

City of Lawton

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma



Agenda

Thursday, October 20, 2022

2:00 PM

**Lawton City Hall
3rd Floor Conference Room
212 SW 9th Street Lawton, OK**

Lawton Economic Development Authority

Call To Order

Roll Call

Statement of Compliance with Oklahoma Open Meeting Act, 25 O.S. 301-314

Introduction of Guests

New Business

1. Consider approving the minutes of the August 8 and August 23, 2022 meeting.
Attachments: [08.08.22](#)
[08.23.22](#)
2. Consider approving invoices, requisitions, and all other submitted materials for payments and take action as deemed necessary.
3. Receive Financial Report(s) and take action as deemed necessary.
4. Consider approving a Memorandum of Understanding between LEDA, the City of Lawton, and LURA regarding the transfer of two tracts of land located at 910 SW B Avenue and 909 SW C Avenue owned by LEDA, to the City of Lawton, in exchange for the waiver of an obligation of LURA for landfill fees incurred on behalf of LEDA and authorize the Chairman and Secretary to execute all necessary documents for the transfer of property.
Attachments: [LEDA LURA City MOA-DRAFT OCT22 \(002\)](#)
[WarDeed from LEDA Original Townsite-City Hall Parking Lot](#)
[LURA Landfill Bill](#)
5. Consider approving an Engagement Letter from Richard Rogalski to provide economic development consulting services to the Authority and authorize the Chairman to execute said letter.
Attachments: [LEDA Rogalski Engagement Letter](#)
6. Consider a request for development assistance, financing, and the sale and/or acquisition of property in respect to the Lawton Downtown Redevelopment Project and in particular the development of a portion of Lot 8, Block 1, Lawton Downtown Center, Part 2, and approve a Letter of Interest/Term Sheet for a Redevelopment Agreement with Southern Oklahoma Brewery that includes the sale/transfer of land to the redeveloper.

Discussion Items and Reports

Adjournment



City of Lawton

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Commentary

File #: 22-696

Agenda Date: 10/20/2022

Agenda No: 1.

ITEM TITLE:

Consider approving the minutes of the August 8 and August 23, 2022 meeting.

INITIATOR: Donalynn Blazek-Scherler

STAFF INFORMATION SOURCE: City Clerk's Office

BACKGROUND: The minutes of the August 8 and August 23, 2022 meeting have been drafted and are awaiting approval

EXHIBIT: Draft minutes of the August 8 and August 23, 2022 meeting

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve the minutes of the August 8, 2022 meeting.

MINUTES
LAWTON ECONOMIC DEVELOPMENT AUTHORITY
THIRD FLOOR CONFERENCE ROOM
NEW CITY HALL
AUGUST 8, 2022 AT 2:30 P.M.

Fred Fitch, Chair, called the meeting to order at 2:38 p.m. in Third Floor Conference Room. Meeting notice and agenda were posted on the City Hall bulletin board as required by State Law.

ROLL CALL:

PRESENT: David Denham, Fred Fitch, Sean Fortenbaugh, Randy Warren, David Means, Larry Neal.

ABSENT: David Madigan, Ron Nance, Ernie Sheppard

OTHERS PRESENT: Richard Rogalski, Executive Director; Susan Schlecht, Finance Department; Donalynn Blazek-Scherler, City Clerk's Office; John Ratliff, City Attorney; Michael Cleghorn, City Manager

BUSINESS ITEMS

1. Consider approving the minutes of the June 16, 2022 meeting.

Motion by Denham, Second by Warren, to approve the minutes of the June 16, 2022 meeting.

AYE: Fitch, Fortenbaugh, Warren, Means, Neal, Denham. **NAY:** None. ***MOTION PASSED.***

2. Consider approving invoices, requisitions, and all other submitted materials for payment and take action as deemed necessary.

Schlecht stated these invoices were created in June and paid in July. The invoices were presented as follows:

Lawn Wizards- \$1,260.00 and \$778.00

Center for Economic Development Law- \$1,327.50

Motion by Means, Second by Fortenbaugh, to approve the invoices as presented. **AYE:**

Fortenbaugh, Warren, Means, Neal, Denham, Fitch **NAY:** None. ***MOTION PASSED.***

3. Receive Financial Report(s) and take action as deemed necessary.

Schlecht presented the Financial Report for the month of June. This report is available in the City Clerk's Office.

