

Easement

Version 3.0 released on 8/3/21

EN01198021

**CITY COUNCIL USE ONLY**

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

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____**CITY CLERK USE ONLY**

☐ Scanned Date: 05.24.2023
☐ Posted Item #: 2305.01020

*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 CP
 Courtney Jones 5.10.23

Email
 courtneyjones@cityoftulsa.org

Phone
 918-596-9549

Easement Type
 Utility

Owner-Grantor
 Cheyenne Landlord, LLC

Bid/Project Number
 IDP 128431

Project Title
 Cheyenne Utility Relocations

Council District
 1

Section
 2

Township
 19

Range
 12

Addition
 TULSA-ORIGINAL TOWN

Lot
 4-6

Block
 62

Address
 228 West Archer Street North

Parcel Number
 465

Additional Information/Tracking Number _____

Budget

Contract Types

Funding Source(s) _____

☒ No Payments Involved☐ Revenue Contracts☐ Expense Contracts

DONATION: _____ \$0.00

TOTAL: _____ \$0.00

Approvals

Department: _____

Legal: _____

Board: _____

Mayor: _____

Other: _____

Date: 05.12.23Date: 5-18-23

Date: _____

Date: MAY 24 2023

Date: _____

Policy Statement**Background Information**

This Utility Easement is being donated by Cheyenne Landlord, LLC, an Oklahoma limited liability company, as a requirement of IDP 128431. This IDP for this project consists of the relocation of a public sanitary sewer main and a public storm sewer to facilitate the development of a commercial property. 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**

Original to be picked up by Courtney Jones for further processing.
 (6-9549)

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **CHEYENNE LANDLORD, LLC, an Oklahoma limited liability company,** (Grantor), the owner of the legal and equitable title to the following described real estate, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, 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 all public utilities 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.

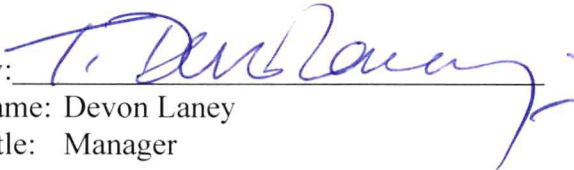
The City is hereby given and granted the exclusive possession of said above described premises for the purposes aforesaid and Grantor, for itself, its successors and assigns, covenants and agrees that no building, structure, fence, wall or other above ground obstruction will be placed, erected, installed 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 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.

Dated this 14th day of APRIL, 2023.

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

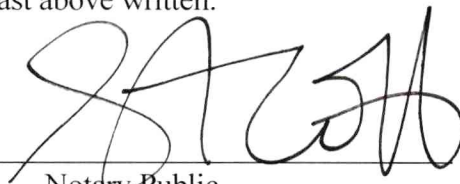
**CHEYENNE LANDLORD, LLC,
an Oklahoma limited liability company**

By: 
Name: Devon Laney
Title: Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

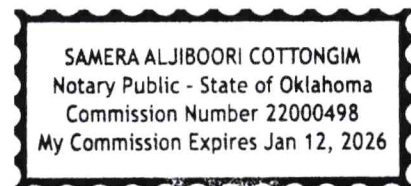
Before me, the undersigned, a Notary Public, in and for said County and State on this 14th day of APRIL, 2023, personally appeared **Devon Laney**, known to be the identical person who subscribed the name of **CHEYENNE LANDLORD, LLC, an Oklahoma limited liability company**, to the foregoing as its Manager 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 **CHEYENNE LANDLORD, LLC, an Oklahoma limited liability company**, 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:

1/12/2023




APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:



Asst. City Attorney



City Engineer

ACCEPTED BY CITY COUNCIL:

Date: _____

BY: _____
Name: Crista Patrick
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:



UTILITY EASEMENT EXHIBIT

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN LOTS FOUR, FIVE, AND SIX (4, 5, 6), BLOCK SIXTY-TWO (62) OF TULSA-ORIGINAL TOWN, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 OF SAID BLOCK 62; THENCE S65°36'04"W FOR A DISTANCE OF 15.00 FEET; THENCE N24°23'56"W FOR A DISTANCE OF 225.00 FEET; THENCE N65°36'04"E FOR A DISTANCE OF 15.00 FEET; THENCE S24°23'56"E FOR A DISTANCE OF 225.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 3375 SQUARE FEET.

LEGAL DESCRIPTION WAS PREPARED ON FEBRUARY 28, 2023 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE SOUTH LINE OF BLOCK 62 OF TULSA-ORIGINAL TOWN, TULSA COUNTY AS S65°36'04"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 SUBJECT PROPERTY DESCRIBED, AND THAT THE SURVEY OF THE SUBJECT PROPERTY 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 28TH DAY OF FEBRUARY, 2023.



Cliff Bennett

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

AMS

PLAT OF SURVEY UTILITY EASEMENT EXHIBIT

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE SOUTH LINE OF BLOCK 62 OF TULSA-ORIGINAL TOWN, TULSA COUNTY AS S65°36'04"W.

Page 2 of 2

R 12 E

Edison Street

2. SEE EXHIBIT PAGE 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

3. SITE WAS VISITED ON 1-10-23

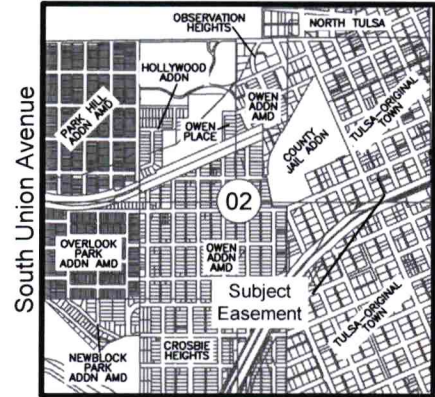
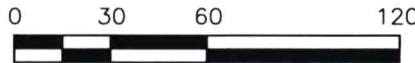
Legend

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

— — — — — BUILDING SETBACK LINE
- - - - - ROAD RIGHT-OF-WAY
= = = = = ROAD CENTERLINE
- - - - - SECTION LINE
- - - - - SUBDIVISION LOT LINE
- - - - - UTILITY EASEMENT



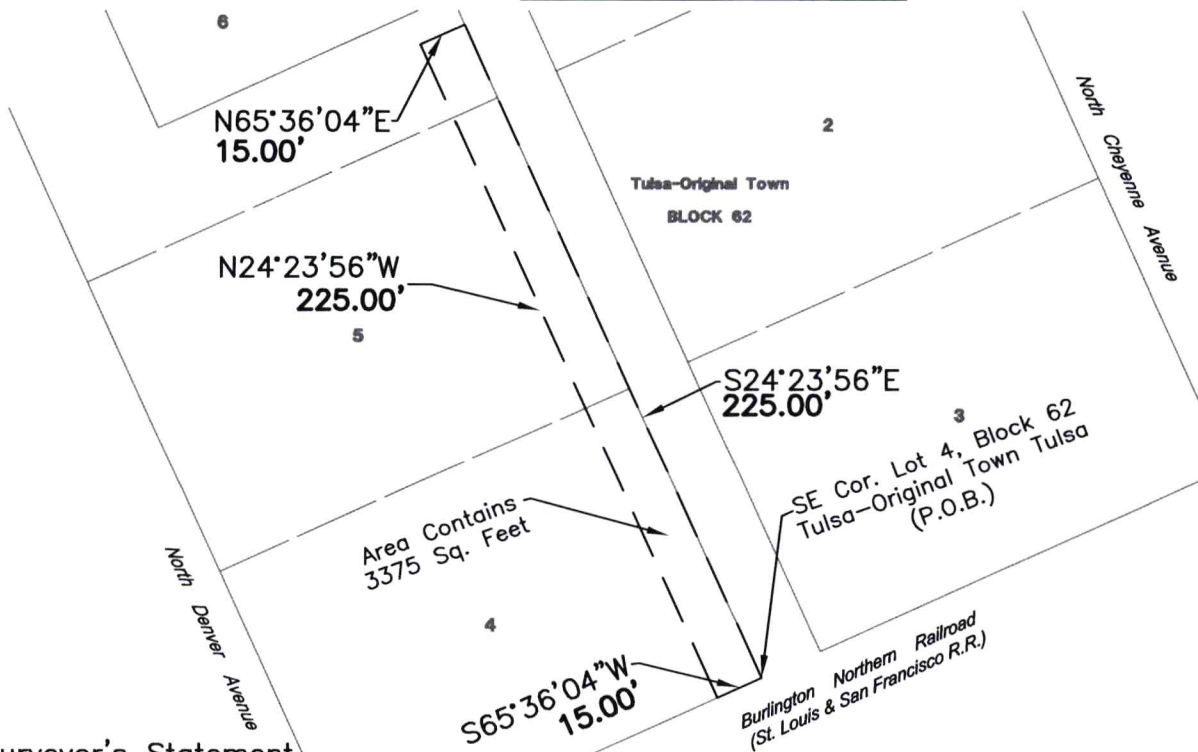
Scale: 1"=60'



West 7th Street
Location Map

Not to Scale

T
19
N



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 28TH DAY OF FEBRUARY, 2023.

BY:

Cliff Bennett

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

FEBRUARY 28, 2023

DATE OF STATEMENT



**BENNETT
SURVEYING, INC.**

P.O. BOX 848, CHOATEAU, OK 74337

PHONE: (918) 935-0350

C.A. NO.: 4502 EXP. DATE: 6/30/24

FILE: 224890LG-A

EXHIBIT "A"

Page 2 of 2