



Agenda Commentary

Item Title/ Subject: Purchase Property for Fire Station, Lots 12 & 13, Block 61

Staff Source: City Manager, Steve Hewitt

Date: Feb. 7, 2012

History/Background Information:

City has been working with the State of Oklahoma regarding the final two lots needed to finalize the New Fire Station Property. Lots 12 & 13, Block 61 Original Town of Clinton.

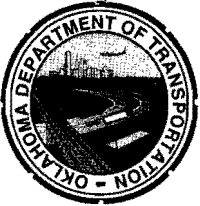
Item/Subject Summary:

State of Oklahoma Department of Transportation has sent the official offer of sale to the City. (see attached letter)

Price/Cost: \$1240.00

Recommendation:

Staff recommends the purchase of the property.



OKLAHOMA DEPARTMENT OF TRANSPORTATION

200 N. E. 21st Street

Oklahoma City, OK 73105-3204

January 20, 2012

Certified Mail No. 7011 1150 0000 0416 0621

Mr. Allen Bryson, Mayor
City of Clinton
P.O. Box 1177
Clinton, OK 73601

received
1/25/12

RE: Land Sale, 02077(06), Part of Parcels 15 & 16, Part of Lots 12 & 13, Block 61, Original Townsite of Clinton, Custer County

Dear Mayor Bryson:

This letter is to advise you that the Oklahoma Department of Transportation has declared as surplus a portion of right-of-way on the above-referenced project and as reflected on the attached Quitclaim Deed.

As the sole abutting land owner in accordance with Oklahoma Transportation Commission Policy and Title 69 Oklahoma Statutes 2001, Section 1001, the Department is offering to sell this property to you for the sum of **\$1,240.00**. You have **30 calendar days** from receipt of this letter to accept this offer,

In the event we have not received a letter of response from you within 30 calendar days of receipt of this letter, the Oklahoma Department of Transportation will offer this property for sale by sealed bid auction. If the property is set for sealed bid auction, the minimum bid will be set at **\$1,240.00**. All sales of surplus right-of-way or interest herein are subject to the confirmation of the Transportation Commission.

Please indicate whether or not you wish to purchase the above-mentioned property in the space provided on the attached sheet and return it to the Department. The above amount includes the land value, appraisal fee, and administration processing fees as determined by the Department.

If I can be of further service or assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "David Winfree", written over a horizontal line.

DAVID WINFREE
Assistant Division Manager
Legal & Business Services Division
(405) 521-2681

Enclosures

January 20, 2012
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Mr. Allen Bryson, Mayor
City of Clinton
P.O. Box 1177
Clinton, OK 73601

RE: Land Sale, 02077(06), Part of Parcels 15 & 16, Part of Lots 12 & 13, Block 61, Original
Townsite of Clinton, Custer County

OFFER DECLINED: _____ DATE: _____

OFFER ACCEPTED: _____ DATE: _____

The parcel is being sold "as is", with the buyer being responsible for their own due diligence in regards to zoning, licenses, permits, environmental, land uses, etc.

If the offer is accepted, please return this form, and certified funds in the amount of **\$1,240.00** in the enclosed pre-paid Business Reply Mail envelope. The offer will then be presented to the Oklahoma Transportation Commission for their formal approval.

Quitclaim Deed should be conveyed in the name(s) of:

(Please insert the names(s) you would like to appear on the final Quitclaim Deed)

AFTER RECORDING RETURN TO:
Oklahoma Department of Transportation
Legal & Business Services Division
200 NE 21st Street
Oklahoma City, OK 73105

(SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY)

This instrument is exempt from the
Documentary Stamp Tax requirements
contained in 68 O.S. 2001 § 3201
[68 O.S. 2001 § 3202(11)]

02077(06)
NHY-009N9010)RW
Part of Parcels 15 & 16
Custer County

QUITCLAIM DEED

THIS INDENTURE, made this 20th day of January, 2012, A.D. between the State of Oklahoma, ex rel., Oklahoma Department of Transportation, party of the first part, and **City of Clinton, Oklahoma**, party of the second part, **WITNESSETH:**

That said party of the first part, in consideration of the sum of **One Thousand Two Hundred Forty and No/100 Dollars (\$1,240.00)** and other valuable consideration to it in hand paid, the receipt of which is hereby acknowledged, except for and subject to any existing utility easements, licenses or permits and subject to the reservations and exceptions made hereinafter, does hereby quitclaim, grant, bargain, sell and convey unto **City of Clinton, Oklahoma**, Mailing Address: P.O. Box 1177, Clinton, OK, 73601, party of the second part, all its rights, title, interest, estate, and every claim and demand, both at law and in equity, in and to all the following described property, to-wit:

A strip, piece, or parcel of land lying in part of Lots 12 & 13, Block 61 of the Original Townsite of Clinton, according to the recorded plat thereof, in Custer County, Oklahoma. Said parcel of land being further described as follows:

The West 95.00 feet of Lots 12 & 13, Block 61 of Original Townsite of Clinton, according to the recorded plat thereof; Grantor reserves and excepts unto itself, its successors, and assigns a Perpetual Utility Easement across the East 16.00 feet of the West 95.00 feet of said Lots 12 & 13, Block 61.

Containing 6,175 square feet or 0.142 acres more or less.

together with all and singular the hereditaments and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the above described premises unto the said party of the second part, their heirs, successors and assigns forever, so that neither it, the said State of Oklahoma, ex rel., Oklahoma Department of Transportation or any person in its name and behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof; but they and everyone of them shall by these presents be excluded and forever barred and said premises shall be subject to the rights of any existing utility easements, licenses or permits which may presently be occupying said right-of-way.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand the said year first written above.

APPROVED AS TO FORM
AND LEGALITY

STATE OF OKLAHOMA, ex rel.,
DEPARTMENT OF TRANSPORTATION

State of Oklahoma)
) ss.
Oklahoma County)

David Streb,
Director of Engineering

Before me, the undersigned Notary Public in and for this state, on this _____ day of _____, 2012, personally appeared David Streb, to me known to be the Director of Engineering, of the State of Oklahoma, ex rel., Oklahoma Department of Transportation, and the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that he executed the same in his capacity as Director of Engineering of the State of Oklahoma, ex rel., Oklahoma Department of Transportation, as his free and voluntary act and deed, and as the free and voluntary act and deed as such Director of Engineering of the State of Oklahoma, ex rel., Oklahoma Department of Transportation for the uses and purposes therein set forth.

Witness my hand and seal the day and year above written.

My Commission Expires:

Notary Public

My Commission No.:
