

EN 0119777

Ordinance

Version 3.2 released on 8/3/21

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.



CITY COUNCIL USE ONLY		CITY CLERK USE ONLY	
Date Received: _____	Tracking #: _____	<input type="checkbox"/> Scanned	Date: <u>05.10.2023</u>
Committee Date: _____	Committee: _____	<input type="checkbox"/> Posted	Item #: <u>2305.00943</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

Dept. Tracking No. 5-2-22-73	Board Approval _____	Other Board Name _____	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No
Department Engineering Services	Contact Name Chris Kovac <u>4/17/23</u>	Email ckovac@cityoftulsa.org	Phone 918-596-9649
Subject (Description) Request to close a portion of Sewer Easement		Ordinance Type Closing an Easement	
Section 7	Township 19	Range 13	Lot 9
Block 7	Address 1434 S. Quincy Ave.		BA / CT Number _____
Amending Ord. No. _____	TRO Title No. e.g. 43	TRO Subtitle e.g. G	Property/Non-Property _____
Council District 4	Zoning No. _____	PUD No. _____	Planning District _____

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstrTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department: _____	Date: <u>04.19.23</u>
Legal: _____	Date: <u>5-3-23</u>
Board: _____	Date: _____
Mayor: _____	Date: <u>MAY 11 2023</u>
Other: _____	Date: _____

Policy Statement

Background Information

A request has been made by the homeowners, James Shelby and Rachel Amber Navarro, to close a portion of sewer easement located on the south side of Lot Nine (9), Block Seven (7) of Bellview Addition, as shown on the attached exhibits. The request to close the sewer easement is due to the house encroaching into the easement. The sewer easement does contain an existing storm sewer line. The request to close a portion of the sewer easement has been reviewed by city staff, representatives of various commissions, authorities and private utility companies with no objections.

Provide background information on the requested action.

Summation of the Requested Action

Recommend approval of this closure. MS *JMA 4/17/23*

Summarize the pertinent details of the requested action.

Emergency Clause?

Yes

No

Reason for Emergency Clause

Explain why you are requesting that the City Council approve this action with an emergency clause.

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 and Processing Details

(Published in the Tulsa World

_____, 2023)

ORDINANCE NO. _____

AN ORDINANCE CLOSING A CERTAIN SEWER EASEMENT OF THE CITY OF TULSA, OKLAHOMA, AFFECTING A TRACT OF LAND IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

WHEREAS, application has been made for closing a portion of a certain Sewer Easement, of the City of Tulsa, Oklahoma;

WHEREAS, the request is reasonable, and it will be in the best interest of all parties concerned that a portion of said Sewer Easement be closed.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That the above-described portion of a Sewer Easement, insofar as it covers the following described land:

A STRIP, PIECE, OR PARCEL OF LAND LYING IN PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SEVEN (7), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, AND PART OF BLOCK 7 OF BELLVIEW ADDITION TO THE CITY OF TULSA. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 9, BLOCK 7 OF SAID BELLVIEW ADDITION; THENCE N 01°14'08" W ALONG THE EAST LINE OF SAID LOT 9 A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE S 88°54'29" W ALONG A LINE 5.00 FEET NORTH AND PARALLEL TO THE SOUTH LINE OF SAID LOT 9 A DISTANCE OF 135.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 9; THENCE N 01°14'08" W ALONG THE WEST LINE OF SAID LOT 9 A DISTANCE OF 5.00 FEET; THENCE N 88°54'29" E ALONG A LINE 10.00 FEET NORTH AND PARALLEL TO THE SOUTH LINE OF SAID LOT 9 A DISTANCE OF 135.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 9; THENCE S 01°14'08" E ALONG THE EAST LINE OF SAID LOT 9 A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.015 ACRES (675.00 SQ. FT.) AS DESCRIBED.

be and the same are hereby closed.

Section 2. That the City of Tulsa retains the absolute right to reopen the above-described Sewer Easement without expense to the City of Tulsa.

Section 3. The closing of said portion of a Sewer Easement shall not affect the right to maintain, repair, reconstruct, operate or remove utility, public service corporation or transmission company facilities existing therein, nor shall such closing affect private ways existing by operation of law.

ADOPTED by the Council: _____
Date

Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

G. T. Bynum, Mayor

By: _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____,
Date

at _____.

G.T. Bynum, Mayor

(Seal)

ATTEST:

City Clerk

APPROVED:

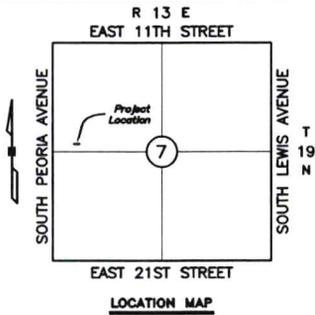
City Attorney

APPROVED AS TO LEGAL DESCRIPTION:

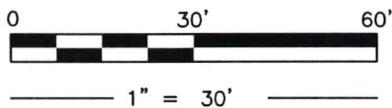
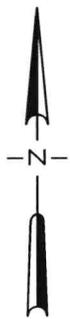
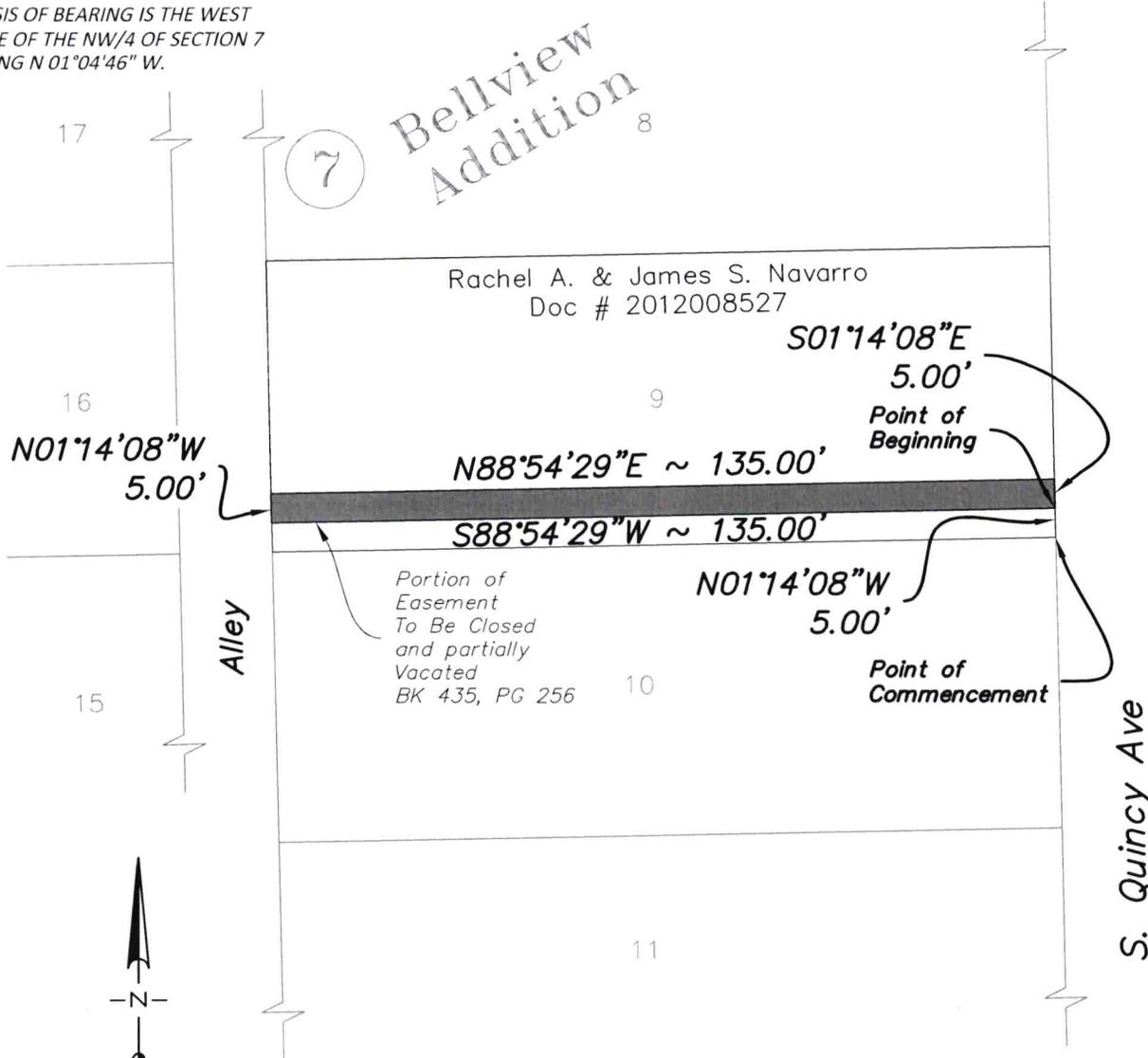


Engineering Services

SEWER EASEMENT CLOSURE EXHIBIT 1434 S. QUINCY AVENUE, TULSA, OK EASEMENT TO BE CLOSED AND VACATED



BASIS OF BEARING IS THE WEST
LINE OF THE NW/4 OF SECTION 7
BEING N 01°04'46" W.



