
**TULSA DEVELOPMENT AUTHORITY BOARD MEETING
STAFF REPORT**

MEETING DATE: February 2, 2017
TO: Chairman and Board Members
FROM: Office of Tulsa Development Authority
SUBJECT: Request from Tulsa City-County Library to acquire TDA owned property located on the Northeast Corner of East 1st Street and South Lewis Avenue, Tulsa, Oklahoma

Background:

Owner	Tulsa Development Authority
Developer:	Tulsa City-County Library
Engineer:	N/A
Location:	Northeast Corner of East 1 st Street and South Lewis Avenue, Tulsa, Oklahoma
Size of Tract:	0.16 acres or 6,844 SF
Number of Lots:	1 Lot
Development Area:	Kendall Whittier Neighborhood
Fair Market Value:	\$27,000.00
Executive Director:	O.C. Walker

Relevant Info: This is a request from Tulsa City-County Library to the TDA Board of Commissioners to acquire TDA owned property located on the Northeast Corner of East 1st Street and South Lewis Avenue to allow expansion of the Kendall Whittier Library atop land that falls under the TDA's purview. The subject site is south of and adjacent to the Kendal Whittier Library. The site is zoned Commercial Corridor. The property appraises at \$3.95 per square foot and the total valuation of the tract is \$27,000.00.

Kendall Whittier is a busy library contained within one of the smallest footprints of the Tulsa City-County Library. Expansion would be a game-changer for the neighborhood.

The Tulsa City-County Library system is asking that TDA transfer the property to the library system for library use only.

Attachments: Letter dated November 23, 2016 from Gary Shaffer, Ph.D., Chief Executive Officer, Tulsa City-County Library

Recommendations: Staff recommends this item be approved with the condition that Tulsa City-County Library be responsible for fees associated with the following:

- Cost to transfer the property
- Attorney fees
- TDA Administration fees
- Appraisal fees

Reviewed By: O.C. Walker

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT the **TULSA DEVELOPMENT AUTHORITY**, formerly known as the Tulsa Urban Renewal Authority, a public body corporate, located in the City of Tulsa, Tulsa County, State of Oklahoma, hereinafter referred to as Grantor and/or TDA, as a donation for Library use only, and in consideration of the public improvements to be constructed upon the following described real estate and other good and valuable consideration, receipt of which is hereby acknowledged, does by these presents, grant, bargain, sell by donation and convey unto **TULSA CITY-COUNTY LIBRARY**, of 400 Civic Center, Tulsa, Oklahoma 74103, hereinafter referred to as Grantee, its successors and assigns, all of the following lands described herein, situated in the County of Tulsa, State of Oklahoma, more particularly described as follows, to-wit:

A TRACT OF LAND THAT IS PART OF LOTS 14, 15 AND 16 IN BLOCK 5 OF 'EAST HIGHLAND ADDITION' AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF AND ALSO PART OF VACATED EAST FIRST STREET SOUTH LYING BETWEEN SAID BLOCK 5 AND BLOCK 2 OF 'R. T. DANIEL', AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

"BEGINNING AT A POINT" THAT IS THE SOUTHEAST CORNER OF LOT 17 OF SAID BLOCK 5; THENCE S 00 ° 01'59 " E ALONG AN EXTENSION OF THE EASTERLY LINE OF LOT 17 FOR 30.00 FEET TO A POINT ON THE CENTERLINE OF THE EAST FIRST STREET RIGHT-OF-WAY; THENCE S 89° 48'31 " W ALONG SAID CENTERLINE FOR 168.46 FEET; THENCE NORTHERLY AND NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 43°54'37 " HAVING A RADIUS OF 57.00 FEET FOR 43.68 FEET WITH A CHORD BEARING OF N 09°36'37" E FOR A CHORD LENGTH OF 42.62 FEET TO A POINT THAT IS 12 FEET NORTHERLY OF THE SOUTHERLY LINE OF SAID BLOCK 5; THENCE CONTINUING ALONG SAID CURVE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY WITH A CENTRAL ANGLE OF 116° 29' 12" WITH A RADIUS OF 57.00 FEET FOR 115.89 FEET WITH A CHORD BEARING OF N 89 °48'31" E FOR A CHORD LENGTH OF 96.93 FEET TO A POINT THAT IS 12.00 FEET NORTHERLY OF THE SOUTHERLY LINE OF BLOCK 5; THENCE N 89°48'31" E AND PARALLEL WITH SAID SOUTHERLY LINE FOR

