

REQUEST FOR ACTION: CONTRACT

Version: 07/11/2001b

AGENDA FOR: ☒ MAYOR ☒ COUNCIL AUTHORITY: DATE: August 25, 2005
Tulsa City Clerk's Office: 596-7513 or 596-7514

FOR INFORMATION CONTACT:

DEPARTMENT: LEGAL CONTACT NAME: Patrick Boulden
ADDRESS: 200 Civic Center, City Hall, Room 300 TELEPHONE: (918) 596-7717
CONTRACT TYPE: OTHER CONTRACT #:
CONT. DOC. TYPE: CONTRACT AMOUNT: \$0.00
PROJECT TITLE: Vacation of Swan Lake Plat
CONTRACTOR: Rebecca & C. Michael Hinkle, Trustees of RWH 2004 Trust
BID/TAC/PROJECT #: None EXTENSION DAYS: COMMODITY CODE:
AMENDMENT/CHANGE #: PERCENT: TOTAL PERCENT: COUNCIL DIST: 4

SUMMARY:

Title 11 Oklahoma Statutes, §42-106(B) authorizes the vacation of a plat by written instrument among sixty percent (60%) of all of the owners in the area, provided the instrument bears the approval of the municipality. The attached "Vacation of Plat" has been submitted for the City of Tulsa's consent on behalf of Rebecca W. and C. Michael Hinkle, Co-Trustees of the RWH 2004 Trust udt 7-9-2004, owner of the subject property. When the Swan Lake Amended plat was filed and ten (10) years had past, the underlying Swan Lake plat, by law, was vacated, except the subject property. The owner now wants to vacate this remainder.

The City departments and entities which might be concerned with this vacation of plat, Public Works and Development, Finance, Telecommunications, and Fire Departments and the Tulsa Metropolitan Area Planning Commission staff have been contacted and have no objection to this action.

BUDGET: FINANCE DIRECTOR APPROVAL:

FUNDING SOURCE(S): Not applicable

REQUEST FOR ACTION: All department items requiring Council approval must be submitted through Mayor's Office.

Authorization to forward this agreement to the City Council is requested. It is then requested that the City Council Chairman be authorized by the Council to execute this approval, followed with the Mayor's approval and execution. Once fully executed, the original should be returned to Sr. Assistant City Attorney Patrick Boulden for delivery to counsel for the interested parties.

DEPARTMENT HEAD APPROVAL: W. Hinkle DATE: 8-26-05
CITY ATTORNEY APPROVAL: Patrick Boulden 8-26-2005
BOARD APPROVAL: Boulden
MAYORAL APPROVAL: Boulden AUG 29 2005
OTHER: Boulden

FOR CITY COUNCIL OFFICE USE ONLY: DATE RECEIVED:
COMMITTEE: COMMITTEE DATE(S): FIRST AGENDA DATE:
HEARING DATE: SECOND AGENDA DATE: APPROVED:

For City Clerk's Office Use Only (Agenda Date: MMDDYYYY; Sec #: Dept ##, Item ##, Sub-Item ##, Status: S=Synopsis):

08 - 29 - 2005 1 10 1 1 1

[illegible]

This Abstracts Made From Information <http://www.elsevier.com/locate/locate/locate>

The Oklahoma Foremen's Circumstances

Incorporated and Bonded

JAMES BOWEN, President and General Manager

TULSA, OKLAHOMA

ORCUTT ADDITION
TO
TULSA, OKLA.

Scale 204'-1 inch

Tulsa, Tulsa County, Oklahoma January 6th 1908

scale 200' - 1 inch

Tulsa: Tulsa County, Oklahoma, January 20, 1908

Thereby certify that I have surveyed and staked "ARCUTT ADDITION" to Tulsa, Oklahoma embracing the following described lands to wit: All of Lot 3, the North 85.5 feet of Lot 4, the North 85.5 feet of the S.E. 1/4 of R.E. 24, 4, and the N.E. 1/4 of the S.W. 1/4 of sec. 7, T. 19 N. R. 13 E. also beginning of the S.W. corner of the N.W. 1/4 of the S.E. 1/4 of sec. 7, T. 19 N. R. 13 E. and thence south 85.5 feet thence east 307.0 feet thence North 85.5 feet thence west 381.0 feet to place of beginning running thence along the 3/4 corner of the N.W. 1/4 of the S.E. 1/4 of said sec. 7, and (winding thence east 307.0 feet thence also winding thence along the 3/4 corner of the N.W. 1/4 of the S.E. 1/4 of said sec. 7, and (winding thence east 307.0 feet to the center line thence 85.5 feet and 1/4 inches, thence west 47 feet and 7 inches, thence North 45.0 feet and 8 inches to the center line through sec. 7 Township and range aforesaid, thence west 370 feet to the center of said sec. 7, thence South 1324.5 feet to place of beginning, and that this is a true and correct map thereof.

