



Agenda Commentary

Item Title/ Subject: White Dog Water Line Agreement

Staff Source: City Manager, Steve Hewitt

Date: October 13, 2011

History/Background Information: Council agreed to the terms of an agreement with White Dog owner Nelson King regard terms of a city providing a water line to his establishment.

Subject Summary: Mr. King is represented by Mart Tisdal which recommended one change to the agreement, which staff felt Council should be aware of and approve. That being section four (4) of the agreement, Mr. Nelson would like to repay his portion of the waterline (up to \$10,000 paid over a five year period) with "no interest".

Recommendation: Staff recommends the agreement, with the small changes. Interest was not discussed or intended. Staff has no concerns with the changes.

Price/Cost: \$30,000 (White Dog funding 1/3 over 5 years)... new annexation creates sales tax revenue.

**AGREEMENT BETWEEN
THE CITY OF CLINTON AND NELSON KING**

WHEREAS, Nelson King (King) is the fee simple owner of approximately 4.06 acres, currently outside of the city limits, described more particularly as 22901 North Route 66, Clinton, Oklahoma;

WHEREAS, King operates a restaurant on the subject property;

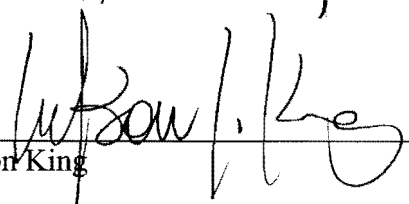
WHEREAS, King desires to obtain city services, including water and trash services;

WHEREAS, the City of Clinton (City) has agreed to provide city services if King agrees to annex his property and pay for a portion of the cost of infrastructure upgrades associated with the provision of these services;

NOW THEREFORE, the Parties agree as follows:

1. Upon execution of this agreement, the City shall have King's property surveyed.
2. Upon completion of the survey and annexation of the property, the City shall begin the process to extend the water line to King's property.
3. In addition, King agrees to dedicate, to City, an easement on a portion of the surveyed property for the purpose of allowing the City to extend the water line from the boundary of the subject property to a location at the restaurant building and for the purposes of providing and metering the water provided to the property.
4. King agrees to pay one-third of the cost of the waterline installation, not to exceed \$10,000.00, which will be paid in annual installments, without interest, over five years.
5. King agrees to consent to the annexation.
6. City agrees to take all steps necessary to have the subject property annexed and actually annex the property.

Dated this 11th day of October, 2011.



Nelson King

THE CITY OF CLINTON

By: _____
Allen Bryson, Mayor

Attest: _____
Lisa Anders, City Clerk