

# Easement

Version 3.3 released on 6/29/23

PW0120351

**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: 03.13.2024  
☐ Posted Item #: 2403.00652

*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 812724

Email  
courtneyjones@cityoftulsa.org

Phone  
918-596-9549

Easement Type  
Utility

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  
587

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: 3/1/2024  
 Date: 03/08/2024  
 Date: \_\_\_\_\_  
 Date: MAR 13 2024

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

This Utility 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 sidewalks 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)

## UTILITY 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 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 15<sup>th</sup> 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     )

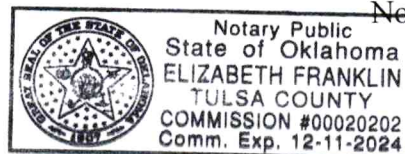
Before me, the undersigned, a Notary Public, in and for said County and State on this 15 day of February, 2024, personally appeared **Brad Johnson**, to me known to be the identical person who subscribed the name of **EDEN VILLAGE OF TULSA, INC., an Oklahoma not-for-profit corporation**, to the foregoing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

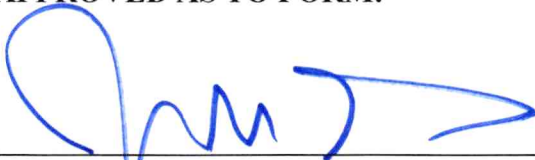
  
Notary Public

My commission expires:

12-11-2024



**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

STATE OF OKLAHOMA     )  
  ) ss.  
COUNTY OF TULSA        )

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:

\_\_\_\_\_

STATE OF OKLAHOMA     )  
  ) ss.  
COUNTY OF TULSA        )

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:

\_\_\_\_\_



UTILITY EASEMENT  
Exhibit "A"  
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 TO A PROPERTY CORNER; 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 19.27 FEET TO THE **POINT OF BEGINNING** (P.O.B.); THENCE N88°58'57"E FOR A DISTANCE OF 24.88 FEET; THENCE N01°01'03"W FOR A DISTANCE OF 20.02 FEET; THENCE N87°15'02"E FOR A DISTANCE OF 5.14 FEET; THENCE S01°00'27"E FOR A DISTANCE OF 90.91 FEET; THENCE S88°58'57"W FOR A DISTANCE OF 30.00 FEET; THENCE N01°01'03"W FOR A DISTANCE OF 70.73 FEET TO THE **POINT OF BEGINNING** (P.O.B.); SAID TRACT CONTAINING 0.05 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 3<sup>RD</sup> DAY OF JANUARY, 2024.

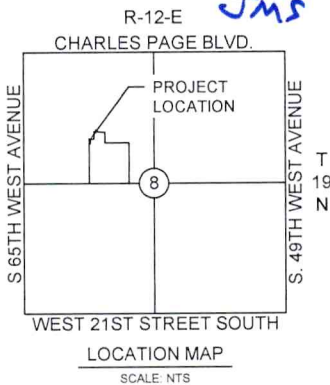
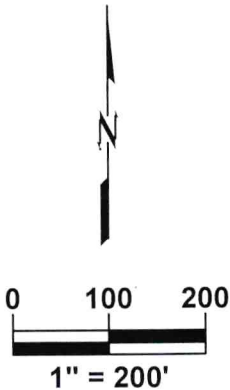


*R. Wesley Bennett*  
R. WESLEY BENNETT  
LS 1562  
CA 1460  
Expires 06/30/2025

SURVEYOR'S LAST SITE VISIT: MAY 29, 2022

PLAT OF SURVEY  
UTILITY EASEMENT  
Exhibit "A"  
SHEET 2 OF 2

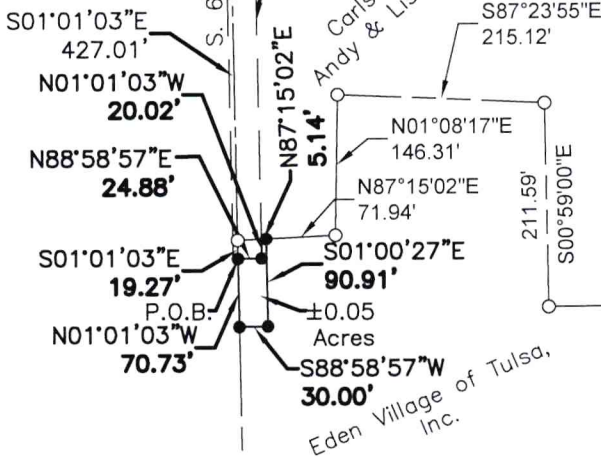
A PART OF THE SE/4, NW/4, OF SEC. 8, T.19 N., R.12 E.,  
I.B.&M., CITY OF TULSA, TULSA COUNTY, OKLAHOMA



NORTHWEST CORNER SE/4 NW/4  
SECTION 8, T-19-N, R-12-E,  
P.O.C.

Housing Authority  
of the City of Tulsa

APPROXIMATE LOCATION  
OF 1970 EASEMENT



**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:**

EASEMENTS COURSE WAS CHANGED TO ADDRESS THE CITY OF TULSA'S COMMENTS  
PERTAINING TO THE OVERLAPPING OF AN ALREADY EXISTING EASEMENT. 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*

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

EXHIBIT "A"

Page 2 of 2

ORIG SIZE: 8.5"X14"

PLOT: 1/3/2024 7:15:46 AM

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