

PW 0120389

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 #: 2404.00855

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

Dept. Tracking No.

5-2-23-02

Board Approval

Other Board Name

City Council Approval

☒ Yes ☐ No

Department

Public Works

Contact Name

Tony Glynn

Email

TGLYNN@cityoftulsa.org

Phone

918-596-9245

Subject (Description)

Request closing of a Water Line Easement.

Ordinance Type

Closing an Easement

Section

18

Township

18

Range

14

Lot

Block

Address

10507 E. 91st St.

BA / CT Number

Amending Ord. No.

TRO Title No.

TRO Subtitle

Property/Non-Property

e.g. 43

e.g. G

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: _____

Date: 3/8/2024

Date: 4-1-24

Date: _____

Date: APR 10 2024

Date: _____

Cassia Carr
Mayor-Pro Tem

A24-1253

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 two (2) water line easements as shown on the attached exhibits. The unplatted water line easements were dedicated by instrument number 2009026995. The water line has been relocated per IDP #112350-2022. The water line easements have been requested to be closed for future expansion of Saint Francis Hospital South. The request to close the water line easements have 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: MS

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 TWO WATER EASEMENTS
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 two Water Easements previously granted to the City of Tulsa, Oklahoma as recorded in Document No. 2009026995 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 two Water Easements be closed.

BE IT ORDAINED BY THE CITY OF TULSA:

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

WATER EASEMENT CLOSURE (PART A)

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 1237.27 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 LEFT THROUGH AN ANGLE OF 90°23'24" HAVING A RADIUS OF 30.00 FEET, A LENGTH OF 47.33 FEET AND WHOSE LONG CHORD BEARS N43°45'28"E FOR A DISTANCE OF 42.57 FEET TO A POINT ON A TANGENT LINE; THENCE N01°26'13"W FOR A DISTANCE OF 27.98 FEET TO A POINT ON A TANGENT CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 23°37'07" HAVING A RADIUS OF 800.00 FEET, A LENGTH OF 329.78 FEET AND WHOSE LONG CHORD BEARS N10°22'20"E FOR A DISTANCE OF 327.45 FEET TO A POINT ON A NON-TANGENTIAL LINE; THENCE N64°36'04"W FOR A DISTANCE OF

66.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N64°36'04"W FOR A DISTANCE OF 28.31 FEET; THENCE N73°27'24"E FOR A DISTANCE OF 1.06 FEET; THENCE N16°32'36"W FOR A DISTANCE OF 88.81 FEET; THENCE N39°39'16"E FOR A DISTANCE OF 24.07 FEET; THENCE S16°32'36"E FOR A DISTANCE OF 121.13 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 0.05 ACRES MORE OR LESS.

WATER EASEMENT CLOSURE (PART B)

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:

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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 two Water Easements without expense to the City of Tulsa.

Section 3. The closing of said portion of the two Water Easements 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 (PART A)

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:

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WATER EASEMENT CLOSURE (PART B)

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:

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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.



