

# Easement

Version 3.0 released on 8/3/21

ENO119166

**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: 08.03.2022

☐ Posted

Item #: 2208.01619

*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**  
 John 3:16 Mission, Inc.

**Bid/Project Number**  
 IDP 92026

**Project Title**  
 John 3:16 Mission Hardesty Renew Center

**Council District**  
 1

**Section**  
 33

**Township**  
 20

**Range**  
 12

**Addition**  
 UNPLATTED

**Lot**

**Block**

**Address**  
 3707 West Edison Street North

**Parcel Number**  
 358

**Additional Information/Tracking Number**  
 Osage County

**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: 07.18.22

Date: 7.29.22

Date: AUG 03 2022

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

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

Cassia Carr  
 Mayor Pro Tem

**Policy Statement****Background Information**

This Utility Easement is being donated by John 3:16 Mission, Inc., an Oklahoma corporation, as a requirement of IDP 92026. The easements for this project are to cover the detention pond, sanitary sewer and waterline extensions required for the addition of a building and parking area on an existing commercial lot.

**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)

## UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **JOHN 3:16 MISSION, INC., an Oklahoma 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, its 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 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 15<sup>th</sup> day of June, 2022.

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

**JOHN 3:16 MISSION, INC., an Oklahoma corporation**

By: Steven P. Whitaker

Name: Steven P. Whitaker

Title: President and CEO

STATE OF OKLAHOMA    )  
  ) ss.  
COUNTY OF TULSA     )

Before me, the undersigned, a Notary Public, in and for said County and State on this 15<sup>th</sup> day of June, 2022, personally appeared Steven P. Whitaker, known to be the identical person who subscribed the name of **JOHN 3:16 MISSION, INC., an Oklahoma corporation**, to the foregoing as its President and CEO 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 **JOHN 3:16 MISSION, INC., an Oklahoma corporation**, for the uses and purposes therein set forth.

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

Elizabeth Turner  
Notary Public

My commission expires:

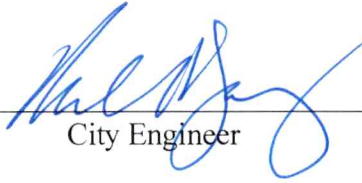
5-18-2025



APPROVED AS TO FORM:

SENIOR  
ASSISTANT  
  
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 \_\_\_\_\_, 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:

[illegible]

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:





**UTILITY EASEMENT**  
**LEGAL DESCRIPTION**

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4, SW/4) OF SECTION THIRTY-THREE (33) TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, OSAGE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION THIRTY-THREE (33) THENCE N88°27'41"E AND ALONG THE SOUTH LINE OF SAID SECTION THIRTY-THREE (33) FOR A DISTANCE OF 660.25 FEET; THENCE N00°02'12"W FOR A DISTANCE OF 660.22 FEET TO THE POINT OF BEGINNING; THENCE S88°27'41"W FOR A DISTANCE OF 427.14 FEET; THENCE N01°32'19"W FOR A DISTANCE OF 17.50 FEET; THENCE N88°27'41"E FOR A DISTANCE OF 427.60 FEET; THENCE S00°02'12"E FOR A DISTANCE OF 17.51 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 0.17 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON OCTOBER 26, 2021 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASE FOR THIS EXHIBIT IS BASED ON THE SOUTH LINE OF SECTION 33 AS N88°27'41"E.

**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 REAL PROPERTY DESCRIBED, AND THAT THE SURVEY OF THE REAL PROPERTY 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 26TH DAY OF OCTOBER, 2021.



*Cliff Bennett*

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

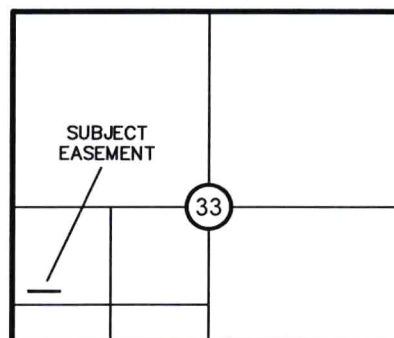
# UTILITY EASEMENT

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R 12 E

W. Newton St.

North 41st West Avenue

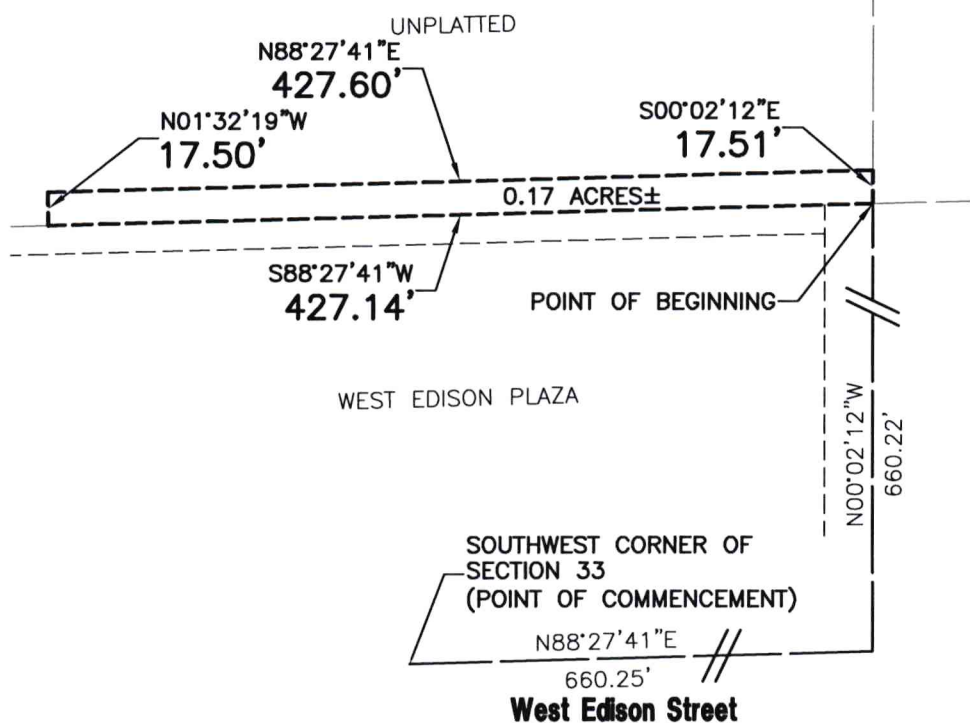
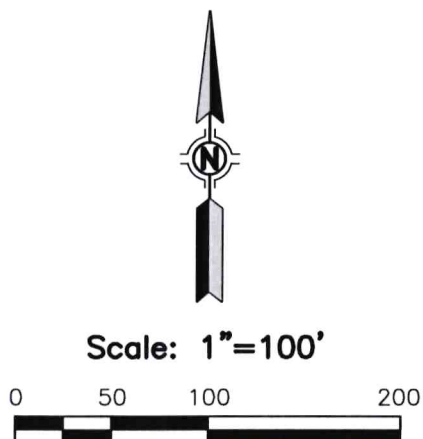


N. Gilcrease Museum Rd.

T  
20  
N

West Edison Street

Location Map



FILE: 213490 LG-3A

## Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE SOUTH LINE OF SECTION 33 AS N88°27'41"E.
2. SEE EXHIBIT "A" PAGE 1 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

EXHIBIT "A"  
page 2 of 2

**BENNETT  
SURVEYING, INC.**

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