



## **Agenda Commentary**

**Item Title/ Subject:** TAS Trucking LLC Quit Claim Deed Adjustment

**Staff Source:** City Manager, Steve Hewitt

**Date:** March 5, 2013

**History/Background Information:**

Council sold 5 acres to TAS Trucking last year. This area sits along Commerce next to our Cemetery (east).

**Subject Summary:**

It was brought to my attention that many years ago the City ran a water and phone line along the east side of the Cemetery. It was not provided to me or picked up on the survey due to the fact it's a private line. TAS wants to place a fence around their property. This was discovered, which creates issues for both.

**Recommendation:**

Staff recommends we simply create an easement of 20 ft to protect the Cemetery and its existing utilities. TAS is in agreement to simply move their property 20 ft. This is ideal time as we create new plat for entire 100 acres. Ryan Meacham (City Attorney) has drafted two deeds. First eliminates the original track and second move the track 20ft. This creates the 20ft easement and TAS has already agreed to this.

**Price/Cost:** \$0

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT, TAS TRUCKING, INC, an Oklahoma Corporation, ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby quitclaim, grant, bargain, sell and convey unto, CLINTON INDUSTRIAL AUTHORITY, an Oklahoma Municipal Trust, ("Grantee"), all their right, title, interest, estate and every claim and demand, both at law and in equity, in and to all the following property situated in Custer County, State of Oklahoma, to-wit:

SURFACE ONLY IN AND TO: A tract of land lying in the Northwest Quarter (NW¼) of Section 34, Township 12 North, Range 17 W.I.M., Custer County, Oklahoma, described by metes and bounds as follows: Beginning at a point 660.00 feet East of the Northwest corner of said NW¼, said point being on the North line of said NW¼; thence S 89°31'11"E and along said North line a distance of 466.69 feet; thence S 01°12'30"W and parallel with the West line of said NW¼ a distance of 466.69 feet; thence N 89°31'11"W a distance of 466.69 feet; thence N 0°12'30"E and parallel with said West line a distance of 466.69 feet to the point of beginning, containing 5.00 acres more or less.

together with all and singular the hereditaments and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the above described premises unto Grantee and to their successors and assigns forever, so that Grantor, nor any person in their name and behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof; but they and everyone of them shall by these presents be excluded and forever barred.

Dated this 20<sup>th</sup> day of January, 2013.

TAS TRUCKING, INC.

By: [Signature]

State of Oklahoma )  
):ss  
County of Custer )

Before me, the undersigned, a Notary Public in and for said County and State on this \_\_\_ day of \_\_\_\_\_, 2013, personally appeared \_\_\_\_\_ to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

\_\_\_\_\_  
Notary Public

My commission number: \_\_\_\_\_