



Nolan M. Fields IV

Assistant District Attorney | Civil Division
Tulsa County District Attorney's Office
500 South Denver Avenue, Tulsa, Oklahoma 74103
(918) 596 - 4900 | nfields@tulsacounty.org

TO: Board of County Commissioners
Karen Keith, Chairman
Stan Sallee
Ron Peters

DATE: February 13, 2019

REFERENCE: Utility Easement with the City of Tulsa
(AP 4547-2018, Utility Esmt. 29-2018)
Regarding the County's Ground Lease with Iron Gate, Inc.

Please place this item on the agenda for the next meeting of the Board of County Commissioners. It will not be necessary to review this matter in executive session. It is being presented for your review and approval. Please let me know if you have any questions.

Respectfully,

Handwritten signature of Nolan M. Fields IV in blue ink.

Nolan M. Fields IV
Assistant District Attorney

CC:
John Fothergill,
Chief Deputy County Comm'r, Dist. 2

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, **THE BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA**, (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.

[INTENTIONALLY LEFT BLANK]

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

TO HAVE AND TO HOLD such easement and right-of-way unto the City, its successors or assigns, forever.

Dated this ____ day of _____, 2019.

**THE BOARD OF COUNTY COMMISSIONERS OF
TULSA COUNTY, OKLAHOMA**

By: _____

Name: Karen Keith

Title: Chairman

APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

Nolan M. Fields IV

Asst. District Attorney 2-13-19

County Engineer

ATTEST:

County Clerk

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Before me, the undersigned, a Notary Public, in and for said County and State on this ____ day of _____, 2019, personally appeared Karen Keith, to me known to be the identical person who subscribed the name of **THE BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA**, to the foregoing, as its Chairman, and acknowledged to me that she executed the same as her free and voluntary act and deed and as the free and voluntary act and deed of **THE BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA**, 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:

APPROVED AS TO SUBSTANCE:

City Attorney

City Engineer

ACCEPTED BY CITY COUNCIL:

Date: _____

BY: _____
Phil Lakin, Jr.
Title: Chairman

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 _____, 2019, personally appeared Phil Lakin, Jr., to me known to be the identical person who accepted the within and foregoing instrument as Chairman of the City Council of the City of Tulsa, Oklahoma, and acknowledged to me that he accepted 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 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 _____, 2019, 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:



PARCEL 1, EXHIBIT "A"
UTILITY EASEMENT
LEGAL DESCRIPTION

A TRACT OF LAND BEING A PART OF LOT ONE (1), BLOCK ONE (1), COUNTY JAIL ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK THIRTY-SIX (36), ORIGINAL TOWN OF TULSA, THENCE N24°26'04"W, ALONG THE WEST LINE OF BLOCK 36, SAID LINE BEING SOUTHERN MOST EASTERLY LINE OF LOT 1, BLOCK 1, COUNTY JAIL ADDITION, FOR A DISTANCE OF 162.15 FEET; THENCE S65°33'56"W FOR A DISTANCE OF 40.00 FEET TO A POINT ON THE WEST LINE OF AN EXISTING MUTUAL ACCESS AND UTILITY EASEMENT, SAID POINT BEING THE POINT OF BEGINNING; THENCE S65°33'56"W FOR A DISTANCE OF 10.00 FEET; THENCE N24°26'04"W FOR A DISTANCE OF 20.00 FEET; THENCE N65°33'56"E FOR A DISTANCE OF 10.00 FEET; THENCE S24°26'04"E FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 200 SQUARE FEET OR 0.005 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON SEPTEMBER 14, 2018 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE WEST LINE OF BLOCK 36, ORIGINAL TOWN OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA AS N24°26'04"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 UTILITY EASEMENT DESCRIBED, AND THAT THE SURVEY OF THE UTILITY EASEMENT 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 22ND DAY OF OCTOBER, 2018.



