# Real Property Version 1.4 released on 4/8/22

DO NOT USE FOR: Contracts, Deeds, Easements, Law Suits, or





| CITY COUNCIL USE ONLY Date Received:                  | Tracking #:<br>Committee:               | Scanned                                | CITY CLERK USE ONLY Date: 04,20,2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------|-----------------------------------------|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Committee Date:                                       | Hearing Date:                           |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 1 <sup>st</sup> Agenda Date:                          | 2 <sup>nd</sup> Agenda Date:            | Posted                                 | Item#: 2204 JU / 40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| All department                                        | items requiring Council approval        | must be submitted through the M        | layor's Office.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Primary Details                                       |                                         |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Board Approval                                        |                                         | Other Board Name                       | City Council Approval  ✓ Yes ○ No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Department<br>Engineering Services                    | Contact Name Michelle L. Lester 4/12/22 | Email<br>mlester@cityoftulsa.org       | Phone<br>596-7266                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Real Property Record Type<br>Other                    |                                         | Name<br>Greenwood Rising, Inc          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Subject (Description) Public Property Use / Occupancy | y Permit                                |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Bid/Project Number<br>5-9-21-59                       | Project Title                           |                                        | Council District<br>1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Section                                               | Township                                | Range                                  | Parcel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Lot                                                   | Block                                   | Addition<br>Unplatted                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Address<br>various                                    |                                         | Additional Information/Tracking Number | •                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Budget                                                |                                         |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Funding Source(s )                                    |                                         |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                                       |                                         | TOTAL:                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Approvals  Department: Legal: Board: Mayor: Other:    | Tall Son                                | (M. SWINEY)                            | Date: APR 2 0 2022  Date: Date |

| l | Background information                                                                                                                                                                                                      |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| l | Submitted is a Public Property Use / Occupancy Permit between the City of Tulsa and Greenwood Rising, Inc for the use and                                                                                                   |
| l | occupancy of the City's right-of-way to allow Greenwood Rising, Inc to care for and utilize public property in various locations                                                                                            |
| l | for the installation, use and maintenance of lighted markers.                                                                                                                                                               |
|   | The locations are shown on the attached Exhibit. The request for the Public Property Use / Occupancy Permit was reviewed by City staff and representatives of various boards, authorities and utilities with no objections. |
|   | The Engineering Services Department recommends approval of the attached Public Property Use / Occupancy Permit.                                                                                                             |

MSL/kirg452 4/12/22

Summation of the Requested Action

Approve agreement

| Policy Statement

Other Pertinent Details

The lighted markers will be located at Archer & Lansing; Pine & Lansing; Pine & Martin Luther King Jr Blvd and Detroit & John Hope Franklin Blvd

# Processing Information for City Clerk's Office

Post Execution Processing

- ☐ Mail vendor copy (addt'l signature copies attached)
- Must be filed with other governmental entity
- ☐ Addt'l governmental entity approval(s) required

Additional Routing and Processing Details
Original to be picked up by Courtney Jones 6-9549

### CORPORATE RESOLUTION OF SIGNING AUTHORITY



WHEREAS, the Corporation intends to grant certain signing and authority to Phil Armstrong, Interim Executive Director, Greenwood Rising Black Wall Street History Center and Sam Combs, Vice-Chair Greenwood Rising, Inc. Board of Directors

RESOLVED, that the Board of Directors of Greenwood Rising Inc., authorizes and empowers Phil Armstrong and/or Sam Combs to execute in the name of and on behalf of the corporation, all documents associated with the development of the Historic Greenwood District Boundary Markers.

The undersigned certifies that she/he is the properly elected and qualified Chair of the Board of Directors Greenwood Rising Black Wall Street History Center, formed under the legal entity Greenwood Rising, Inc., a corporation duly conformed pursuant to the laws of the state of Oklahoma.

This resolution has been approved by the Board of Directors of Greenwood Rising, Inc. effective on March 2022.

As authorized by the Corporation, I hereby certify and attest that all the information above is true and correct.

Jessica Lowe-Betts, Chair

Greenwood Rising Board of Directors

# PUBLIC PROPERTY USE / OCCUPANCY PERMIT

THIS AGREEMENT, made and entered into by and between the CITY OF TULSA, OKLAHOMA, a municipal corporation, 175 East Second Street, Tulsa, OK 74103 (hereinafter referred to as "City") and GREENWOOD RISING, INC., an Oklahoma Not for Profit Corporation, (hereinafter referred to as "Permittee"),

## WITNESSETH:

WHEREAS, City owns certain public right-of-way, namely:

Trafficways and sidewalks (herein, the "Public Property") more particularly described in Exhibit "A";

WHEREAS, Permittee has applied for a permit to install, use and maintain certain improvements (herein, "Improvements"), to-wit: **lighted markers**, as more fully described in attached Exhibit "B", in an upon the said real property, and

**WHEREAS**, City is agreeable to the issuance of said permit, subject to the covenants and conditions set forth below:

# NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN CITY AND PERMITTEE AS FOLLOWS:

- 1. City does hereby grant this permit to Permittee to install, use and maintain the Improvements, in substantial conformity with attached Exhibit "A", in and upon City's Public Property, provided that such use does not unreasonably interfere with public use of the Public Property.
- 2. This permit is unconditionally revocable at any time at the will of City and is subject to and subordinate to City's right to maintain, use, alter or excavate any portion of City's Public Property. This permit is subject to and subordinate to any rights heretofore or hereafter granted by City to any public utility or franchise holder, to construct, install, operate, maintain, repair or replace any utility or appurtenance thereto, or to use any portion of City's Public Property. Should removal, construction and/or excavation become necessary in City's opinion, Permittee agrees to hold City, public utilities, right-of-way occupants and franchisees and their contractors harmless for any loss or damage to Permittee's Improvements. City shall not be responsible to replace any of Permittee's Improvements.
- 3. The Improvements shall at all times be and remain the property of Permittee. It is specifically agreed that Permittee shall install, use and maintain the Improvements at Permittee's own expense,

and at Permittee's own risk. During the term of this agreement, Permittee shall maintain the Improvements in a functional, safe and attractive condition.

