

Easement

Version 3.3 released on 6/29/23



PWC120618

CITY COUNCIL USE ONLY

Date Received: _____

Committee Date: _____

1st Agenda Date: _____

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____**CITY CLERK USE ONLY**☐ Scanned

Date: 06.20.2024

☐ Posted

Item #: 2406.01561

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 6.24**Email**
courtneyjones@cityoftulsa.org**Phone**
918-596-9549**Easement Type**
Utility**Owner-Grantor**
Tulsa Hills Hospitality, LLC**Bid/Project Number**
IDP 24487**Project Title**
Nickel Creek Avid Hotel**Council District**
2**Section**
11**Township**
18**Range**
12**Addition**
NICKEL CREEK PHASE IV**Lot**
1**Block****Address**
1539 West 80th Street South**Parcel Number**
159**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 Utility easement is being donated by Tulsa Hills Hospitality, LLC, an Oklahoma limited liability company, as a requirement of IDP 24487. The IDP project for this location consists of public roadway, sanitary sewer, waterline and storm sewer extensions to facilitate a commercial development.

PDZ: [Signature] MSL [Signature] 6/7/24 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)

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **TULSA HILLS HOSPITALITY, LLC**, an Oklahoma limited liability company, (Collectively "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 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 10th day of May, 2024.

**TULSA HILLS HOSPITALITY, LLC,
an Oklahoma limited liability company,**

By: Robert Patel
Name: Robert Patel
Title: Manager

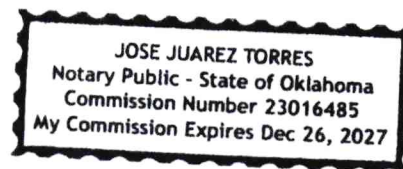
STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 16th day of May, 2024, personally appeared **Robert Patel**, known to be the identical person who subscribed the name of **TULSA HILLS HOSPITALITY, LLC, an Oklahoma limited liability company**, to 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 **TULSA HILLS HOSPITALITY, LLC, an Oklahoma 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.

[Signature]
Notary Public

My commission expires:
Dec 26, 2027



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

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

NICKEL CREEK AVID HOTEL UTILITY EASEMENT LEGAL DESCRIPTION

LEGAL DESCRIPTION

A 17.5' Utility Easement being part of Lot 1 of NICKEL CREEK PHASE IV, an Addition to the City of Tulsa, Tulsa County, Oklahoma in part of the Southwest Quarter (SW/4) of Section Eleven (11), Township 18 North, Range 12 E of the Indian Meridian, being more particularly described as follows;

COMMENCING at the most easterly Southeast Corner of said Lot 1; Thence N 42°33'30" West, along a southeasterly line of said Lot 1 a distance of 352.94 feet; Thence N 47°26'30" E a distance of 20.25 feet; Thence N 42°47'30" W a distance of 53.18 feet; Thence S 88°55'53" W a distance of 98.60 feet to the POINT OF BEGINNING;

Thence S 01°04'07" E a distance of 259.19 feet;

Thence S 22°34'47" E a distance of 16.90 feet;

Thence S 88°55'42" W a distance of 18.81 feet;

Thence N 22°34'47" W a distance of 13.33 feet;

Thence N 01°04'07" W a distance of 262.51 feet;

Thence N 88°55'53" E a distance of 17.50 feet to the POINT OF BEGINNING.

Containing 4,829.97 Sq. Ft. or 0.111 Acres, more or less.

SURVEYOR'S STATEMENT

The basis of bearings for the legal descriptions are based on Oklahoma State Plane Coordinate System (North Zone) using South 01°15'01" East as the west line of the Southwest Quarter of Section 11, Township 18 North, Range 12 East of the Indian Meridian as shown on the plat of NICKEL CREEK PHASE IV.

SURVEYOR'S CERTIFICATION

I, TROY DEE, OF GOLDEN LAND SURVEYING, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE EASEMENT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

EXHIBIT "A"

Page 1 of 2



Prepared By

GOLDEN
LAND SURVEYING

7304 NW 164th St., Suite #5, Edmond, Oklahoma 73013
C.A.# 7263 / Exp. Date = 6/30/2024

Telephone: (405) 802-7883 Email: troy@goldenls.com

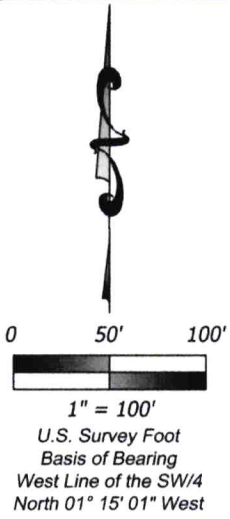
Drafted by: CT GLS Job No.: 21842
Plot Date: March 22, 2024

Sheet 1 Of 2

NICKEL CREEK AVID HOTEL UTILITY EASEMENT EXHIBIT

ET3

JMS

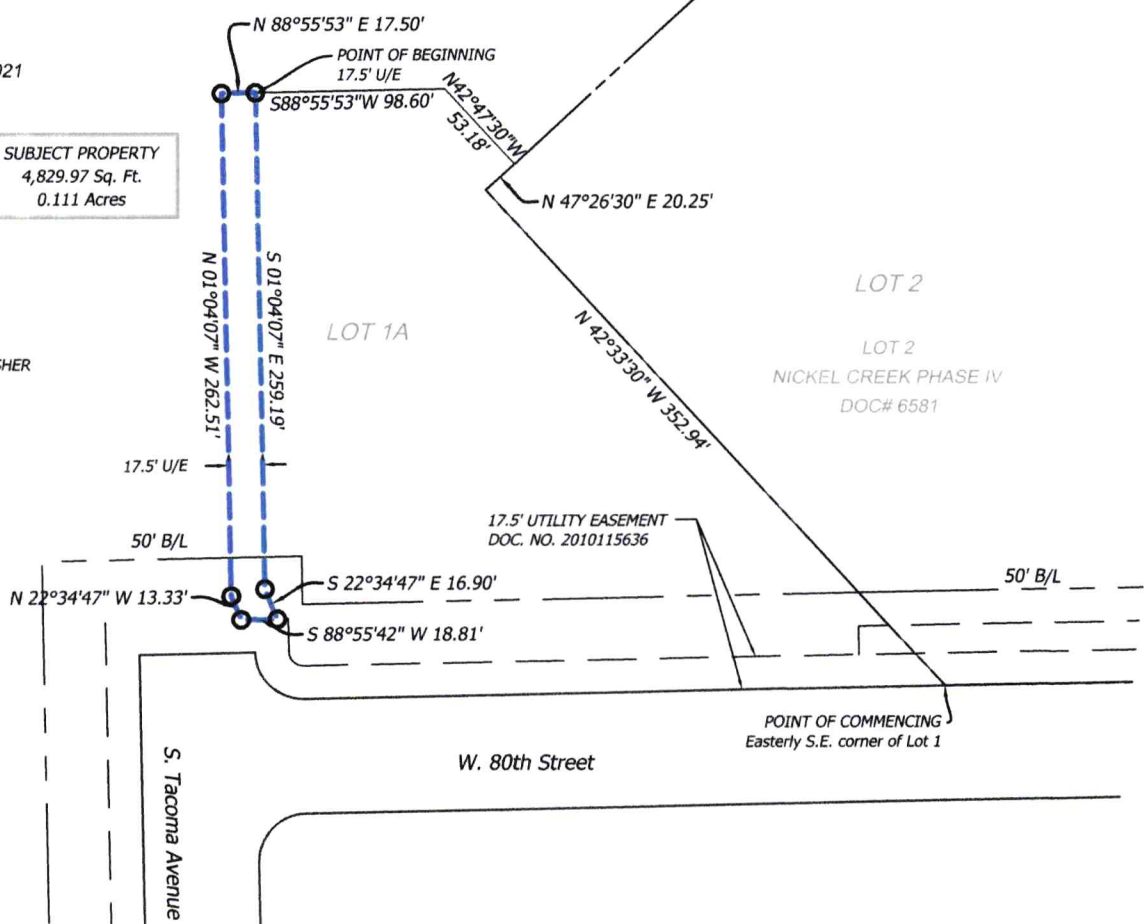


Field Date: DECEMBER 20, 2021

SUBJECT PROPERTY
4,829.97 Sq. Ft.
0.111 Acres

LEGEND

- SET IRON PIN W/CAP
- ⊙ SET MAG NAIL W/WASHER
- FOUND MONUMENT



SURVEYOR'S STATEMENT

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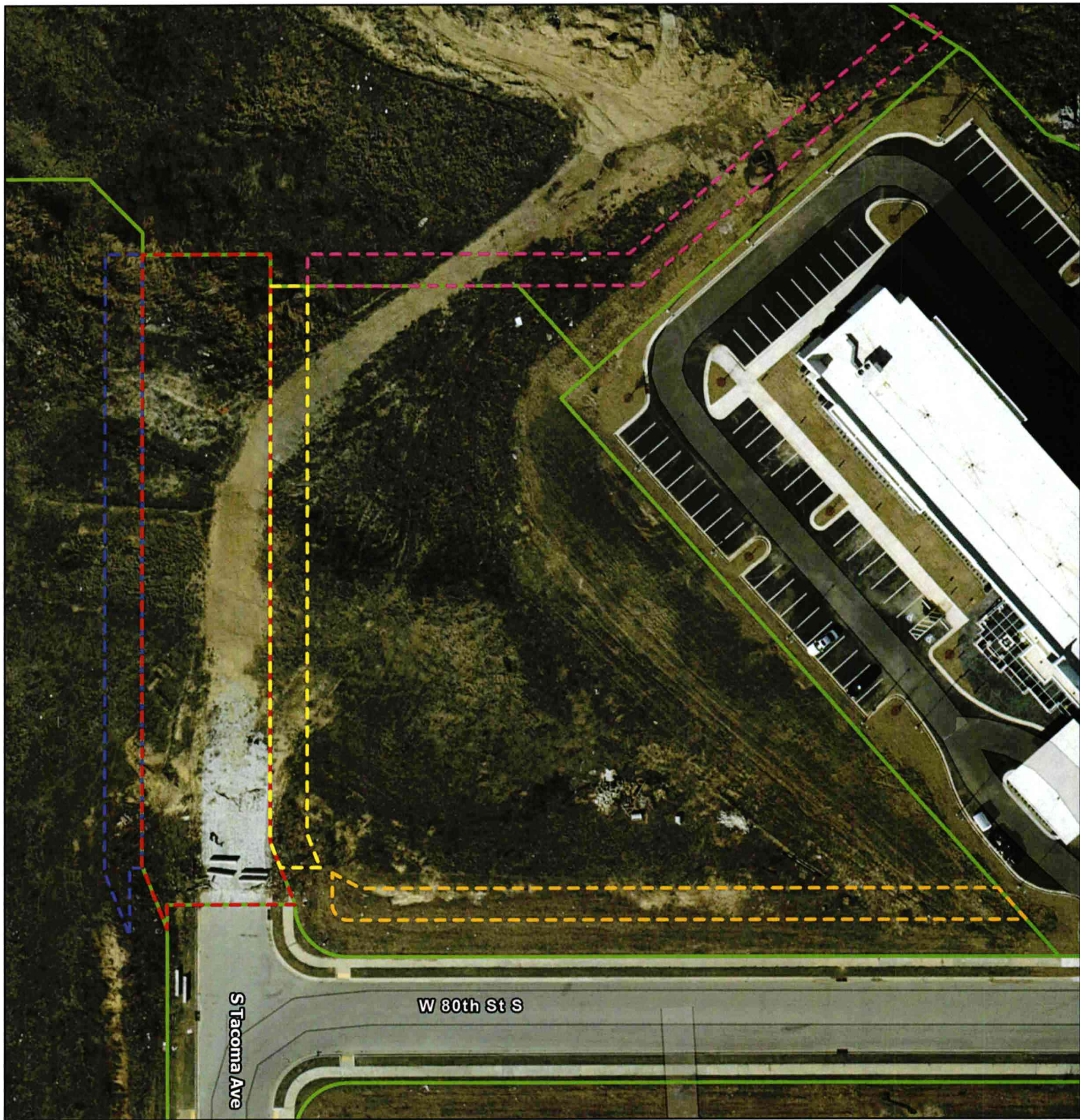
I, TROY DEE, OF GOLDEN LAND SURVEYING, CERTIFY THAT THIS PLAT OF SURVEY IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE EASEMENT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

EXHIBIT "A"
Page 2 OF 2



Prepared By
GOLDEN LAND SURVEYING
7304 NW 164th St., Suite #5, Edmond, Oklahoma 73013
C.A.# 7263 / Exp. Date =6/30/2024
Telephone: (405) 802-7883 Email: troy@goldenls.com
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Sheet 2 Of 2

Filename: O:\UOBS\PROJECTS 2021\21842 NICKEL CREEK TULSA CEDAR\21842 NICKEL CREEK TULSA LOT SPLIT EXHIBIT.DWG, Last Saved: 3/22/2024 8:48:20 AM, Plot Date: 3/22/2024



- | | |
|--------------|----------------------|
| --- ESMT 155 | --- ESMT 159 |
| --- ESMT 157 | --- ESMT 160 |
| --- ESMT 158 | --- Tulsa CO Parcels |

Nickel Creek Avid Hotel
 Aerial Layout Map of Select Easements
 For IDP 24487
 Part of Lot 1 of Nickel Creek Ph. IV
 In SW/4 of Sec. 11 T18N R12E
 5/24/24 JBH

