

PW0120390

Ordinance

Version 3.4 released on 6/29/23

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.

**CITY COUNCIL USE ONLY**Date Received: _____
Committee Date: _____
1st Agenda Date: _____Tracking #: _____
Committee: _____
Hearing Date: _____
2nd Agenda Date: _____**CITY CLERK USE ONLY**☐ Scanned

Date: 04.10.2024

☐ Posted

Item #: 2404.00854

All department items requiring Council approval must be submitted through the Mayor's Office.**Primary Details**Dept. Tracking No.
5-2-23-01**Board Approval****Other Board Name****City Council Approval**☒ Yes ☐ NoDepartment
Public WorksContact Name
Tony GlynnEmail
TGLYNN@cityoftulsa.orgPhone
918-596-9245Subject (Description)
Request closing of a Water Line Easement.Ordinance Type
Closing an EasementSection
18Township
18Range
14

Lot

Block

Address
10507 E. 91st St.

BA / CT Number

Amending Ord. No.

TRO Title No.

TRO Subtitle

Property/Non-Property

Council District
7

Zoning No.

PUD No.

Planning District

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department:

Legal:

Board:

Mayor:

Other:

[Signature]
[Signature]
[Signature]
 Cassia Carr
 Mayor Pro Tem

Date:

Date:

Date:

Date:

Date:

3/8/2024

4-2-24

APR 10 2024

Policy Statement**Background Information**

A request has been made by Attorney Nathalie Cornett of Eller & Detrich, P.C., on behalf of Saint Francis Hospital South, to close a portion of a water line easement as shown on the attached exhibits. The unplatted water line easement was dedicated by instrument number 2009026994. The water line has been relocated per IDP #112350-2022. The water line easement has been requested to be closed for future expansion of Saint Francis Hospital South. The request to close the water line easement has been reviewed by City staff, representatives of various authorities, boards, and/or commissions, and private utility companies with no objections.

Provide background information on the requested action.

Summation of the Requested Action

Recommend approval of this closure. PDZ: MSL

Summarize the pertinent details of the requested action.

Emergency Clause?

☐ Yes

☒ No

Reason for Emergency Clause

Explain why you are requesting that the City Council approve this action with an emergency clause.

Processing Information for City Clerk's Office**Post Execution Processing**

☐ Mail vendor copy (addtl signature copies attached)

☒ **Must be filed with other governmental entity**

☐ Addtl governmental entity approval(s) required

Additional Routing and Processing Details

Original to be picked up by Courtney Jones 596-9549

(Published in the Tulsa World)
_____, 2024)

ORDINANCE NO. _____

AN ORDINANCE CLOSING A PORTION OF A CERTAIN WATER EASEMENT OF THE CITY OF TULSA, OKLAHOMA, AFFECTING TRACTS OF LAND IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA;

WHEREAS, application has been made for the closing of a portion of a certain Water Easement previously granted to the City of Tulsa, Oklahoma as recorded in Document No. 2009026994 in the Records of the Tulsa County Clerk.

WHEREAS, the request is reasonable, and it will be in the best interest of all parties concerned that said portion of the Water Easement be closed.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That the portion of the Water Easement, insofar as it covers the following described property:

A TRACT OF LAND LYING IN THE SOUTHEAST QUARTER (SE/4) OF SECTION EIGHTEEN (18) TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN (1. 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 AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION EIGHTEEN (18); THENCE N88°57'10"E AND ALONG THE SOUTH LINE OF SAID SECTION EIGHTEEN (18) FOR A DISTANCE OF 1373.27 FEET; THENCE N01°02'50"W FOR A DISTANCE OF 60.00 FEET TO A POINT ON A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 89°36'36" HAVING A RADIUS OF 30.00 FEET, A LENGTH OF 46.92 FEET AND WHOSE LONG CHORD BEARS N46°14'32"W FOR A DISTANCE OF 42.28 FEET TO A POINT ON A TANGENT LINE; THENCE N01°26'13"W FOR A DISTANCE OF 28.91 FEET TO A POINT ON A TANGENT CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 26°52'26" HAVING A RADIUS OF 724.00 FEET, A LENGTH OF 339.58 FEET AND WHOSE LONG CHORD BEARS N11°59'59"E FOR A DISTANCE OF 336.48 FEET TO A POINT ON A NON-TANGENTIAL LINE; THENCE N64°33'48"W FOR A DISTANCE OF

76.00 FEET TO A POINT ON A NON-TANGENTIAL CURVE SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 35°54'02" HAVING A RADIUS OF 610.58 FEET, A LENGTH OF 382.58 FEET AND WHOSE LONG CHORD BEARS N07°29'11"E FOR A DISTANCE OF 376.35 FEET TO A POINT ON A NON-TANGENTIAL LINE; THENCE N79°32'10"E FOR A DISTANCE OF 43.40 FEET TO THE POINT OF BEGINNING;

