

AMENDMENT NO. 1 TO THE RETAIL WASTEWATER SERVICE AGREEMENT

This Amended Retail Wastewater Service Agreement (“Amendment”) modifies and amends the Retail Wastewater Service Agreement (“Agreement”) by and between The City of Oklahoma City (“Oklahoma City”), the Oklahoma City Water Utilities Trust (“OCWUT”), collectively (“OKC/OCWUT”) and Independent School District No. 6 of Oklahoma County, Oklahoma a/k/a Deer Creek Public Schools (“Owner”).

WITNESSETH:

WHEREAS, the Owner previously executed the Agreement for the provision of retail wastewater service to the Owner’s 4th and 5th Grade Center in 2018 and the Oklahoma City and the OCWUT have subsequently approved the Agreement in 2024, respectively; and

WHEREAS, the Owner desires for Oklahoma City and the OCWUT to also provide retail wastewater service to a Middle School to be constructed on the same School Site described on **Attachment “A”** of the Agreement by connection to the Owner’s private sanitary sewer, which private sanitary sewer discharges into the OKC Wastewater System; and

WHEREAS, Oklahoma City and the OCWUT is agreeable to provide retail wastewater service to the Owner’s Middle School and related Middle School facilities owned by the Owner on the School Site; and

WHEREAS, Oklahoma City and the OCWUT may purposefully execute the Agreement and this Amendment in sequential order, Agreement then Amendment, at the same meeting.

NOW, THEREFORE, in consideration of the aforementioned and the mutual promises, covenants and obligations provided hereby, the parties hereto ratify and approve the Agreement subject to the amendments and modifications in this Amendment as follows:

1. AMENDMENT:

A. The parties agree to amend and revise the Agreement by replacing **Attachment “B” - Point(s) of Connection** thereby including the Deer Creek Schools 4th and 5th Grade Center, the Deer Creek Schools Middle School, and related Deer Creek Middle Schools facilities within the School Site described on **Attachment “A” – Legal Description of the School Site**.

B. This Amendment will be effective upon the execution of this Amendment by the last party hereto and the execution and filing of the **Memorandum of Amended Retail Wastewater Services Agreement, Attachment “C”**.

BOE APPROVED
JAN 08 2024
CATHERINE BIRKS

C. Oklahoma City will issue a Work Order authorizing connection of the Deer Creek Schools Middle School to the Deer Creek Schools existing private wastewater service main, which private service main discharges into the OKC Wastewater System, upon the establishment of an Oklahoma City utilities account for said Middle School, payment of development fees, and receipt easements for access to the Oklahoma City water meters and valves on the said Middle School and the Deer Creek Schools 4th and 5th Grade Center water service lines.

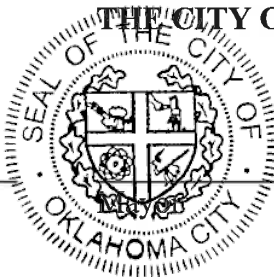
D. The parties ratify and agree that Oklahoma County, Oklahoma was not intended to be a party to the Agreement and therefore is not intended to be a party to this Amendment.

2. **REMAINDER IN EFFECT:** Except as specifically modified as provided in paragraph one above, the Agreement shall remain in full force and effect.

APPROVED by The City of Oklahoma City and signed by the Mayor this 30TH day of JANUARY, 2024.

ATTEST: (Seal)

Amy K. Simpson
City Clerk



THE CITY OF OKLAHOMA CITY

David Holt

APPROVED by the Oklahoma City Water Utilities Trust and signed by its Chairman this 30TH day of JANUARY, 2024.

ATTEST: (Seal)

Amy K. Simpson
Secretary



OKLAHOMA CITY WATER UTILITIES TRUST

[Signature]
Vice Chairman

REVIEWED for form and legality.

Craig B. Keith
Assistant Municipal Counselor
The City of Oklahoma City

APPROVED by the Independent School District No. 6 of Oklahoma County, Oklahoma
a/k/a Deer Creek Schools, this 8th day of January, 2024.

ATTEST:



Clerk

**INDEPENDENT SCHOOL DISTRICT NO. 6
OF OKLAHOMA COUNTY, OKLAHOMA**

President, Board of Education

ATTACHMENT "A"
LEGAL DESCRIPTION OF THE SCHOOL SITE

The northeast quarter of Section 22, Township 14 North, Range 4 West of the Indian Meridian, Oklahoma County, Oklahoma according to the Government Survey thereof, less and except the south 16.5 feet deeded to Oklahoma Conty and less and except the southeast quarter of the northeast quarter of Section 22, Township 14 North, Range 4 West of the Indian Meridian, Oklahoma County, Oklahoma, according to the Government Survey thereof.

And less and except:

A part of the northeast quarter of Section 22, Township 14 North, Range 4 West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

Commencing at an Aluminum Monument found at the southeast corner of said northeast quarter;

Thence N 00°03'04" E, along the east line of said northeast quarter, a distance of 1320.90 feet, more or less, to a set Mag Nail set for the point of beginning:

Thence S 89°38'05" W, a distance of 348.83 feet, more or less, to a set 3/8" Iron Rod;

Thence N 34°56'09" E a distance of 100.58 feet, more or less, to a set 3/8" Iron Rod;

Thence N 58°20'22" E a distance of 121.12 feet, more or less, to a set 3/8" Iron Rod;

Thence N 88°08'56" E a distance of 156.79 feet, more or less, to a set 3/8" Iron Rod'

Thence N 89°38'05" E a distance of 33.00 feet, more or less, to a set Mag Nail on the east line of the northeast quarter;

Thence S 00°03'04" W along the east line of the northeast quarter a distance of 150.00 feet, more or less, to the point of beginning.

ATTACHMENT "B"

Point(s) of Connection

