



## PUBLIC WORKS

**DATE:**  
September 30, 2024

**TO:**  
Distribution

**FROM:**  
Matt Liechti

### Public Works Real Property Transactions Policy

**EFFECTIVE JULY 1, 2024**

- The attached policy supersedes "Public Works Real Property Transactions Policy" dated September 3, 2002
- This policy applies to all Public Works real estate transactions: acquisitions, donations, and disposition of real property and easement rights
- The requirements established or amended by this directive are consistent with the Real Property Acquisition Policies and Procedures adopted by the City of Tulsa on July 24, 2017, and the Real Property Disposition Policies and Procedures adopted by the City of Tulsa on February 4, 2002

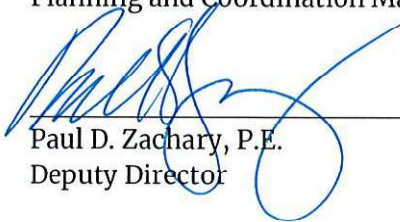
#### Recommended:



Peter Killian, PLS  
Survey Manager



Matthew S. Liechti, P.E.  
Planning and Coordination Manager



Paul D. Zachary, P.E.  
Deputy Director



Michelle L. Lester, J.D.  
Real Estate Manager



Henry Som de Cerff, P.E.  
Design Engineering Manager

#### Approved:



Terry Ball, P.E.  
Director

9/30/2024  
Date



## PUBLIC WORKS

### POLICY

#### PUBLIC WORKS REAL PROPERTY TRANSACTIONS

The purpose of this policy is to establish requirements for processing real property transactions through the Public Works Department. These requirements are made for the purpose of facilitating the transfer of interest in real property affecting the City of Tulsa and to aid in the acquisition, donation or disposition of real property and easement rights affecting City of Tulsa projects and activities:

- All property acquisition documents shall:
  - Use blue ink for certification signatures
  - Be submitted on 8 1/2" X 11" paper
  - Comply with Tulsa County Clerk's Office minimum requirements for recording:
    - Minimum margins of **2" at the top of the page** and all other margins shall be at least one **1" on each side**
    - Minimum 12 point font size
  - Parcels shall be numbered, as follows:
    - Fee simple & permanent right-of-way shall be identified by whole numbers (i.e. "1.0", "2.0", or "3.0").
    - Permanent easements shall be identified by number and letter (i.e. "1A", "2A", or "2B")
    - Temporary construction easements shall be identified by decimal (i.e. "1.1", "1.2", "2.1" or "2.2")
- All property acquisition documents shall include (per parcel):
  - Revision Record - **Exhibit "A"** (page 4)
    - Fee simple or permanent right-of-way takes must contain the area (in units of square feet) of the subject property before acquisition or donation, and any change in area resulting from the transfer of property
  - Certified Legal Description and a Plat of Survey - **Exhibit "B.1" or Exhibit "B.2"** (pages 5-9)
    - Comply with the minimum standards of practice set forth by the Oklahoma Administrative Code, Title 245, Chapter 15, Subchapter 13, Minimum Standards for Land Surveying, as amended, and any other applicable laws or standards
    - When the Minimum Standards require monumentation for easements the monuments shall have affixed thereto a durable purple marker or purple cap bearing "ESMT" along with the license number of the land surveyor in responsible charge, or the certificate of Authorization number of the firm performing the survey
    - Include a general location map and address on the plat of survey
    - Clearly identify all existing permanent right-of-way (a/k/a fee simple), permanent easements, temporary easements, right-of-way or easement closings, etc.
  - Closure Report - **Exhibit "C"** (Page 10)
    - Listing points, including coordinates, from a coordinate geometry computerized software program showing mathematical closure of the legal description shall be provided



