

# Easement

Version 3.3 released on 6/29/23



PWO120468

**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: 04.24.2024

☐ Posted

Item #: 2404.00994

*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 CP 4.2.24**Email**  
courtneyjones@cityoftulsa.org**Phone**  
918-596-9549**Easement Type**  
Utility**Owner-Grantor**  
Board of Regents Oklahoma Agriculture & Mechanical Colleges**Bid/Project Number**  
IDP 147812**Project Title**  
Veteran's Hospital in Tulsa**Council District**  
4**Section**  
2**Township**  
19**Range**  
12**Addition**  
OWEN & TULSA-ORIGINAL  
TOWN**Lot****Block****Address**  
440 S. Houston Ave.**Parcel Number**  
561**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:** 4/3/2024**Date:** 4/16/24**Date:****Date:** APR 24 2024**Date:****Policy Statement****Background Information**

This Utility easement is being donated by the Board of Regents Oklahoma Agriculture & Mechanical Colleges, a constitutionally created state entity under the laws of the State of Oklahoma, on behalf of Oklahoma State University Center for Health Sciences, as a requirement of IDP 147812. This easement is required for a new public storm sewer, sanitary sewer extension, and water line extension required for the Infrastructure Development at Veteran's Hospital in Tulsa. PDZ: MSL/MK swb

**Summation of the Requested Action**

Mayoral approval and City Council acceptance.

**Other Pertinent Details**

The easement is located on parts of Blocks Forty-three (43) and Forty-four (44), Amended Plat of Owen Addition and a part of Block One Hundred Twenty-eight (128) of Original Townsite, City of Tulsa.

**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)

## UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **BOARD OF REGENTS FOR THE OKLAHOMA AGRICULTURAL AND MECHANICAL COLLEGES**, a constitutionally created state entity under the laws of the State of Oklahoma, on behalf of Oklahoma State University Center for Health Sciences, (Grantor), the owner of the legal and equitable title to the following described real estate, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, 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 ATTACHED EXHIBIT "A"

for the purpose of permitting the City to construct all public utilities 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 described premises for the purposes aforesaid and Grantor, for itself, its 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 right to remove or otherwise eliminate such violation, and Grantor, its 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 8<sup>th</sup> day of March, 2024.

**BOARD OF REGENTS FOR THE OKLAHOMA  
AGRICULTURAL AND MECHANICAL  
COLLEGES**

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

By:   
Name: Joe D. Hall  
Its: Chair



ATTEST:

  
Name: Jason Ramsey  
Secretary

(Seal of the Board of Regents for the Oklahoma  
Agricultural and Mechanical Colleges)

STATE OF OKLAHOMA    )  
                                      ) ss.  
COUNTY OF PAYNE    )

Before me, the undersigned, a Notary Public, in and for said County and State on this 8<sup>th</sup> day of March, 2024, personally appeared Joe D. Hall, known to be the identical person who subscribed the name of **BOARD OF REGENTS FOR THE OKLAHOMA AGRICULTURAL AND MECHANICAL COLLEGES**, to the foregoing as its Chair and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of **BOARD OF REGENTS FOR THE OKLAHOMA AGRICULTURAL AND MECHANICAL COLLEGES**, 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:

12-30-24

**APPROVED AS TO FORM:**

*Assist.* Caroline H. Wolf  
City Attorney

**APPROVED AS TO SUBSTANCE:**

Zobell  
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

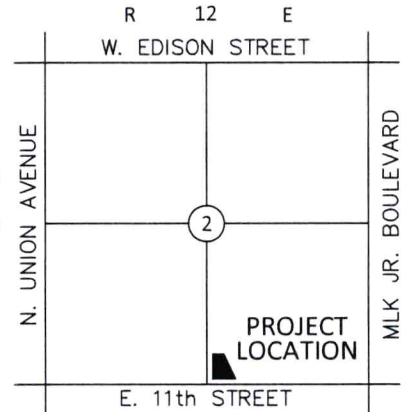
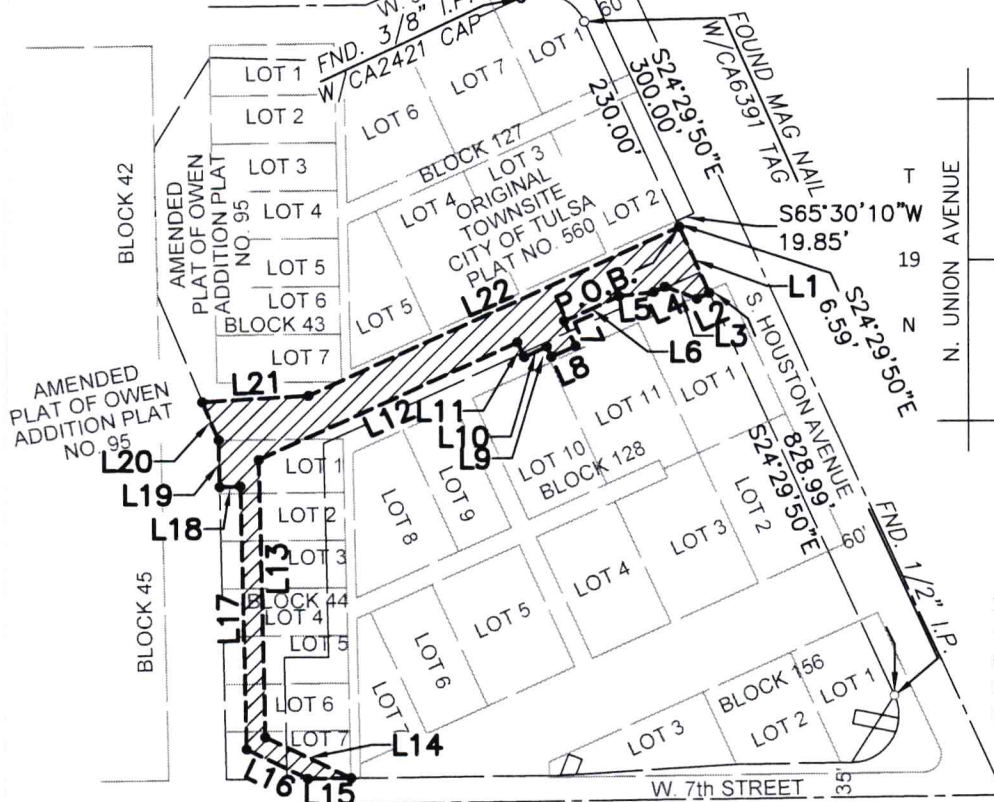
My commission expires:

\_\_\_\_\_



NORTHEAST CORNER OF  
LOT 1, BLOCK 127, TULSA OT  
POINT OF COMMENCEMENT

L=78.54'  
R=50.00'  
Chord L=70.71'  
Chord Brng=N69°29'50"W



LOCATION MAP  
NOT TO SCALE

### Basis of Bearing Note

THE BASIS OF BEARING FOR  
THIS SURVEY IS BASED ON THE  
OKLAHOMA STATE PLANE  
COORDINATE SYSTEM (NAD83  
OKLAHOMA NORTH ZONE 3501).

### Surveyor's Statement

I, R. WESLEY BENNETT HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS PLAT OF SURVEY 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 30TH DAY OF OCTOBER, 2023.



BY: R. Wesley Bennett  
R. WESLEY BENNETT, PLS  
OKLAHOMA NO. 1562

### LEGEND

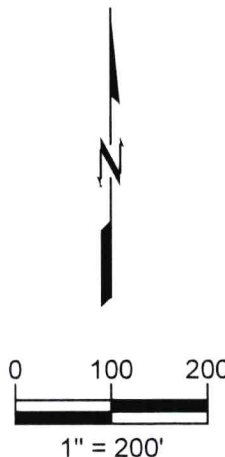
- P.O.B. = POINT OF BEGINNING
- = EASEMENT AREA
- = FOUND MAGNETIC NAIL
- = SET IRON PIN



wallace  
design  
collective

wallace design collective, pc  
structural · civil · landscape · survey  
123 north martin luther king jr. blvd.  
tulsa, oklahoma 74103  
918.584.5858  
oklahoma ca1460  
exp: 6-30-25

FIELD DATE:  
4/26/23



## PLAT OF SURVEY Utility Easement Exhibit "A"

OF

PART OF THE SW/4, SE/4, SECTION 2,  
TOWNSHIP 19 NORTH, RANGE 12 EAST

City of Tulsa,  
Tulsa County, Oklahoma

October 30, 2023

### EXHIBIT "A"

## LEGAL DESCRIPTION

### Utility Easement Exhibit "A"

A TRACT OF LAND LYING IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4, SE/4) OF SECTION TWO (2), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING PART OF BLOCKS FORTY-THREE (43) AND FORTY-FOUR (44), AMENDED PLAT OF OWEN ADDITION, PLAT NO. 95, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, AND BEING A PART OF BLOCK ONE HUNDRED TWENTY-EIGHT (128) ORIGINAL TOWNSITE, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 560, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF LOT ONE (1), BLOCK ONE HUNDRED TWENTY-SEVEN (127), TULSA ORIGINAL TOWNSITE, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE S24°29'50"E AND ALONG THE EAST LINE OF SAID LOT ONE (1), FOR A DISTANCE OF 300.00 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK ONE HUNDRED TWENTY-SEVEN (127); THENCE S65°30'10"W AND ALONG THE SOUTH LINE OF SAID BLOCK ONE HUNDRED TWENTY-SEVEN (127) FOR A DISTANCE OF 19.85 FEET; THENCE S24°29'50"E FOR A DISTANCE OF 6.59 FEET TO THE **POINT OF BEGINNING**; THENCE S24°29'50"E FOR A DISTANCE OF 75.63 FEET; THENCE S65°16'40"W FOR A DISTANCE OF 14.36 FEET; THENCE N69°30'11"W FOR A DISTANCE OF 35.38 FEET; THENCE S65°29'49"W FOR A DISTANCE OF 12.83 FEET; THENCE S83°09'18"W FOR A DISTANCE OF 36.26 FEET; THENCE S65°29'49"W FOR A DISTANCE OF 62.72 FEET; THENCE S24°30'11"E FOR A DISTANCE OF 28.63 FEET; THENCE S65°29'49"W FOR A DISTANCE OF 27.82 FEET; THENCE N24°30'11"W FOR A DISTANCE OF 11.63 FEET; THENCE S65°29'49"W FOR A DISTANCE OF 26.00 FEET; THENCE N24°30'11"W FOR A DISTANCE OF 17.00 FEET; THENCE S65°29'49"W FOR A DISTANCE OF 295.94 FEET; THENCE S01°14'50"E FOR A DISTANCE OF 291.22 FEET; THENCE S64°22'28"E FOR A DISTANCE OF 98.91 FEET; THENCE S89°18'10"W FOR A DISTANCE OF 45.10 FEET; THENCE N64°22'28"W FOR A DISTANCE OF 70.77 FEET; THENCE N01°14'50"W FOR A DISTANCE OF 275.93 FEET; THENCE S88°45'10"W FOR A DISTANCE OF 21.75 FEET; THENCE N01°14'50"W FOR A DISTANCE OF 48.89 FEET; THENCE N22°35'53"W FOR A DISTANCE OF 43.66 FEET; THENCE N86°36'11"E FOR A DISTANCE OF 111.19 FEET; THENCE N65°29'49"E FOR A DISTANCE OF 424.02 FEET TO **THE POINT OF BEGINNING**; SAID TRACT CONTAINING 0.78 ACRES.

LEGAL DESCRIPTION WAS PREPARED ON OCTOBER 30, 2023 BY R. WESLEY BENNETT, PLS #1562 WITH THE BEARINGS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83 OKLAHOMA NORTH ZONE 3501).

### Surveyor's Certificate

I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE PC CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE DESCRIBED LEGAL, AND THAT THE SURVEY OF THE DESCRIBED LEGAL 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 30TH DAY OF OCTOBER 2023.



*R. Wesley Bennett*

R. WESLEY BENNETT, PLS  
OKLAHOMA NO. 1562  
CERT. OF AUTH. NO. 1460  
EXP. DATE JUNE 30, 2025

FIELD DATE: 4/26/23



JBH

Line Table		
Line #	Length	Direction
L1	75.63	S24°29'50"E
L2	14.36	S65°16'40"W
L3	35.38	N69°30'11"W
L4	12.83	S65°29'49"W
L5	36.26	S83°09'18"W
L6	62.72	S65°29'49"W
L7	28.63	S24°30'11"E
L8	27.82	S65°29'49"W
L9	11.63	N24°30'11"W
L10	26.00	S65°29'49"W
L11	17.00	N24°30'11"W
L12	295.94	S65°29'49"W
L13	291.22	S01°14'50"E
L14	98.91	S64°22'28"E
L15	45.10	S89°18'10"W
L16	70.77	N64°22'28"W
L17	275.93	N01°14'50"W
L18	21.75	S88°45'10"W
L19	48.89	N01°14'50"W
L20	43.66	N22°35'53"W

Line Table		
Line #	Length	Direction
L21	111.19	N86°36'11"E
L22	424.02	N65°29'49"E

### Surveyor's Statement

I, R. WESLEY BENNETT HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS PLAT OF SURVEY 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 30TH DAY OF OCTOBER, 2023.

### Basis of Bearing Note

THE BASIS OF BEARING FOR THIS SURVEY IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83 OKLAHOMA NORTH ZONE 3501).



BY: R. Wesley Bennett  
R. WESLEY BENNETT, PLS  
OKLAHOMA NO. 1562



wallace  
design  
collective

wallace design collective, pc  
structural · civil · landscape · survey  
123 north martin luther king jr. blvd.  
tulsa, oklahoma 74103  
918.584.5858  
oklahoma ca1460  
exp: 6-30-25

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4/26/23

## PLAT OF SURVEY Utility Easement Exhibit "A"

OF

PART OF THE SW/4, SE/4, SECTION 2,  
TOWNSHIP 19 NORTH, RANGE 12 EAST

City of Tulsa,  
Tulsa County, Oklahoma

October 30, 2023

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