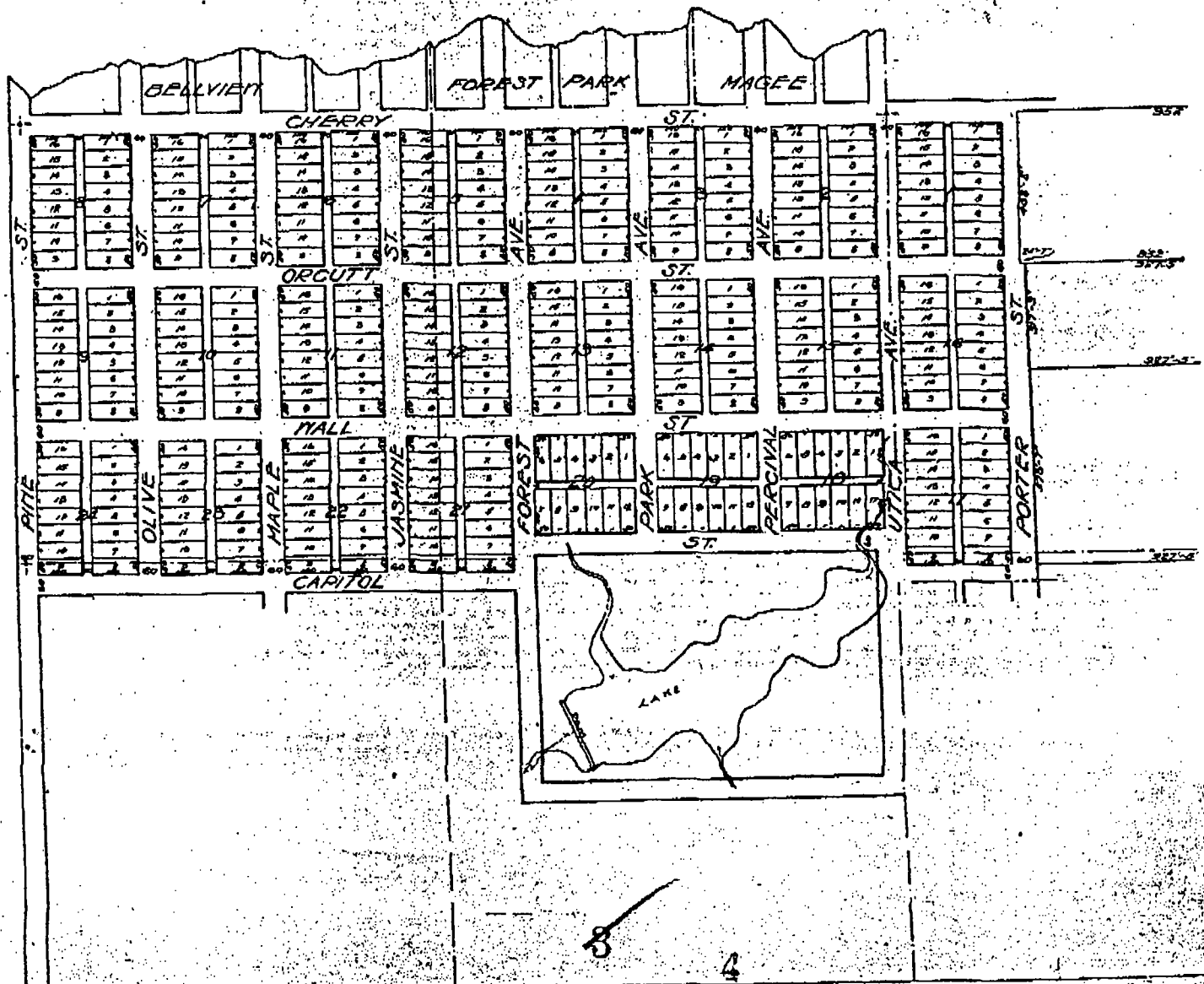
Subscribed and sworn to before me this _____ day of January 1908.

