

Ordinance

Version 3.2 released on 8/3/21

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



END0119226

CITY COUNCIL USE ONLY

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

Tracking #: _____
Committee: _____
Hearing Date: _____
2nd Agenda Date: _____

CITY CLERK USE ONLY

☐ Scanned

Date: 08.24.2022

☐ Posted

Item: 2208.01808

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

Primary Details

Dept. Tracking No.
5-3-22-05

Board Approval

Other Board Name

City Council Approval
☒ Yes ☐ No

Department
Engineering Services

Contact Name
Chris Kovac 7/20/22

Email
ckovac@cityoftulsa.org

Phone
918-596-9649

Subject (Description)
Request to close Public Way

Ordinance Type
Closing Public Way

Section
1

Township
19

Range
12

Lot
8

Block
148

Address
6 E. 5th Street

BA / CT Number

Amending Ord. No.

TRO Title No.

TRO Subtitle

Property/Non-Property

Council District
4

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: 07.25.22

Date: 8-11-22

Date: AUG 24 2022

Date:

Date:

Policy Statement

Background Information

A request has been made by Dani Fields, with Wallace Design Collective to close the right of way of East of 5th Street South and the right of way in the alleyway adjacent to the east line of Lot Eight (8), Block One-Hundred Forty-Eight (148), Tulsa Original Town as shown on the attached exhibits. The request to close the right of way is to allow for door swings. The right of way has been in use for more than five (5) years, therefore a public meeting will be required. The City will retain an easement during the judicial vacation process. The request to close a portion of the right of way has been reviewed by City staff and representatives of various commissions, authorities and private utilities with no objections.

Provide background information on the requested action.

Summation of the Requested Action

Approval of this closure. MSL

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 (addt'l signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Addt'l governmental entity approval(s) required

Additional Routing and Processing Details

(Published in the Tulsa World

_____, 2022)

ORDINANCE NO. _____

AN ORDINANCE CLOSING A CERTAIN PUBLIC WAY OF THE CITY OF TULSA, OKLAHOMA, AFFECTING A TRACT OF LAND IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA;

WHEREAS, application has been made for the closing of a certain Public Way of the City of Tulsa, Oklahoma;

WHEREAS, the request is reasonable, and it will be for the best interest of all parties concerned that said Street be closed.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That a Public Way insofar as it covers the following described land:

A TRACT OF LAND LYING IN THE RIGHT OF WAY OF EAST 5TH STREET SOUTH, LYING ADJACENT TO THE NORTH LINE OF LOT EIGHT (8), BLOCK ONE-HUNDRED FORTY-EIGHT (148), AND LYING IN THE ALLEYWAY ADJACENT TO THE EAST LINE OF LOT EIGHT (8), BLOCK ONE-HUNDRED FORTY-EIGHT (148), TULSA ORIGINAL TOWN, TULSA COUNTY, STATE OF OKLAHOMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT"A"

COMMENCING AT THE SOUTHEAST CORNER OF LOT EIGHT (8), BLOCK ONE-HUNDRED FORTY-EIGHT ORIGINAL TOWN TULSA; THENCE N00°03'17"E FOR A DISTANCE OF 5.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°03'17"E FOR A DISTANCE OF 7.00 FEET; THENCE S89°57'56"E FOR A DISTANCE OF 3.50 FEET; THENCE S00°03'17"W FOR A DISTANCE OF 7.00 FEET; THENCE N89°57'56"W FOR A DISTANCE OF 3.50 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 24.50 SQUARE FEET, MORE OR LESS.

AND

TRACT"B"

COMMENCING AT THE NORTHWEST CORNER OF LOT EIGHT (8), BLOCK ONE-HUNDRED FORTY-EIGHT ORIGINAL TOWN TULSA; THENCE N89°58'39"E AND ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 5TH STREET SOUTH FOR A DISTANCE OF 63.83 FEET TO THE POINT OF BEGINNING; THENCE N00°01'21"W FOR

A DISTANCE OF 3.50 FEET; THENCE N89°58'39"E FOR A DISTANCE OF 22.25 FEET; THENCE S00°01'21"E FOR A DISTANCE OF 3.50 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST 5TH STREET SOUTH; THENCE S89°58'39"W AND ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 5TH STREET SOUTH FOR A DISTANCE OF 22.25 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 77.90 SQUARE FEET, MORE OR LESS;

be and the same is hereby closed.

Section 2. That the City of Tulsa retains the absolute right to reopen the closed Public Way without expense to the City of Tulsa.

