

Easement

Version 3.3 released on 6/29/23



PW0120443

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 #: 2404.01024

*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

Email
courtneyjones@cityoftulsa.org

Phone
918-596-9549

Easement Type
Waterline

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
399

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:** 4/10/24**Date:** APRIL 17 XXIV**Date:****Date:** APR 24 2024**Policy Statement****Background Information**

This Waterline 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)

A24-1829

WATER 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, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) 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 Exhibit "A"

for the purpose of permitting the City, to construct a **water main or mains** 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 themselves, 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 them, 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, their heirs, 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 Tetzke
Title: Manager and President

WISCONSIN
STATE OF ~~OKLAHOMA~~)
MARATHON) ss.
COUNTY OF ~~TULSA~~)

Before me, the undersigned, a Notary Public, in and for said County and State on this 11TH day of MARCH, 2024, personally appeared **Rich Tetzke**, 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:

SENIOR
ASSISTANT  (SWINEY)
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:



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 2484.42 FEET; THENCE N01°14'05"W FOR A DISTANCE OF 1275.97 FEET TO THE POINT OF BEGINNING; THENCE N11°49'35"E FOR A DISTANCE OF 30.00 FEET; THENCE S78°37'57"E FOR A DISTANCE OF 20.00 FEET TO THE BEGINNING OF A NON TANGENTIAL CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 02°46'22", HAVING A RADIUS OF 620.00 FEET, A LENGTH OF 30.00 FEET AND WHOSE LONG CHORD BEARS S11°49'35"W FOR A DISTANCE OF 30.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE. THENCE N78°37'57"W FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID AREA CONTAINING 596.00 SQ. FEET, OR 0.01 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON AUGUST 11, 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 11TH DAY OF AUGUST, 2022.



Cliff Bennett

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

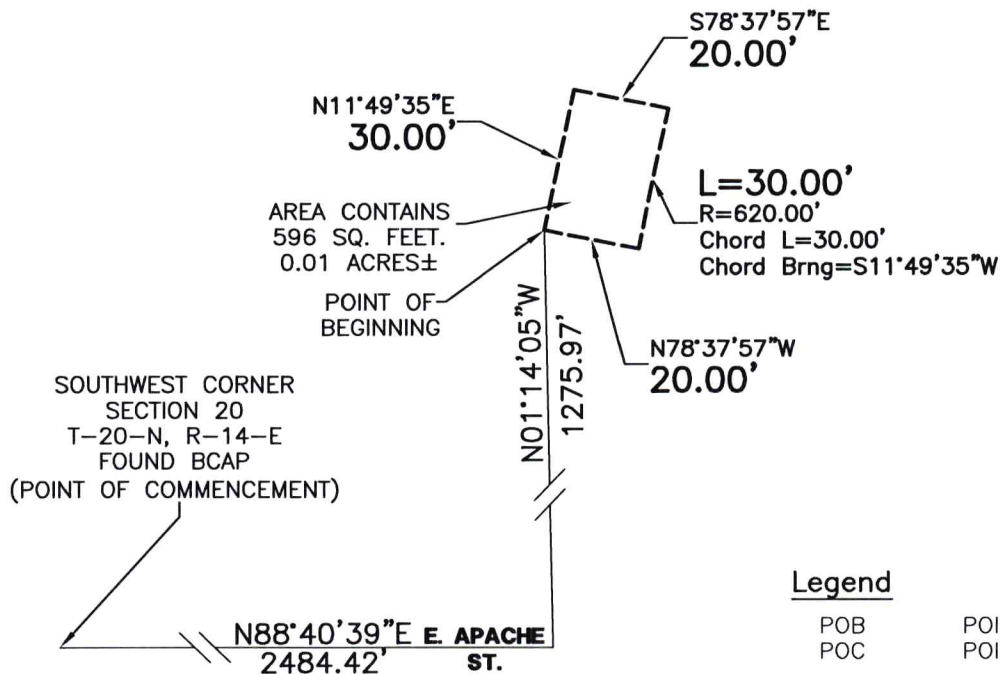
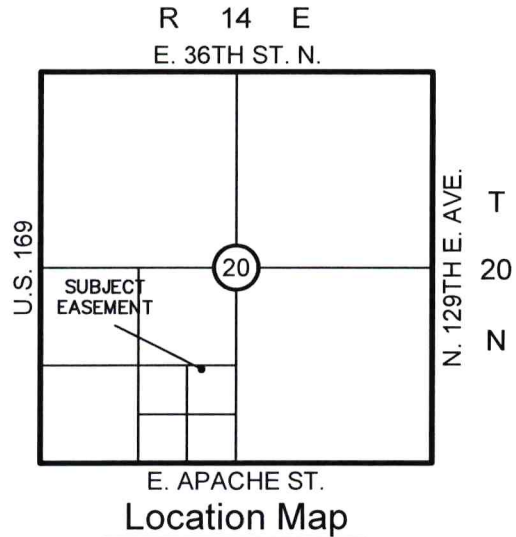
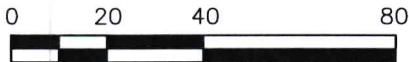
EASEMENT

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CMS



Scale: 1"=40'



Legend

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

— — — — — BUILDING SETBACK LINE
— — — — — ROAD RIGHT-OF-WAY
— — — — — ROAD CENTERLINE
— — — — — SECTION LINE
— — — — — SUBDIVISION LOT LINE
- - - - - UTILITY EASEMENT

FILE: 220210 "B"

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.

**BENNETT
SURVEYING, INC.**

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



IDP 110267
ESMT 38
EASEMENT

IDP 110267
ESMT 39
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