

Ordinance

Version 3.4 released on 6/29/23

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

PW0120056

**CITY COUNCIL USE ONLY**Date Received: _____
Committee Date: _____
1st Agenda Date: _____

Tracking #: _____

Committee: _____

Hearing Date: _____

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

Date: 10.18.2023

☐ Posted

Item # 2310.02403

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

Dept. Tracking No.

5-2-23-67

Board Approval

Other Board Name

City Council Approval

☒ Yes ☐ NoDepartment
Public WorksContact Name
Gary McClendonEmail
gmccclendon@cityoftulsa.orgPhone
918-596-2578

Subject (Description)

Request partial closing of a Storm Sewer Easement.

Ordinance Type

Closing an Easement

Section

29

Township

19

Range

13

Lot

4 & 5

Block

2

Address

2606 E. 47th Street

BA / CT Number

Amending Ord. No.

TRO Title No.

TRO Subtitle

Property/Non-Property

e.g. 43

e.g. G

Council District

9

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.Abst>Title5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department:

Legal:

Board:

Mayor:

Other:

Cassia Carr
Mayor Pro Tem

Date:

Date:

Date:

Date:

Date:

10/10/23

9/28/23

OCT 18 2023

RECEIVED
CITY OF TULSA
LEGAL DEPARTMENT
2023 SEP 26 PM12:04

Policy Statement

Background Information

A request has been made by Jaime Skipper of Wallace Design Collective to close a portion of a Storm Sewer easement, Document #2019025658, as shown on the attached exhibits. The easement is part of Lots four (4) and five (5), Block Two (2) of the Horace Heights Addition. The easement has been requested to be closed to accommodate the building of a home. The fifty-four inch (54 inch) Storm Sewer line has been reconstructed and moved per IDP #9127. The request to close the partial Storm Sewer easement has been reviewed by City staff, representatives of various authorities, boards, and/or commissions, and private utility companies with no objections.

Provide background information on the requested action.

Summation of the Requested Action

Recommend approval of this closure. MSL *MSL 9/22/23*

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

Original to be picked up by Courtney Jones 596-9549

(Published in the Tulsa World

_____, 2023)

ORDINANCE NO. _____

AN ORDINANCE CLOSING A PORTION OF A CERTAIN STORM 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 the closing of a portion of a certain Storm 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 that Storm Sewer Easement be closed.

BE IT ORDAINED BY THE CITY OF TULSA:

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

A PART OF LOTS FOUR (4) AND FIVE (5), BLOCK TWO (2), HORACE HEIGHTS ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING A PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-NINE (29), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING (P.O.C.) AT THE SOUTHWEST CORNER (SW/COR) OF SAID LOT FIVE (5), BLOCK TWO (2),

THENCE NORTH 90°00'00" EAST ALONG THE SOUTH LINE OF SAID LOT FIVE (5), A DISTANCE OF 61.73 FEET;

THENCE NORTH 00°00'00" EAST A DISTANCE OF 15.00 FEET TO THE SOUTHWEST CORNER (SW/COR) OF STORM SEWER EASEMENT RECORDED AT DOCUMENT NUMBER 2019025658 AT THE OFFICE OF THE TULSA COUNTY CLERK;

THENCE NORTH 21°15'34" EAST ALONG THE WEST LINE OF SAID DOCUMENT 2019025658, A DISTANCE OF 83.40 FEET TO THE POINT OF BEGINNING (P.O.B.);

CGW

THENCE ALONG A CURVE TO THE LEFT ALONG THE WEST LINE OF SAID DOCUMENT 2019025658, HAVING A RADIUS OF 92.50 FEET, A LENGTH OF 34.32 FEET, A CHORD BEARING OF NORTH 10°37'47" EAST, AND A CHORD LENGTH OF 34.13 FEET;

THENCE NORTH 00°00'00" EAST ALONG THE WEST LINE OF SAID DOCUMENT 2019025658, A DISTANCE OF 13.44 FEET;

THENCE SOUTH 44°30'51" EAST, A DISTANCE OF 2.80 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 34.40 FEET;

THENCE SOUTH 37°58'05" WEST, A DISTANCE OF 13.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 116.1 SQUARE FEET OR 0.0027 ACRES, MORE OR LESS.

A BASIS OF BEARING OF NORTH 00°03'00" EAST AS THE WEST LINE OF LOTS FOUR (4) AND FIVE (5), BLOCK TWO (2), HORACE HEIGHTS ADDITION.

be and the same is hereby closed.

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

Section 3. The closing of this portion of the Storm 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 _____.
Time

Mayor

(Seal)

ATTEST:

City Clerk

APPROVED:

City Attorney CGW

APPROVED AS TO LEGAL DESCRIPTION:

Engineering Services

EXHIBIT 'A'
PARTIAL STORM SEWER EASEMENT CLOSURE
LEGAL DESCRIPTION

A PART OF LOTS FOUR (4) AND FIVE (5), BLOCK TWO (2), HORACE HEIGHTS ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING A PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-NINE (29), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE NORTH 00°00'00" EAST ALONG THE WEST LINE OF SAID DOCUMENT 2019025658, A DISTANCE OF 13.44 FEET

THENCE SOUTH 44°30'51" EAST, A DISTANCE OF 2.80 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 34.40 FEET;

THENCE SOUTH 37°58'05" WEST, A DISTANCE OF 13.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 116.1 SQUARE FEET OR 0.0027 ACRES, MORE OR LESS.

