

# 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: 02.16.2022

☐ Posted

Item #: 2202.00316

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

Email  
courtneyjones@cityoftulsa.org

Phone  
918-596-9549

Easement Type  
Utility

Owner-Grantor  
Freedom Wash, LLC

Bid/Project Number  
IDP 34040

Project Title  
Tate Boys Tire and Service

Council District  
8

Section  
15

Township  
18

Range  
13

Addition  
Unplatted

Lot \_\_\_\_\_

Block \_\_\_\_\_

Address  
8181 S. Yale Avenue

Parcel Number  
269-2020

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: 01.11.22

Date: 02/09/2022

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

Date: FEB 16 2022

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

## Policy Statement

### Background Information

This Utility Easement is being donated by Freedom Wash, LLC, an Oklahoma limited liability company, as a requirement of IDP 34040-2019. The IDP for Tate Boys Tire and Service includes a waterline extension across the Yale frontage of a commercial lot.

### Summation of the Requested Action

Engineering Services recommends approval of the easement. MSL:swb

### Other Pertinent Details

9/17/22

## 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)

## UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **FREEDOM WASH, LLC, an Oklahoma limited liability company**, (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, and other good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant and convey to the CITY OF TULSA, OKLAHOMA, a municipal corporation, (City), a perpetual easement through, over, under, and across the following described property:

**See Exhibit "A"**

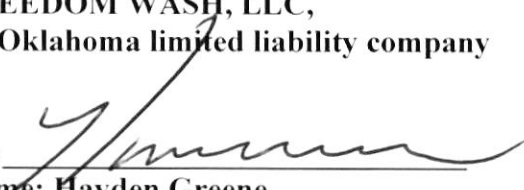
for the purpose of permitting the City to construct all public utilities thereon, through, over, under, and across said property, together with all necessary and convenient appurtenances thereto; and to use and maintain the same and of affording the City, its officers, agents, employees, and/or all persons 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 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 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 11 day of August, 2021.

**FREEDOM WASH, LLC,  
an Oklahoma limited liability company**

By:   
Name: **Hayden Greene**  
Title: **Manager**

**CITY OF TULSA  
OFFICE OF CITY CLERK  
175 E. 2<sup>ND</sup> ST. – STE 260  
TULSA, OKLAHOMA 74103**

STATE OF OKLAHOMA     )  
  ) ss.  
COUNTY OF TULSA        )

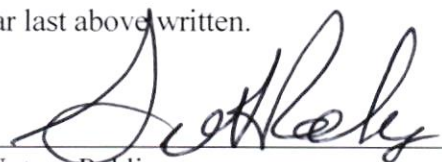
Before me, the undersigned, a Notary Public, in and for said County and State on this 11<sup>th</sup> day of August, 2021, personally appeared **Hayden Greene** to me known to be the identical person who subscribed the name of **FREEDOM WASH, LLC**, an Oklahoma limited liability company, to the foregoing 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 **FREEDOM WASH, 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.

My commission expires:

MAY 4, 2023



  
\_\_\_\_\_  
Notary Public

**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

[illegible]

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:

[illegible]

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:



# Utility Easement Legal Description

MRO  
JMS

A tract of land, being a part of the West Half (W/2) of the West Half (W/2) of the Northwest Quarter (NW/4) in Section Fifteen (15), Township Eighteen North (T18N), Range Thirteen East (R13E) of the Indian Base and Meridian (I.B.&M.), Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof, and being more particularly described as follows:

COMMENCING at the Northwest corner of said Northwest Quarter (NW/4); Thence South 01 Degrees 13 Minutes 07 Seconds East along the West line of said Northwest Quarter (NW/4), a distance of 335.32 feet; Thence leaving said West line North 88 Degrees 46 Minutes 53 Seconds East, a distance of 70.00 feet to a point on the East Right-of-Way line of South Yale Avenue, said point being the POINT OF BEGINNING; Thence North 88 Degrees 48 Minutes 13 Seconds East, a distance of 22.62 feet; Thence South 01 Degrees 13 Minutes 07 Seconds East, parallel to said East Right-of-way line, a distance of 48.39 feet; Thence South 88 Degrees 46 Minutes 53 Seconds West, a distance of 7.62 feet; Thence South 01 Degrees 13 Minutes 07 Seconds East, parallel to said East Right-of-way line, a distance of 24.18 feet; Thence continuing parallel along said East Right-of-way line along a curve to the right having a radius of 562.50 feet, an arc distance of 133.38 feet, a chord distance of 133.07 feet, and a chord bearing of South 05 Degrees 34 Minutes 27 Seconds West; Thence South 88 Degrees 48 Minutes 13 Seconds West, a distance of 15.44 feet to a point on said East Right-of-Way line; Thence continuing along said Right-of-Way line along curve to the left having a radius of 547.50 feet, an arc distance of 133.44 feet, a chord distance of 133.11 feet, and a chord bearing of North 05 Degrees 45 Minutes 50 Seconds East; Thence along said East Right-of-Way line North 01 Degrees 13 Minutes 07 Seconds West, a distance of 72.58 feet to the POINT OF BEGINNING. Said tract of land containing 3,459 square feet or 0.079 acres of land, more or less.

## Basis of Bearings:

North line of the NW/4 of Section 15 being N88°48'13"E (Existing Survey). Previous documentation may have different basis of bearings. The relationship between geodetic and assumed, one line to another, remain the same.

I, Tanner J. Wentworth, a Licensed Professional Land Surveyor in the State of Oklahoma, certify that the attached description is a true representation of the property described, and meets the minimum technical standards for land surveying for the State of Oklahoma.

  
Tanner J. Wentworth

3-24-21  
Date



OK PLS NO. 1871 - Expires April 30, 2021  
OK CA NO. 2483 - Expires June 30, 2021

EXHIBIT "A"  
Page 1 of 2

PROJECT NO: 018-2766

DRAWN BY: MAV

DATE: 08/04/20

PLAT OF SURVEY  
UTILITY EASEMENT

**olsson**

1717 South Boulder Ave  
Suite 600  
Tulsa, OK 74119  
TEL 918.376.4294

SHEET

1 of 2

2 of 2



IDP 34040-2019

TATE BOYS TIRE SERVICE



E 81ST ST S

S YALE AVE

ESMT 268-2020  
UTILITY EASEMENT

ESMT 111-2019  
UTILITY EASEMENT

ESMT 269-2020  
UTILITY EASEMENT