

Easement

Version 3.3 released on 6/29/23

PW0120884

**CITY COUNCIL USE ONLY**

Date Received: _____
 Committee Date: _____
 1st Agenda Date: _____

Tracking #: _____

Committee: _____

Hearing Date: _____

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

Date: 10.09.2024

☐ Posted

Item #: 2410.02677

*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 *9/18/24*

Email
courtneyjones@cityoftulsa.org

Phone
918-596-9549

Easement Type
Waterline

Owner-Grantor
RAG, LLC

Bid/Project Number
IDP 171866

Project Title
Greenheck Phase 5

Council District
3

Section
20

Township
20

Range
14

Addition
UNPLATTED

Lot

Block

Address
3010 N. David Patrick Ave.

Parcel Number
636

Additional Information/Tracking Number

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

\$0.00

ApprovalsDepartment: *[Signature]*Legal: *[Signature]*Board: *[Signature]*Mayor: *[Signature]*Other: *[Signature]*

James Wagner

Mayor Pro Tem

Date: 09.19.24

Date: 09/27/2024

Date: OCT 09 2024

Date: *[Signature]*Date: *[Signature]***Policy Statement****Background Information**

This Waterline easement is being donated by RAG, LLC, a Wisconsin limited liability company, as a requirement of IDP 171866. This waterline easement is required for infrastructure improvements at the Greenheck campus, Phase 5.

PDZ: *[Signature]* MSL: *[Signature]* 9/19/24 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)

A24-5263

WATER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **RAG, LLC, a Wisconsin 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 26th day of AUGUST, 2024.

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

RAG, LLC
a Wisconsin limited liability company

By: _____

Name: Richard M. Totzke

Title: Officer, Manager and President

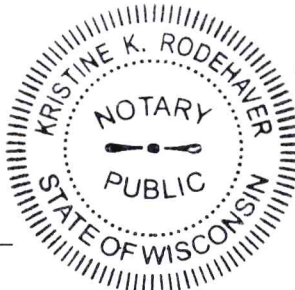
WISCONSIN
STATE OF ~~OKLAHOMA~~)
MARATHON) ss.
COUNTY OF ~~TULSA~~)

Before me, the undersigned, a Notary Public, in and for said County and State on this 26TH day of AUGUST, 2024, personally appeared, **Richard M. Totzke**, known to be the identical person who subscribed the name of **RAG, LLC, a Wisconsin limited liability company**, the foregoing as its Officer, Manager and President, 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 **RAG, LLC, a Wisconsin 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.


My Commission Expires:

01/28/2025



Kristine K. Rodehaver
Notary Public

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

[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:

PARCEL NO. 2A

COUNTY TULSA

LEGAL DESCRIPTIONRAG LLC
WATER LINE EASEMENT

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4, SE/4), OF SECTION TWENTY (20), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4 SE/4; THENCE NORTH 01°14'20" WEST AND ALONG THE EAST LINE OF SAID SE/4 SE/4, FOR A DISTANCE OF 1145.84 FEET; THENCE SOUTH 88°45'40" WEST AND PERPENDICULAR TO SAID EAST LINE, FOR A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**; THENCE SOUTH 88°45'55" WEST, FOR A DISTANCE OF 21.68 FEET; THENCE NORTH 01°14'20" WEST AND PARALLEL WITH SAID EAST LINE, FOR A DISTANCE OF 30.86 FEET; THENCE NORTH 89°04'48" EAST, FOR A DISTANCE OF 21.68 FEET; THENCE SOUTH 01°14'20" EAST AND PARALLEL WITH SAID EAST LINE, FOR A DISTANCE OF 30.74 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 667.78 SQUARE FEET OR 0.015 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BASED ON OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501) NAD 83 (1993).

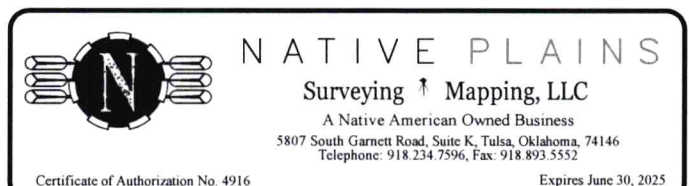
REAL PROPERTY CERTIFICATION:

I, NATHANIEL J. REED, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

NATHANIEL J. REED

DATE OF SIGNATURE

DATE OF LAST SITE VISIT



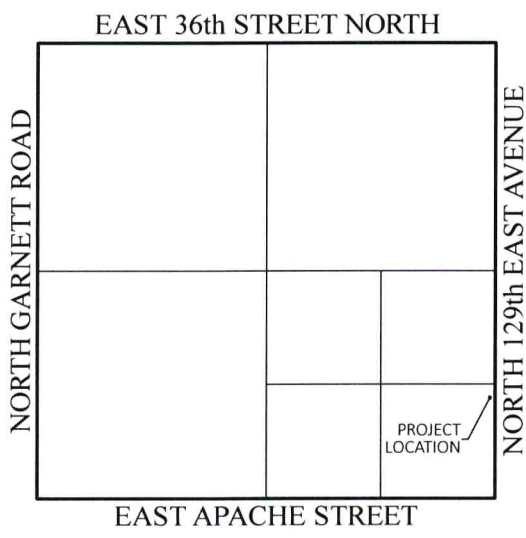
ETB

JMS

SHEET 2 OF 2
PLAT OF SURVEY

RAG LLC
WATER LINE EASEMENT

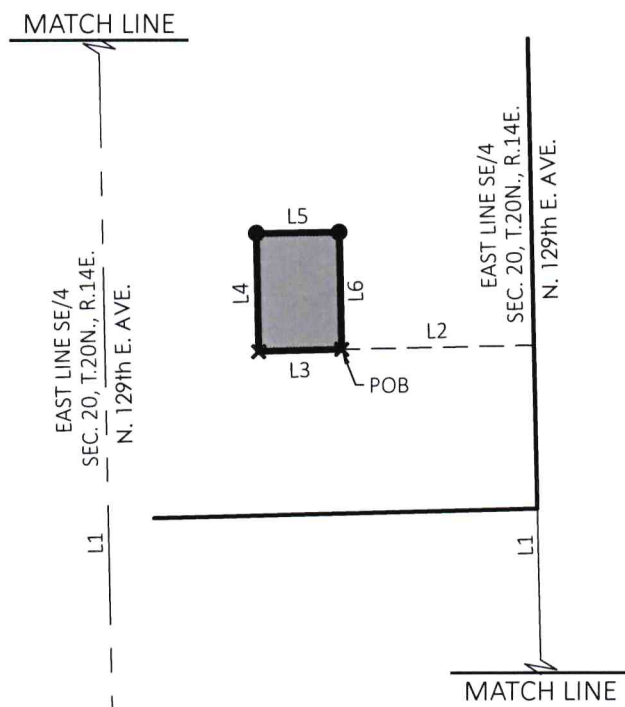
PARCEL NO. 2A
COUNTY TULSA



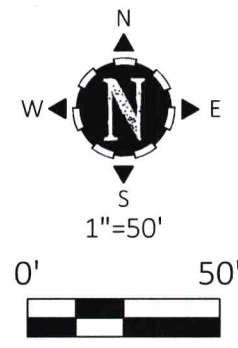
LEGAL DESCRIPTION: A PART OF THE SE/4 SE/4
OF SECTION 20, TOWNSHIP 20 NORTH, RANGE 14
STATE OF OKLAHOMA

SEC 20 T 20 N R 14 E

PERMANENT EASEMENT 667.78 SF 0.015 ACRES



LINE	BEARING	DISTANCE
L1	N 01°14'20" W	1145.84'
L2	S 88°45'40" W	50.00'
L3	S 88°45'55" W	21.68'
L4	N 01°14'20" W	30.86'
L5	N 89°04'48" E	21.68'
L6	S 01°14'20" E	30.74'



POC
SE CORNER
SE/4 SEC. 20, T.20N., R.14E.
E. APACHE ST.

I, NATHANIEL J. REED OF THE STATE OF OKLAHOMA, AND A PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE SHOWN PLAT OF SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- 3/8" IRON PIN SET w/CAP (#4916)
- × SCRIBE MARK

BASIS OF BEARINGS: BASED ON OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501) NAD 83 (1993).

NATHANIEL J. REED
DATE OF SIGNATURE 1-16-2024
DATE OF LAST SITE VISIT 7-8-2024