

# Easement

Version 3.3 released on 6/29/23

PW0120334

**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: 02.28.2024

☐ Posted

Item # 2402.00532

*All department items requiring Council approval must be submitted through the Mayor's Office.***Primary Details****Board Approval**

Department  
Public Works

Contact Name  
Courtney Jones CP 2.15.24

**Other Board Name**

Email  
courtneyjones@cityoftulsa.org

**City Council Approval**☒ Yes ☐ No

Phone  
918-596-9549

Easement Type  
Compensatory Storage

Owner-Grantor  
66 Mingo, L.L.C.

Bid/Project Number  
IDP 6426

Project Title  
3 Musketeers Properties, LLC

Council District  
3

Section  
1

Township  
19

Range  
13

Addition  
COOK ADDITION

Lot  
1

Block  
1

Address  
66 N. Mingo Road E.

Parcel Number  
C

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: 2/19/24

Date: FEB. 21 XXIV

Date: FEB 28 2024

Date: \_\_\_\_\_

Date: \_\_\_\_\_

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

This Compensatory Storage easement is being donated by 66 Mingo, L.L.C., an Oklahoma limited liability company, as a requirement of IDP 6426. The IDP plans for this project consisted of a public waterline extension, public storm sewer and modifications to the FEMA floodplain in conjunction with a commercial development. PDZ:MSL:swb

**Summation of the Requested Action**

Mayoral approval and City Council acceptance.

**Other Pertinent Details**

The easement is being processed after an internal audit of files which have been on hold due to various technical issues. After consultation with City Legal, Development Services and Public Works, it was determined that this easement should be processed "as is" to protect the City's infrastructure.

**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)

A24-0838

## COMPENSATORY STORAGE EASEMENT

**WHEREAS**, the undersigned, **66 MINGO, L.L.C., an Oklahoma limited liability company**, Grantor, is the owner of real estate, more particularly described on attached Exhibit "C", which lies in a floodplain within the City of Tulsa, Tulsa County, State of Oklahoma; and

**WHEREAS**, Grantor has constructed and installed buildings and other improvements upon said real estate, in said floodplain; and

**WHEREAS**, the above-mentioned buildings and other improvements occupy a certain volume of floodplain space, which would otherwise hold flood-water; and

**WHEREAS**, Grantor has provided FIVE HUNDRED FORTY-ONE AND 00/100 CUBIC YARDS (541.00 cubic yards) of "compensatory storage," i.e., a volume of additional empty space which will hold flood-water, to compensate for the volume of space lost by the installation of the said buildings; and

**WHEREAS**, the said compensatory storage must be permanently preserved, to guard against the dangers of flooding;

**NOW, THEREFORE**, the undersigned grants to the CITY OF TULSA, OKLAHOMA, a municipal corporation, a permanent floodplain **Compensatory Storage Easement**, in the amount of FIVE HUNDRED FORTY-ONE AND 00/100 CUBIC YARDS (541.00 cubic yards) on the following described real property:

A TRACT OF LAND BEING PART OF LOT 1, BLOCK 1 OF COOK  
ADDITION, TULSA COUNTY, OKLAHOMA, BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID COOK  
ADDITION;  
THENCE SOUTH 88°52'30" WEST ALONG THE SOUTH LINE OF SAID  
COOK ADDITION A DISTANCE OF 135.71 FEET, TO THE POINT OF  
BEGINNING;

THENCE SOUTH 88°52'30" WEST A DISTANCE OF 251.69 FEET;  
THENCE NORTH 14°14'52" EAST A DISTANCE OF 140.30 FEET;  
THENCE NORTH 79°01'20" EAST A DISTANCE OF 89.89 FEET;  
THENCE SOUTH 49°19'12" EAST A DISTANCE OF 103.92 FEET;  
THENCE SOUTH 31°53'50" EAST A DISTANCE OF 94.73 FEET; TO THE  
POINT OF BEGINNING.

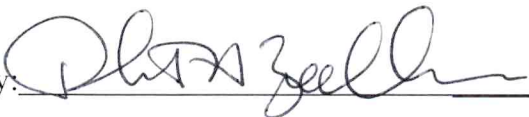
No construction or installation of any building or other improvement, no grading, filling or other earth-change, and no activity causing a reduction of flood storage volume shall occur or be permitted, without the express

approval of the City of Tulsa. Said easement shall be maintained by the lot owner at its cost.

The terms and conditions of this **Compensatory Storage Easement** shall run with the land, and, when duly recorded in the office of the Tulsa County Clerk, shall bind all successors, purchasers, heirs and assigns.

DONE, this 24 day of May, 2023.

