

## REAL ESTATE SALES AGREEMENT

**THIS AGREEMENT** dated as of April 13, 2021, by and between the **Oklahoma City Water Utilities Trust** (“OCWUT”) Seller, and **The City of Oklahoma City**, (“City”), Buyer.

### WITNESSETH:

1. *Agreement to Sell and Purchase.* Subject to the terms and conditions of this Agreement, the City hereby offers to purchase from OCWUT and OCWUT hereby agrees to sell to the City the following described property located in Oklahoma County, Oklahoma and all of the appurtenances belonging to the land located thereon (“Property”) to-wit:

### SURFACE AND SURFACE RIGHTS ONLY

### SEE ATTACHMENTS “A, B, C, & D”

2. *Purchase Price.* The purchase price which the City shall pay to OCWUT for the Property shall be **One Million Nine Hundred Eighteen Thousand Nine Hundred Ninety-nine Dollars and 00/100 (\$1,918,999.00)** to be paid by the City from the 2017 General Obligation Bond Authorization, Proposition No. 5 – Parks – Bond No. B.02. – New Parks, Parklands and Recreational Facilities – Project MP-0539 – 2019 Sale, Parks and Recreation Department – Parks New Parks – GO Bond Listed Project – New Park in NW Oklahoma City – Land (003-2198-3305412-LISTD-B1705020001-54010001) and 2017 General Obligation Bond Authorization, Proposition No. 5 – Parks – Bond No. B.02. – New Parks, Parklands and Recreational Facilities – Project MP-0539 – 2020 Taxable Sale, Parks and Recreation Department – Parks New Parks – GO Bond Listed Project – New Park in NW Oklahoma City – Land (003-2204-3305412-LISTD-B1705020001-54010001).

3. *Closing.* Closing shall occur at the time both parties execute this agreement, a warranty deed is executed by OCWUT and accepted by the City, and the City transfers the purchase price to OCWUT.

4. *Apportionments and Adjustments.* The following items are to be apportioned to and adjusted between OCWUT and the City and are to be assumed and paid thereafter by City:

(a) all utilities, if any.

5. *Events Occurring at Closing.*

5.1 *OCWUT Performance.* OCWUT shall deliver to the City a good and sufficient General Warranty Deed fully and duly executed and acknowledged, conveying fee simple title in and to the Surface and Surface Rights Only of the Property to the City.

5.2 *City’s Performance.* The City shall deliver to OCWUT the purchase price by delivery of funds to OCWUT.

6. *Possession and Condition of the Property.* Possession of the Property shall be given to the City at Closing. At Closing, condition of the Property shall be AS-IS.

7. *Notices.* Any notices required or permitted to be given by either party to the other shall have been deemed to have been served when hand delivered or, if the United States Mail is used, on the three (3) business day after the notice is deposited in the United States Mail, postage prepaid, registered or certified mail, and addressed to the parties as follows:

To OCWUT:

Oklahoma City Water Utilities Trust  
Chris Browning, General Manager  
420 W. Main, 5<sup>th</sup> floor  
Oklahoma City, OK 73102

To City:

The City of Oklahoma City  
Parks & Recreation Department  
Attn: Doug Kupper  
420 W. Main, 2nd Floor  
Oklahoma City, OK 73102

Either party, by written notice to the other, may change its address to which notices are to be sent.

8. *Termination.* Either party may terminate this Agreement by written notice delivered to the other party before Closing.

9. *Miscellaneous Provisions.*

9.1 *Binding Effect.* This Agreement shall be binding upon the parties hereto and on their respective successors or assigns.

9.2 *Entire Agreement.* This Agreement contains the final and entire agreement between the parties and they shall not be bound by any terms, conditions, statements or representations, oral or written, not herein contained. Any subsequent amendment to this Agreement shall be valid only if executed in writing by the parties or their successors or assigns.

9.3 *Time.* Time shall be of the essence for this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have duly executed this Real Estate Purchase Agreement as of the date and year first above written.

APPROVED by the Trustees and signed by the Chairman of the Oklahoma City Water Utilities Trust this 13th day of April, 2021.

 Secretary		<p>OKLAHOMA CITY WATER UTILITIES TRUST</p>  CHAIRMAN
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APPROVED by the Council and signed by the Mayor of The City of Oklahoma City this 27th day of April, 2021.

The seal of the City of Oklahoma City is a circular emblem. It features a central shield with a cross, surrounded by a wreath. The words "SEAL OF THE CITY OF OKLAHOMA CITY" are inscribed around the perimeter of the seal.

Amy K Simpson      David Holt  
City Clerk      MAYOR

THE CITY OF OKLAHOMA CITY

## **ATTACHMENT A**

### **LEGAL DESCRIPTION**

#### **PARCEL 1**

A tract of land lying in the East Half (E/2) of Section Twenty-three (23), Township Thirteen (13) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter (NE/4) of said Section 23;

THENCE South 00°20'58" East, along the west line of said NE/4, a distance of 33.00 feet to the POINT OF BEGINNING;

THENCE North 89°45'11" East, parallel with the north line of said NE/4, a distance of 856.89 feet;

THENCE South 00°39'33" East a distance of 350.01 feet;

THENCE North 89°45'11" East a distance of 349.70 feet;

THENCE North 00°35'03" West a distance of 17.96 feet to a point on the westerly line of a tract of land described in QUIT CLAIM DEED recorded in Book 9539, Page 1706, Oklahoma County Records;

THENCE Southerly, along said westerly line, the following Five (5) courses:

1. South 29°18'49" East a distance of 142.40 feet;
2. South 01°28'38" East a distance of 218.48 feet;
3. South 21°24'39" East a distance of 281.40 feet;
4. South 29°25'59" East a distance of 191.67 feet;
5. South 00°08'59" West a distance of 389.50 feet, to the north edge of an asphalt drive;

THENCE North 89°58'42" West, along said north edge, a distance of 1,472.59 feet, to a point on the west line of said NE/4;

THENCE North 00°20'58" West, along said west line, a distance of 1,488.40 feet to the POINT OF BEGINNING.

Said tract of land contains an area of 1,871,461 square feet or 42.9628 acres, more or less.

Prepared by:

Taylor Denniston, PLS 1787

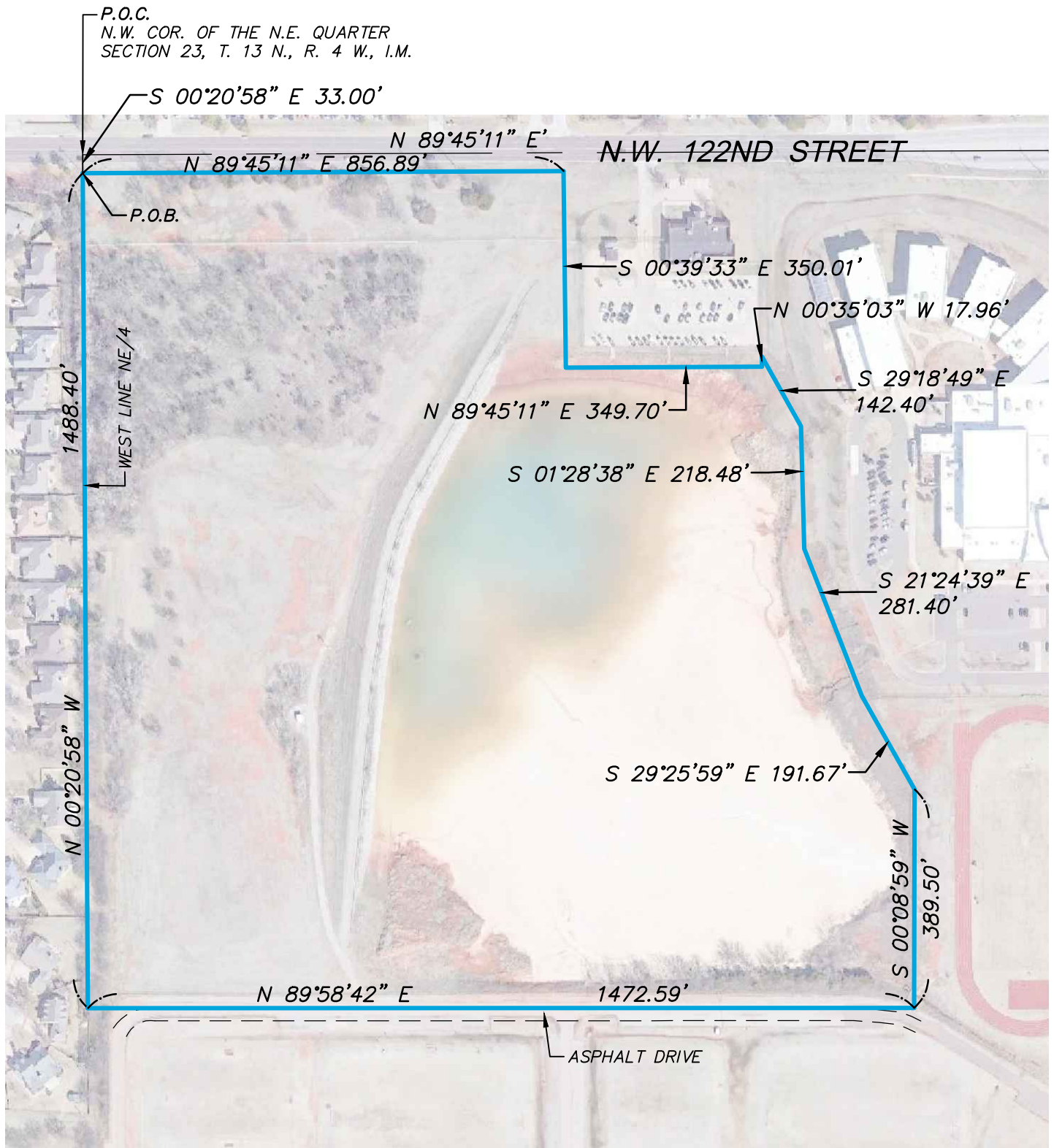
Smith Roberts Baldischwiler, LLC

100 N.E. 5<sup>th</sup> Street

Oklahoma City, OK 73104

405-840-7094

# ATTACHMENT "A-1"



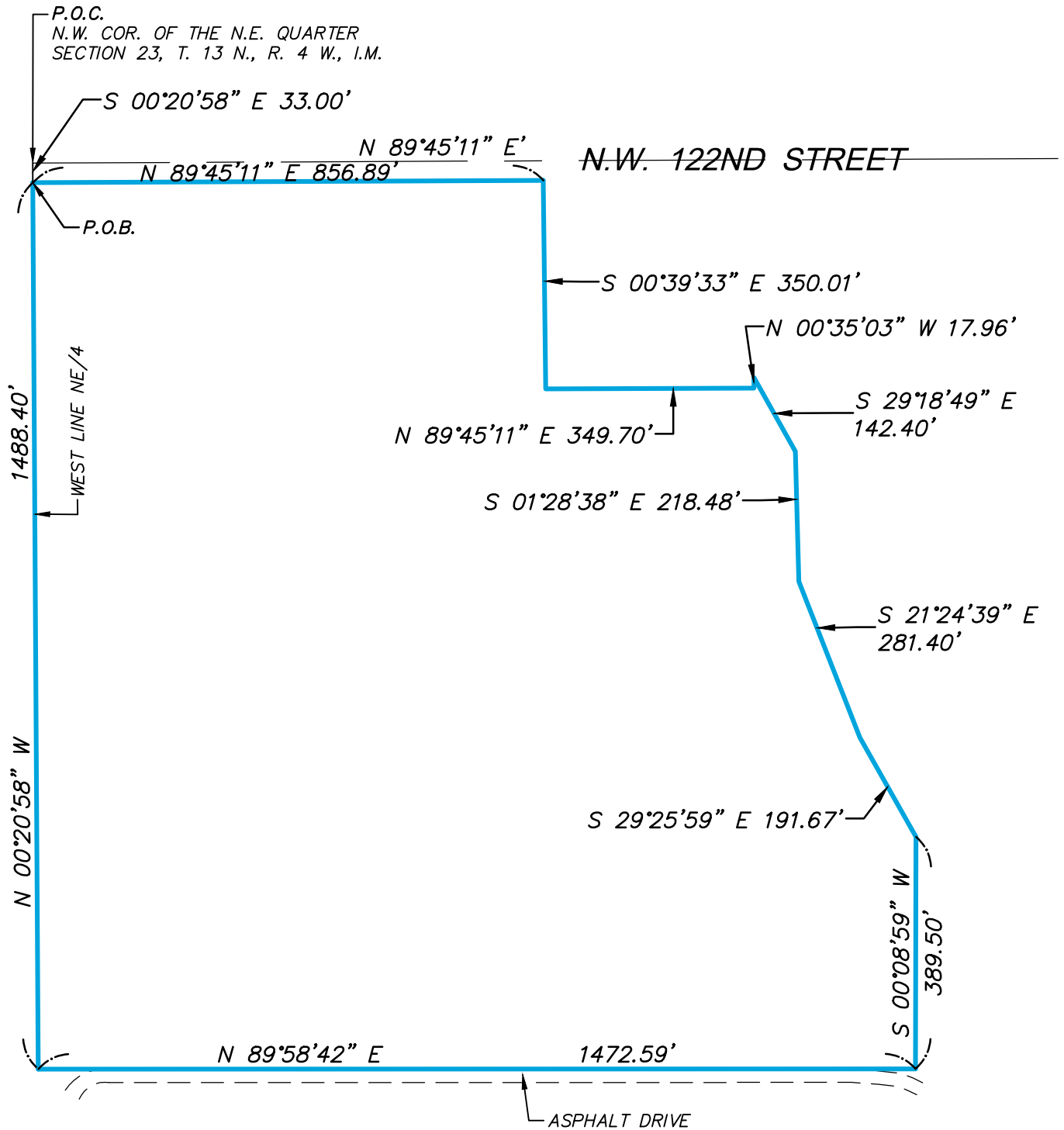
**ENGINEERING  
SURVEYING  
PLANNING**

OKLAHOMA CITY  
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T: 405.840.7094  
F: 405.840.9116  
www.srbok.com

NORMAN  
2500 McGee Drive,  
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Norman, OK 73072  
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F: 405.418.2289  
srb@srbook.com

CERTIFICATE OF AUTHORIZATION NO. 3949 EXPIRES JUNE 30, 2019

# ATTACHMENT "A-2"



1"=250'



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## **ATTACHMENT B**

### **LEGAL DESCRIPTION**

#### **PARCEL 2**

A tract of land lying in the East Half (E/2) of Section Twenty-three (23), Township Thirteen (13) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter (NE/4) of said Section 23;

THENCE South 00°20'58" East, along the west line of said NE/4, a distance of 1,521.40 feet to the POINT OF BEGINNING;

THENCE North 89°58'42" East, a distance of 1,472.59 feet to a point on the westerly line of a tract of land described in QUIT CLAIM DEED recorded in Book 9539, Page 1706;

THENCE Southerly, along said westerly line, the following Three (3) courses:

1. South 00°08'59" West a distance of 6.51 feet;
2. South 59°25'29" East a distance of 567.72 feet;
3. North 89°47'28" East a distance of 32.27 feet;

THENCE South 00°36'43" East, a distance of 753.75 feet, to the south edge of an asphalt drive;