THENCE N39°39'16"E FOR A DISTANCE OF 273.15 FEET; THENCE N50°20'44"W FOR A DISTANCE OF 49.31 FEET;
THENCE N39°39'16"E FOR A DISTANCE OF 20.00 FEET; THENCE S50°20'44"E FOR A DISTANCE OF 33.81 FEET;
THENCE N39°39'16"E FOR A DISTANCE OF 10.00 FEET; THENCE S50°20'44"E FOR A DISTANCE OF 15.50 FEET;
THENCE N39°39'16"E FOR A DISTANCE OF 201.20 FEET; THENCE N04°43'40"W FOR A DISTANCE OF 3.57 FEET;
THENCE N39°39'16"E FOR A DISTANCE OF 53.76 FEET; THENCE N50°20'44"W FOR A DISTANCE OF 45.47 FEET;
THENCE N39°39'16"E FOR A DISTANCE OF 2.97 FEET; THENCE N88°58'47"E FOR A DISTANCE OF 26.13 FEET;
THENCE S50°20'44"E FOR A DISTANCE OF 25.66 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 22.05 FEET;
THENCE N88°58'47"E FOR A DISTANCE OF 19.78 FEET; THENCE S39°39'16"W FOR A DISTANCE OF 39.94 FEET;
THENCE S50°20'44"E FOR A DISTANCE OF 22.61 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 10.00 FEET;
THENCE S50°20'44"E FOR A DISTANCE OF 32.39 FEET; THENCE S39°39'16"W FOR A DISTANCE OF 30.00 FEET;
THENCE N50°20'44"W FOR A DISTANCE OF 55.00 FEET; THENCE S39°39'16"W FOR A DISTANCE OF 42.60 FEET;
THENCE S05°20'44"E FOR A DISTANCE OF 10.61 FEET; THENCE S39°39'16"W FOR A DISTANCE OF 505.58 FEET;
THENCE N50°20'09"W FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 0.34 ACRES MORE OR LESS.

be and the same is hereby closed.

Section 2. That the City of Tulsa retains the absolute right to reopen the closed portion of the Water Easement without expense to the City of Tulsa.

Section 3. The closing of said portion of the Water Easement shall not affect the right to maintain, repair, reconstruct, operate or remove utility, public service corporation or transmission company facilities existing therein, nor shall such closing affect private ways existing by operation of law.

ADOPTED by the Council: _____
Date

Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

G.T. Bynum, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____, Date
at _____ Time

Mayor

(Seal)
ATTEST:

City Clerk

APPROVED:

City Attorney

ADB

APPROVED AS TO LEGAL DESCRIPTION:



Public Works



EXHIBIT "A"
WATER EASEMENT CLOSURE

A TRACT OF LAND LYING IN THE SOUTHEAST QUARTER (SE/4) OF SECTION EIGHTEEN (18) TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) 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 AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION EIGHTEEN (18); THENCE N88°57'10"E AND ALONG THE SOUTH LINE OF SAID SECTION EIGHTEEN (18) FOR A DISTANCE OF 1373.27 FEET; THENCE N01°02'50"W FOR A DISTANCE OF 60.00 FEET TO A POINT ON A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 89°36'36" HAVING A RADIUS OF 30.00 FEET, A LENGTH OF 46.92 FEET AND WHOSE LONG CHORD BEARS N46°14'32"W FOR A DISTANCE OF 42.28 FEET TO A POINT ON A TANGENT LINE; THENCE N01°26'13"W FOR A DISTANCE OF 28.91 FEET TO A POINT ON A TANGENT CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 26°52'26" HAVING A RADIUS OF 724.00 FEET, A LENGTH OF 339.58 FEET AND WHOSE LONG CHORD BEARS N11°59'59"E FOR A DISTANCE OF 336.48 FEET TO A POINT ON A NON-TANGENTIAL LINE; THENCE N64°33'48"W FOR A DISTANCE OF 76.00 FEET TO A POINT ON A NON-TANGENTIAL CURVE SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 35°54'02" HAVING A RADIUS OF 610.58 FEET, A LENGTH OF 382.58 FEET AND WHOSE LONG CHORD BEARS N07°29'11"E FOR A DISTANCE OF 376.35 FEET TO A POINT ON A NON-TANGENTIAL LINE; THENCE N79°32'10"E FOR A DISTANCE OF 43.40 FEET TO THE POINT OF BEGINNING; THENCE N39°39'16"E FOR A DISTANCE OF 273.15 FEET; THENCE N50°20'44"W FOR A DISTANCE OF 49.31 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 20.00 FEET; THENCE S50°20'44"E FOR A DISTANCE OF 33.81 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 10.00 FEET; THENCE S50°20'44"E FOR A DISTANCE OF 15.50 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 201.20 FEET; THENCE N04°43'40"W FOR A DISTANCE OF 3.57 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 53.76 FEET; THENCE N50°20'44"W FOR A DISTANCE OF 45.47 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 2.97 FEET; THENCE N88°58'47"E FOR A DISTANCE OF 26.13 FEET; THENCE S50°20'44"E FOR A DISTANCE OF 25.66 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 22.05 FEET; THENCE N88°58'47"E FOR A DISTANCE OF 19.78 FEET; THENCE S39°39'16"W FOR A DISTANCE OF 39.94 FEET; THENCE S50°20'44"E FOR A DISTANCE OF 22.61 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 10.00 FEET; THENCE S50°20'44"E FOR A DISTANCE OF 32.39 FEET; THENCE S39°39'16"W FOR A DISTANCE OF 30.00 FEET; THENCE N50°20'44"W FOR A DISTANCE OF 55.00 FEET; THENCE S39°39'16"W FOR A DISTANCE OF 42.60 FEET; THENCE S05°20'44"E FOR A DISTANCE OF 10.61 FEET; THENCE S39°39'16"W FOR A DISTANCE OF 505.58 FEET; THENCE N50°20'09"W FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 0.34 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON SEPTEMBER 13TH, 2022 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