**66 MINGO, L.L.C.,**  
**an Oklahoma limited liability company,**

By: 

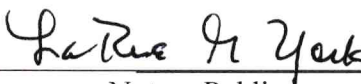
Name: ROBERT H ZOELLNER  
Title: Manager

STATE OF OKLAHOMA    )  
  ) ss.  
COUNTY OF TULSA     )

Before me, the undersigned, a Notary Public, in and for said County and State on this 24 day of May, 2023, personally appeared ROBERT H ZOELLNER, known to be the identical person who subscribed the name of **66 MINGO, L.L.C., an Oklahoma limited liability company**, to the foregoing as its Manager and acknowledged to me that he/~~she~~ executed the same as his/~~her~~ free and voluntary act and deed and as the free and voluntary act and deed of **66 MINGO, L.L.C., an Oklahoma limited liability company**, 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:

11-30-2025

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney  
SENIOR  
ASSISTANT

**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:

\_\_\_\_\_

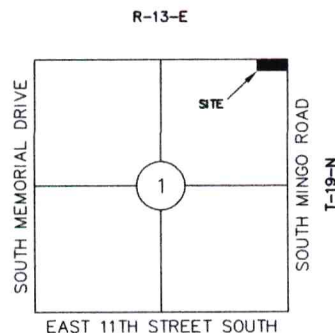


# EXHIBIT 'C'

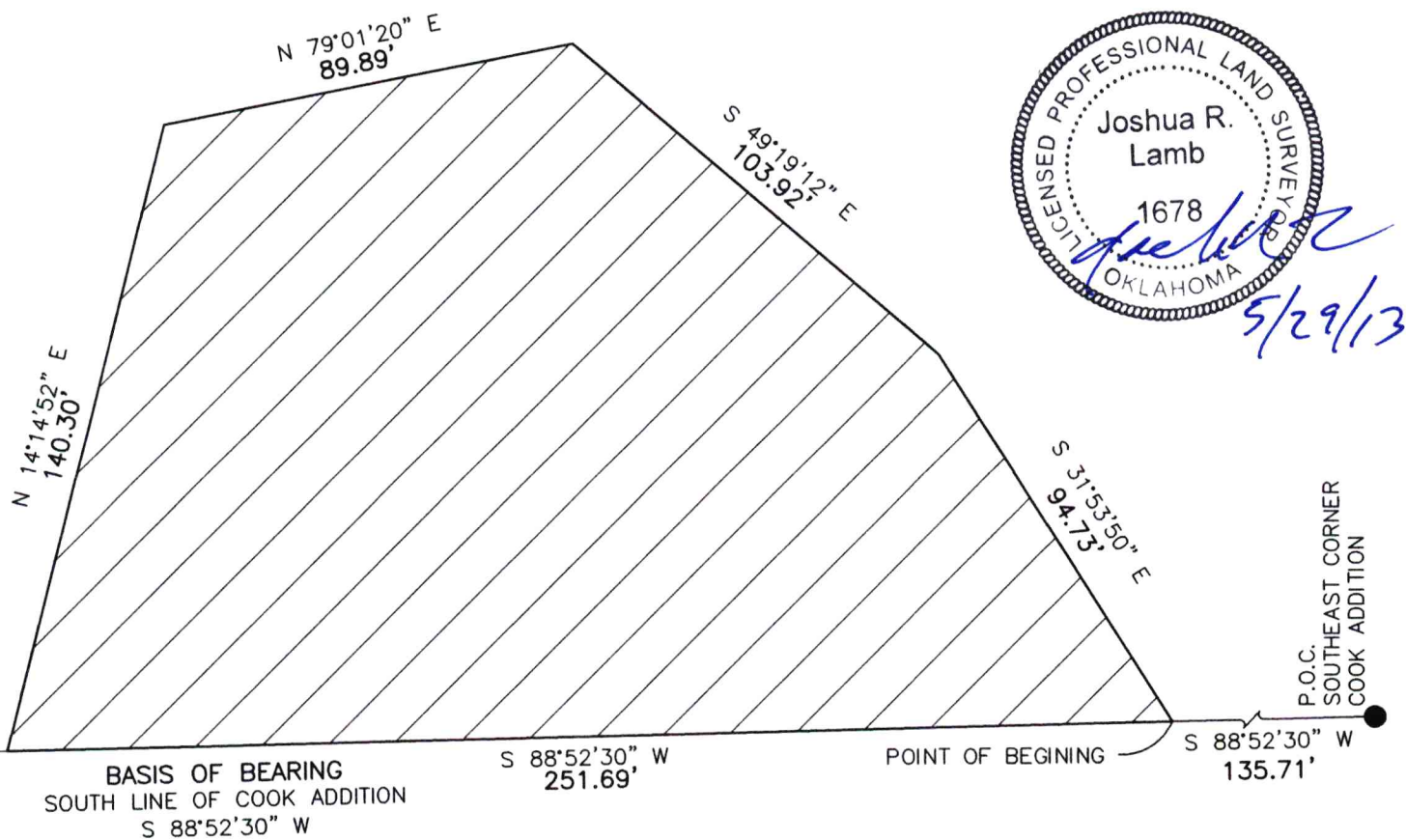
## COMPENSATORY STORAGE EASEMENT COOK ADDITION, TULSA COUNTY, OK



1" = 40'



