

Easement

Version 3.0 released on 8/3/21

EN0119503

**CITY COUNCIL USE ONLY**

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

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

CITY CLERK USE ONLY

☐ Scanned Date: 12.14.2022
☐ Posted Item #: 2212.02789

*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
 Tulsa Technology Center School District No. 18

Bid/Project Number
 IDP 11287-2018

Project Title
 Tulsa Technology Center Waterline Easement

Council District
 5

Section
 23

Township
 19

Range
 13

Addition
 TULSA TECHNOLOGY
 CENTER LEMLEY CAMPUS

Lot
 1

Block
 1

Address
 3720 South Memorial Drive

Parcel Number
 37-2018

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: 11.17.22

Date: 12/06/2022

Date: DEC 14 2022

Date: _____

Date: _____

Policy Statement**Background Information**

This Waterline Easement is being donated by Tulsa Technology Center School District No. 18, as a requirement of IDP 11287-2018. The IDP for this project consisted of a watermain extension associated with a commercial development. The easement is to cover a water meter associated with this development. MSL:swb

Summation of the Requested Action

Mayoral approval and City Council acceptance.

Other Pertinent Details

The Water Easement is being processed after an internal audit of files which have been on hold due to various technical issues. After consultation with City Legal, Development Services and Engineering Services, it was determined that this easement should be processed "as is" to protect the City's infrastructure.

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, 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, **TULSA TECHNOLOGY CENTER SCHOOL DISTRICT NO 18, D/B/A TULSA TECHNOLOGY CENTER, A/K/A TULSA COUNTY AREA VOCATIONAL – TECHNICAL SCHOOL DISTRICT NO 18, A/K/A TULSA COUNTY TECHNOLOGY CENTER SCHOOL DISTRICT NO 18, D/B/A TULSA TECHNOLOGY CENTER**, (Grantor) the owner of the legal and equitable title to the following real estate, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) 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 itself, 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 the 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.

[THIS SPACE INTENTIONALLY LEFT BLANK]

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

Dated this 24 day of October, 2022.

**TULSA TECHNOLOGY CENTER SCHOOL
DISTRICT NO 18, D/B/A TULSA TECHNOLOGY
CENTER, A/K/A TULSA COUNTY AREA
VOCATIONAL – TECHNICAL SCHOOL DISTRICT
NO 18, A/K/A TULSA COUNTY TECHNOLOGY
CENTER SCHOOL DISTRICT NO 18, D/B/A TULSA
TECHNOLOGY CENTER**

By: Sharon Whelpley
Name: Sharon Whelpley
Title: Vice-President- Board of Education

ATTEST:

Felicia J. Senter
Deputy Board Clerk-Board of Education

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Acknowledged before me this 24 day of October, 2022, by Sharon Whelpley, as Vice-President of the Board of Education **TULSA TECHNOLOGY CENTER SCHOOL DISTRICT NO 18, D/B/A TULSA TECHNOLOGY CENTER, A/K/A TULSA COUNTY AREA VOCATIONAL – TECHNICAL SCHOOL DISTRICT NO 18, A/K/A TULSA COUNTY TECHNOLOGY CENTER SCHOOL DISTRICT NO 18, D/B/A TULSA TECHNOLOGY CENTER**, on behalf of the School District.

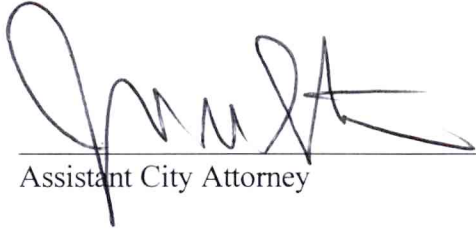
Karen K Scism
Notary Public

My commission expires:

07/19/2024



APPROVED AS TO FORM:



Assistant 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

[illegible]

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:

[illegible]

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"
WATER LINE EASEMENT
LEGAL DESCRIPTION

A TRACT OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4), OF SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEAST CORNER OF THE SAID SE/4 NE/4; THENCE N01°07'38"W, ALONG THE EAST LINE OF THE SE/4 NE/4, FOR A DISTANCE OF 92.15 FEET TO A POINT ON THE SOUTH LINE OF AN EXISTING WATER EASEMENT, FILED IN THE TULSA COUNTY CLERK'S OFFICE IN BOOK 4246 AT PAGE 743; THENCE S88°37'40"W, ALONG THE SOUTH LINE OF SAID EASEMENT, FOR A DISTANCE OF 413.47 FEET TO THE POINT OF BEGINNING; THENCE S01°22'20"E FOR A DISTANCE OF 25.00 FEET; THENCE S88°37'40"W FOR A DISTANCE OF 20.00 FEET; THENCE N01°22'20"W FOR A DISTANCE OF 25.00 FEET; THENCE N88°37'40"E FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 500 SQUARE FEET OR 0.011 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON NOVEMBER 15, 2018 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE EAST LINE OF THE SE/4 NE/4 OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 13 EAST, TULSA COUNTY, STATE OF OKLAHOMA AS N01°07'38"W.

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 WATER LINE EASEMENT DESCRIBED, AND THAT THE SURVEY OF THE WATER LINE EASEMENT 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 15TH DAY OF NOVEMBER, 2018.



