

PW 0120142

Ordinance

Version 3.4 released on 6/29/23

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

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

Tracking #: _____

Committee: _____

Hearing Date: _____

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

Date: 12.06.2023

☐ Posted

Item #: 2312.02847

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

Dept. Tracking No.

5-2-23-65

Board Approval

Other Board Name

City Council Approval

☒ Yes ☐ No

Department

Public Works

Contact Name

Tony Glynn

Email

TGLYNN@cityoftulsa.org

Phone

918-596-9245

Subject (Description)

Closing of a Utility Easement.

Ordinance Type

Closing an Easement

Section

2

Township

19

Range

13

Lot

14

Block

E

Address

317 S. 66th E. Ave.

BA / CT Number

Amending Ord. No.

TRO Title No.

TRO Subtitle

Property/Non-Property

e.g. 43

e.g. G

Council District

3

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.AbstTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department: _____

Legal: _____

Board: _____

Mayor: _____

Other: _____

Date: 11/2/23

Date: 11-21-23

Date: DEC 06 2023

Date: _____

A23-5542

Policy Statement

Background Information

A request has been made by Zhuline Phillips of Spirit Construction and Design to close a utility easement as shown on the attached exhibits. The easement is recorded in Tulsa County Clerk's office at Book 4069, Page 736 and contained in Lot Fourteen (14), Block E of the Crestview Estates subdivision. The easement has been requested to be closed for future development. The request to close the easement has been reviewed by City of Tulsa 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. PDZ: MS *MS 10/26/23*

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 CERTAIN UTILITY EASEMENT OF THE CITY OF TULSA, OKLAHOMA, AFFECTING TRACTS OF LAND IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

WHEREAS, application has been made for the closing of a certain Utility 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 said Utility Easement be closed.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That the Utility Easement, insofar as it covers the following described property:

THE TEN (10) FOOT UTILITY EASEMENT LOCATED IN LOT FOURTEEN (14), BLOCK E, CRESTVIEW ESTATES, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT FOURTEEN (14), THENCE S00°00'00"E, ALONG THE EAST LINE OF SAID LOT A DISTANCE OF 10.00 FEET TO A POINT; THENCE N90°00'00"W PARALLEL TO THE SOUTH LINE OF SAID LOT A DISTANCE OF 84.00 FEET TO A POINT; THENCE N00°00'00"E AND PARALLEL TO THE WEST LINE OF SAID LOT A DISTANCE OF 10.00 FEET TO A POINT; THENCE N90°00'00"E ALONG THE NORTH LINE OF SAID LOT A DISTANCE OF 84.00 FEET TO THE POINT OF BEGINNING, SAID EASEMENT BEING 840 SQUARE FEET, MORE OR LESS.

BEARINGS ARE ASSUMED NORTH BASED ON THE WEST LINE OF LOT FOURTEEN (14), BLOCK E, CRESTVIEW ESTATES.

be and the same is hereby closed.

Section 2. That the City of Tulsa retains the absolute right to reopen the closed Utility Easement without expense to the City of Tulsa.

Section 3. The closing of said Utility 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

ADB

APPROVED AS TO LEGAL DESCRIPTION:



Engineering Services

EXHIBIT A
EASEMENT CLOSURE
Tulsa County, Oklahoma

The Ten (10) foot utility easement located in Lot Fourteen (14), Block E, Crestview Estates, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, more particularly described as follows, to-wit:

Beginning at the Northeast Corner of said Lot Fourteen (14), thence S00°00'00"E, along the East line of said Lot a distance of 10.00 feet to a point; thence N90°00'00"W parallel to the South line of said Lot a distance of 84.00 feet to a point; thence N00°00'00"E and parallel to the West line of said Lot a distance of 10.00 feet to a point; thence N90°00'00"E along the North line of said Lot a distance of 84.00 feet to the Point of Beginning, said easement being 840 square feet, more or less.

