

# Easement

Version 3.3 released on 6/29/23

PW0120387

**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 #: 2402.00533

*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 2.15.24

**Email**  
 courtneyjones@cityoftulsa.org

**Phone**  
 918-596-9549

**Easement Type**  
 Waterline

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

**Bid/Project Number**  
 IDP 6426

**Project Title**  
 3 Musketeers Properties, LLC

**Council District**  
 3

**Section**  
 36

**Township**  
 20

**Range**  
 13

**Addition**  
 UNPLATTED

**Lot**

**Block**

**Address**  
 66 N. Mingo Road E.

**Parcel Number**

**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:**

*[Signature]* (M. SWINEY)  
*[Signature]*

**Date:** 2/19/24  
**Date:** FEB. 21. XXIV  
**Date:** FEB 28 2024  
**Date:**

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

This Waterline 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)

## WATER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **66 MINGO, L.L.C., an Oklahoma limited liability company**, (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 24 day of May, 2023.

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

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

By: \_\_\_\_\_



Name: ROBERT H ZOELLNER  
Title: Manager

[illegible]

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.

My commissionable expenses:

11-30-2025

La Rue A York  
Notary Public

**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:



AB

**RESTRICTED WATER LINE EASEMENT  
A PART OF SECTION 36, T-20-N, R-13-E**

A TRACT OF LAND BEING PART OF THE SE/4 OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4 OF SECTION 36;  
THENCE ALONG THE EAST SECTION LINE OF SAID SE/4 NORTH 01°11'13" WEST A DISTANCE OF 67.77 FEET; THENCE SOUTH 88°48'47" WEST PERPENDICULAR TO SAID EAST LINE OF SAID SE/4 A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING;

THENCE SOUTH 88°52'30" WEST A DISTANCE OF 331.84 FEET;  
THENCE NORTH 01°07'30" WEST A DISTANCE OF 50.00 FEET;  
THENCE NORTH 88°52'30" EAST A DISTANCE OF 331.78 FEET;  
THENCE SOUTH 01°11'13" EAST A DISTANCE OF 50.00 FEET, TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 16,591 SQUARE FEET OR 0.381 ACRES.


BASIS OF BEARING OF PROPERTY DESCRIPTION IS THE EAST LINE OF THE SE/4 OF SAID SECTION 36 BEING S01°11'13"E.

THIS PROPERTY DESCRIPTION WAS PREPARED ON DECEMBER 21, 2012 BY JOSHUA R. LAMB, LICENSED PROFESSIONAL LAND SURVEYOR NO. 1678.

**EASEMENT CERTIFICATION**

I, JOSHUA R. LAMB, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORDANCE WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE RESTRICTED WATER LINE EASEMENT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.



  
JOSHUA R. LAMB, PLS, PE  
OKLAHOMA P.L.S. #1678



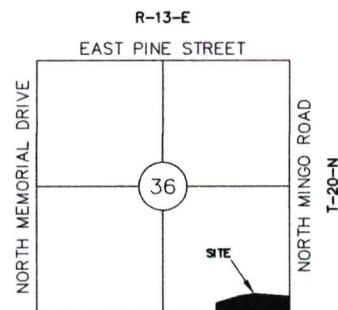
TULSA LAND SURVEYING LLC  
CERTIFICATE OF AUTHORIZATION NO. 6038  
CA EXPIRATION DATE: JUNE 30, 2013

**EXHIBIT "A"**



1" = 50'