THENCE South 89°58'45" West, along said south edge, a distance of 758.89 feet;

THENCE North 89°59'11" West, along said south edge, a distance of 541.02 feet;

THENCE South 89°51'36" West, along said south edge, a distance of 695.38 feet to a point on the west line of the Northeast Quarter (NE/4) of said Section 23;

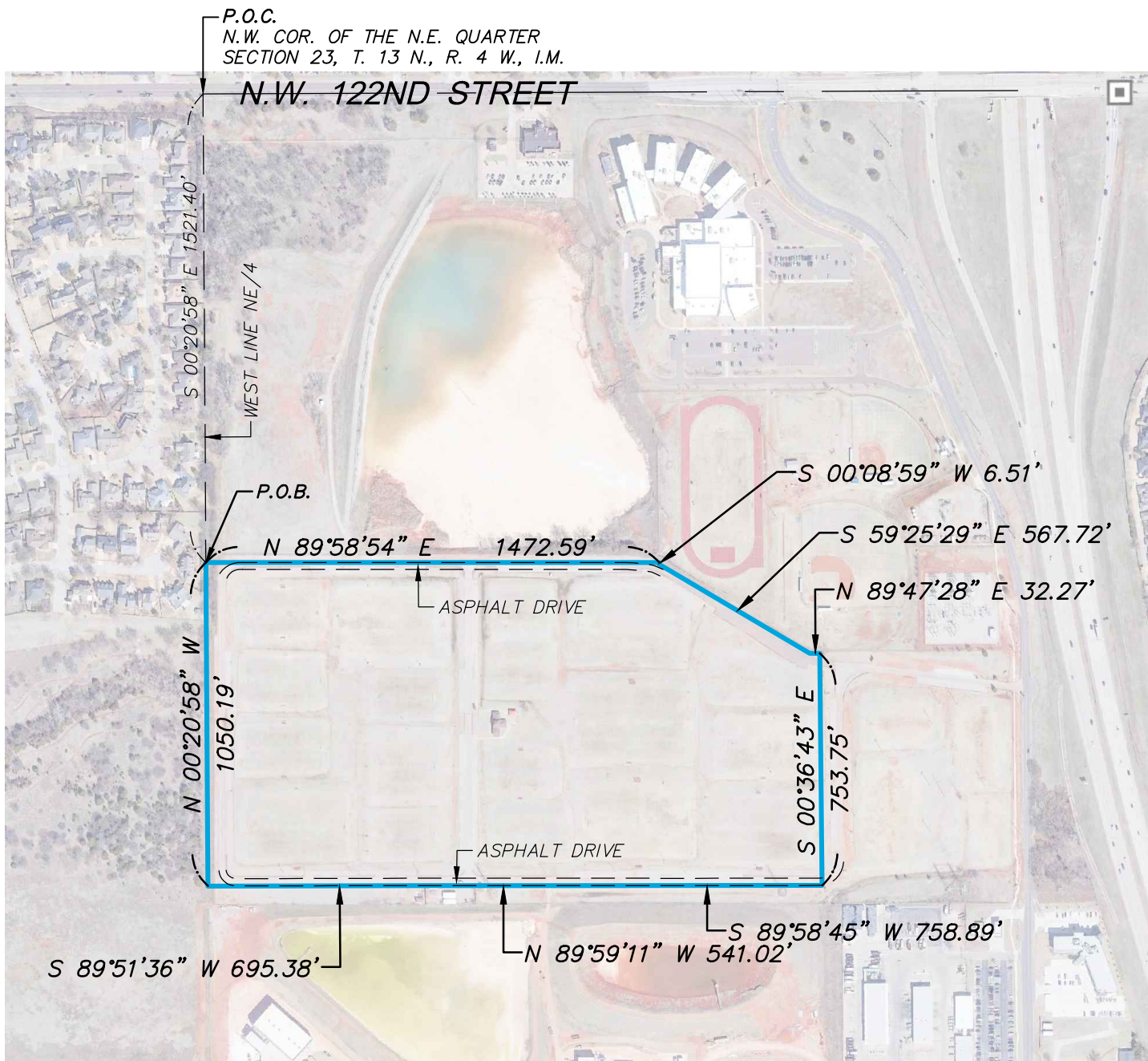
THENCE North 00°20'58" West, along said west line, a distance of 1,050.19 feet to the POINT OF BEGINNING.

Said tract of land contains an area 2,007,976 square feet or 46.0968 acres, more or less.