- 4. Permittee shall indemnify and hold City, and its employees, officers, elected officials and agents, harmless of and from any and all claims, suits, actions or judgments, including all expenses, attorney fees, witness fees and costs of defending any such claim, or appeals therefrom, which arise in any way out of Permittee's installation, use or maintenance of said Improvements, including but not limited to, any interference or damage to any third person or property.
- 5. Upon termination of this permit as herein provided, Permittee shall, if City so desires, and after receiving prior written demand from City, remove the Improvements and restore the Public Property, as nearly as is practical, to the state and condition of its existence prior to the installation of the Improvements, ordinary wear and tear excepted, to the reasonable satisfaction of City.
- 6. Nothing herein shall release Permittee or its contractors from their duty to obtain necessary permits and comply with all applicable ordinances, laws and regulations, including but not limited to mechanical, electrical and building codes, fire and safety regulations, ADA standards, street-closing and zoning ordinances.
- 7. This permit is not assignable or transferable by Permittee without the prior written consent of City.
- 8. The effective date of this agreement shall be the date on which it is executed by the City of Tulsa.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates set forth below.

# an Oklahoma Not for Profit Corporation By: Name: ARMS from

STATE OF OKLAHOMA ) ss: COUNTY OF TULSA )

Before me, the undersigned, a Notary Public, in and for said County and State on this 12 day of 201, 2022, personally appeared 12 hil 2 m5 frong to me known to be the identical person who subscribed the name of GREENWOOD RISING, INC., an Oklahoma Not for Profit Corporation, to the foregoing as its 1 mer in 2y. Diand acknowledged to me that he she executed the same as his her free and voluntary act and deed and as the free and voluntary act and deed of GREENWOOD RISING, INC., an Oklahoma Not for Profit Corporation, for the uses and purposes therein set forth.

Notary Public State of Oklahoma

ELIZABETH FRANKLIN

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

My Commission Expires:

5-9-21-59

| APPROVED:  (M. SWINEY)  SENIOR Assistant City Attorney | APPROVED:  Oity Engineer                     |
|--------------------------------------------------------|----------------------------------------------|
| APPROVED BY CITY COUNCIL:                              |                                              |
| Date:                                                  | BY:<br>Lori Decter Wright, Chair             |
|                                                        | me that he approved the within and foregoing |
| Council of the City of Tulsa, Oklahoma, for the use    |                                              |
| My commission expires:                                 | Trouby Labite                                |

# APPROVED BY MAYOR: CITY OF TULSA, OKLAHOMA, a municipal corporation Date: G. T. Bynum, 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 , 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:

11 13

# 1921 TULSA RACE MASSACRE CENTENNIAL COMMISSION GREENWOOD DISTRICT BOUNDARY MARKERS - ROW LOCATIONS

TULSA, OKLAHOMA

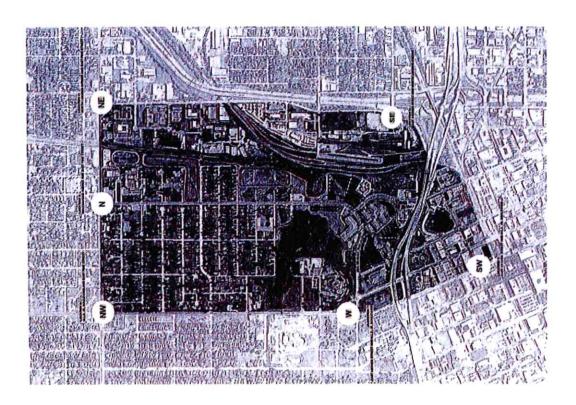


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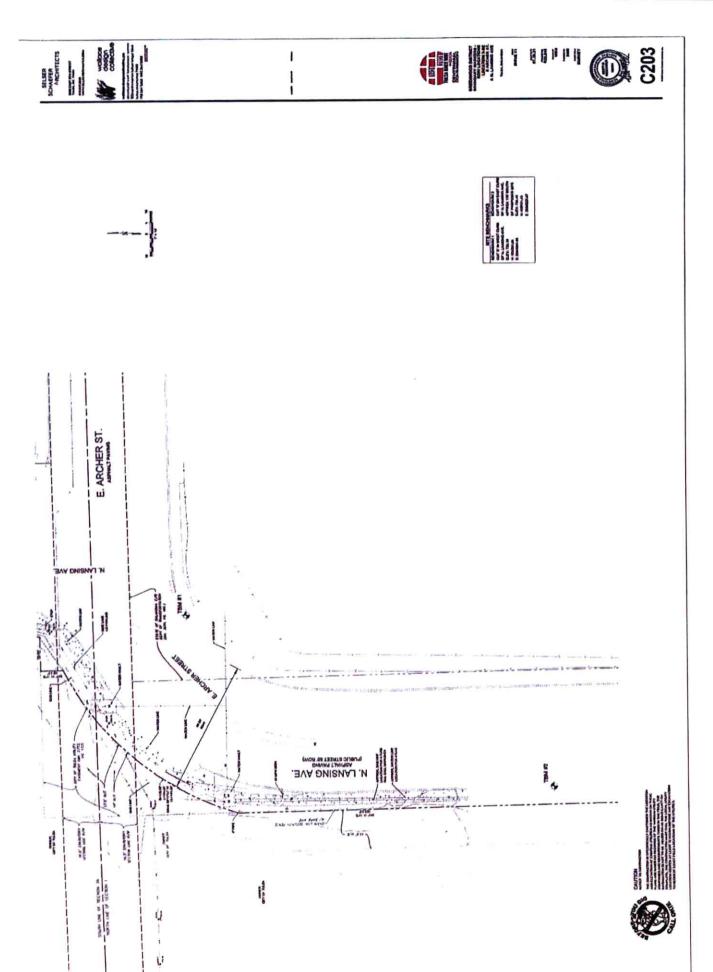
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2 SITE MAP - BOUNDARY MARKER LOCATIONS



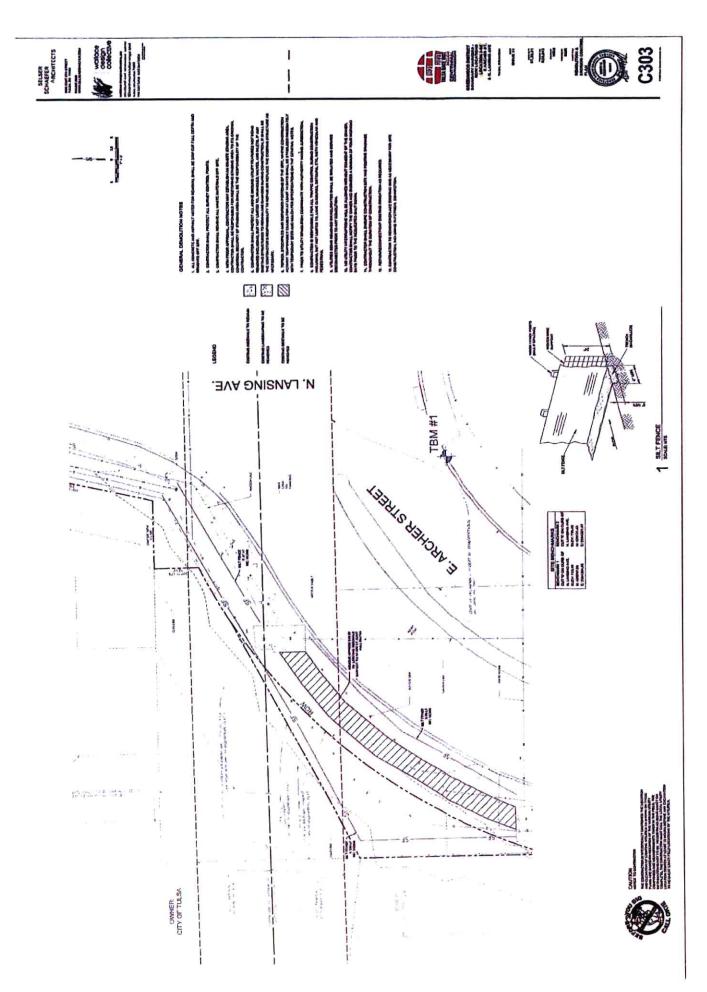


EXHIBIT A PG 4 OF 14

EXHIBIT A PG 5 OF 14

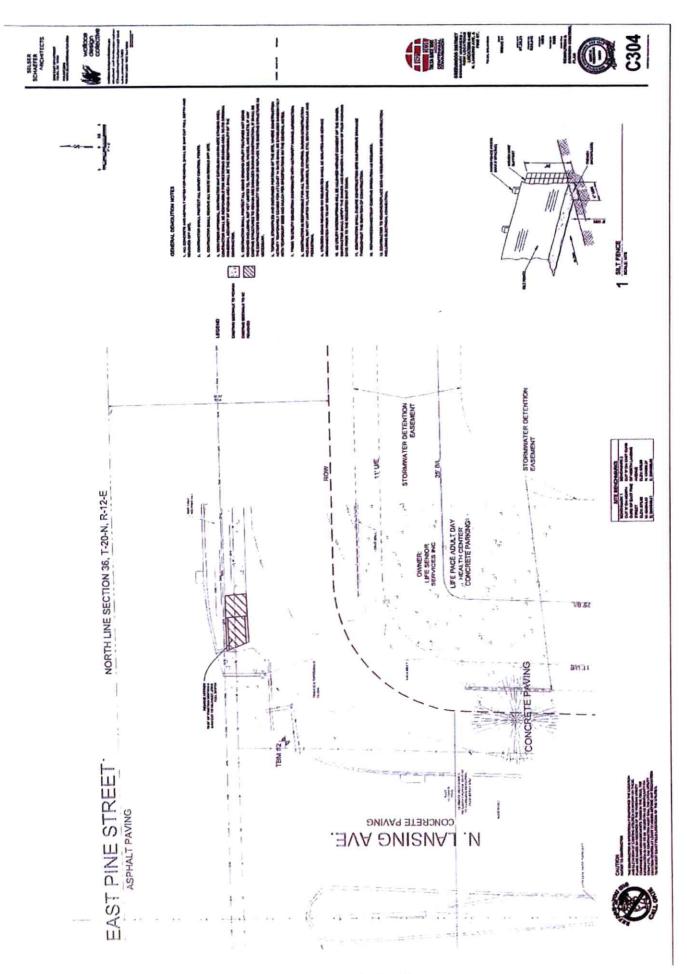
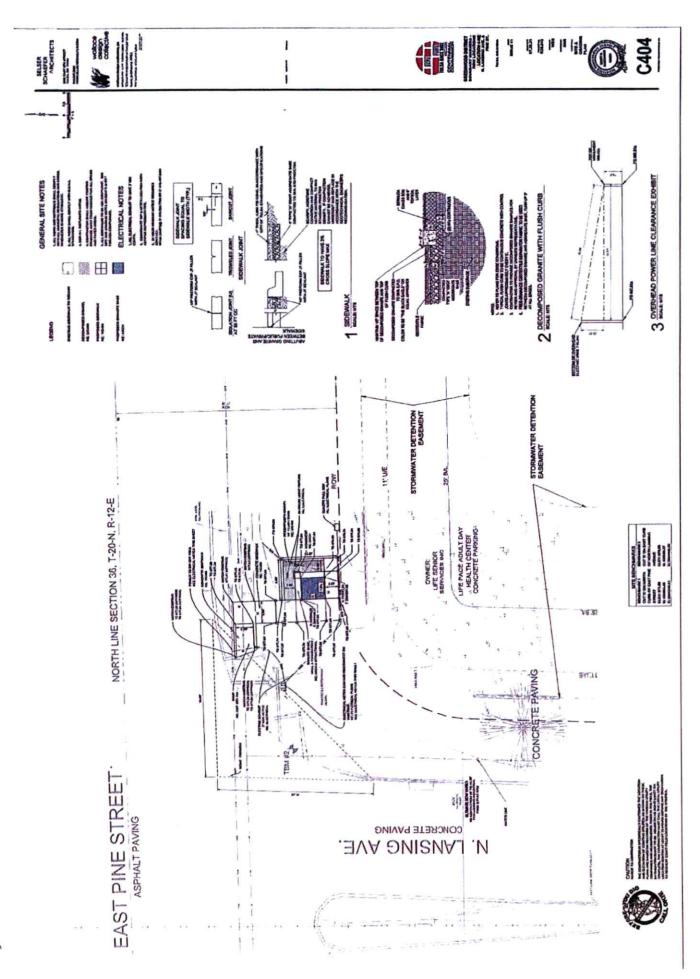
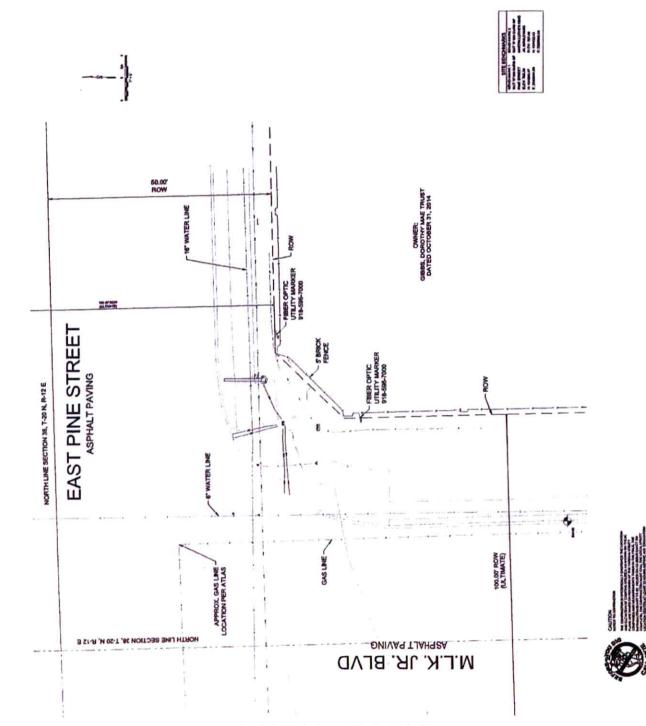


