Ordinance

PW0120056

Version 3.4 released on 6/29/23 Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.



CITY COUNCIL USE ONLY	Tracking	#:		CITY CLERK USE ONLY
Date Received:	Committee		Scanned	Date: [0,18,2023
Committee Date:	Hearing Da			Item #2310_02403
1 st Agenda Date:	2 nd Agenda Da	te:	☐ Posted	Item #2 010 502400
All departmen	nt items requiring Council appro	oval must be submitted the	ough the May	yor's Office.
Primary Details				
Dept. Tracking No. 5-2-23-67	Board Approval	Other Board Name		City Council Approval ✓ Yes ○ No
Department	Contact Name	Email		Phone
Public Works	Gary McClendon	gmcclendon@cityoftu	ılsa.org	918-596-2578
Subject (Description) Request partial closing of a Storm	Sewer Easement.	Ordinance Type Closing an Easement	t	
Section	Township	Range		Lot
29	19	13		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	Zoning No.	PUD No.		Planning District
9	Lonning No.	, 02		
Budget		_		
Funding Source(s)				
		0-4-) 06: 4 (4004044	TOTAL:	Desired Ottion Assessed
Enter the funding source(s) using the appro (144104.AbstrTitle5413102.6001-4043122-	opnate Munis funding format: Org (Allocation -541102-\$30,000.01)	on Code)-Object-Amount (1001211-	-531401-\$10.00) (or Project String-Amount
Approvals				
Department:	1000			Date: /0/10/21
Legal:	Caroline & W	000	-	Date: 9/28/23
Board:		0	-	Date:
Mayor:	C		sia Carr	Date: 001 18 2023
Other:		May	or Pro Tem	Date:

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

Policy Statement

✓ Must be filed with other governmental entity

Addt'l governmental entity approval(s) required

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.

utility companies with no objectio	ns.	·
Provide background information on the reques	sted action.	
Summation of the Requested Action Recommend approval of this close	sure. MSLMrL 9/22/23	
Summarize the pertinent details of the reques	ted action.	
Emergency Clause? O Yes	Reason for Emergency Clause	
▼ No Explain why you are requesting that the City Council approve this action with an emergency clause.		ty Council approve this action with an emergency clause.
Processing Information for C	City Clerk's Office	
		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.);

(6W

- 1 -

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 abovedescribed portion of the Storm Sewer Easement without expense to the City of Tulsa.
- The closing of this portion of the Storm Sewer Easement shall not affect Section 3. 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.

Date	
	CI



OFFICE OF THE MAYOR

Received by the Mayor:	Date	, at
	<i>5</i> 	G. T. Bynum, Mayor
	В	By:Secretary
APPROVED by the Mayor of at	f the City of Tuls	sa, Oklahoma:,
Time	_	Mayor
(Seal)		
ATTEST:		
City Clerk		
APPROVED:	А	APPROVED AS TO LEGAL DESCRIPTION:
City Attorney C 6		Engineering Services

CGW

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:

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 (SE/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.);

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;

4-1-22

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.

Lee Martin LS 2004 CA 1460

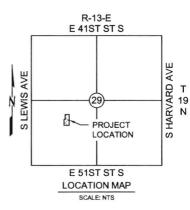
Expires 06/30/2023



EXHIBIT 'A' PARTIAL STORM SEWER EASEMENT CLOSURE

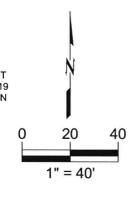
BEING A PART OF LOTS 4 & 5, BLOCK 2, HORACE HEIGHTS ADDITION BEING A SUBDIVISION WITHIN THE SW/4 OF SEC. 29, T.19N., R.13E., I.M., TULSA COUNTY, OKLAHOMA

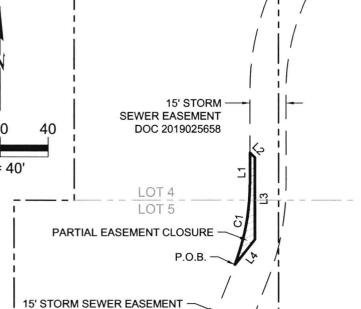




ORIG SIZE: 8.5"X11"

PLOT: 4 /1 /2022 11: 08: 56 AM





DOC 2019025658

N 21°15'34" E 83.40'

P.O.C.

