

EN0119058

Easement

Version 3.0 released on 8/3/21



CITY COUNCIL USE ONLY

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

Tracking #: _____
 Committee: _____
 Hearing Date: _____
 2nd Agenda Date: _____

CITY CLERK USE ONLY

Scanned Date: 06.08.2022
 Posted Item #: 2206.01170

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Board Approval		Other Board Name	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No
Department Engineering Services	Contact Name Courtney Jones	Email courtneyjones@cityoftulsa.org	Phone 918-596-9549
Easement Type Utility	Owner-Grantor Maccor, Inc.		
Bid/Project Number IDP 7740	Project Title Maccor Utility Easement		Council District
Section 29	Township 19	Range 12	Addition GILCREASE RESEARCH CENTER
Lot 1	Block 1	Address 4322 S. 49th W. Ave.	
Parcel Number	Additional Information/Tracking Number Outside City Limits		

Budget

Contract Types <input checked="" type="radio"/> No Payments Involved <input type="radio"/> Revenue Contracts <input type="radio"/> Expense Contracts	Funding Source(s)	DONATION: _____ \$0.00
		TOTAL: _____ \$0.00

Approvals

Department: <u>AS</u>	Date: <u>5-16-22</u>
Legal: <u>JMS</u>	Date: <u>05/24/2022</u>
Board: _____	Date: _____
Mayor: <u>Cassia Carr</u>	Date: <u>JUN 08 2022</u>
Other: _____	Date: _____

Policy Statement

Background Information
 This Utility Easement is being donated by Maccor, Inc., a Delaware corporation, as a requirement of IDP 7740. This easement is for the relocation of a public sanitary sewer force main to serve a commercial site. The attached easement is to cover that relocated main and has sanitary sewer facilities installed across this piece of property.

Summation of the Requested Action
 Engineering Services recommends approval of the easement. MSLSwb 5/13/22

Other Pertinent Details
 The easement is being processed after an internal audit of files which have been on hold due to various technical issues. After consultation with City Legal, Development Services and Engineering Services, it was determined that this easement should be processed "as is" to protect the City's infrastructure.

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, **MACCOR, INC., a Delaware corporation**, (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.

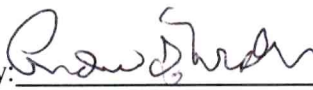
The City is hereby given and granted the exclusive possession of said above described premises for the purposes aforesaid and Grantor, for itself and its administrators, successors and assigns, covenants and agrees that no building, structure, fence, wall or other above ground obstruction will be placed, 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 14th day of MAY, 2015.

MACCOR, INC., a Delaware corporation

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

By: 
Name: Andrew D. MacKay
Title: President

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 14th day of May, 2015, personally appeared Andrew D. MacKay to me known to be the identical person who subscribed the name of **MACCOR, INC., a Delaware corporation**, to the foregoing as its President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of **MACCOR, INC., a Delaware corporation**, for the uses and purposes therein set forth.

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

Deonn Odell


Notary Public

My commission expires:

June 7, 2015

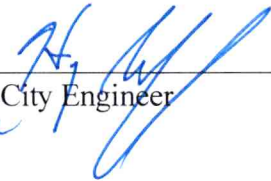


APPROVED AS TO FORM:



Asst. City Attorney

APPROVED AS TO SUBSTANCE:



City Engineer
For

ACCEPTED BY CITY COUNCIL:

Date: _____

BY: _____
Name: Lori Decter Wright
Title: Chair

APPROVED BY MAYOR:

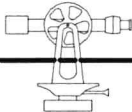
CITY OF TULSA, OKLAHOMA,
a municipal corporation

Date: _____

BY: _____
Name: G. T. Bynum
Title: Mayor

ATTEST:

City Clerk



WHITE SURVEYING COMPANY

9936 East 55th Place • Tulsa, Oklahoma 74146 • (918) 663-6924 fax (918) 664-8366
mailing address: P.O. Box 471675 Tulsa, Oklahoma 74147-1675

LEGAL DESCRIPTION FOR UTILITY EASEMENT

A 20 foot wide strip of land in Lot One (1), Block One (1), Gilcrease Research Center, an addition in Tulsa County, State of Oklahoma, according to the recorded Plat No. 5725; Said strip of land being described as follows: Commencing at the Southwest corner of said Lot 1; Thence North 00°51'52" West along the West line of said Lot 1 for 571.88 feet; Thence North 89°07'28" East for 17.50 feet to a point on the East side of a platted 17.50 foot wide Easement and the Point of Beginning of said strip of land; Thence North 00°51'52" West for 20.00 feet; Thence North 89°07'28" East for 753.29 feet; Thence South 00°52'39" East for 20.00 feet; Thence South 89°07'28" West for 753.30 feet to the Point of Beginning of said strip of land.

REAL PROPERTY CERTIFICATION

I, Tom A. Haynes of White Surveying Company, a Registered Professional Land Surveyor in the State of Oklahoma, certify that the attached legal description for Utility Easement, closes in accord with existing records and the attached drawing is a true representation of the real property as described, and meets the minimum technical standards for land surveying of the state of Oklahoma.