EXHIBIT A PG 7 OF 14





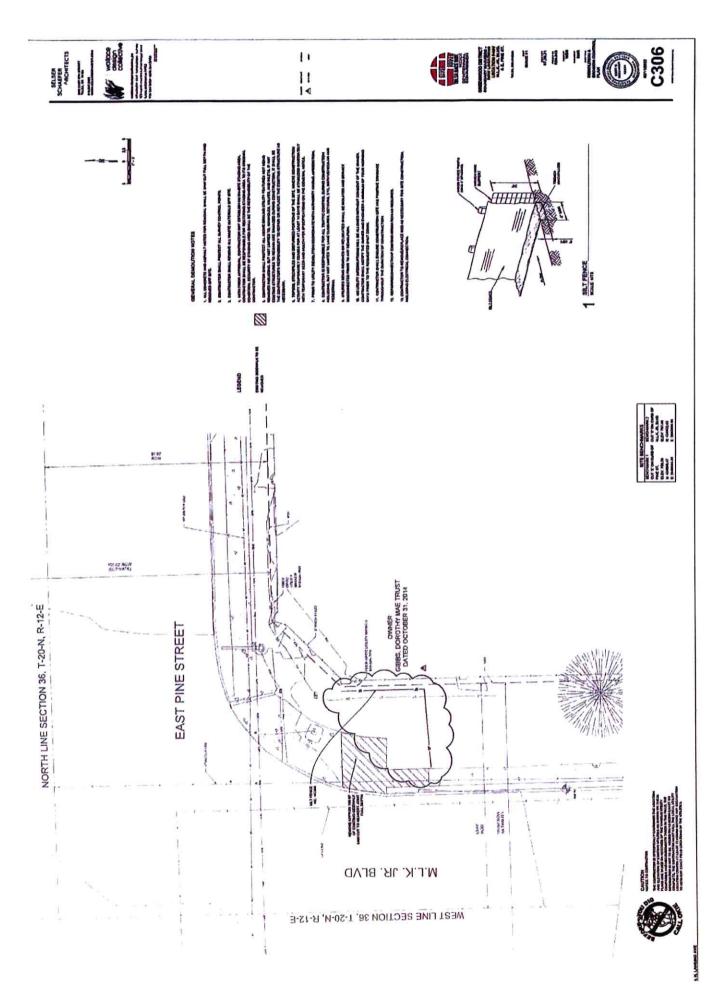
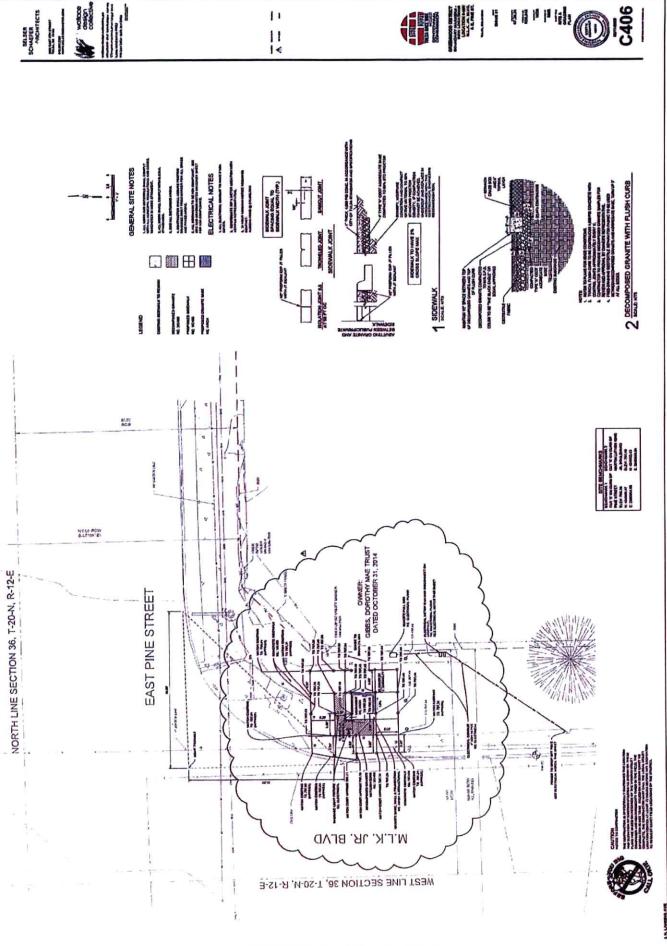


EXHIBIT A PG 10 OF 14



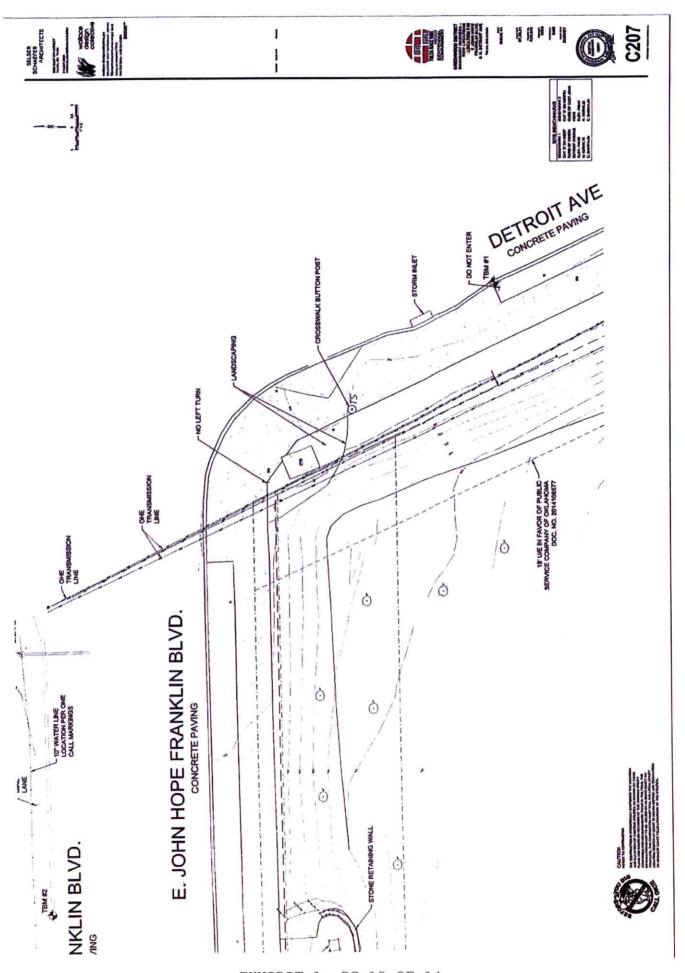


EXHIBIT A PG 12 OF 14

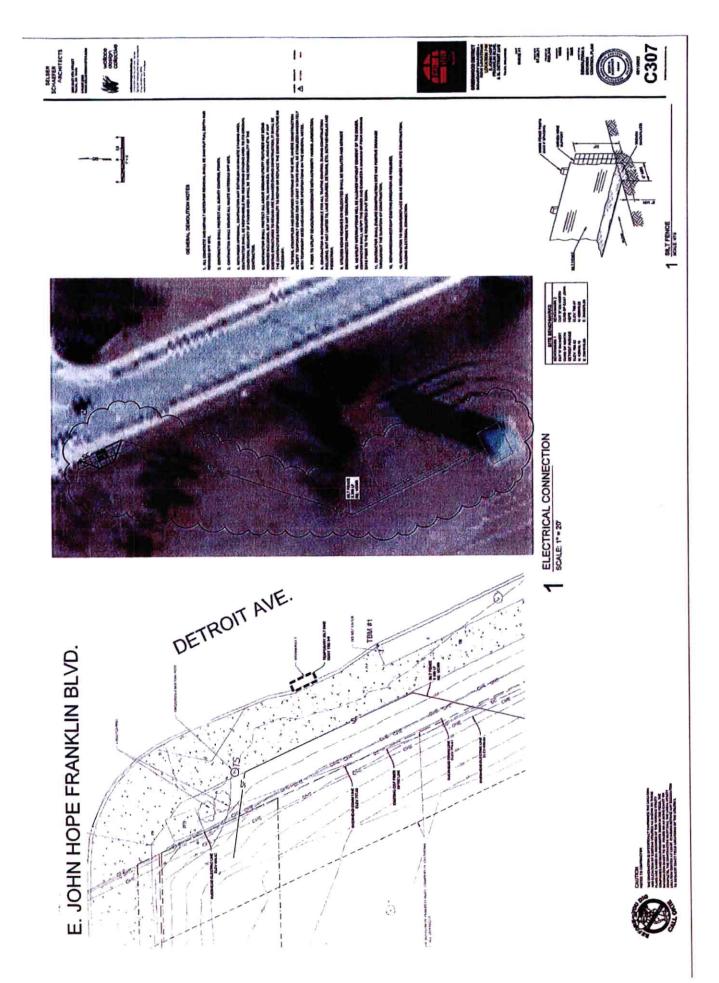


EXHIBIT A PG 13 OF 14

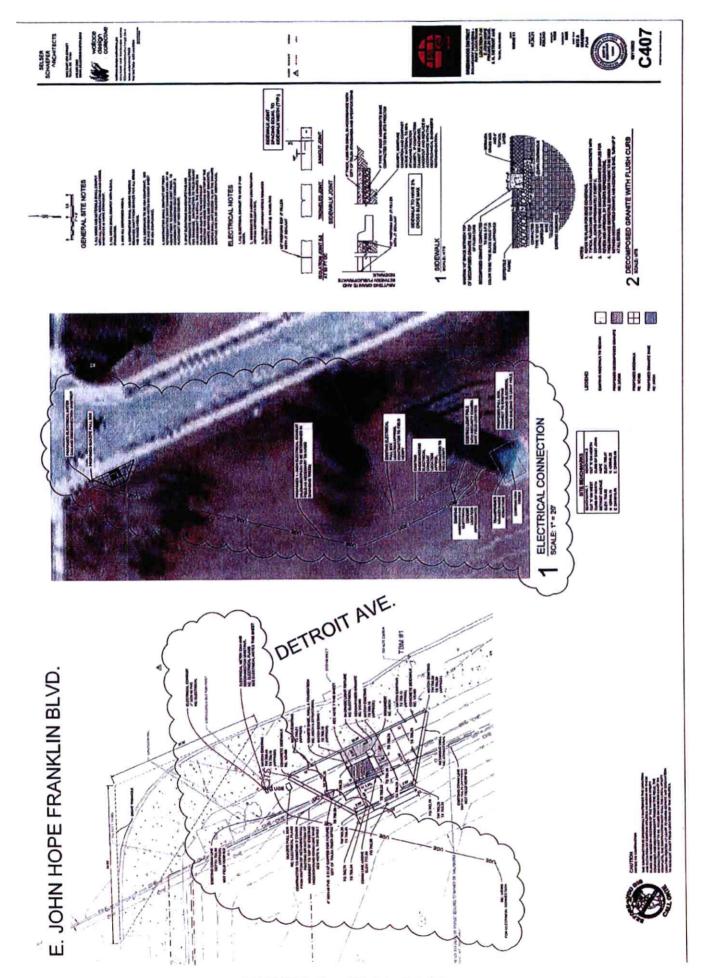


EXHIBIT A PG 14 OF 14



# Application for Right-of-way / Easement Closure or Encroachment Agreement

| APPLICATION IS HEREBY MADE TO THE CITY OF TULSA TO CONSIDER THE FOLLOWING CHOOSE (1) CLOSURE: ENCROACHMENT: X |                         |                                |  |  |
|---------------------------------------------------------------------------------------------------------------|-------------------------|--------------------------------|--|--|
| CHOOSE (1) CLOSURE:X                                                                                          |                         |                                |  |  |
|                                                                                                               |                         |                                |  |  |
| County Assessor Parcel Number: _                                                                              | SE to Black and Lancing | Zoning;                        |  |  |
| Property Location: SE-Archer and Lansing; NE                                                                  |                         |                                |  |  |
| Legal Description: Subdivision: NA                                                                            |                         |                                |  |  |
| Section: Township:                                                                                            |                         |                                |  |  |
| IF UNPLATTED ATTACH LEGAL DESCRI                                                                              | PTION.                  |                                |  |  |
| Applicant Name: Jim Beach                                                                                     |                         |                                |  |  |
| Applicant Company: Wallace Design Co                                                                          | ective                  |                                |  |  |
| Applicant D.B.A.:                                                                                             |                         |                                |  |  |
| Address: 123 N Martin Luther King Jr. Blvd.                                                                   |                         |                                |  |  |
| City: Tulsa State:                                                                                            |                         | Zip: 74103                     |  |  |
| Phone: 918-806-7328                                                                                           |                         |                                |  |  |
| Secondary Point of Contact: Scott                                                                             |                         |                                |  |  |
| Phone: 918-806-7390                                                                                           |                         | scott.rodehaver@wallace.design |  |  |
| Prione:                                                                                                       | Email:                  |                                |  |  |
| Property Owner(s)of Record: City                                                                              | of Tulsa                |                                |  |  |
| Address: 175 E. 2nd Street                                                                                    |                         |                                |  |  |
| City: Tulsa St                                                                                                | tate: OK                | Zip: 74103                     |  |  |
|                                                                                                               |                         |                                |  |  |
|                                                                                                               | Gi en a buna a          |                                |  |  |
|                                                                                                               | Signatures              |                                |  |  |
| Applicant:                                                                                                    |                         | Date: 8/11/21                  |  |  |
| Property Owner(s):                                                                                            |                         | Date:                          |  |  |
|                                                                                                               |                         | Date:                          |  |  |
|                                                                                                               |                         | Date:                          |  |  |