A BASIS OF BEARING OF NORTH 00°03'00" EAST AS THE WEST LINE OF LOTS FOUR (4) AND FIVE (5), BLOCK TWO (2), HORACE HEIGHTS ADDITION.

I, Lee Martin, of Wallace Design Collective, PC, certify that the attached legal description closes in accord with the existing records and is a true representation of the drainage easement as described. This legal description meets the minimum standards for legal descriptions as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

 4.1.22

Lee Martin
LS 2004
CA 1460
Expires 06/30/2023



PROJECT NO.	1640126	SHEET	2 OF 2
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\\Civil-Server\Projects\1640126 Horace Heights\Survey\dwg\1640126 Existing.dwg PLOT: 4/1/2022 11:08:56 AM ORIG SIZE: 8.5"x11"

Horace Heights West Tract –Partial Storm Sewer Easement Closure

Closure Report – Not for Recording

Mapcheck 1: Partial Closure Storm Sewer Easement

Closure Summary

Precision, 1 part in: 26363.68'
Error distance: 0.00'
Error direction: N88° 15' 27.38"W
Area: 115.93 Sq. Ft.
Square area: 115.934
Perimeter: 98.40'

Point of Beginning

Easting: 0.00'
Northing: 0.00'



Side 1: Curve

Curve direction: Counter-clockwise
Radius: 92.50'
Arc length: 34.33'
Delta angle: [021.2624 (d)]
Tangent: [17.36']
Chord direction: N10° 37' 47.00"E
Chord angle: [-169.3703 (d)]
Deflection angle: [010.6297 (d)]
Chord distance: 34.13'
Easting: 6.30'
Northing: 33.54'

Side 2: Line

Direction: N00° 00' 00.00"E
Angle: [-179.9985 (d)]
Deflection angle: [000.0015 (d)]
Distance: 13.44'
Easting: 6.30'
Northing: 46.98'

Side 3: Line

Direction: S44° 30' 51.00"E
Angle: [-044.5142 (d)]
Deflection angle: [135.4858 (d)]
Distance: 2.80'
Easting: 8.26'
Northing: 44.99'

Side 4: Line

Direction: S00° 00' 00.00"E
Angle: [-135.4858 (d)]
Deflection angle: [044.5142 (d)]
Distance: 34.40'
Easting: 8.26'
Northing: 10.59'

Side 5: Line

Direction: S37° 58' 05.00"W
Angle: [-142.0319 (d)]
Deflection angle: [037.9681 (d)]
Distance: 13.43'
Easting: 0.00'
Northing: 0.00'

\\civil-server\projects\1640126 Horace Heights\Drawings\Exhibits\1640126 Esmt Exhibit.dwg

SOUTH BIRMINGHAM AVENUE

E 47TH ST

NEW 8' ID MANHOLE

REMOVE 54" RCP

STORM SEWER ESMT.
BY SEP. INST.

STORM SEWER
LOCATION PER
EXCAVATIONS
10.08.2021

HOUSE UNDER
CONSTRUCTION

PROPOSED EASEMENT
CLOSURE

EXISTING
RESIDENCE

NEW 54" RCP

ABANDONED 54"
STORM SEWER

NEW 8' ID MANHOLE

NEW 54" RCP

15.00' STORM
SEWER EASEMENT
DOC 2019025657

EXIST. SDMH

0 15 30
1" = 30'



wallace
design
collective

wallace design collective, pc
structural · civil · landscape · survey
123 north martin luther king jr. blvd.
tulsa, oklahoma 74103
918.584.5858
oklahoma ca1460
exp: 6-30-25

Storm Sewer Relocation/Easement Closure Exhibit

PART OF HORACE HEIGHTS ADDITION, CITY OF TULSA

August 9, 2023

1 of 1



Application for
Right-of-way / Easement
Closure or Encroachment Agreement

APPLICATION IS HEREBY MADE TO THE CITY OF TULSA TO CONSIDER THE FOLLOWING:

CHOOSE (1) CLOSURE: X ENCROACHMENT: _____

CHOOSE (1) RIGHT-OF-WAY: _____ EASEMENT: X AIR SPACE: _____

County Assessor Parcel Number: 19425-93-29-02840 Zoning: RS-1

Property Location: 2606 E 47 ST S TULSA 74105

Legal Description: Subdivision: HORACE HGTS ADDN (19425) Plat No.: 1780

Lot: PRT LTS 4 & 5 Block: 2

Section: 29 Township: 19 Range: 13

IF UNPLATTED ATTACH LEGAL DESCRIPTION.

Applicant Name: JAIME SKIPPER

Applicant Company: WALLACE DESIGN COLLECTIVE

Applicant D.B.A.: _____

Address: 123 N MARTIN LUTHER KING JR BLVD

City: TULSA State: OK Zip: 74103

Phone: 918-584-5858 Email: JAIME.SKIPPER@WALLACE.DESIGN

Secondary Point of Contact: MARK CAPRON

Phone: 918-584-5858 Email: MARK.CAPRON@WALLACE.DESIGN

Property Owner(s) of Record: CONCEPT BUILDERS INC

Address: 1236 S LEWIS AVE

City: TULSA State: OK Zip: 74101-4211

Phone: _____ Email: _____

Signatures

Applicant: Jaime Skipper Date: 08/09/2023

Property Owner(s): _____ Date: _____

_____ Date: _____

_____ Date: _____

The relocation has been completed by the City and Becco as confirmed by Derek Langley with the City of Tulsa.



East side of property looking South



East side of property looking Southwest



South side of property looking Northeast