

**Easement**

Version 3.3 released on 6/29/23

PW0120183

**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: 12.13.2023

☐ Posted

Item # 2312.02927

*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

Email  
courtneyjones@cityoftulsa.org

Phone  
918-596-9549

Easement Type  
Utility

Owner-Grantor  
Tulsa Habitat for Humanity, Inc.

Bid/Project Number  
IDP 151225

Project Title  
Green Country Windler

Council District  
3

Section  
32

Township  
20

Range  
13

Addition  
CHEROKEE HEIGHTS 2ND  
ADDITION

Lot  
\_\_\_\_\_

Block  
1

Address  
507 N. Atlanta Place E.

Parcel Number  
549

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

**Budget**

Contract Types

☒ No Payments Involved☐ Revenue Contracts☐ Expense Contracts

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

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

TOTAL: \$0.00

**Approvals**

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

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

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

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

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

Date: 11.15.23

Date: NOV. 27 XXII

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

Date: DEC 13 2023

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

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

This Utility easement is being donated by Tulsa Habitat for Humanity, Inc., an Oklahoma not for profit corporation, as a requirement of IDP 151225. This easement is required for a sanitary sewer line extension and new overhead electrical line required for the infrastructure development at Green Country Windler Habitat for Humanity in Tulsa. PDZ:MSL:swb

**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)

## UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **TULSA HABITAT FOR HUMANITY, INC., an Oklahoma not for profit corporation**, (Grantor), the owner of the legal and equitable title to the following described real estate, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant and convey to the CITY OF TULSA, OKLAHOMA, a municipal corporation, (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 all public utilities 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 described 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 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 6 day of November, 2023.

**TULSA HABITAT FOR HUMANITY, INC.,  
an Oklahoma not for profit corporation**

By: 

Name: Cameron Walker

Title: President and CEO

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

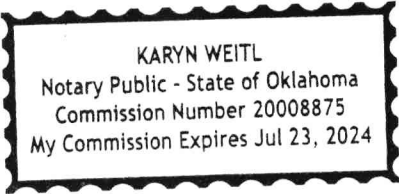
STATE OF OKLAHOMA     )  
  ) ss.  
COUNTY OF TULSA        )

Before me, the undersigned, a Notary Public, in and for said County and State on this 6 day of November, 2023, personally appeared **Cameron Walker**, to me known to be the identical person who subscribed the name of **TULSA HABITAT FOR HUMANITY, INC., an Oklahoma not for profit corporation**, to the foregoing as its President and CEO 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 **TULSA HABITAT FOR HUMANITY, INC., an Oklahoma not for profit corporation**, for the uses and purposes therein set forth.

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

Karyn Weitz  
Notary Public

My commission expires:  
1/23/2024



**APPROVED AS TO FORM:**

*Caroline L. Webb*  
Assist City Attorney

**APPROVED AS TO SUBSTANCE:**

*[Signature]*  
for 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

STATE OF OKLAHOMA )

) SS.

COUNTY OF TULSA )

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:

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STATE OF OKLAHOMA )

) SS.

COUNTY OF TULSA )

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.