Section 3. The closing of said Public Way 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



PARCEL1 EXHIBIT "A"
RIGHT OF WAY CLOSURE
LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE RIGHT OF WAY OF EAST 5TH STREET SOUTH, LYING ADJACENT TO THE NORTH LINE OF LOT EIGHT (8), BLOCK ONE-HUNDRED FORTY-EIGHT (148), AND LYING IN THE ALLEYWAY ADJACENT TO THE EAST LINE OF LOT EIGHT (8), BLOCK ONE-HUNDRED FORTY-EIGHT (148), TULSA ORIGINAL TOWN, TULSA COUNTY, STATE OF OKLAHOMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT "A"

COMMENCING AT THE SOUTHEAST CORNER OF LOT EIGHT (8), BLOCK ONE-HUNDRED FORTY-EIGHT ORIGINAL TOWN TULSA; THENCE N00°03'17"E FOR A DISTANCE OF 5.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°03'17"E FOR A DISTANCE OF 7.00 FEET; THENCE S89°57'56"E FOR A DISTANCE OF 3.50 FEET; THENCE S00°03'17"W FOR A DISTANCE OF 7.00 FEET; THENCE N89°57'56"W FOR A DISTANCE OF 3.50 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 24.50 SQUARE FEET, MORE OR LESS.

AND

TRACT "B"

COMMENCING AT THE NORTHWEST CORNER OF LOT EIGHT (8), BLOCK ONE-HUNDRED FORTY-EIGHT ORIGINAL TOWN TULSA; THENCE N89°58'39"E AND ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 5TH STREET SOUTH FOR A DISTANCE OF 63.83 FEET TO THE POINT OF BEGINNING; THENCE N00°01'21"W FOR A DISTANCE OF 3.50 FEET; THENCE N89°58'39"E FOR A DISTANCE OF 22.25 FEET; THENCE S00°01'21"E FOR A DISTANCE OF 3.50 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST 5TH STREET SOUTH; THENCE S89°58'39"W AND ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 5TH STREET SOUTH FOR A DISTANCE OF 22.25 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 77.90 SQUARE FEET; MORE OR LESS;

LEGAL DESCRIPTIONS WAS PREPARED ON JULY 12, 2022 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASE FOR THIS EXHIBIT IS BASED ON THE NORTH LINE OF LOT EIGHT (8), BLOCK ONE-HUNDRED FORTY-EIGHT (148) TULSA ORIGINAL TOWN AS N89°58'39"E.

SURVEYOR'S CERTIFICATE

I, CLIFF BENNETT OF BENNETT SURVEYING, INC., CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE REAL PROPERTY DESCRIBED, AND THAT THE SURVEY OF THE REAL PROPERTY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 12TH DAY OF JULY, 2022.



Cliff Bennett

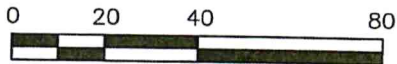
CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2024

PARCEL 1 EXHIBIT "A" RIGHT OF WAY CLOSURE

Page 2 of 2

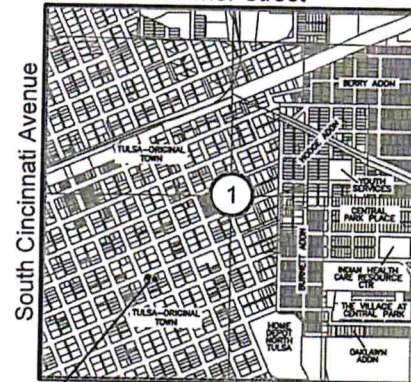


Scale: 1"=40'



R 12 E

Archer Street



Subject Easement

11th Street South
Location Map

Scale: 1"=2000'

