

Ordinance

Version 3.5 released on 2/29/24

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



PW 0120379

CITY COUNCIL USE ONLY

Date Received: _____
 Committee Date: _____
 1st Agenda Date: _____

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____

CITY CLERK USE ONLY

☐ Scanned

Date: 04.24.2024

☐ Posted

Item #: 2404.01031

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

Primary Details

Dept. Tracking No.

5-2-23-0782

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 a Sanitary Sewer Easement.

Tulsa County Document No. 2009008787

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: 4/5/2024

Date: APR 15 XXIV

Date: _____

Date: APR 24 2024

Date: _____

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 sanitary sewer easement as shown on the attached exhibits. The sanitary sewer easement was dedicated by document number 2009008787. The sanitary sewer easement has been requested to be closed for future expansion of Saint Francis Hospital South. The sanitary sewer line has been relocated per IDP 112350-2022. The request to close the sanitary sewer 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 for this closure. PDZ:

MSL:

9/9/24 4/5/24

Summarize the pertinent details of the requested action.

Emergency Clause?**Reason for Emergency Clause**

☐ Yes

☒ No

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 SANITARY SEWER EASEMENT OF THE CITY OF TULSA, OKLAHOMA, AFFECTING A TRACT OF LAND IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

WHEREAS, application has been made for closing a portion of a Sanitary Sewer Easement, of the City of Tulsa, Oklahoma;

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

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That the above-described portion of a Sanitary Sewer Easement, insofar as it covers the following described land:

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 THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 65°22'32", HAVING A RADIUS OF 30.00 FEET, A LENGTH OF 34.23 FEET AND WHOSE LONG CHORD BEARS N58°21'33"W FOR A DISTANCE OF 32.40 FEET TO A POINT ON A LINE AND THE POINT OF BEGINNING.; THENCE S88°57' 10"W FOR A DISTANCE OF 18.83 FEET; THENCE N45°35'51"W FOR A DISTANCE OF 85.49 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 13°36'01" HAVING A RADIUS OF 800.00 FEET, A LENGTH OF 189.90 FEET AND WHOSE LONG CHORD BEARS N06°48'45"E FOR A

DISTANCE OF 189.45 FEET TO A POINT ON A NON-TANGENTIAL LINE; THENCE N64°17'59"E FOR A DISTANCE OF 25.12 FEET; THENCE S25°04'21"E FOR A DISTANCE OF 20.00 FEET; THENCE S64°17'59"W FOR A DISTANCE OF 33.04 FEET; THENCE S05°54'41"W FOR A DISTANCE OF 148.03 FEET; THENCE S45°35'51"E FOR A DISTANCE OF 95.45 FEET TO A POINT ON A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 23°57'24" HAVING A RADIUS OF 30.00 FEET; A LENGTH OF 12.54 FEET AND WHOSE LONG CHORD BEARS S13°14'35"E FOR A DISTANCE OF 12.45 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 0.09 ACRES MORE OR LESS.

be and the same are hereby closed.

Section 2. That the City of Tulsa retains the absolute right to reopen the above-described portion of a Sanitary Sewer Easement without expense to the City of Tulsa.

Section 3. The closing of said portion of a Sanitary Sewer 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 *OK - MDS*

APPROVED AS TO LEGAL DESCRIPTION:



Public Works



EXHIBIT "A"
SANITARY SEWER EASEMENT CLOSURE
LEGAL DESCRIPTION

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 THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 65°22'32", HAVING A RADIUS OF 30.00 FEET, A LENGTH OF 34.23 FEET AND WHOSE LONG CHORD BEARS N58°21'33"W FOR A DISTANCE OF 32.40 FEET TO A POINT ON A LINE AND THE POINT OF BEGINNING.; THENCE S88°57'10"W FOR A DISTANCE OF 18.83 FEET; THENCE N45°35'51"W FOR A DISTANCE OF 85.49 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 13°36'01" HAVING A RADIUS OF 800.00 FEET, A LENGTH OF 189.90 FEET AND WHOSE LONG CHORD BEARS N06°48'45"E FOR A DISTANCE OF 189.45 FEET TO A POINT ON A NON-TANGENTIAL LINE; THENCE N64°17'59"E FOR A DISTANCE OF 25.12 FEET; THENCE S25°42'01"E FOR A DISTANCE OF 20.00 FEET; THENCE S64°17'59"W FOR A DISTANCE OF 33.04 FEET; THENCE S05°54'41"W FOR A DISTANCE OF 148.03 FEET; THENCE S45°35'51"E FOR A DISTANCE OF 95.45 FEET TO A POINT ON A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 23°57'24" HAVING A RADIUS OF 30.00 FEET; A LENGTH OF 12.54 FEET AND WHOSE LONG CHORD BEARS S13°14'35"E FOR A DISTANCE OF 12.45 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 0.09 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON SEPTEMBER 6TH, 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.

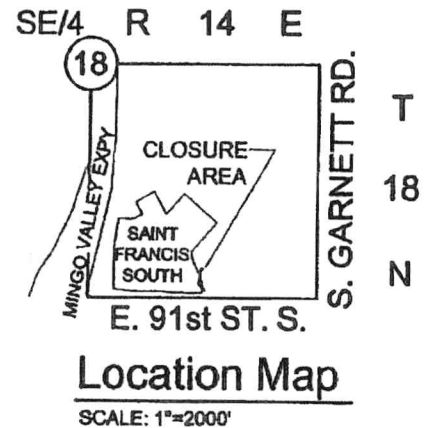
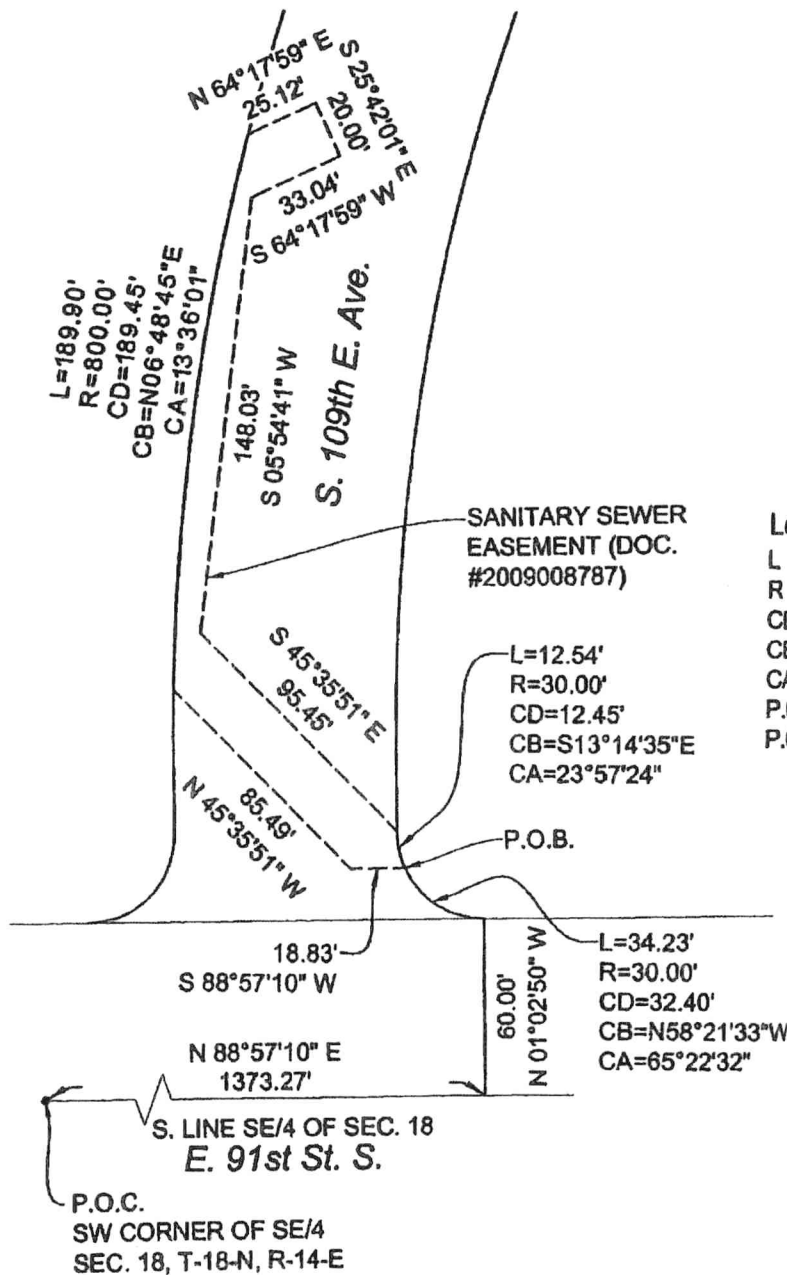
WITNESS MY HAND AND SEAL THIS 6TH DAY OF SEPTEMBER, 2022.



Cliff Bennett

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

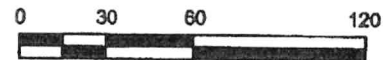
Page 2 of 2



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



Scale: 1"=60'



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



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

CLOSURE REPORT

North: 382704.4019' East: 2602570.7567'

Segment #1 : Line

Course: S88°57'10"W Length: 18.83'
North: 382704.0577' East: 2602551.9299'

Segment #2 : Line

Course: N45°35'51"W Length: 85.49'
North: 382763.8746' East: 2602490.8522'

Segment #3 : Curve

Length: 189.90' Radius: 800.00'
Delta: 013°36'01" Tangent: 95.40'
Chord: 189.45' Course: N06°48'45"E
Course In: S89°59'18"E Course Out: N76°23'12"W
RP North: 382763.7117' East: 2603290.8022'
End North: 382951.9870' East: 2602513.3249'

Segment #4 : Line

Course: N64°17'59"E Length: 25.12'
North: 382962.8602' East: 2602536.0141'

Segment #5 : Line

Course: S25°42'01"E Length: 20.00'
North: 382944.8387' East: 2602544.6873'

Segment #6 : Line

Course: S64°17'59"W Length: 33.04'
North: 382930.5104' East: 2602514.9158'

Segment #7 : Line

Course: S05°54'41"W Length: 148.03'
North: 382783.2676' East: 2602499.6702'

Segment #8 : Line

Course: S45°35'51"E Length: 95.45'
North: 382716.4817' East: 2602567.8637'

Segment #9 : Curve

Length: 12.54' Radius: 30.00
Delta: 026°23'07" Tangent: 6.38'

Chord: 12.45' Course: S13°14'35"E
Course In: N89°44'13"E Course Out: S63°21'06"W
RP North: 382716.6067' East: 2602595.0834'
End North: 382704.3929' East: 2602570.7560'

Perimeter: 628.44' Area: 0.09acres
Error Closure: 0.0089 Course: S04°19'05"W
Error North: -0.00891 East: -0.00067

Precision 1: 70548.31



5-2-23-07

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 (SS-3) AIR SPACE: _____

County Assessor Parcel Number: 76842-84-18-66030 Zoning: CO/PUD586A

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

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

Lot: 3 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: Saint Francis Hospital Inc.

Address: 6161 S. Yale Ave.

City: Tulsa State: OK Zip: 74136

Phone: _____ Email: _____

Signatures

Applicant: Nathalie Cornett Date: 12.5.22

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.

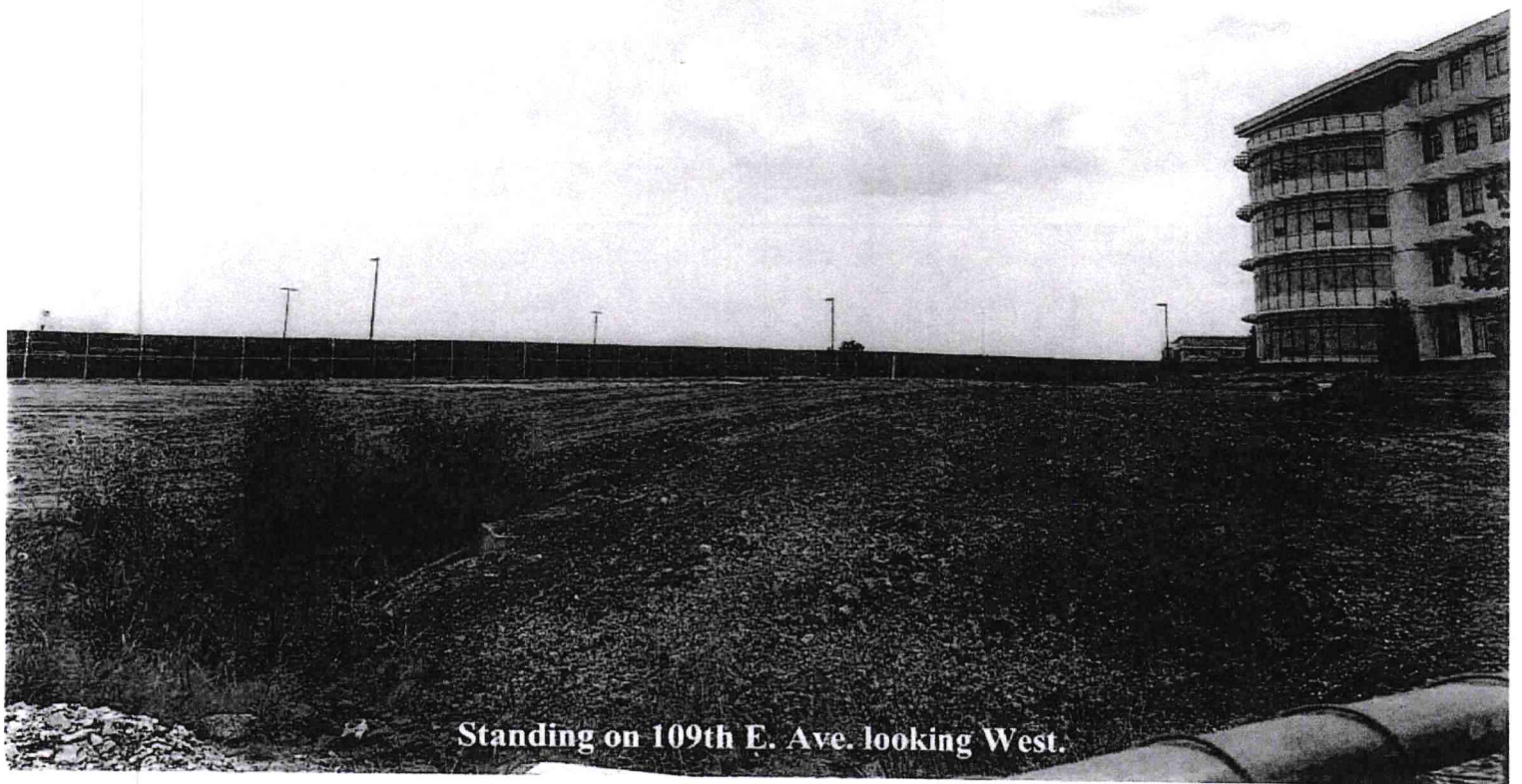
REQUIRED - Legal Description with a Plat of Survey for all closings. For Encroachments a digital sketch delineating the described request, showing all data pertinent to the property (refer to application instructions).

The Applicant requests the closure of the sanitary sewer 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 sanitary sewer easements that will be dedicated as a part thereof. Additionally, an exhibit showing the proposed sewer line relocation plan is attached. With the platted new easements and utility relocations, the existing sanitary sewer easements are no longer necessary.

This Application is submitted in multiple parts as follows:

1. SS-2, recorded as Document # 2009030760
2. SS-3, recorded as Document # 2009008787
3. SS-4 & SS-6, recorded as Document # 2009026998





Standing on 109th E. Ave. looking West.



Standing on South side of property looking to the North.