Easement

Version 3.3 released on 6/29/23

PW0120601

CITY COUNCIL USE ONLY		CITY CLERK USE ONLY
Date Received:	Tracking #:	☐ Scanned Date: 06.20.2024
Committee Date:	Committee:	☐ Posted Item #: 2406.01558
1st Agenda Date:	Hearing Date:	
	2nd Agenda Date:	

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 CJ 6.3.24

Email
courtneyjones@cityoftulsa.org

Phone
918-596-9549

Easement Type
Waterline

Owner-Grantor
AG Inspire RE Holdings, LLC

Bid/Project Number
BLDC 166738

Project Title
46th & Skelly Infrastructure improvements and lot line adjustments

Council District
5

Section
27

Township
19

Range
13

Addition
ADMIRAL BENBOW ADDN

Lot
1

Block
1

Address
5154 E. Skelly Drive

Parcel Number
612

Additional Information/Tracking Number

Budget

Contract Types
● **No Payments Involved**
○ Revenue Contracts
○ Expense Contracts

Funding Source(s)

DONATION:
TOTAL: $0.00

Approvals

Department:	JMS	**Date:**	6/10/2024
Legal:	JMS	**Date:**	6/12/2024
Board:		**Date:**	
Mayor:		**Date:**	JUN 20 2024
Other:		**Date:**	

Policy Statement

Background Information

This Waterline easement is being donated by AG Inspire RE Holdings, LLC, an Oklahoma limited liability company, as a requirement of BDLC 166738. This Waterline easement is required for infrastructure improvements and Lot Line Adjustments at 46th and Skelly in Tulsa.

PDZ: MSL: 6/30/24 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 (addt'l signature copies attached)
☑ **Must be filed with other governmental entity**
☐ Addt'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)

A24-3098

WATER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **AG INSPIRE RE HOLDINGS, LLC, 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 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 8th day of May, 2024.

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

AG INSPIRE RE HOLDINGS, LLC
an Oklahoma limited liability company

By: _____
Name: Denver Green
Title: Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 8 day of May, 2024, personally appeared **Denver Green**, known to be the identical person who subscribed the name of **AG INSPIRE RE HOLDINGS, LLC, an Oklahoma limited liability company,** the foregoing as its Manager 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 **AG INSPIRE RE HOLDINGS, LLC, an Oklahoma limited liability company,** 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:

01/23/2028

TATIANE WAPENIK CARVALHO
NOTARY
24001066
EXP. 01/23/28
PUBLIC
STATE OF OKLAHOMA

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:

Date: _____

CITY OF TULSA, OKLAHOMA,
a municipal corporation

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:

_____

EB

JMS

PLAT OF SURVEY
WATERLINE EASEMENT
Exhibit "A"
SHEET 1 OF 2

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN A PART OF LOT ONE (1), BLOCK ONE (1), ADMIRAL BENBOW ADDITION, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING (P.O.C.) AT THE NORTHEAST CORNER OF SAID LOT ONE (1), BLOCK ONE (1), ADMIRAL BENBOW ADDITION; THENCE N42°18'33"W FOR A DISTANCE OF 58.17 FEET TO THE **POINT OF BEGINNING** (P.O.B.); THENCE S47°41'27"W FOR A DISTANCE OF 14.14 FEET; THENCE N42°18'33"W FOR A DISTANCE OF 25.00 FEET; THENCE N47°41'27"E FOR A DISTANCE OF 14.14 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT ONE (1), BLOCK (1), ADMIRAL BENBOW ADDITION; THENCE S42°18'33"E FOR A DISTANCE OF 25.00 FEET TO THE **POINT OF BEGINNING** (P.O.B.); SAID TRACT CONTAINING 0.01 ACRES MORE OR LESS.

BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS EXHIBIT IS 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 ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORDANCE WITH THE EXISTING REQUIREMENTS AND IS A TRUE REPRESENTATION OF THE DEDICATION AS DESCRIBED. THIS LEGAL DESCRIPTION MEETS THE MINIMUM STANDARDS FOR LEGAL DESCRIPTIONS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

WITNESS MY HAND AND SEAL THIS 18TH DAY OF JANUARY, 2024.

