

# Easement

Version 3.3 released on 6/29/23

PW0120096



### CITY COUNCIL USE ONLY

Date Received: \_\_\_\_\_  
 Committee Date: \_\_\_\_\_  
 1<sup>st</sup> Agenda Date: \_\_\_\_\_

Tracking #: \_\_\_\_\_  
 Committee: \_\_\_\_\_  
 Hearing Date: \_\_\_\_\_  
 2<sup>nd</sup> Agenda Date: \_\_\_\_\_

### CITY CLERK USE ONLY

Scanned      Date: 11.01.2023  
 Posted      Item #: 2311.02586

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  
Public Works

Contact Name  
Courtney Jones 10.9.23

Email  
courtneyjones@cityoftulsa.org

Phone  
918-596-9549

Easement Type  
Waterline

Owner-Grantor  
VEP II, LLC

Bid/Project Number  
WMC 121096

Project Title  
Village Flats - Phase II

Council District  
4

Section  
1

Township  
19

Range  
12

Addition  
THE VILLAGE AT CENTRAL  
PARK

Lot

Block  
2

Address  
624 South Peoria Avenue

Parcel Number  
508

Additional Information/Tracking Number

### Budget

#### Contract Types

- No Payments Involved
- Revenue Contracts
- Expense Contracts

#### Funding Source(s)

DONATION: \_\_\_\_\_  
 TOTAL: \$0.00

### Approvals

Department: [Signature] TOS  
 Legal: [Signature]  
 Board: [Signature]  
 Mayor: [Signature]  
 Other: \_\_\_\_\_

Date: 10.11.23  
 Date: 10/20/2023  
 Date: \_\_\_\_\_  
 Date: NOV 01 2023

### Policy Statement

#### Background Information

This waterline easement is being donated by VEP II, LLC, an Oklahoma limited liability company, as a requirement of WMC 121096. This easement is associated with water meters that are part of a new commercial development. PDZ:MSL:swb

#### Summation of the Requested Action

Mayoral approval and City Council acceptance.

9/15/23 10/9/23

#### 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)

## WATER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **VEP II, LLC, an Oklahoma limited liability company**, (Grantor) the owner of the legal and equitable title to the following real estate, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) 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 a **water main or mains** 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 itself and 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 22<sup>nd</sup> day of August, 2023.

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

**VEP II, LLC,  
an Oklahoma limited liability company,**

**By: Tulsa Property Group, LLC,  
an Oklahoma limited liability company, its  
Manager**

By: *Nathan Garrett*  
**Nathan Garrett, Manager**

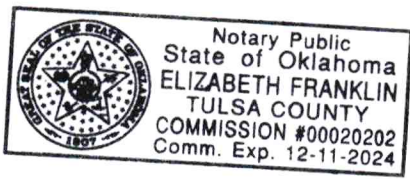
STATE OF OKLAHOMA    )  
                                          ) ss.  
COUNTY OF TULSA    )

Before me, the undersigned, a Notary Public, in and for said County and State on this 22 day of August, 2023, personally appeared **Nathan Garrett** to me known to be the identical person who subscribed the name of **Tulsa Property Group, LLC, an Oklahoma limited liability company**, as Manager for **VEP II, 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.

*Elizabeth Franklin*  
Notary Public

My commission expires:  
12-11-2024



**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Asst. City Attorney

**APPROVED AS TO SUBSTANCE:**

  
\_\_\_\_\_  
Director

**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



## LEGAL DESCRIPTION

### PARCEL 1 WATERLINE EASEMENT EXHIBIT "A" JS

A TRACT OF LAND LYING IN BLOCK TWO (2), THE VILLAGE AT CENTRAL PARK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF LOT ONE (1), BLOCK TWO (2), VILLAGE AT CENTRAL PARK; THENCE S89°17'08"W AND ALONG THE NORTH LINE OF SAID BLOCK TWO (2) FOR A DISTANCE OF 3.65 FEET TO THE POINT OF BEGINNING; THENCE S00°40'26"E FOR A DISTANCE OF 37.11 FEET; THENCE N89°19'34"E FOR A DISTANCE OF 17.76 FEET; THENCE S00°40'26"E FOR A DISTANCE OF 13.51 FEET; THENCE S89°19'34"W FOR A DISTANCE OF 17.76 FEET; THENCE S00°40'26"E FOR A DISTANCE OF 40.37 FEET; THENCE N89°19'34"E FOR A DISTANCE OF 17.11 FEET; THENCE S00°40'26"E FOR A DISTANCE OF 9.00 FEET; THENCE S89°19'34"W FOR A DISTANCE OF 17.11 FEET; THENCE S00°40'26"E FOR A DISTANCE OF 18.41 FEET; THENCE N89°19'34"E FOR A DISTANCE OF 16.86 FEET; THENCE S00°40'26"E FOR A DISTANCE OF 9.00 FEET; THENCE S89°19'34"W FOR A DISTANCE OF 16.86 FEET; THENCE S00°40'26"E FOR A DISTANCE OF 20.90 FEET; THENCE N89°19'34"E FOR A DISTANCE OF 16.47 FEET; THENCE S00°40'26"E FOR A DISTANCE OF 11.00 FEET; THENCE S89°19'34"W FOR A DISTANCE OF 14.97 FEET; THENCE S44°19'34"W FOR A DISTANCE OF 2.12 FEET; THENCE S00°40'26"E FOR A DISTANCE OF 67.18 FEET TO A POINT ON THE SOUTH LINE OF SAID BLOCK TWO (2); THENCE S89°17'08"W AND ALONG THE SOUTH LINE OF SAID BLOCK TWO (2) FOR A DISTANCE OF 20.00 FEET; THENCE N00°40'26"W FOR A DISTANCE OF 227.98 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK TWO (2); THENCE N89°17'08"E AND ALONG THE NORTH LINE OF SAID BLOCK TWO (2) FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 5,288 SQUARE FEET OR 0.12 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON APRIL 12, 2023 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE NORTH LINE OF BLOCK TWO (2), THE VILLAGE AT CENTRAL PARK AS N89°17'08"E.

**EXHIBIT "A"**

Page 1 of 3

JBH

JS

**SURVEYOR'S CERTIFICATE**

I, CLIFF BENNETT, OF WALLACE DESIGN COLLECTIVE, CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE DESCRIBED LEGAL, AND THAT THE SURVEY OF THE DESCRIBED LEGAL 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 12TH DAY OF APRIL 2023.