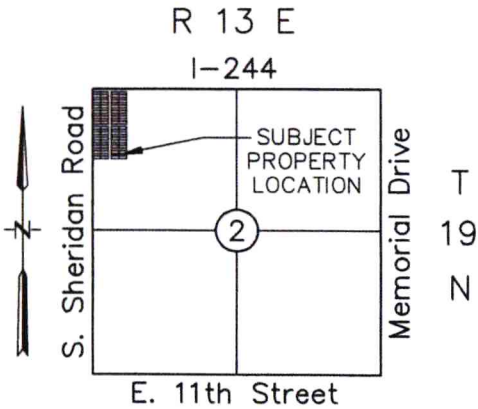
Bearings are Assumed North based on the West Line of Lot Fourteen (14), Block E, Crestview Estates.

Real Property Certification

I, E. Dane Trout, certify that the attached legal description closes in accord with existing records, and is a true representation of the real property as described, and meets the minimum technical standards for land surveying of the State of Oklahoma.

10-25-23
Date

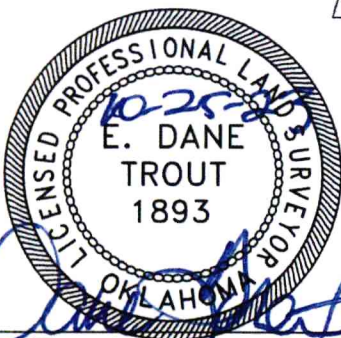
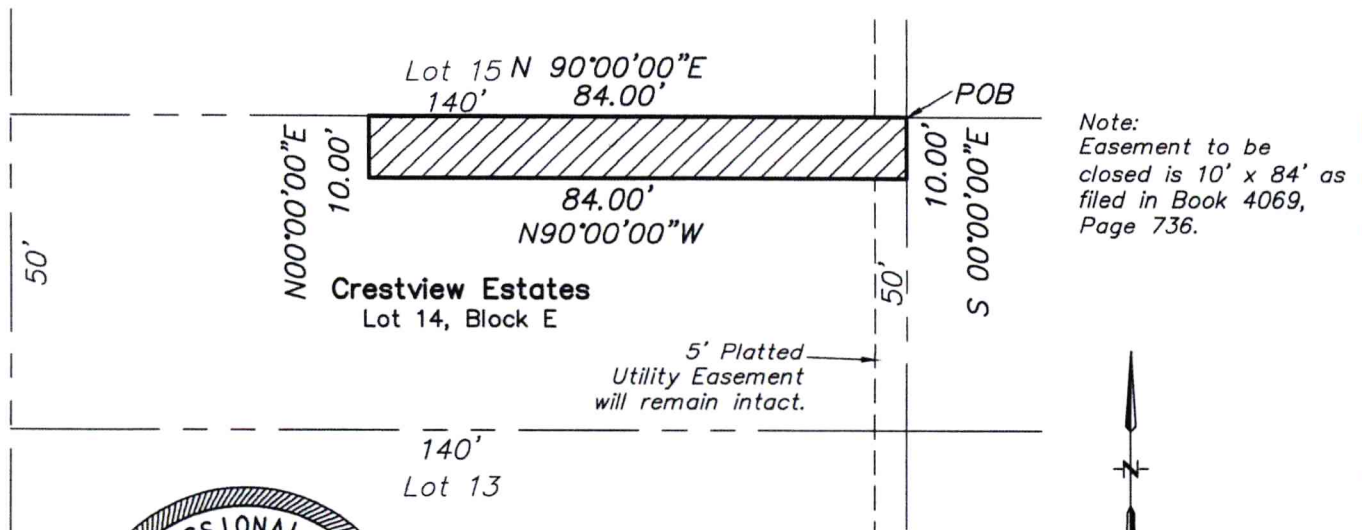

E. Dane Trout
Oklahoma P.L.S. #1893
Oklahoma CA No. 7312
Expires 06-30-2025



JOB NO.: 317 S. 66th E. Ave.
 COUNTY: Tulsa
 LEGAL DESCRIPTION: Closure of
 the utility easement
 recorded in Book 4069, Page 736.

SEC 19 T 13 N R 2 E

	TOTAL PROPERTY	
BEFORE GROSS	0.00 SF	0.000 ACRES
EXISTING R/W	0.00 SF	0.000 ACRES
PERMANENT R/W	0.00 SF	0.000 ACRES
REM IN QTR	0.00 SF	0.000 ACRES
PERMANENT EASEMENT CLOSURE	840.00 SF	0.019 ACRES



E. Dane Trout
 Oklahoma P.L.S. #1893

TROUT



LAND SURVEYING, LLC

918.734.3423 • 7020 S. Yale Avenue, Tulsa, Oklahoma
 CA 7312 (LS) 6/30/2025

PARCEL TYPES:
-Right-of-Way
-Perm Easement x
-Temp. Easement

Easement Closure
Tulsa, Oklahoma

Prepared By:
Trout Land Surveying, LLC
7020 S. Yale Avenue Ste. 275
Tulsa, Oklahoma 74136

REVISION RECORD

<u>Date:</u>	<u>By</u>	<u>Description of Revision</u>
8-10-2023	EDT	Creation of Exhibit, Legal Description, and Closure Report
8-18-2023	EDT	Changed Cardinal Bearings to Quadrant Bearings and added a graphic scale as per request.
8-25-2023	EDT	Added note to clarify that the platted easement would remain intact and the 10' x 84' easement would be closed.
10-25-2023	EDT	Corrected legal description.

Parcel Map Check Report
Prepared By:
E. Dane Trout
"Trout Land Surveying, LLC"
7020 S. Yale Avenue Ste. 275
Tulsa, Oklahoma 74136
Date: 8-10-2023
Parcel Name: Easement Closure

Mapcheck 1: Easement

Closure Summary

Precision, 1 part in: 188000000.00'
Error distance: 0.00'
Error direction: N00° 00' 00"E
Area: 840.00 Sq. Ft.
Square area: 840.000
Perimeter: 188.00'

Point of Beginning

Easting: 2559628.3427'
Northing: 387804.1288'

Side 1: Line

Direction: S00° 00' 00"E
Angle: [000.0000 (d)]
Deflection angle: [180.0000 (d)]
Distance: 10.00'
Easting: 2559628.3427'
Northing: 387794.1288'

Side 2: Line

Direction: N90° 00' 00"W
Angle: [-090.0000 (d)]
Deflection angle: [090.0000 (d)]
Distance: 84.00'
Easting: 2559544.3427'
Northing: 387794.1288'

Side 3: Line

Direction: N00° 00' 00"E
Angle: [-090.0000 (d)]
Deflection angle: [090.0000 (d)]
Distance: 10.00'
Easting: 2559544.3427'
Northing: 387804.1288'

Side 4: Line

Direction: N90° 00' 00"E
Angle: [-090.0000 (d)]
Deflection angle: [090.0000 (d)]
Distance: 84.00'
Easting: 2559628.3427'
Northing: 387804.1288'



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: 10175-93-02-01280: Res. multi-Family

Property Location: 317 S. 66th E. Ave

Legal Description: Subdivision: Crestview Estates Plat No.: 1085

Lot: 14 Block: E

Section: 2 Township: 19 N Range: 13 E

IF UNPLATTED ATTACH LEGAL DESCRIPTION.

Applicant Name: ↑ Spirit Construction & Design.