Schlecht noted the Sales and Use tax shown on the June Financial Report is for the months of March, April, and May.

Schlecht stated there is a new line on the Balance Sheet entitled "Due to Other Entities" and explained this line is a TIF 4 amount that is owed to LEDC.

Rogalski stated that the City agreed to pay for public improvements as part of Project Pumpkin, and that came to about \$730,000.00. The City did not have to front all of that because LEDC put up their \$160,000.00 they got for selling the land for Project Pumpkin. Because of this, the City's risk is less. He stated the City and LEDC get their money back as the TIF earns money. We owe them this money because they gave it to us to give to the developer.

Moving on to the Profit and Loss Statement, Schlecht stated there is a new line entitled "Hotel/Motel- TIF 2". She explained this is the money that, through agreements, we pay back the motel tax to the Hilton. The Hilton pays the hotel occupancy tax to the City, and then we turn around and pay it back to them.

Chairman Fitch asked what the time frame is on that.

Rogalski stated it was a 10-year agreement from the time the hotel opened in 2014.

Chairman Fitch stated then it should be April 1, 2024.

Motion by Warren, Second by Neal, to accept the June 2022 Financial Report as presented.
AYE: Warren, Means, Neal, Denham, Fitch, Fortenbaugh. **NAY:** None. ***MOTION PASSED.***

Schlecht presented the Financial Report for the month of July. This report is available in the City Clerk's Office.

Rogalski noted the check showing under "TIF 3" and stated this is the first check received for the STEDI project. Rogalski said he is working with Blazek-Scherler and Schlecht to create an SOP and spreadsheet to determine where this money goes. Certain funds are obligated to the schools, the County, and Great Plains, and that is about 25% of the funds. The other 75% of the funds will be left to this body to decide what to do with them. He stated LEDA does owe the City money for setting up the STEDI plan, but there's also money in there for STEM education. It is possible that the City would rather frontload the money for the STEM education program. Rogalski stated nothing is done yet, but we will let you know. For right now, it is sitting separately in one spot.

Schlecht stated she needs to setup a bank account to deposit this money. She has worked with IBC in the past, and she likes working with them, but they do not offer interest on lower balance accounts, so she is going to see if she can find a bank that will offer interest. She stated we will receive a check once a year and disperse it as quickly as possible, so it won't have a balance all the time.

Rogalski asked if this is the only check we've received.

Schlecht stated yes, this is the only one.

Rogalski stated he thought we were supposed to receive another one, so he will call and check on that.

Schlecht stated once she finds a bank, she will bring it back to the board for signatures.

Motion by Neal, Second by Means, to accept the July 2022 Financial Report as presented. **AYE:** Means, Neal, Denham, Fitch, Fortenbaugh, Warren. **NAY:** None. **MOTION PASSED.**

4. Consider approving a Resolution regarding the transfer of the real property located at 910 SW B Avenue and 909 SW C Avenue to the City of Lawton, and take action as deemed necessary.

Rogalski stated this Resolution is not completed yet and asked that it be tabled until the next meeting.

Motion by Denham, Second by Warren, to table considering approval of a Resolution regarding the transfer of the real property located at 910 SW B Avenue and 909 SW C Avenue to the City of Lawton until the next meeting. **AYE:** Means, Neal, Denham, Fitch, Fortenbaugh, Warren. **NAY:** None. **MOTION PASSED.**

5. Consider approving an amendment to the Mowing of LEDA and LURA Properties Contract with Lawn Wizards and take action as deemed necessary.

Rogalski stated the amendment to this contract is the removal of LURA properties in Lawton View that were sold. It only affects this body because it is a joint contract between LEDA, LURA, and Lawn Wizards. He also stated this is the last contract extension that can be done, so it will be rebid sometime next year. Rogalski stated the prices are the same as last year.

Cleghorn stated going forward we will probably have some kind of rider on contracts to address the escalation of fuel prices and adjustments of fees. He stated we will likely go to a negotiated price on what the fuel can go between with an upper and lower limit. If we go below that, we'll get a credit; if we go above that limit, we'll pay a percentage of the cost related to it. He stated this contract is a good deal.

Motion by Means, Second by Fortenbaugh, to approve the amendment to the Mowing of LEDA and LURA Properties Contract with Lawn Wizards. **AYE:** Neal, Denham, Fitch, Fortenbaugh, Warren, Means. **NAY:** None. **MOTION PASSED.**

6. Report on project activities, issues, and programs including discussion and possible action on implementation and coordination.

Rogalski stated they are working on a deal, but nothing has come to fruition yet. There is some noise on some of the properties, but nothing has broken loose. UPS is moving to the property next to PetSmart, and there is some discussion about Viridian expanding into the UPS space.

Rogalski stated Viridian is doing very well, and so is Bricktown Brewery. Everything seems to be working. He stated our project is very stable and even slightly growing.

Chairman Fitch stated there was an article out about Kohl's selling some of their space and going to a smaller footprint. The store here is already built to model they are moving towards. He was concerned at first, but after having some conversations, he understands that we are not in the mix of this downsizing.

The board discussed updates on Project Cabana, Carter, and Mathis Brothers.

DISCUSSION ITEMS AND REPORTS

Denham stated he has noticed a lot of commercial buildings around town coming down and how this will make the city look nicer. He made note of the fact that the Super 9 Motel was gone.

Neal asked if they were going to build a new motel there.

Cleghorn explained the North U Beautification project being done by Neighborhood Services and stated they will continue to identify dilapidated properties, both residential and commercial. The Super 9 was a voluntary owner demo because it was already going in that direction, but he doesn't know if a new building is going up yet.

The board discussed commercial dilapidations, including a nursing home that is being addressed, a property on the corner of Ferris and 2nd Street that has been identified as a candidate for D&D, and the old police station. Rogalski explained there is a different process and cost associated with tearing down commercial properties.

Chairman Fitch stated Rogalski is no longer an employee of the City, but they are working on a contract with Rogalski to keep him on retainer as the staff person for LEDA. Chairman Fitch stated Rogalski has a tremendous amount of knowledge, and it would be detrimental to lose him right now. This gives us a cushion before we decide what to do next. Chairman Fitch stated it will be the responsibility of this Authority as to who to hire, according to the bylaws.

Rogalski stated he is on terminal leave with the City until April, so he will be around for about 8 months.

Cleghorn stated the City of Lawton has been requested to do a promotional video for the International City Manager's Association Conference this year that will be held in Columbus, Ohio. This will give us international exposure and exposure to every other city that attends this conference. They will come to film us, and then produce one five-minute video and two one-minute videos, and all the footage will belong to the City. Cleghorn stated this came about because of the work that is being done by various boards, trusts, and authorities. By virtue of the FISTA working with DoD, these folks

were introduced to the City of Lawton through the economic development opportunity occurring there. Cleghorn stated they were told that the City is doing a lot more than just the FISTA project: they are doing TIF districts and have a comprehensive capital improvement project going on. From there, the International City Manager's Association researched our community, and now they want to talk to us. They will be here next week to film and will run this video in all the common areas at their conference.

Cleghorn stated we are being noticed nationwide, and that is because of bodies like LEDA. He stated he would like to offer congratulations and thanks to each of the boards involved with the City that have made this possible and that help to make our community the greatest it can be.

Chairman Fitch stated he has noticed a lot of dead vegetation and landscaping around town. It is his hope that proper irrigation will be installed in all future City landscaping projects, but also thinks that private business landscaping needs to be addressed as well. He specifically mentioned the new dollar store on Rogers Lane.

Rogalski stated it is a requirement that they install and maintain their landscaping. The board might consider directing the City Manager to have staff address this. He also sees the same issue at CVS on the corner of Sheridan and Cache Road.

Chairman Fitch stated Wright Donuts on 11th Street needs to be mowed.

Cleghorn stated he is making a list of these properties. He also stated we are running the sprinklers at the Public Safety Facility 7-days a week for 50 minutes a day to keep the grass green, but the shrubbery is still dying. This extreme weather has been hard on everything, and even that amount of watering can only do so much.

Chairman Fitch stated the project at Shepler Park needs to have an irrigation line included.

Rogalski stated at that price tag, you know it will.

Cleghorn stated he has been speaking with the Parks and Rec Director about that department being understaffed and maintaining things that they really shouldn't have to. They asked for quotes from commercial companies to maintain the three rec centers so Parks and Rec can focus on mowing. They will also look at retro fitting irrigation at those facilities and will take the projects to LETA for possible landscaping.

Moving back to industrial development, Rogalski stated he has attended several meetings with potential industrial clients, and there are a lot of lines in the water right now. He firmly believes that something big is going to break soon, and that is thanks to the STEDI plan and the Propel CIP.

ADJOURNMENT

There being no further business, the meeting adjourned at 3:26 pm.

Motion by Warren, Second by Denham, to adjourn the meeting of August 8, 2022. **AYE:** Neal, Denham, Fitch, Fortenbaugh, Warren, Means. **NAY:** None. ***Motion Passed.***

MINUTES
LAWTON ECONOMIC DEVELOPMENT AUTHORITY
BANQUET HALL
NEW CITY HALL
AUGUST 23, 2022 9:00 A.M.

Fred Fitch, Chair, called the meeting to order at 9:22 A.M. in the Banquet Hall. Meeting notice and agenda were posted on the City Hall bulletin board as required by State Law.

ROLL CALL:

PRESENT: Fred Fitch, Sean Fortenbaugh, Randy Warren, David Madigan, David Means (9:26am), Ron Nance, Larry Neal (9:31am).

ABSENT: Ernie Sheppard

OTHERS PRESENT: Richard Rogalski, Executive Director; Michael Cleghorn, City Manager; Brad Cooksey, Lawton-Ft. Sill Economic Development Corporation, Jeannie Bowden, Lawton-Ft. Sill Economic Development Corporation; Christie Myers, Lawton-Ft. Sill Economic Development Corporation; Jesse Cross, Red River Science & Technology; Eric Swanson, Southwest Ledger.

BUSINESS ITEMS

EXECUTIVE SESSION

1. Pursuant to Section 307C.11, Title 25, Oklahoma Statute, consider convening in executive session for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to remain or to locate within our jurisdiction, as public disclosure of the matter discussed would interfere with the development of products or services and/or violate the confidentiality of the business, and take action in open session as necessary.

Motion by Nance, Second by Denham, to enter into Executive Session. **AYE:** Fortenbaugh, Warren, Madigan, Nance, Denham, Fitch. **NAY:** None. **MOTION PASSED.**

The board members convened in executive session at 9:24 a.m. and reconvened in regular, open session at 10:19 a.m. Roll call reflected all members present with the exception of Ernie Sheppard.

Motion by Nance, Second by Warren, to recommend to CCIDA, LEDA, and Lawton City Council the approval of the basic terms for the Blue Braveheart Project, and further authorize the Chairman to execute any documents necessary to proceed with the project. **AYE:** Madigan, Means, Nance, Neal, Denham, Fitch, Fortenbaugh, Warren. **NAY:** None. **MOTION PASSED**

DISCUSSION ITEMS AND REPORTS

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:21 a.m.



City of Lawton

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Commentary

File #: 22-697

Agenda Date: 10/20/2022

Agenda No: 4.

ITEM TITLE:

Consider approving a Memorandum of Understanding between LEDA, the City of Lawton, and LURA regarding the transfer of two tracts of land located at 910 SW B Avenue and 909 SW C Avenue owned by LEDA, to the City of Lawton, in exchange for the waiver of an obligation of LURA for landfill fees incurred on behalf of LEDA and authorize the Chairman and Secretary to execute all necessary documents for the transfer of property.