# Application for Right-of-way / Easement Closure or Encroachment Agreement

Explanation of necessity for closing right-of-way or easement or for encroaching into the right-of-way or easement.

REQUIRED - Legal Description with a Plat of Survey for all closings. For Encroachments a digital sketch delineating the described request, showing all data pertinent to the property (refer to application instructions).

| County Assessor Adjacent Parcel Numbers: SE - 90236-02-36-31830; NE - 43170-02-36-39090; NW - 29625-02-36-20152; W - 29450-02-36-117 Property Location: SE - Archer and Lansing; NE - SE/c Pine and Lansing; NW - SE/c Pine and MLK; W - SW/c Detroit and John Hope Franklin | 0.000 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Property Location: SE - Archer and Lansing; NE - SE/C Pine and Lansing; NW - SE/C Pine and MLK; W - SW/C Detroit and John Hope Franklin                                                                                                                                      |       |
| The property of the boundary of the Occasional District to the Notice to the best of colors and associate discretion to the                                                                                                                                                  | 14    |
| These are corner markers defining the boundary of the Greenwood District to raise awareness of the District, to foster tourism, and provide direction to vis                                                                                                                 | itors |
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EXHIBIT B PG 3 OF 10

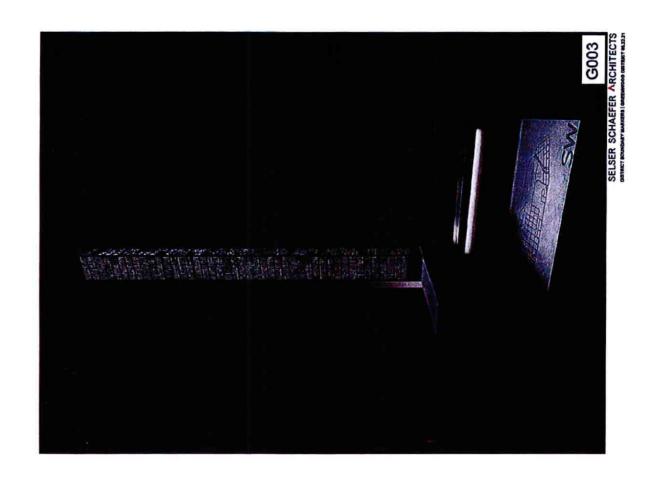
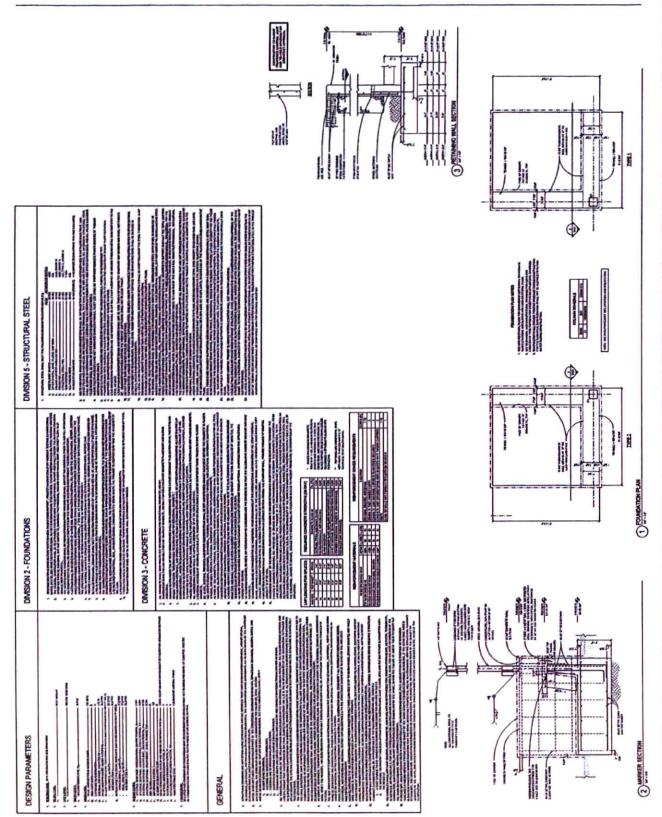
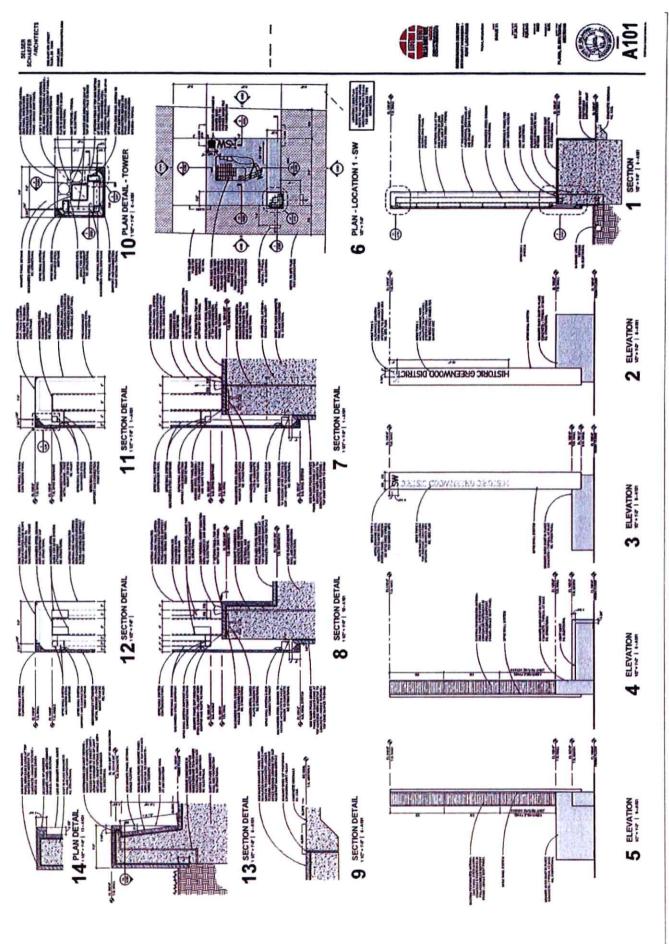
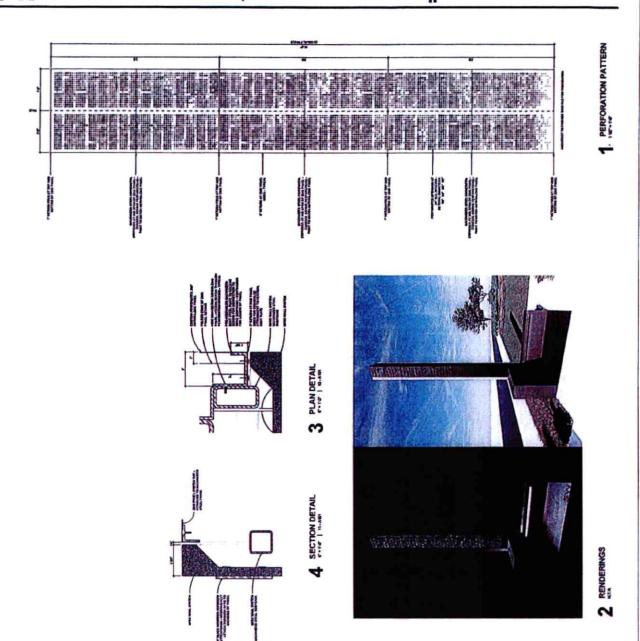