Prepared by:  
Taylor Denniston, PLS 1787  
Smith Roberts Baldischwiler, LLC  
100 N.E. 5<sup>th</sup> Street  
Oklahoma City, OK 73104  
405-840-7094



# ATTACHMENT "B-1"



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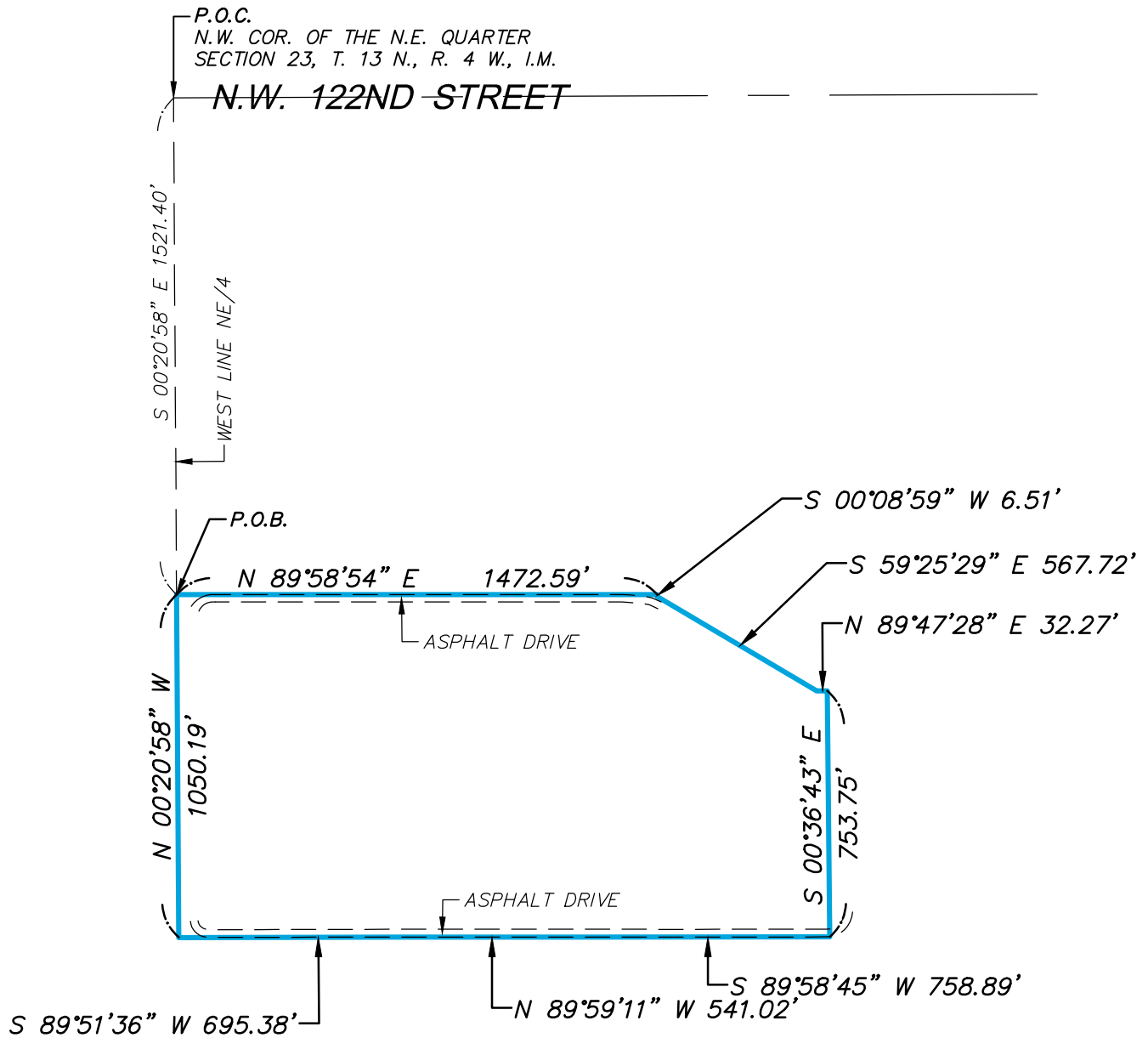
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**ATTACHMENT "B-2"**


$$1'' = 500'$$


# ENGINEERING SURVEYING PLANNING

**OKLAHOMA CITY**  
100 N.E. 5th Street  
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T: 405.840.7094  
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erh@erhok.com

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## **ATTACHMENT C**

### **LEGAL DESCRIPTION**

#### **PARCEL 3**

A tract of land lying in the East Half (E/2) of Section Twenty-three (23), Township Thirteen (13) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter (NE/4) of said Section 23;

THENCE South  $00^{\circ}20'58''$  East, along the west line of said NE/4, a distance of 2,571.54 feet to the POINT OF BEGINNING;

THENCE North  $89^{\circ}51'36''$  East, a distance of 695.38 feet;

THENCE South  $89^{\circ}59'11''$  East, a distance of 541.02 feet;

THENCE North  $89^{\circ}58'45''$  East, a distance of 758.89 feet;

THENCE South  $00^{\circ}36'43''$  East, a distance of 338.77 feet;

THENCE South  $89^{\circ}23'17''$  West, a distance of 183.40 feet;

THENCE Southwesterly along a non-tangent curve to the right, having a radius of 369.60 feet (said curve subtended by a chord which bears South  $62^{\circ}19'22''$  West a chord distance of 151.99 feet) for an arc length of 153.08 feet, to a non-tangent curve;

THENCE Northwesterly, along a non-tangent curve to the right, having a radius of 807.45 feet (said curve subtended by a chord which bears North  $86^{\circ}39'37''$  West a chord distance of 381.21 feet) for an arc length of 384.84 feet, to a non-tangent curve;