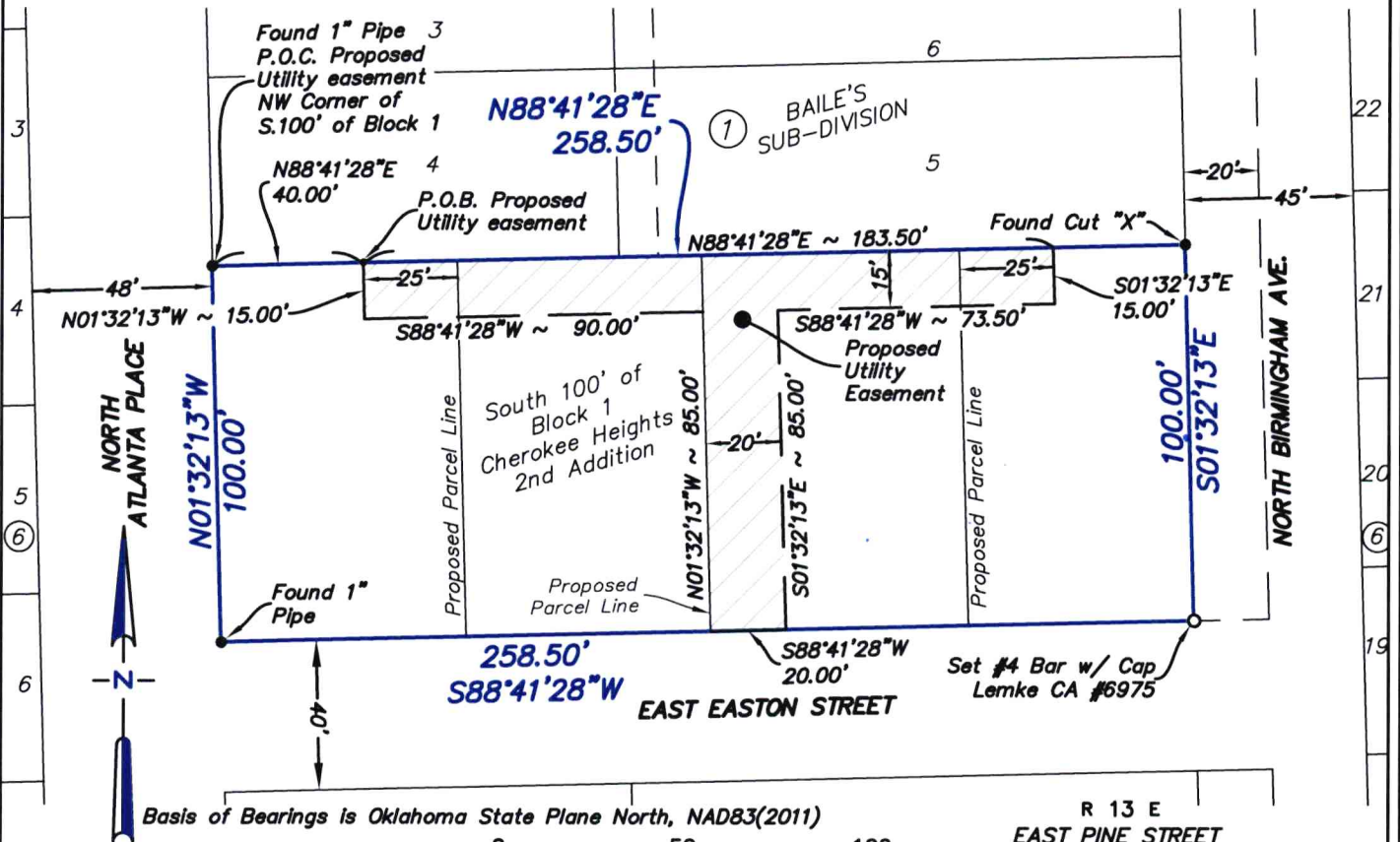
Notary Public

My commission expires:

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# PLAT OF SURVEY - PROPOSED UTILITY EASEMENT



## SURVEYOR'S CERTIFICATION:

I, Charles D. Cahill, Professional Land Surveyor No. 1470 in and for the State of Oklahoma, do hereby certify that the attached plat of survey is a true representation of the easement as described, and that this survey meets or exceeds the Oklahoma Minimum Standards for Land Surveying as adopted by the Oklahoma State Board of Registration for Engineers and Land Surveyors.



Surveyor's signature is not required, the plan is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any other copy.

*Charles D. Cahill*  
CHARLES D. CAHILL, P.L.S. NO. 1470

DATED: 9/24/2023

EXHIBIT "A"

Page 2 of 2

NOTE: Corners of the Easement have not been set.



8023 SOUTH TOWNS AVE.,  
PHILADELPHIA, PA 19134-3433  
CALL 610.351.0000  
WWW.LEMKE-SURVEYING.COM

Surveyed By: JL-ER	Project: WINDLER ATLANTA PLACE IDP PROPOSED UTILITY EASEMENT EXHIBIT
Drawn By: CDC-RLR	
Approved By: CDC	Project Location: SOUTH 100' OF BLOCK 1 CHEROKEE HEIGHTS 2ND ADDITION
Date: 3/27/2023	Client: GREEN COUNTRY HABITAT FOR HUMANITY 6235 E. 13TH ST., TULSA, OK 74112
Scale: 1" = 50'	
Project No: 01412422.00	

Date of Last Visit: 3/17/2023  
IDP-151225-2023, ESMT 549

JBH

# PROPOSED UTILITY EASEMENT LEGAL DESCRIPTION

A Utility easement situated in the South 100–Feet of Block One (1), Cherokee Heights 2nd Addition, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, being more particularly described as follows:

COMMENCING at the Northwest corner of said South 100–Feet of Block 1; thence North 88°41'28" East along the Northerly line of said South 100–Feet of Block 1 for 40.00 feet to the POINT OF BEGINNING; thence continuing North 88°41'28" East along said Northerly line for 183.50 feet; thence South 01°32'13" East and parallel with the Easterly line of said South 100–Feet of Block 1 for 15.00 feet; thence South 88°41'28" West and parallel with said Northerly line for 73.50 feet; thence South 01°32'13" East and parallel with said Easterly line for 85.00 feet to a point on the Southerly line of said South 100–Feet of Block 1; thence South 88°41'28" West along said Southerly line for 20.00 feet; thence North 01°32'13" West and parallel with said Easterly line for 85.00 feet; thence South 88°41'28" West and parallel with said Northerly line for 90.00 feet; thence North 01°32'13" West and parallel with said Easterly line for 15.00 feet to a point on said Northerly line and the POINT OF BEGINNING.

Said proposed Utility Easement contains 4,452.5 square feet or 0.102 acres more or less.  
Basis of Bearings is the Oklahoma State Plane Coordinate system, North Zone (3501) NAD83(2011).

## SURVEYOR'S CERTIFICATION:

I, Charles D. Cahill, Professional Land Surveyor No. 1470 in and for the State of Oklahoma, do hereby certify that the attached Legal Description is a true representation of the easement as described, and that exhibit meets or exceeds the Oklahoma Minimum Standards for Land Surveying as adopted by the Oklahoma State Board of Registration for Engineers and Land Surveyors.



If the Surveyor's signature is not red inked, the plan is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to

CHARLES D. CAHILL, P.L.S. NO. 1470

DATED: 9/22/2023

EXHIBIT "A"

Page 1 of 2

Date of Last Visit: 3/17/2023  
IDP-151225-2023, ESMT 549

NOTE: Corners of the Easement have not been set.



8822 SOUTH PEORIA AVE.  
TULSA, OK 74112  
PA (918) 486-1343  
CA (918) 486-1343  
Fax (918) 486-1343  
http://www.lemke.com

Surveyed By:	JL-ER	Project:	WINDLER ATLANTA PLACE IDP
Drawn By:	CDC-RLR		PROPOSED UTILITY EASEMENT EXHIBIT
Approved By:	CDC	Project Location:	SOUTH 100' OF BLOCK 1
Date:	3/27/2023		CHEROKEE HEIGHTS 2ND ADDITION
Scale:	1" = 50'	Client:	GREEN COUNTRY HABITAT FOR HUMANITY
Project No:	01412422.00		6235 E. 13TH ST., TULSA, OK 74112