SURVEYOR'S CERTIFICATE

I, CLIFF BENNETT OF BENNETT SURVEYING, INC., CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE REAL PROPERTY DESCRIBED, AND THAT THE SURVEY OF THE REAL PROPERTY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 13TH DAY OF SEPTEMBER, 2022.

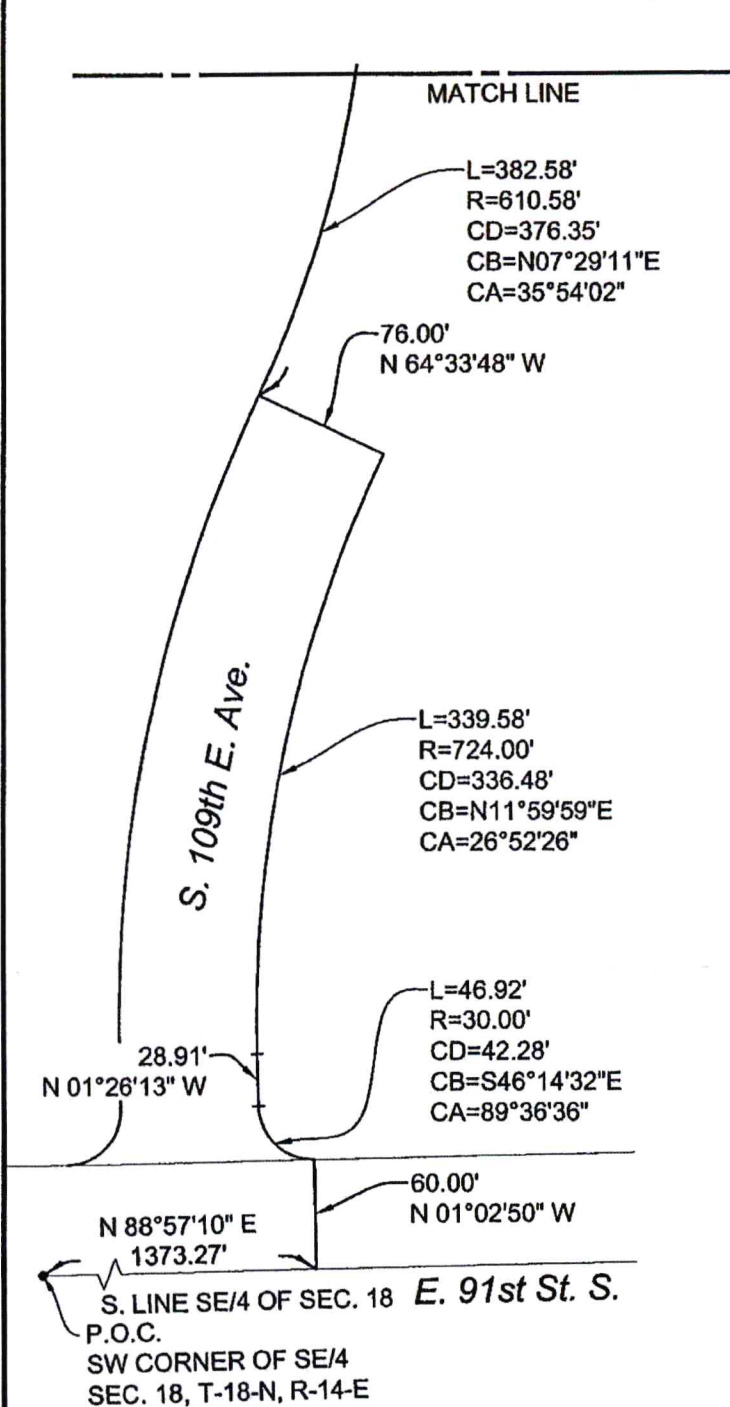


Cliff Bennett

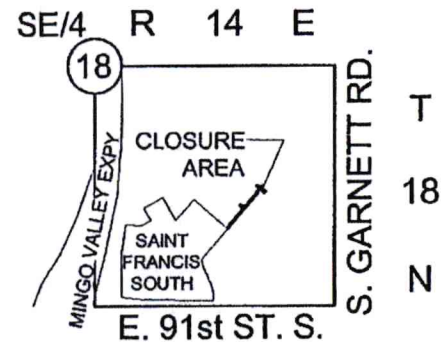
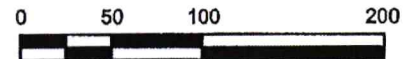
CLIFF BENNETT, PLS
OKLAHOMA NO. 1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2024

EXHIBIT "A" WATER EASEMENT CLOSURE

Page 2 of 3



