

Easement

EN0119426

Version 3.0 released on 8/3/21



CITY COUNCIL USE ONLY		CITY CLERK USE ONLY	
Date Received: _____	Tracking #: _____	<input type="checkbox"/> Scanned	Date: <u>04.26.2023</u>
Committee Date: _____	Committee: _____	<input type="checkbox"/> Posted	Item #: <u>2304,00793</u>
1 st Agenda Date: _____	Hearing Date: _____		
	2 nd Agenda Date: _____		

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Board Approval		Other Board Name	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No
Department Engineering Services	Contact Name Courtney Jones <u>CP</u> <u>10.21.22</u>	Email courtneyjones@cityoftulsa.org	Phone 918-596-9549
Easement Type Sanitary Sewer		Owner-Grantor Oral Roberts University	
Bid/Project Number IDP 96759	Project Title ORU Visitor Center Sanitary Sewer		Council District 2
Section 8	Township 18	Range 13	Addition ORAL ROBERTS UNIVERSITY HEIGHTS
Lot	Block 1	Address 7777 South Lewis Ave	
Parcel Number 374	Additional Information/Tracking Number		

Budget

Contract Types	Funding Source(s)	DONATION:	\$0.00
<input checked="" type="radio"/> No Payments Involved		TOTAL:	\$0.00
<input type="radio"/> Revenue Contracts			
<input type="radio"/> Expense Contracts			

Approvals

Department: _____	Date: <u>10.23.22</u>
Legal: _____	Date: <u>04/17/2023</u>
Board: _____	Date: _____
Mayor: _____	Date: <u>APR 26 2023</u>
Other: _____	Date: _____

Policy Statement

Background Information
This Sewer Easement is being donated by Oral Roberts University, an Oklahoma corporation, as a requirement of IDP 96759. The IDP for this project consists of a sanitary sewer extension to serve a commercial development. MSL:swb

Summation of the Requested Action
Mayoral approval and City Council acceptance. 10/24/22

Other Pertinent Details

Processing Information for City Clerk's Office

Post Execution Processing	Additional Routing, Processing or Contact Details
<input type="checkbox"/> Mail vendor copy (add'l signature copies attached)	Engineering Services recommends acceptance by Council and approval by Mayor. Original to be picked up by Courtney Jones for further processing. (6-9549)
<input checked="" type="checkbox"/> Must be filed with other governmental entity	
<input type="checkbox"/> Add'l governmental entity approval(s) required	

SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **ORAL ROBERTS UNIVERSITY, an Oklahoma corporation**, (Grantor) the owner of the legal and equitable title to the following real estate situated in Tulsa County, State of Oklahoma, for and in consideration of the sum of One Dollar (\$1.00) from the City of Tulsa, Oklahoma, a municipal corporation, and other good and valuable considerations, receipt of which is hereby acknowledged, does hereby grant and convey unto the said City of Tulsa, Oklahoma, a perpetual easement through, over, under and across the following described property, situated in said County, to-wit:

See Exhibit "A"

for the purpose of permitting the City, to construct a sanitary sewer 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 its 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 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 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 15th day of September, 2022.

**ORAL ROBERTS UNIVERSITY,
an Oklahoma corporation**

By: 
Name: Tim Philley
Title: Vice President and Chief Operating Officer

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 15th day of September, 2022, personally appeared **Tim Philley**, as Vice President and Chief Operating Officer of **ORAL ROBERTS UNIVERSITY, an Oklahoma corporation**, known to be the identical person who subscribed the name of **ORAL ROBERTS UNIVERSITY, an Oklahoma corporation**, 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:

11/10/2025

ELIZABETH DRECHSLER
NOTARY PUBLIC
STATE OF OKLAHOMA
COMMISSION NO. 21014766
EXPIRES 11-10-2025

APPROVED AS TO FORM:



Asst. City Attorney

APPROVED AS TO SUBSTANCE:



City Engineer

ACCEPTED BY CITY COUNCIL:

Date: _____

BY: _____
Name: Lori Decter Wright
Title: Chair

APPROVED BY MAYOR:

Date: _____

CITY OF TULSA, OKLAHOMA,
a municipal corporation

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:



EASEMENT EXHIBIT

LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF BLOCK ONE (1) OF ORAL ROBERTS UNIVERSITY HEIGHTS, ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION EIGHT (8), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY; THENCE N88°42'48"E ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW/4) FOR A DISTANCE OF 948.96 FEET; THENCE S01°24'24"E BEING PARALLEL TO THE WEST LINE OF THE SAID SOUTHWEST QUARTER (SW/4) FOR A DISTANCE OF 830.52 FEET TO THE **POINT OF BEGINNING**; THENCE S01°17'28"E FOR A DISTANCE OF 14.48 FEET; THENCE N88°44'29"E FOR A DISTANCE OF 10.00 FEET; THENCE S01°15'31"E FOR A DISTANCE OF 3.04 FEET; THENCE S51°32'06"W FOR A DISTANCE OF 54.08 FEET; THENCE N38°27'54"W FOR A DISTANCE OF 20.00 FEET; THENCE N51°32'06"E FOR A DISTANCE OF 56.70 FEET TO THE **POINT OF BEGINNING**.