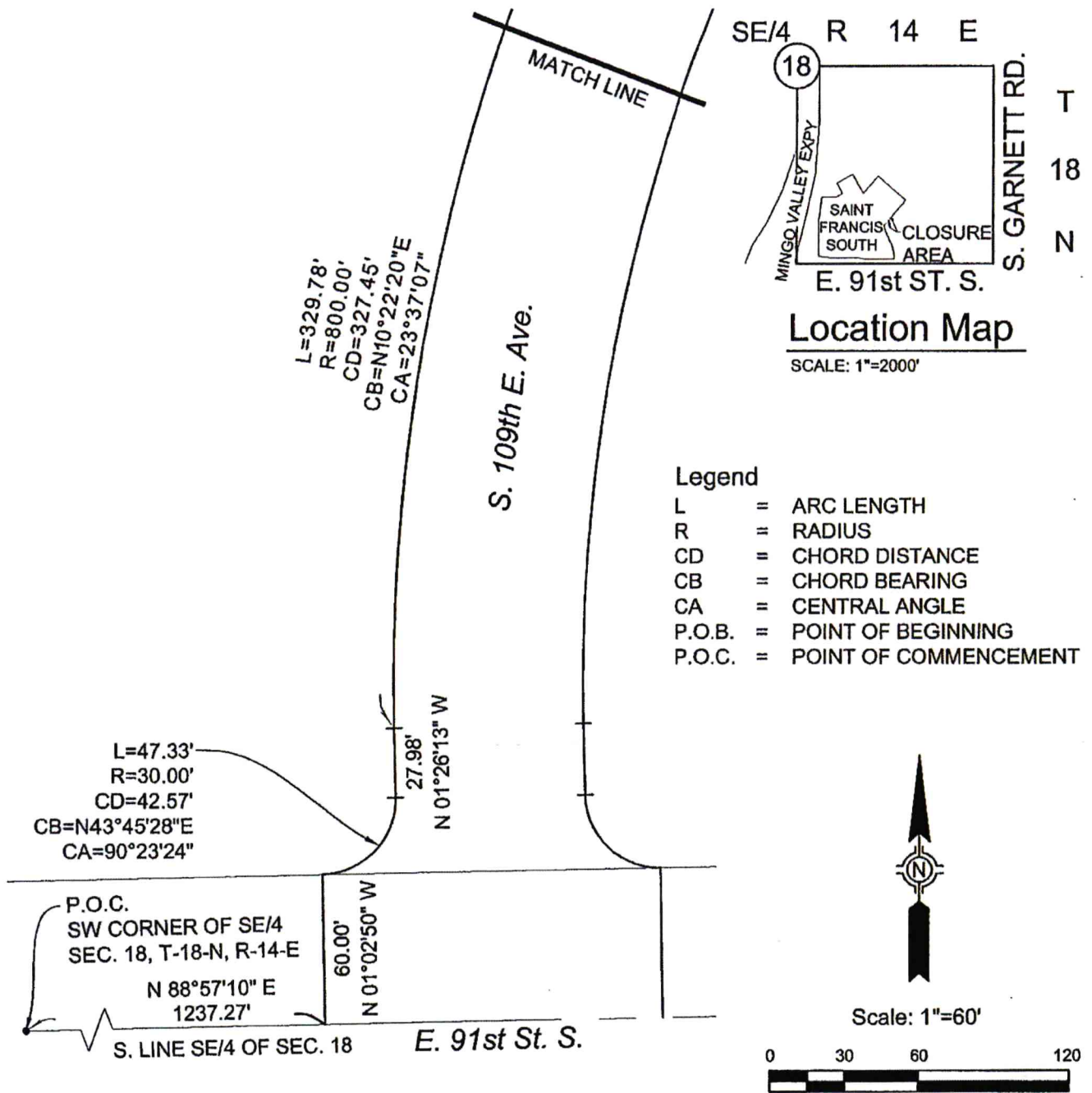
Cliff Bennett

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

EXHIBIT "A"

WATER EASEMENT CLOSURE (PART A & B)