THENCE Northwesterly, along a non-tangent curve to the right, having a radius of 212.53 feet (said curve subtended by a chord which bears North  $60^{\circ}12'43''$  West a chord distance of 98.08 feet) for an arc length of 98.97 feet;

THENCE South  $69^{\circ}41'42''$  West, a distance of 173.29 feet;

THENCE South  $00^{\circ}11'20''$  East, a distance of 136.62 feet, to a non-tangent curve;

THENCE Southwesterly, along a non-tangent curve to the right, having a radius of 126.13 feet (said curve subtended by a chord which bears South  $42^{\circ}44'25''$  West a chord distance of 155.75 feet) for an arc length of 167.87 feet;

THENCE South  $85^{\circ}46'51''$  West a distance of 117.04 feet, to a non-tangent curve;

THENCE Northwesterly, along a non-tangent curve to the right, having a radius of 250.40 feet (said curve subtended by a chord which bears North  $79^{\circ}43'06''$  West a chord distance of 120.07 feet) for an arc length of 121.26 feet;

THENCE North 55°28'37" West, a distance of 144.02 feet;

THENCE North 49°06'58" West, a distance of 440.64 feet, to a non-tangent curve;

THENCE Northwesterly, along a non-tangent curve to the right having a radius of 166.13 feet (said curve subtended by a chord which bears North 30°13'45" West a chord distance of 120.38 feet) for an arc length of 123.19 feet;

THENCE North 81°19'06" West a distance of 201.67 feet to a point on the west line of the Northeast Quarter (NE/4) of said Section 23;

THENCE North 00°20'58" West, along said west line, a distance of 132.36 feet to the POINT OF BEGINNING.

Said tract of land contains an area of 833,642 square feet or 19.1378 acres, more or less.

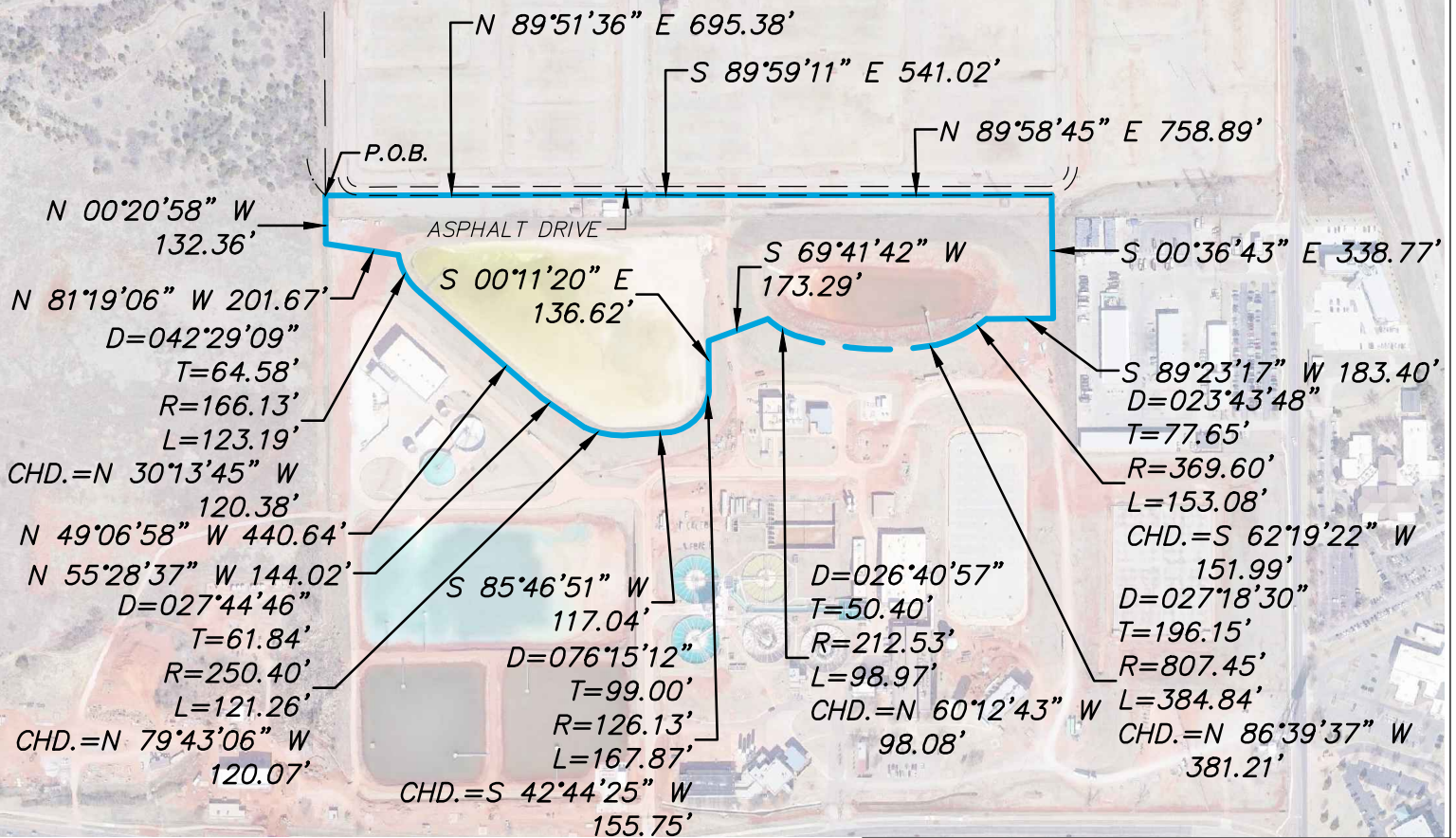
Prepared by:  
Taylor Denniston, PLS 1787  
Smith Roberts Baldischwiler, LLC  
100 N.E. 5<sup>th</sup> Street  
Oklahoma City, OK 73104  
405-840-7094

# ATTACHMENT "C-1"

P.O.C.  
N.W. COR. OF THE N.E. QUARTER  
SECTION 23, T. 13 N., R. 4 W., I.M.

N.W. 122ND STREET

S 00°20'58" E 2571.59'  
WEST LINE NE/4



SMITH ROBERTS  
**SRB**  
BIRD/SCHWILER, LLC

**ENGINEERING  
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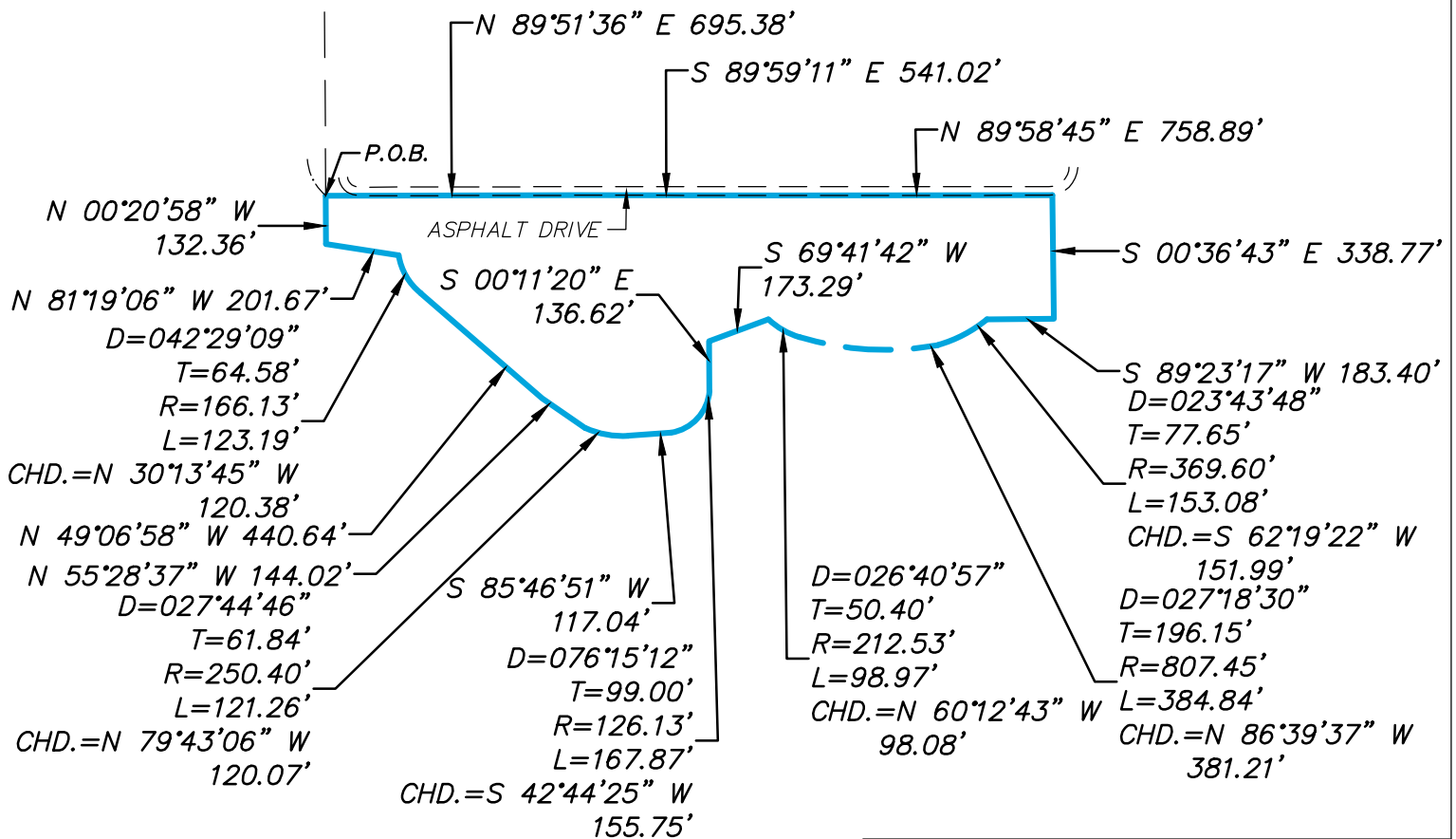
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# ATTACHMENT "C-2"

P.O.C.  
N.W. COR. OF THE N.E. QUARTER  
SECTION 23, T. 13 N., R. 4 W., I.M.