Cliff Bennett

CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2020

EXHIBIT "A" WATER LINE EASEMENT

Page 2 of 2

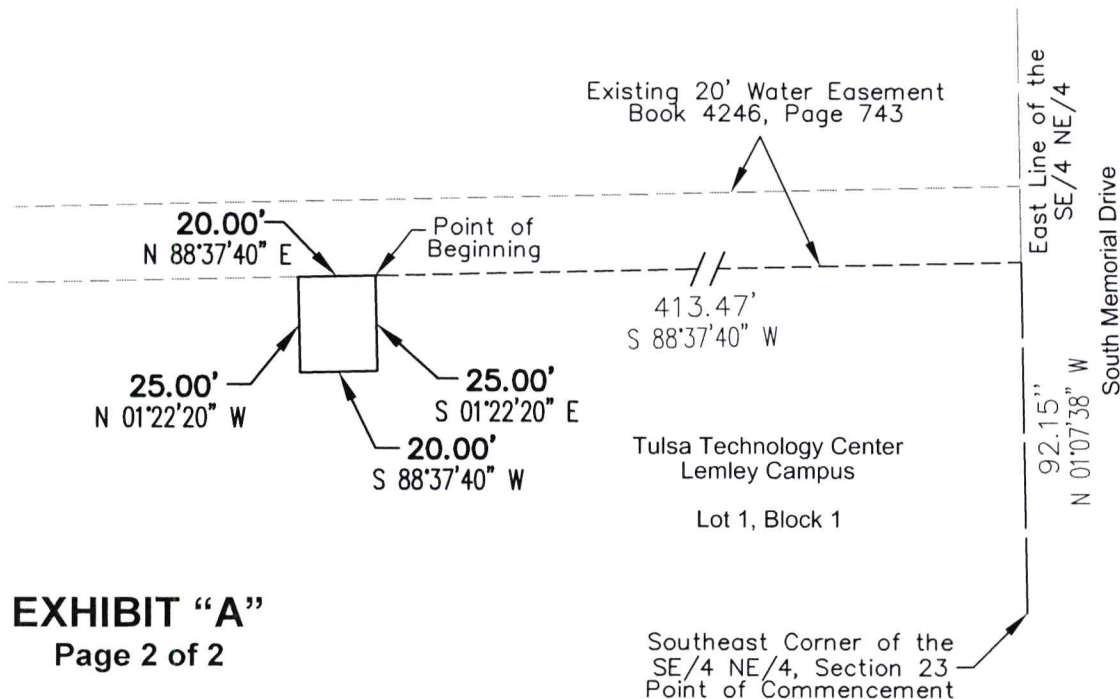
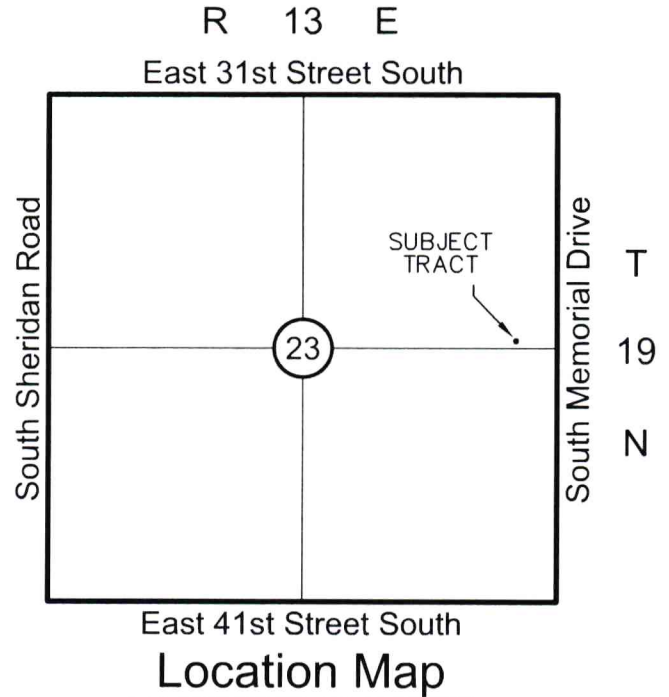
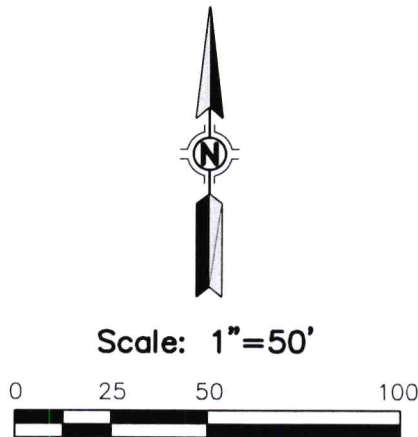


EXHIBIT "A"
Page 2 of 2

FILE: 184860LG-1

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE EAST LINE OF THE SE/4 NE/4, SECTION 23, TOWNSHIP 19 NORTH, RANGE 13 EAST, TULSA COUNTY, OKLAHOMA, AS N 01°07'38" W.
2. SEE PARCEL 1, EXHIBIT "A" FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

**BENNETT
SURVEYING, INC.**

P.O. BOX 848, CHOATEAU, OK 74337
PHONE: (918) 476-7484 FAX: (918) 476-7485
C.A. NO.: 4502 EXP. DATE: 6/30/20