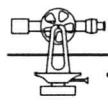
3/30/2015
Date

Tom A. Haynes
RPLS No. 1052
L.S. White Surveying Company
C.A. No. 1098 Expires 6/30/15

HW JS

R 12 E

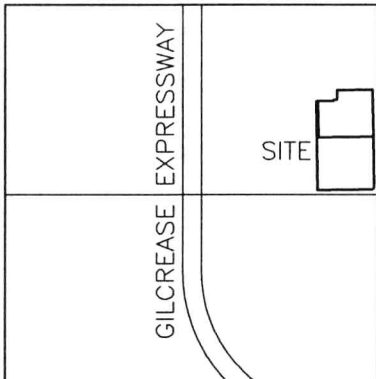
WEST 41ST STREET



WHITE SURVEYING COMPANY

• 9936 EAST 55TH PLACE TULSA, OKLAHOMA 74146 • (918) 663-6924

SOUTH 65TH WEST AVENUE



GILCREASE EXPRESSWAY

SITE

SOUTH 49TH WEST AVENUE

T 19 N

EXHIBIT

LOT 1, BLOCK 1,
GILCREASE RESEARCH CENTER,
TULSA COUNTY, STATE OF OKLAHOMA

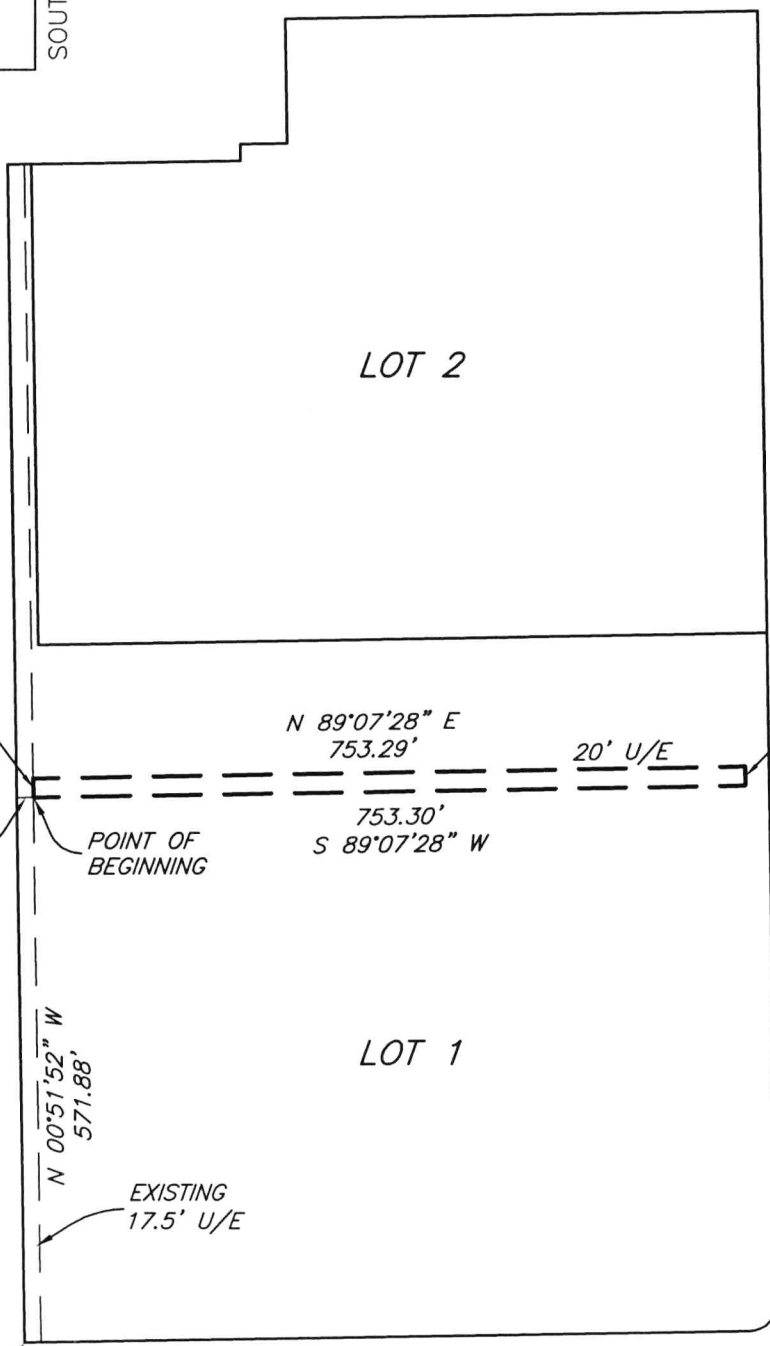


1"=200'

WEST 51ST STREET
SECTION 29

BASIS OF BEARINGS: THE
RECORDED PLAT OF
GILCREASE RESEARCH
CENTER.

SET 3/8" IRON PIN WITH
CAP AT EACH CORNER OF
EASEMENT.



SOUTH 49TH WEST AVENUE

LOT 2

LOT 1

N 00°51'52" W
20.00'

17.50'
N 89°07'28" E

POINT OF
BEGINNING

N 89°07'28" E
753.29'

753.30'
S 89°07'28" W

20' U/E

20.00'
S 00°52'39" E

N 00°51'52" W
571.88'

EXISTING
17.5' U/E

SOUTHWEST CORNER LOT 1.
POINT OF COMMENCEMENT

EXHIBIT "A"