

# Easement

Version 3.3 released on 6/29/23

PW 0120143

**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: 11.29.2023

☐ Posted

Item # 2311-02800

*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 11.3.23

Email  
courtneyjones@cityoftulsa.org

Phone  
918-596-9549

Easement Type  
Waterline

Owner-Grantor  
Tulsa Rehab Real Estate Investors, LLC

Bid/Project Number  
WMC 97869

Project Title  
Tulsa Rehabilitation Hospital

Council District  
7

Section  
7

Township  
18

Range  
14

Addition  
TALL GRASS

Lot  
4

Block  
1

Address  
7909 S. 101st East Avenue

Parcel Number  
530

Additional Information/Tracking Number \_\_\_\_\_

**Budget**

Contract Types

☒ No Payments Involved☐ Revenue Contracts☐ Expense Contracts

Funding Source(s) \_\_\_\_\_

DONATION: \_\_\_\_\_

TOTAL: \$0.00

**Approvals**

Department: \_\_\_\_\_

Legal: \_\_\_\_\_

Board: \_\_\_\_\_

Mayor: \_\_\_\_\_

Other: \_\_\_\_\_

Date: 11.09.23

Date: 11.20.2023

Date: NOV 29 2023

Date: \_\_\_\_\_

**Policy Statement****Background Information**

This waterline easement is being donated by Tulsa Rehab Real Estate Investors, LLC, a Texas limited liability company, as a requirement of WMC 97869. This easement is required for a fire flow meter associated with a commercial development.

PDZ:MSL:swb 11/6/23

**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)

# WATER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **Tulsa Rehab Real Estate Investors, LLC, a Texas 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 13<sup>th</sup> day of October, 2023.

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

**Tulsa Rehab Real Estate Investors, LLC,  
a Texas limited liability company,**

By: Kennor NKD Holdings II, LLC, a Texas limited  
liability company,  
Manager


By: Kennor Cross Investments II, LLC, a Texas limited  
liability company,  
Manager

By:   
Name: Shane Shoulders  
Title: Managing Member

STATE OF OKLAHOMA   )  
                                  ) ss.  
COUNTY OF TULSA    )

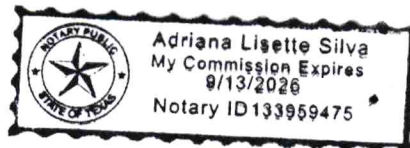
This instrument was acknowledged before me on this 13<sup>th</sup> day of October, 2023, by  
**Shane Shoulders**, Managing Member of Kennor Cross Investments II, LLC, a Texas limited liability  
company, as Manager of Kennor NKD Holdings II, LLC, a Texas limited liability company, as Manager  
of **Tulsa Rehab Real Estate Investors, LLC, a Texas limited liability company**.

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

  
\_\_\_\_\_  
Notary Public

My commission expires:

9/13/2026



**APPROVED AS TO FORM:**

SENIOR  
ASSISTANT City Attorney  (M. SWINEY)

**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:



## LEGAL DESCRIPTION

### Waterline Easement Exhibit "A"

A TRACT OF LAND LYING IN LOT 4, BLOCK 1, TALL GRASS, AN ADDITION IN, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 4, BLOCK 1; THENCE S03°57'02"W AND ALONG THE WEST LINE OF SAID LOT 4 FOR A DISTANCE OF 379.71 FEET TO A POINT ON A NON-TANGENT CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH 94°21'58", HAVING A RADIUS OF 50.00 FEET, A LENGTH OF 82.35 FEET AND WHOSE LONG CHORD BEARS S25°18'25"E FOR A DISTANCE OF 73.37 FEET TO THE BEGINNING OF A REVERSE CURVE. SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 23°04'16", HAVING A RADIUS OF 75.00 FEET, A LENGTH OF 30.20 FEET AND WHOSE LONG CHORD BEARS S10°21'14"W FOR A DISTANCE OF 30.00 FEET; THENCE S01°10'55"W ALONG THE WEST LINE OF SAID LOT 4, BLOCK 1 FOR A DISTANCE OF 67.06 FEET; THENCE N88°58'17"E FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N88°58'17"E FOR A DISTANCE OF 9.33 FEET; THENCE S01°01'43"E FOR A DISTANCE OF 16.00 FEET; THENCE S88°58'17"W FOR A DISTANCE OF 9.29 FEET; THENCE N01°10'55"W FOR A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING. AREA CONTAINING 148.90 SQ. FEET.

LEGAL DESCRIPTION WAS PREPARED ON AUGUST 28, 2023 BY R. WESLEY BENNETT, PLS #1562, WITH THE BEARINGS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011) NORTH ZONE 3501.

### Surveyor's Certificate

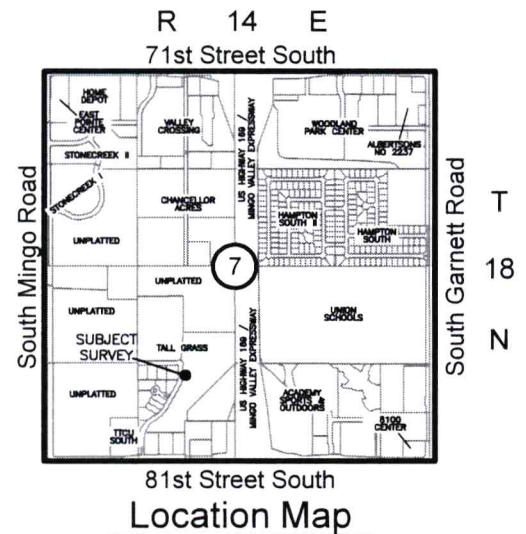
I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE, CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE DESCRIBED LEGAL, AND THAT THE SURVEY OF THE DESCRIBED LEGAL MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION 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*  
R. WESLEY BENNETT, PLS  
OKLAHOMA/NO. 1562  
CERT. OF AUTH. NO. 1460  
EXP. DATE JUNE 30, 2025

\\Civil-Server\Projects\2040195 Rehab Hospital - 81st &amp; 169th\DWG\PRODUCTION\exhibits\213880 Easement Exhibit 10-5-22 UPDATED.dwg.dwg




OF  
LOT 4, BLOCK 1,  
TALL GRASS  
City of Tulsa,  
Tulsa County, State  
August 28, 2023

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.

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



  
R. WESLEY BENNETT  
REGISTERED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1562

2 of 2