

# Easement

Version 3.0 released on 8/3/21



### CITY COUNCIL USE ONLY

Date Received: \_\_\_\_\_  
 Committee Date: \_\_\_\_\_  
 1<sup>st</sup> Agenda Date: \_\_\_\_\_

Tracking #: \_\_\_\_\_

Committee: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

2<sup>nd</sup> Agenda Date: \_\_\_\_\_

### CITY CLERK USE ONLY

Scanned

Date: 02.02.2022

Posted

Item # 2202.00214

**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  
Engineering Services

Contact Name  
Courtney Jones 1.5.22

Email  
courtneyjones@cityoftulsa.org

Phone  
918-596-9549

Easement Type  
Drainage

Owner-Grantor  
Meals on Wheels of Metro Tulsa, Inc.

Bid/Project Number  
IDP 92080

Project Title  
Meals on Wheels

Council District  
5

Section  
27

Township  
19

Range  
13

Addition  
LINCOLN CENTER

Lot  
1

Block  
1

Address  
5151 East 51st Street

Parcel Number  
H-14

Additional Information/Tracking Number \_\_\_\_\_

## Budget

Contract Types

No Payments Involved

Revenue Contracts

Expense Contracts

Funding Source(s) \_\_\_\_\_

DONATION: \_\_\_\_\_ \$0.00

TOTAL: \_\_\_\_\_ \$0.00

## Approvals

Department: \_\_\_\_\_

Legal: \_\_\_\_\_

Board: \_\_\_\_\_

Mayor: \_\_\_\_\_

Other: \_\_\_\_\_

Date: 01.06.22

Date: 1-24-22

Date: \_\_\_\_\_

Date: FEB 01 2022

Date: \_\_\_\_\_

## Policy Statement

### Background Information

This Drainage Easement is being donated by Meals on Wheels of Metro Tulsa, Inc., an Oklahoma not for profit corporation, as a requirement of IDP 92080. The IDP for this project includes public storm sewer, sidewalks, ADA ramps and driveways for a commercial development.

### Summation of the Requested Action

Engineering Services recommends approval of the easement. MSL:swb

### Other Pertinent Details

MSL 1/5/22

## 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

Engineering Services recommends acceptance by Council and approval by Mayor. Original to be picked up by Courtney Jones for further processing. (6-9549)

## DRAINAGE EASEMENT

### KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **MEALS ON WHEELS OF METRO TULSA, INC., an Oklahoma not for profit corporation**, (hereinafter called Second Party, whether individual(s) or corporation), the owner of the legal and equitable title to the following described real estate situated in the City of Tulsa, Tulsa County, State of Oklahoma, for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid by the City of Tulsa, Oklahoma (hereinafter called City, as First Party), and other good and valuable considerations, receipt of which are hereby acknowledged, does hereby grant and convey unto the Said City, a perpetual easement, through, over, under and across the following described property, situated in said County, to-wit:

### SEE ATTACHED EXHIBIT "A"

The area described as a **drainage easement** is hereby established by grant of the Owner as a perpetual easement for the purpose of permitting the flow, conveyance, and discharge of storm water runoff and permitting the City to construct **improvements** 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 the existing drainageway or any improvements thereto.

Second Party, for itself and its heirs, 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 Second Party 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 right to remove or otherwise eliminate such violation, and Second Party, its heirs, administrators, successors and assigns, shall promptly pay the actual cost thereof.

Drainage facilities constructed in said Drainage Easement shall be in accordance with standards prescribed by the City. The above-ground portion of said Drainage Easement shall be maintained by the Second Party, its successors and assigns, at its cost in accordance with standards prescribed by the City. Maintenance of the above-ground portion of the Drainage Easement shall include mowing and removal of any obstacles that impeded the flow of water over and through the Drainage Easement. In the event said Second Party, its successors or assigns, should fail to adequately and properly maintain the above-ground portion of the Drainage Easement and facilities, the City may enter upon said area, perform said maintenance, and the cost of performing said maintenance shall be paid by said Second Party, its successors or assigns. In the event said Second Party, its successors or assigns, fails to pay the cost of said maintenance within thirty (30) days after completion of said maintenance, said costs shall be a lien against the property of the Second Part, its successor or assigns, which lien may be foreclosed by the City.