VICINITY MAP  
1" = 4000'  
TULSA COUNTY

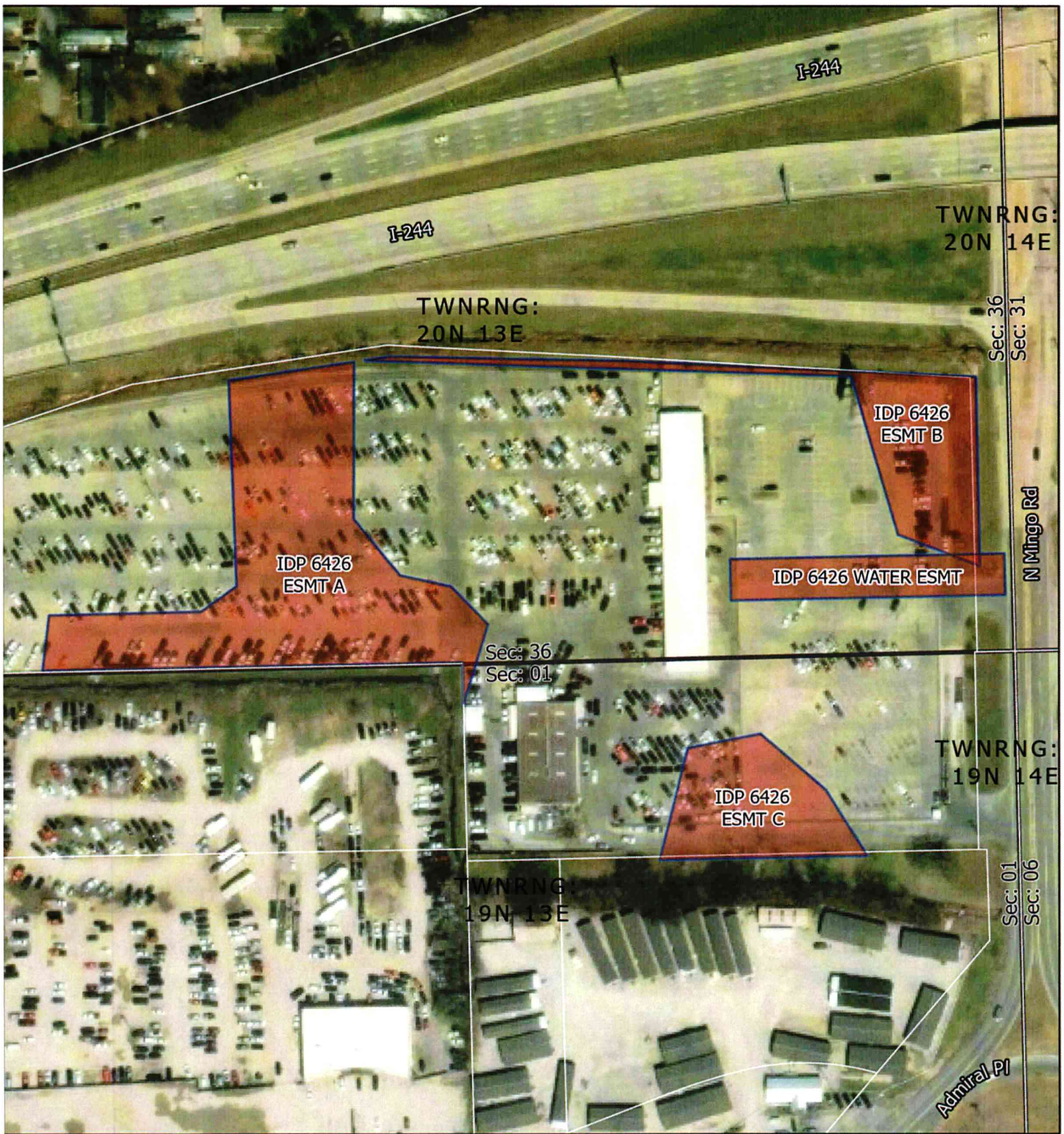


TULSA LAND SURVEYING LLC  
1903 S. BOSTON AVE.  
TULSA, OK 74119  
(539) 664-5539  
CA 6038  
EXPIRES 6/30/2013

Date of last site visit: September 6, 2012  
Date prepared: May 29, 2013

EXHIBIT "C" TLS 12-107





**CITY OF  
Tulsa**  
A New Kind of Energy.

IDP 6426  
3 Musketeers Properties, LLC  
N.T.S. 6/14/23 KIR