SW/COR LOT 5

N 90°00'00" E 61.73'

	LINE TABLE	
LINE#	DIRECTION	LENGTH
L1	N 00°00'00" E	13.44'
L2	S 44°30'51" E	2.80'
L3	S 00°00'00" E	34.40'
L4	S 37°58'05" W	13.43'

		CUF	RVE TABLE	
CURVE#	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	34.32'	92.50'	N 10°37'47" E	34.13'

N 00°00'00" E

- SOUTH LINE LOT 5

15.00'

NOTES:

/\Civil-Server\Projects\1640126 Horace Heights\Survev\dwg\1640126 Existing

- This exhibit is for a storm sewer easement closure and does not represent a boundary survey.
- Basis of bearings for this exhibit is the west line of Lots Four (4) and Five (5), Block Two (2), HORACE HEIGHTS ADDITION, being North 00°03'00" East.
- See Exhibit 'A' Page 1 for legal description and surveyor's certificate.



wallace wallace design collective, po structural coll landscape survey 410 north walnut avenue, suite 200 oldahoma city, oldahoma 7304 405.236.5858 800.364.5858 wallace.design ok oa 1460

ST	ORM SEWER EAS	SEMENT	CLOSU	JRE
REV.	DE	SCRIPTION		DATE
	PROJECT NO.	1640126	SHEET	2 OF 2

EAST LINE DOC 2018021947

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: Distance:

[000.0015 (d)] 13.44'

Easting:

6.30'

Northing:

46.98'

Side 3: Line

Direction:

S44° 30' 51.00"E

Angle: Deflection angle:

[-044.5142 (d)] [135.4858 (d)]

Distance:

2.80' 8.26

Easting: Northing:

44.99'

Side 4: Line

Direction: \$00° 00' 00.00"E

Angle: [-135.4858 (d)]

Deflection angle: [044.5142 (d)]

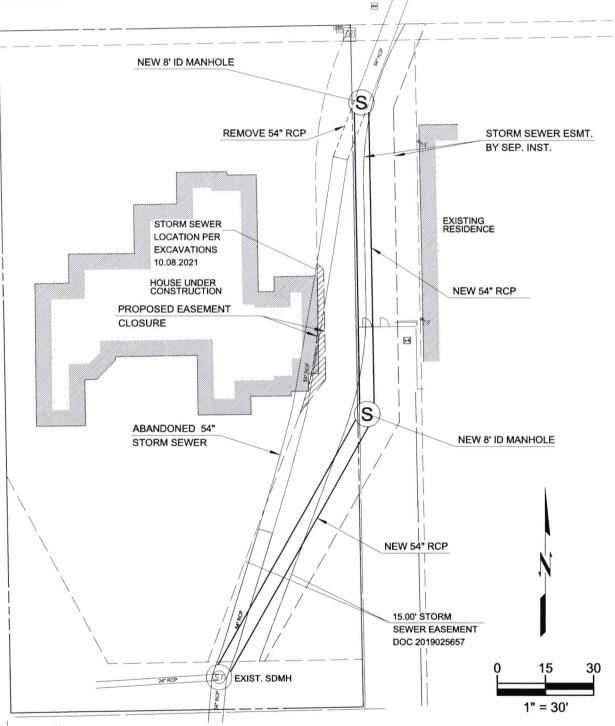
Distance: 34.40' Easting: 8.26' Northing: 10.59'

Side 5: Line

Direction: \$37° 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\Dwg\Exhibits\1640126 Esmt Exhibit.dwg



E 47TH ST

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 TULS	A TO CONSIDER THE FOLLOWING:
CHOOSE (1) CLOSURE: X ENCROAGE	CHMENT:
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 ADDI	N (19425) Plat No.: 1780
Lot: PRT LTS 4 & 5	
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: JAI	
Secondary Point of Contact: MARK CAPRON	
Phone: 918-584-5858 Email: MAI	RK.CAPRON@WALLACE.DESIGN
Property Owner(s)of Record: CONCEPT BUILDERS	INC
Address: 1236 S LEWIS AVE	
City: TULSA State: OK	Zip: <u>74101-4211</u>
Phone: Email:	
Signatures	
Applicant: Jaime Skipper	Date: <u>08/09/2023</u>
Property Owner(s):	Date:
	Date:
	Date:



Application for Right-of-way / Easement

Closure or Encroachment Agreement

Explanation of necessity for closing right-of-way or easement or for encroaching into the right-of-way or easement.

REQUIRED - Legal Description with a Plat of Survey for all closings. For Encroachments a digital sketch delineating the described request, showing all data pertinent to the property (refer to application instructions).

Legal Description & Plat of Survey for closure are attached along with Storm Sewer Relocation/Easement Closure Exhibit.
Horace Heights Storm Sewer Relocation Infrastructure Development Plans are attached.
2019 Filed easements and deeds from lot split are attached.
It is necessary to close the portion of the storm easement due to it being within the home footprint.
The 54" storm sewer has been relocated.
The relocation has been completed by the City and Becco as confirmed by Derek Langley with the City of Tulsa.

