

EN0119056



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**☐ ScannedDate: 06.08.2022☐ PostedItem #: 2206.01171*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 5.13.22

Email
 courtneyjones@cityoftulsa.org

Phone
 918-596-9549

Easement Type
 Storm Sewer

Owner-Grantor
 Santa Fe Crossings, LLC

Bid/Project Number
 IDP 100908

Project Title
 Santa Fe Square Storm Relocation

Council District
 4

Section
 1

Township
 19

Range
 12

Addition
 ORIGINAL TOWN OF TULSA

Lot

Block
 85

Address
 500 East 1st Street

Parcel Number
 380

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: _____

Cassia Carr
 Mayor Pro Tem

Date: 5.16.22Date: 5-27-22

Date: _____

Date: JUN 08 2022

Date: _____

Policy Statement**Background Information**

This Storm Sewer Easement is being donated by Santa Fe Crossings, LLC, an Oklahoma limited liability company, as a requirement of IDP 100908. The IDP for this project consists of rerouting of an existing public storm sewer to facilitate the construction of a new commercial building and parking structure.

Summation of the Requested Action

Engineering Services recommends approval of the easement. MSL: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)

STORM SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **SANTA FE CROSSINGS, LLC**, an Oklahoma limited liability company, (Grantor) the owner of the legal and equitable title to the following real estate, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS cash in hand paid by the CITY OF TULSA, OKLAHOMA, a municipal corporation, (City) and other good and valuable considerations, receipt of which is hereby acknowledged, does hereby grant and convey unto the said 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 a storm sewer main or mains thereon through, over, under, and across said property, together with all necessary and convenient appurtenances thereof; 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, laying, constructing, operating, repairing, relaying and maintaining said storm sewer main or mains and for the further purpose of enabling the City, to do any and all convenient things incident to such construction, operation, repairing, and maintaining of such storm sewer main or mains.

The City is hereby given and granted the exclusive possession of said above 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 the 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 12th day of April, 2022.

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

SANTA FE CROSSINGS, LLC, an Oklahoma limited liability company

By: 
Name: J. Elliot Nelson
Title: Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 12th day of April, 2022, personally appeared **J. Elliot Nelson**, known to be the identical person who subscribed the name of **SANTA FE CROSSINGS, 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 **SANTA FE CROSSINGS, LLC**, an Oklahoma limited liability company, for the uses and purposes therein set forth

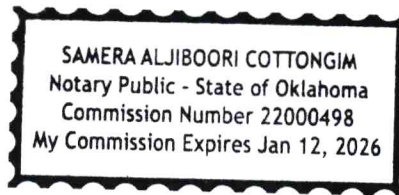
Given under my hand and seal of office the day and year last above written.



Notary Public

My commission expires:

January 12th, 2026



APPROVED AS TO FORM:

Asst Audrey D Blank
City Attorney

APPROVED AS TO SUBSTANCE:

For [Signature]
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 _____, 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)

) 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:



STORM SEWER EASEMENT EXHIBIT "A"

A TRACT OF LAND LYING PARTIALLY IN VACATED SOUTH FRANKFORT AVENUE AND IN BLOCK 85 OF THE ORIGINAL TOWN OF TULSA, ACCORDING TO THE RECORDED PLAT THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 85; THENCE S23°14'53"E AND ALONG THE EAST LINE OF SAID BLOCK 85 FOR A DISTANCE OF 281.39 FEET TO THE POINT OF BEGINNING THENCE N82°08'26"E FOR A DISTANCE OF 51.42 FEET; THENCE S07°30'11"E FOR A DISTANCE OF 5.16 FEET; THENCE S66°45'07"W FOR A DISTANCE OF 37.09 FEET; THENCE S82°08'26"W FOR A DISTANCE OF 24.66 FEET; THENCE N63°56'51"W FOR A DISTANCE OF 84.04 FEET; THENCE N23°14'56"W FOR A DISTANCE OF 54.50 FEET; THENCE N66°45'04"E FOR A DISTANCE OF 15.00 FEET; THENCE S23°14'56"E FOR A DISTANCE OF 48.94 FEET; THENCE S63°56'51"E FOR A DISTANCE OF 73.90 FEET; THENCE N82°08'26"E FOR A DISTANCE OF 4.47 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 2,656 SQUARE FEET OR 0.06 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON NOVEMBER 19, 2021 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE NORTH LINE OF BLOCK 84, TULSA ORIGINAL TOWN AS S66°45'07"W.

SURVEYOR'S CERTIFICATE

I, CLIFF BENNETT OF BENNETT SURVEYING, INC., CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE LEGAL DESCRIPTION DESCRIBED, AND THAT THE SURVEY OF THE LEGAL DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 19TH DAY OF NOVEMBER, 2021.



Cliff Bennett

CLIFF BENNETT, PLS
OKLAHOMA NO. 1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2022

STORM SEWER EASEMENT EXHIBIT "A"

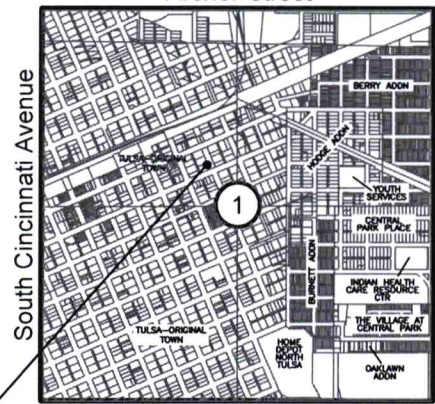
Page 2 of 2

R 12 E

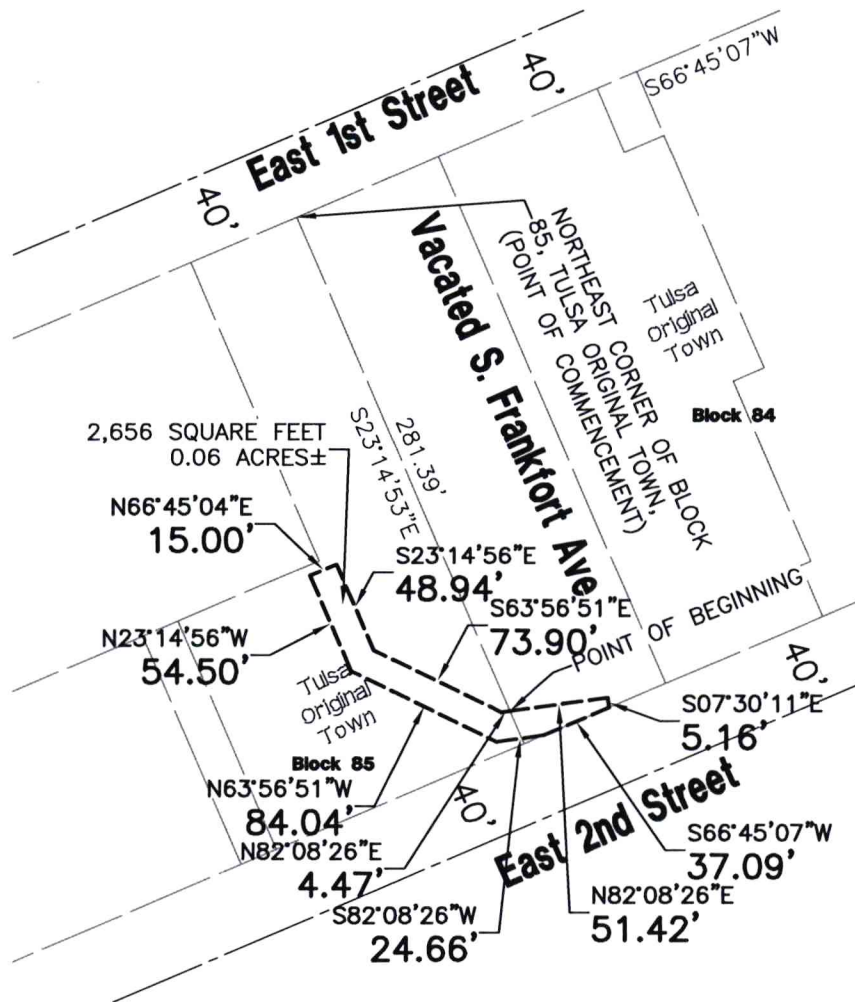
Archer Street



Scale: 1"=100'

11th Street South
Location Map

Not to Scale



FILE: Santa Fe Exhibit Sewer Easement 11-19-21

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE NORTH LINE OF BLOCK 84, TULSA ORIGINAL TOWN AS S66°45'07"W.
2. SEE EXHIBIT "A" PAGE 1 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

**BENNETT**
SURVEYING, INC.P.O. BOX 848, CHOUTEAU, OK 74337
PHONE: (918) 935-0350
C.A. NO.: 4502 EXP. DATE: 6/30/22

EXHIBIT "A"

Page 2 of 2