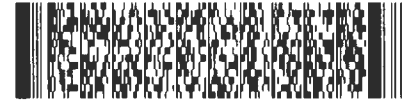


# Easement

Version 3.0 released on 8/3/21



C1

**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: 03.23.2022

☐ Posted

Item #: 2203.00522

*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 9.16.21

Email  
 courtneyjones@cityoftulsa.org

Phone  
 918-596-9549

Easement Type  
 Utility

Owner-Grantor  
~~EATR, LLC~~ 12<sup>th</sup> Street Property, LLC

Bid/Project Number  
 IDP 70577-2020

Project Title  
 Estates at the River IV

Council District  
 5

Section  
 3

Township  
 17

Range  
 13

Addition  
 Unplatted

Lot \_\_\_\_\_

Block \_\_\_\_\_

Address  
 12600 South Hudson Avenue

Parcel Number  
 256-2020

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: 09.17.21

Date: 3-14-22

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

Date: MAR 23 2022

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

**Policy Statement****Background Information****Summation of the Requested Action**

This Utility Easement is being donated by EATR, LLC, an Oklahoma limited liability company, as a requirement of IDP 70577-2020. The IDP for this project consists of public storm sewer, water mains, sanitary sewer, private roads and sidewalks associated with a new residential subdivision. Engineering Services recommends approval of the easement. MSJ:swb

**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**

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, **121ST STREET PROPERTY, 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 7<sup>th</sup> day of March, 2022.

121<sup>st</sup> Street Property, LLC  
an Oklahoma limited liability company

By:   
Brian Green, Manager

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

STATE OF OKLAHOMA   )  
  )  
COUNTY OF TULSA       )

The foregoing instrument was acknowledged before me this 7 day of March, 2022, by Brian Green, as Manager of 121<sup>st</sup> Street Property, LLC, an Oklahoma limited liability company.

Candice Heavener  
Notary Public

My commission expires: 10/15/2024

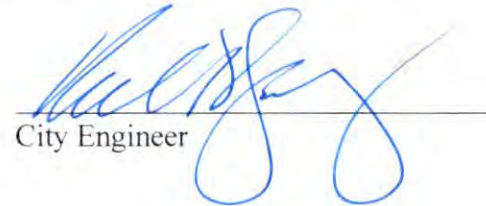


**APPROVED AS TO FORM:**



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 )

COUNTY OF TULSA )

Before me, a Notary Public in and for said County and State, on the \_\_\_\_ day of \_\_\_\_\_, 2022, 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 )

COUNTY OF TULSA )

Before me, a Notary Public in and for said County and State, on the \_\_\_\_ day of \_\_\_\_\_, 2022, 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: \_\_\_\_\_



# Exhibit "A "

## The Estates at the River IV

### Description

A TRACT OF LAND THAT IS A PART OF GOVERNMENT LOT SIX (6), SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4), AT THE SOUTHWEST CORNER OF 'ESTATES AT THE RIVER II', A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6840); THENCE SOUTH 0°55'36" EAST AND ALONG THE WEST LINE OF SAID SE/4 NW/4 AND THE WEST LINE OF SAID LOT 6, FOR A DISTANCE OF 890.00 FEET; THENCE NORTH 88°54'54" EAST FOR A DISTANCE OF 249.19 FEET; THENCE NORTH 1°05'06" WEST FOR A DISTANCE OF 9.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 1°05'06" WEST FOR A DISTANCE OF 11.00 FEET; THENCE NORTH 88°54'54" EAST FOR A DISTANCE OF 570.00 FEET; THENCE NORTH 89°02'11" EAST FOR A DISTANCE OF 115.00 FEET; THENCE SOUTH 0°57'49" EAST FOR A DISTANCE OF 7.50 FEET; THENCE SOUTH 89°02'11" WEST FOR A DISTANCE OF 115.00 FEET; THENCE SOUTH 0°57'49" EAST FOR A DISTANCE OF 3.50 FEET; THENCE SOUTH 88°54'54" WEST FOR A DISTANCE OF 569.98 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 7,132 SQUARE FEET OR 0.164 ACRES.

### Basis of Bearing

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

- A. FOUND MAGNETIC NAIL AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION 3;
- B. FOUND BRASS CAP STEM AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION 3;

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°54'54" EAST.

### Certification

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED 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.