14.39 FEET TO A POINT ON THE WESTERLY LINE OF LOT 17 IN BLOCK 5; THENCE S 00°01'59" E ALONG SAID WESTERLY LINE FOR 12.00 FEET TO A POINT THAT IS THE SOUTHWEST CORNER OF SAID LOT 17; THENCE N 89°48'31" E ALONG THE SOUTHERLY LINE OF LOT 17 FOR 50.00 FEET TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND.

THE PROPERTY DESCRIBED ABOVE CONTAINS 8,293 SQUARE FEET OR 0.1904 ACRES.

THE BEARINGS USED IN THE ABOVE LEGAL DESCRIPTION ARE BASED ON THE WESTERLY LINE OF BLOCK 5 HAVING A NON-ASTRONOMICAL BEARING OF N 0°02'29" W.

This conveyance is subject to all rights-of-way, easements, leases, deed and plat restrictions, partitions, severances, encumbrances, licenses, reservations and exceptions which are of record as of the date first above written, and to all rights of persons in possession, and to physical conditions, encroachments and possessory rights which would be evident from an inspection of the Property.

Together with all the hereditaments and appurtenances thereunto belonging, and with all the estate, right, title, interest, claim or demand whatsoever, of the Grantor, either in law or equity, of, in and to the Property.

"The property is transferred **"AS IS"**, and Grantor makes no warranty that any of the property is safe or suitable for any purpose or use. The property may be unsuitable for any use for reasons, including, but not limited to, rough, unnatural and unstable surfaces, inadequate subjacent or lateral support, circumstances relating to the environmental quality of the property, or other conditions arising out of the prior use of the property. Grantee shall take title to the property subject to all rights-of-way, easements, mineral reservations, leases and exceptions which are of record vested in third persons as of the date of this Special Warranty Deed between Grantor and Grantee, and to physical conditions, encroachments and possessory rights which would be evident from an inspection of the property."

TO HAVE AND TO HOLD the Property unto the Grantee, its successors and assigns, forever, subject to the terms, conditions, reservations and exceptions set forth herein with special covenant of warranty as set forth herein. Grantor assigns to Grantee all warranties made by prior Grantors, if any.

The Grantor, for itself, and for its successors, does represent, warranty, promise and agree, to and with the Grantee, its successors and assigns, that Grantor has not done, or suffered to be done, anything whereby Grantor's title in said Property hereby granted is, or has been, in

any manner encumbered, except as herein recited; and that Grantor will warrant and forever defend Grantor's title in the Property against all persons lawfully claiming or to claim the same, by, through or under Grantor and against none else. The Grantor does not warrant title generally.

IN WITNESS WHEREOF, the name of the Grantor is hereunto affixed by the Chairman of the Board of Commissioners this _____ day of _____, 2017.

TULSA DEVELOPMENT AUTHORITY,
formerly Tulsa Urban Renewal Authority

By: _____
Roy Peters, Jr., Chairman

NO DOCUMENTARY STAMPS REQUIRED: TAX EXEMPT - O.S. 68-3202(11)

DRAFT

ACKNOWLEDGEMENT

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 _____, 2017, personally appeared Roy Peters, Jr., Chairman of the Board of Commissioners of the Tulsa Development Authority, formerly the Tulsa Urban Renewal Authority, to me known to be the identical person who executed the within and foregoing instrument on behalf of the Tulsa Development Authority, and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of the Tulsa Development Authority for the uses and purposes therein set forth.

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

Notary Public

My commission expires:

My commission number:
