

# Easement

Version 3.3 released on 6/29/23



PW0120499

**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: 05.22.2024

☐ Posted

Item #: 2405.01273

*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  
KMK Properties L.L.C.

Bid/Project Number  
IDP 147021

Project Title  
Metal Panels

Council District

Section  
27

Township  
20

Range  
14

Addition  
UNPLATTED

Lot

Block

Address  
14921 E. Pine St.

Parcel Number  
603

Additional Information/Tracking Number  
Property is located in Rogers County

**Budget****Contract Types**☒ No Payments Involved☐ Revenue Contracts☐ Expense Contracts**Funding Source(s)****DONATION:****TOTAL:**

\$0.00

**Approvals**

Department: \_\_\_\_\_

Legal: \_\_\_\_\_

Board: \_\_\_\_\_

Mayor: \_\_\_\_\_

Other: \_\_\_\_\_

Date: 5/2/2024

Date: 5/9/2024

Date: MAY 22 2024

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Policy Statement****Background Information**

This Waterline easement is being donated by KMK Properties L.L.C., an Oklahoma limited liability company, as a requirement of IDP 147021. This waterline easement is required for infrastructure improvements consisting of a public waterline extension at Metal Panels, Inc. Facility in Catoosa.

PDZ: POC 5/1/24 MSL 4/30/24 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)

A 24-2229

## WATER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **KMK PROPERTIES L.L.C., an Oklahoma 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 TEN AND NO/100 DOLLARS (\$10.00) 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 itself and 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 23<sup>rd</sup> day of February, 2024.

CITY OF TULSA  
OFFICE OF CITY CLERK  
175 E. 2<sup>ND</sup> ST. – STE 260  
TULSA, OKLAHOMA 74103

By: Mitchell Hentkowski  
Name: Mitchell Hentkowski  
Title: Managing Member

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**APPROVED AS TO FORM:**

*Caroline L. Wolf*  
\_\_\_\_\_  
Asst. City Attorney

**APPROVED AS TO SUBSTANCE:**

*[Signature]*  
\_\_\_\_\_  
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:  
\_\_\_\_\_



## WATERLINE EASEMENT EXHIBIT LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, ROGERS COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT SOUTHWEST CORNER OF SAID SECTION 27; THENCE N88°45'15"E ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 660.44 FEET; THENCE N01°07'01"W FOR A DISTANCE OF 621.75 FEET TO THE **POINT OF BEGINNING**; THENCE N01°07'01"W FOR A DISTANCE OF 20.00 FEET; THENCE N88°44'36"E FOR A DISTANCE OF 1470.85 FEET; THENCE S01°08'49"E FOR A DISTANCE OF 582.03 FEET; THENCE S88°45'15"W FOR A DISTANCE OF 20.00 FEET; THENCE N01°08'49"W FOR A DISTANCE OF 562.02 FEET; THENCE S88°44'36"W FOR A DISTANCE OF 1450.86 FEET TO THE **POINT OF BEGINNING**. AREA CONTAINING 0.93 ACRES, MORE OR LESS.

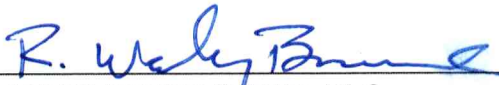
LEGAL DESCRIPTION WAS PREPARED ON FEBRUARY 2, 2024, BY R. WESLEY BENNETT, PLS #1562 WITH THE BEARINGS BASED ON THE WEST LINE OF THE SW/4 OF SECTION 27 T-20-N, R-14-E ROGERS COUNTY AS N01°07'54"W.

### SURVEYOR'S CERTIFICATE

I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE, 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 6TH DAY OF FEBRUARY 2024.

