

Easement

Version 3.3 released on 6/29/23

PW0120097

**CITY COUNCIL USE ONLY**

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

Tracking #: _____
 Committee: _____
 Hearing Date: _____
 2nd Agenda Date: _____

CITY CLERK USE ONLY

☐ Scanned Date: 11.01.2023
☐ Posted Item #: 2311.02587

*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 CJ
 Courtney Jones 10.4.23

Email
courtneyjones@cityoftulsa.org

Phone
918-596-9549

Easement Type
Sanitary Sewer

Owner-Grantor
Cheyenne Landlord LLC

Bid/Project Number
LLA 493

Project Title
12, 14, 16 N. Cheyenne Utility Relocations

Council District
1

Section
2

Township
19

Range
12

Addition
TULSA-ORIGINAL TOWN

Lot
5-6

Block
62

Address
228 West Archer Street North

Parcel Number
553

Additional Information/Tracking Number

Budget**Contract Types**

☒ No Payments Involved
☐ Revenue Contracts
☐ Expense Contracts

Funding Source(s)**DONATION:**

TOTAL: \$0.00

Approvals

for Department: [Signature]
 Legal: [Signature] JMS
 Board: _____
 Mayor: [Signature]
 Other: _____

Date: 10.11.23
 Date: 10/20/2023
 Date: _____
 Date: NOV 01 2023
 Date: _____

Policy Statement**Background Information**

This Sanitary Sewer easement is being donated by Cheyenne Landlord LLC, an Oklahoma limited liability company, as a requirement of LLA 493. This easement is to cover an existing sanitary sewer on property that is in the Lot Line Adjustment process. PDZ:MSL:swb MSL 10/9/23

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)

SEWER 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 real estate situated in Tulsa County, State of Oklahoma, 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 a sanitary sewer 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.

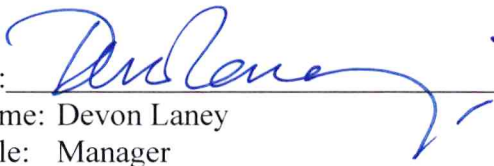
The City is hereby given and granted the exclusive possession of said above premises for the purposes aforesaid and Grantor, for its administrators, successors and assigns, covenants and agrees that no building, structure, fence, wall or other above ground obstruction will be placed, erected, installed 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 26th day of September, 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 26 day of September, 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.

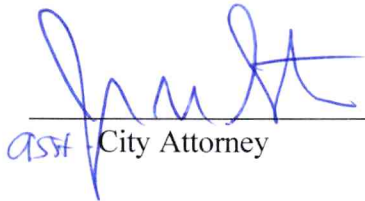
Given under my hand and seal of office the day and year last above written.


Notary Public

My commission expires:
2/16/2027



APPROVED AS TO FORM:



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

[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:

Sanitary Sewer Easement Exhibit "A"

Legal Description

A TRACT OF LAND THAT IS PART OF LOTS FIVE (5), AND SIX (6), BLOCK SIXTY-TWO (62), TULSA ORIGINAL TOWN, 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 SOUTHWEST CORNER OF LOT FOUR (4); THENCE N65°35'50"E AND ALONG THE SOUTH LINE OF SAID LOT FOUR (4) FOR A DISTANCE OF 60.41 FEET; THENCE N24°23'56"W FOR A DISTANCE OF 189.37 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING N24°23'56"W FOR A DISTANCE OF 28.76 FEET; THENCE N35°59'20"E FOR A DISTANCE OF 34.14 FEET; THENCE N65°36'04"E FOR A DISTANCE OF 49.91 FEET; THENCE S24°23'56"E FOR A DISTANCE OF 0.39 FEET; THENCE S35°59'20"W FOR A DISTANCE OF 91.55 FEET TO THE **POINT OF BEGINNING**. SAID TRACT CONTAINING 0.04 ACRES MORE OR LESS.


LEGAL DESCRIPTION WAS PREPARED ON AUGUST 28, 2023 BY R. WESLEY BENNETT, PLS #1562, WITH THE BEARINGS BASED ON THE NORTHERLY LINE OF BLOCK 62 AS BEING N65°36'04"E.

Surveyor's Certificate

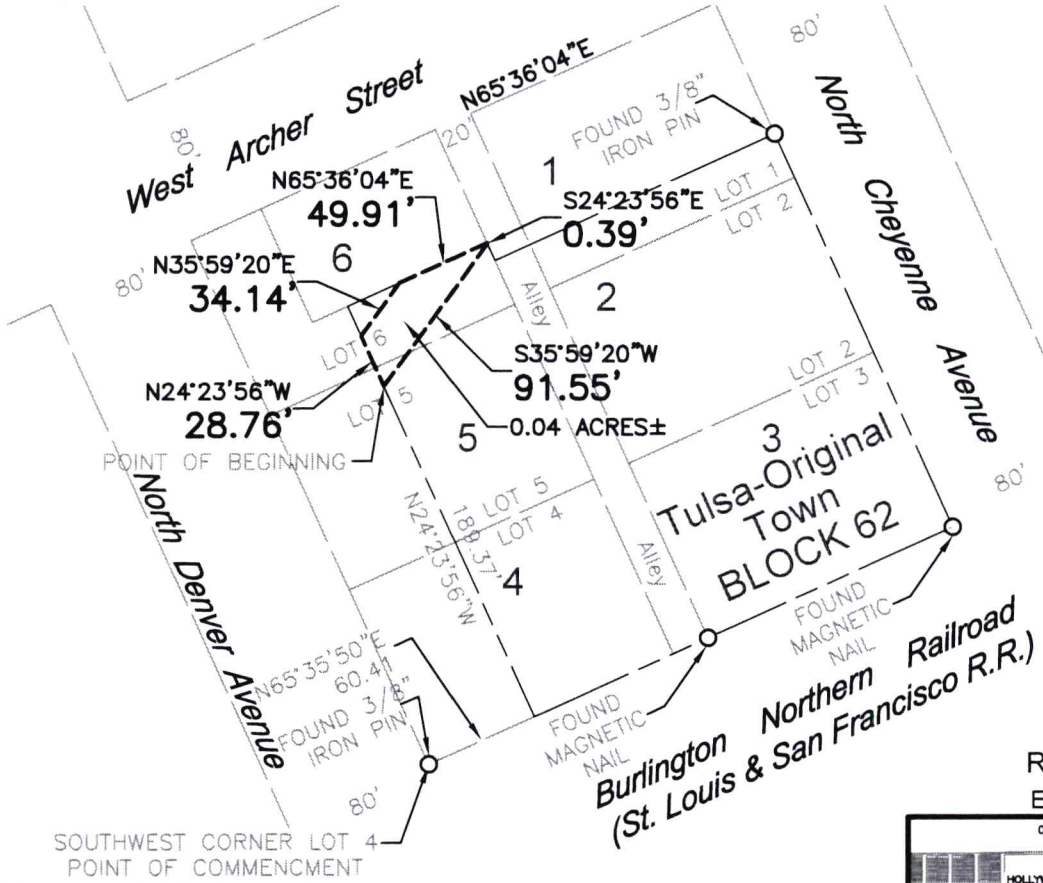
I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE, CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES, AND IS A TRUE REPRESENTATION OF THE DESCRIBED LEGAL, AND THAT THE SURVEY OF THE DESCRIBED LEGAL MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 28TH DAY OF AUGUST 2023.




R. WESLEY BENNETT, PLS
OKLAHOMA NO.1562
CERT. OF AUTH. NO. 1460
EXP. DATE JUNE 30, 2025

JMS



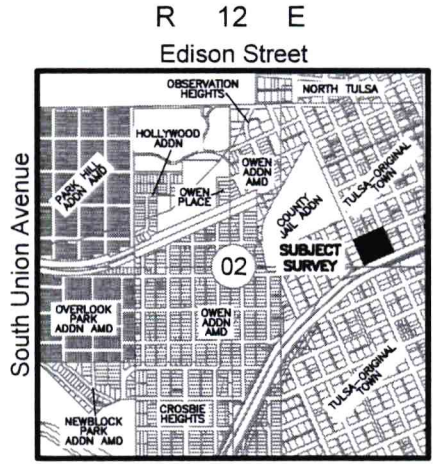
Surveyor's Statement

I, R. WESLEY 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 AUGUST, 2023.



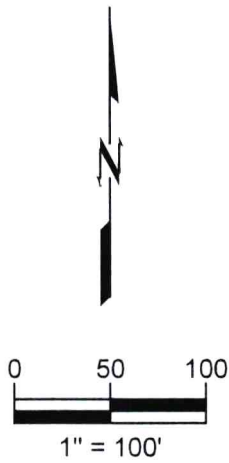
BY: R. Wesley Bennett
R. WESLEY BENNETT
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1562



Location Map



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



**Plat of Survey
Sanitary Sewer
Easement Exhibit "A"**

OF PART OF
LOTS 5 AND 6, BLOCK 62,
TULSA ORIGINAL TOWN

**City of Tulsa,
Tulsa County, Oklahoma**

August 28, 2023

**FIELD
DATE:
05/23/23**