

EN 0119244

Ordinance

Version 3.2 released on 8/3/21

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.



CITY COUNCIL USE ONLY

Date Received: _____
Committee Date: _____
1st Agenda Date: _____

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____

CITY CLERK USE ONLY

☐ Scanned

Date: 08.31.2022

☐ Posted

Item #: 2208.01850

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Dept. Tracking No.
5-2-22-56

Board Approval

Other Board Name

City Council Approval

☒ Yes ☐ No

Department
Engineering Services

Contact Name
Chris Kovac

Email
ckovac@cityoftulsa.org

Phone
918-596-9649

Subject (Description)
Request to close a portion of a utility easement

Ordinance Type
Closing an Easement

Section
10

Township
19

Range
13

Lot

Block

Address
1228 S. Canton Ave.

BA / CT Number

Amending Ord. No.

TRO Title No.

TRO Subtitle

Property/Non-Property

Council District
5

Zoning No.

PUD No.

Planning District

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department:

Legal:

Board:

Mayor:

Other:

Date: 08.08.22

Date: 8-16-22

Date: AUG 31 2022

Date:

Date:

Policy Statement

Background Information

A request has been made by Natalie Marra with Eller & Detrich, P.C., to close a utility easement lying in Tract Thirteen (13) of Crowell Heights, as shown on the attached exhibits. The easement contains no utilities. The request to close a portion of the utility easement is to allow the construction of an addition to the garage. The request has been reviewed by City staff, representatives of various commissions, authorities and private utility companies with no objections.

Provide background information on the requested action.

Summation of the Requested Action

Recommend approval of this closure. MSL *MSK 8/3/22*

Summarize the pertinent details of the requested action.

Emergency Clause?

☐ Yes

☒ No

Reason for Emergency Clause

Explain why you are requesting that the City Council approve this action with an emergency clause.

Processing Information for City Clerk's Office

Post Execution Processing

- ☐ Mail vendor copy (addtl signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Addtl governmental entity approval(s) required

Additional Routing and Processing Details

(Published in the Tulsa World)
_____, 2022)

ORDINANCE NO. _____

AN ORDINANCE CLOSING A PORTION OF A CERTAIN UTILITY EASEMENT OF THE CITY OF TULSA, OKLAHOMA, AFFECTING TRACTS OF LAND IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA;

WHEREAS, application has been made for the closing of a portion of a certain Utility Easement of the City of Tulsa, Oklahoma;

WHEREAS, the request is reasonable, and it will be in the best interest of all parties concerned that said portion of the Utility Easement be closed.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That the portion of the Utility Easement, insofar as it covers the following described property:

A TRACT OF LAND BEING A PART OF THE NORTH HALF OF THE NORTH HALF OF THE EAST HALF (N/2 N/2 E/2) OF TRACT THIRTEEN (13), CROWELL HEIGHTS, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF TRACT 13; THENCE SOUTH 88°16'27" WEST ALONG THE NORTH LINE OF TRACT 13 FOR 6.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°09'52" EAST FOR 6.00 FEET; THENCE SOUTH 88°16'27" WEST FOR 128.00 FEET; THENCE NORTH 01°09'52" WEST FOR 6.00 FEET TO A POINT ON THE NORTH LINE OF TRACT 13; THENCE NORTH 88°16'27" EAST ALONG THE NORTH LINE OF TRACT 13 FOR 128.00 FEET TO THE POINT OF BEGINNING.

be and the same is hereby closed.

Section 2. That the City of Tulsa retains the absolute right to reopen the closed portion of the Utility Easement without expense to the City of Tulsa.

Section 3. The closing of said portion of the Utility Easement shall not affect the right to maintain, repair, reconstruct, operate or remove utility, public service corporation or transmission company facilities existing therein, nor shall such closing affect private ways existing by operation of law.

ADOPTED by the Council: _____
Date

Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

G.T. Bynum, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____
Date
at _____
Time

Mayor

(Seal)
ATTEST:


City Clerk

APPROVED:

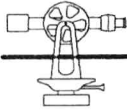
City Attorney

ADB

APPROVED AS TO LEGAL DESCRIPTION:



Engineering Services



WHITE SURVEYING COMPANY

9936 East 55th Place • Tulsa, Oklahoma 74146 • (918) 663-6924 fax (918) 664-8366
mailing address: P.O. Box 471675 Tulsa, Oklahoma 74147-1675

EASEMENT CLOSURE


A tract of land being a part of the North Half of the North Half of the East Half (N/2 N/2 E/2) of Tract Thirteen (13), Crowell Heights, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, Said tract being described as follows: Commencing at the Northeast corner of Tract 13; Thence South 88°16'27" West along the North line of Tract 13 for 6.00 feet to the Point of Beginning; Thence South 01°09'52" East for 6.00 feet; Thence South 88°16'27" West for 128.00 feet; Thence North 01°09'52" West for 6.00 feet to a point on the North line of Tract 13; Thence North 88°16'27" East along the North line of Tract 13 for 128.00 feet to the Point of Beginning.

REAL PROPERTY CERTIFICATION

I, Randy K. Shoefstall of White Surveying Company, a Registered Professional Land Surveyor in the State of Oklahoma, certify that the attached legal description is based upon the Oklahoma State Plane Coordinate System and the East line of Tract 13 being South 01°09'52" East, closes in accord with existing records, that the attached drawing is a true representation of the real property as described and meets the minimum technical standards for land surveying of the state of Oklahoma.

6/14/2022
Date

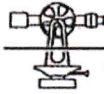




Randy K. Shoefstall
RPLS No. 1676
White Surveying Company
C.A. No. 1098



1"=30'

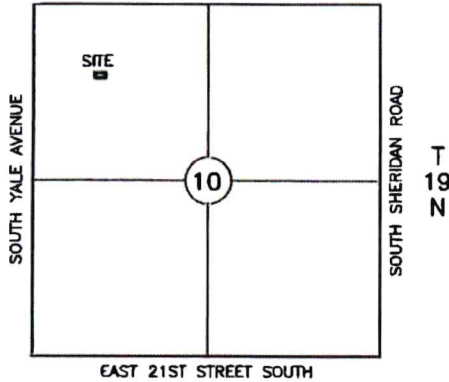


WHITE SURVEYING COMPANY

• 9936 EAST 55TH PLACE TULSA, OKLAHOMA 74146 • (918) 663-6924

R 13 E

EAST 11TH STREET

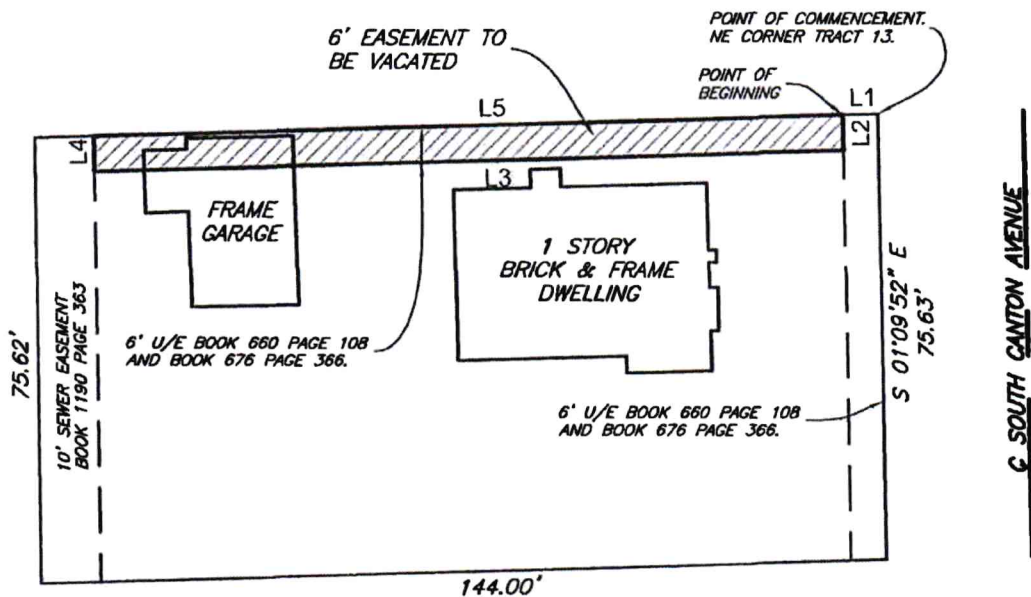


EASEMENT CLOSURE

PART OF TRACT 13,
CROWELL HEIGHTS,
CITY OF TULSA, TULSA COUNTY,
STATE OF OKLAHOMA

GENERAL NOTES

THE BEARINGS SHOWN HEREON ARE BASED ON:
THE OKLAHOMA STATE PLANE COORDINATE SYSTEM
NAD 83 (2011) AND THE EAST LINE OF TRACT 13
BEING SOUTH 01°09'52" EAST.



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	6.00	S88°16'27"W
L2	6.00	S01°09'52"E
L3	128.00	S88°16'27"W
L4	6.00	N01°09'52"W
L5	128.00	N88°16'27"E



WHITE SURVEYING COMPANY
CERTIFICATE OF AUTHORIZATION
NO. CA1098

BY: Randy K. Shoefstall DATE: 5/18/2022
REGISTERED PROFESSIONAL LAND
SURVEYOR OKLAHOMA NO. 1676



Application for
Right-of-way / Easement
Closure or Encroachment Agreement

APPLICATION IS HEREBY MADE TO THE CITY OF TULSA TO CONSIDER THE FOLLOWING:

CHOOSE (1) CLOSURE: X ENCROACHMENT: _____

CHOOSE (1) RIGHT-OF-WAY: _____ EASEMENT: X AIR SPACE: _____

County Assessor Parcel Number: 10375-93-10-01230 Zoning: RS3

Property Location: 1228 South Canton Avenue

Legal Description: Subdivision: Crowell Heights Plat No.: 831

Lot: 13 Block: _____

Section: 10 Township: 19 Range: 13

IF UNPLATTED ATTACH LEGAL DESCRIPTION.

Applicant Name: Natalie J. Marra

Applicant Company: Eller & Detrich, P.C.

Applicant D.B.A.: _____

Address: 2727 E. 21st St, Ste 200

City: Tulsa State: OK Zip: 74114

Phone: 918-747-8900 Email: nmarra@ellerdetrich.com

Secondary Point of Contact: Nathalie M. Cornett

Phone: 918-747-8900 Email: ncornett@ellerdetrich.com

Property Owner(s) of Record: Phipps Family Trust

Address: 1228 S Canton Ave

City: Tulsa State: OK Zip: 74112

Phone: _____ Email: _____

Signatures

Applicant:  Date: 6/3/22

Property Owner(s): _____ Date: _____

_____ Date: _____

_____ Date: _____



Application for
Right-of-way / Easement
Closure or Encroachment Agreement

Explanation of necessity for closing right-of-way or easement or for encroaching into the right-of-way or easement.

REQUIRED - Legal Description with a Plat of Survey for all closings. For Encroachments a digital sketch delineating the described request, showing all data pertinent to the property (refer to application instructions).

The Applicant requests the closure of the Utility Easement dedicated by the Deed of Dedication recorded with the Tulsa County Clerk at Book 660, Page 108 and Book 676, Page 366 and which runs on the north side of Tract 13, Crowell Heights (the "Easement"). A survey showing the Easement to be closed is attached hereto as Exhibit "A". There are no utilities in the Easement and the garage addition to the house already sits within the Easement. The Property Owners intend to build an addition to the garage. The Easement is no longer needed for public purposes or for the holder of any franchise, and there is no longer the need for the public maintenance and expenses associated therewith. Therefore, the requested closure will preserve City resources and is in the best interest of the City.

