

**City of Jenks  
Application for Closure  
of Right-of Way or Utility Easement**

Right of Way Closing

Easement Closing

Name of Applicant: Bell Land Use LLC

Address of Applicant: 1011 W. "G" Street  
Jenks, OK 74037

Phone number: 918-902-0462 Second Phone number: \_\_\_\_\_

Lot owner: RSF Holdings LLC

Lot owner address: 7335 S. Lewis Ave, Tulsa OK 74136

Legal Description of property easement or ROW is located on: \_\_\_\_\_  
See Attached

Book and Page of the ROW or Easement:

Book: 4600

Page: 1529

Reason for Closing:

Easement was filed for Sanitary Sewer, however the sewer lines were not  
located in the easement. A plat being processed for the property corrects this  
error and places an easement for the correct location. The easement in question  
is vacant of utility use.

Signature:  Date: 3-9-20

Printed Name: Robert Bell Phone: 918-902-0462

Address: 1011 W. "G" Street, Jenks OK 74037 City/State: \_\_\_\_\_

Planning Commission Date: \_\_\_\_\_

City Council Date: \_\_\_\_\_

Action: \_\_\_\_\_

Action: \_\_\_\_\_

## City of Jenks

### How to Apply for Right-of-Way or Easement Closing

1. Fill out the Right-of-Way/ Easement Closing application form.
2. The City Planner will set your request for public hearing before the City Council. Date will be at least 30 days away, as required by state law.
3. City Planner will send a notice to all utility companies which may have a vested interest or a franchise in the area.
4. City Planner will set your case for a Planning Commission meeting.
5. The Planning Commission and the utility companies will send a recommendation to the City Council.
6. The City Council will hold a public hearing and, if they approve the closing, will pass an ordinance. **This, however, will not foreclose the reopening of the right-of-way or easement. To do this you must follow the steps set out in the Oklahoma State Statutes.**

### Summary of Oklahoma State Statutes For Closure of Right-of-Way or Easement

1. The owner(s) must file a verified petition in District Court. The petition must show the passage of an ordinance closing the public way or easement and ask for the foreclosure of the absolute right to reopen the public way or easement. Also attached to the petition shall be the certificate of a bonded abstractor listing the names and addresses of all persons required to be notified in No. 2 below.
2. Notice of the verified petition shall be given by:
  - A. Service of summons to the municipality:
  - B. Service of summons to public service corporation, transmission and utility rights in the public way or easement.
  - C. Mailing a copy of the petition and summons to all owners of record whose property is within 300 feet in any direction from the public way or easement.
3. Notice shall also be given by one (1) publication in a newspaper of general circulation published in the county where the property is located, which publication shall be at least 30 days prior to the hearing.
4. District Court shall hear the petition.
5. The public way or easement shall revert to the owners of real estate thereto on each side except in the case where it was all dedicated from one side, and then it would revert to the lots from which it was taken.

EXHIBIT "A"  
PROPERTY LEGAL DESCRIPTION

PART OF GOVERNMENT LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 502 FEET EAST OF SOUTHWEST CORNER OF SAID LOT FOUR (4), RUNNING THENCE EAST 132 FEET, THENCE RUNNING NORTH A DISTANCE OF 330 FEET, THENCE RUNNING WEST A DISTANCE OF 132 FEET, THENCE SOUTH A DISTANCE OF 330 FEET TO POINT OF BEGINNING, CONTAINING (1) ACRE, MORE OR LESS, A/K/A 813 EAST B STREET, JENKS, OK 74037.

SAID TRACT CONTAINING 43,560 SQUARE FEET, OR 1.00 ACRES.

City of Jenks  
Jenks, OK 74037

STATE OF OKLAHOMA  
TULSA COUNTY  
FILED OR RECORDED  
1982 MAR 12 PM 3:13  
ANITA NESBITT  
COUNTY CLERK

35084

BOOK 4600 PAGE 1529

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That, STANLEY J. HOLLINGSWORTH and Jewell Hollingsworth, husband and herein called Grantors, in consideration of One (\$1.00) Dollar, wife, and other good and valuable considerations paid by the CITY OF JENKS, hereinafter called Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer, and convey to said Grantee, its successors and assigns, a perpetual easement the right to erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, replace and remove sewer pipeline and necessary appurtenance thereto, over and across the following land owned by Grantors in Tulsa County, State of Oklahoma, to-wit:

A permanent easement 7.5 feet in width on either side of the described centerline,

The centerline described as follows:

Beginning at a point 808 feet + West and 162 feet + north of the southeast corner of the northeast quarter of Section 19, Township 18 North, Range 13 East, thence east a distance of 8 feet, thence northeasterly a distance of 130.0 feet + to a point being 676 feet + west and 189.56 feet north from the southeast corner of the northeast quarter of said section.

A temporary construction easement described as follows:

A strip 20 feet wide north of and parallel to the north edge of the permanent easement.

together with the right of ingress and egress over Grantor's adjacent lands for the purposes for which the above mentioned rights are granted.

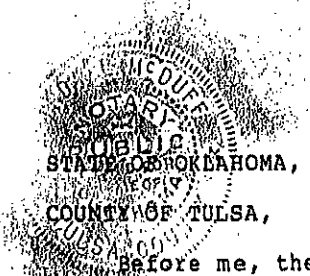
The rights granted hereunder shall revert to Grantors in event a sewer line is not constructed within 12 months of date of this instrument.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 5<sup>th</sup> day of March, 1982.

Stanley J. Hollingsworth  
STANLEY J. HOLLINGSWORTH

Jewell Hollingsworth  
JEWELL HOLLINGSWORTH

SS.



Before me, the undersigned, a Notary Public, in and for said County and State, on this 5<sup>th</sup> day of March, 1982, personally appeared Stanley J. Hollingsworth & Jewell Hollingsworth to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.

Linda L. McDuff  
Notary Public

My Commission Expires:  
March 6 1983

