

**NOTICE  
GLENPOOL CITY COUNCIL  
REGULAR MEETING**

---

A Regular Session of the Glenpool City Council will be held at 6:00 PM p.m. on Monday, February 5, 2018, at Glenpool City Hall, City Council Chambers, 12205 S. Yukon Ave., 3rdFloor, Glenpool, Oklahoma.

***The City Council welcomes comments from citizens of Glenpool who wish to address any item on the agenda. Speakers are requested to complete one of the forms located on the agenda table and return to the City Clerk PRIOR TO THE CALL TO ORDER***

**AGENDA**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Page    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| A) <b>Call to Order - Timothy Lee Fox, Mayor</b>                                                                                                                                                                                                                                                                                                                                                                                                                    |         |
| B) <b>Roll Call, Declaration of Quorum – Susan White, City Clerk; Timothy Lee Fox, Mayor</b>                                                                                                                                                                                                                                                                                                                                                                        |         |
| C) <b>Invocation –Father Sam Gordin, Anglican Church</b>                                                                                                                                                                                                                                                                                                                                                                                                            |         |
| D) <b>Pledge of Allegiance – Timothy Lee Fox, Mayor</b>                                                                                                                                                                                                                                                                                                                                                                                                             |         |
| E) <b>City Manager Report – David Tillotson, City Manager</b>                                                                                                                                                                                                                                                                                                                                                                                                       |         |
| F) <b>Mayor Report – Timothy Lee Fox, Mayor</b>                                                                                                                                                                                                                                                                                                                                                                                                                     |         |
| G) <b>Council Comments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |         |
| H) <b>Public Comments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                           |         |
| I) <b>Scheduled Business</b>                                                                                                                                                                                                                                                                                                                                                                                                                                        |         |
| 1) Discussion and possible action to approve minutes from January 22, 2018 meeting.<br>(Susan White, City Clerk)<br><a href="#">CITY MINUTES 012218</a>                                                                                                                                                                                                                                                                                                             | 3 - 6   |
| 2) Discussion and possible action to appoint John Gonsalves as Treasurer.<br>(David Tillotson, City Manager)                                                                                                                                                                                                                                                                                                                                                        |         |
| 3) Discussion and possible action to designate John Gonsalves as checking account<br>signatory on all bank accounts.<br>(Susan White, City Clerk)                                                                                                                                                                                                                                                                                                                   |         |
| 4) Discussion and possible action to approve conveyance of a Roadway Right-of-Way<br>dedication between Greg Ables, Grantor and the City of Glenpool, Grantee, generally<br>located on the east side of 26th West Ave and approximately ¼ mile north of 151st<br>Street.<br>(Lynn Burrow, Community Development Director)<br><a href="#">Memorandum City Council Meeting Agenda Item 02 05 18 Right of way Dedication</a>                                           | 7 - 12  |
| 5) Discussion and possible action to approve conveyance of a Utility Easement dedication<br>between Greg Ables, Grantor and the City of Glenpool, Grantee, generally located<br>along, contiguous with, and parallel to the east right-of-way line of 26th West Ave and<br>approximately ¼ mile north of 151st Street.<br>(Lynn Burrow, Community Development Director)<br><a href="#">Memorandum City Council Meeting Agenda Item 02 05 18 Easement Dedication</a> | 13 - 16 |
| 6) Discussion and possible action to approve conveyance of a General Utility Easement                                                                                                                                                                                                                                                                                                                                                                               | 17 - 23 |

dedication between Elm Pointe Land, LLC, Grantor and the City of Glenpool, Grantee, generally located along, contiguous with, and parallel to the west property line of Elm Pointe Addition and north of 141st Street.

(Lynn Burrow, Community Development Director)

[Memorandum Council Agenda Item 02 05 18 Utility Easement Acceptance - Elm Pointe](#)

- 7) Discussion and possible action to approve conveyance of a Stormwater Detention Easement dedication between Elm Pointe CS, LLC, Grantor and the City of Glenpool, Grantee, generally located adjacent to, but not contained within the proposed subdivision plat of Elm Pointe Addition. 24 - 29  
(Lynn Burrow, Community Development Director)  
[Memorandum Council Meeting 02 05 18 Detention Easement Acceptance - Elm Pointe](#)
- 8) Discussion and possible action to enter into Executive Session for the purpose of confidential communications between the City Council and its attorney concerning a pending investigation, claim, or action because the City Council, with the advice of its attorney, has determined that disclosure will seriously impair the ability of the City Council to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, pursuant to Title 25, Sec. 307(B)(4); to wit, consideration of a settlement proposal and related pleadings in the matter of Summit Properties, Inc., vs. City of Glenpool, Case No. CJ- 2016-2222, pending in the Tulsa County District Court.  
(Timothy Fox, Mayor)
- 9) Discussion and possible action to reconvene in Regular Session.  
(Timothy Fox, Mayor)

**J) Adjournment**

This notice and agenda was posted at Glenpool City Hall, 12205 S. Yukon Ave., Glenpool, Oklahoma, on \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ am/pm.

Signed:

City Clerk

# **MINUTES CITY COUNCIL MEETING**

**January 22, 2018**

The Regular Session of the Glenpool City Council was held at Glenpool City Hall, 3<sup>rd</sup> Floor, 12205 S. Yukon Ave, Glenpool, Oklahoma. Councilors present: Brandon Kearns; Jacqueline Triplett-Lund; and Momodou Ceesay, Vice Mayor. Timothy Fox, Mayor and Patricia Agee Councilor were absent.

Staff present: David Tillotson, City Manager; Lowell Peterson, City Attorney; Susan White, City Clerk; John Gonsalves, Finance Director; Rick Malone, City Planner; and Dennis Waller, Police Chief. Lynn Burrow, Community Development Director was absent.

Also present were: Heather Scherer, Living Water United Methodist Church; Bart Harris, Deputy Police Chief; Reserve Officers Scott Williams, Phil Reichert, and Blake Eller; GPD Det. Tracey Powell; Julie Casteen, Interim Finance Consultant; LaDonna Sinning, Arledge & Associates P.C.; and Greg Ables.

**A) Vice Mayor Ceesay called the meeting to order at 6:00 p.m.**

**B) Susan White, City Clerk called the roll. Vice Mayor Ceesay declared a quorum present.**

**C) Heather Scherer, Living Water United Methodist Church offered the Invocation.**

**D) Vice Mayor Ceesay led the Pledge of Allegiance.**

**E) City Manager Report – David Tillotson, City Manager**

- Mr. Tillotson introduced John Gonsalves. Mr. Gonsalves has been hired to fill the Finance Director position.
- Mr. Tillotson recognized and expressed his appreciation to Julie Casteen. Since Julie's departure in October she has remained on a part-time basis working nights and weekends to keep the books up until her replacement was hired. During that time, she prepared the financial statements and continued to work closely with Arledge & Associates during the audit.
- The new website will go live on February 1. The website will offer a monthly blog post from the city manager.
- Council photo session has been rescheduled for February 5th at 5:30 p.m., prior to the Council meeting.
- Development continues to move forward including early visits regarding retail development, jobs and housing.
- Mr. Tillotson and Vice Mayor Ceesay attended the CTAG Legislative Reception Wednesday, January 17. During that meeting they had several good conversations with state and federal elected officials and their representatives, as well as council members from other metro cities.
- Mr. Tillotson will be attending the CMAO Winter Conference Wednesday through Friday of this week.
- He attended the FOP Awards Banquet along with Vice Mayor Ceesay and Councilor Lund. Mr. Tillotson expressed his appreciation to the FOP for the invitation and reported it was a very good event.
- He reminded the Council and audience that the Chamber of Commerce Annual Banquet is slated for Saturday, January 26 at the Glenpool Conference Center. He further stated that Jenni Bills, Utility Billing Supervisor has graduated from the Leadership Class and will be recognized at the Banquet.

**F) Mayor Report – Momodou Ceesay, Vice Mayor**

- Vice Mayor Ceesay expressed his heartfelt appreciation to Julie Casteen for her commitment to Glenpool.

- He announced that Mayor Fox was unable to attend the Council meeting because his sister's memorial service was held earlier that afternoon. He encouraged staff and audience members to remember Mayor Fox's family in their prayers during this period of grieving.
- Vice Mayor Ceesay thanked the Police Department for their exceptional service to our city.

**G) Recognition of Retired Reserve Officers – Dennis Waller, Chief of Police**

- Chief Waller introduced Reserve Officers Phil Reichert and Scott Williams. He shared highlights of their long career with the GPD Reserves, each contributing more than twenty years of service to the community.
- Blake Eller was recognized for five years of service and Tracey Powell received awards for twenty-five years of service; Exceptional Merit; and Firearms Expert.

**H) Council Comments**

- Councilor Lund announced the Glenpool High School and Junior High wrestling teams will be competing in the 5A Districts. The Junior High has qualified for State. The High School will be hosting a tournament, twenty-seven schools have been invited.

**I) Public Comments**

- None

**J) Scheduled Business**

**1) Discussion and possible action to approve minutes from January 8, 2018 meeting.**

**MOTION:** Councilor Lund moved, second by Councilor Kearns to approve minutes as presented.

**FOR:** Councilor Lund; Vice-Mayor Ceesay; Councilor Kearns

**AGAINST:** None

**ABSENT:** Mayor Fox; Councilor Agee

**Motion carried.**

Vice Mayor Ceesay declared the rearrangement of the agenda order to facilitate Item 4.

**4) Discussion and possible action to nominate three candidates, from the following list of seven names to be submitted by Councilor Jacqueline Lund as the City Council representative to and chair of the MOAB TIF Review Committee, to be appointed by the Review Committee as representatives of the public at large on the Review Committee in accordance with 62 O.S. § 855, provided that all seven persons named must be residents of the City of Glenpool and at least one of the three nominees must be a representative of the business community in the city and, if a proposed plan objective is development of principally commercial retail, such representative shall be either a retailer or a representative of a retail organization.**

**List of proposed nominees:**

- Randy Fulbright and/or Cheryl Fulbright (American T's)
- Janice Koss
- Syrease McCullough
- Tim McMurrian (Fat Mc's)
- Victor Miller
- Oscar Pound
- Jennifer Wheeler

Councilor Lund acting in the capacity of City Council representative to and chair of the MOAB TIF Review Committee, presented the list of candidates for Council consideration and appointment.

**MOTION:** Councilor Lund moved, seconded by Councilor Kearns to nominate Syrease McCullough, Tim McMurrian (Fat Mc's) and Victor Miller to the Review Committee.

**FOR:** Vice-Mayor Ceesay; Councilor Kearns; Councilor Lund

**AGAINST:** None  
**ABSENT:** Mayor Fox; Councilor Agee  
**Motion carried.**

**2) Discussion and possible action to acknowledge receipt of audited FY17 Financial Report and Operating Report and direct that the Report be placed in the permanent files.**

Julie Casteen, acting as Interim Finance Consultant offered a summary of the Reports for Council review. Ms. LaDonna Sinning, Arledge & Associates was present and entertained Council comments or questions. None were offered.

**MOTION:** Councilor Kearns moved to accept the FY 17 Financial Report and Operating Report.

**FOR:** Councilor Kearns; Councilor Lund; Vice-Mayor Ceesay

**AGAINST:** None

**ABSENT:** Mayor Fox; Councilor Agee

**Motion carried.**

**3) Discussion and possible action to approve a supplemental appropriation in General Fund, Police Department, in the amount of \$36,458.00, Account No. 01-6-03-6202 funded by a transfer from restricted fund balance.**

Ms. Julie Casteen presented a supplemental appropriation to reflect recent purchases in the DEA forfeiture funds. She stated funds were available but not budgeted. She recommended approval as presented.

**MOTION:** Councilor Lund moved, seconded by Councilor Kearns to approve the supplemental appropriation for \$36,458.00, Account No. 01-6-03-6202 funded by a transfer from DEA restricted fund balance.

**FOR:** Councilor Lund; Vice-Mayor Ceesay; Councilor Kearns

**AGAINST:** None

**ABSENT:** Mayor Fox; Councilor Agee

**Motion carried.**

**5) Discussion and possible action to adopt Ordinance No. 751, An Ordinance Amending Ordinance No. 458, By Rezoning Certain Property Described Herein From AG (Agriculture District) To RS-3 (Residential Single Family High Density District), As Recommended By The Planning Commission Under Application GZ-267; And Repealing All Ordinances Or Parts Of Ordinances In Conflict Herewith, on .92 acres located approximately 600 feet south of the southeast corner of 145<sup>th</sup> Place and 26 West Ave.**

Rick Malone, City Planner presented Request for zone change, GZ-267 from Greg Ables. The requested change is from AG (Agricultural District) to RS-3 (Residential Single Family High Density District). Mr. Malone advised the Council that the application was recommended for approval by the Glenpool Planning Commission on January 9, 2018. Mr. Ables was present and available for questions or comments from Council.

**MOTION:** Councilor Lund moved, second by Councilor Kearns to adopt amending Ordinance No. 751 as presented, granting requested zone change.

**FOR:** Vice-Mayor Ceesay; Councilor Kearns; Councilor Lund

**AGAINST:** None

**ABSENT:** Mayor Fox; Councilor Agee

**Motion carried.**

**K) Adjournment.**

- Meeting was adjourned at 6:35 p.m.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



## **MEMORANDUM**

**TO:** HONORABLE MAYOR and CITY COUNCIL

**FROM:** LYNN BURROW, PE  
COMMUNITY DEVELOPMENT DIRECTOR

**RE:** ACCEPTANCE OF ROADWAY RIGHT-OF-WAY DEDICATION

**DATE:** FEBRUARY 5, 2018

### **BACKGROUND**

This item is for Council consideration and action regarding the acceptance of a Roadway Right-of-Way Deed of Dedication involving a certain tract of land, 30' in width, located along the east side of 26<sup>th</sup> West Avenue approximately ¼ mile north of 151<sup>st</sup> Street as illustrated on the attached exhibit. This right-of-way dedication was made a requirement of the lot split application and approval (GLS-223) granted by the Planning Commission November 19, 2017. The property being dedicated is owned by the lot split applicant and property owner - Mr. Greg Ables and is the continuation of the right-of-way dedication for 26<sup>th</sup> West Avenue that was previously dedicated by the subdivision plat of Taylor's Pond Addition. The right-of-way being granted will accommodate any roadway or drainage improvements that may become necessary in the future.

### **Staff Recommendation:**

Staff has reviewed and approved the document format and content of the required Roadway Right-of-Way Deed of Dedication and is therefore requesting Council approval and acceptance of this dedication as submitted.

### **Attachments:**

- A. Roadway Right-of-Way Deed of Dedication and Supporting Documents.

Upon Recording Return To: City of Glenpool  
ATTN: City Clerk  
12205 S. Yukon Avenue  
P.O. Box 70  
Glenpool, OK 74033

**Roadway right-of-Way  
DEED OF DEDICATION**

KNOW ALL MEN BY THESE PRESENTS:

This conveyance is made and entered into for the purposes stated herein, as of the date entered below, between GREG ABLES, an **[individual/Oklahoma corporation/other business entity]** herein called "**Grantor**", and the CITY OF GLENPOOL, a municipal corporation, whose mailing address is 12205 S. Yukon Avenue, P. O. Box 70, Glenpool, OK 74033, herein called "**Grantee**."

Grantor, as the record owner of legal and equitable title of the following described real estate, for and in consideration of the sum of TEN AND NO/100 DOLLARS, and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, dedicate, bargain, sell, convey and warrant unto Grantee, its successors and assigns, for the benefit of the public, forever, for **roadway [or other]** purposes and for such additional purposes as are described herein a right-of way through, over, under and across the following described property, together with all appurtenances thereto:

**See Attached Exhibit 'A'**

SUBJECT TO all easements, rights of way, protective covenants and mineral reservations, if any.

For use as a **permanent, public right-of-way [or other use as applicable]** for the Grantee, and as a thoroughfare for ingress and egress to adjoining property and roadways for general public usage. **[May be sufficient.]**

**[OPTIONAL, IF APPLICABLE:** For the several purposes of surveying, constructing, maintaining, operating, repairing, replacing, and/or removing any and all roadways, public utilities, including storm sewers, sanitary sewers, telephone and communication lines, electric power lines and transformers, gas lines, water lines and cable communication lines, together with all fittings, including pavement, poles, wires, conduit, pipes, valves, meters and equipment and equipment for each of such facilities and any other appurtenances thereto, with rights of ingress and egress to and upon this right-of-way for the uses and purposes aforesaid, provided however, the Grantor hereby reserves the right to survey.]

**[OPTIONAL, IF APPLICABLE:** The public and such franchise utility providers as are authorized by the public to enter this right-of-way for the purposes described are hereby granted the exclusive possession of said above-described premises for the purposes aforesaid. Grantor, for itself and its heirs, administrators, successors and assigns, covenants and agrees that no building, structure, fence, wall or other above-ground obstruction of any description will be placed, erected, installed, or permitted upon the above-described premises; and further covenants and agrees that in the event the terms of this paragraph are violated by the Grantor or other persons in privity with the Grantor, such violation will be promptly corrected and eliminated in a timely manner, timeliness to be determined in good faith by the City or franchisee under the prevailing circumstances, upon receipt of notice from the City or franchisee, or City or franchisee shall have the right to remove or otherwise eliminate such

violation, and Grantor, its heirs, administrators, successors and assigns, shall promptly pay the actual cost thereof; and further covenants and agrees that all terms and conditions of this Dedication shall run with the land.]

TO HAVE AND TO HOLD such **Roadway Right-of-Way [or other description of interest]** unto Grantee and Grantee's successors and assigns, together with all of Grantor's right, title and interest, in exclusive possession together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining forever.

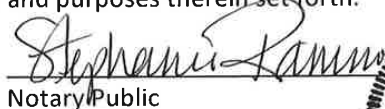
Dated this 30 day of JAN, 2018

  
GRANTOR

By: Greg Ables  
[Printed Name/Title of Authorized Representative]

STATE OF OKLAHOMA )  
 ) ss.  
COUNTY OF TULSA )

Before me, the undersigned, a Notary Public, in and for said County and State on this the 30 day of January, 2018, personally appeared Greg Ables known or satisfactorily proven to me to be the identical person(s) who subscribed the name of the maker thereof to the foregoing instrument and representing her/himself to be duly authorized to do so, and acknowledged to me that she/he executed the same as her/his free will and voluntary act and deed for the uses and purposes therein set forth.

