

Easement

Version 3.0 released on 8/3/21

ENO119216

**CITY COUNCIL USE ONLY**

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

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____**CITY CLERK USE ONLY**☐ Scanned

Date: 08.03.2022

☐ Posted

Item #: 2208.01603

*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 *CP 7.20.22*

Email
courtneyjones@cityoftulsa.org

Phone
918-596-9549

Easement Type
Sanitary Sewer

Owner-Grantor
Charney Properties, Inc., Kourtis Property Management, Inc., and
Simmons Property Management, Inc.

Bid/Project Number
IDP 110811

Project Title
North Tulsa Commerce Center

Council District

Section
34

Township
21

Range
13

Addition
CHEROKEE EXPRESSWAY
IND DISTRICT

Lot
1

Block
1

Address
7325 N Lakewood Ave

Parcel Number
402

Additional Information/Tracking Number
Outside City Limits

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: 07.25.22

Date: 7-29-22

Date: _____

Date: AUG 03 2022

Date: _____

Policy Statement**Background Information**

This Sanitary Sewer Easement is being donated by Charney Properties, Inc., an Oklahoma corporation, Kourtis Property Management, Inc., an Oklahoma corporation, and Simmons Property Management, Inc., an Oklahoma corporation, as a requirement of IDP 110811. The IDP for this project consists of the extension of a City of Tulsa public sanitary sewer main to serve a commercial development.

Summation of the Requested Action

Approval of the easement. MSL:swb

Other Pertinent Details

MSL
7/21/22

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)

SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **CHARNEY PROPERTIES, INC., an Oklahoma Corporation, KOURTIS PROPERTY MANAGEMENT, INC., an Oklahoma Corporation, and SIMMONS PROPERTY MANAGEMENT INC., an Oklahoma Corporation** (Grantor) the owner of the legal and equitable title to the following real estate situated in Tulsa County, State of Oklahoma, for and in consideration of the sum of One Dollar (\$1.00) from the City of Tulsa, Oklahoma, a municipal corporation, and other good and valuable considerations, receipt of which is hereby acknowledged, does hereby grant and convey unto the said City of Tulsa, Oklahoma, a perpetual easement through, over, under and across the following described property, situated in said County, to-wit:

See Exhibit "A"

for the purpose of permitting the City, to construct a sanitary sewer 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 premises for the purposes aforesaid and Grantor, for himself and his heirs, 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, his heirs, 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 22 day of June, 2022.

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

**CHARNEY PROPERTIES, INC.,
an Oklahoma Corporation**

By: David E. Charney
Name: David E. Charney
Title: President

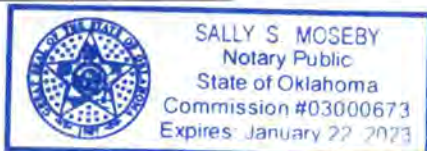
STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this 22 day of June, 2022, personally appeared David E. Charney known to be the identical person who subscribed the name of **CHARNEY PROPERTIES, INC., an Oklahoma 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 **CHARNEY PROPERTIES, 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.

Sally S. Moseby
Notary Public

My commission expires:



RTY MANAGEMENT
oration

1/1/14

[illegible]

Before me, the undersigned, a Notary Public, in and for said County and State on this 22 day of June, 2022, personally appeared Pete Kourtis known to be the identical person who subscribed the name of **KOURTIS PROPERTY MANAGEMENT, INC., an Oklahoma 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 **KOURTIS PROPERTY MANAGEMENT, INC., an Oklahoma Corporation**, for the uses and purposes therein set forth.

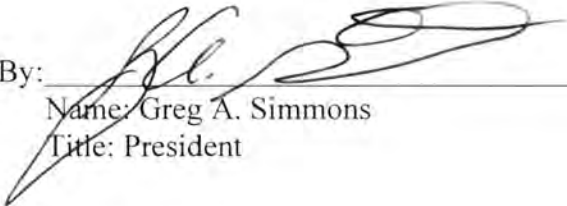
Given under my hand and seal of office the day and year last above written.

