

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That all undersigned, **KANSAS CITY LIFE INSURANCE COMPANY**, a Missouri corporation, 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, an municipal corporation, 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**, a municipal corporation, 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 Olive Avenue: Kenosha to Albany, project #ST1710.

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 10th day of October 2020.

SW
KANSAS CITY LIFE INSURANCE
COMPANY, a Missouri corporation

By: 
Kurt A. Schoeb, Director of Real Estate

STATE OF MISSOURI)
) §
COUNTY OF JACKSON)

BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this 6th day of October, 2020, personally appeared Kurt A. Schoeb, to me known to be the identical person(s) who executed the within and foregoing instrument in writing and acknowledged to me that he (she) executed the same as his (her) free and voluntary act and deed, and as the free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last written above.

KIMBERLEY A. ROSE
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires Aug. 26, 2021
Commission # 13520010
Approved as to Form:
CITY of Broken Arrow, Oklahoma,
A municipal corporation

Kimberley A. Rose
NOTARY PUBLIC

Approved as to Substance:
CITY of Broken Arrow, Oklahoma,
A municipal corporation

[Signature] 10/13/2020
Assistant City Attorney

Michael L. Spurgeon, City Manager

Attest:

Engineer RDH Checked: 10/12/2020
Project: ST1710 Olive: Kenosha to Albany Roadway Improvements, Parcel 19.A

City Clerk

EXHIBIT A

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LEGAL DESCRIPTION

Part of Lot 1, Block 3 of Commerce Crossing, a Subdivision in the City of Broken Arrow, Tulsa County

Kansas City Life Ins. Co.

Temporary Construction Easement

A tract of land lying Lot 1, Block 3 of Commerce Crossing, a Subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 6183. Said tract of land being more particularly described by meets and bounds as follows:

Beginning at the East Northeast Corner of Lot 1, Block 3 of Commerce Crossing;

Thence S 01°24'32" E along the East line of said Lot 1 a distance of 372.89 feet;

Thence S 88°35'28" W a distance of 10.00 feet;

Thence N 01°24'32" W a distance of 382.91 feet to a point on the Northeast line of said Lot 1;

Thence S 46°21'31" E along the Northeast line of said Lot 1 a distance of 14.15 feet to the point of beginning.

Said tract contains 0.09 acres (3,778.97sq. ft.) of land as described.

Surveyor's Certification

I, Brian C. Bird of CEC Corporation, certify that the legal description closes in accordance with existing records, is a true representation of the easement as described, meets the minimum technical standards for land surveying of the State of Oklahoma, and is not a land or boundary survey.



Brian C. Bird, P.L.S #1869
CEC Corporation
CA No. 32, Expiration Date: 06-30-2022



REVISED:		
DRAWN:	JEM	07/20/2020
APPROVED:	BCB	07/20/2020