T
19
N

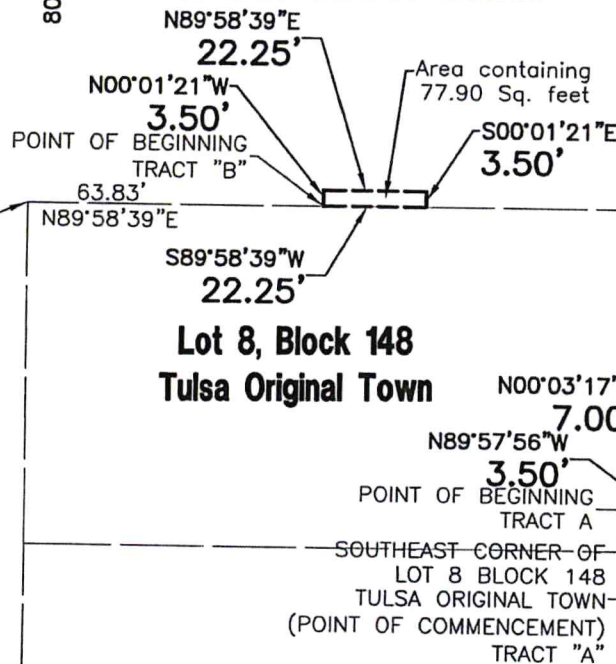
East 5th Street South

South Main Street

NORTHWEST CORNER OF
LOT 8 BLOCK 148
TULSA ORIGINAL TOWN
(POINT OF COMMENCEMENT)

Lot 8, Block 148
Tulsa Original Town

Alleyway



FILE: 220080 LG-1A

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE NORTH LINE OF LOT 8, BLOCK 148, TULSA ORIGINAL TOWN AS BEING N89°58'39"E.
2. SEE EXHIBIT "A" PAGE 1 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.



BENNETT
SURVEYING, INC.

P.O. BOX 848, CHOUTEAU, OK 74337
PHONE: (918) 935-0350
C.A. NO.: 4502 EXP. DATE: 6/30/24

SPECIAL CERTIFICATE

The TULSA ABSTRACT & TITLE COMPANY, a duly qualified and bonded abstract Company within and for the County of Tulsa, State of Oklahoma, does hereby certify:

There is shown herein a true and correct list of owners of record:

A 300 foot Radius surrounding a tract of land described as follows:

~ See attached Exhibit "A" for Legal Description ~

As shown by the current years tax rolls as the date of this certificate in the office of the County Treasurer within and for Tulsa County, Oklahoma

AND

That said list also shows the last GRANTEES of record in the Office of the County Clerk within and for Tulsa County, State of Oklahoma.

ADDRESSES given in this report are not certified to.

This certificate certifies to Tulsa County Treasurer 2021 Tax Rolls and last Grantees of record of the Tulsa County Clerk as of **July 12, 2022 at 7:59 A.M.**

IN WITNESS WHEREOF, the TULSA ABSTRACT & TITLE COMPANY has caused these presents to be signed, and its corporate seal to be affixed this **19th day of July, 2022.**

TULSA ABSTRACT & TITLE COMPANY

By


Vice-President

No. 499183



EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land lying in the Right-of-Way of East 5th Street South, lying adjacent to the North line of Lot Eight (8), Block One Hundred Forty-eight (148) and lying in the alleyway adjacent to the East line of Lot Eight (8), Block One Hundred Forty-eight (148), **TULSA ORIGINAL TOWN**, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

TRACT "A"

COMMENCING at the Southeast corner of Lot Eight (8), Block One Hundred Forty-eight (148), ORIGINAL TOWN TULSA; Thence N 00°03'17" E for a distance of 5.84 feet to the POINT OF BEGINNING; Thence continuing N 00°03'17" E for a distance of 7.00 feet; Thence S 89°57'56" E for a distance of 3.50 feet; Thence S 00°03'17" W for a distance of 7.00 feet; Thence N 89°57'56" W for a distance of 3.50 feet to the POINT OF BEGINNING.

AND

TRACT "B"

COMMENCING at the Northwest corner of Lot Eight (8), Block One Hundred Forty-eight (148), ORIGINAL TOWN TULSA; Thence N 89°58'39" E and along the South Right-of-Way line of East 5th Street South for a distance of 63.83 feet to the POINT OF BEGINNING; Thence N 00°01'21" W for a distance of 3.50 feet; Thence N 89°58'39" E for a distance of 22.25 feet; Thence S 00°01'21" E for a distance of 3.50 feet to a point on the South Right-of-Way line of East 5th Street South; Thence S 89°58'39" W and along the South Right-of-Way line of East 5th Street for a distance of 22.25 feet to the POINT OF BEGINNING.



