

Easement

Version 3.3 released on 6/29/23



PNO120617

CITY COUNCIL USE ONLYDate Received: _____
Committee Date: _____
1st Agenda Date: _____

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____**CITY CLERK USE ONLY**☐ ScannedDate: 06-20-2024☐ PostedItem #: 2406.01599*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 ☐ NoDepartment
Public WorksContact Name
Courtney JonesEmail
courtneyjones@cityoftulsa.orgPhone
918-596-9549Easement Type
Storm SewerOwner-Grantor
81st and Union Holdings, LLCBid/Project Number
IDP 24487Project Title
Nickel Creek Avid HotelCouncil District
2Section
11Township
18Range
12Addition
NICKEL CREEK PHASE IVLot
1

Block

Address
1621 West 79th Street SouthParcel Number
158

Additional Information/Tracking Number

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

\$0.00

ApprovalsDepartment: 7045Legal: Caroline A WolfBoard: 6/10/2024Mayor: 6/13/24Other: JUN 20 2024Date: 6/10/2024Date: 6/13/24Date: 6/13/24Date: JUN 20 2024Date: JUN 20 2024**Policy Statement****Background Information**

This Storm Sewer easement is being donated by 81st and Union Holdings, LLC, a Colorado 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: MSL: 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)

STORM SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **81st AND UNION HOLDINGS, LLC**, a Colorado 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 (\$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"

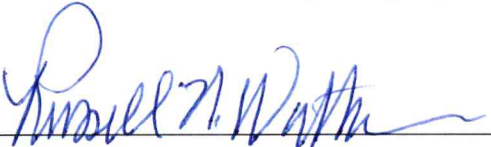
for the purpose of permitting the City, to construct a storm sewer main or mains thereon through, over, under, and across said property, together with all necessary and convenient appurtenances thereof; and to use and maintain the same and of affording the City, its officers, agents, employees, and/or all persons under contract with it, the right to enter upon said premises and strip of land for the purpose of surveying, excavating for, laying, constructing, operating, repairing, relaying and maintaining said storm sewer main or mains and for the further purpose of enabling the City, to do any and all convenient things incident to such construction, operation, repairing, and maintaining of such storm sewer main or mains.

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 6th day of May, 2024.

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

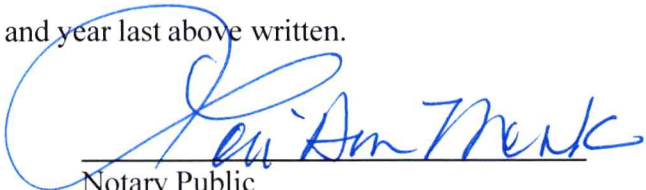
**81st AND UNION HOLDINGS, LLC,
a Colorado limited liability company,**

By: 
Name: Russell N. Watterson
Title: Manager

STATE OF COLORADO)
) ss.
COUNTY OF ADAMS)

Before me, the undersigned, a Notary Public, in and for said County and State on this 6th day of May 2024, personally appeared **Russell N. Watterson**, known to be the identical person who subscribed the name of **81st AND UNION HOLDINGS, LLC, a Colorado 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 **81st AND UNION HOLDINGS, LLC, a Colorado 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:
3.19.2026



RECEIVED
JAN 10 1968
U.S. DEPT. OF AGRICULTURE
WASHINGTON, D.C.

APPROVED AS TO FORM:

Assist. Caroline L Wolf
City Attorney

APPROVED AS TO SUBSTANCE:

7,284
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:

EB

NICKEL CREEK AVID HOTEL 15' STORM SEWER EASEMENT LEGAL DESCRIPTION

G LEGAL DESCRIPTION

A Fifteen (15) feet Storm Sewer 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 250.64 feet; Thence N 59°02'58" W a distance of 11.52 feet to the POINT OF BEGINNING;

Thence S 48°42'27" W a distance of 184.35 feet;

Thence S 88°55'53" W a distance of 156.05 feet;

Thence N 01°04'07" W a distance of 15.00 feet;

Thence N 88°55'53" E a distance of 150.56 feet;

Thence N 48°42'27" E a distance of 174.06 feet;

Thence S 59°02'38" E a distance of 15.75 feet to the POINT OF BEGINNING.

Containing 4,987.59 Sq. Ft. or 0.114 Acres, more or less.

G 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.

