

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, B.A. VESPER, LLC, an Oklahoma limited liability company, 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 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:

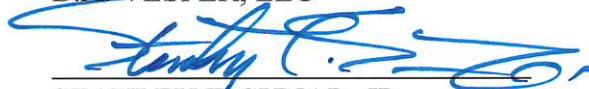
SEE EXHIBIT "A"

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 Old Town Streets, project # ST1711.

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 7th day of June, 2019.

B.A. VESPER, LLC



STANLEY T. SYNAR, JR.,
MANAGING MEMBER

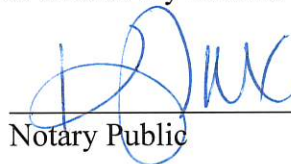
STATE OF OKLAHOMA)
) §
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public within and for said County and State, on this 7th day of June, 2019, personally appeared STANLEY T. SYNAR, JR. 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



Notary Public

Approved as to Form:

Approved as to Substance:


Assistant City Attorney

Michael L. Spurgeon, City Manager

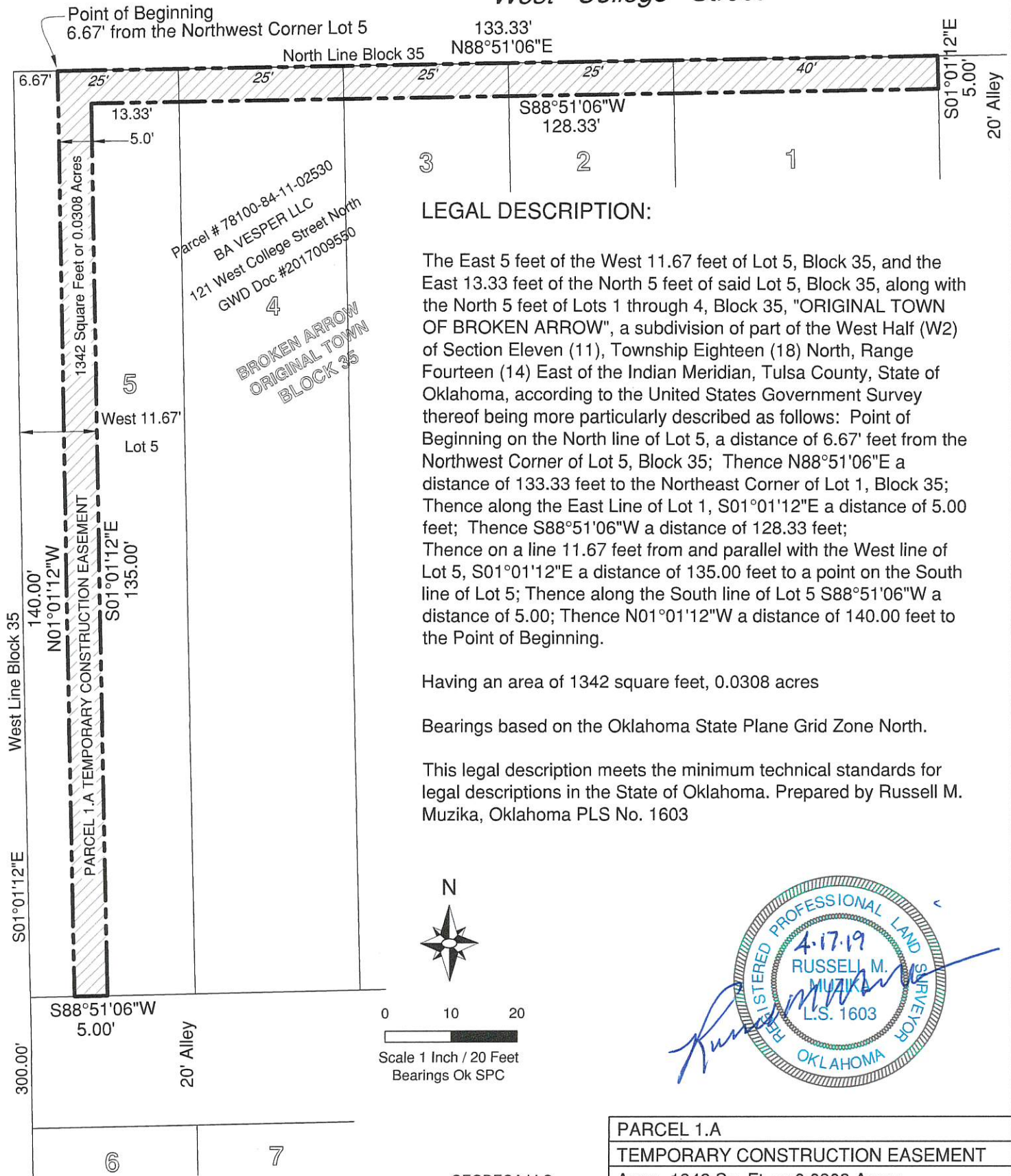
Attest:

Engineer: RTJ checked: 6/7/19
Project: Old Town Streets, project # ST171

City Clerk

North Ash Avenue

West College Street



LEGAL DESCRIPTION:

The East 5 feet of the West 11.67 feet of Lot 5, Block 35, and the East 13.33 feet of the North 5 feet of said Lot 5, Block 35, along with the North 5 feet of Lots 1 through 4, Block 35, "ORIGINAL TOWN OF BROKEN ARROW", a subdivision of part of the West Half (W2) of Section Eleven (11), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof being more particularly described as follows: Point of Beginning on the North line of Lot 5, a distance of 6.67' feet from the Northwest Corner of Lot 5, Block 35; Thence N88°51'06"E a distance of 133.33 feet to the Northeast Corner of Lot 1, Block 35; Thence along the East Line of Lot 1, S01°01'12"E a distance of 5.00 feet; Thence S88°51'06"W a distance of 128.33 feet; Thence on a line 11.67 feet from and parallel with the West line of Lot 5, S01°01'12"E a distance of 135.00 feet to a point on the South line of Lot 5; Thence along the South line of Lot 5 S88°51'06"W a distance of 5.00; Thence N01°01'12"W a distance of 140.00 feet to the Point of Beginning.

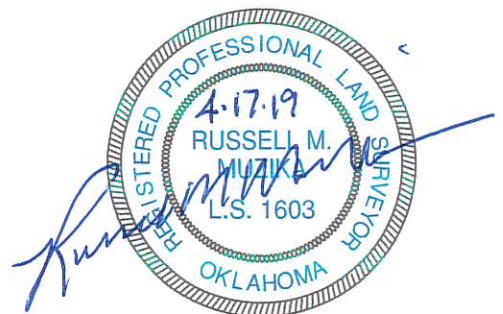
Having an area of 1342 square feet, 0.0308 acres

Bearings based on the Oklahoma State Plane Grid Zone North.

This legal description meets the minimum technical standards for legal descriptions in the State of Oklahoma. Prepared by Russell M. Muzika, Oklahoma PLS No. 1603



0 10 20
Scale 1 Inch / 20 Feet
Bearings Ok SPC



GEODECA LLC
P.O.Box 330281,
Tulsa, Ok. 74133
918 949 4064
CA # 5524 exp 6/30/20

PARCEL 1.A	
TEMPORARY CONSTRUCTION EASEMENT	
Area: 1342 Sq. Ft. or 0.0308 Acres	
Owner: BA VESPER LLC	
Address: 121 West College Street North	
Revision: 2	Date: APRIL 17 2019

Project: 1705038