  
Notary Public



My Commission Expires:

10/14/2021

ACCEPTED BY CITY COUNCIL:

City of Glenpool, Oklahoma  
A Municipal Corporation

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

by: \_\_\_\_\_  
\_\_\_\_\_, Mayor

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

[corporate seal]

APPROVED AS TO FORM:

\_\_\_\_\_  
\_\_\_\_\_, City Attorney

EXHIBIT "A"

**THE WEST 30 FEET OF A TRACT DESCRIBED AS FOLLOWS TO WIT:**

A tract of land in the North Half of the Southeast Quarter (N/2 SE/4) of Section Fifteen (15), Township Seventeen (17) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as:

COMMENCING at the Northwest corner of the SE/4 of said Section 15; thence South along the West line of said SE/4 a distance of 500.00 feet to the Point and Place of Beginning; thence East along a line parallel to the South line of said SE/4 a distance of 130.00 feet; thence South along a line parallel to the West line of said SE/4 a distance of 310.00 feet; thence West along a line parallel to the South line of said SE/4 a distance of 130.00 feet; thence North along the West line of said SE/4 a distance of 310.00 feet to the Point and Place of Beginning.

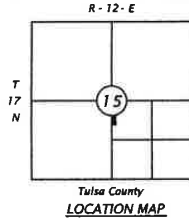
PROFESSIONAL LAND SURVEYOR'S  
PROPOSED LOT SPLIT SKETCH



AMERICAN EAGLE  
LAND SURVEYING, LLC

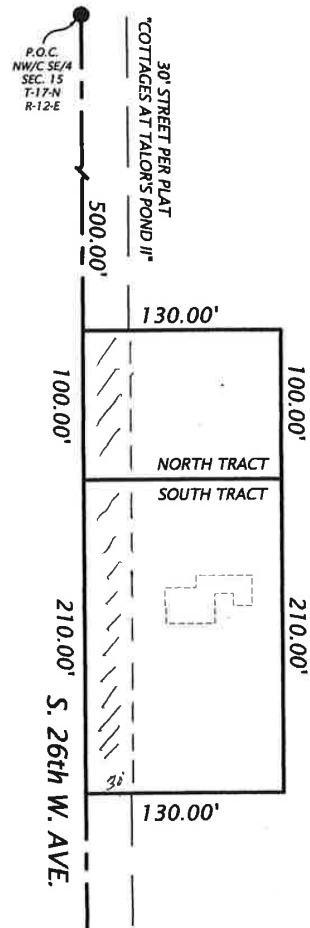
2023 West 111th Street Jenks, OK. 74037  
OFFICE (918)640-4162 FAX (918)894-5248  
darrellbible@gmail.com

Order No. 1709006  
Client: Greg Ables



SCALE  
1" = 80'

SEE "ATTACHMENT"  
FOR LEGAL DESCRIPTION



Property address: 14727 South 26th West Avenue, Glenpool, Oklahoma

CERTIFICATE

I DARRELL BIBLE, PROFESSIONAL LAND SURVEYOR #1731 IN AND FOR THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE ABOVE PLAT AND LEGAL DESCRIPTION REPRESENTS A SKETCH FOR A LOT SPLIT PERFORMED UNDER MY DIRECT SUPERVISION. THE ABOVE PLAT MAY BE SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAYS OF RECORD. NO RESEARCH OF ABSTRACT OR RECORD OFFICES HAS BEEN CONDUCTED,

*Darrell Bible*

Darrell Bible  
OKLAHOMA REGISTERED  
LAND SURVEYOR NO. 1731  
CA #6588 EXPIRES 6/30/2018  
Final: 9-5-2017





## **MEMORANDUM**

**TO: HONORABLE MAYOR and CITY COUNCIL**

**FROM: LYNN BURROW, PE  
COMMUNITY DEVELOPMENT DIRECTOR**

**RE: ACCEPTANCE OF GENERAL UTILITY EASEMENT DEDICATION**

**DATE: FEBRUARY 5, 2018**

### **BACKGROUND**

This item is for Council consideration and action regarding the acceptance of a General Utility Easement dedication 17.5' in width covering a certain tract of land located along, contiguous with, and parallel to the east right-of-way line of 26<sup>th</sup> Wes Avenue as illustrated on the attached exhibit. This easement is being dedicated to the public to accommodate utility service extensions necessary to serve the two residential lots that were created by GLS-223 submitted by Mr. Greg Ables as the applicant. Mr. Ables is the current owner of the two residential lots involved and wishes to construct a dwelling on the northern parcel requiring the extension of a public sanitary sewer main from an adjacent lot in Taylors Pond Addition. Such sanitary sewer will be constructed to serve the southern lot as well.

### **Staff Recommendation:**

Staff has reviewed and approved the document format and content of this easement grant and is requesting Council approval and acceptance of this General Utility Easement dedication as submitted.

### **Attachments:**

- A. General Utility Easement Dedication and Supporting Documents

## GENERAL UTILITY EASEMENT

That the undersigned, Greg Ables  
(Grantor), as the owner of the legal and equitable title of the following described real estate (Property), for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable considerations, the receipt of which is acknowledged, does hereby grant and convey to the City of Glenpool, a Municipal Corporation (GRANTEE), an easement through, over, and across the following described Property:

See Exhibit 'A' attached herewith and made a part of this easement grant:

for the purpose of permitting Grantee and Franchise Utility services thereon, through, over, or across said property, together with all necessary and convenient appurtenances thereto; to use and maintain the same; and affording Grantee and Franchise Utility service provider officers, agents, employees, and/or all persons under contract with either, the right of access to and upon said premises and strip of land for the purposes of surveying, excavating for, operating, repairing, and maintaining all such utility services and associated appurtenances.

The Grantee and Franchise Utility service providers are hereby given and granted the exclusive possession of said above described premises for the purposes aforesaid and Grantor, for itself and its 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 real estate; and further covenants and agrees that, in the event the terms of this paragraph are violated by the Grantor or other persons in privity with it, such violation will promptly be corrected and eliminated upon receipt of notice from the Grantee or Franchise Utility supplier, or the Grantee or Franchise Utility supplier shall have right to remove or otherwise eliminate such violation, and Grantor, its heirs, administrators, successors and assigns, shall promptly pay the actual cost thereof.

**TO HAVE AND TO HOLD** such easement unto to the City of Glenpool (Grantee), its successors or assigns as aforesaid:

Dated this 10 day of JAN, 2018.