G 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

Troy Dee, PLS #1745
May 12, 2023

Prepared By
GOLDEN
LAND SURVEYING

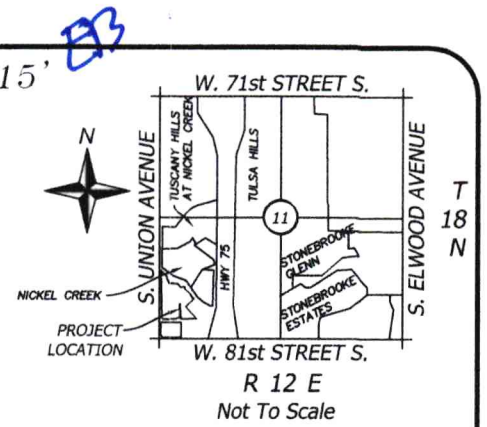
7304 NW 164th St., Suite #5, Edmond, Oklahoma 73013
C.A.# 7263 / Exp. Date =6/30/2024

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

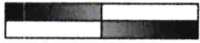
Drafted by: CT GLS Job No.: 21842
Plot Date: May 12, 2023

Sheet 1 Of 2

NICKEL CREEK AVID HOTEL 15' STORM SEWER EASEMENT EXHIBIT



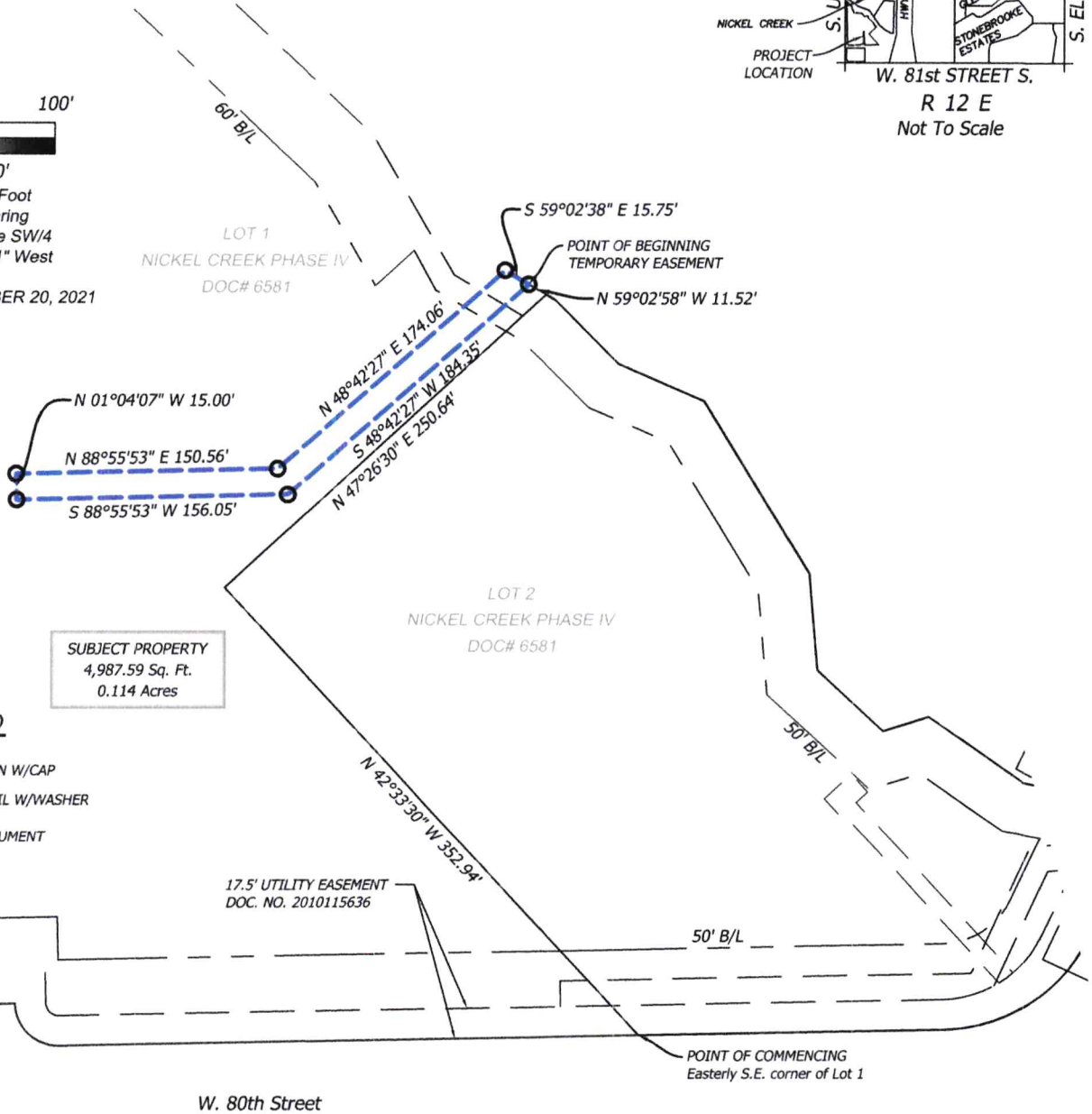
0 50' 100'



1" = 100'

U.S. Survey Foot
Basis of Bearing
West Line of the SW/4
North 01° 15' 01" West

Field Date: DECEMBER 20, 2021



LEGEND

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

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 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.

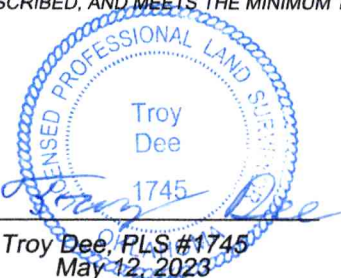


EXHIBIT "A"
Page 2 OF 2

Troy Dee, PLS #1745
May 12, 2023

Prepared By
GOLDEN
LAND SURVEYING

7304 NW 164th St., Suite #5, Edmond, Oklahoma 73013

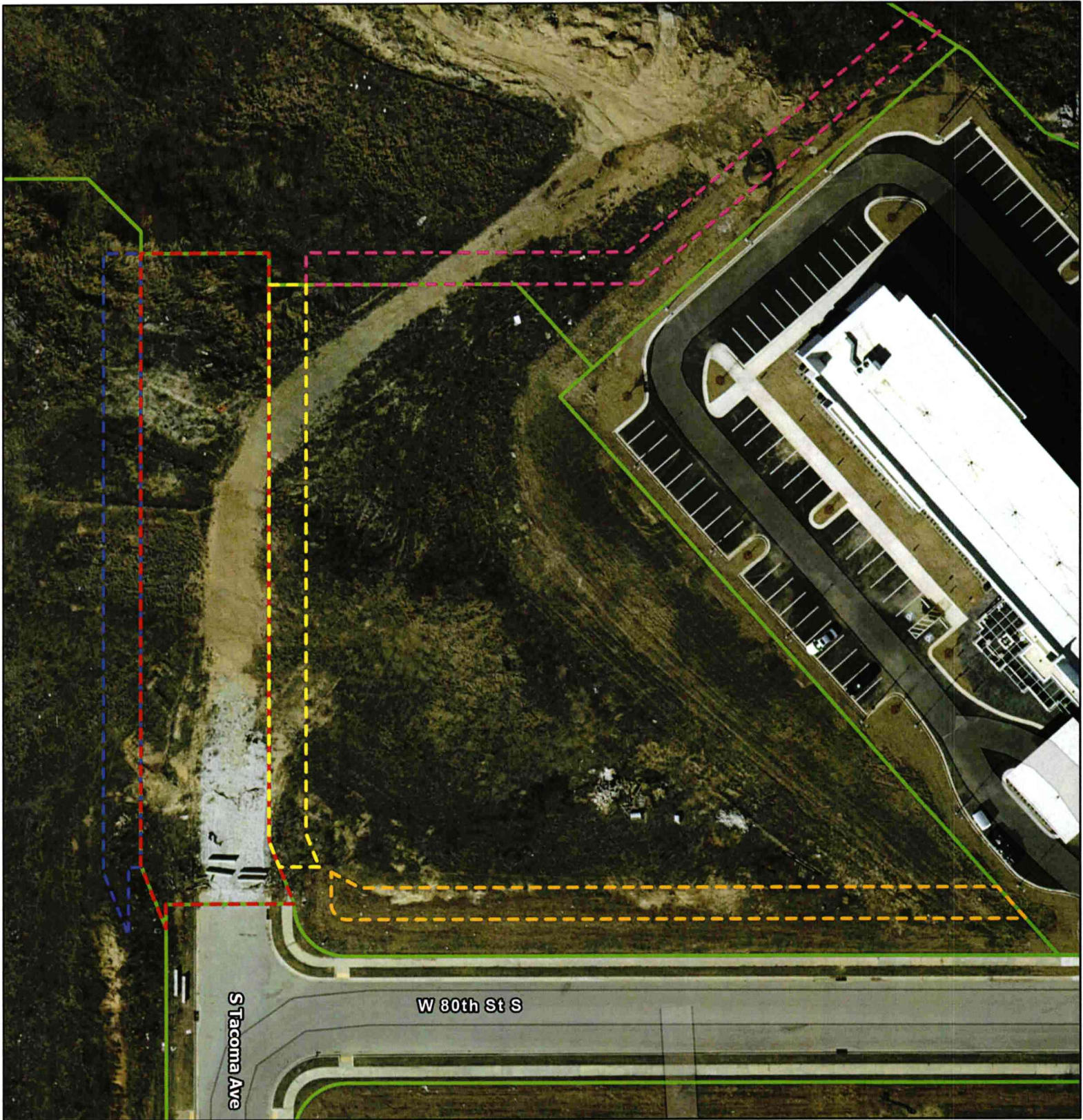
C.A.# 7263 / Exp. Date =6/30/2024

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

Drafted by: CT GLS Job No.: 21842

Plot Date: May 12, 2023

Sheet 2 Of 2



- ESMT 155
- ESMT 157
- ESMT 158
- ESMT 159
- ESMT 160
- 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