Sally S. Morley
Notary Public

My commission expires:



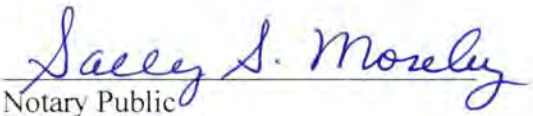
**SIMMONS PROPERTY MANAGEMENT, INC.,
an Oklahoma Corporation**

By: 
Name: Greg A. Simmons
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 22 day of June, 2022, personally appeared Greg A. Simmons known to be the identical person who subscribed the name of **SIMMONS PROPERTY MANAGEMENT INC., an Oklahoma 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 **SIMMONS PROPERTY MANAGEMENT INC., an Oklahoma Corporation**, for the uses and purposes therein set forth.

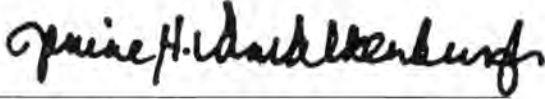
Given under my hand and seal of office the day and year last above written.


Notary Public

My commission expires:



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)
) 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:

SANITARY SEWER EASEMENT Legal Description

A Tract of land, being a part of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section Thirty Four (34), Township Twenty One North (T21N), Range Thirteen East (R13E) of the Indian Meridian (I.M.), Tulsa County, State of Oklahoma, and being more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter (NE/4) of Section Thirty Four (34), Township Twenty One North (T21N), Range Thirteen East (R13E) of the Indian Meridian (I.M.);

Thence South 88 Degrees 49 Minutes 02 Seconds West along the North line of said Northeast Quarter (NE/4) a distance of 553.44 feet;

Thence South 22 Degrees 29 Minutes 30 Seconds East a distance of 69.77 feet to a point on the West line of an existing 25 foot Sanitary Sewer Easement dedicated by Plat 3839 also being the POINT OF BEGINNING;

Thence South 22 Degrees 29 Minutes 30 Seconds East continuing along said West line a distance of 661.25 feet;

Thence North 28 Degrees 07 Minutes 52 Seconds West a distance of 290.03 feet;

Thence North 22 Degrees 29 Minutes 30 Seconds West a distance of 359.58 feet;

Thence South 88 Degrees 49 Minutes 02 Seconds West a distance of 81.53 feet;

Thence North 01 Degrees 11 Minutes 03 Seconds West a distance of 22.50 feet to a point on the South line of an Existing Utility Easement dedicated by Plat 3839;

Thence North 88 Degrees 49 Minutes 02 Seconds East a distance of 103.35 feet to the POINT OF BEGINNING.

Containing 16,627 square feet or 0.382 acres of land, more or less.

Basis of Bearings:

Grid North based on NAD 83, Oklahoma State Plane Coordinate System
North Zone

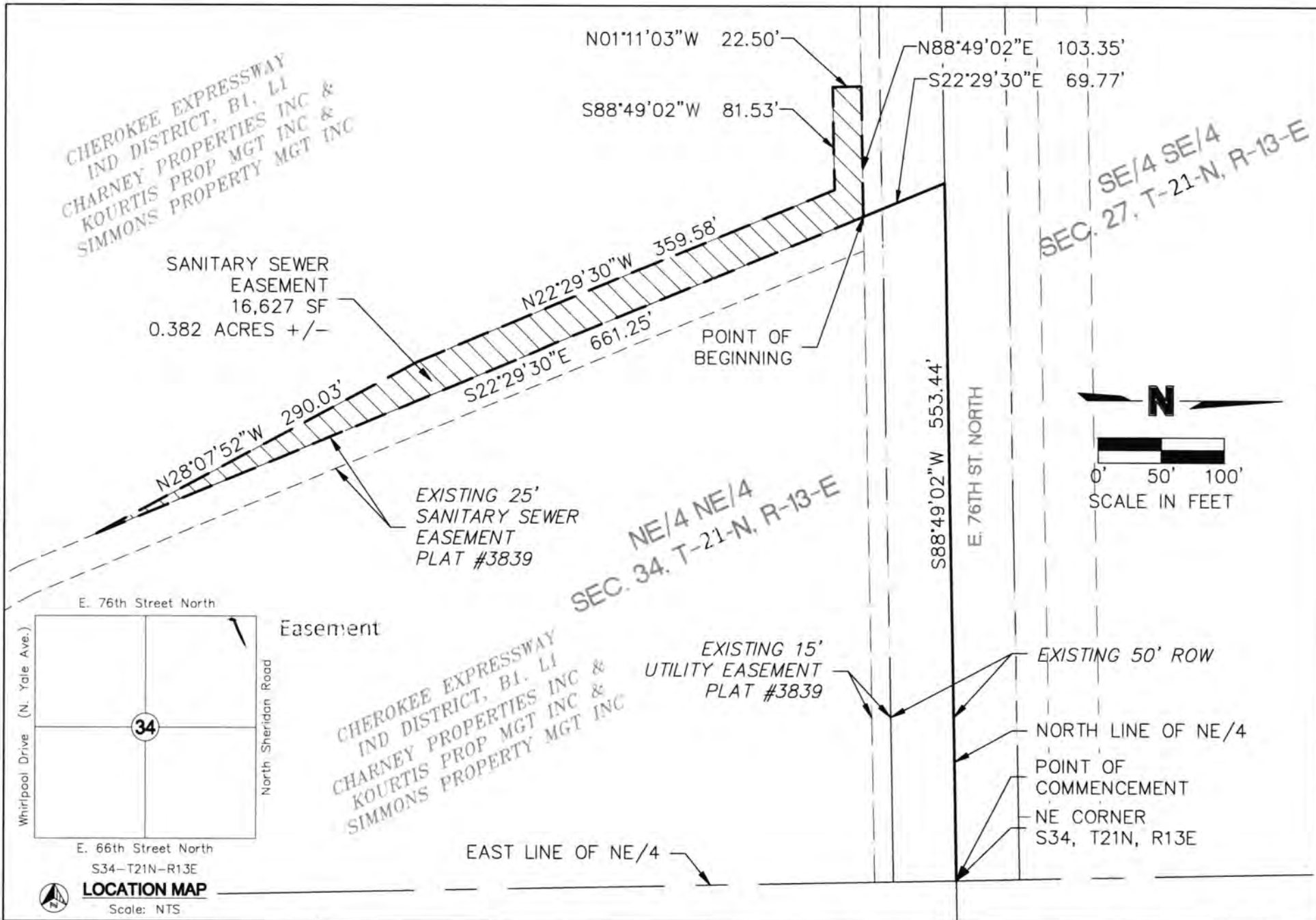
I, Brad William Ferguson, a Licensed Professional Land Surveyor in the State of Oklahoma, certify that the attached description is a true representation of the property described, and meets the minimum technical standards for land surveying for the State of Oklahoma. This seal covers sheets 1 & 2.

 5/13/22
Brad William Ferguson Date



OK PLS NO. 1874 - Expires January 31, 2024
OK CA NO. 2483 - Expires June 30, 2023

EXHIBIT



PROJECT NO:	021-07669
DRAWN BY:	JJW
DATE:	05/12/22

SANITARY SEWER EASEMENT

olsson

1717 South Boulder Ave
Suite 800
Tulsa, OK 74119
TEL 918.378.4294

EXHIBIT

IDP 110811

NORTH TULSA COMMERCE CENTER

N.T.S. 07/08/22



ESMT 403
SANITARY SEWER
EASEMENT



ESMT 402
SANITARY SEWER
EASEMENT