By:  (Grantor)  
Name: Greg Ables

STATE OF OKLAHOMA    )  
                                          ) ss.  
COUNTY OF TULSA        )

Before me, the undersign, a Notary Public, in and for said County and State on this the 10<sup>th</sup> day of January, 2018, personally appeared Greg Ables to me known to be the identical person who subscribed as the maker to the foregoing as Owner (Grantee) and acknowledge to me that he executed the same as their his free will and voluntary act and deed for the uses and purposes there in set forth.

Stephanie Ann Ryker  
Name:  
Notary Public



My Commission Expires:

July 22 2021

ACCEPTED BY:

CITY of GLENPOOL  
A Municipal Corporation

Dated this: \_\_\_\_\_, day of \_\_\_\_\_, 2018

By: \_\_\_\_\_  
Mayor: Tim Fox

ATTEST:

\_\_\_\_\_  
Susan White  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Lowell Peterson  
City Attorney

C:\Users\lburrow\Desktop\General Utility Easement Template.doc

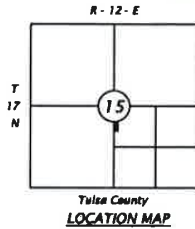
PROFESSIONAL LAND SURVEYOR'S  
PROPOSED LOT SPLIT SKETCH



AMERICAN EAGLE  
LAND SURVEYING, LLC

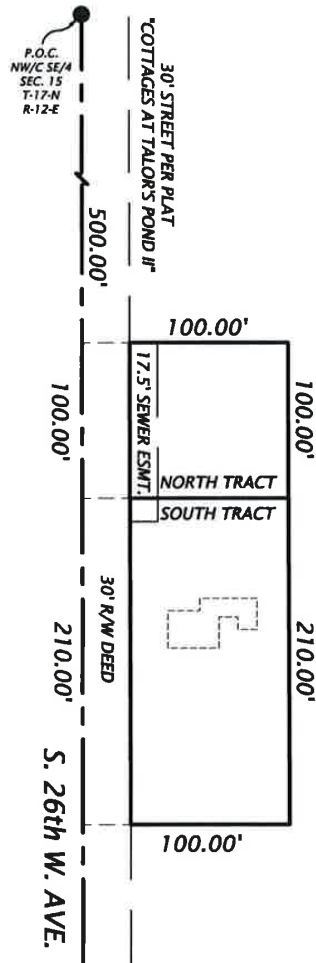
2023 West 111th Street Jenks, OK. 74037  
OFFICE (918)640-4162 FAX (918)694-5248  
darrellbible@gmail.com

Order No. 1709006  
Client: Greg Ables



SCALE  
1" = 80'

SEE "ATTACHMENT"  
FOR LEGAL DESCRIPTION



Property address: 14727 South 26th West Avenue, Glenpool, Oklahoma

**CERTIFICATE**

I DARRELL BIBLE, PROFESSIONAL LAND SURVEYOR #1731 IN AND FOR THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE ABOVE PLAT AND LEGAL DESCRIPTION REPRESENTS A SKETCH FOR A LOT SPLIT PERFORMED UNDER MY DIRECT SUPERVISION. THE ABOVE PLAT MAY BE SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAYS OF RECORD. NO RESEARCH OF ABSTRACT OR RECORD OFFICES HAS BEEN CONDUCTED.

*Darrell Bible*

Darrell Bible  
OKLAHOMA REGISTERED  
LAND SURVEYOR NO. 1731  
CA #6568 EXPIRES 6/30/2018  
Final: 9-5-2017  
Revised: 1/30/2018





## **MEMORANDUM**

**TO:** HONORABLE MAYOR and CITY COUNCIL

**FROM:** LYNN BURROW, PE  
COMMUNITY DEVELOPMENT DIRECTOR

**RE:** ACCEPTANCE OF GENERAL UTILITY EASEMENT DEDICATION

**DATE:** FEBRUARY 5, 2018

### **BACKGROUND**

This item is for Council consideration and action regarding the acceptance of a General Utility Easement dedication of varying widths covering a certain tract of land located along, contiguous with, and parallel to the west property line of Elm Pointe Addition as illustrated on the attached documents. This easement is being dedicated to the public to provide for the installation of certain underground private and public utility service improvements extending from locations north of 141<sup>st</sup> street serving facilities being constructed within the Elm Pointe commercial development. The dedication of this easement will also facilitate the installation of various public and private utility services necessary to provide service to the second phase of the Elm Pointe project as well.

### **Staff Recommendation:**

Staff has reviewed and approved the document format and content of this easement grant and is requesting Council approval and acceptance of this General Utility Easement dedication as submitted.

### **Attachments:**

- A. General Utility Easement Dedication and Supporting Documents

## GENERAL UTILITY EASEMENT

That the undersigned, Elm Pointe Land, LLC, (Grantor), as the owner of the legal and equitable title of the following described real estate (Property), for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable considerations, the receipt of which is acknowledged, does hereby grant and convey to the City of Glenpool, a Municipal Corporation (GRANTEE), an easement through, over, and across the following described Property:

See Exhibit 'A' attached herewith and made a part of this easement grant:

for the purpose of permitting Grantee and Franchise Utility services thereon, through, over, or across said property, together with all necessary and convenient appurtenances thereto; to use and maintain the same; and affording Grantee and Franchise Utility service provider officers, agents, employees, and/or all persons under contract with either, the right of access to and upon said premises and strip of land for the purposes of surveying, excavating for, operating, repairing, and maintaining all such utility services and associated appurtenances.

The Grantee and Franchise Utility service providers are hereby given and granted the exclusive possession of said above described premises for the purposes aforesaid and Grantor, for itself and its 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 real estate; and further covenants and agrees that, in the event the terms of this paragraph are violated by the Grantor or other persons in privity with it, such violation will promptly be corrected and eliminated upon receipt of notice from the Grantee or Franchise Utility supplier, or the Grantee or Franchise Utility supplier shall have right to remove or otherwise eliminate such violation, and Grantor, its heirs, administrators, successors and assigns, shall promptly pay the actual cost thereof.

**TO HAVE AND TO HOLD** such easement unto to the City of Glenpool (Grantee), its successors or assigns as aforesaid:

Dated this 21<sup>st</sup> day of December, 2017.

By: Elm Pointe Land, LLC (Grantor)

Name: [Signature] Member/Manager

[illegible]

Before me, the undersign, a Notary Public, in and for said County and State on this the 21<sup>st</sup> day of December, 2017, personally appeared Timothy J. Remy to me known to be the identical person who subscribed as the maker to the foregoing as Owner (Grantor) and acknowledge to me that he executed the same as their his free will and voluntary act and deed for the uses and purposes there in set forth.

Name: Mona K. Burke  
Notary Public



My Commission Expires:

5-19-19

ACCEPTED BY:

CITY of GLENPOOL  
A Municipal Corporation

Dated this: \_\_\_\_\_, day of \_\_\_\_\_, 2017

By: \_\_\_\_\_  
Mayor: Tim Fox

ATTEST:

Susan White  
City Clerk

APPROVED AS TO FORM:

---

Lowell Peterson

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City Attorney

C:\Users\momo\OneDrive\Local\Microsoft Windows Defender\Content\Outlook\A0V79gM4UEmPouak General Utility  
Leasement.doc

**ELM POINTE  
PHASE 2**

**PROPERTY DESCRIPTION:**

A tract of land located in the Southeast Quarter (SE/4) of Section 12, Township 17 North, Range 12 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit:

Commencing at the Southeast corner of the Southeast Quarter (SE/4) of Section 12, T-17-N, R-12-E; Thence S 88°32'21" W and along the South line of the Southeast Quarter a distance of 710.00 feet; Thence N 01°09'18" W a distance of 50.00 feet to the POINT OF BEGINNING: Thence continuing N 01°09'18" W, a distance of 610.00 feet; Thence N 88°32'21" E, a distance of 50.00 feet; Thence N 01°09'18" W, a distance of 400.00 feet; Thence S 88°32'21" W, a distance of 619.96 feet; Thence S 01°09'09" E, a distance of 1010.00 feet to a point on the North right of way line of East 141<sup>st</sup> Street South; Thence N 88°32'21" E, a distance of 570.00 feet to the Point of Beginning and containing 595,669.69 square feet, or 13.675 acres, more or less.

**EXHIBIT 'A'**

**ELM POINTE  
GENERAL UTILITY EASEMENT**

**GENERAL UTILITY EASEMENT**

**DESCRIPTION:**

A tract of land located in the Southeast Quarter (SE/4) of Section 12, Township 17 North, Range 12 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit:

Commencing at the Southeast corner of the Southeast Quarter (SE/4) of Section 12, T-17-N, R-12-E; Thence S 88°32'21" W and along the South line of the Southeast Quarter a distance of 710.00 feet; Thence N 01°09'18" W a distance of 50.00 feet to the POINT OF BEGINNING of Utility Easement; Thence continuing N 01°09'18" W, a distance of 610.00 feet; Thence N 88°32'21" E, a distance of 50.00 feet; Thence N 01°09'18" W, a distance of 400.00 feet; Thence S 88°32'21" W, a distance of 619.96 feet; Thence S 01°09'09" E, a distance of 22.00 feet; Thence N 88°32'21" E, a distance of 587.96 feet; Thence S 01°09'18" E, a distance of 360.50 feet; Thence S 88°32'21" W, a distance of 35.50 feet; Thence S 01°09'18" E, a distance of 627.50 feet to a point on the North right of way line of East 141<sup>st</sup> Street South; Thence N 88°32'21" E, a distance of 17.50 feet to the POINT OF BEGINNING.

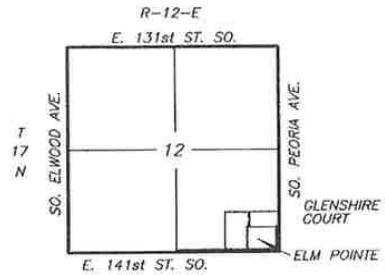
**EXHIBIT 'B'**

# ELM POINTE GENERAL UTILITY EASEMENT

OWNER:  
ELM POINTE LAND, LLC  
11063-D SO. MEMORIAL DR., #531  
TULSA, OKLAHOMA 74133  
CONTACT: TJ REMY  
PHONE: 918-845-1106



SCALE: 1" = 200'



