

**Easement**

Version 3.0 released on 8/3/21

ENO119458

**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: 02.15.2023

☐ Posted

Item # 2302.00298

*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 CP  
 10.25.22

Email  
 courtneyjones@cityoftulsa.org

Phone  
 918-596-9549

Easement Type  
 Waterline

Owner-Grantor  
 Eastland Village Apartments, L.P.

Bid/Project Number  
 IDP 61804

Project Title  
 Eastland Village

Council District  
 6

Section  
 22

Township  
 19

Range  
 14

Addition  
 SUNWOOD HILLS

Lot  
 36

Block  
 3

Address  
 3401 S. 145th E. Ave.

Parcel Number  
 387

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: 2.3.2023

Date: FEB 15 2023

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Policy Statement****Background Information**

This Waterline Easement is being donated by Eastland Village Apartments, L.P., an Oklahoma limited partnership, as a requirement of IDP 61804. The IDP for this project includes sanitary sewer and water main extensions, two detention ponds, driveways and sidewalks for a new multifamily housing project. 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, **EASTLAND VILLAGE APARTMENTS, LP, an Oklahoma limited partnership**, (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 17<sup>th</sup> day of January, 2023.

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

**EASTLAND VILLAGE APARTMENTS, LP,  
an Oklahoma limited partnership**

**By: EASTLAND VILLAGE APARTMENTS  
GP, LLC, an Oklahoma limited liability  
company its General Partner**

By:   
Name: J. Ryan Hamilton  
Title: Manager

STATE OF MISSOURI       )  
  ) ss.  
COUNTY OF GREENE       )

Before me, the undersigned, a notary public, in and for said County and State on this 17<sup>th</sup> day of January, 2023, personally appeared **J. Ryan Hamilton**, to me known to be the identical person who subscribed the name of **EASTLAND VILLAGE APARTMENTS GP, LLC, an Oklahoma limited liability company**, 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 such limited liability company, as general partner of **EASTLAND VILLAGE APARTMENTS, LP, an Oklahoma limited partnership**, 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:


5/19/25



**APPROVED AS TO FORM:**

**APPROVED AS TO SUBSTANCE:**

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
City Engineer

**ACCEPTED BY CITY COUNCIL:**

Date: \_\_\_\_\_

BY: \_\_\_\_\_

Name: \_\_\_\_\_

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 \_\_\_\_\_, 2023, personally appeared Crista Patrick, 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 \_\_\_\_\_, 2023, 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:



MED

# LEGAL DESCRIPTION WATERLINE EASEMENT

A STRIP OF LAND LOCATED IN THE NORTH HALF OF LOT THIRTY-SIX (36) BLOCK THREE (3) OF SUNWOOD HILLS, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 36; THENCE S01°29'22"E, ALONG THE WEST LINE OF SAID LOT 36, A DISTANCE OF 505.50'; THENCE N90°00'00"E A DISTANCE OF 628.06' TO THE POINT OF BEGINNING  
THENCE N00°00'00"E A DISTANCE OF 5.00' TO A POINT; THENCE N90°00'00"E A DISTANCE OF 11.25'; THENCE, S00°00'00"E A DISTANCE OF 5.00'; THENCE N90°00'00"W A DISTANCE OF 11.25' TO THE POINT OF BEGINNING, HAVING AN AREA OF 0.001 ACRES. THIS LEGAL DESCRIPTION WAS PREPARED BY GERALD W. BAKER, P.L.S. #1701 ON NOVEMBER 23, 2021. THE BASIS OF BEARING FOR THIS LEGAL DESCRIPTION IS GRID NORTH, OKLAHOMA STATE PLANE, NORTH ZONE, NAD83 PER GPS OBSERVATION.

## CERTIFICATION:

I, GERALD W. BAKER, OKLAHOMA PLS #1701, DO HEREBY CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE EASEMENT AS DESCRIBED AND MEETS THE MINIMUM TECHNICAL STANDARDS OF LEGAL DESCRIPTIONS FOUND IN THE OKLAHOMA MINIMUM STANDARDS FOR LAND SURVEYING, EFFECTIVE NOVEMBER 1, 2020. ALL FIELD WORK FOR THIS EASEMENT WAS COMPLETED ON 3/16/21.



REVISED 4/11/22  
REVISED 11/22/21  
REVISED 4/29/21

## WATERLINE EASEMENT EXHIBIT LOT 36 BLOCK 3 SUNWOOD HILLS

DATE: April 11, 2022

SCALE: 1"=120'

