

Ordinance

Version 3.2 released on 8/3/21

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.



EN0119225

CITY COUNCIL USE ONLY

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

Tracking #: _____

Committee: _____

Hearing Date: _____

2nd Agenda Date: _____

CITY CLERK USE ONLY

☐ Scanned

Date: 08.17.2022

☐ Posted

Item #: 2208.01766

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

Primary Details

Dept. Tracking No.
5-2-22-50

Board Approval

Other Board Name

City Council Approval

☒ Yes ☐ No

Department
Engineering Services

Contact Name
Chris Kovac

Email
ckovac@cityoftulsa.org

Phone
918-596-9649

Subject (Description)
Request to close a Sanitary Sewer Easement

Ordinance Type
Closing an Easement

Section
1

Township
18

Range
13

Lot
1

Block
3

Address
6603 S. Memorial Drive

BA / CT Number

Amending Ord. No.

TRO Title No.

TRO Subtitle

Property/Non-Property

Council District
7

Zoning No.

PUD No.

Planning District

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstrTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department:

Legal:

Board:

Mayor:

Other:

Date: 07.25.22

Date: 8-5-22

Date: AUG 17 2022

Date:

Date:

Policy Statement

Background Information

A request has been made by William Hoey with Olsson to close a portion of a sanitary sewer easement located East of Memorial Drive and South of E. 66th Street, Lot One (1), Block Three (3), as shown on the attached exhibits. The request to close the sanitary sewer easement is for future Kum and Go site development. The sewer easement does not contain any existing sewer lines. The request to close the sanitary sewer easement has been reviewed by city staff, representatives of various commissions, authorities and private utility companies with no objections.

Provide background information on the requested action.

Summation of the Requested Action

Recommend approval of this closure. MSK *7/21/22*

Summarize the pertinent details of the requested action.

Emergency Clause?

☐ Yes

☒ No

Reason for Emergency Clause

Explain why you are requesting that the City Council approve this action with an emergency clause.

Processing Information for City Clerk's Office

Post Execution Processing

- ☐ Mail vendor copy (addtl signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Addtl governmental entity approval(s) required

Additional Routing and Processing Details

(Published in the Tulsa World

_____, 2022)

ORDINANCE NO. _____

AN ORDINANCE CLOSING A PORTION OF A CERTAIN SANITARY SEWER EASEMENT OF THE CITY OF TULSA, OKLAHOMA, AFFECTING A TRACT OF LAND IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

WHEREAS, application has been made for closing a portion of certain Sanitary Sewer Easement, of the City of Tulsa, Oklahoma;

WHEREAS, the request is reasonable, and it will be in the best interest of all parties concerned that a portion of a certain said Sanitary Sewer Easement be closed.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That the above-described Sanitary Sewer Easement, insofar as it covers the following described land:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 18 NORTH, RANGE 13 EAST, TULSA COUNTY, OKLAHOMA AND LOT ONE IN KUM & GO #2362, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S01°07'39"E ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 150.92 FEET;

THENCE N88°25'03"E ALONG THE NORTH LINE OF SAID LOT 1 IF EXTENDED, 301.05 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING N88°25'03"E, 15.00 FEET
THENCE S01°24'15"E ALONG THE EAST LINE OF SAID EASEMENT, 199.82 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1;

THENCE S88°31'33"W ALONG THE SOUTH LINE OF SAID LOT 1, 15.00 FEET; THENCE N01°24'15"W ALONG THE WEST LINE OF SAID EASEMENT, 199.79 FEET; TO THE POINT OF BEGINNING CONTAINING 2997 SQUARE FEET MORE OR LESS.

be and the same are hereby closed.

Section 2. That the City of Tulsa retains the absolute right to reopen the above-described portion of a certain Sanitary Sewer Easement without expense to the City of Tulsa.

Section 3. The closing of a portion of said Sanitary Sewer Easement shall not affect the right to maintain, repair, reconstruct, operate or remove utility, public service corporation or transmission company facilities existing therein, nor shall such closing affect private ways existing by operation of law.

ADOPTED by the Council: _____
Date

Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

G. T. Bynum, Mayor

By: _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____,
Date
at _____
Time

Mayor

(Seal)

ATTEST:

City Clerk

APPROVED:

City Attorney ADB

APPROVED AS TO LEGAL DESCRIPTION:

Engineering Services

EXHIBIT A

VACATION OF A PORTION OF A SANITARY SEWER EASEMENT RECORDED IN BOOK 5344, PAGE 2417

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 18 NORTH, RANGE 13 EAST, TULSA COUNTY, OKLAHOMA AND LOT ONE IN KUM & GO #2362, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S01°07'39"E ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 150.92 FEET; THENCE N88°25'03"E ALONG THE NORTH LINE OF SAID LOT 1 IF EXTENDED, 301.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N88°25'03"E, 15.00 FEET THENCE S01°24'15"E ALONG THE EAST LINE OF SAID EASEMENT, 199.82 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1; THENCE S88°31'33"W ALONG THE SOUTH LINE OF SAID LOT 1, 15.00 FEET; THENCE N01°24'15"W ALONG THE WEST LINE OF SAID EASEMENT, 199.79 FEET; TO THE POINT OF BEGINNING

CONTAINING 2997 SQUARE FEET MORE OR LESS..

POC NW COR. SW1/4,
SECTION 01,
TOWNSHIP 18 NORTH,
RANGE 13 EAST

Easement to be vacated

E. 66th STREET

N88°25'03"E 301.05'

POB

N88°25'03"E
15.00'

15' WIDE BANK SEWER ESMT.
BK. 5344, PG 2417

KUM & GO #2362
TULSA, TULSA
COUNTY, OKLAHOMA

S MINCO RD.

E 61st St

1

E 71st St

S. MEMORIAL DR.

SITE

S. MEMORIAL DRIVE



SCALE: 1"=2000'

SEC. 01, T-18-N, R-13-E

LOCATION MAP

N01°24'15"W 199.79'
S01°24'15"E 199.82'

S88°31'33"W
15.00'

OLSSON - SURVEY
OKLAHOMA CERTIFICATE OF AUTHORITY #2483

PROJECT NO: 021-06937

DRAWN BY: DVH

DATE: 07/12/2022

VACATION OF A
SANITARY SEWER EASEMENT

702 S. Main Street
Joplin, MO 64801
TEL 417.781.0643

olsson

EXHIBIT

B



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: X ENCROACHMENT: _____

CHOOSE (1) RIGHT-OF-WAY: _____ EASEMENT: X AIR SPACE: _____

County Assessor Parcel Number: 77715-83-01-17335 Zoning: OM w/PUD 470

Property Location: 6603 S MEMORIAL DR.

Legal Description: Subdivision: WOODLAND HILLS MALL Plat No.: 3627

Lot: 1 Block: 3

Section: 01 Township: 18 Range: 13

IF UNPLATTED ATTACH LEGAL DESCRIPTION.

Applicant Name: WILLIAM HOEY

Applicant Company: OLSSON

Applicant D.B.A.: CONSULTANT

Address: 550 ST. LOUIS ST

City: SPRINGFIELD State: MO Zip: 65806

Phone: 417-890-8802 Email: whoey@olsson.com

Secondary Point of Contact: SARAH MCDOUGALL

Phone: 515-457-6000 Email: sarah.mcdougall@kumandgo.com

Property Owner(s) of Record: Alex Sappingfield

KG STORE 2362, LLC

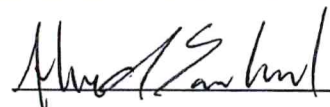
Address: 1459 GRAND AVENUE

City: DES MOINES State: IOWA Zip: 50309

Phone: 515-226-0128 Email: alex.sappingfield@kumandgo.com

Signatures

Applicant:  Date: 05/19/2022

Property Owner(s):  Date: 5/24/2022

Date: _____

Date: _____

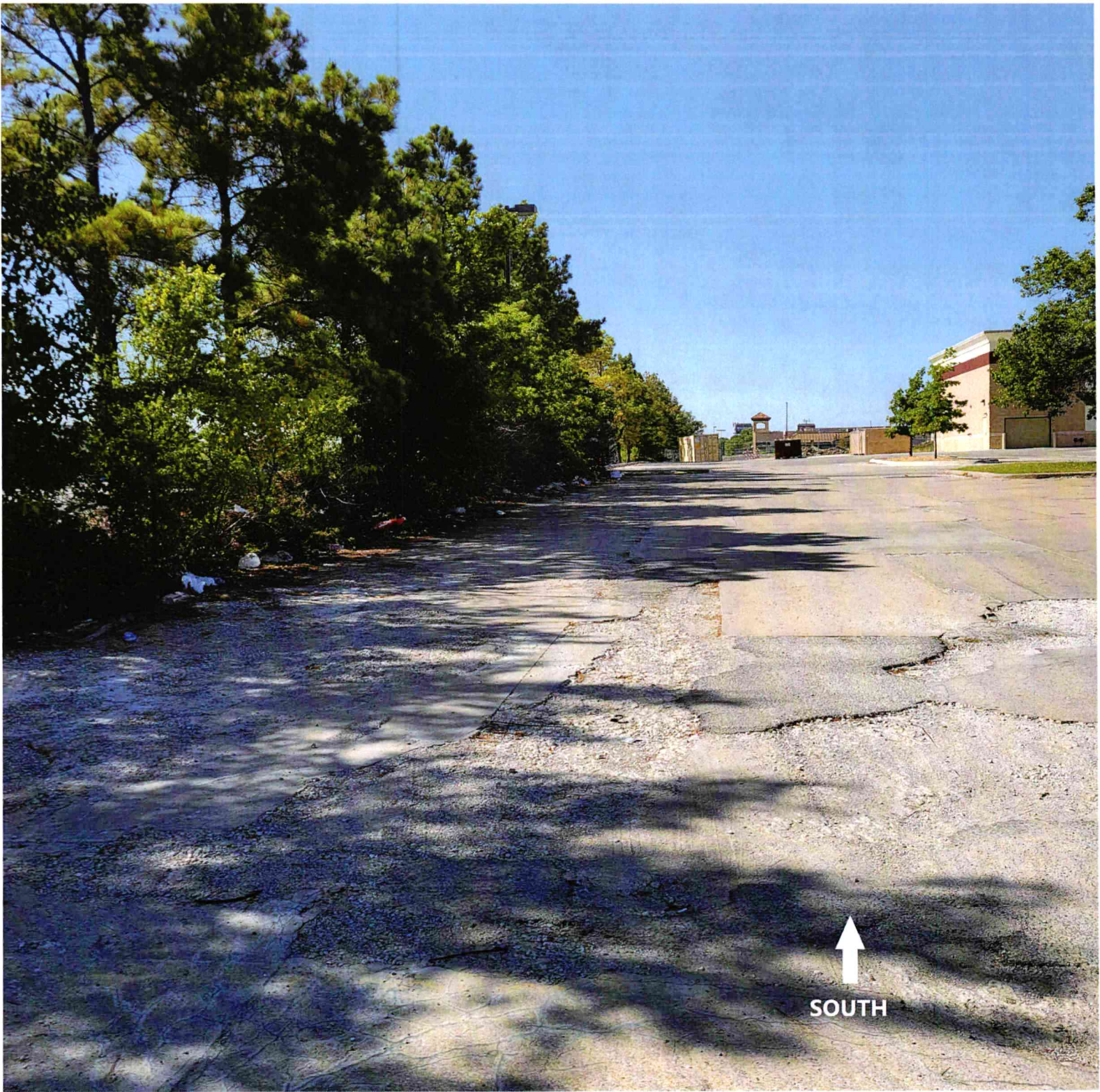


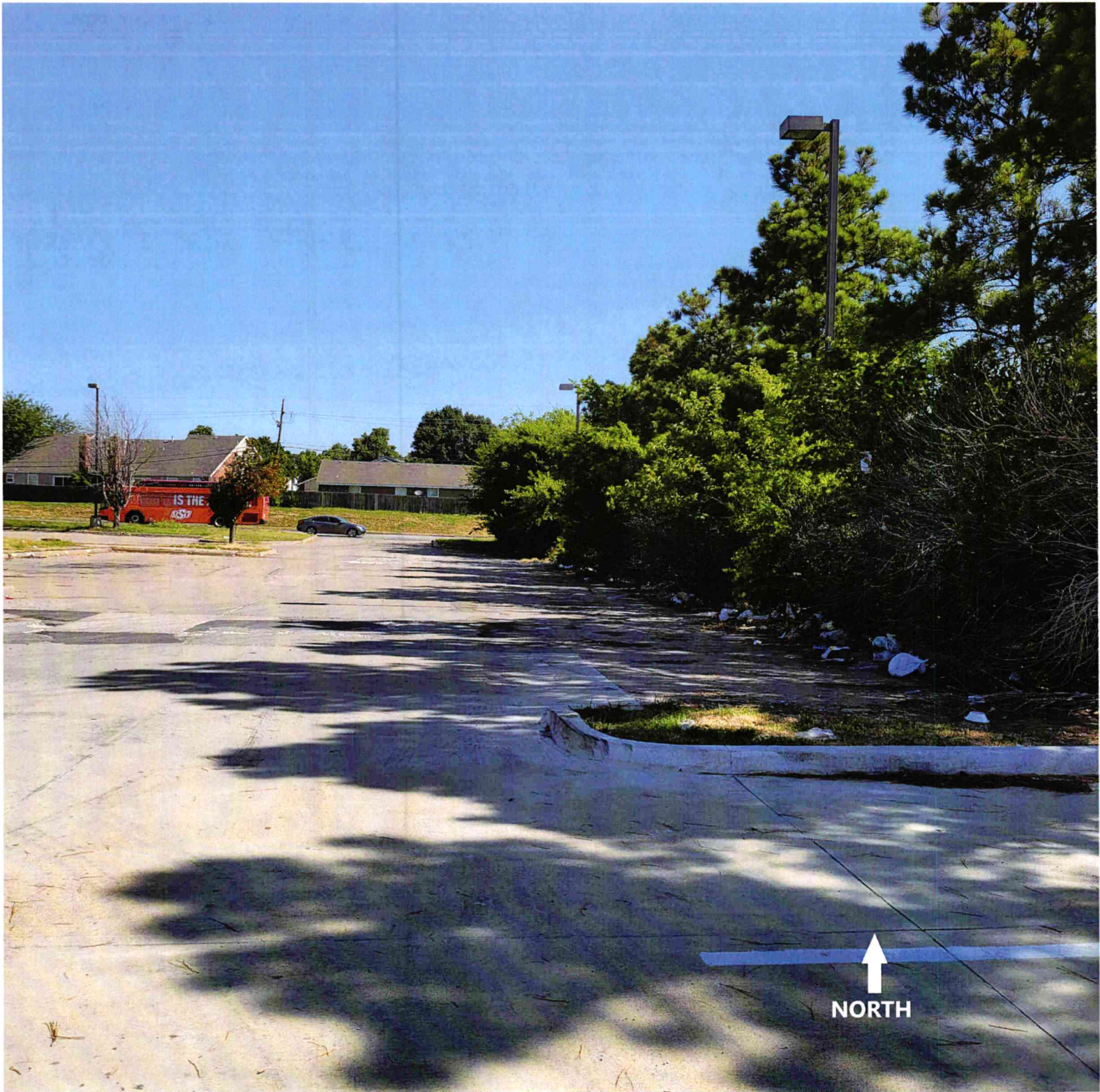
Application for
Right-of-way / Easement
Closure or Encroachment Agreement

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).

Kum & Go is proposing to redevelop the site and construct a convenience store with fuel sales on the property. In the existing, there is a public sanitary sewer easement that lies within the limits of the property and does not contain an existing sanitary sewer line. However, the proposed canopy will encroach into the existing sanitary sewer easement and per IDP comments it has been recommended that we close the existing easement. The closure will not impact the entire easement but will close the easement within the limits of the future Kum & Go development property.





NORTH