Names and Addresses

Tulsa Authority for Economic Opportunity
175 East 2nd Street
Tulsa, OK 74103-3202

Mayo 420, LLC
C/O Wiggins Properties, LLC
5801 North Broadway Suite 120
Oklahoma City, OK 73118

McFarlin Building, LLC
115 West 5th Street Suite 1701
Tulsa, OK 74103

Philtower, Ltd.
427 South Boston No. 915
Tulsa, OK 74103

Philcade, LLC
C/O Kanbar Properties
P.O. Box 2847
Tulsa, OK 74101-2847

Fifth Street Corridor, LLC
20 East 5th Street Suite 1100
Tulsa, OK 74103-4439

Vandever Lofts, LLC
204 North Robinson Avenue Suite 700
Oklahoma City, OK 73102-6801

Mimolette, LLC
514 South Boston Avenue
Tulsa, OK 74103-4603

The Meridia, LLC
427 South Boston Avenue #915
Tulsa, OK 74103

Legal Description

Lots 1, 2, N50' of Lot 3 & N50' of Lot 6 & all of Lots
7 & 8,
and N200' vacated alley,
Block 135,
O.T. TULSA

S25' of Lot 3 & all of Lot 4,
Block 135,
O.T. TULSA

Lot 4,
Block 136,
O.T. TULSA

Lot 3,
Block 137,
O.T. TULSA

Lots 4, 5, 6, & 7,
Block 147,
O.T. TULSA

E80' of Lots 1 & 2,
Block 148,
O.T. TULSA

W60' of Lots 1 & 2,
Block 148,
O.T. TULSA

N50' N75' of Lot 3,
Block 148,
O.T. TULSA

S50' of Lot 3 & all of Lot 4,
Block 148,
O.T. TULSA



Park Centre Building, LLC
C/O Kanbar Properties
P.O. Box 2847
Tulsa, OK 74101-2847

Lot 5 & S25' of Lot 6,
Block 148,
O.T. TULSA

J.C. Joyce Building, LLC
515 South Main Street Suite 300
Tulsa, OK 74103-4489

N25' of Lot 6 & S25' of Lot 7,
Block 148,
O.T. TULSA

Oil Capital Building, LLC
C/O Kanbar Property Management, LLC
P.O. Box 2847
Tulsa, OK 74101

N50' of Lot 7,
Block 148,
O.T. TULSA

Teapot Landlord, LLC
510 East 2nd Street
Tulsa, OK 74120-1809

Lot 8,
Block 148,
O.T. TULSA

Arvest Bank
C/O Travis B. Mauldin
1183 Joyce Boulevard Suite 2
Fayetteville, AR 72703

Lots 1, 2, & 3,
Block 149,
O.T. TULSA

First Place, LLC
C/O Kanbar Properties
P.O. Box 2847
Tulsa, OK 74101-2847

Lots 1, 2, & 3,
Block 1,
FIRST PLACE ADDITION

Price Family Parking, LLC
15 East 5th Street Suite 400
Tulsa, OK 74103-4364

Lot 5,
Block 136,
O.T. TULSA
AND
Lots 4 & 5,
Block 1,
FIRST PLACE ADDITION





Tulsa Abstract and Title Company

612 S. Denver Ave.

Tulsa, OK 74119-1097

Phone: (918) 582-5777 Fax: (918) 583-2449

www.tulsaabstract.com

Charge To:

WALLACE DESIGN COLLECTIVE, PC
123 N. MARTIN LUTHER KING JR. BLVD.
TULSA, OK 74103

Invoice #

499183

Invoice Date:

July 14, 2022

Phone (918) 584-5858

Fax (918) 584-8689

Legal Description: PT 5TH STR. ADJACENT TO 8/148
TULSA - ORIGINAL TOWN

UCC: No **Owner:** 300' RADIUS REPORT
Buyer: RIGHT OF WAY CLOSURE

For: Radius Report

Ordered By: Dani Fields

Deliver To: Same

Transactions:	Radius Report	07/19/2022	\$200.00
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Please Pay This Amount —>

Invoice Balance:

\$200.00



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: ☒ ENCROACHMENT: ☐

CHOOSE (1) RIGHT-OF-WAY: ☒ EASEMENT: ☐ AIR SPACE: ☐

County Assessor Parcel Number: 00500920139790 Zoning:

Property Location: 6 E 5th St, Tulsa, OK

Legal Description: Subdivision: Tulsa Original Town Plat No.:

Lot: 8 Block: 148

Section: 1 Township: 19N Range: 12E

IF UNPLATTED ATTACH LEGAL DESCRIPTION.