Page 2 of 3



Notes

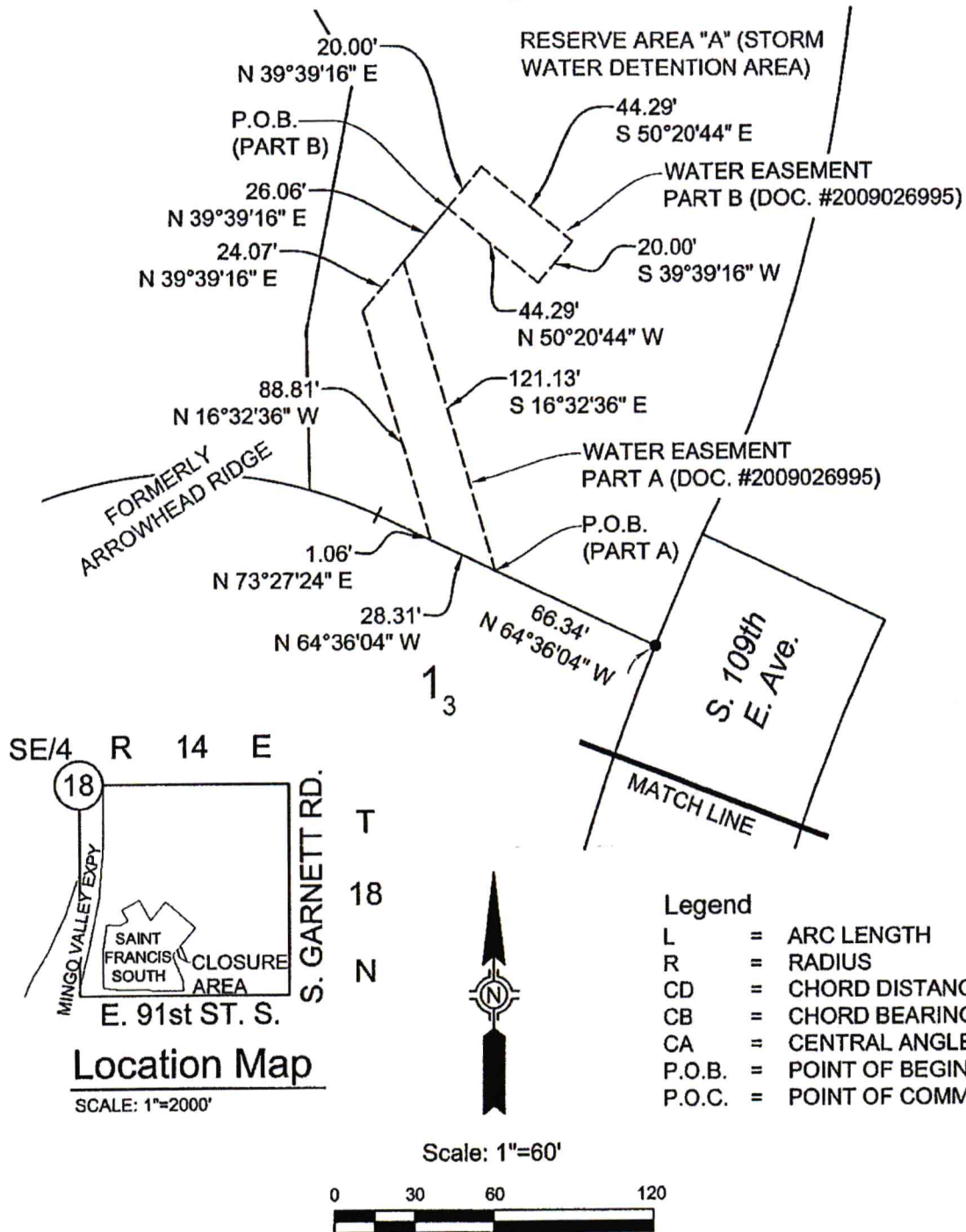
1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.
2. SEE EXHIBIT "A" PAGE 1 OF 3 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

BENNETT
 SURVEYING, INC.

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

EXHIBIT "A" WATER EASEMENT CLOSURE (PART A & B)

Page 3 of 3



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.



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

CLOSURE REPORT (PART A)

North: 383094.1864' East: 2602490.1334'

Segment #1 : Line

Course: N64°36'04"W Length: 28.31'
North: 383106.3334' East: 2602464.5507'

Segment #2 : Line

Course: N73°27'24"E Length: 1.06'
North: 383106.6352' East: 2602465.5669'

Segment #3 : Line

Course: N16°32'36"W Length: 88.81'
North: 383191.7689' East: 2602440.2791'

Segment #4 : Line

Course: N39°39'16"E Length: 24.07'
North: 383210.3006' East: 2602455.6395'

Segment #5 : Line

Course: S16°32'36"E Length: 121.13'
North: 383094.1848' East: 2602490.1301'

Perimeter: 263.38' Area: 0.05acres
Error Closure: 0.0037 Course: S63°33'38"W
Error North: -0.00166 East: -0.00335

Precision 1: 71186.49

CLOSURE REPORT (PART B)

North: 383230.3622' East: 2602472.2743'

Segment #1 : Line

Course: N39°39'16"E Length: 20.00'
North: 383245.7604' East: 2602485.0374'

Segment #2 : Line

Course: S50°20'44"E Length: 44.29'
North: 383217.4964' East: 2602519.1366'

Segment #3 : Line

Course: S39°39'16"W Length: 20.00'
North: 383202.0983' East: 2602506.3735'

Segment #4 : Line

Course: N50°20'44"W Length: 44.29'
North: 383230.3622' East: 2602472.2743'

Perimeter: 128.58' Area: 0.02acres
Error Closure: 0.0000 Course: N00°00'00"E
Error North: 0.00000 East: 0.00000

Precision 1: 128580000.00



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-2) 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:

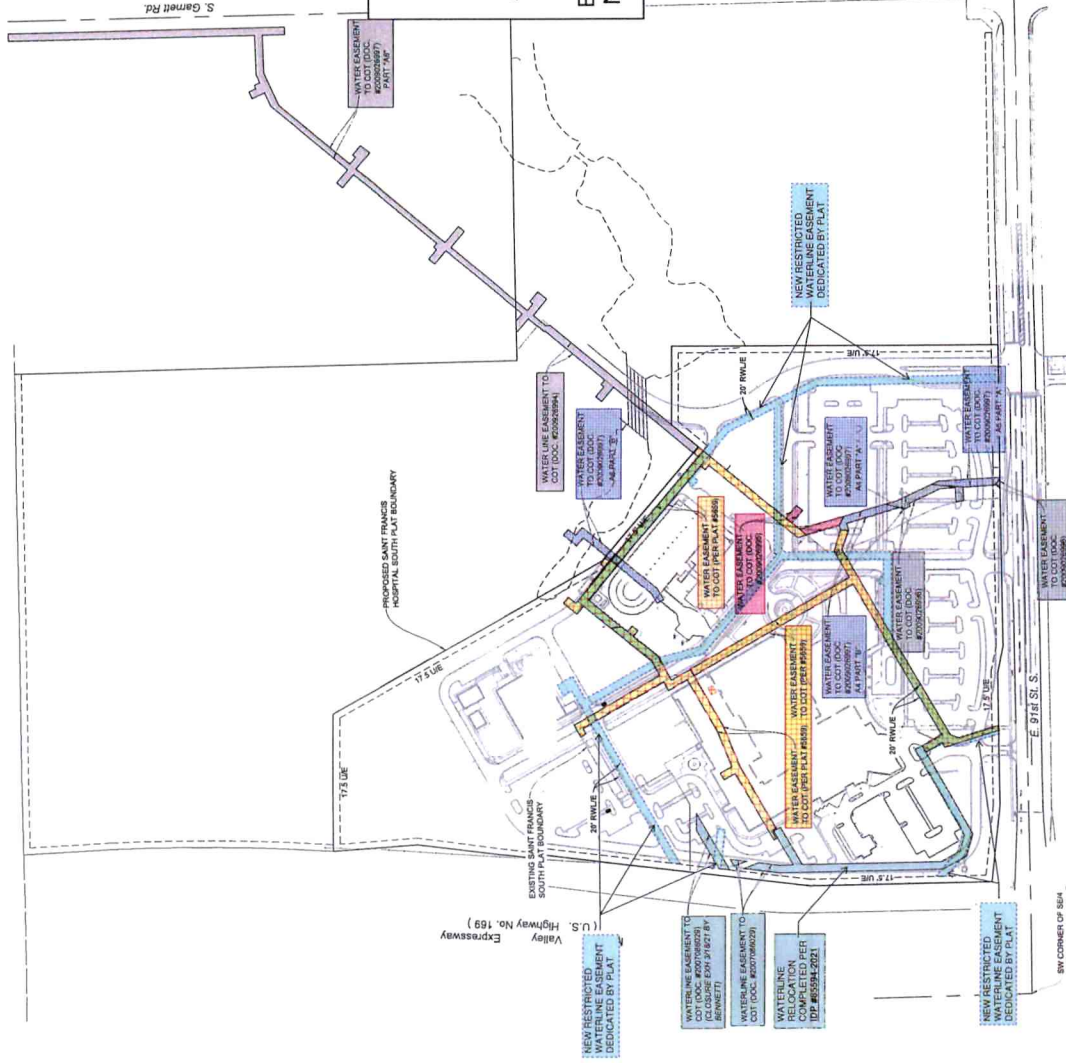
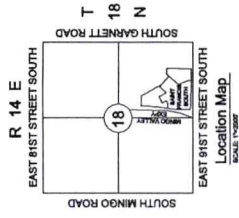
1. WL1, WL2, recorded as Document # 2007086029
2. WE-1, recorded as Document # 2009026994
3. WE-2, recorded as Document # 2009026995
4. WE-3, recorded as Document # 2009026996
5. WE-4, WE-5, WE-6, recorded as Document # 2009026997

SAINT FRANCIS SOUTH

OVERALL EASEMENT CLOSURE EXHIBIT W/ PROPOSED EASEMENTS

WATER MAIN RELOCATION

IDP #112350-2022



EXISTING WATERMANS ARE TO BE RELOCATED TO ACCOMMODATE NEW SAINT FRANCIS SOUTH CAMPUS LAYOUT. SEVERAL NEW CONSTRUCTION/RENOVATION PROJECTS ARE TO TAKE PLACE ON THIS PROPERTY.