*Cliff Bennett*

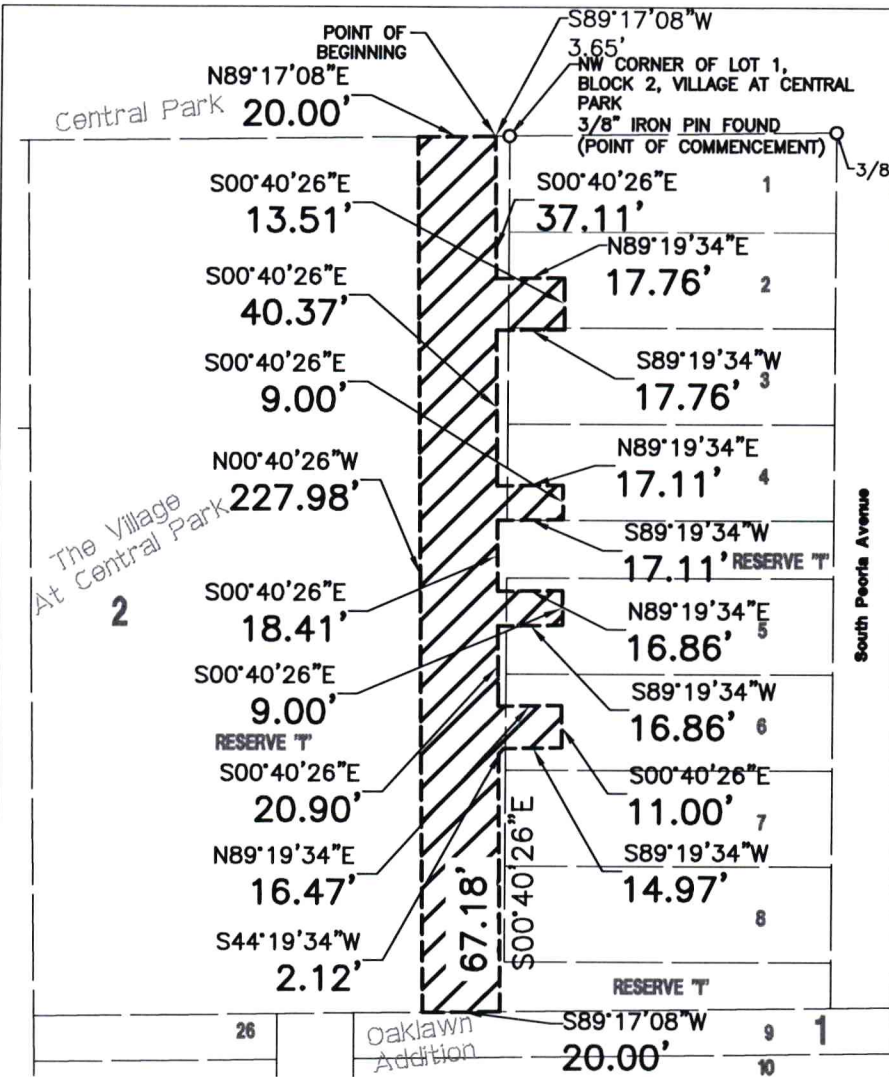
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CLIFF BENNETT, PLS  
OKLAHOMA NO. 1815  
CERT. OF AUTH. NO. 4502  
EXP. DATE JUNE 30, 2023

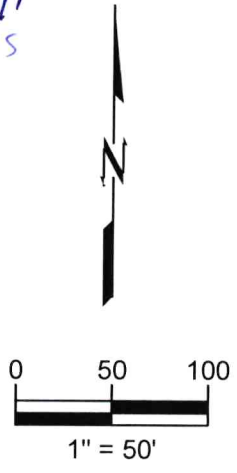
**EXHIBIT "A"**

Page 2 of 3

JBH  
JS



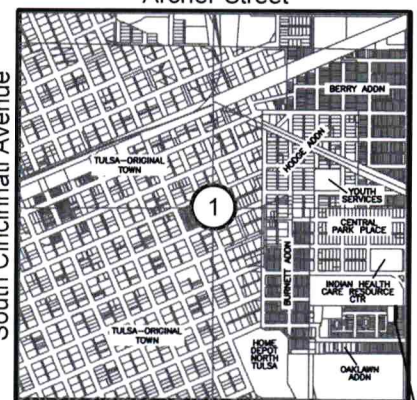
3/8" Iron Pin Found



**LEGEND**

- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- = EASEMENT AREA

R 12 E  
Archer Street



11th Street South  
**Location Map** Subject Easement  
Scale: 1"=2000'

**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 12TH DAY OF APRIL, 2023.

**Notes**

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE NORTH LINE OF BLOCK ONE (1), THE VILLAGE AT CENTRAL PARK AS N89°17'08"E.
2. SEE EXHIBIT "A" PAGE 1 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.
3. THIS SITE WAS VISITED ON 4/10/23

BY: Cliff Bennett  
CLIFF BENNETT, R.P.L.S. No.1815  
APRIL 12, 2023  
DATE OF STATEMENT



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: 6-30-23



**Parcel 1  
Waterline  
Easement Exhibit "A"**  
OF  
PART OF THE SE/4, SECTION 1,  
TOWNSHIP 19 NORTH, RANGE 12 EAST  
City of Tulsa,  
Tulsa County, OK

April 12, 2023 **EXHIBIT "A"**