Applicant Name: Dani Fields

Applicant Company: Wallace Design Collective

Applicant D.B.A.:

Address: 123 North Martin Luther King Jr. Blvd

City: Tulsa State: OK Zip: 74103

Phone: 918-806-7430 Email: dani.fields@wallace.design

Secondary Point of Contact:

Phone: Email:

Property Owner(s) of Record: Teapot Landlord LLC

Address: 510 E 2nd St

City: Tulsa State: OK Zip: 74120

Phone: Email:

Signatures

Applicant: Dani Fields Date: 2/2/2022

Property Owner(s): Date:

Date:

Date:



<p style="text-align: center;">Application for Right-of-way / Easement Closure or Encroachment Agreement</p>
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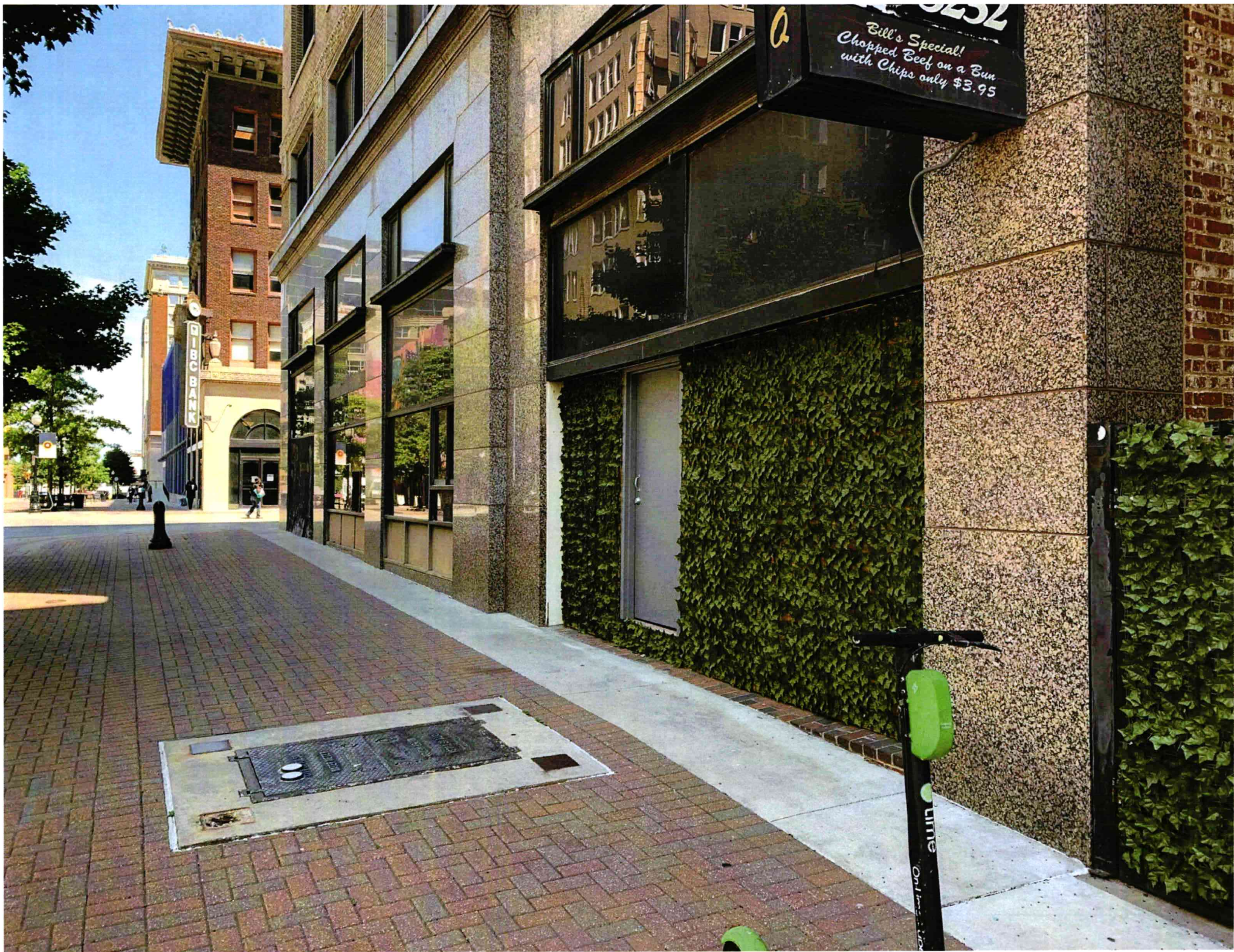
Explanation of necessity for closing right-of-way or easement or for encroaching into the right-of-way or easement.

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).

Needing to close the ROW for the door swings shown on the attached survey.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.





Bill's Special!
Chopped Beef on a Bun
with Chips only \$3.95

WISCONSIN BANK

lime
On-line...