWER EASEMENT  
BOOK 481, PAGE 1029

A tract of land located in the Southeast Quarter (SE/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 SE/4; Thence South 88°40'39" West and along the North line of said SE/4, for a distance of 85.25 feet to the POINT OF BEGINNING; Thence South 04°06'44" East, for a distance of 195.78 feet; Thence South 01°06'53" East and parallel with the East line of said SE/4, for a distance of 229.07 feet; Thence South 88°53'07" West, for a distance of 40.00 feet; Thence North 00°59'32" West, for a distance of 227.96 feet; Thence North 04°15'20" West, for a distance of 196.78 feet to a point on said North line; Thence North 88°40'39" East and along said North line, for a distance of 40.06 feet to the POINT OF BEGINNING.

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) 839-5552 Fax  
Certificate of Authorization No. 4656 Expires June 30, 2019

PARCEL: TEMP CONSTR. ESMT.

DRAWING: PARCEL 13.1

REVISION: JUNE 2018

PROJECT No.: 161027

DATE: MAY 2018

DRAWN: JLN

SCALE: 1:200'

CHECKED: NJR

SHEET NO.: 1 OF 1