N.W. 122ND STREET

S 00°20'58" E 2571.59'  
WEST LINE NE/4



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## **ATTACHMENT D**

### **LEGAL DESCRIPTION**

#### **PARCEL 4**

A tract of land lying in the East Half (E/2) of Section Twenty-three (23), Township Thirteen (13) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter (NE/4) of said Section 23;

THENCE South 00°39'34" East, along the east line of said NE/4, a distance of 1909.98 feet;

THENCE South 89°20'26" West, a distance of 33.00 feet to the POINT OF BEGINNING;

THENCE South 00°39'34" East, parallel with the east line of said NE/4, a distance of 60.00 feet;

THENCE North 82°49'07" West, a distance of 637.50 feet;

THENCE North 00°36'43" West, a distance of 60.00 feet;

THENCE South 82°49'05" East, a distance of 637.45 feet to the POINT OF BEGINNING.

Said tract of land contains an area of 37,893 square feet or 0.8699 acres, more or less.

Prepared by:  
Taylor Denniston, PLS 1787  
Smith Roberts Baldischwiler  
100 NE 5th Street  
Oklahoma City, OK 73104  
405-840-7094



# ATTACHMENT "D-1"

P.O.C.  
N.E. CORNER OF THE N.E. QUARTER,  
SECTION 23, T. 13 N., R. 4 W., I.M.



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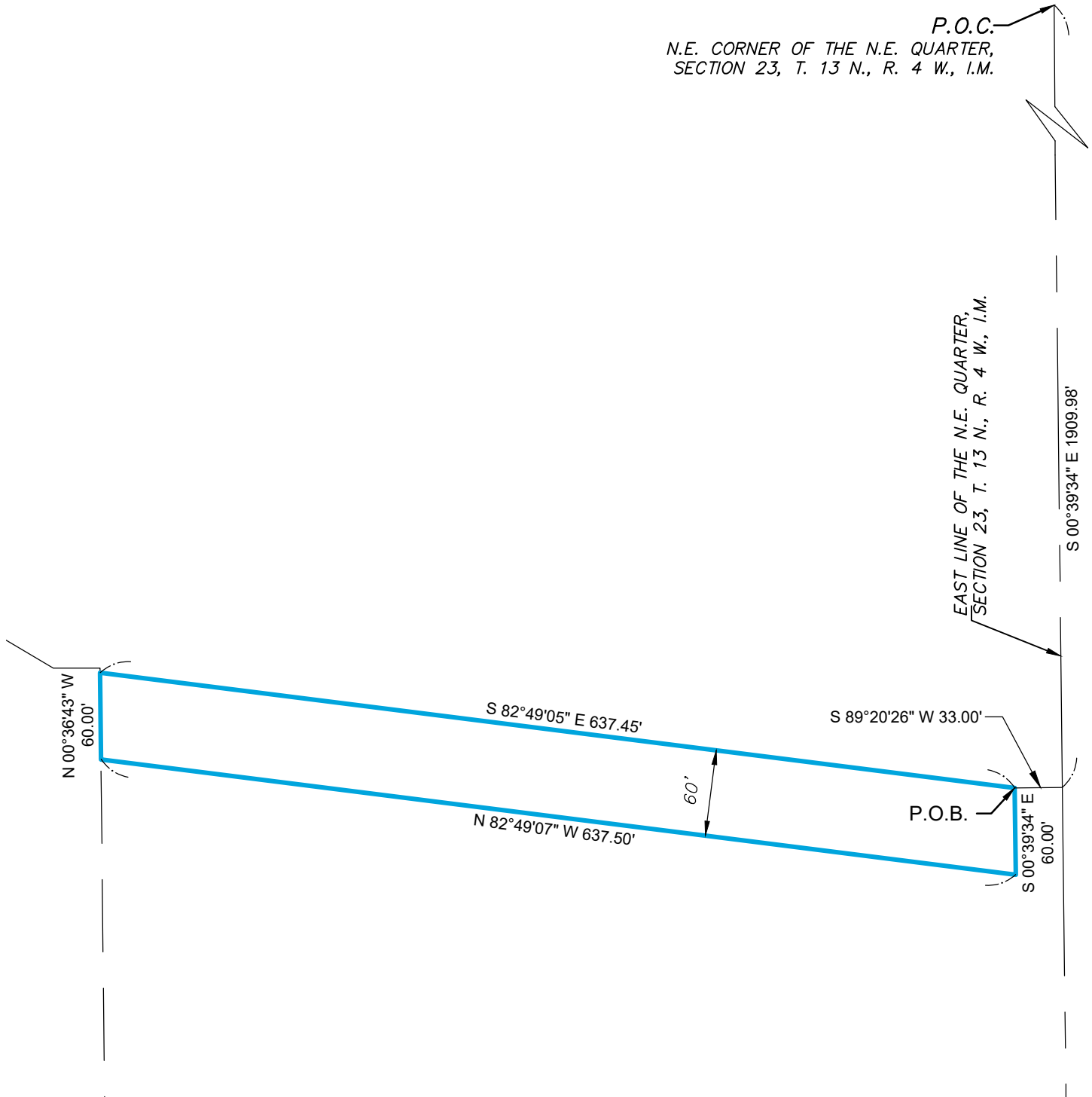
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# ATTACHMENT "D-2"



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