

Easement

Version 3.3 released on 6/29/23



PW0120442

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 #: 2404.01023

*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 4.8.24

Email
courtneyjones@cityoftulsa.org

Phone
918-596-9549

Easement Type
Sanitary Sewer

Owner-Grantor
RAG, LLC

Bid/Project Number
IDP 110267

Project Title
Greenheck Phase 4

Council District
3

Section
20

Township
20

Range
14

Addition
RACEWAY ADDITION

Lot
1

Block
1

Address
3010 N. David Patrick Ave. E.

Parcel Number
398

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:****Date:****Date:****Date:****Date:****Policy Statement****Background Information**

This Sanitary Sewer easement is being donated by RAG, LLC, a Wisconsin limited liability company, as a requirement of IDP 110267. The IDP work for this phase includes a sanitary sewer extension, a waterline extension and a private detention pond. PDZ: MSL 4/10/24 swb

Summation of the Requested Action

Mayoral approval and City Council acceptance.

Other Pertinent Details**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)

SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **RAG, LLC, a Wisconsin limited liability company**, (Grantor) the owner of the legal and equitable title to the following real estate situated in Tulsa County, State of Oklahoma, for and in consideration of the sum of One Dollar (\$1.00) from the City of Tulsa, Oklahoma, a municipal corporation, and other good and valuable considerations, receipt of which is hereby acknowledged, does hereby grant and convey unto the said City of Tulsa, Oklahoma, a perpetual easement through, over, under and across the following described property, situated in said County, to-wit:

See Exhibit "A"

for the purpose of permitting the City, to construct a sanitary sewer 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 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 11TH day of MARCH, 2024.

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

RAG, LLC,
a Wisconsin limited liability company

By: 
Name: Rich Totzke
Title: Manager and President

STATE OF ~~OKLAHOMA~~ ^{WISCONSIN})
COUNTY OF ~~TULSA~~ ^{MARATHON}) ss.

Before me, the undersigned, a Notary Public, in and for said County and State on this 11TH day of MARCH, 2024, personally appeared **Rich Totzke**, known to be the identical person who subscribed the name of **RAG, LLC**, a Wisconsin limited liability company, to the foregoing as its Manager and President 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 **RAG, LLC**, a Wisconsin 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.

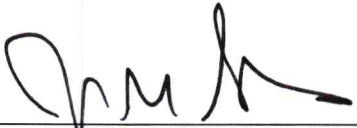

Notary Public

My Commission Expires:

01/28/25



APPROVED AS TO FORM:



Asst. City Attorney

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

[illegible]

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:

[illegible]

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:



EXHIBIT "A"
EASEMENT

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHEAST QUARTER (NE/4) OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) SECTION TWENTY (20), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 20; THENCE N88°40'39"E FOR A DISTANCE OF 2077.65 FEET; THENCE N01°14'05"W FOR A DISTANCE OF 1250.43 FEET TO THE POINT OF BEGINNING; THENCE N43°04'49"W FOR A DISTANCE OF 20.00 FEET; THENCE N46°36'04"E FOR A DISTANCE OF 20.00 FEET; THENCE S43°04'49"E FOR A DISTANCE OF 20.00 FEET; THENCE S46°36'04"W FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID AREA CONTAINING 400 SQ. FEET.

LEGAL DESCRIPTION WAS PREPARED ON JANUARY 24, 2022 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20 T-20-N, R-14-E AS N88°40'39"E.

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 SUBJECT PROPERTY DESCRIBED, AND THAT THE SURVEY OF THE SUBJECT 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 24TH DAY OF JANUARY, 2022.



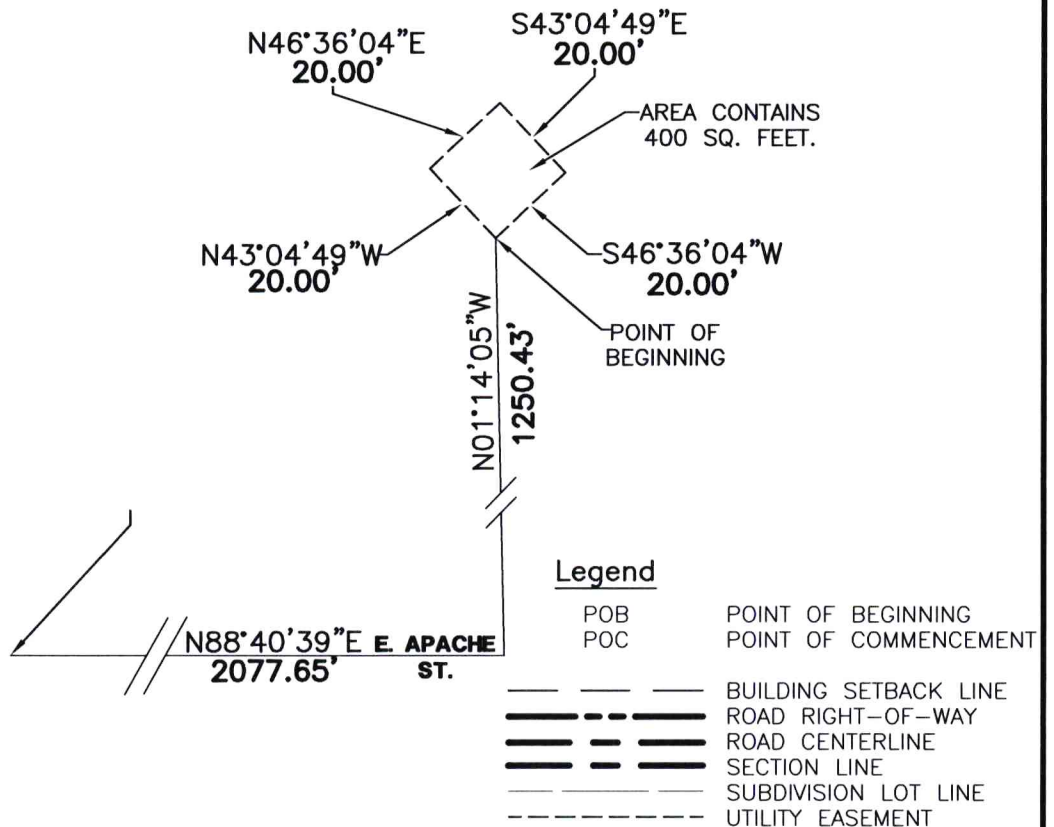
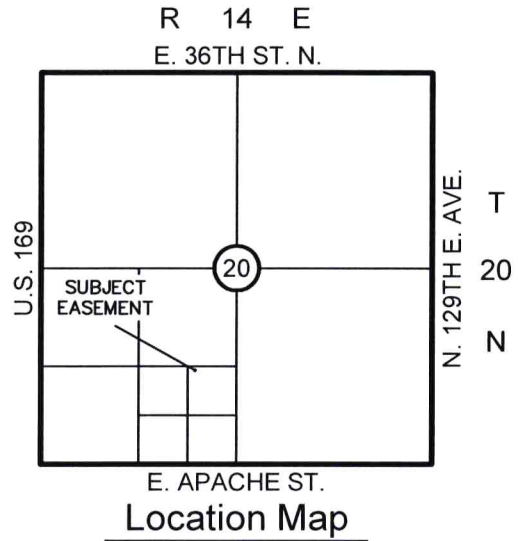
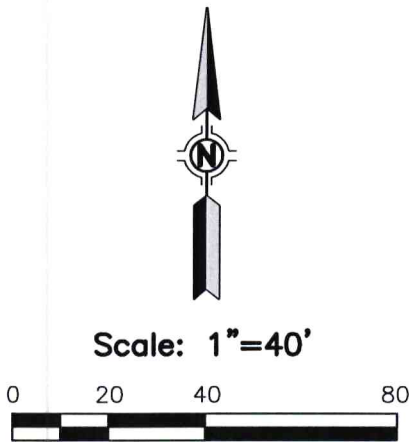
Cliff Bennett

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

EASEMENT EXHIBIT "A"

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CMS
JMS



FILE: 220210 "A"

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20 T-20-N, R-14-E AS N88°40'39"E.
2. SEE EXHIBIT "A" PAGE 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

EXHIBIT "A"
Page 2 of 2

**BENNETT
SURVEYING, INC.**

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

IDP 110267
ESMT 398
EASEMENT

IDP 110267
ESMT 398
EASEMENT

IDP 110267
ESMT 398
EASEMENT

IDP 110267
GREENHECK PHASE 4
N.T.S. 8/3/2022

E 27th ST N

N 118th E AVE

E APACHE ST

N