DWG BY: GWB

CHECKED BY: RH

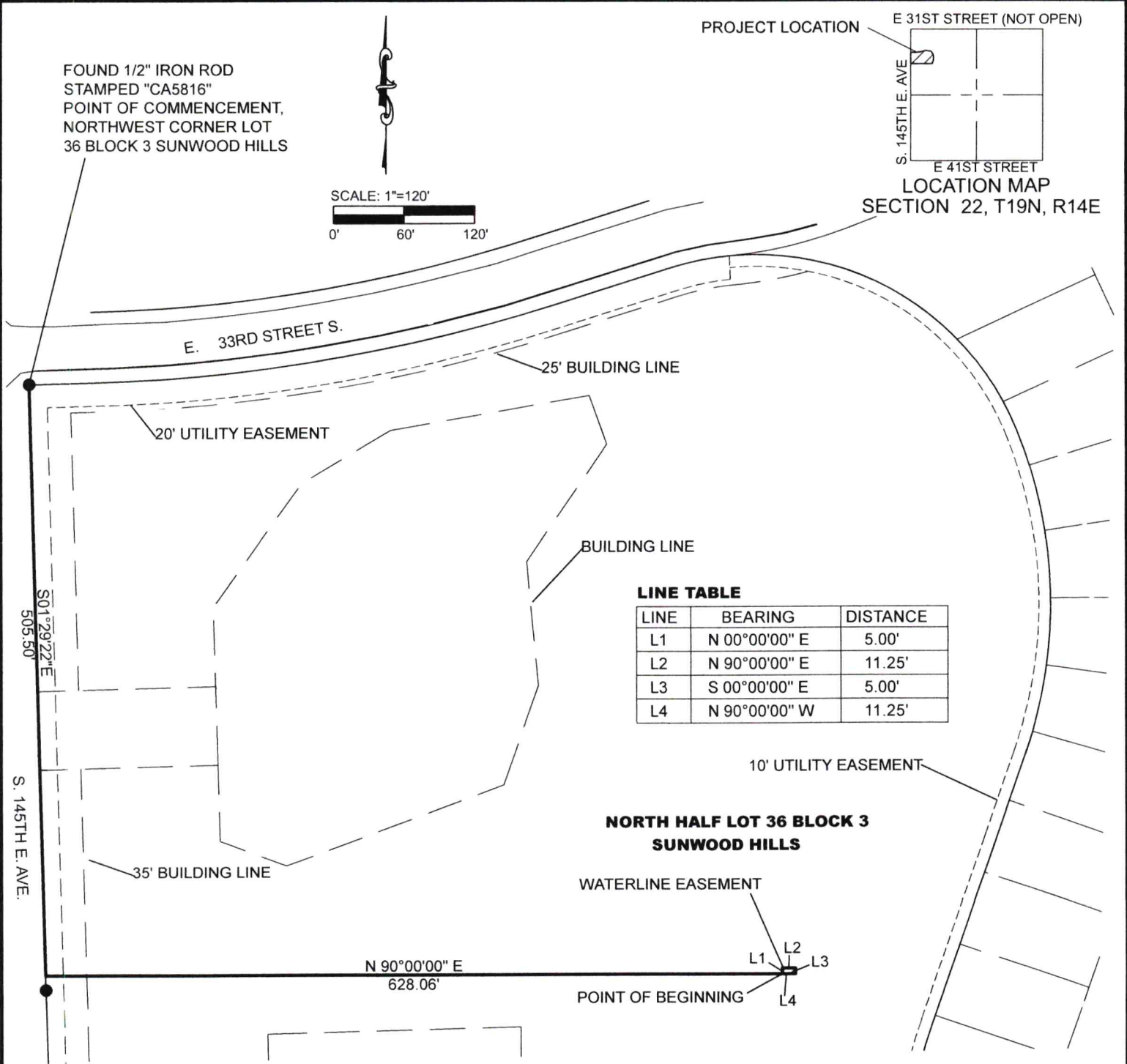
**BAKER**  
SURVEYING, LLC

EXHIBIT "A"  
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REVISION

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MRO



FOUND 1/2" IRON ROD  
STAMPED "CA5816"  
POINT OF COMMENCEMENT,  
NORTHWEST CORNER LOT  
36 BLOCK 3 SUNWOOD HILLS

SCALE: 1"=120'  
0' 60' 120'

PROJECT LOCATION  
E 31ST STREET (NOT OPEN)  
S. 145TH E. AVE  
E 41ST STREET  
LOCATION MAP  
SECTION 22, T19N, R14E

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 00°00'00" E	5.00'
L2	N 90°00'00" E	11.25'
L3	S 00°00'00" E	5.00'
L4	N 90°00'00" W	11.25'

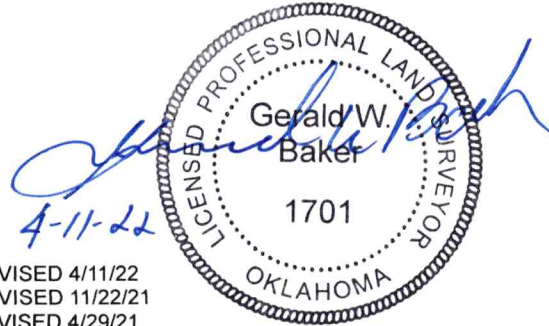
**NORTH HALF LOT 36 BLOCK 3  
SUNWOOD HILLS**

**CERTIFICATION:**  
I, GERALD W. BAKER, OKLAHOMA PLS #1701, DO HEREBY CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE EASEMENT AS DESCRIBED AND MEETS THE MINIMUM TECHNICAL STANDARDS OF LEGAL DESCRIPTIONS FOUND IN THE OKLAHOMA MINIMUM STANDARDS FOR LAND SURVEYING, EFFECTIVE NOVEMBER 1, 2020. ALL FIELD WORK FOR THIS EASEMENT WAS COMPLETED ON 3/16/21.

LEGEND	
●	FOUND 1/2" IRON ROD W/ CAP STAMPED "CA5816"
(xx.xx')	RECORD DIMENSIONS
xx.xx'	MEASURED DIMENSIONS
—	PROPERTY LINE

ORIGINALLY SIGNED 11/23/2021  
GERALD W. BAKER, PLS #1701  
BAKER SURVEYING, LLC  
4677 S 83RD EAST AVENUE,  
TULSA OK 74145  
PH:918-271-5793  
OKLAHOMA CA #5816 EXPIRES 6/30/22

REVISED 4/11/22  
REVISED 11/22/21  
REVISED 4/29/21



**WATERLINE  
EASEMENT EXHIBIT  
LOT 36 BLOCK 3  
SUNWOOD HILLS**

DATE: April 11, 2022  
SCALE: 1"=120'  
DWG BY: GWB  
CHECKED BY: RH



**EXHIBIT "A"**  
page 2 of 2

REVISION  
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