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LEMKE
LAND SURVEYING

3228 BART CONWELL DR.
TULSA, OK 74105
PH: (405) 346-2841
CA # 69775
www.lemke-ls.com

Surveyed By:	BCB
Drawn By:	BCB
Approved By:	BCB
Date:	03/30/2023
Scale:	1" = 30'
Project No:	04011822

Project:	Navarro Easement Vacation
Project Location:	1434 S. Quincy Avenue Tulsa, OK
Client:	Shelby Navarro

Sheet Number	1
Sheet 1 of 2	

LEGAL DESCRIPTION

A strip, piece, or parcel of land lying in part of the Northwest Quarter (NW/4) of Section seven (7), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Meridian, Tulsa County, State of Oklahoma, and part of Block 7 of Bellview Addition to the City of Tulsa. Said parcel being more particularly described as follows:

COMMENCING at the Southeast Corner of Lot 9, Block 7 of said Bellview Addition; THENCE N 01°14'08" W along the East line of said Lot 9 a distance of 5.00 feet to the point of BEGINNING; THENCE S 88°54'29" W along a line 5.00 feet North and parallel to the South line of said Lot 9 a distance of 135.00 feet to a point on the West line of said Lot 9; THENCE N 01°14'08" W along the West line of said Lot 9 a distance of 5.00 feet; THENCE N 88°54'29" E along a line 10.00 feet North and parallel to the South line of said Lot 9 a distance of 135.00 feet to a point on the East line of said Lot 9; THENCE S 01°14'08" E along the East line of said Lot 9 a distance of 5.00 feet to the POINT OF BEGINNING.

Said tract contains 0.015 acres (675.00 sq. ft.) as described.

Basis of Bearing:

West line of the NW/4 of Section 7 being N 01°04'46" W as established by Oklahoma State Plane System, NAD 83(2011), North zone.

This Description was prepared by:

Brian C. Bird, PLS # 1869
Lemke Land Surveying, CA # 6975
03/30/2023

Closure Report:

Segment #1 : Line

Course: S88° 54' 29"W Length: 135.00'

Segment #2 : Line

Course: N01° 14' 08"W Length: 5.00'

Segment #3 : Line

Course: N88° 54' 29"E Length: 135.00'

Segment #4 : Line

Course: S01° 14' 08"E Length: 5.00'

Perimeter: 280.00' Area: 675.00 Sq. Ft.
Error Closure: 0.0000 Course: N00° 00' 00"E
Error North: 0.00000 East: 0.00000

Precision 1: 280000000.00

Surveyor Note's

Last date on site: 07-05-2018
- Note, field work completed while employed with CEC Corporation CA32

Revisions

03-30-23: Change from full vacation to partial vacation of north 5 feet.

I, Brian C. Bird, Professional Land Surveyor on behalf of Parkhill, Smith, Cooper, Inc. DBA as Lemke Land Surveying, certify that the legal description closes in accordance with existing records, is a true representation of the easement as described, meets the technical standards for land surveying of the State of Oklahoma, and is not a land or boundary survey.



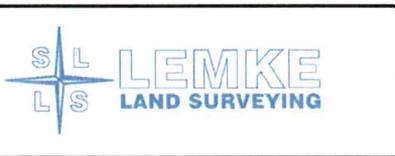
Surveyor's signature is not redacted, the plan is a copy that should be assumed to contain unaltered alterations. The certification contained on this document shall not apply to any copy.

Brian Bird
2023.03.30 15:58:17-05'00'

BRIAN C. BIRD, P.L.S. NO. 1869

DATED: _____

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3228 BART CONWELL DR.
TULSA, OK 74105
PH: (405) 366-8844
CA # 6975
www.lemke-ls.com

Surveyed By:	BCB
Drawn By:	BCB
Approved By:	BCB
Date:	03/30/2023
Scale:	1" = 30'
Project No:	04011822

Project:	Navarro Easement Vacation
Project Location:	1434 S. Quincy Avenue Tulsa, OK
Client:	Shelby Navarro

Sheet Number	2
Sheet 2 of 2	



1434