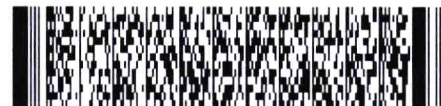


Easement

Version 3.0 released on 8/3/21

EN0119405

**CITY COUNCIL USE ONLY**

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

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____**CITY CLERK USE ONLY**☐ Scanned

Date: 11.30.2022

☐ Posted

Item #: 2211.02683

*All department items requiring Council approval must be submitted through the Mayor's Office.***Primary Details****Board Approval****Other Board Name****City Council Approval**☒ Yes ☐ No

Department
 Engineering Services

Contact Name
 Courtney Jones

Email
 courtneyjones@cityoftulsa.org

Phone
 918-596-9549

Easement Type
 Utility

Owner-Grantor
 Oral Roberts University

Bid/Project Number
 IDP 108476

Project Title
 ORU Library Waterline Relocation and Culvert Ext.

Council District
 2

Section
 8

Township
 18

Range
 13

Addition
 ORAL ROBERTS
 UNIVERSITY HEIGHTS

Lot

Block
 1

Address
 7777 South Lewis Ave

Parcel Number
 411

Additional Information/Tracking Number

Budget**Contract Types**☒ No Payments Involved☐ Revenue Contracts☐ Expense Contracts**Funding Source(s)**

DONATION: \$0.00

TOTAL: \$0.00

Approvals

Department: _____

Legal: _____

Board: _____

Mayor: _____

Other: _____

Date: 10/28/22

Date: 11/18/2022

Date: NOV 30 2022

Date: _____

Date: _____

Policy Statement**Background Information**

This Utility Easement is being donated by Oral Roberts University, an Oklahoma corporation, as a requirement of IDP 108476. The IDP for this project consists of a public waterline relocation and a public storm culvert extension to facilitate the expansion of an existing commercial development. MSL:swb

Summation of the Requested Action

Mayoral approval and City Council acceptance.

Other Pertinent Details**Processing Information for City Clerk's Office****Post Execution Processing**☐ Mail vendor copy (add'l signature copies attached)☒ Must be filed with other governmental entity☐ Add'l governmental entity approval(s) required**Additional Routing, Processing or Contact Details**

Engineering Services recommends acceptance by Council and approval by Mayor. Original to be picked up by Courtney Jones for further processing. (6-9549)

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **ORAL ROBERTS UNIVERSITY, an Oklahoma corporation**, (Grantor), the owner of the legal and equitable title to the following described real estate, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant and convey to the **City of Tulsa, Oklahoma, a municipal corporation**, (City), a perpetual easement through, over, under, and across the following described property:

See Exhibit "A"

for the purpose of permitting the City to construct all public utilities thereon, through, over, under, and across said property, together with all necessary and convenient appurtenances thereto; and to use and maintain the same and of affording the City, its officers, agents, employees, and/or all persons under contract with it, the right to enter upon said premises and strip of land for the purpose of surveying, excavating for, constructing, operating, repairing, and maintaining of such construction.

The City is hereby given and granted the exclusive possession of said above described premises for the purposes aforesaid and Grantor, for itself, its successors and assigns, covenants and agrees that no building, structure, fence, wall or other above ground obstruction will be placed, erected, installed or permitted upon the above described land; and further covenants and agrees that in the event the terms of this paragraph are violated by the Grantor or any person in privity with it, such violation will be promptly corrected and eliminated immediately upon receipt of notice from City, or City shall have right to remove or otherwise eliminate such violation, and Grantor, its successors and assigns, shall promptly pay the actual cost thereof.

TO HAVE AND TO HOLD such easement and right-of-way unto the City, its successors or assigns, forever.

Dated this 15th day of September, 2022.

CITY OF TULSA
OFFICE OF CITY CLERK
175 E 2ND ST - STE 260
TULSA, OKLAHOMA 74103

**ORAL ROBERTS UNIVERSITY,
an Oklahoma corporation**

By: 

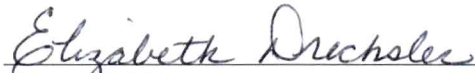
Name: Tim Philley

Title: Vice President and Chief Operating Officer

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 15th day of September, 2022, personally appeared **Tim Philley**, as Vice President and Chief Operating Officer of **ORAL ROBERTS UNIVERSITY, an Oklahoma corporation**, known to be the identical person who subscribed the name of **ORAL ROBERTS UNIVERSITY, an Oklahoma corporation**, for the uses and purposes therein set forth.