Scale: 1"=100'



Location Map

SCALE: 1"=2000'

Legend

| | | |
|--------|---|-----------------------|
| L | = | ARC LENGTH |
| R | = | RADIUS |
| CD | = | CHORD DISTANCE |
| CB | = | CHORD BEARING |
| CA | = | CENTRAL ANGLE |
| P.O.B. | = | POINT OF BEGINNING |
| P.O.C. | = | POINT OF COMMENCEMENT |

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.
2. SEE EXHIBIT "A" PAGE 1 OF 3 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

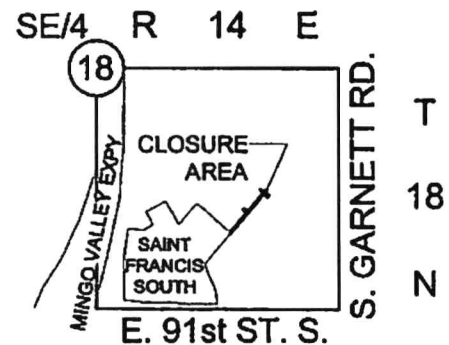
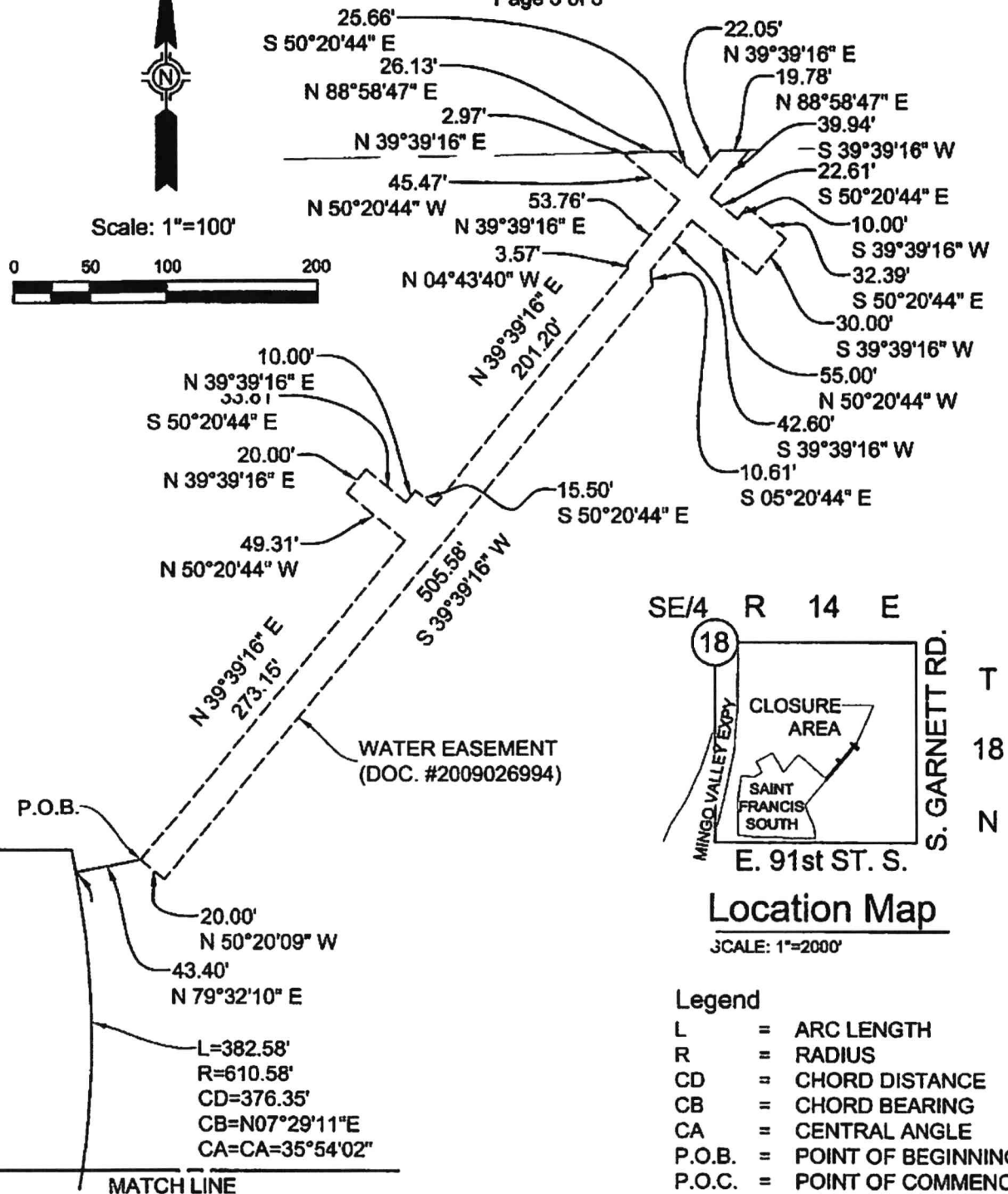
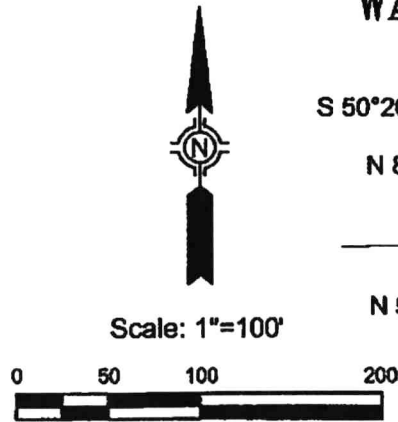


