



Agenda Commentary

Item Title/ Subject: Deed – property for local USDA facility.

Staff Source: Steve Hewitt, City Manager

History/Background Information:

City Council / Industrial Authority agreed to submit a letter stating the City would give a tract of land to the USDA for the Custer County Conservation to build a new facility.

Item/Subject Summary:

Custer County Conservation informed me that USDA is requiring a Deed to finalize the approval to build a new facility. I have had the City Attorney prepare a Deed for the use of USDA services. If for any reason the property would change services or cease operations it would revert back to the City. I have spoke with Custer County Conservation and they have no issue with this stipulation.

Custer County cannot move forward until the Deed has been executed.

Price/Cost: Minimal Staff Time only.....

Recommendation:

Staff recommends the Deed as presented.

QUIT CLAIM DEED

THIS INDENTURE, made this _____ day of _____, 2011, between the Clinton Industrial Authority, a public trust for the City of Clinton, Oklahoma (the "Grantor") and the United State Department of Agriculture, (the "Grantee");

WITNESSETH, as adopted by the Council of Grantor on _____, 2011, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations in hand paid, the receipt of which is hereby acknowledged, does hereby quitclaim, grant, bargain, sell and convey unto the said Grantee, all its right, title, interest, estate, and every claim and demand, both at law and in equity, in and to all of the following described property, situated in Custer County, State of Oklahoma, described to-wit:

A tract of land lying in the Northwest Quarter (NW¼) of Section 34, Township 12 North, Range 17 West of the Indian Meridian, 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 0°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.

This conveyance is subject to a right of reverter to the City of Clinton, Oklahoma, upon the occurrence of any of the following event(s):

1. Grantee ceases to utilize the aforesaid real property as an instrument, for the purposes described in its letter presented to the City of Clinton at the February 15, 2011 Council Meeting,
2. Grantee ceases to utilize the aforesaid real property for the purposes set out by the legislature or United States Department of Agriculture,
3. Grantee fails to comply with any requirements made by the United States Department of Agriculture or its successors, or
4. Grantee is abolished and ceases to exist as an agency duly constituted by the legislature.

Upon the occurrence of any of the foregoing events, said City may re-enter and take possession thereof and this Deed shall be of no force or effect.

IN WITNESS WHEREOF, the said Grantor has caused this indenture to be executed the day and year first above written.

CITY OF CLINTON, OKLAHOMA

By _____
Allen Bryson, Mayor

ATTEST (Seal)

City Clerk

State of Oklahoma,

:ss

County of Custer,

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by Allen Bryson, Mayor of the City of Clinton, Oklahoma, a municipal corporation, on behalf of said municipal corporation.

Notary Public

My commission expires:

Commission number:
