

Easement

Version 3.3 released on 6/29/23

PW0120350

**CITY COUNCIL USE ONLY**

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

Tracking #: _____

Committee: _____

Hearing Date: _____

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

Date: 03.13.2024

☐ Posted

Item #: 2403.00651

*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 2.27.24

Email
 courtneyjones@cityoftulsa.org

Phone
 918-596-9549

Easement Type
 Sanitary Sewer

Owner-Grantor
 Eden Village of Tulsa, Inc.

Bid/Project Number
 IDP 151283

Project Title
 Eden Village of Tulsa

Council District
 4

Section
 8

Township
 19

Range
 12

Addition
 UNPLATTED

Lot

Block

Address
 1251 S. 61st W. Ave.

Parcel Number
 586

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 Eden Village of Tulsa, Inc., an Oklahoma not-for-profit corporation, as a requirement of IDP 151283. These easements for sanitary sewer extension and utility are required for infrastructure improvements including waterline extension and sidewalk at the Eden Village of Tulsa Development 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, **EDEN VILLAGE OF TULSA, INC., an Oklahoma not-for-profit 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.

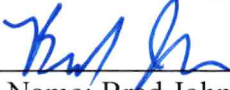
The City is hereby given and granted the exclusive possession of said above premises for the purposes aforesaid and Grantor, for its administrators, successors and assigns, covenants and agrees that no building, structure, fence, wall or other above ground obstruction will be placed, erected, installed 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 15 day of February, 2024.

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

**EDEN VILLAGE OF TULSA, INC.,
an Oklahoma not-for-profit corporation**

By: 
Name: Brad Johnson
Title: President

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 15 day of February, 2024, personally appeared **Brad Johnson**, to me known to be the identical person who subscribed the name of **EDEN VILLAGE OF TULSA, INC., an Oklahoma not-for-profit corporation**, to the foregoing as its President 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 **EDEN VILLAGE OF TULSA, 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.

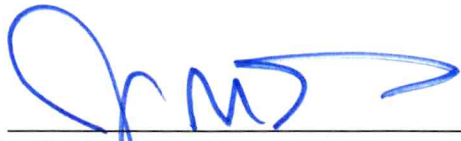
My commission expires:

12-11-2024




Notary Public

APPROVED AS TO FORM:



Asst. 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:

IBH
JMS

EASEMENT
Exhibit
SHEET 1 OF 2

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4, NW/4) OF SECTION EIGHT (8), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) 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:

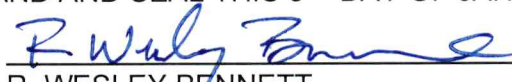
COMMENCING (P.O.C.) AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4, NW/4) OF SAID SECTION EIGHT (8); THENCE S01°01'03"E AND ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4, NW/4) OF SAID SECTION EIGHT (8) FOR A DISTANCE OF 427.01 FEET; THENCE N87°15'02"E FOR A DISTANCE OF 101.97 FEET; THENCE N01°08'17"E FOR A DISTANCE OF 146.31 FEET; THENCE S87°23'55"E FOR A DISTANCE OF 215.12 FEET; THENCE S00°59'00"E FOR A DISTANCE 211.59 FEET; THENCE N89°34'18"E FOR A DISTANCE OF 466.00 FEET TO THE **POINT OF BEGINNING** (P.O.B.); THENCE CONTINUING N89°34'18"E FOR A DISTANCE OF 32.00 FEET; THENCE S01°01'03"E FOR A DISTANCE OF 30.00'; THENCE S89°34'18"W FOR A DISTANCE OF 32.00 FEET; THENCE N01°01'03"W FOR A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING** (P.O.B.); SAID TRACT CONTAINING 0.02 ACRES MORE OR LESS.

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

I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE, PC, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH THE EXISTING RECORDS AND IS A TRUE REPRESENTATION OF THE DEDICATION AS DESCRIBED. THIS LEGAL DESCRIPTION MEETS THE MINIMUM STANDARDS FOR LEGAL DESCRIPTIONS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

WITNESS MY HAND AND SEAL THIS 3RD DAY OF JANUARY 2024.



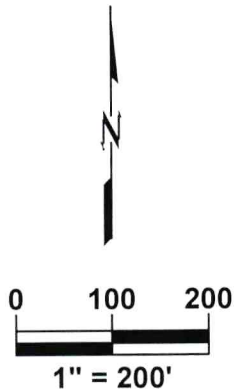

R. WESLEY BENNETT
LS 1562
CA 1460
Expires 06/30/2025

SURVEYOR'S LAST SITE VISIT: MAY 29, 2022



ORIG SIZE: 8.5"X14"
PLOT: 1/4/2024 10:07:36 AM

\\Civil-Server\Projects\2340656 Eden Village of Tulsa\Drawings\PRODUCTION\WORKING\Exhibits\2340656-2 LG-2A.dwg

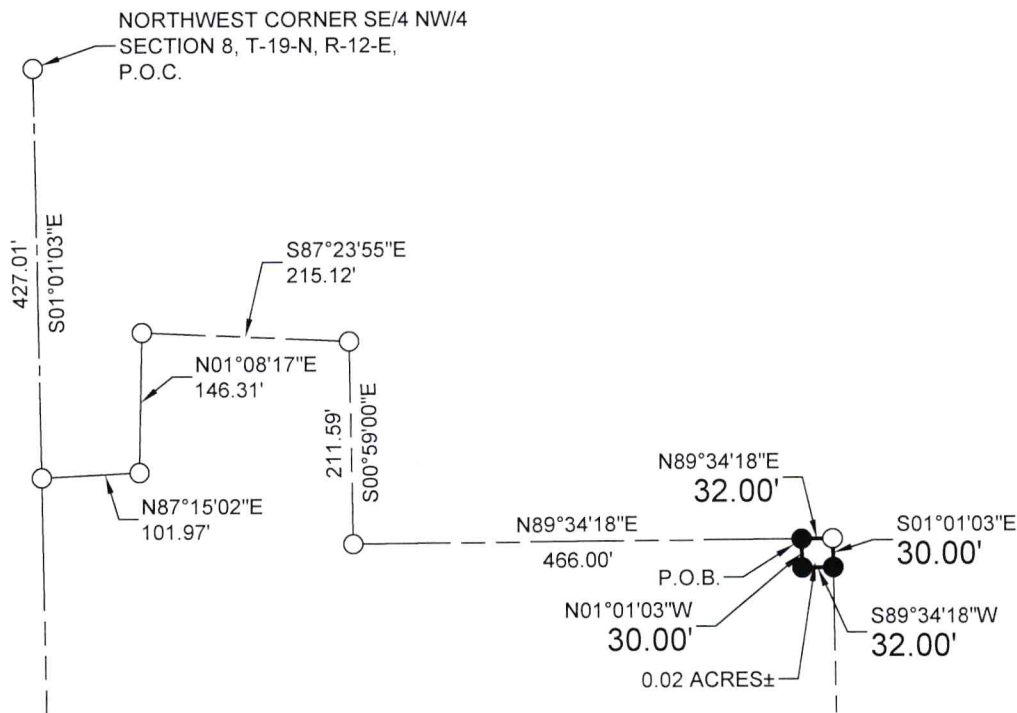
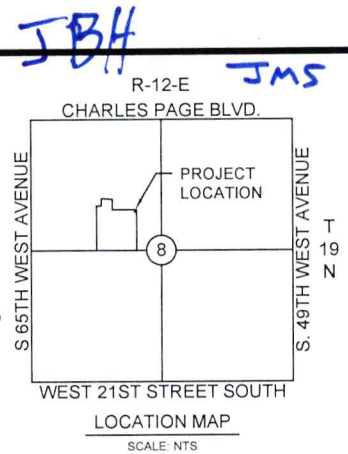


PLAT OF SURVEY

SANITARY SEWER EASEMENT

Exhibit

SHEET 2 OF 2
A PART OF THE SE/4, NW/4, OF SEC. 8, T.19 N., R.12 E.,
I.B.&M., CITY OF TULSA, TULSA COUNTY, OKLAHOMA



LEGEND

- P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
● IRON PIN SET
○ IRON PIN FOUND

BASIS OF BEARINGS

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

SURVEYOR'S LAST SITE VISIT:

MAY 29, 2022

NOTES


ADDRESSED THE CITY OF TULSA COMMENTS PERTAINING TO THE TITLE OF THE DOCUMENT. COMMENT WAS ADDRESSED ON NOVEMBER 17, 2023

CERTIFICATION

I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE, PC, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH THE EXISTING RECORDS AND IS A TRUE REPRESENTATION OF THE DEDICATION AS DESCRIBED. THIS PLAT OF SURVEY MEETS THE MINIMUM STANDARDS FOR LEGAL DESCRIPTIONS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

WITNESS MY HAND AND SEAL THIS 3RD DAY OF JANUARY 2024.




R. WESLEY BENNETT
LS 1562
CA 1460
Expires 06/30/2025



wallace
design
collective

wallace design collective, pc
structural-civil-landscape-survey
123 north martin luther king jr. blvd.
tulsa, oklahoma 74103
918.584.5858
wallace design ok ca1460