BENNETT
SURVEYING, INC.

P.O. BOX 848, CHOUTEAU, OK 74337
PHONE: (918) 935-0350
C.A. NO.: 4502 EXP. DATE: 8/30/24

EXHIBIT "A" WATER EASEMENT CLOSURE

Page 3 of 3



Legend

| | | |
|--------|---|-----------------------|
| L | = | ARC LENGTH |
| R | = | RADIUS |
| CD | = | CHORD DISTANCE |
| CB | = | CHORD BEARING |
| CA | = | CENTRAL ANGLE |
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Notes

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2. SEE EXHIBIT "A" PAGE 1 OF 3 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

**BENNETT
SURVEYING, INC.**

P.O. BOX 848, CHOUTEAU, OK 74337
PHONE: (918) 935-0350
C.A. NO.: 4502 EXP. DATE: 6/30/24

CLOSURE REPORT

North: 383488.3402' East: 2602660.1160'

Segment #1 : Line

Course: N39°39'16"E Length: 273.15'
North: 383698.6404' East: 2602834.4283'

Segment #2 : Line

Course: N50°20'44"W Length: 49.31'
North: 383730.1078' East: 2602796.4642'

Segment #3 : Line

Course: N39°39'16"E Length: 20.00'
North: 383745.5060' East: 2602809.2273'

Segment #4 : Line

Course: S50°20'44"E Length: 33.81'
North: 383723.9299' East: 2602835.2579'

Segment #5 : Line

Course: N39°39'16"E Length: 10.00'
North: 383731.6290' East: 2602841.6394'

Segment #6 : Line

Course: S50°20'44"E Length: 15.50'
North: 383721.7376' East: 2602853.5730'

Segment #7 : Line

Course: N39°39'16"E Length: 201.20'
North: 383876.6429' East: 2602981.9700'

Segment #8 : Line

Course: N04°43'40"W Length: 3.57'
North: 383880.2008' East: 2602981.6757'

Segment #9 : Line

Course: N39°39'16"E Length: 53.76'
North: 383921.5910' East: 2603015.9830'

Segment #10 : Line

Course: N50°20'44"W Length: 45.47'

North: 383950.6079' East: 2602980.9753'

Segment #11 : Line

Course: N39°39'16"E Length: 2.97'
North: 383952.8945' East: 2602982.8706'