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



Notary Public

My commission expires:

11/10/2025

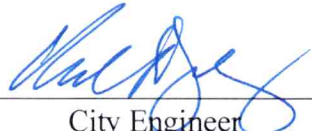
ELIZABETH DRECHSLER
NOTARY PUBLIC
STATE OF OKLAHOMA
COMMISSION NO. 21014766
EXPIRES 11-10-2025

APPROVED AS TO FORM:



Asst. City Attorney

APPROVED AS TO SUBSTANCE:



City Engineer

ACCEPTED BY CITY COUNCIL:

Date: _____

BY: _____
Name: Lori Decter Wright
Title: Chair

APPROVED BY MAYOR:

CITY OF TULSA, OKLAHOMA,
a municipal corporation

Date: _____

BY: _____
Name: G. T. Bynum
Title: Mayor

ATTEST:

City Clerk

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, a Notary Public in and for said County and State, on the _____ day of _____, 2022, personally appeared Lori Decter Wright to me known to be the identical person who accepted the within and foregoing instrument as Chair of the City Council of the City of Tulsa, Oklahoma, and acknowledged to me that she accepted the within and foregoing instrument as her free and voluntary act and deed and as the free and voluntary act and deed of the City Council of the City of Tulsa, Oklahoma, for the uses and purposes therein set forth.

Notary Public

My commission expires:

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, a Notary Public in and for said County and State, on the _____ day of _____, 2022, personally appeared G. T. Bynum, to me known to be the identical person who approved the within and foregoing instrument as Mayor of the City of Tulsa, Oklahoma, and acknowledged to me that he approved the within and foregoing instrument as his free and voluntary act and deed and as the free and voluntary act and deed of the City of Tulsa, Oklahoma, for the uses and purposes therein set forth.

Notary Public

My commission expires:

CBS
JMS



EXHIBIT "A"
UTILITY EASEMENT
LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF BLOCK ONE (1) OF ORAL ROBERTS UNIVERSITY HEIGHTS, ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK ONE (1); THENCE S01°24'24"E AND ALONG THE WEST LINE OF SAID BLOCK ONE (1), FOR A DISTANCE OF 364.41 FEET TO THE POINT OF BEGINNING; THENCE N88°35'36"E FOR A DISTANCE OF 15.00 FEET; THENCE S01°24'24"E FOR A DISTANCE OF 488.02 FEET; THENCE S88°35'36"W FOR A DISTANCE OF 15.00 FEET TO A POINT ON THE WEST LINE OF SAID BLOCK ONE (1); THENCE N01°24'24"W AND ALONG THE WEST LINE OF SAID BLOCK ONE (1) FOR A DISTANCE OF 488.02 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 0.17 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON MARCH 16, 2022 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE WEST LINE OF THE SW/4 OF SECTION 8 T-18-N, R-13-E AS BEING S01°24'24"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 16TH DAY OF MARCH, 2022.



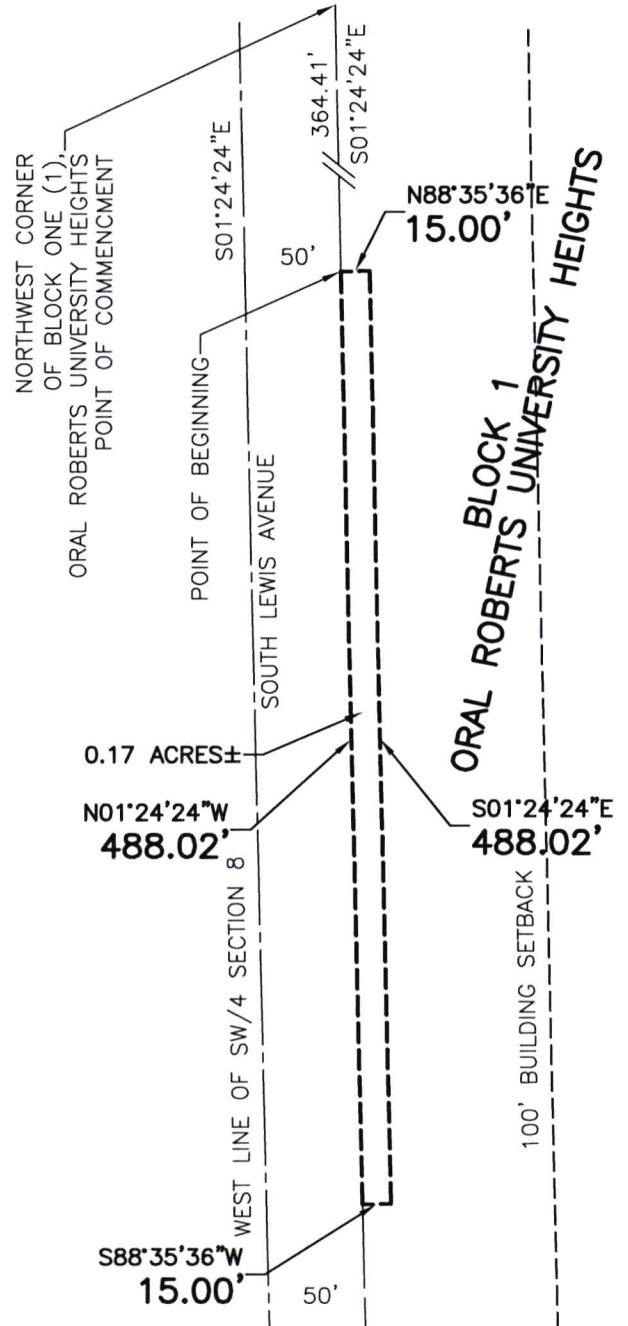
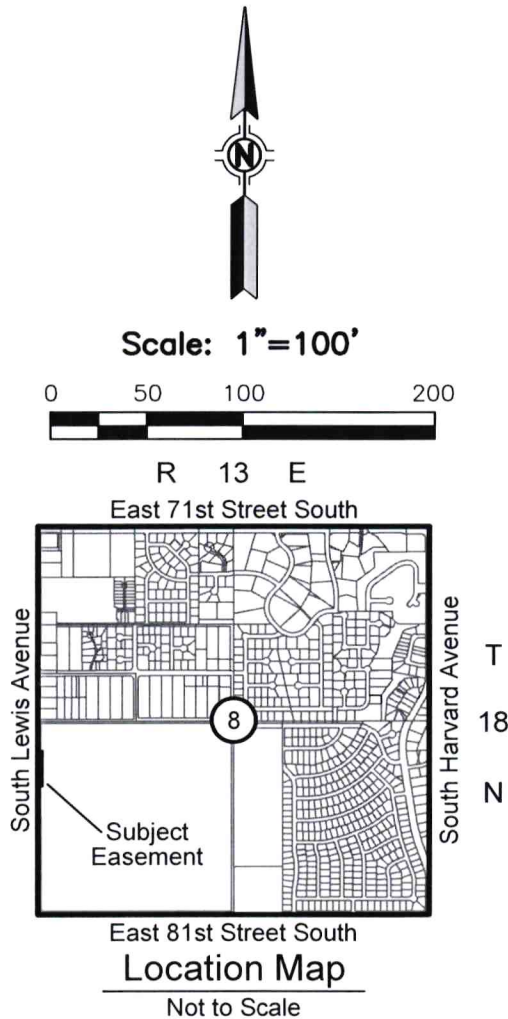
Cliff Bennett

CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2022

AMS JMS

EXHIBIT "A" UTILITY EASEMENT

Page 2 of 2



FILE: 214230 LG-2A

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE WEST LINE OF THE SW/4 OF SECTION 8 T-18-N, R-13-E AS BEING S01°24'24"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) 476-7484 FAX: (918) 476-7485
C.A. NO.: 4502 EXP. DATE: 6/30/22