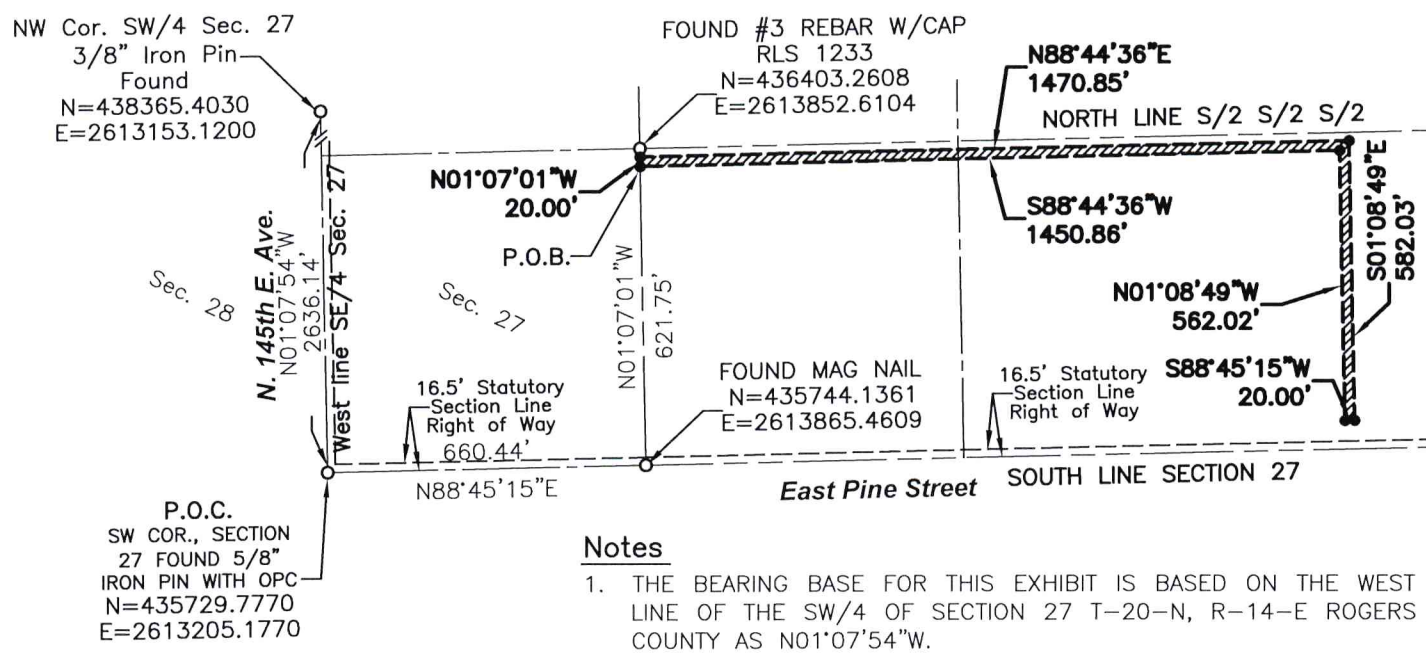


  
R. WESLEY BENNETT, PLS  
OKLAHOMA NO. 1815  
CERT. OF AUTH. NO. 1460  
EXP. DATE JUNE 30, 2025

LAST SITE VISIT: AUGUST 1, 2023.

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**Notes**

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE WEST LINE OF THE SW/4 OF SECTION 27 T-20-N, R-14-E ROGERS COUNTY AS N01°07'54"W.
2. SEE EXHIBIT PAGE 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.
3. SITE LAST VISITED 8-1-23

**Surveyor's Statement**

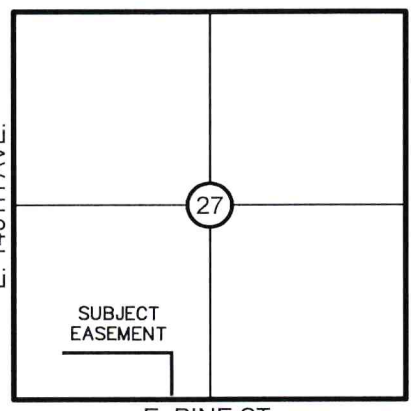
I, R. WESLEY BENNETT HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 6TH DAY OF FEBRUARY, 2024.

**LEGEND**

- P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
 = EASEMENT AREA  
○ = FOUND SURVEY MONUMENT  
● = SET SURVEY MONUMENT

R 14 E



**Location Map**

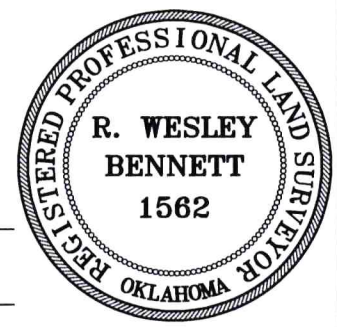


wallace  
design  
collective

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



BY: R. Wesley Bennett  
R. WESLEY BENNETT, R.P.L.S. No.1562  
FEBRUARY 6, 2024  
DATE OF STATEMENT



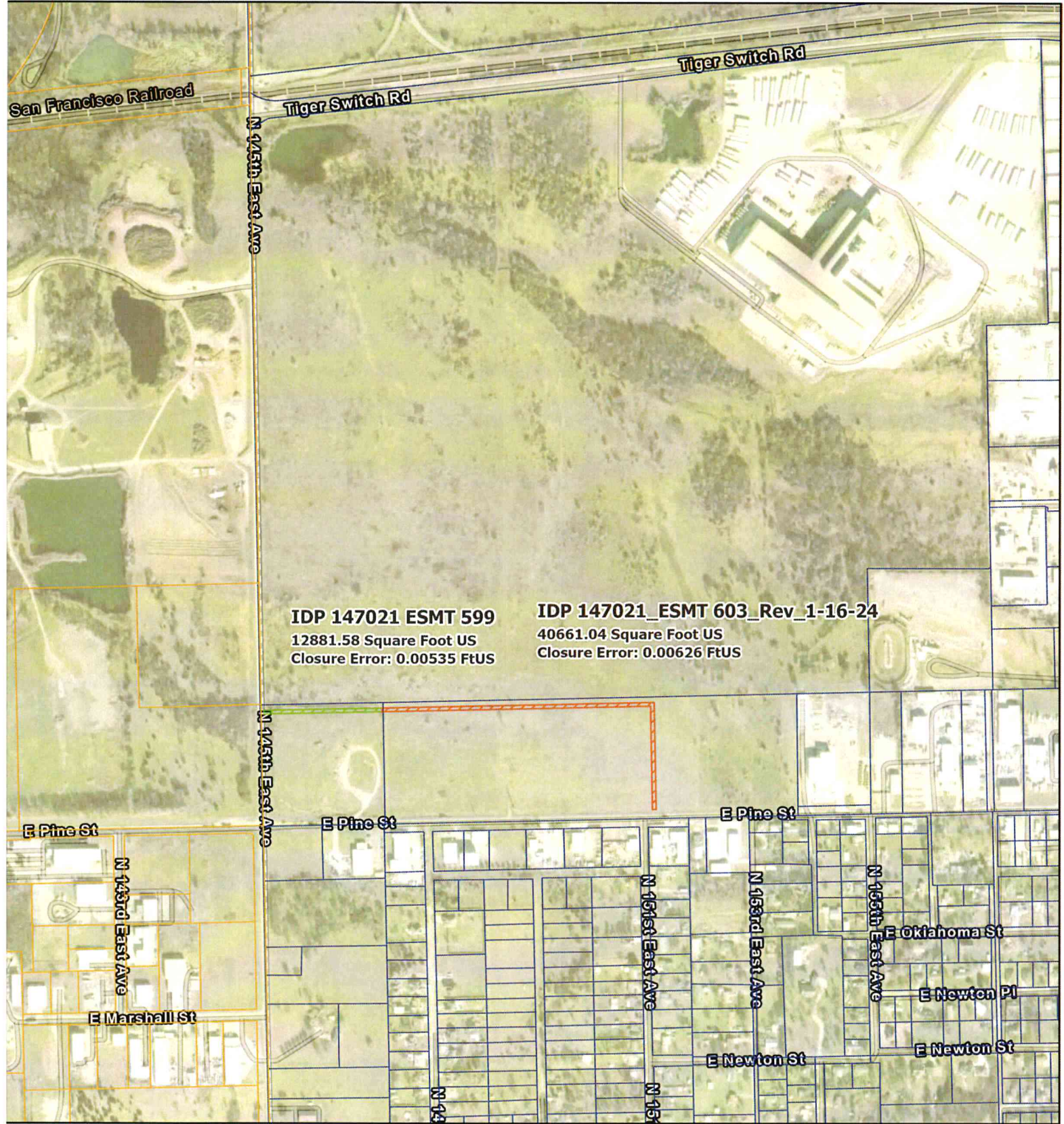
**Plat of Survey  
Waterline Easement Exhibit**

OF  
PART OF THE SW/4, SECTION 27,  
TOWNSHIP 20 NORTH, RANGE 14 EAST

City of Tulsa,  
Rogers County, Oklahoma

LAST FIELD VISIT:  
AUGUST 1, 2023





Blue line: Rogers Co. Parcels  
Yellow line: Tulsa Co. Parcels

Overall Map  
IDP 147021 ESMT 599 & 603  
SW/4 of Sec. 27 T20N R14E