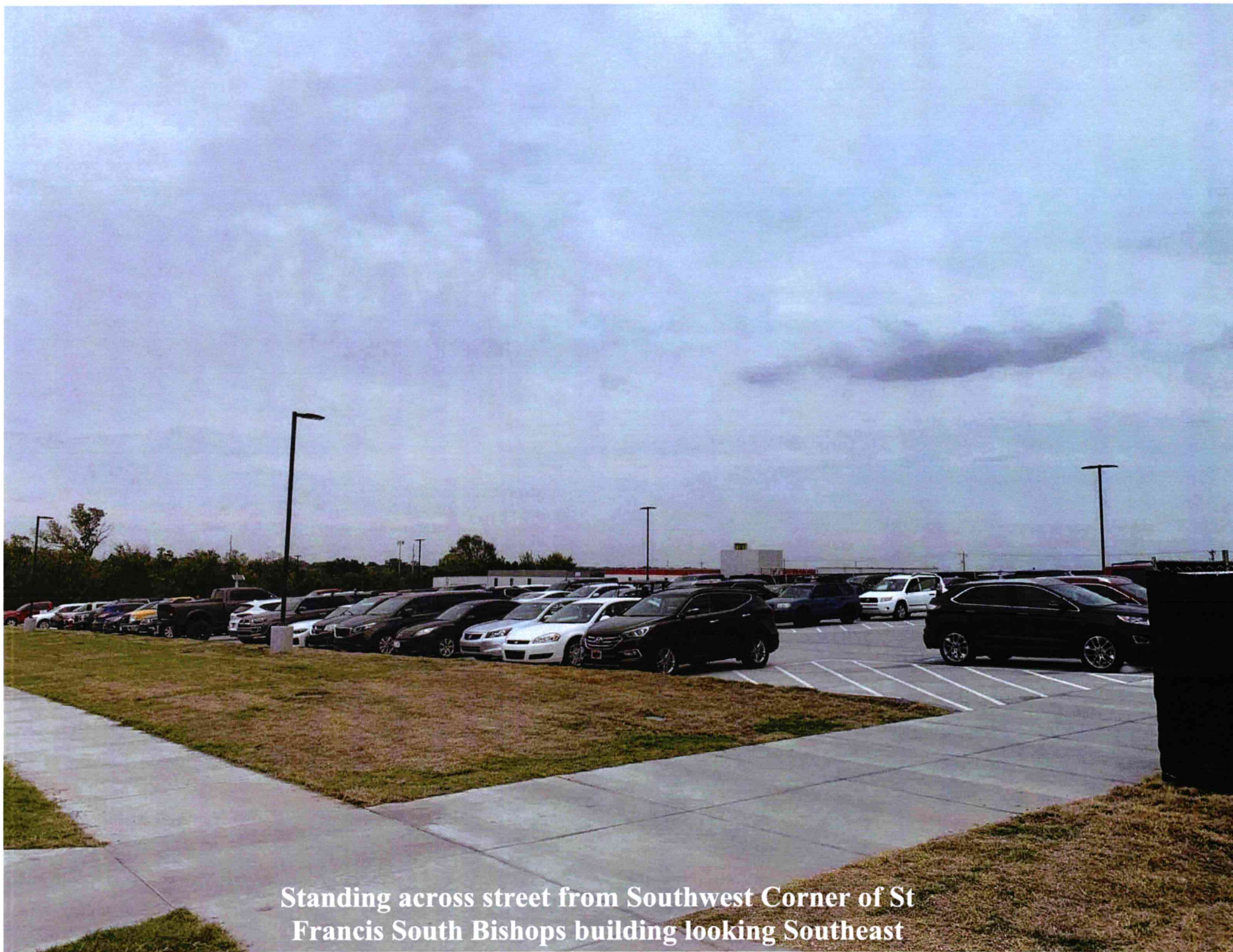
ALL EXISTING WATER EASEMENTS TO BE CLOSED WILL BE RECREATED THROUGH THE NEW PLAT DOCUMENT

EASEMENTS TO BE CLOSED ARE REFLECTED IN LEGEND

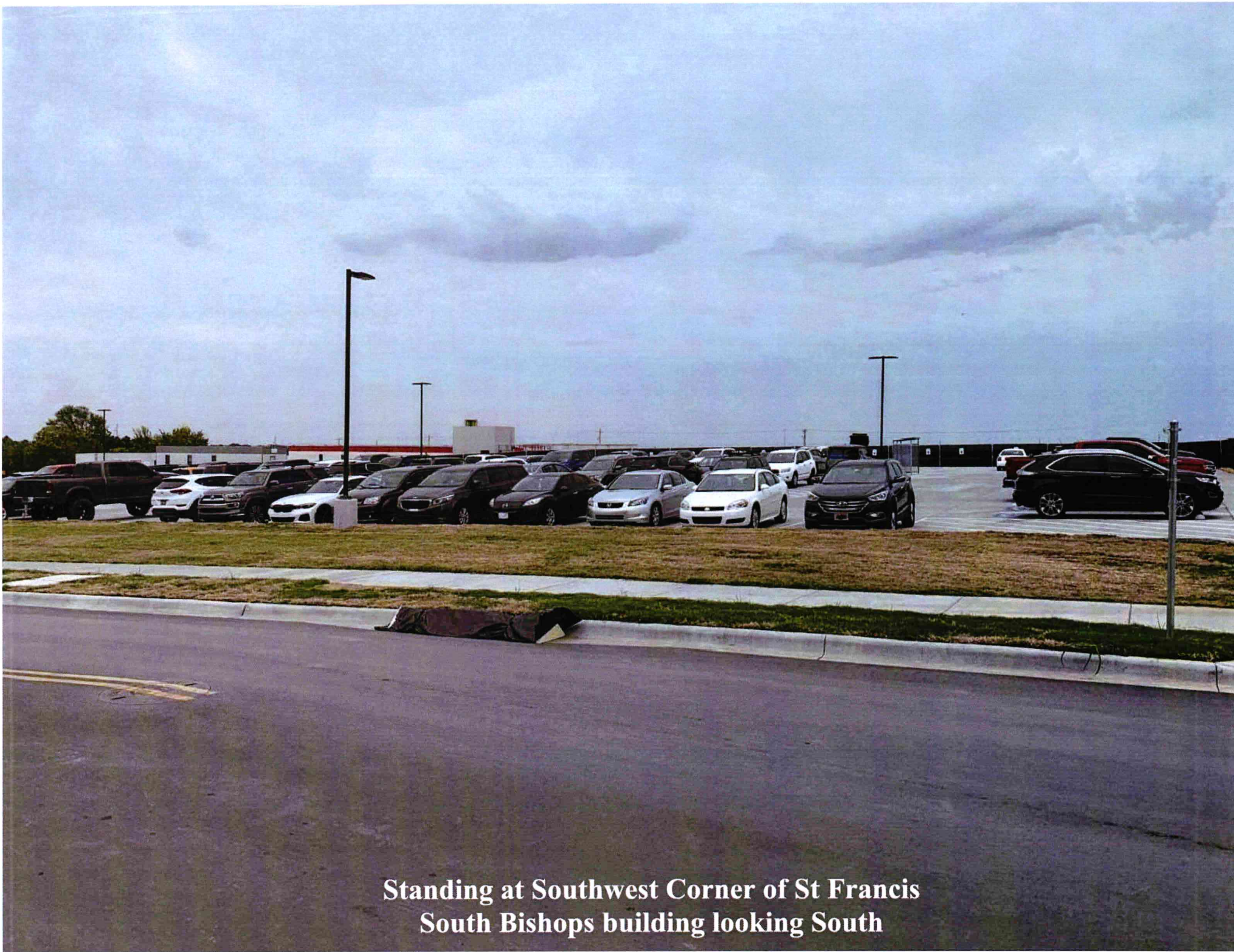
NEW PLATTED EASEMENTS ARE REFLECTED IN LEGEND

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 across street from Southwest Corner of St
Francis South Bishops building looking Southeast**



**Standing at Southwest Corner of St Francis
South Bishops building looking South**