DAN E. TANNER, P.L.S.  
OKLAHOMA P.L.S. #1435  
OKLAHOMA CA #2661  
EXPIRATION DATE: 6/30/21

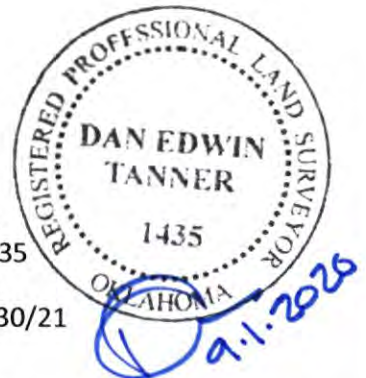
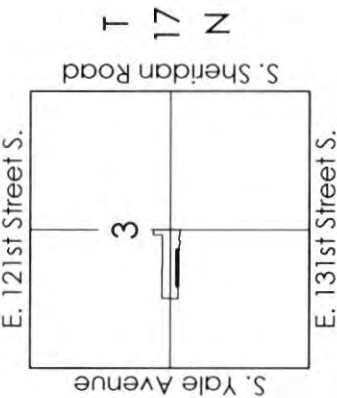


EXHIBIT "A"  
Page 1 of 2

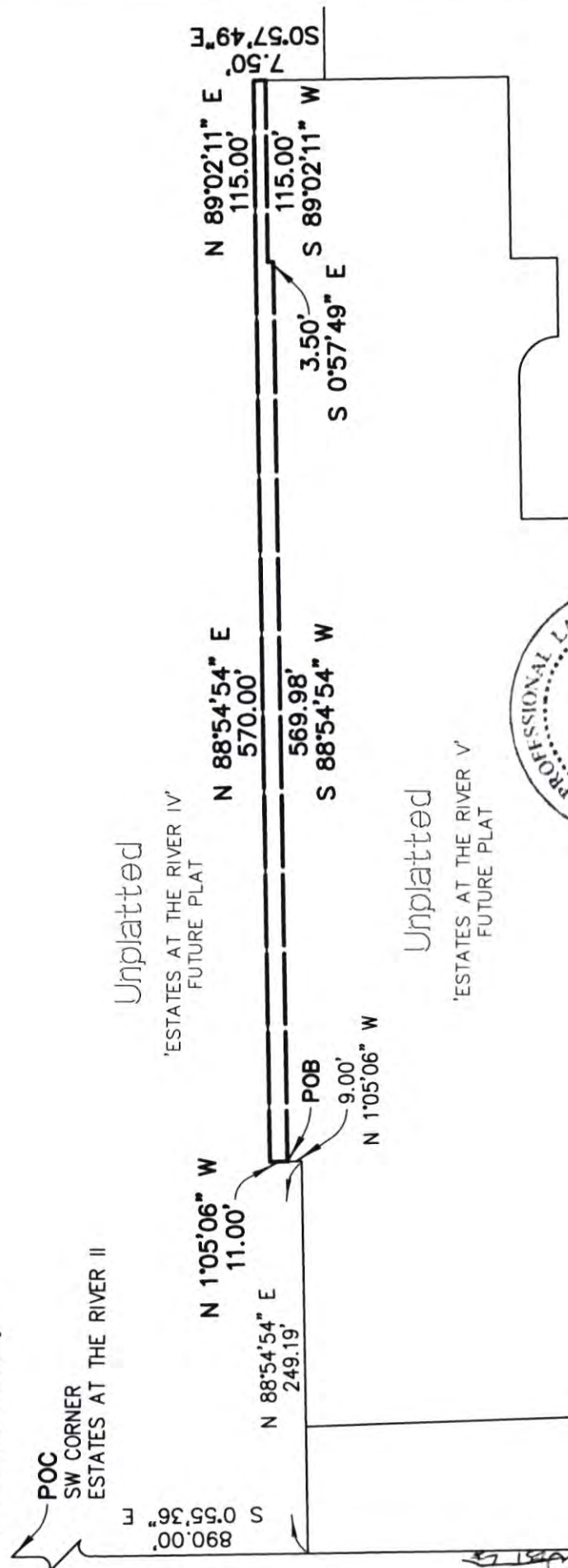
 **Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929

# Exhibit "A"

## The Estates at the River IV



### Location Map



**LEGEND**  
POB POINT OF BEGINNING  
POC POINT OF COMMENCEMENT

08/27/2020 TBUSH 20062EX\_OFFSITEESMTSOUTH



**Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929