## PUBLIC WORKS

- Review & Approval Letter – **Exhibit "D"** (page 11)
  - Design shall provide a letter certifying that a review of the legal descriptions has been conducted by an individual other than the certifying surveyor, confirming that the descriptions are free from errors and comply with this policy
- Certified Property Report – Certifying all existing easements of record, Platted Dedications, and Deeds of Dedications, whether private or public
- KMZ File & Functional Shape File – Identifying each parcel to be acquired
- All engineering and design contracts for public works projects identifying real property for acquisition must include requirements as set forth in **Exhibit "E"** Page 12
- All new contracts executed after January 1, 2025 shall comply with this Policy

## REVISION RECORD

Project Name:

Project No.:

Parcel No.:

Parcel Type:

- Right-of-Way \_\_\_\_\_
- Perm. Easement \_\_\_\_\_
- Temp. Easement \_\_\_\_\_
- Other \_\_\_\_\_

Existing Parcel Total Area _____	_____ S.F.	_____ Acres
Existing Statutory R/W _____	_____ S.F.	_____ Acres
New Permanent R/W _____	_____ S.F.	_____ Acres
Permanent Easement _____	_____ S.F.	_____ Acres
Temporary Easement _____	_____ S.F.	_____ Acres

<u>Date</u>	<u>By</u>	<u>Description of Revision</u>
8/15/2023	MLL	Creation of Fee Simple legal description
12/14/2023	MSL	Revision of legal description to correct square footage

*LEGAL DESCRIPTION  
(EXAMPLE)*

A Fifteen (15) foot strip of land located in Lot 1, Block 1, John Doe Addition, City of Anywhere, State of Oklahoma, said tract being more particularly described as follows;

Beginning at the Northerly Northwest corner of said Lot 1; thence N88°57'16"E along the North line of said Lot 1 a distance of 21.20 feet; thence S43°54'21"W a distance of 126.23 feet to a point on a platted 10 foot easement; thence N01°09'10"W along said easement a distance of 21.20 feet to a point on the Northwest boundary of said Lot 1; thence N43°54'21"E along said Northwest boundary a distance of 96.29 feet to the Point of Beginning, said tract containing 1,669 square feet, more or less.

Basis of Bearings of Property Description is Oklahoma State Plane Bearings (NAD 83 North Zone) on the West line of Block 1, John Doe Addition N01°09'10" W.

This property description was prepared on [insert date] by John Doe, Licensed Professional Land Surveyor No. 0000.

**CERTIFICATION OF SURVEY (EXAMPLE)**

THIS LEGAL DESCRIPTION MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

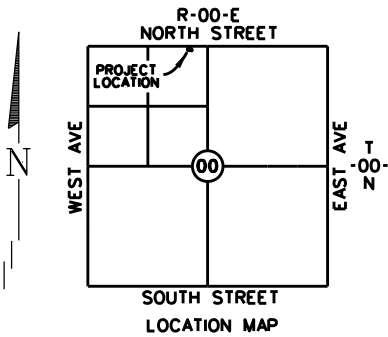
JOHN DOE  
PLS NO. 0000

DATE



PLAT OF SURVEY  
(EXAMPLE)

