

Easement

Version 3.0 released on 8/3/21

ENO119499

**CITY COUNCIL USE ONLY**

Date Received: _____

Committee Date: _____

1st Agenda Date: _____

Tracking #: _____

Committee: _____

Hearing Date: _____

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

Date: 12.07.2022

☐ Posted

Item #: 2212.02717

*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 ☐ NoDepartment
Engineering ServicesContact Name
Courtney JonesEmail
courtneyjones@cityoftulsa.orgPhone
918-596-9549Easement Type
WaterlineOwner-Grantor
McCutchen Property, LLCBid/Project Number
IDP 45568Project Title
31st Waterline ExtensionCouncil District
6Section
23Township
19Range
14Addition
Unplatted

Lot _____

Block _____

Address
16766 E 31st St SParcel Number
431

Additional Information/Tracking Number _____

Budget

Contract Types

Funding Source(s) _____

☒ No Payments Involved☐ Revenue Contracts☐ Expense Contracts

DONATION: \$0.00

TOTAL: \$0.00

Approvals

Department: _____

Legal: _____

Board: _____

Mayor: _____

Other: _____

Paul D. Swiney (SWINEY)
Cassia Carr
Mayor Pro Tem

Date: 11.17.22

Date: Nov. 29 XXII

Date: DEC 07 2022

Date: _____

Date: _____

Policy Statement**Background Information**

This Waterline Easement is being donated by McCutchen Property, 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.

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, **MCCUTCHEN PROPERTY, 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 6th day of October, 2022.

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

**MCCUTCHEN PROPERTY, LLC, an
Oklahoma limited liability company**

By: 

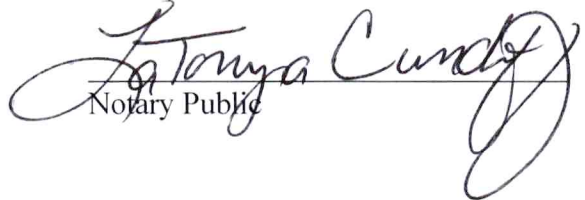
Name: Kelley Rash

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 6th
day of Oct, 2022, personally appeared Kelley Rash, known to be the
identical person who subscribed the name of **MCCUTCHEN PROPERTY, LLC, an Oklahoma
limited liability company**, to the foregoing as its Manager and acknowledged to me that she
executed the same as her free and voluntary act and deed and as the free and voluntary act and deed
of **MCCUTCHEN PROPERTY, 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:

1-29-25



APPROVED AS TO FORM:

SENIOR ASSISTANT Donny (M. SWINEY)
City Attorney

APPROVED AS TO SUBSTANCE:

[Signature]
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

McCUTCHEN PROPERTY, LLC

A PARCEL OF LAND, 25.25 FEET IN WIDTH SITUATED IN THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND MORE FULLY DESCRIBED AS FOLLOWS:


COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION TWENTY-THREE (23); THENCE SOUTH 01°22'21" EAST ALONG THE WEST LINE OF SAID SECTION TWENTY-THREE (23), A DISTANCE OF 24.75 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°41'04" EAST PARALLEL WITH AND 24.75 FEET SOUTH OF THE NORTH LINE OF SAID SECTION TWENTY-THREE (23), A DISTANCE OF 2065.86 FEET; THENCE SOUTH 11°15'14" WEST, A DISTANCE OF 25.87 FEET; THENCE SOUTH 88°41'04" WEST PARALLEL WITH AND 50.00 FEET SOUTH OF SAID NORTH LINE OF SECTION TWENTY-THREE (23), A DISTANCE OF 2060.20 FEET TO THE WEST LINE OF SAID SECTION TWENTY-THREE (23); THENCE NORTH 01°22'21" WEST ALONG SAID WEST LINE OF SECTION TWENTY-THREE (23), A DISTANCE OF 25.25 FEET TO THE POINT OF BEGINNING. CONTAINING 52,091 SQUARE FEET OR 1.20 ACRES.

LEGAL DESCRIPTION BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (ZONE 3501 NORTH) WITH THE NORTH LINE OF THE NW/4 OF SECTION TWENTY-THREE BEING NORTH 88°41'04" EAST.

THIS LEGAL DESCRIPTION WAS PREPARED ON SEPTEMBER 28, 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"
page 1 of 2

AAB Engineering, LLC

Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2022
KS CA#2292 Exp: Dec 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

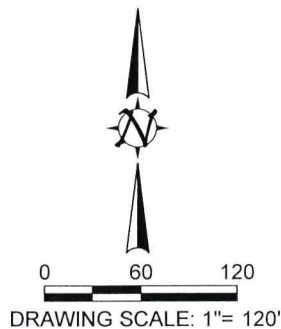


EXHIBIT "A" Waterline Easement

