

Easement

Version 3.3 released on 6/29/23

PW0120325

**CITY COUNCIL USE ONLY**

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

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

CITY CLERK USE ONLY☐ Scanned

Date: 02.24.2024

☐ Posted

Item # 2402.00518

*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

Sanitary Sewer

Owner-Grantor

Arvest Bank

Bid/Project Number

IDP 120774

Project Title

The Courts at 9100 Sanitary Sewer

Council District

2

Section

17

Township

18

Range

13

AdditionHOME DEPOT AT 91
DELAWARE CENTER**Lot**

1

Block

1

Address

2799 E. 91st Street

Parcel Number

478

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:****Date:****Date:****Date:****Date:****Policy Statement****Background Information**

This Sanitary Sewer easement is being donated by Arvest Bank, an Arkansas state chartered bank, as a requirement of IDP 120774. This easement is required for a sanitary sewer extension for a commercial development. 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, **ARVEST BANK, an Arkansas state chartered bank**, (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.

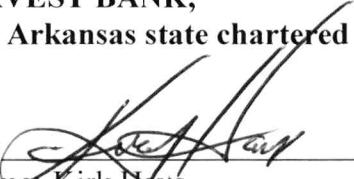
The City is hereby given and granted the exclusive possession of said above premises for the purposes aforesaid and Grantor, for its administrators, successors and assigns, covenants and agrees that no building, structure, fence, wall or other above ground obstruction will be placed, erected, installed 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 3RD day of JANUARY, 2024.

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

**ARVEST BANK,
an Arkansas state chartered bank**

By: 
Name: Kirk Hays
Title: President – Arvest Bank Tulsa Region

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

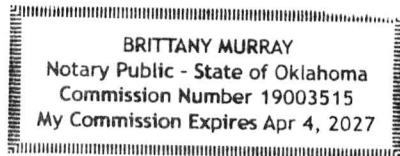
Before me, the undersigned, a Notary Public, in and for said County and State on this 3rd day of January, 2024, personally appeared **Kirk Hays**, known to be the identical person who subscribed the name of **ARVEST BANK, an Arkansas state chartered bank**, to the foregoing as its President – Arvest Bank Tulsa Region, 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 **ARVEST BANK, an Arkansas state chartered bank**, for the uses and purposes therein set forth.

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

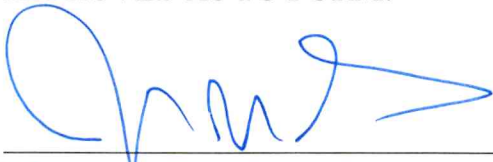

Notary Public

My commission expires:

April 4, 2027



APPROVED AS TO FORM:



ast. City Attorney

APPROVED AS TO SUBSTANCE:



for 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 _____, 202__, 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

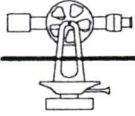
My commission expires:

[illegible]

Before me, a Notary Public in and for said County and State, on the ____ day of _____, 202__, 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:



WHITE SURVEYING COMPANY

9936 East 55th Place • Tulsa, Oklahoma 74146 • (918) 663-6924 fax (918) 664-8366
mailing address: P.O. Box 471675 Tulsa, Oklahoma 74147-1675

SANITARY SEWER EASEMENT ARVEST BANK TRACT

A tract of land in Lot One (1), Block One (1), Home Depot at 91 Delaware Center, a resubdivision of part of Delaware Square, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 6038, said tract being described as follows: Commencing at the most Southerly Southwest corner of said Lot 1, said point being 175.04 feet South 88°34'13" West and 50.00 feet North 00°58'29" West of the Southeast corner of the Southwest Quarter (SW/4) of Section 17, Township 18 North, Range 13 East, of the Indian Base and Meridian; Thence North 00°58'29" West along a Westerly line of said lot 1 for 461.55 feet; Thence North 88°36'51" East for 2.00 feet to the Point of Beginning; Thence North 00°58'29" West for 15.00 feet; Thence North 88°36'51" East for 122.94 feet to a point on an East line of said Lot 1; Thence South 00°59'09" East along said East line for 15.00 feet; Thence South 88°36'51" West for 122.94 feet to the Point of Beginning. Said tract containing 1,844 square feet or 0.04 acres. This description is based on the Oklahoma State Plane Coordinate System NAD 83 (2011) and the South line of the SW/4 being South 88°34'13" West.

REAL PROPERTY CERTIFICATION

I, Randy K. Shoefstall of White Surveying Company, a Registered Professional Land Surveyor in the State of Oklahoma, certify that the attached legal description is based upon the Oklahoma State Plane Coordinate System, closes in accord with existing records, that the attached drawing is a true representation of the real property as described and meets the minimum technical standards for land surveying of the state of Oklahoma. The last site visit was on June 20, 2022.

2/27/2023
Date



Randy K. Shoefstall
Randy K. Shoefstall
RPLS No. 1676
White Surveying Company
C.A. No. 1098

EXHIBIT "A"
Page 1 of 2

JBH

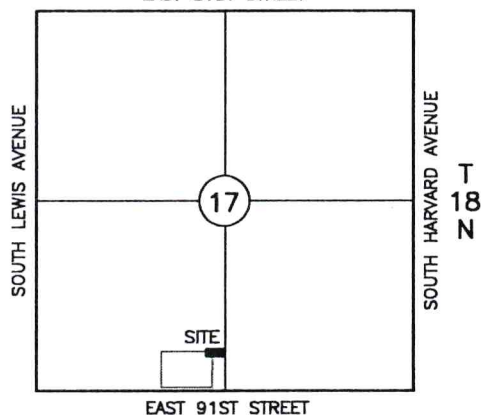
JMS



1"=60'



R 13 E
EAST 81ST STREET



THE BEARINGS SHOWN HEREON ARE BASED ON: THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011) AND THE SOUTH LINE OF THE SW/4 BEING SOUTH 88°34'13" WEST.

THIS SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

THE LAST SITE VISIT WAS ON JUNE 20, 2022.

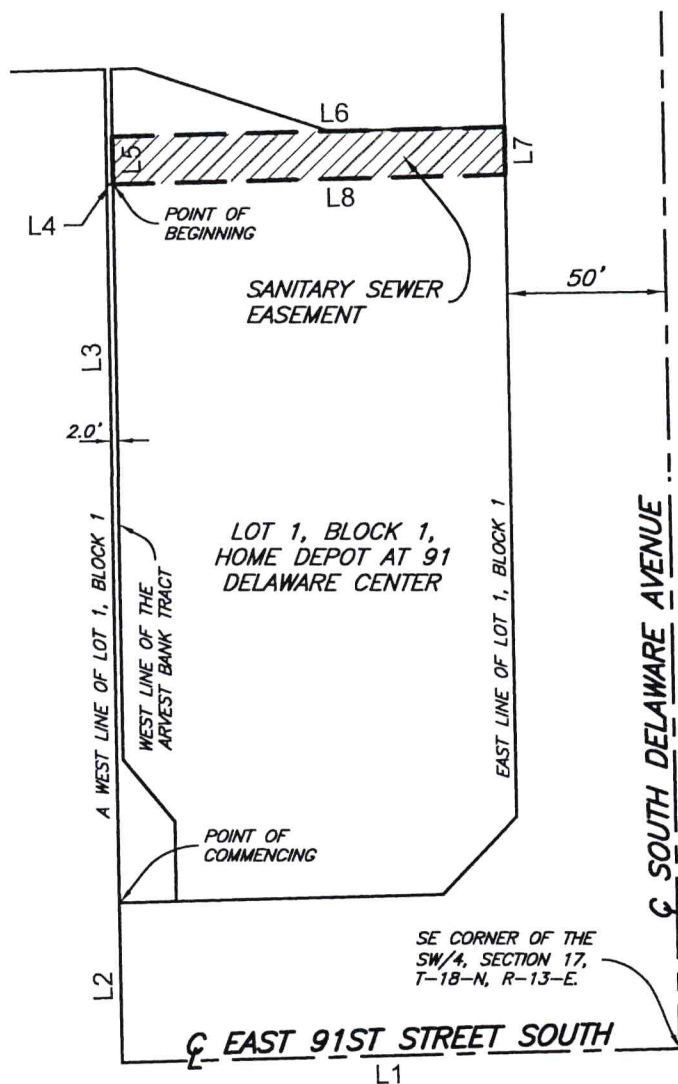
LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	175.04	S88°34'13"W
L2	50.00	N00°58'29"W
L3	461.55	N00°58'29"W
L4	2.00	N88°36'51"E
L5	15.00	N00°58'29"W
L6	122.94	N88°36'51"E
L7	15.00	S00°59'09"E
L8	122.94	S88°36'51"W

EXHIBIT "A"
Page 2 of 2



SANITARY SEWER EASEMENT

(ARVEST BANK TRACT)
LOT 1, BLOCK 1,
HOME DEPOT AT 91 DELAWARE CENTER
CITY OF TULSA, TULSA COUNTY,
STATE OF OKLAHOMA



WHITE SURVEYING COMPANY
CERTIFICATE OF AUTHORIZATION
NO. CA1098

BY:

DATE: 2/27/2023

REGISTERED PROFESSIONAL LAND
SURVEYOR OKLAHOMA NO. 1676