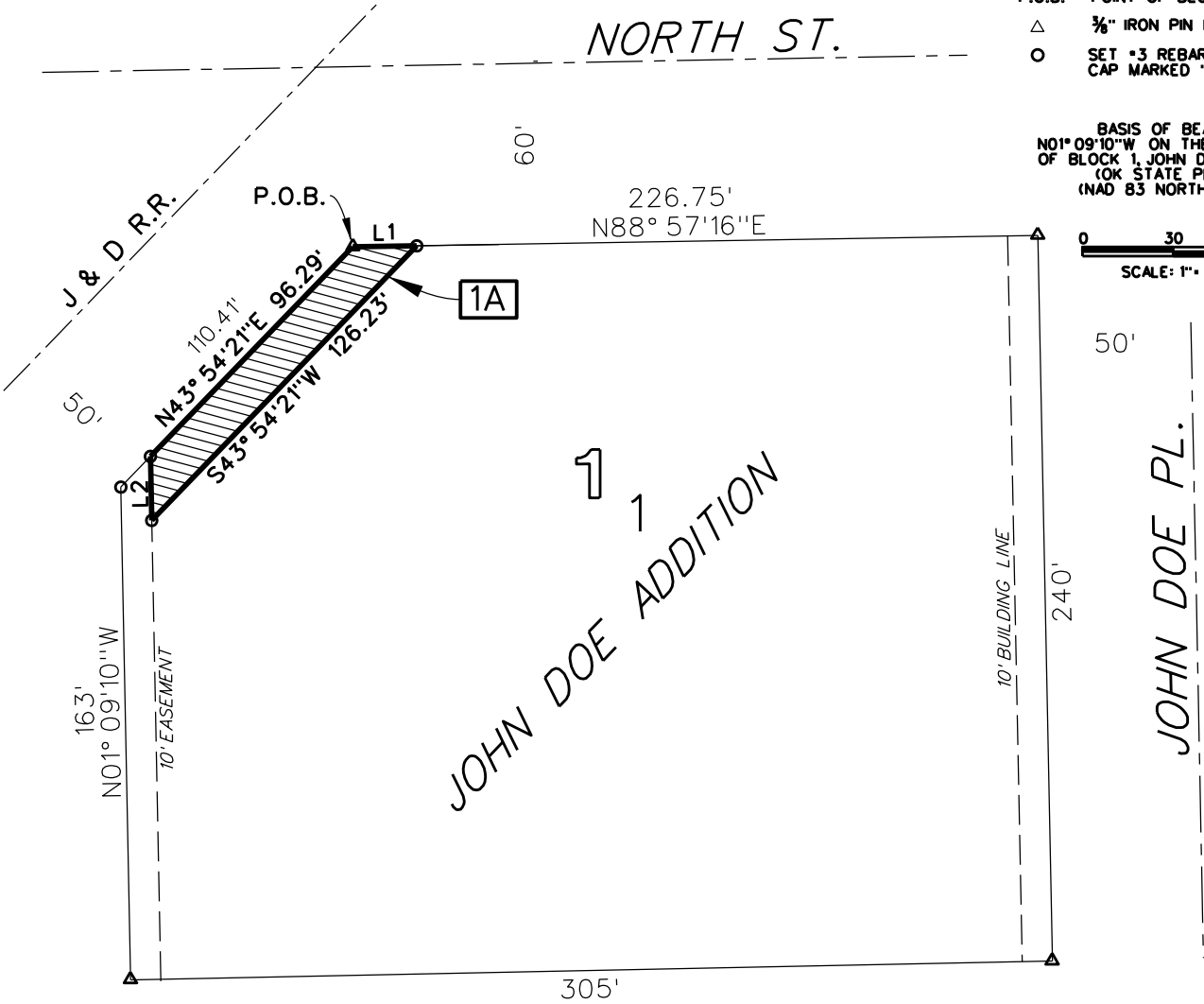
LINE TABLE		
LINE	LENGTH	BEARING
L1	21.20'	N88° 57' 16"E
L2	21.20'	N01° 09' 10"W



- LEGEND
- P.O.B. POINT OF BEGINNING
- △ 3/8" IRON PIN FOUND
- SET #3 REBAR W/ YELLOW CAP MARKED "LS 0000"

BASIS OF BEARING  
N01° 09' 10" W ON THE WEST LINE  
OF BLOCK 1, JOHN DOE ADDITION  
(OK STATE PLANE)  
(NAD 83 NORTH ZONE)

0 30 60  
SCALE: 1" = 60'



CERTIFICATE OF SURVEY (EXAMPLE)

THIS PLAT OF SURVEY MEETS THE OKLAHOMA  
MINIMUM STANDARDS FOR THE PRACTICE OF LAND  
SURVEYING AS ADOPTED BY THE OKLAHOMA STATE  
BOARD OF LICENSURE FOR PROFESSIONAL  
ENGINEERS AND LAND SURVEYORS.

