

Easement

Version 3.3 released on 6/29/23

PN10120268



CITY COUNCIL USE ONLY

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

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

CITY CLERK USE ONLY

☐ Scanned

Date: 01.31.2024

☐ Posted

Item # 2401.00222

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 1.9.24

Email

courtneyjones@cityoftulsa.org

Phone

918-596-9549

Easement Type

Sanitary Sewer

Owner-Grantor

Food on the Move, Inc.

Bid/Project Number

IDP 102958

Project Title

Food Home

Council District

1

Section

21

Township

20

Range

13

Addition

UNPLATTED

Lot

Block

Address

3928 East Apache Street

Parcel Number

583

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: 1/10/24

Date: JANUARY 19 XXIV

Date: _____

Date: _____

Date: _____

Policy Statement

Background Information

This Sanitary Sewer easement is being donated by Food on the Move, Inc., an Oklahoma corporation, as a requirement of IDP 102958. This Sanitary Sewer easement is required for infrastructure improvements at Food Home (also associated with IDP 138068 New Haven Drainage) 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)

SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **FOOD ON THE MOVE, INC., an Oklahoma corporation**, (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 14 day of December, 2023.

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

**FOOD ON THE MOVE, INC.,
an Oklahoma corporation**

By: *Kevin Harper*
Name: Kevin Harper
Title: President/CEO

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 14 day of December, 2023, personally appeared **Kevin Harper**, known to be the identical person who subscribed the name of **FOOD ON THE MOVE, INC., an Oklahoma corporation**, to the foregoing as its President/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 **FOOD ON THE MOVE, INC., an Oklahoma corporation**, for the uses and purposes therein set forth.

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

Connie Gibson
Notary Public

My commission expires:

7-19-2027



APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

Senior Assistant

City Attorney


Director

ACCEPTED BY CITY COUNCIL:

Date: _____

BY: _____

Name: Jeannie Cue

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 _____, 2024, personally appeared Jeannie Cue, 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 _____, 2024, 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 LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4, SW/4) OF SECTION TWENTY-ONE (21), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.) CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (W/2, SE/4, SE/4, SW/4) OF SAID SECTION TWENTY-ONE (21); THENCE N01°09'53"W FOR A DISTANCE OF 51.96 FEET; THENCE N88°50'07"E FOR A DISTANCE OF 30.00 TO THE **POINT OF BEGINNING**; THENCE N01°10'21"W FOR A DISTANCE OF 15.00 FEET; THENCE N88°49'39"E FOR A DISTANCE OF 25.00 FEET; THENCE S01°10'21"E FOR A DISTANCE OF 15.00 FEET; THENCE S88°49'39"W FOR A DISTANCE OF 25.00 FEET TO THE **POINT OF BEGINNING**; SAID TRACT CONTAINING 375 SQUARE FEET MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON OCTOBER 31, 2023 BY R. WESLEY BENNETT, PLS #1562 WITH THE BEARINGS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83 OKLAHOMA NORTH ZONE 3501).

Surveyor's Certificate

I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE PC, 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 31ST DAY OF OCTOBER 2023.



R. Wesley Bennett

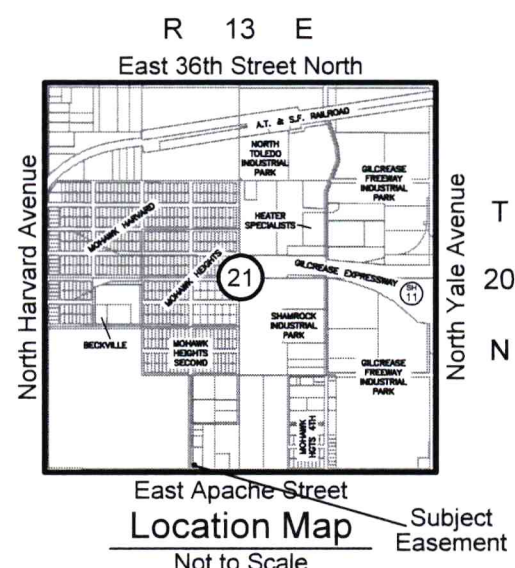
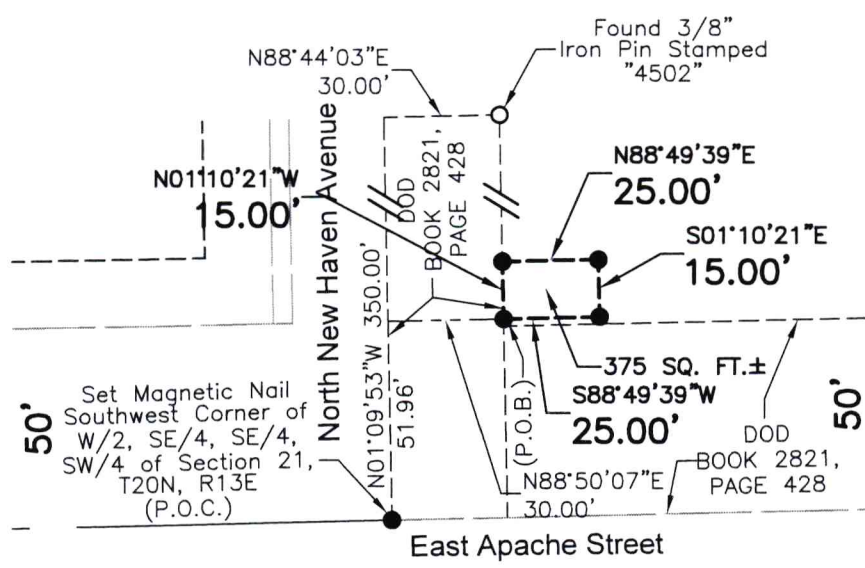
R. WESLEY BENNETT, PLS
OKLAHOMA NO. 1562
CERT. OF AUTH. NO. 1460
EXP. DATE JUNE 30, 2025

FIELD DATE: 4/12/23

PAGE 1 OF 2

wallace design collective, pc
structural - civil - landscape - survey
123 north martin luther king jr. boulevard
tulsa, oklahoma 74103
918.584.5858 • 800.364.5858
wallace design

JBH



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 31ST DAY OF OCTOBER, 2023.



BY: R. Wesley Bennett
R. WESLEY BENNETT, PLS
OKLAHOMA NO. 1562
OCTOBER 31, 2023
DATE OF STATEMENT

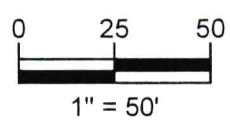
Legend

- DOD = DEED OF DEDICATION
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- = SET 3/8" IRON PIN UNLESS OTHERWISE NOTED
- = FOUND 3/8" IRON PIN UNLESS OTHERWISE NOTED
- = RIGHT OF WAY LINE
- - - = PROPOSED EASEMENT LINE
- ___ = LOT LINE



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: 6-30-25



Basis of Bearing Note

THE BASIS OF BEARING FOR THIS SURVEY IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83 OKLAHOMA NORTH ZONE 3501).

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

OF
PART OF THE SE/4, SW/4,
SECTION 21, TOWNSHIP 20
NORTH, RANGE 13 EAST

**City of Tulsa,
Tulsa County, State**

October 31, 2023

FIELD
DATE:
4/12/23

PAGE
2 OF 2