



MEMORANDUM

Council Agenda
Item No. IX. AO
9/10/2024

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Joint Resolution with Oklahoma City Water Utilities Trust declaring a tract of real property on the future West Elm Creek Reservoir, outside of the inundation area and outside of the 660-foot reserved pursuant to Oklahoma Statutes Title 11, Section 37-104 for water quality protection, as surplus to and abandoned for the water utility purpose, and approving the sale of such real property, more particularly described on Attachment "A," "as is" by the Oklahoma City Water Utilities Trust to The City of Oklahoma City for the sales price of \$5,000,000; authorizing and directing the Chairman and Secretary, after receipt of the sales price of \$5,000,000 by the Oklahoma City Water Utilities Trust, to execute the attached warranty deed, attached as Attachment "B"; and reserving certain easements as may be necessary.

Location:

West Elm Creek Reservoir

Background:

The primary purpose of the future West Elm Creek Reservoir is to provide an adequate supply of quality drinking water for the residents of Oklahoma City. The real property more particularly described on **Attachment "A,"** is outside of the 660-foot reserved pursuant to Oklahoma Statutes Title 11, Section 37-104 for water quality protection, may be determined surplus to and abandoned for the water utility purposes. Oklahoma City Water Utilities Trust (OCWUT) and The City of Oklahoma City (City) may declare this real property to be surplus to the needs for which it was purchased and may sell the tract for fair market value with the proceeds paid to OCWUT for utility and water purposes. The City and OCWUT hereby declare said real property, more particularly described on **Attachment "A,"** which is incorporated herein by reference, as abandoned and surplus to the water system and the water utility purpose.

As the public purpose for this tract is changing from a water utilities public purpose to a public safety public purpose, the transfer of the tract requires the payment of fair market value, the proceeds of which must be used for water utilities purposes. The City offered to purchase the tract for fair market value of \$5,000,000 as was determined by an appraisal and the cost of the City's costs to extend wastewater facilities of sufficient size to serve the real property and the basin. OCWUT desires to sell the real property to The City, as set forth on **Attachment "B."**

Review:

Utilities Department

Recommendation: Joint Resolution be adopted.