

Easement

Version 3.3 released on 6/29/23



PWO1206061

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

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____**CITY CLERK USE ONLY**☐ ScannedDate: 07.10.2024☐ PostedItem #: 2407.01756**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
WaterlineOwner-Grantor
Nancy Barbara Magana and Rogelio CuerreroBid/Project Number
IDP 71550Project Title
21st Water Main ExtensionCouncil District
6Section
10Township
19Range
14Addition
UNPLATTED

Lot

Block

Address
15903 East 21st StreetParcel Number
315-2021

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: 6/21/2024Date: JUNE 28 XXIVDate: JUL 10 2024

Date: _____

Policy Statement**Background Information**

This Waterline easement is being donated by Nancy Barbara Magana and Rogelio Cuerrero, wife and husband, as a requirement of IDP 71550. The IDP for this project includes the extension of a 12" Waterline for a residential development.

PDZ: MSL 6/20/24 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)

A24-3378

WATER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **NANCY BARBARA MAGANA and ROGELIO CUERRERO, wife and husband**, (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 14 day of April, 2024.

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

NANCY BARBARA MAGANA

By: [Signature]
Name: NANCY BARBARA MAGANA

ROGELIO CUERRERO

By: [Signature]
Name: ROGELIO CUERRERO

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

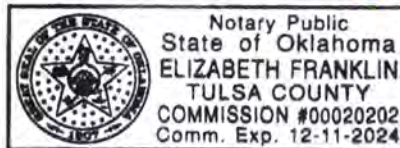
Before me, the undersigned, a Notary Public, in and for said County and State on this 16 day of April, 2024, personally appeared **NANCY BARBARA MAGANA and ROGELIO CUERRERO, wife and husband**, to me known to be the identical persons who subscribed their names to the foregoing and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

[Signature: Elizabeth Franklin]
Notary Public

My commission expires:

12-11-2024



APPROVED AS TO FORM:

Senior Assistant
City Attorney
M. Swiney (M. SWINEY)
City Attorney

APPROVED AS TO SUBSTANCE:

J. Cue
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:



WATER LINE EASEMENT
LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION TEN (10), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 10; THENCE S88°44'35"W, ALONG THE SOUTH SECTION LINE OF THE SOUTHEAST QUARTER, FOR A DISTANCE OF 340.78 FEET; THENCE N01°19'31"W FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE S88°44'35"W, PARALLEL WITH THE SOUTH SECTION LINE OF THE SOUTHEAST QUARTER, FOR A DISTANCE OF 123.22 FEET; THENCE N01°19'31"W FOR A DISTANCE OF 5.00 FEET; THENCE N88°44'35"E, PARALLEL WITH THE SOUTH SECTION LINE OF THE SOUTHEAST QUARTER, FOR A DISTANCE OF 123.22 FEET; THENCE S01°19'31"E FOR A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING, CONTAINING 616.10 SQUARE FEET.

LEGAL DESCRIPTION WAS PREPARED ON MARCH 15, 2021 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 10 AS S88°44'35"W.

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 WATER LINE EASEMENT DESCRIBED, AND THAT THE SURVEY OF THE WATER LINE EASEMENT 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 15TH DAY OF MARCH, 2021.