LOCATION MAP

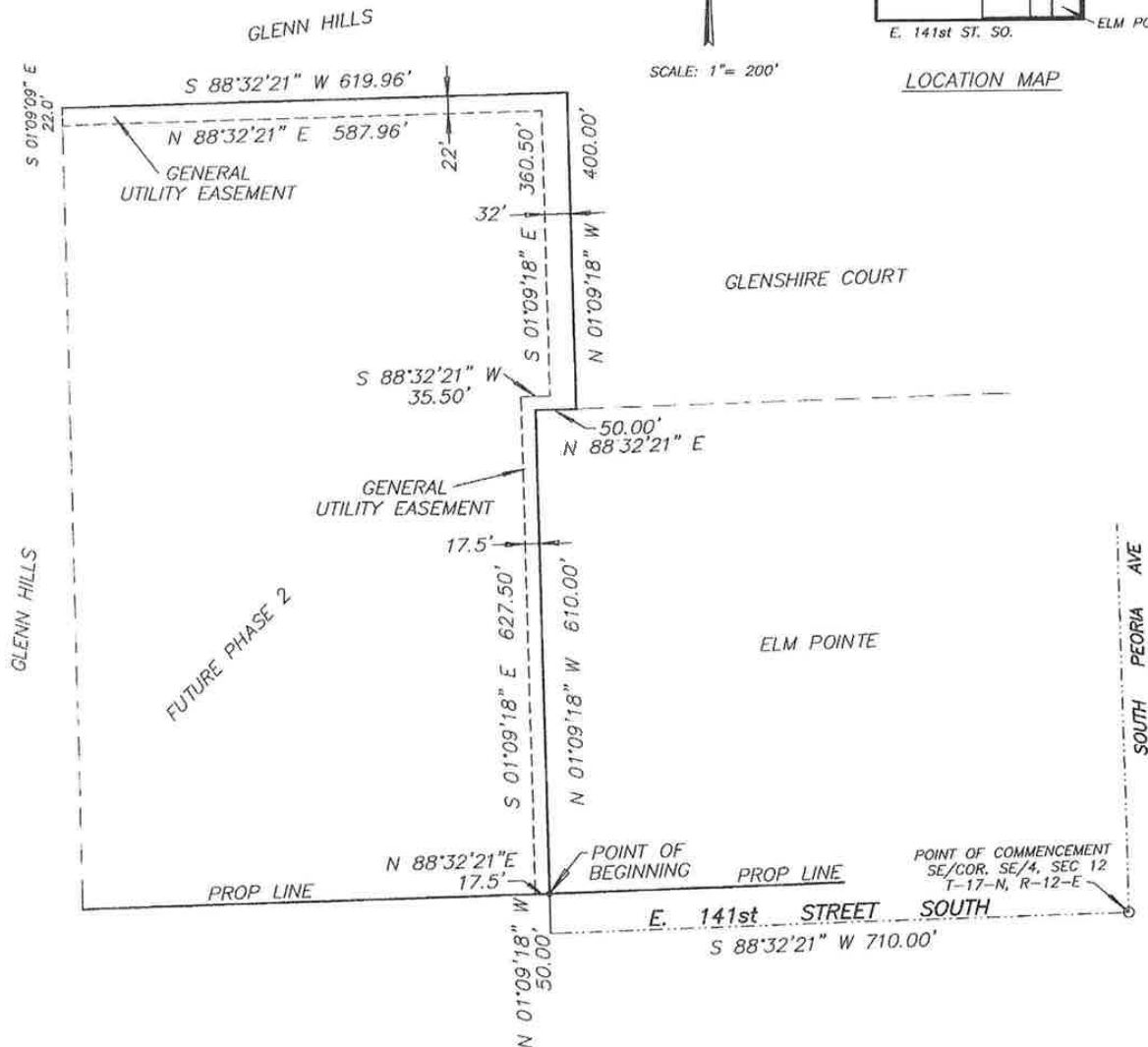


EXHIBIT 'C'



## MEMORANDUM

**TO:** HONORABLE MAYOR and CITY COUNCIL

**FROM:** LYNN BURROW, PE  
COMMUNITY DEVELOPMENT DIRECTOR

**RE:** ACCEPTANCE OF STORMWATER DETENTION EASEMENT  
DEDICATION

**DATE:** FEB 5, 2018

### **BACKGROUND**

This item is for Council consideration and action regarding the acceptance of a Stormwater Detention Easement covering a certain tract of land located adjacent to, but not contained within, the proposed subdivision plat of Elm Pointe Addition as illustrated on the attached documents. This easement is being dedicated to the public to provide access to and upon a certain stormwater detention facility being proposed and constructed to provide downstream stormwater management by mitigating the discharge from the Elm Pointe commercial project. The actual detention facility is to be privately owned and maintained by the developer of the Elm Pointe project. However, the dedication of this Stormwater Detention Easement will allow the City access for maintenance purposes should that type of access become necessary in the future.

### **Staff Recommendation:**

Staff has reviewed and approved the hydrology and engineering hydraulic calculations associated with the anticipated storm water flow volumes to be contained and managed within the proposed easement area. Staff has also reviewed and approved the document format and content of the required easement grant and is therefore requesting Council approval and acceptance of this storm water Stormwater Detention Easement dedication as submitted.

### **Attachments:**

- A. Stormwater Detention Easement Dedication and Supporting Documents

## STORMWATER DETENTION EASEMENT

STATE OF OKLAHOMA     )  
                                      ) SS  
COUNTY OF TULSA        )

That Elm Pointe CS, LLC, being the sole owner of all interests, both legal and equitable, in the following described property, to-wit:

See Exhibit A

### KNOW ALL MEN BY THESE PRESENTS:

That the Undersigned; the owner(s) of the legal and equitable title to the legal description in Exhibit A situated in the City of Glenpool, Tulsa County, Oklahoma, for and in consideration of the sum of One Dollar (\$1.00), cash in hand, paid by the City of Glenpool, Oklahoma and other good and valuable considerations, receipt of which are hereby acknowledged, do(es) hereby dedicate to the public, forever, the following described property, to wit:

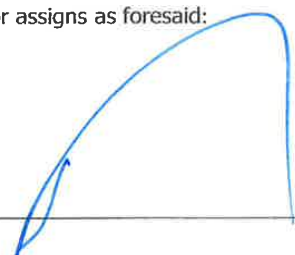
See Exhibit B

with right of ingress and egress to, from and upon the same, for the purpose of constructing, maintaining, operating, and replacing stormwater detention facilities and appurtenances.

The City is hereby given and granted the exclusive possession of said above described premises for the purposes aforesaid, and grantor(s), for him/her and their heirs, administrators, successors and assigns, covenant(s) and agree(s) that no building, structure, wall or other above ground obstruction will be placed, erected, installed or permitted upon the above described land; the stormwater detention facilities and appurtenances located thereon shall be maintained and kept clear of debris by the grantor(s), and further covenant(s) and agree(s) that in the event the terms of this paragraph are violated by the grantor(s) or any person in privity with them, 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(s), his/her heirs, administrators, successors and assigns, shall promptly pay the actual cost thereof.

TO HAVE AND TO HOLD such easement unto to the Public, its successors, or assigns as foresaid:

Dated this 8<sup>th</sup> day of January, 2018

By: 

Timothy J. Remy, Manager  
Elm Pointe CS, LLC

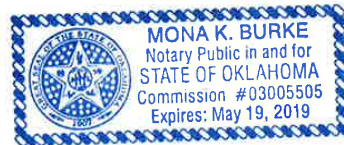
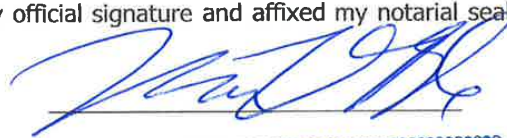
STATE OF OKLAHOMA     )  
                                      ) SS  
COUNTY OF TULSA        )

ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, this 8<sup>th</sup> day of January, 2018, personally appeared , Timothy J. Remy, to me known to be the identical person(s) who executed the foregoing instrument as its Manager and acknowledged to me that they executed the same as their free and voluntary act and deed for the purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Expires: 5-19-19



ACCEPTED BY:

CITY OF GLENPOOL  
A Municipal Corporation

Dated this: \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_\_.

By: \_\_\_\_\_  
Mayor: Tim Fox

ATTEST:

\_\_\_\_\_  
Susan White  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Lowell Peterson

**ELM POINTE  
PHASE 2**

**PROPERTY DESCRIPTION:**

A tract of land located in the Southeast Quarter (SE/4) of Section 12, Township 17 North, Range 12 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit:

Commencing at the Southeast corner of the Southeast Quarter (SE/4) of Section 12, T-17-N, R-12-E; Thence S 88°32'21" W and along the South line of the Southeast Quarter a distance of 710.00 feet; Thence N 01°09'18" W a distance of 50.00 feet to the POINT OF BEGINNING; Thence continuing N 01°09'18" W, a distance of 610.00 feet; Thence N 88°32'21" E, a distance of 50.00 feet; Thence N 01°09'18" W, a distance of 400.00 feet; Thence S 88°32'21" W, a distance of 619.96 feet; Thence S 01°09'09" E, a distance of 1010.00 feet to a point on the North right of way line of East 141<sup>st</sup> Street South; Thence N 88°32'21" E, a distance of 570.00 feet to the Point of Beginning and containing 595,669.69 square feet, or 13.675 acres, more or less.

**EXHIBIT 'A'**

**ELM POINTE**  
**Exhibit B**

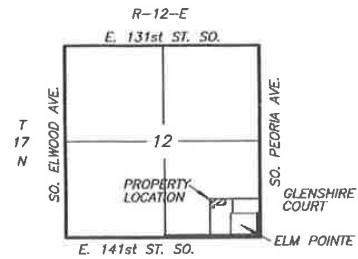
***Detention Easement Description***

A tract of land located in the Southeast Quarter (SE/4) of Section 12, Township 17 North, Range 12 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma, being more particularly described as follows, to-wit:

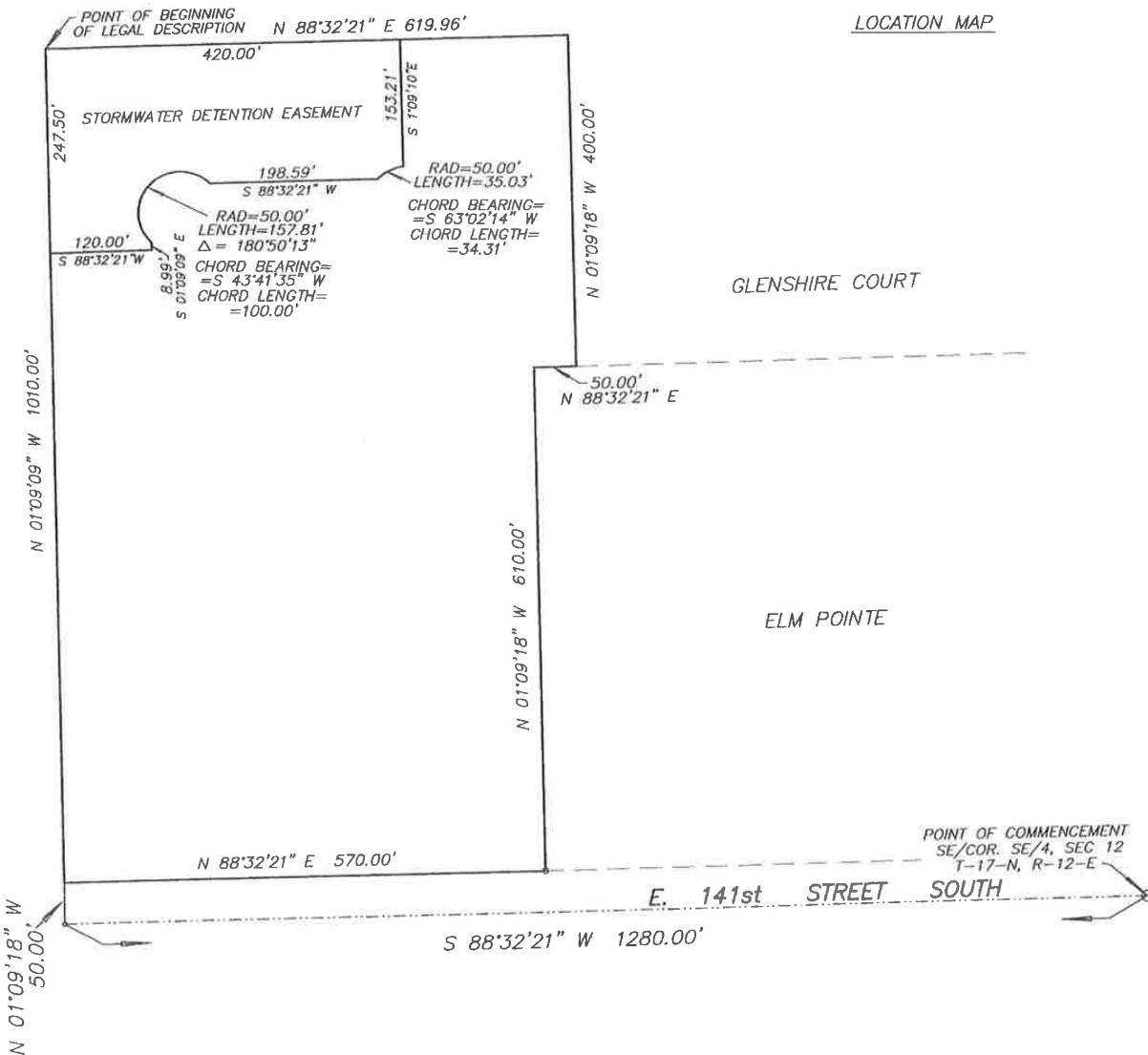
Commencing at the Southeast corner of the Southeast Quarter (SE/4) of Section 12, T-17-N, R-12-E; Thence S 88°32'21" W and along the South line of the Southeast Quarter a distance of 1280.00 feet to a point; Thence N 01°09'09" W a distance of 1060.00 feet to the point of beginning; Thence N 88°32'21"E, a distance of 420.00 feet; Thence S 01°09'10" E, a distance of 153.21 feet; thence along a curve to the left with a radius of 50.00 feet, a length of curve of 35.03 feet, a chord distance of 34.31 feet and a bearing of S 63°02'14"W; thence S 88°32'21" W, a distance of 198.59 feet; thence along a curve to the left with a radius of 50 feet, a length of curve of 157.81 feet, a delta of 180°50'13" and a chord distance of 100.00 feet and chord bearing of S 43°41'35"W; thence S 01°09'09"E a distance of 8.99 feet; thence S 88°32'21"W a distance of 120.00 feet; thence N 01°09'09"W a distance of 247.50 feet to the Point of Beginning .

**OWNER:**

ELM POINTE LAND, LLC  
11063-D SO. MEMORIAL DR., #531  
TULSA, OKLAHOMA 74133  
CONTACT: TJ REMY  
PHONE: 918-845-1106



LOCATION MAP



*EXHIBIT C*