

Easement

Version 3.3 released on 6/29/23

PW0120304

**CITY COUNCIL USE ONLY**

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

Tracking #: _____

Committee: _____

Hearing Date: _____

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

Date: 02.21.2024

☐ Posted

Item #: 2402.00419

*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 CP 2.6.24

Email
courtneyjones@cityoftulsa.org

Phone
918-596-9549

Easement Type
Waterline

Owner-Grantor
City of Catoosa

Bid/Project Number
IDP 140715

Project Title
Hamby Lynch Public Safety Complex City of Tulsa Water Lines

Council District

Section
25

Township
20

Range
14

Addition
UNPLATTED

Lot**Block**

Address
1510 N. 193rd Place E.

Parcel Number
563

Additional Information/Tracking Number
Property is located in Rogers County

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: 02.09.24

Date: 2/13/24

Date: FEB 21 2024

Date:

Policy Statement**Background Information**

This water easement is being donated by the City of Catoosa, an Oklahoma Municipality, as a requirement of IDP 140715. This easement is required for a water line replacement associated with the Hamby-Lynch Public Safety Complex in Catoosa. PDZ:MSL:swb for 2/6/24

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, **THE CITY OF CATOOSA, an Oklahoma Municipality**, (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.

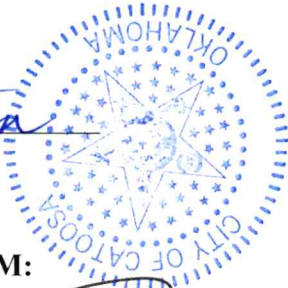
The City is hereby given and granted the exclusive possession of said above premises for the purposes aforesaid and Grantor, for itself and its administrators, successors and assigns, covenants and agrees that no building, structure, fence, wall or other above ground obstruction will be placed, erected, 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 8th day of January, 2023. 2024

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


Vicky Sutton, City Clerk




Eric D. Wade, City Attorney

By: 
Name: Greg Williams
Title: Mayor

STATE OF OKLAHOMA)

) SS.

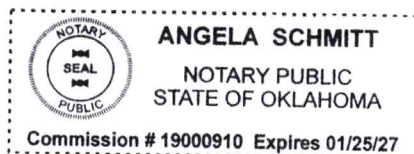
COUNTY OF TULSA

Before me, a Notary Public in and for said County and State, on the 8th day of January, 2023, personally appeared **Greg Williams**, to me known to be the identical person who approved the within and foregoing instrument as **Mayor of THE CITY OF CATOOSA, an Oklahoma Municipality**, 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 CATOOSA, an Oklahoma Municipality**, for the uses and purposes therein set forth.

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

My commission expires:

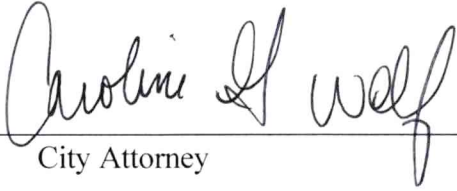
1/25/27



Notary Public

Angela Schmitt

APPROVED AS TO FORM:



City Attorney

APPROVED AS TO SUBSTANCE:



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:

Waterline Easement Exhibit

Legal Description

A TRACT OF LAND LYING IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.) CITY OF CATOOSA, ROGERS COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION TWENTY-FIVE (25); THENCE N01°15'26"W FOR A DISTANCE OF 60.00 FEET; THENCE S88°49'30"W FOR A DISTANCE OF 169.87 FEET TO THE **POINT OF BEGINNING**; THENCE S88°49'30"W FOR A DISTANCE OF 16.75 FEET; THENCE N01°10'30"W FOR A DISTANCE OF 20.08 FEET; THENCE N88°49'30"E FOR A DISTANCE OF 16.75 FEET; THENCE S01°10'30"E FOR A DISTANCE OF 20.08 FEET TO THE **POINT OF BEGINNING**; SAID TRACT CONTAINING 336 SQUARE FEET MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON SEPTEMBER 5, 2023 BY R. WESLEY BENNETT, PLS #1562 WITH THE BEARINGS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD 83, OKLAHOMA STATE PLANE NORTH ZONE 3501) WITH THE SOUTH LINE OF SAID SECTION TWENTY-FIVE (25) AS BEING N88°49'30"E.

Surveyor's Certificate

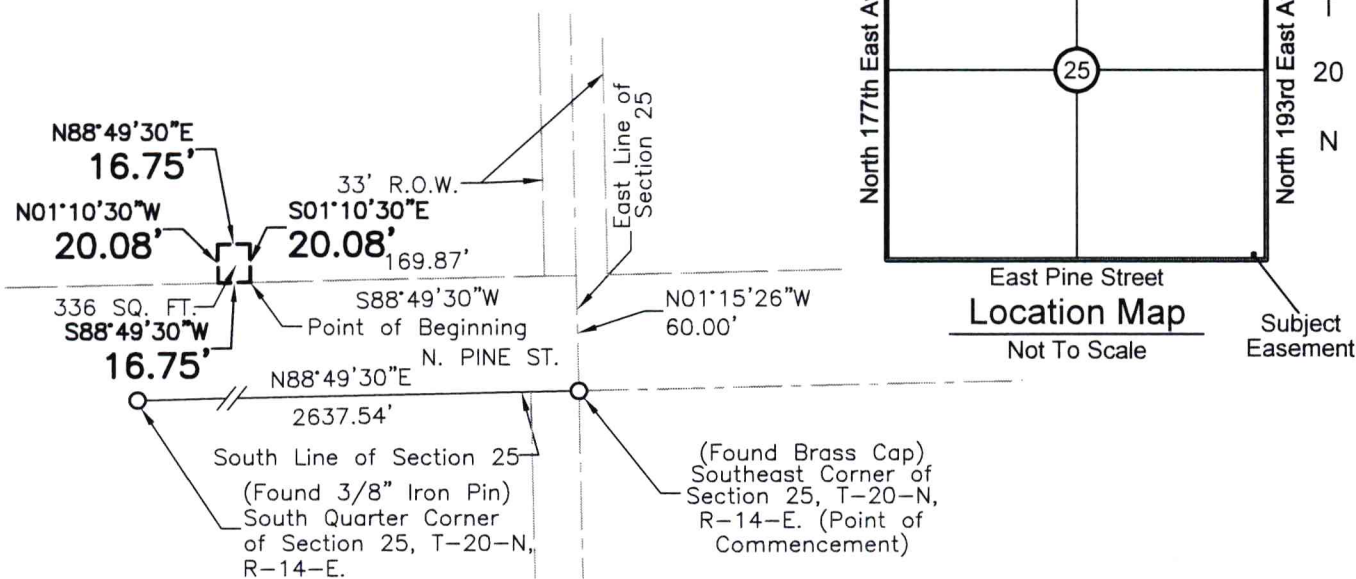
I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE DESCRIBED LEGAL, AND THAT THE SURVEY OF THE DESCRIBED LEGAL MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION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

WITNESS MY HAND AND SEAL THIS 5TH DAY OF SEPTEMBER 2023.



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

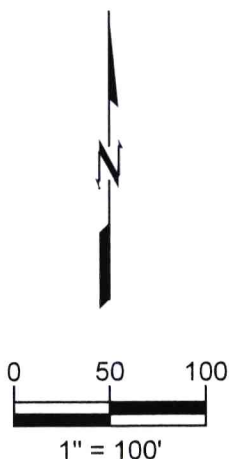
JBH



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 5TH DAY OF SEPTEMBER, 2023.



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

PLAT OF SURVEY Water Easement Easement

OF

PART OF THE SE/4, SE/4, SECTION 25,
TOWNSHIP 20 NORTH, RANGE 14 EAST

City of Catoosa,
Rogers County, Oklahoma

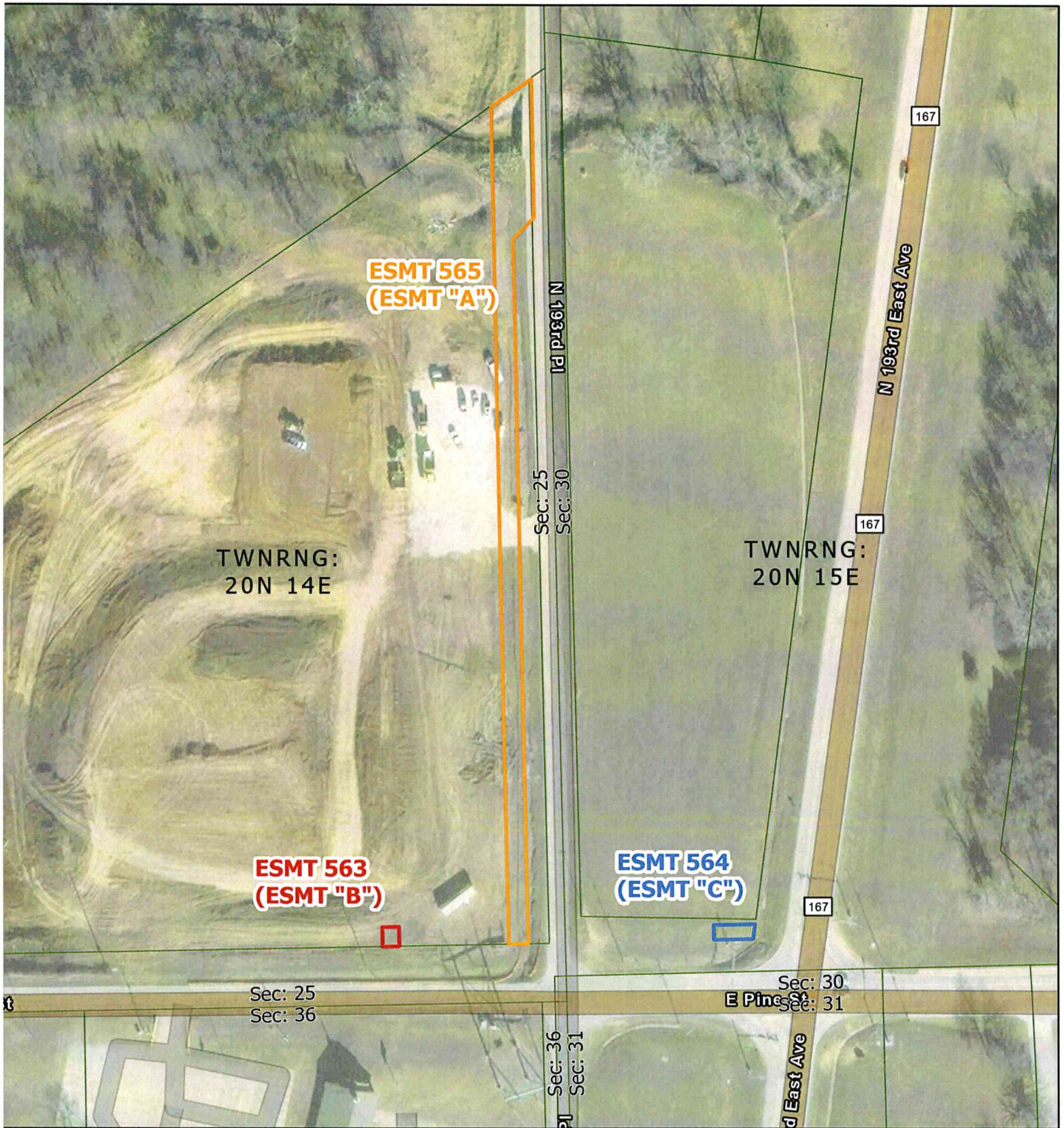


wallace design collective, pc
structural · civil · landscape · survey
123 north martin luther king jr. blvd.
tulsa, oklahoma 74103
918.584.5858
oklahoma cal460
exp: 6-30-25

EXHIBIT "A"
Page 2 of 2

September 5, 2023

FIELD DATE:
5-22-23



Hamby Lunch Public Safety Complex
 City of Tulsa Water Lines
 IDP 140715 ESMTs 563, 564, & 565
 In SE/4 SE/4 Sec 25, T 20N, R14E
 And In SW/4 SW/4 Sec 30, T20N R15E
 N.T.S. JBH 9/25/2023