

# Easement

Version 3.0 released on 8/3/21

EN 0119497



### CITY COUNCIL USE ONLY

Date Received: \_\_\_\_\_  
 Committee Date: \_\_\_\_\_  
 1<sup>st</sup> Agenda Date: \_\_\_\_\_

Tracking #: \_\_\_\_\_  
 Committee: \_\_\_\_\_  
 Hearing Date: \_\_\_\_\_  
 2<sup>nd</sup> Agenda Date: \_\_\_\_\_

### CITY CLERK USE ONLY

Scanned      Date: 12.07.2022  
 Posted      Item #: 2212.02715

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 11.15.22

Email  
 courtneyjones@cityoftulsa.org

Phone  
 918-596-9549

Easement Type  
 Waterline

Owner-Grantor  
 31st & 177th Bluffs LLC

Bid/Project Number  
 IDP 45568

Project Title  
 31st Waterline Extension

Council District  
 6

Section  
 23

Township  
 19

Range  
 14

Addition  
 Unplatted

Lot

Block

Address  
 16898 E 31st St S

Parcel Number  
 433

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: \_\_\_\_\_

[Signature]  
[Signature] (SWINEY)  
[Signature]  
 Cassia Carr  
 Mayor Pro Tem

Date: 11.17.22  
 Date: NOV. 29 XXII  
 Date: \_\_\_\_\_  
 Date: DEC 07 2022  
 Date: \_\_\_\_\_

## Policy Statement

### Background Information

This Waterline Easement is being donated by 31st & 177th Bluffs LLC, an Oklahoma limited liability company, as a requirement of IDP 45568. The IDP for this project is for two miles of 12' water main extension to serve future development. MSL:swb

### Summation of the Requested Action

Mayoral approval and City Council acceptance.

[Signature]  
11/16/22

### 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)

## WATER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **31ST & 177TH BLUFFS LLC, an Oklahoma limited liability company**, (Grantor) the owner of the legal and equitable title to the following real estate, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) cash in hand paid by the **CITY OF TULSA, OKLAHOMA**, a municipal corporation, (CITY) and other good and valuable considerations, receipt of which is hereby acknowledged, does hereby grant and convey unto the said 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 a **water main or mains** 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 premises for the purposes aforesaid and Grantor, for themselves, administrators, 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 them, such violation will be promptly corrected and eliminated immediately upon receipt of notice from City, or City shall have the right to remove or otherwise eliminate such violation, and Grantor, their heirs, administrators, 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 6<sup>th</sup> day of October, 2022.

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

**31ST & 177TH BLUFFS, LLC, an  
Oklahoma limited liability company**

By: *Joel Wiland*  
Name: Joel Wiland  
Title: Manager

STATE OF OKLAHOMA    )  
                                  ) ss.  
COUNTY OF TULSA     )

Before me, the undersigned, a Notary Public, in and for said County and State on this 6<sup>th</sup> day of October, 2022, personally appeared Joel Wiland, known to be the identical person who subscribed the name of **31ST & 177TH BLUFFS, LLC, an Oklahoma limited liability company**, to the foregoing as its Manager and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of **31ST & 177TH BLUFFS, LLC, an Oklahoma limited liability company**, for the uses and purposes therein set forth.

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

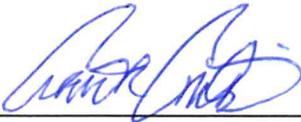
*Dara D Jones*  
Notary Public

My commission expires:

*April 28, 2026*



**31ST & 177TH BLUFFS, LLC, an  
Oklahoma limited liability company**

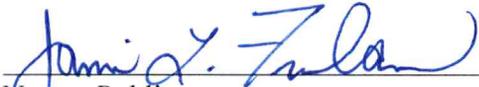
By: 

Name: Aaron Antis  
Title: Manager

STATE OF OKLAHOMA    )  
  ) ss.  
COUNTY OF TULSA     )

Before me, the undersigned, a Notary Public, in and for said County and State on this 6<sup>TH</sup> day of OCTOBER, 2022, personally appeared Aaron Antis, known to be the identical person who subscribed the name of **31ST & 177TH BLUFFS, LLC, an Oklahoma limited liability company**, to the foregoing as its Manager and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of **31ST & 177TH BLUFFS, LLC, an Oklahoma limited liability company**, 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:

9-10-2026



**APPROVED AS TO FORM:**

SENIOR ASSISTANT  (M. SWINEY)  
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:  
\_\_\_\_\_

# EXHIBIT "A"

## Waterline Easement

31ST & 177TH BLUFFS, LLC.

A PARCEL OF LAND, 25.25 FEET IN WIDTH SITUATED IN THE NORTH HALF (N/2) OF SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION TWENTY-THREE (23); THENCE SOUTH 88°41'29" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION TWENTY-THREE (23), A DISTANCE OF 2164.46 FEET; THENCE SOUTH 07°16'14" EAST, A DISTANCE OF 24.88 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 07°16'14" EAST, A DISTANCE OF 25.39 FEET; THENCE SOUTH 88°41'29" WEST PARALLEL WITH AND 50.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-THREE (23), A DISTANCE OF 484.38 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-THREE (23); THENCE SOUTH 88°41'04" WEST PARALLEL WITH AND 50.00 FEET SOUTH OF THE NORTH LINE OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION TWENTY-THREE (23), A DISTANCE OF 287.25 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 135.00 FEET, A CHORD BEARING OF NORTH 01°40'44" WEST, A CHORD LENGTH OF 1.71 FEET, AN ARC DISTANCE OF 1.71 FEET; THENCE NORTH 01°18'56" WEST, A DISTANCE OF 23.54 FEET; THENCE NORTH 88°41'04" EAST PARALLEL WITH AND 24.75 FEET SOUTH OF THE NORTH LINE OF SAID NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-THREE (23), A DISTANCE OF 287.22 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-THREE (23); THENCE NORTH 88°41'29" EAST PARALLEL WITH AND 24.75 FEET SOUTH OF THE NORTH LINE OF SAID NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-THREE (23), A DISTANCE OF 481.79 FEET TO THE POINT OF BEGINNING. CONTAINING 19,451 SQUARE FEET OR 0.45 ACRES.

LEGAL DESCRIPTION BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (ZONE 3501 NORTH) WITH THE NORTH LINE OF THE NE/4 SECTION TWENTY-THREE BEING SOUTH 88°41'29" WEST.

THIS LEGAL DESCRIPTION WAS PREPARED ON SEPTEMBER 29, 2020 BY JAY P. BISSELL, OKLAHOMA LICENSED LAND SURVEYOR NO. 1318.

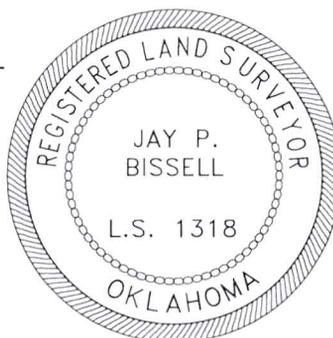
### EXHIBIT STATEMENT

THIS EXHIBIT AND LEGAL DESCRIPTION MEET OR EXCEED THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

 5-17-2022

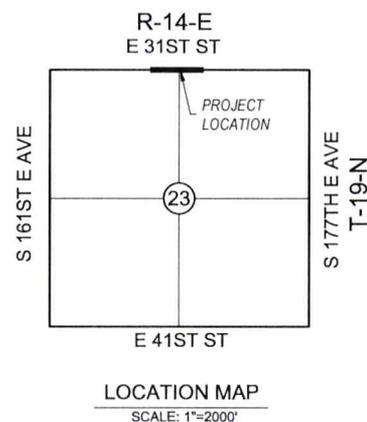
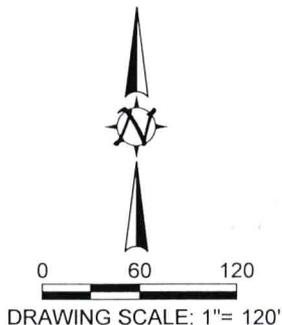
JAY P. BISSELL

OKLAHOMA PLS NO. 1318



# EXHIBIT "A"

## Waterline Easement



PLOT DATE: Tue, 29 Sep 2020 FILE: P:\1914\23-31ST & 177TH ANTISURVEY\1914-23 31ST AND 177TH SURVEY BASE - EASEMENT