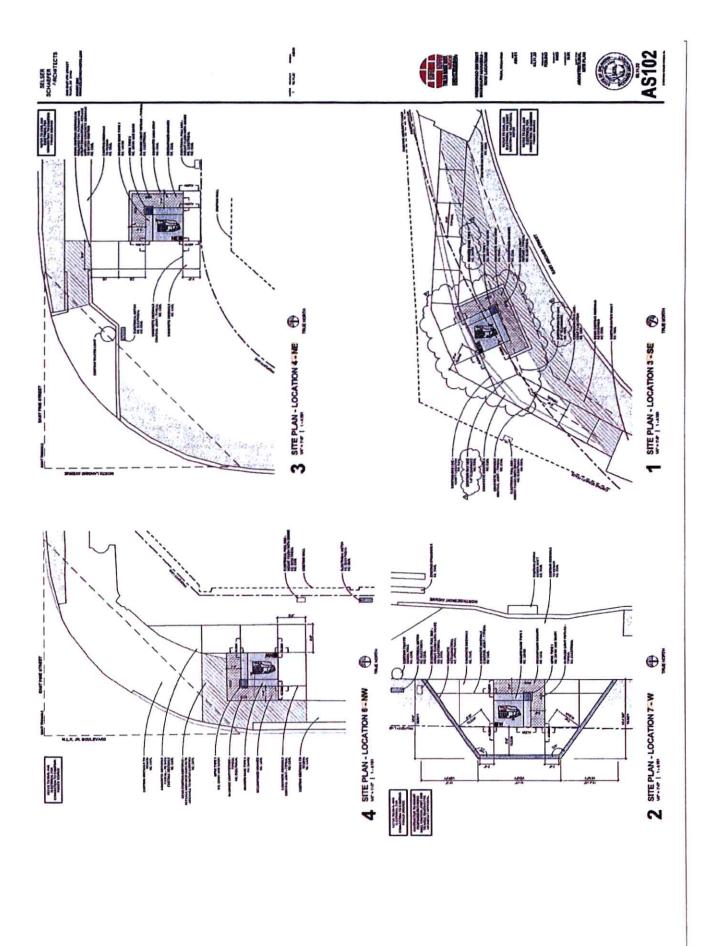


EXHIBIT B PG 4 OF 10









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| FIXTURE SCHEDULE | Seriffr/rec  | NAME OF THE PROPERTY OF THE PR      | en delige                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | S AND  |
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