

Easement

Version 3.0 released on 8/3/21

EN0119 460

**CITY COUNCIL USE ONLY**

Date Received: _____

Committee Date: _____

1st Agenda Date: _____

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____**CITY CLERK USE ONLY**☐ Scanned Date: 02-22-2023☐ Posted Item #: 2302-00359*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 Jones CP
10.25.22Email
courtneyjones@cityoftulsa.orgPhone
918-596-9549Easement Type
WaterlineOwner-Grantor
Eastland Village Apartments, L.P.Bid/Project Number
IDP 61804Project Title
Eastland VillageCouncil District
6Section
22Township
19Range
14Addition
SUNWOOD HILLSLot
36Block
3Address
3401 S. 145th E. Ave.Parcel Number
390

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: 10/28/22Date: 2-10-23Date: FEB 22 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.

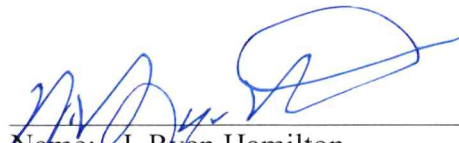
TO HAVE AND TO HOLD such easement and right-of-way unto the City, its successors or assigns, forever.

Dated this 17th 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**

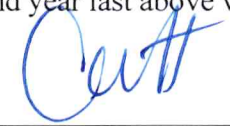
**By: EASTLAND VILLAGE APARTMENTS
GP, LLC, an Oklahoma limited liability
company its General Partner**

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 7th 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

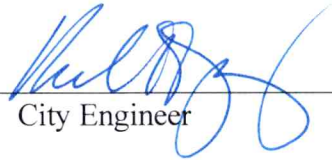


APPROVED AS TO FORM:



Asst. City Attorney

APPROVED AS TO SUBSTANCE:


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]

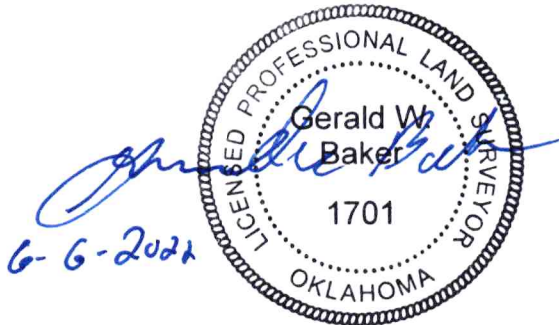
Before me, a Notary Public in and for said County and State, on the ____ day of _____, 2023, personally appeared G. T. Bynum, to me known to be the identical person who approved the within and foregoing instrument as Mayor of the City of Tulsa, Oklahoma, and acknowledged to me that he approved the within 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:

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 740.23' TO THE POINT OF BEGINNING
THENCE N45°00'00"E A DISTANCE OF 5.32' TO A POINT; THENCE N22°30'00"E A DISTANCE OF 221.71' TO A POINT; THENCE N11°15'00"E A DISTANCE OF 44.31' TO A POINT; THENCE N78°45'00"W A DISTANCE OF 11.33' TO A POINT; THENCE N11°13'36"E A DISTANCE OF 17.50' TO A POINT; THENCE S78°45'00"E A DISTANCE OF 10.66' TO A POINT; THENCE N00°00'00"W A DISTANCE OF 65.85' TO A POINT; THENCE N11°15'00"W A DISTANCE OF 75.60' TO A POINT; THENCE N22°30'00"W A DISTANCE OF 27.52' TO A POINT; THENCE S67°30'00"W A DISTANCE OF 56.82' TO A POINT; THENCE N22°30'00"W A DISTANCE OF 10.00' TO A POINT; THENCE N67°30'00"E A DISTANCE OF 56.82' TO A POINT; THENCE N22°30'00"W A DISTANCE OF 36.14' TO A POINT; THENCE N33°45'00"W A DISTANCE OF 43.73' TO A POINT; THENCE N45°00'00"W A DISTANCE OF 42.09' TO A POINT; THENCE N56°15'00"W A DISTANCE OF 68.66' TO A POINT; THENCE N78°45'00"W A DISTANCE OF 40.02' TO A POINT; THENCE S11°15'00"W A DISTANCE OF 21.01' TO A POINT; THENCE N78°32'12"W A DISTANCE OF 17.00' TO A POINT; THENCE N11°15'00"E A DISTANCE OF 20.94' TO A POINT; THENCE N90°00'00"W A DISTANCE OF 53.00' TO A POINT; THENCE N45°00'00"W A DISTANCE OF 9.46' TO A POINT; THENCE N22°30'00"W A DISTANCE OF 12.72' TO A POINT ON THE NORTH LINE OF SAID LOT 36; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 239.91', A CHORD BEARING OF N81°33'16"E, A CHORD LENGTH OF 10.31, AND AN ARC LENGTH OF 10.31, SAID CURVE BEING THE NORTH LINE OF SAID LOT 36; THENCE S22°30'00"E A DISTANCE OF 8.22' TO A POINT; THENCE S45°00'00"E A DISTANCE OF 3.33' TO A POINT; THENCE N90°00'00"E A DISTANCE OF 49.85' TO A POINT; THENCE S78°45'00"E A DISTANCE OF 60.00' TO A POINT; THENCE S56°15'00"E A DISTANCE OF 71.63' TO A POINT; THENCE S45°00'00"E A DISTANCE OF 44.06' TO A POINT; THENCE S33°45'00"E A DISTANCE OF 45.70' TO A POINT; THENCE S22°30'00"E A DISTANCE OF 75.63' TO A POINT; THENCE S11°15'00"E A DISTANCE OF 77.57' TO A POINT; THENCE S00°00'00"W A DISTANCE OF 71.26' TO A POINT; THENCE S11°15'00"W A DISTANCE OF 60.41' TO A POINT; THENCE S22°30'00"W A DISTANCE OF 222.62' TO A POINT; THENCE S90°00'00"W A DISTANCE OF 13.03' TO THE POINT OF BEGINNING, HAVING AN AREA OF 0.21 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 06/06/22
REVISED 04/11/22
REVISED 11/22/21
REVISED 4/29/21

WATERLINE EASEMENT EXHIBIT LOT 36 BLOCK 3 SUNWOOD HILLS

DATE: June 6, 2022

SCALE: 1"=120'

DWG BY: GWB

CHECKED BY: RH

BAKER
SURVEYING, LLC

EXHIBIT "A"
page 1 of 2

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

PROJECT LOCATION

R=239.91'
CHORD BEARING=N81°33'16"E
CHORD LENGTH=10.31'
ARC LENGTH=10.31'

E 31ST STREET (NOT OPEN)



LOCATION MAP
SECTION 22, T19N, R14E

SCALE: 1"=120'

0' 60' 120'

LINE TABLE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 45°00'00" E | 5.32' |
| L2 | N 22°30'00" E | 221.71' |
| L3 | N 11°15'00" E | 44.31' |
| L4 | N 78°45'00" W | 11.33' |
| L5 | N 11°13'36" E | 17.50' |
| L6 | S 78°45'00" E | 10.66' |
| L7 | N 00°00'00" W | 65.85' |
| L8 | N 11°15'00" W | 75.60' |
| L9 | N 22°30'00" W | 27.52' |
| L10 | S 67°30'00" W | 56.82' |
| L11 | N 22°30'00" W | 10.00' |
| L12 | N 67°30'00" E | 56.82' |
| L13 | N 22°30'00" W | 36.14' |
| L14 | N 33°45'00" W | 43.73' |
| L15 | N 45°00'00" W | 42.09' |
| L16 | N 56°15'00" W | 68.66' |
| L17 | N 78°45'00" W | 40.02' |
| L18 | S 11°15'00" W | 21.01' |
| L19 | N 78°32'12" W | 17.00' |
| L20 | N 11°15'00" E | 20.94' |
| L21 | N 90°00'00" W | 53.00' |
| L22 | N 45°00'00" W | 9.46' |
| L23 | N 22°30'00" W | 12.72' |
| L24 | S 22°30'00" E | 8.22' |
| L25 | S 45°00'00" E | 3.33' |
| L26 | N 90°00'00" E | 49.85' |
| L27 | S 78°45'00" E | 60.00' |
| L28 | S 56°15'00" E | 71.63' |
| L29 | S 45°00'00" E | 44.06' |
| L30 | S 33°45'00" E | 45.70' |
| L31 | S 22°30'00" E | 75.63' |
| L32 | S 11°15'00" E | 77.57' |
| L33 | S 00°00'00" W | 71.26' |
| L34 | S 11°15'00" W | 60.41' |
| L35 | S 22°30'00" W | 222.62' |
| L36 | S 90°00'00" W | 13.03' |

WEST LINE LOT 36 BLOCK 3 SUNWOOD HILLS

S01°29'22"E
505.50'

E. 33RD STREET S.

25' BUILDING LINE
20' UTILITY EASEMENT

BUILDING LINE

NORTH HALF LOT 36 BLOCK 3
SUNWOOD HILLS

10' UTILITY EASEMENT

WATERLINE EASEMENT

POINT OF BEGINNING

N 90°00'00" E
740.23'

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.

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 06/06/22
REVISED 04/11/22
REVISED 11/22/21
REVISED 4/29/21



LEGEND

- FOUND 1/2" IRON ROD W/ CAP STAMPED "CA5816"
- (XX.XX') RECORD DIMENSIONS
- XX.XX' MEASURED DIMENSIONS
- PROPERTY LINE

WATERLINE
EASEMENT EXHIBIT
LOT 36 BLOCK 3
SUNWOOD HILLS

DATE: June 6, 2022

SCALE: 1"=120'

DWG BY: GWB

CHECKED BY: RH

BAKER
SURVEYING, LLC

EXHIBIT "A"
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REVISION
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