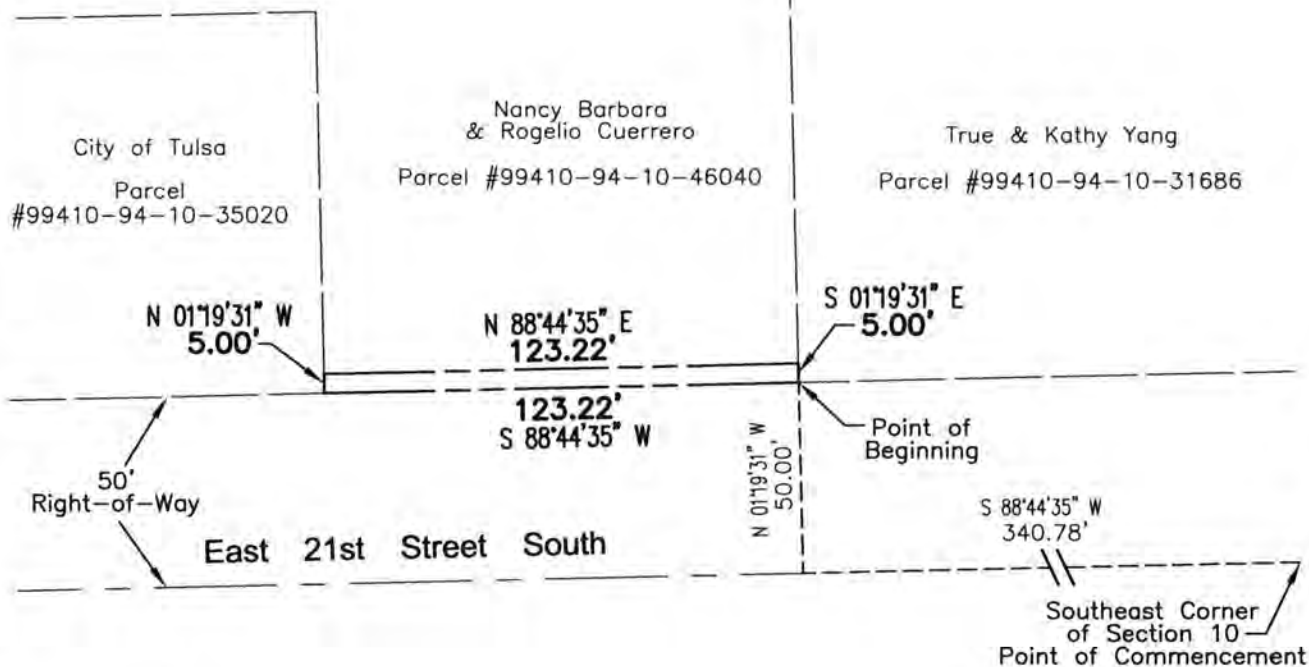
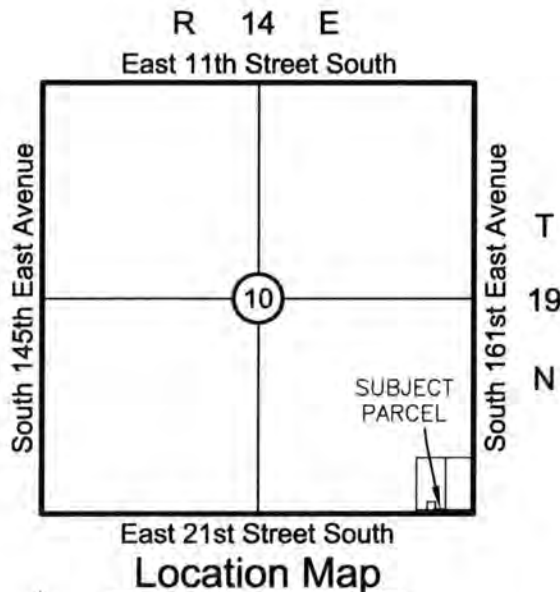
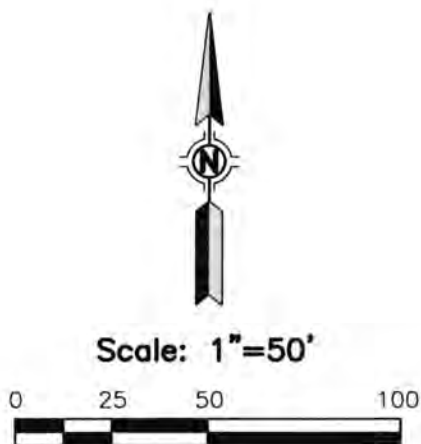


Cliff Bennett

CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2022

MRCO

WATER LINE EASEMENT



FILE: 210880LG-1

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 10 AS S88°44'35"W.
2. SEE PARCEL 1, EXHIBIT "A" PAGE 1 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

BENNETT
SURVEYING, INC.

P.O. BOX 848, CHOUTEAU, OK 74337
PHONE: (918) 476-7484 FAX: (918) 476-7485
C.A. NO.: 4502 EXP. DATE: 6/30/2022



IDP 71550-2021

21ST WATER MAIN EXTENSION

ESMT 314-2021
WATER LINE
EASEMENT

ESMT 315-2021
WATER LINE
EASEMENT

E 21ST ST S