REGISTERED PROFESSIONAL LAND SURVEYOR
R. WESLEY BENNETT
1562
OKLAHOMA

R. Wesley Bennett

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

SURVEYOR'S LAST SITE VISIT: OCTOBER 11, 2023

wallace design collective

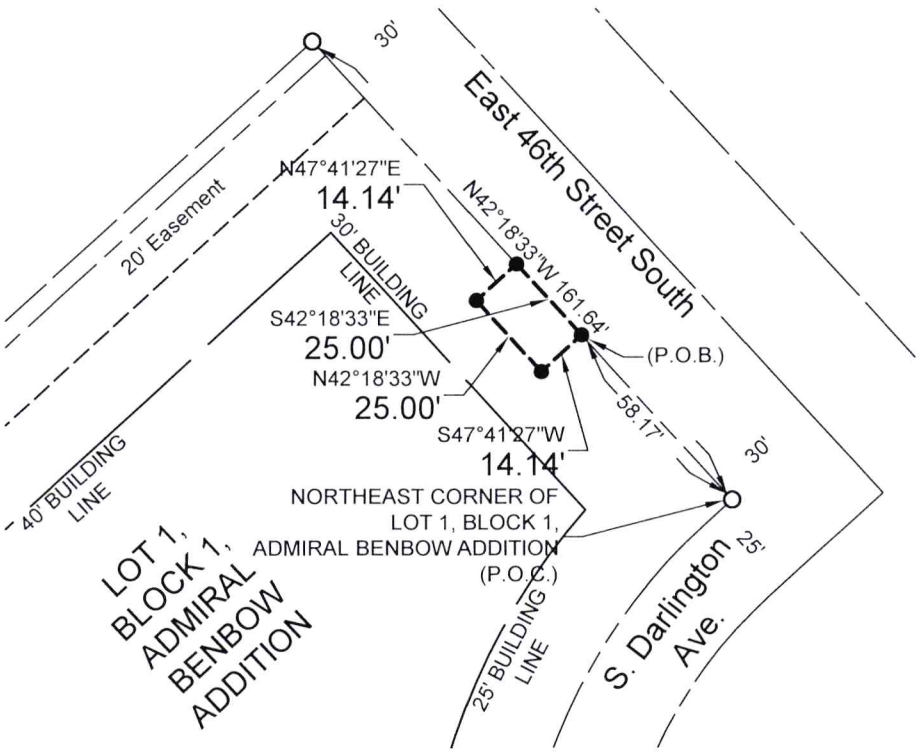
wallace design collective, pc
structural · civil · landscape · survey
123 north martin luther king jr. boulevard
tulsa, oklahoma 74103
918.584.5858 · 800.364.5858
wallace.design

#3 JMS

PLAT OF SURVEY
Waterline Easement Exhibit "A"

SHEET 2 OF 2

A PART OF LOT ONE (1), BLOCK ONE (1), ADMIRAL BENBOW ADDITION, CITY OF TULSA, TULSA COUNTY, OKLAHOMA



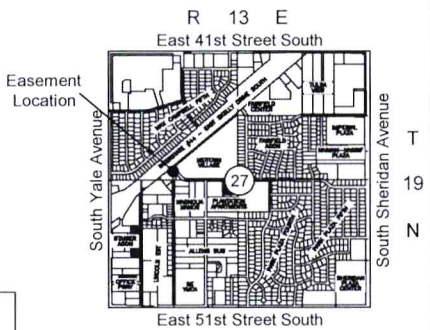
N

0 25 50

1" = 50'

LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT



Location Map
Not to Scale

BASIS OF BEARINGS

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

SURVEYOR'S LAST SITE VISIT:

OCTOBER 11, 2023

CERTIFICATION

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 18TH DAY OF JANUARY, 2024.

REGISTERED PROFESSIONAL LAND SURVEYOR
R. WESLEY BENNETT
1562
OKLAHOMA

R. Wesley Bennett

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

EXHIBIT "A"
Page 2 of 2

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tulsa, oklahoma 74103
918.584.5858 · 800.364.5858
wallace.design

\\Civil-Server\Projects\2340338 46th & Skelly\Dwg\PRODUCTION\Exhibits\2340338 LG-1A.dwg PLOT:1/18/2024 3:52:52 PM ORIG SIZE:8.5"X11"