Applicant Company: ↓ Zhulne Phillips

Applicant D.B.A.: _____

Address: 1055 N. Owasso Ave

City: Tulsa State: OK Zip: 74106

Phone: 9186985322 Email: Zhulnephillips@gmail.com

Secondary Point of Contact: spiritcan@gmail.com

Phone: 9186981556 Email: Justin Haddock
Name

Property Owner(s) of Record: R & M Realty

Address: 5733 E Admiral Place

City: Tulsa State: OK Zip: 74115

Phone: _____ Email: _____

Signatures

Applicant: Zhulne Phillips Date: 6-23-23

Property Owner(s): R & M - Date: _____
James R. Haddock Date: 6-26-2023

Date: _____



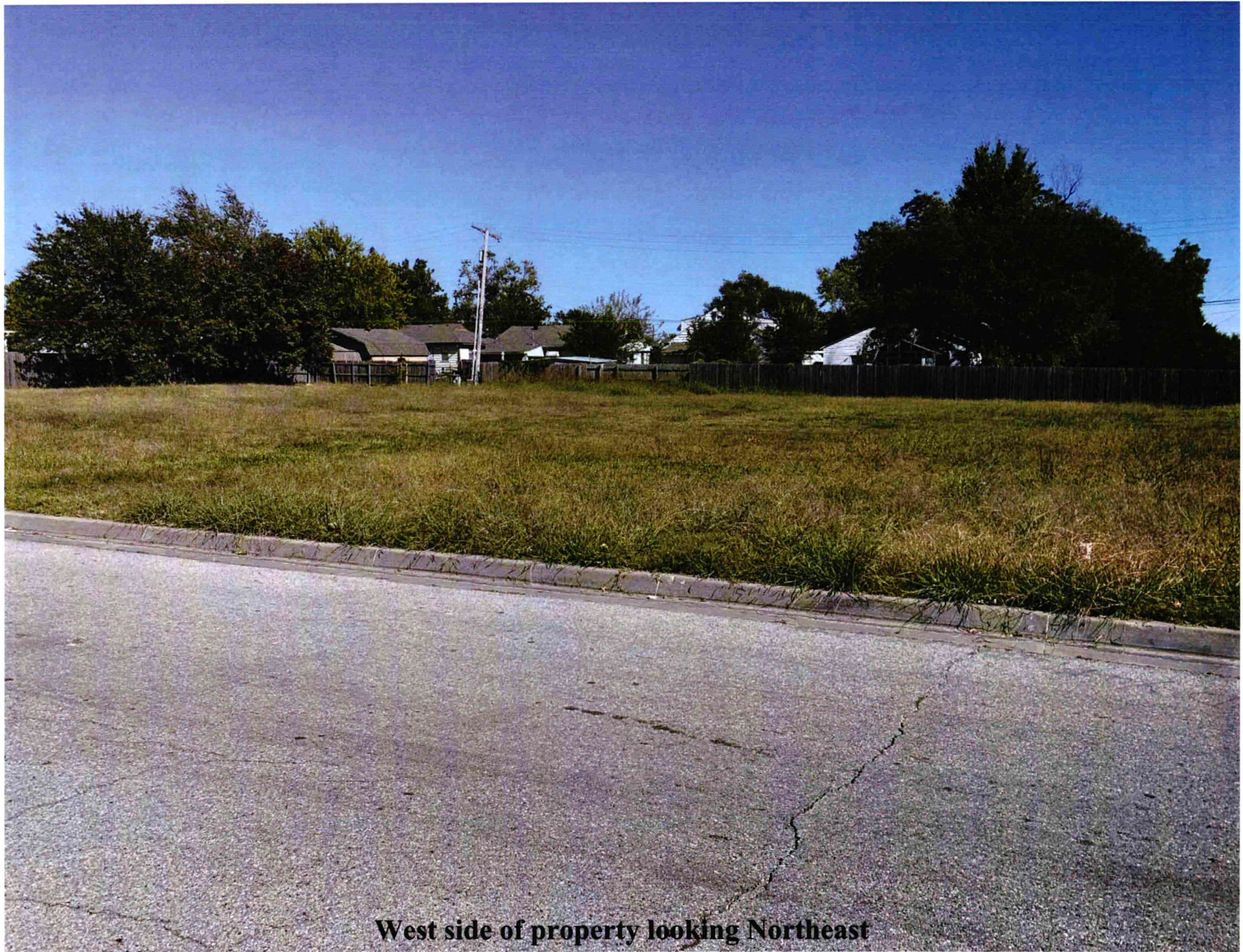
Application for
Right-of-way / Easement
Closure or Encroachment Agreement

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).

Crestview Estates Lot 14 Block E
317 S. 46th E Ave Section 2 Township 19N Range 13
Tulsa, OK

Build New Multifamily Home



West side of property looking Northeast



South side of property looking Northeast