JOHN DOE  
PLS NO. 0000

DATE

DATE OF LAST SITE VISIT



COMPANY or INDIVIDUAL'S NAME  
ADDRESS, TELEPHONE NUMBER  
CERTIFICATE OF AUTHORIZATION # (IF APPLICABLE)

SAMPLE SURVEY  
CITY OF TULSA

DATE (OR RANGE OF DATES)  
OF SITE VISIT (FIELD WORK)  
DATE OF ANY REVISIONS

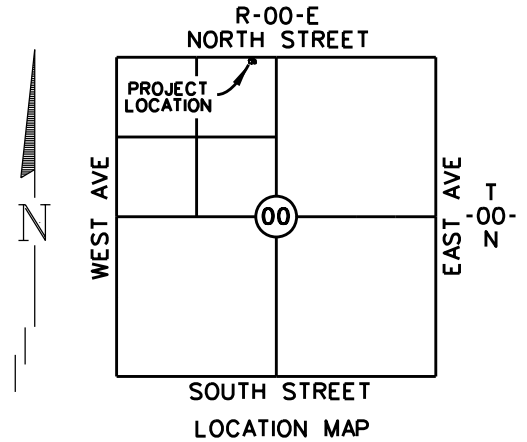
# PLAT OF SURVEY

(EXAMPLE)

## INDEX (EXAMPLE)

PAGE 1 COVER SHEET  
PAGE 2 LEGAL DESCRIPTION  
PAGE 3 FIELD SURVEY

LINE TABLE		
LINE	LENGTH	BEARING
L1	21.20'	N88° 57'16"E
L2	21.20'	N01° 09'10"W



## CERTIFICATE OF SURVEY (EXAMPLE)

THIS PLAT OF SURVEY AND LEGAL DESCRIPTION  
MEET THE OKLAHOMA MINIMUM STANDARDS FOR THE  
PRACTICE OF LAND SURVEYING AS ADOPTED BY THE  
OKLAHOMA STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

BASIS OF BEARING  
N01° 09'10"W ON THE WEST LINE  
OF BLOCK 1, JOHN DOE ADDITION  
(OK STATE PLANE)  
(NAD 83 NORTH ZONE)

NAME OF SURVEYOR AND PLS NO.

DATE OF SIGNATURE

DATE OF LAST SITE VISIT

## LEGEND

P.O.B. POINT OF BEGINNING

- △ 3/8" IRON PIN FOUND
- SET #3 REBAR W/ YELLOW CAP MARKED "LS 0000"



COMPANY or INDIVIDUAL'S NAME  
ADDRESS, TELEPHONE NUMBER  
CERTIFICATE OF AUTHORIZATION # (IF APPLICABLE)

SAMPLE SURVEY  
CITY OF TULSA

DATE (OR RANGE OF DATES)  
OF SITE VISIT (FIELD WORK)  
DATE OF ANY REVISIONS

*LEGAL DESCRIPTION  
(EXAMPLE)*

A Fifteen (15) foot strip of land located in Lot 1, Block 1, John Doe Addition, City of Anywhere, State of Oklahoma, said tract being more particularly described as follows;

Beginning at the Northerly Northwest corner of said Lot 1; thence N88°57'16"E along the North line of said Lot 1 a distance of 21.20 feet; thence S43°54'21"W a distance of 126.23 feet to a point on a platted 10 foot easement; thence N01°09'10"W along said easement a distance of 21.20 feet to a point on the Northwest boundary of said Lot 1; thence N43°54'21"E along said Northwest boundary a distance of 96.29 feet to the Point of Beginning, said tract containing 1,669 square feet, more or less.

Basis of Bearings of Property Description is Oklahoma State Plane Bearings (NAD 83 North Zone) on the West line of Block 1, John Doe Addition N01°09'10" W.