Cliff Bennett

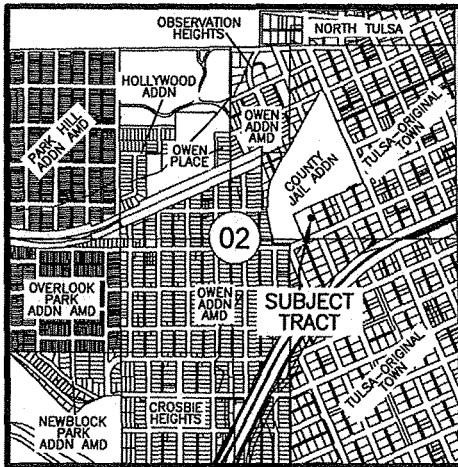
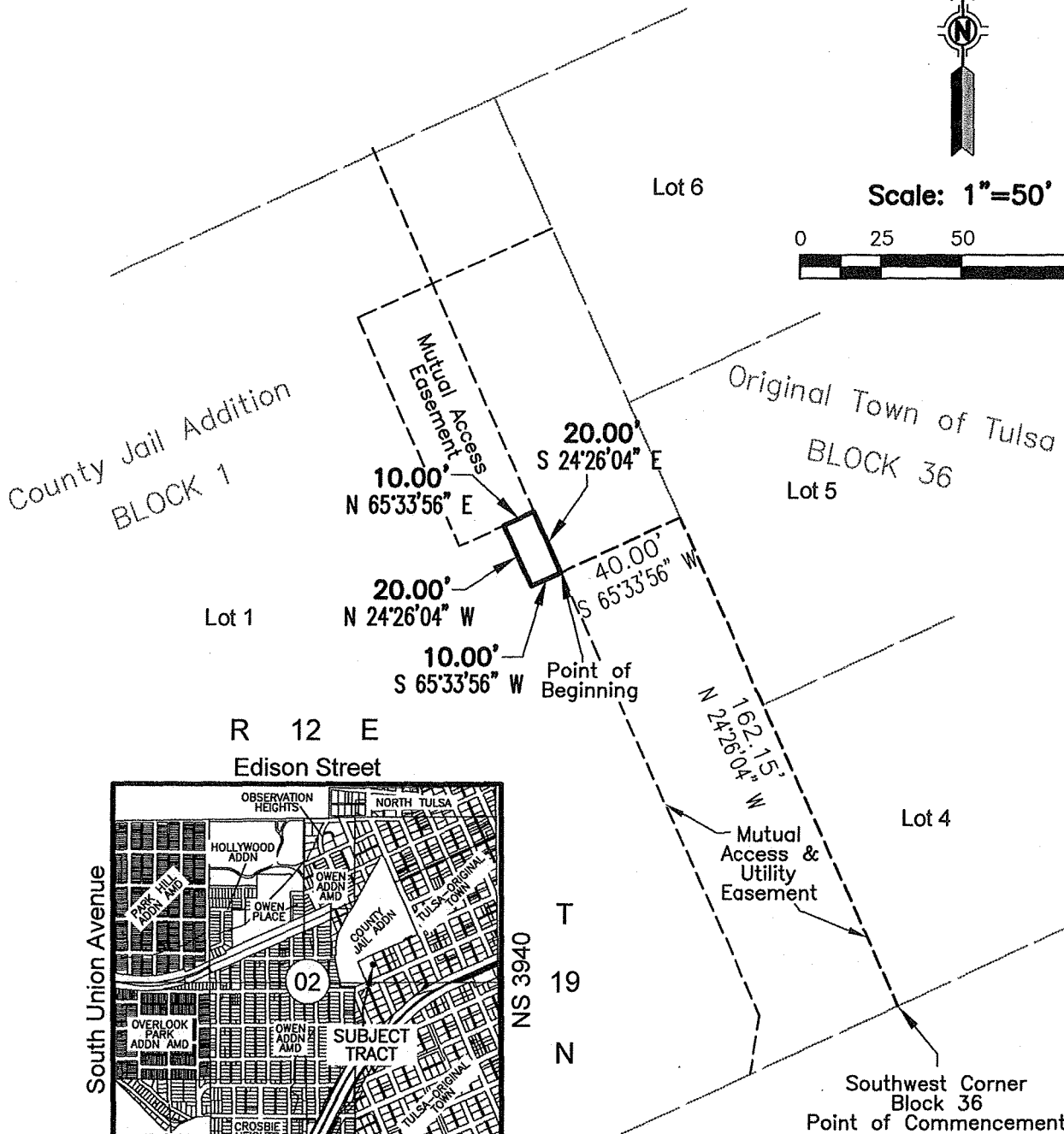
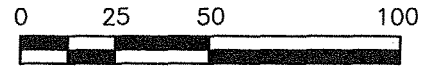
CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2020

EXHIBIT "A"

PARCEL 1, EXHIBIT "A" UTILITY EASEMENT



Scale: 1"=50'



West 7th Street
Location Map

FILE: 183081LG-1

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE WEST LINE OF BLOCK 36, ORIGINAL TOWN OF TULSA, TULSA COUNTY, AS N24°26'04"W.
2. SEE PARCEL 1, EXHIBIT "A" PAGE 1 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.



P.O. BOX 848, CHOUTEAU, OK 74337
PHONE: (918) 476-7484 FAX: (918) 476-7485
C.A. NO.: 4502 EXP. DATE: 6/30/20

EXHIBIT "A"