My Commission expires _____

Notary Public

my commission expires

History Review



VACATION OF PLAT

COMES NOW Rebecca W. Hinkle and C. Michael Hinkle, as Co-Trustees of the RWH 2004 Trust udt 7-9-2004 ("Hinkle Trust") who is the owner of real property located in Tulsa County, Oklahoma, being a part of Swan Lake, an Addition to the City of Tulsa, and being more particularly described as :

The East 130 feet of the South 50 feet of Lot Five (5), Block Two (2), Swan Park, a subdivision in Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

and

Part of the North 54 feet of Lot Five (5) and the South 10 feet of Lot Four (4), in Block Two (2) of Swan Park Addition, more particularly described as follows: Beginning at a point 10 feet North of the Southeast corner of Lot Four (4), in Block Two (2) of Swan Park Addition and on an Easterly line thereof, thence in a Southerly direction along the Easterly line of Lots Four (4) and Five (5) a distance of 64 feet to a point; thence in a Westerly direction, parallel to the North line of Lot Five (5) a distance of 120 feet to a point; thence in a Northerly direction parallel to the Easterly line of Lot Five (5) to a point in the Lot line between Lots Five (5) and Twenty-one (21), in Block Two (2); thence in a Northerly direction along said Lot line between Lots Five (5) and Twenty-one (21) to the Southwest corner of Lot Four (4), in Block Two (2); thence in a Northerly direction along the West line of Lot Four (4) a distance of 10 feet to a point; thence in an Easterly direction along a line parallel to and 10 feet North of the Lot line between Lots Four (4) and Five (5), in Block Two (2) a distance of 90 feet to the point of beginning. NOW KNOWN AS: Part of Lot Three (3), Block One (1), Swan Lake, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof ("Trust Property").

Swan Lake was platted by Boston Properties, Inc. and Rebecca W. Hinkle, the Trust's predecessor in title, as Plat No. 4810, pursuant to a Deed of Dedication dated August 28, 1990 and filed in the land records of the County Clerk of Tulsa County, Oklahoma, on October 2, 1990.

A Deed of Dedication dated December 4, 1991 and filed December 20, 1991, in the land records of the County Clerk of Tulsa County, Oklahoma, replatted all the property contained in Swan Lake, except the Trust Property, as Swan Lake Amended. The plat of Swan Lake Amended, having been of record for a period of longer than ten (10) years, has resulted in the plat of Swan Lake, except for the Trust Property, having been vacated.

The Hinkle Trust, being the sole owner of property located within Swan Lake and pursuant to 11 O.S. 2001 §42-106 is filing this instrument to vacate the plat of the remaining portion of Swan Lake. The Trust hereby acknowledges and agrees that once this instrument is fully executed, approved by the City of Tulsa and recorded in the land records of the County Clerk of Tulsa County,

Oklahoma, it will operate to destroy the force and effect of the recording of the plat of Swan Lake as to the Trust Property.

Dated this 29 day of June, 2005.

Rebecca W. Hinkle
Rebecca W. Hinkle, Co-Trustee
of the RWH 2004 Trust udt 7-9-2004

C. Michael Hinkle
C. Michael Hinkle, Co-Trustee
of the RWH 2004 Trust udt 7-9-2004

APPROVED by the Tulsa City Council on this ____ day of _____, 2005.

By: _____
Chairman

Approval:
City of Tulsa

By: _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

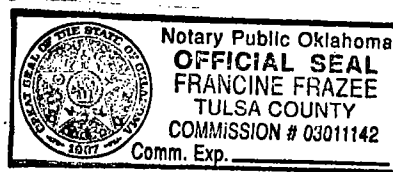
City Attorney - Assistant

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this 30 day of June, 2005
by Rebecca W. Hinkle, as Co-Trustee of the RWH 2004 Trust udt 7-9-2004.

Francine Frazee
Notary Public

My Commission Expires:
8/27/07



STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this 30 day of June, 2005
by C. Michael Hinkle, as Co-Trustee of the RWH 2004 Trust udt 7-9-2004.

Francine Frazee
Notary Public

My Commission Expires:
8/27/07