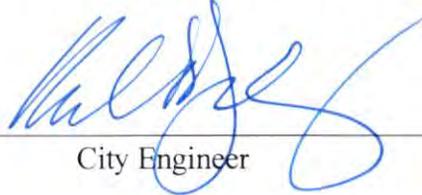


**APPROVED AS TO FORM:**



Asst. City Attorney

**APPROVED AS TO SUBSTANCE:**



City Engineer

**ACCEPTED BY CITY COUNCIL:**

Date: \_\_\_\_\_

BY: \_\_\_\_\_

Name: Lori Decter Wright

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 \_\_\_\_\_, 202\_\_, personally appeared Lori Decter Wright 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 \_\_\_\_\_, 202\_\_, 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:  
\_\_\_\_\_

DRAINAGE EASEMENT LEGAL DESCRIPTION – Rev2

LEGAL DESCRIPTION

A tract of land that is part of Lot One (1), Block One (1), LINCOLN CENTER, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, being more particularly described as follows;

Commencing at the Southwest Corner of Lot One (1), Block One (1), LINCOLN CENTER;

THENCE North 00°00'28" West, along the west line of said Lot One (1), a distance of 278.63 feet to the Point of Beginning;

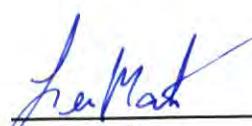
THENCE continuing North 00°00'28" West, along the West line of said Lot One (1), a distance of 150.47 feet to the Northwest corner of General Warranty Deed filed at Document Number 2020073396 at the Office of the Tulsa County Clerk; THENCE South 89°51'17" East, along the North line of said Document Number 2020073396, a distance of 40.00 feet; THENCE South 00°31'16" West, a distance of 111.34 feet;

THENCE South 89°28'44" East, a distance of 111.17 feet; THENCE South 89°29'22" East, a distance of 126.70 feet; THENCE North 00°14'45" East, a distance of 7.46 feet; THENCE South 89°32'14" East, a distance of 22.67 feet; THENCE South 00°00'50" East, a distance of 75.38 feet; THENCE North 86°42'39" West, a distance of 20.33 feet; THENCE North 05°04'53" West, a distance of 47.14 feet; THENCE North 89°29'22" West, a distance of 125.12 feet; THENCE North 89°28'44" West, a distance of 131.76 feet; THENCE South 00°31'44" West, a distance of 19.09 feet; THENCE South 89°33'13" West, a distance of 18.03 feet to the Point of Beginning.

Containing 11,959 square feet or 0.274 acres, more or less.

Basis of bearings being North 00°00'28" West as the west line of Lot One (1), Block One (1), LINCOLN CENTER an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof

I, Lee Martin, of Wallace Design Collective, certify that the attached legal description closes in accord with the existing records and is a true representation of the drainage easement as described. This legal description meets the minimum standards for legal descriptions as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