# RESTRICTED WATER LINE EASEMENT A PART OF SECTION 36, T-20-N, R-13-E



VICINITY MAP  
1" = 4000'  
TULSA COUNTY

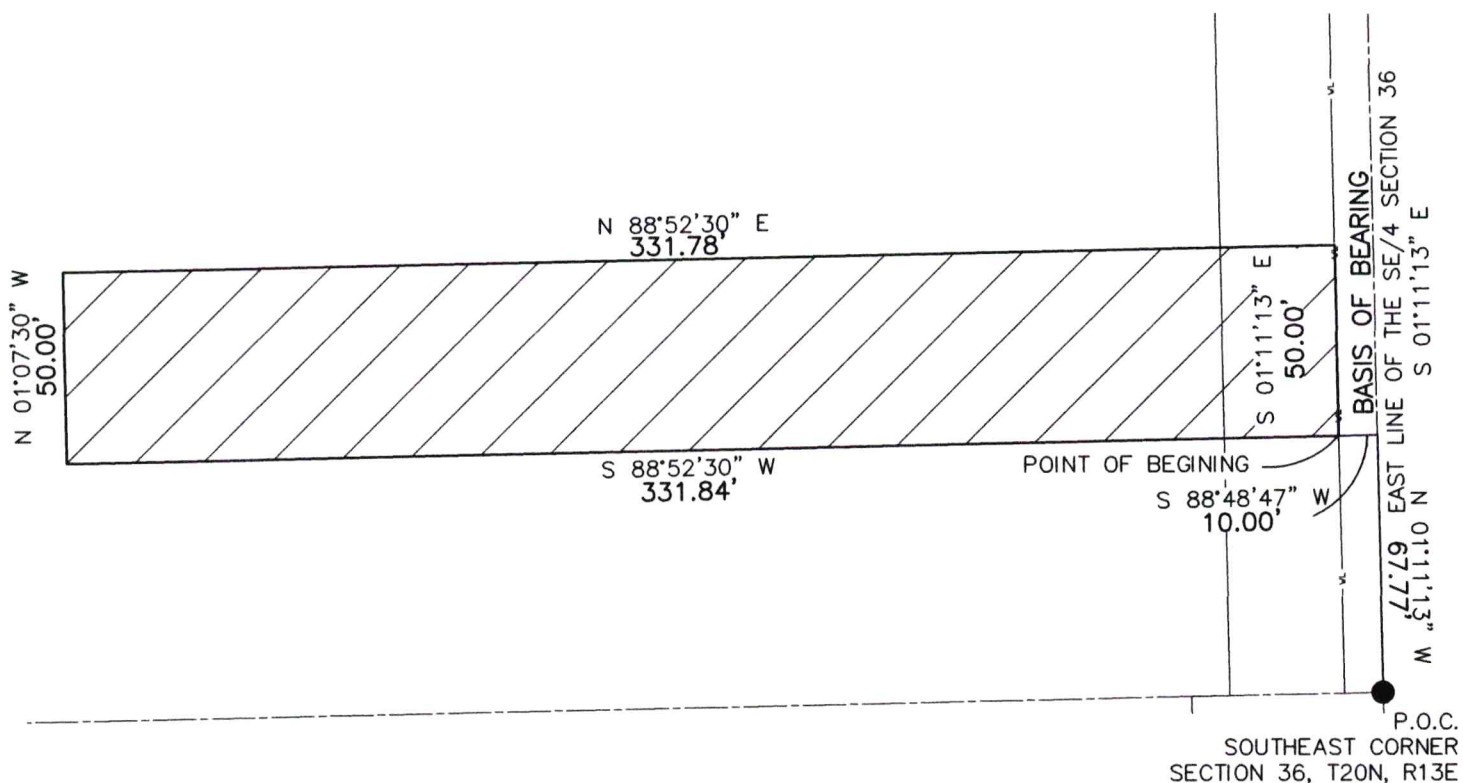


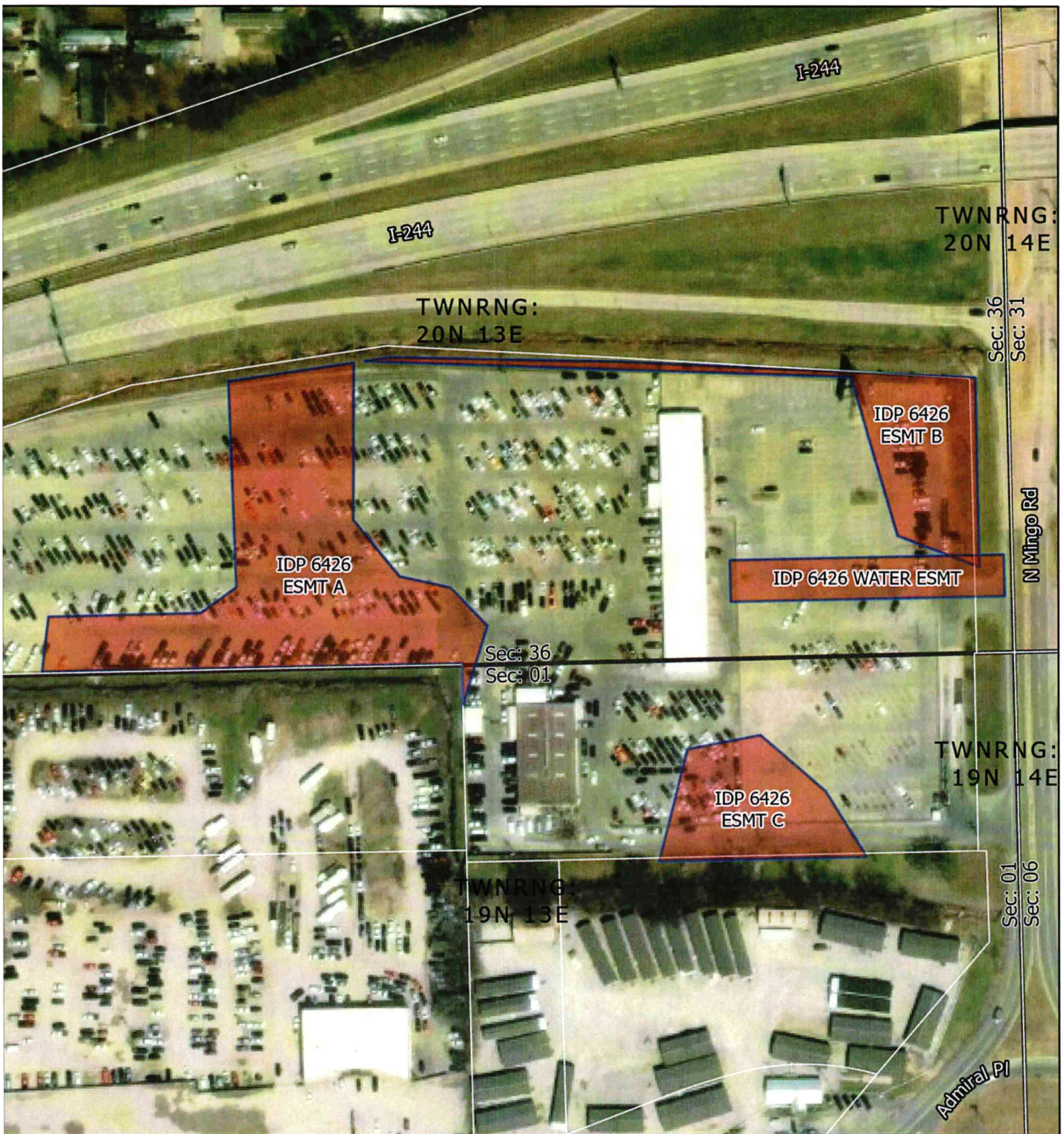
EXHIBIT "A"

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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  
TLS 12-107





**Tulsa**  
A New Kind of Energy.

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