This property description was prepared on [insert date] by John Doe, Licensed Professional Land Surveyor No. 0000.

COMPANY or INDIVIDUAL'S NAME ADDRESS, TELEPHONE NUMBER CERTIFICATE OF AUTHORIZATION # (IF APPLICABLE)
SAMPLE SURVEY CITY OF TULSA
DATE (OR RANGE OF DATES) OF SITE VISIT (FIELD WORK) DATE OF ANY REVISIONS





DATE (OR RANGE OF DATES)  
OF SITE VISIT (FIELD WORK)  
DATE OF ANY REVISIONS

Tract Name: Example Exhibit B.1

Description: Closure Report

Distance Units: US Feet

Point of Beginning:     N= 440086.54     E= 2572995.13

<u>Type</u>	<u>Direction</u>	<u>Distance</u>	<u>Northing</u>	<u>Easting</u>
Line	N 88°57'16" E	21.20'	440086.90	2573016.32
Line	S 43°54'21" W	126.23'	439996.10	2572928.67
Line	N 01°09'10" W	21.20'	440017.26	2572928.25
Line	N 43°54'21" E	96.29'	440086.54	2572995.13

Area: 1,669 Sq. Feet, 0.038 Acres

Perimeter: 264.92'

Closing line: S 32°45'18" W, 0.01'

Error in closure: 1 : 26492



PUBLIC WORKS

DATE:

September 30, 2024

[RECOMMENDED]

Approval of Legal Descriptions and Surveys

Project Name:

Project No.:

- I am writing to confirm that I have reviewed the legal descriptions and plats of survey for quality control purposes and after a thorough examination of the provided documents they meet the requirements of the Public Works Real Property Transactions Policy put into effect January 1, 2025.

Each Parcel Includes:

\_\_\_\_\_ Revision Record  
\_\_\_\_\_ Certified Legal Description  
\_\_\_\_\_ Plat of Survey  
\_\_\_\_\_ Closure Report

\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Date



## PUBLIC WORKS

**DATE:**

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[RECOMMENDED] Contract ROW Language

For the purpose of this Agreement, right-of-way shall mean fee simple, permanent right-of-way, permanent easement, deed of dedication, plats and any property acquired through public and private judicial action.

**CONSULTANT (or ENGINEER) shall:**

1. Employ the services of an abstract company to provide a certified Property Report. This will require the abstract company to research, document and certify all existing right-of-way within the project limits including Fee Simple (a/k/a Permanent Right-Of-Way), Permanent Easements, Platted Dedications, and Deeds Of Dedications, whether private or public.
2. One original (signed and sealed) and one copy (paper or digital) of the Property Report shall be submitted to the City along with the initial submittal of construction plans or within 90 days of notice-to-proceed, whichever is earlier.
3. Prepare a Right-of-way map showing all existing Right-of-Way, identified by the abstract company, and including the type of easement or conveyance, the recorded Grantee, Book and Page and/or Document Number for all instruments, and/or the Plat Number. The Right-of-Way map shall also show all the proposed additional Right-of-Way required for the construction of the project
4. Review all existing Right-of-Way information and identify any gaps and/or overlaps in the existing Right-of-Way within the limits of the proposed project.
5. For all the proposed additional Right-of-Way/Easements required for the construction of the project:
  - Prepare **legal descriptions** in accordance with Public Works Real Property Transactions Policy, effective January 1, 2025
  - Prepare **Plats of Survey** in accordance with Public Works Real Property Transactions Policy, effective January 1, 2025
  - Employ the services of an abstract company to provide a certified **Property Report** for each parcel to be acquired
  - Completed legal descriptions and plats of survey shall be submitted to the City along with preliminary construction plans (**65% completion**)
  - Provide a **".kmz"** file & a **functional shape file** with submittal of legal descriptions
  - The legal descriptions will be staked in the field as needed during the Right-of-Way acquisition process