Segment #12 : Line

Course: N88°58'47"E Length: 26.13'
North: 383953.3598' East: 2603008.9965'

Segment #13 : Line

Course: S50°20'44"E Length: 25.66'
North: 383936.9847' East: 2603028.7523'

Segment #14 : Line

Course: N39°39'16"E Length: 22.05'
North: 383953.9612' East: 2603042.8236'

Segment #15 : Line

Course: N88°58'47"E Length: 19.78'
North: 383954.3134' East: 2603062.6005'

Segment #16 : Line

Course: S39°39'16"W Length: 39.94'
North: 383923.5633' East: 2603037.1125'

Segment #17 : Line

Course: S50°20'44"E Length: 22.61'
North: 383909.1346' East: 2603054.5201'

Segment #18 : Line

Course: N39°39'16"E Length: 10.00'
North: 383916.8337' East: 2603060.9017'

Segment #19 : Line

Course: S50°20'44"E Length: 32.39'
North: 383896.1638' East: 2603085.8390'

Segment #20 : Line

Course: S39°39'16"W Length: 30.00'

North: 383873.0666' East: 2603066.6943'

Segment #21 : Line

Course: N50°20'44"W Length: 55.00'
North: 383908.1652' East: 2603024.3494'

Segment #22 : Line

Course: S39°39'16"W Length: 42.60'
North: 383875.3671' East: 2602997.1640'

Segment #23 : Line

Course: S05°20'44"E Length: 10.61'
North: 383864.8033' East: 2602998.1524'

Segment #24 : Line

Course: S39°39'16"W Length: 505.58'
North: 383475.5536' East: 2602675.5136'

Segment #25 : Line

Course: N50°20'09"W Length: 20.00'
North: 383488.3373' East: 2602660.1195'

Perimeter: 1571.10' Area: 0.34acres
Error Closure: 0.0046 Course: S49°43'30"E
Error North: -0.00295 East: 0.00348

Precision 1: 341543.48



Application for
Right-of-way / Easement
Closure or Encroachment Agreement

APPLICATION IS HEREBY MADE TO THE CITY OF TULSA TO CONSIDER THE FOLLOWING:

CHOOSE (1) CLOSURE: X ENCROACHMENT: _____

CHOOSE (1) RIGHT-OF-WAY: _____ EASEMENT: X (WE-1) AIR SPACE: _____

County Assessor Parcel Number: 76842-84-18-66040 Zoning: CO/PUD586A

Property Location: 10507 E. 91st St. S., Tulsa, OK 74133

Legal Description: Subdivision: Saint Francis South Plat No.: 6440

Lot: 4 Block: 1

Section: 18 Township: 18 Range: 14

IF UNPLATTED ATTACH LEGAL DESCRIPTION.

Applicant Name: Nathalie Cornett

Applicant Company: Eller & Detrich, P.C.

Applicant D.B.A.: _____

Address: 2727 E. 21st St., Ste. 200

City: Tulsa State: OK Zip: 74114

Phone: 918-747-8900 Email: ncornett@ellerdetrich.com

Secondary Point of Contact: Lou Reynolds

Phone: 918-747-8900 Email: lreynolds@ellerdetrich.com

Property Owner(s) of Record: Warren Professional Building Corporation

Address: 6585 S. Yale Ave., Ste. 1040

City: Tulsa State: OK Zip: 74136

Phone: _____ Email: _____

Signatures

Applicant: Nathalie Cornett Date: 11.29.22

Property Owner(s): _____ Date: _____

_____ Date: _____

_____ Date: _____



Application for
Right-of-way / Easement
Closure or Encroachment Agreement

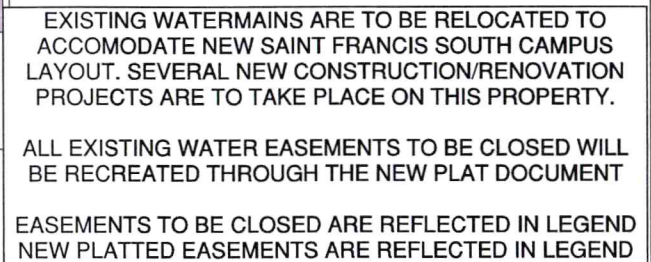
Explanation of necessity for closing right-of-way or easement or for encroaching into the right-of-way or easement.





REQUIRED - Legal Description with a Plat of Survey for all closings. For Encroachments a digital sketch delineating the described request, showing all data pertinent to the property (refer to application instructions).




The Applicant requests the closure of the water easements dedicated by separate instrument as shown on the face of the Plat of Saint Francis South. These requests are made to allow for the replatting of the Property as Saint Francis Hospital South. A copy of the Draft Final Plat showing the location of the new utility easements that will be dedicated as a part thereof. Additionally, an exhibit showing the proposed water line relocation plan is attached. With the platted new easements and utility relocations, the existing water easements are no longer necessary.

This Application is submitted in multiple parts as follows:

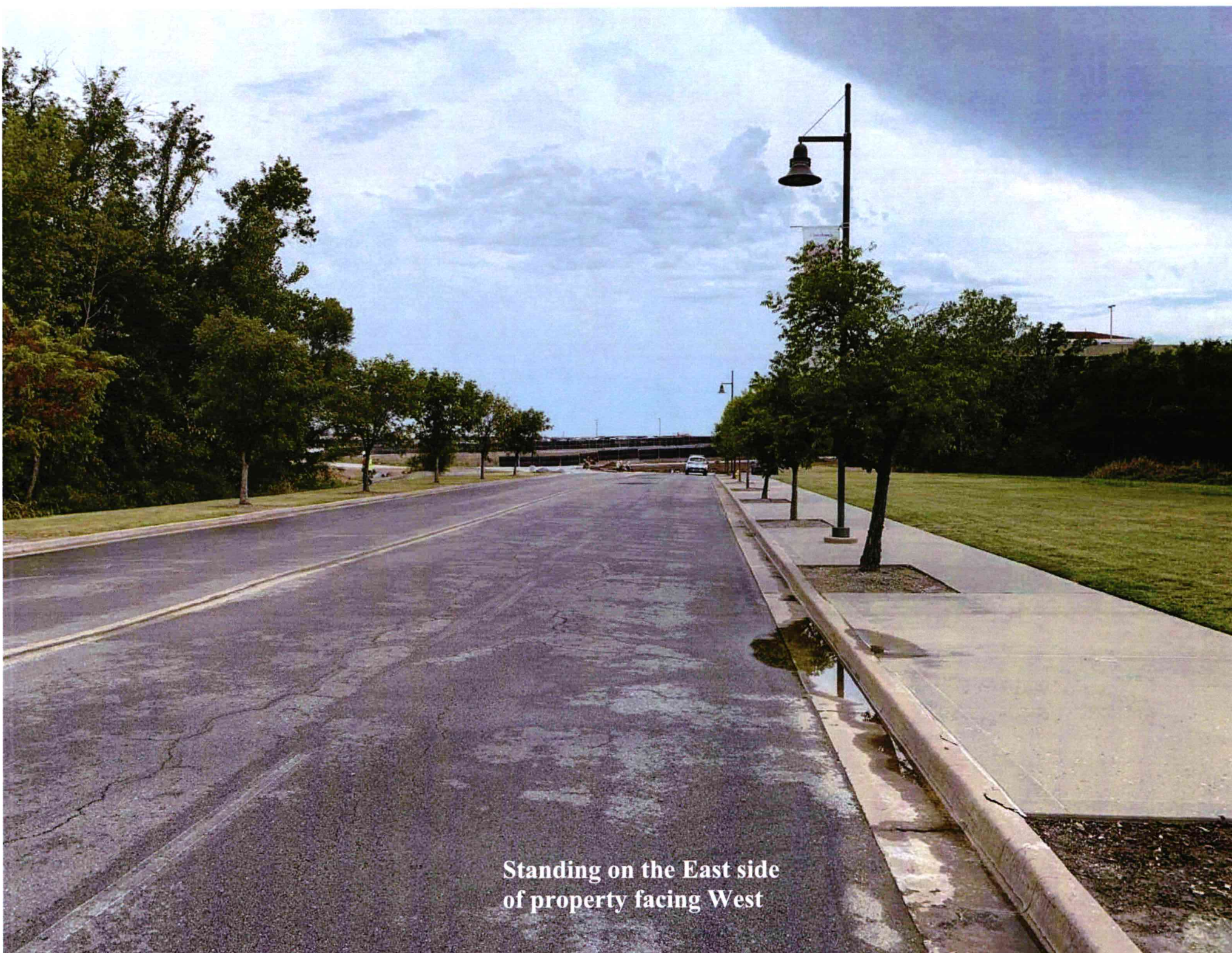
1. WL1, WL2, recorded as Document # 2007086029
2. WE-1, recorded as Document # 2009026994
3. WE-2, recorded as Document # 2009026995
4. WE-3, recorded as Document # 2009026996
5. WE-4, WE-5, WE-6, recorded as Document # 2009026997



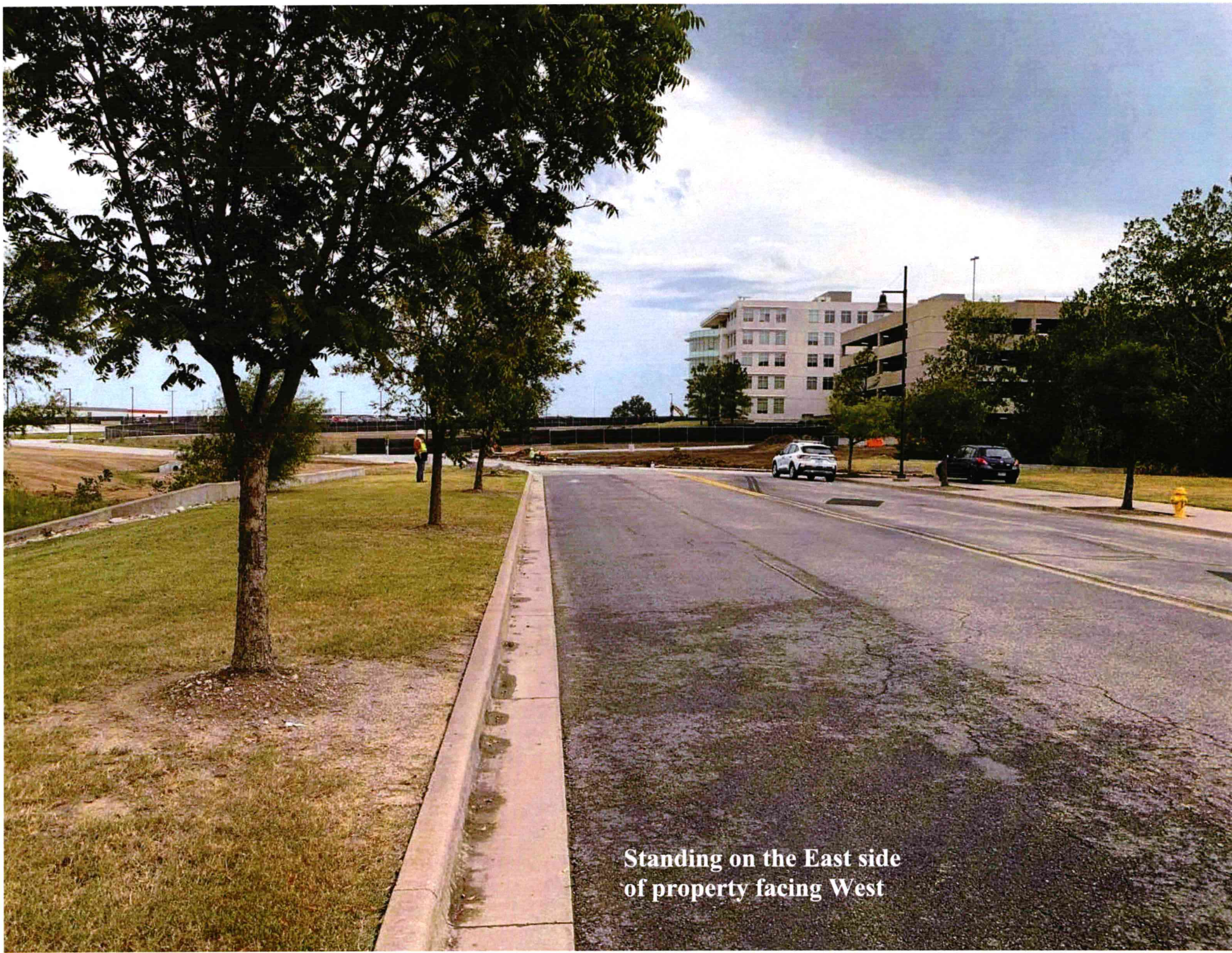
| TO BE CLOSED | |
|---------------------------------------------------------------------------------------|-------------------------------------------------|
|  | WATER EASEMENT TO COT - DOC #2009026995 |
|  | WATER EASEMENT TO COT - DOC #2009026997 |
|  | WATER EASEMENT TO COT - DOC #2009026997 |
|  | WATER EASEMENT TO COT - PER PLAT #5659 or #6440 |

| | |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
|  | WATER EASEMENT TO COT - DOC #2009026994 & #2009026997 (TO REMAIN - PARTIAL OR FULL) |
|  | WATER EASEMENT TO COT - DOC #2007086029 (PREVIOUSLY CLOSED 3/18/2021) |
|  | NEW EASEMENTS TO BE DEDICATED BY PLAT |

ALL CURRENT SANITARY SEWER CONSTRUCTION PER
IDP #112350-2022



**Standing on the East side
of property facing West**



Standing on the East side
of property facing West



Standing on 109th E. Ave. facing East