TRACT IS LYING IN BLOCK 1 OF ORAL ROBERTS UNIVERSITY HEIGHTS, ADDITION TO THE CITY OF TULSA AND CONTAINS 1050.65 SQ. FEET.

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 LEGAL DESCRIPTION DESCRIBED, AND THAT THE SURVEY OF THE LEGAL DESCRIPTION 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 6TH DAY OF MARCH, 2023



Cliff Bennett

CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2024

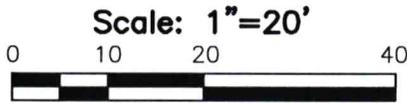
EASEMENT EXHIBIT "A"

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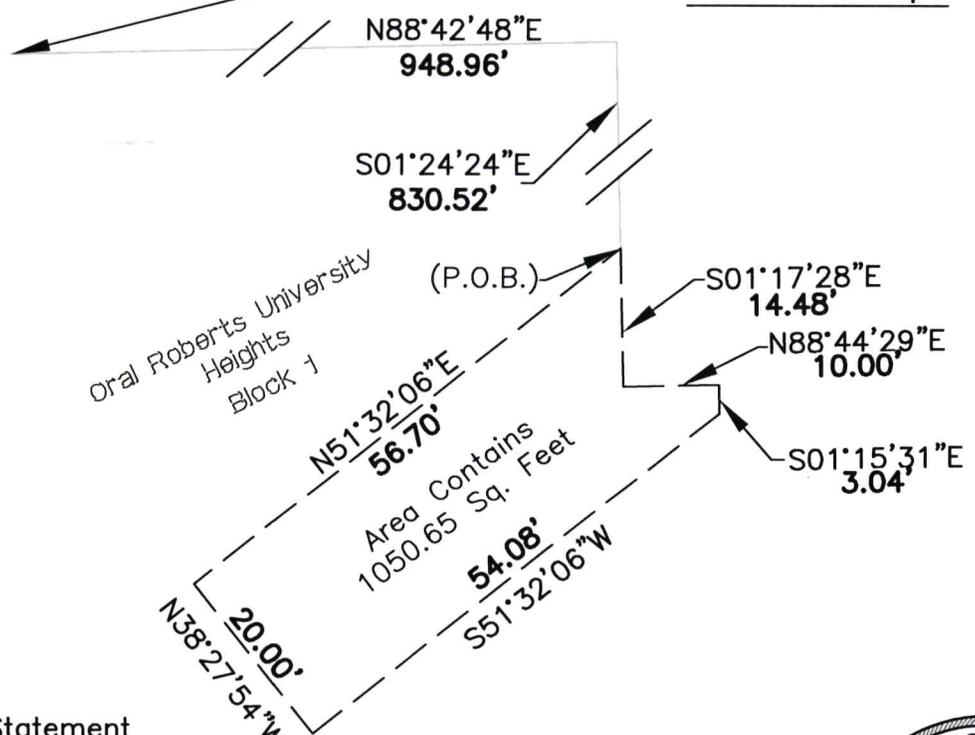
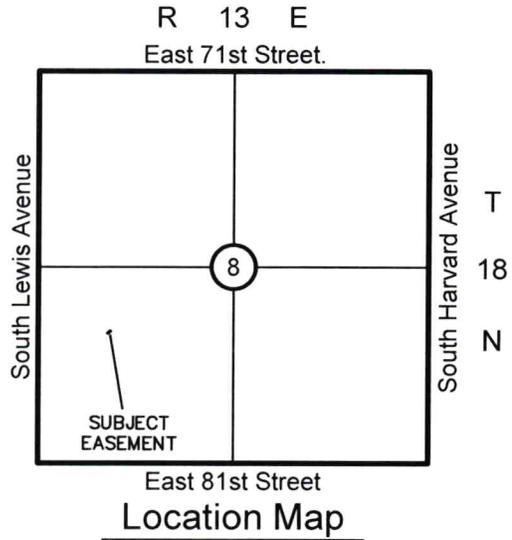
CMB

Legend

- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- — — — — BUILDING SETBACK LINE
- · — · — · — ROAD RIGHT-OF-WAY
- — — — — ROAD CENTERLINE
- — — — — SECTION LINE
- — — — — SUBDIVISION LOT LINE
- - - - - UTILITY EASEMENT



(P.O.C.)
NW Cor. SW/4,
Sec. 8, T-18-N, R-13-E



Surveyor's Statement

I, CLIFF BENNETT HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS PLAT OF SURVEY 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 6TH DAY OF MARCH, 2023.

BY:

Cliff Bennett

CLIFF BENNETT, R.P.L.S. No.1815

MARCH 6, 2023



FILE: 214230LG-A

DATE OF STATEMENT

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 8 T-18-N, R-13-E AS $N88^{\circ}42'48''E$.
2. SEE EXHIBIT "A" PAGE 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.



P.O. BOX 848, CHOUTEAU, OK 74337
PHONE: (918)-584-5858
C.A. NO.: 4502 EXP. DATE: 6/30/24

JS