 8.17.21  
Lee Martin  
LS 2004  
CA 1460  
Expires 06/30/2023

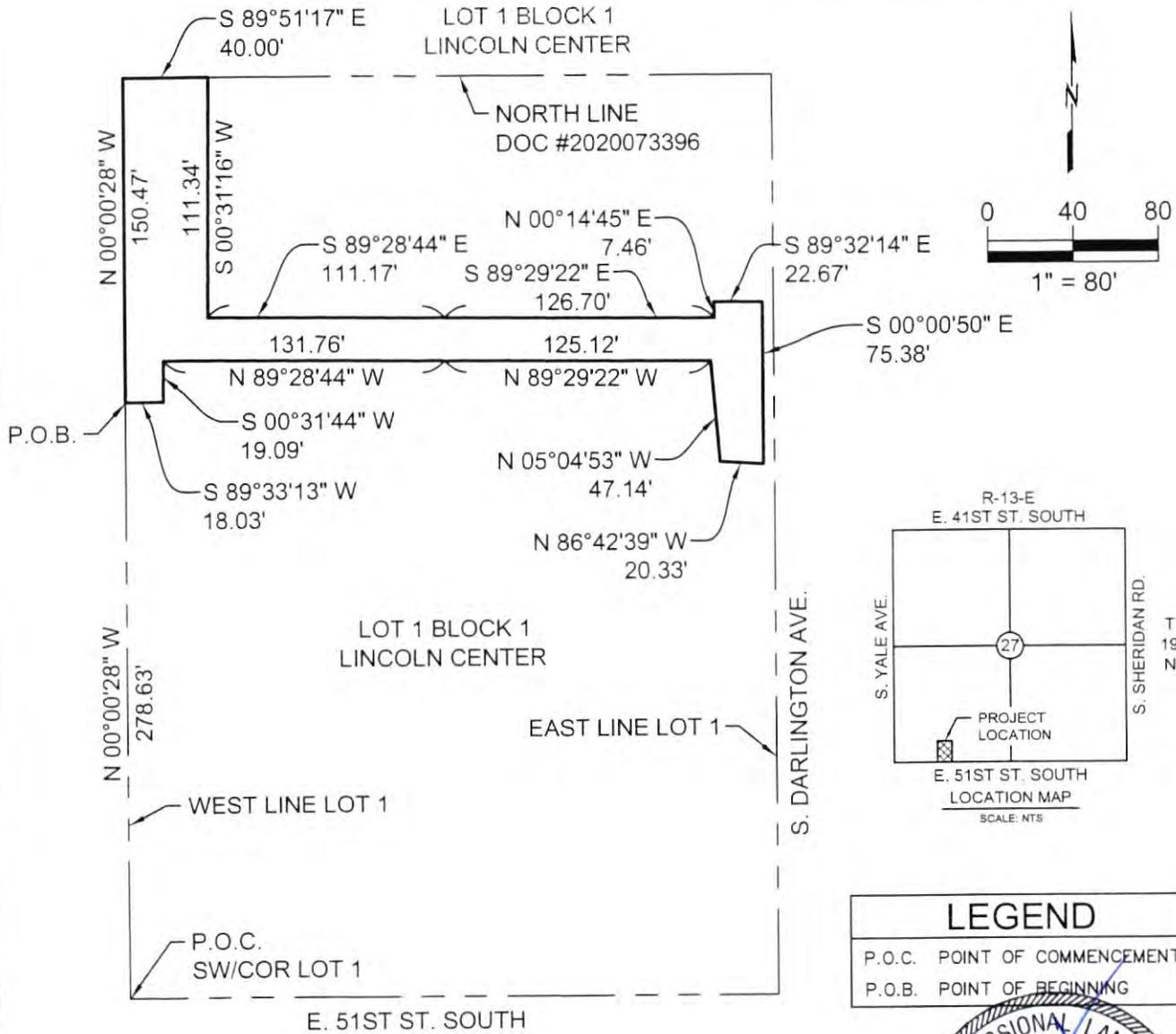


**EXHIBIT "A"**  
page 1 of 2

MRO

# EXHIBIT 'A' DRAINAGE EASEMENT

A PART OF LOT 1, BLOCK 1, LINCOLN CENTER, TULSA COUNTY, OKLAHOMA



**NOTES:**

- Basis of bearings being North 00°00'28" West as the west line of Lot One (1), Block One (1), LINCOLN CENTER, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.



\\Civil-Server\Projects\2040054 Meals on Wheels Metro Tulsa\Easements\Meals on Wheels Drainage Easement.dwg  
 PLOT: 8/15/2021 9:29:07 PM ORIG SIZE: 8.5"X11"

**MEALS ON WHEELS**  
E. 51ST ST. SOUTH  
TULSA, OKLAHOMA



**wallace design collective**

wallace design collective, pc  
structural - civil - landscape - survey  
480 north walnut avenue, suite 200  
oklahoma city, oklahoma 73104  
405.236.5858 • 800.364.5858  
wallace.design ok cc 1460

**DRAINAGE EASEMENT**

REV	DESCRIPTION	DATE
-		03-08-2021
1	EASEMENT EXTENTS	08-02-2021
2	CITY OF TULSA COMMENTS	08-15-2021

PROJECT NO. 2040054 SHEET 1 OF 1