INITIATOR: Fred Fitch, Chairman

STAFF INFORMATION SOURCE: N/A

BACKGROUND: In April 2008, LEDA purchased two tracts of land located at 910 SW B Avenue and 909 SW C Avenue at auction for approximately \$90,000.00. At that time, the City of Lawton was renovating the old Central Junior High to become Lawton City Hall. LEDA board members agreed that the auction was a unique opportunity to buy the lots with the intention to sell the land to the City of Lawton to build a parking lot at a later date. Between 2008 and present, a property located on the North end of the tracts of land was demolished and expenses were incurred. Due to the additional expenses and the appreciation of land value from 2008 to 2022, the lots can be valued at an amount exceeding \$100,000.00. Separately, LURA incurred landfill fees on behalf of LEDA in association with the Downtown Redevelopment Project. Historically, LURA would incur landfill fees, pay the City of Lawton, and request a reimbursement from LEDA. In this instance, the referenced landfill fees, totaling \$102,265.54, are still due to the City of Lawton. This Memorandum of Understanding is an agreement for LEDA to transfer the lots at 910 SW B Avenue and 909 SW C Avenue to the City of Lawton in exchange for the waiver of the \$102,265.54 in landfill fees incurred by LURA on behalf of LEDA.

EXHIBIT: Memorandum of Understanding between LEDA, the City of Lawton, and LURA; Warranty Deed for the tracts of land located at 910 SW B Avenue and 909 SW C Avenue transferring said lots from LEDA to the City of Lawton; Settlement Statement showing the price of the lots when LEDA purchased them; and a LURA Landfill Bill for Utility Account Number 00031203 in the amount of \$102,265.54.

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve a Memorandum of Understanding between LEDA, the City of Lawton, and LURA regarding the transfer of two tracts of land located at 910 SW B Avenue and 909 SW C Avenue owned by LEDA, to the City of Lawton, in exchange for the waiver of an obligation of LURA for landfill fees incurred on behalf of LEDA, and authorize the Chairman and Secretary to execute all necessary documents for the transfer of property.



A. U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT SETTLEMENT STATEMENT		B. TYPE OF LOAN: 1. ☐ FHA 2. ☐ FmHA 3. ☐ CONV. UNINS. 4. ☐ VA 5. ☐ CONV. INS. 6. FILE NUMBER: 2008072167 7. LOAN NUMBER: 8. MORTGAGE INS CASE NUMBER:	
C. NOTE: <i>This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "POC" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.</i>			
D. NAME AND ADDRESS OF BUYER: Lawton Economic Development Authority 103 SW 4th Street Lawton, OK 73501		E. NAME AND ADDRESS OF SELLER: Patrick B. Reynolds 3701 SW 11th Street Lawton, OK 73501	
G. PROPERTY LOCATION: 910 SW B Ave & 909 SW C Ave Lawton, OK 73505 Comanche County, Oklahoma 5 & 12/ B32 Original Townsite		H. SETTLEMENT AGENT: 73-1554993 Southwest Abstract & Title Company PLACE OF SETTLEMENT 902 SW "D" Avenue - Suite 1 Lawton, OK 73501	
I. SETTLEMENT DATE: August 22, 2008			

J. SUMMARY OF BUYER'S TRANSACTION	K. SUMMARY OF SELLER'S TRANSACTION
100. GROSS AMOUNT DUE FROM BUYER: 101. Contract Sales Price 90,000.00 102. Personal Property 103. Settlement Charges to Buyer (Line 1400) 263.00 104. 105. <i>Adjustments For Items Paid By Seller in advance</i> 106. City/Town Taxes to 107. County Taxes to 108. Assessments to 109. 110. 111. 112. 120. GROSS AMOUNT DUE FROM BUYER 90,263.00 200. AMOUNTS PAID BY OR IN BEHALF OF BUYER: 201. Deposit or earnest money 9,000.00 202. Principal Amount of New Loan(s) 203. Existing loan(s) taken subject to 204. 205. 206. 207. 208. 209. <i>Adjustments For Items Unpaid By Seller</i> 210. City/Town Taxes to 211. County Taxes 01/01/08 to 08/22/08 225.10 212. Assessments to 213. 214. 215. 216. 217. 218. 219. 220. TOTAL PAID BY/FOR BUYER 9,225.10 300. CASH AT SETTLEMENT FROM/TO BUYER: 301. Gross Amount Due From Buyer (Line 120) 90,263.00 302. Less Amount Paid By/For Buyer (Line 220) (9,225.10) 303. CASH (X FROM) (TO) BUYER 81,037.90	400. GROSS AMOUNT DUE TO SELLER: 401. Contract Sales Price 90,000.00 402. Personal Property 403. 404. 405. <i>Adjustments For Items Paid By Seller in advance</i> 406. City/Town Taxes to 407. County Taxes to 408. Assessments to 409. 410. 411. 412. 420. GROSS AMOUNT DUE TO SELLER 90,000.00 500. REDUCTIONS IN AMOUNT DUE TO SELLER: 501. Excess Deposit (See Instructions) 502. Settlement Charges to Seller (Line 1400) 1,473.00 503. Existing loan(s) taken subject to 504. Payoff of first Mortgage 505. Payoff of second Mortgage 506. 507. (Deposit disb. as proceeds) 508. 509. <i>Adjustments For Items Unpaid By Seller</i> 510. City/Town Taxes to 511. County Taxes 01/01/08 to 08/22/08 225.10 512. Assessments to 513. 514. 515. 516. 517. 518. 519. 520. TOTAL REDUCTION AMOUNT DUE SELLER 1,698.10 600. CASH AT SETTLEMENT TO/FROM SELLER: 601. Gross Amount Due To Seller (Line 420) 90,000.00 602. Less Reductions Due Seller (Line 520) (1,698.10) 603. CASH (X TO) (FROM) SELLER 88,301.90

The undersigned hereby acknowledge receipt of a completed copy of pages 1&2 of this statement & any attachments referred to herein.

I HAVE CAREFULLY REVIEWED THE HUD-1 SETTLEMENT STATEMENT AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT IS A TRUE AND ACCURATE STATEMENT OF ALL RECEIPTS AND DISBURSEMENTS MADE ON MY ACCOUNT OR BY ME IN THIS TRANSACTION. I FURTHER CERTIFY THAT I HAVE RECEIVED A COPY OF THE HUD-1 SETTLEMENT STATEMENT.

Buyer Lawton Economic Development Authority

Seller Patrick B. Reynolds

TO THE BEST OF MY KNOWLEDGE, THE HUD-1 SETTLEMENT STATEMENT WHICH I HAVE PREPARED IS A TRUE AND ACCURATE ACCOUNT OF THE FUNDS WHICH WERE RECEIVED AND HAVE BEEN OR WILL BE DISBURSED BY THE UNDERSIGNED AS PART OF THE SETTLEMENT OF THIS TRANSACTION.

Southwest Abstract & Title Company
Settlement Agent

WARNING: IT IS A CRIME TO KNOWINGLY MAKE FALSE STATEMENTS TO THE UNITED STATES ON THIS OR ANY SIMILAR FORM. PENALTIES UPON CONVICTION CAN INCLUDE A FINE AND IMPRISONMENT. FOR DETAILS SEE: TITLE 18 U.S. CODE SECTION 1001 & SECTION 1010.

L. SETTLEMENT CHARGES							
700. TOTAL COMMISSION Based on Price			\$	@	%		
Division of Commission (line 700) as Follows:							
701. \$	to					PAID FROM BUYER'S FUNDS AT SETTLEMENT	PAID FROM SELLER'S FUNDS AT SETTLEMENT
702. \$	to						
703. Commission Paid at Settlement							
704.	to						
800. ITEMS PAYABLE IN CONNECTION WITH LOAN							
801. Loan Origination Fee	%	to					
802. Loan Discount	%	to					
803. Appraisal Fee		to					
804. Credit Report		to					
805. Lender's Inspection Fee		to					
806. Mortgage Ins. App. Fee		to					
807. Assumption Fee		to					
808.							
809.							
810.							
811.							
900. ITEMS REQUIRED BY LENDER TO BE PAID IN ADVANCE							
901. Interest From	to	@ \$	/day	(	days	%)	
902. Mortgage Insurance Premium for	months	to					
903. Hazard Insurance Premium for	1.0 years	to					
904.							
905.							
1000. RESERVES DEPOSITED WITH LENDER							
1001. Hazard Insurance	months	@ \$	per month				
1002. Mortgage Insurance	months	@ \$	per month				
1003. City/Town Taxes	months	@ \$	per month				
1004. County Taxes	months	@ \$	per month				
1005. Assessments	months	@ \$	per month				
1006.	months	@ \$	per month				
1007.	months	@ \$	per month				
1008. Aggregate Escrow Adjustment	months	@ \$	per month				
1100. TITLE CHARGES							
1101. Settlement or Closing Fee	to	Southwest Abstract & Title Company				250.00	
1102. Abstract or Title Search	to	Southwest Abstract & Title Company	2 abstracts				1,460.00
1103. Title Examination	to	John C. Mackey					
1104. Title Insurance Binder	to						
1105. Document Preparation	to						
1106. Notary Fees	to						
1107. Attorney's Fees	to						
(includes above item numbers:)							
1108. Title Insurance	to						
(includes above item numbers:)							
1109. Lender's Coverage	\$						
1110. Owner's Coverage	\$						
1111.							
1112.							
1113.							
1200. GOVERNMENT RECORDING AND TRANSFER CHARGES							
1201. Recording Fees: Deed \$	13.00	Mortgage \$		Releases \$		13.00	
1202. City/County Tax/Stamp: Deed		Mortgage					
1203. State Tax/Stamp: Revenue Stamps		Mortgage	exempt				
1204. Record Affidavit	to	Comanche County Clerk					13.00
1205.							
1300. ADDITIONAL SETTLEMENT CHARGES							
1301. Survey	to						
1302. Pest Inspection	to						
1303.							
1304.							
1305.							
1400. TOTAL SETTLEMENT CHARGES (Enter on Lines 103, Section J and 502, Section K)						263.00	1,473.00

By signing page 1 of this statement, the signatories acknowledge receipt of a completed copy of page 2 of this two page statement.

Southwest Abstract & Title Company
Settlement Agent

Certified to be a true copy.

MEMORADNDUM OF AGREEMENT

MEMORANDUM OF AGREEMENT BETWEEN THE LAWTON ECONOMIC DEVELOPMENT AUTHORITY AND THE CITY OF LAWTON APPROVING THE TRANSFER OF TWO TRACTS OF LAND LOCATED AT 910 SW B AVENUE AND 909 SW C AVENUE, TO THE CITY OF LAWTON, IN EXCHANGE FOR THE WAIVER OF AN OBLIGATION OF THE LAWTON URBAN RENEWAL AUTHORITY FOR LANDFILL FEES IN THE AMOUNT OF \$102,265.54, MORE OR LESS.

WHEREAS Lawton Economic Development Authority (LEDA) purchased at auction two tracts of land located at 910 SW B Avenue and 909 SW C Avenue, Lawton, Oklahoma, described as Lots Five (5) and Twelve (12), Block Thirty-two (32), Original Townsite, for approximately \$90,000.00, for the purpose of retaining said properties for future use by City of Lawton; and

WHEREAS Lawton Urban Renewal Authority (LURA) has incurred an obligation with the City of Lawton, on behalf of LEDA, in the amount of \$102,265.54, more or less, in landfill fees for demolition of structures on properties acquired for and eventually transferred to LEDA as a part of the redevelopment of the twelve-block area on the east side of NW 2nd Street, between W Gore Boulevard and NW Ferris Avenue; and

WHEREAS the City of Lawton will begin renovation to Lawton City Hall, including a new parking lot and drive-thru Utility Services window located on the tract of land located at 910 SW B Avenue and 909 SW C Avenue; and

WHEREAS LEDA is agreeable to the transfer of the lots located at 910 SW B Avenue and 909 SW C Avenue, and the City of Lawton is agreeable to waiving LURA's landfill obligation in the amount of \$102,265.54, more or less; and

NOW, THEREFORE, the Board of Trustees of the Lawton Economic Development Authority, the Board of Trustees of the Lawton Urban Renewal Authority, and the City Council of the City of Lawton agree as follows:

1. LEDA will hereafter transfer the property located at 910 SW B Avenue and 909 SW C Avenue, Lawton, Oklahoma, described as Lots Five (5) and Twelve (12), Block Thirty-two (32), Original Townsite, to the City of Lawton. The Chairman and Secretary of the LEDA are authorized to execute such documents and to take such actions as may be necessary or appropriate to affect the transfer of said lots.
2. The City of Lawton will hereafter release and remove the obligation of LURA in the amount of \$102,265.54, more or less, for landfill fees incurred on behalf of the Lawton Economic Development Authority.

3. The LURA will hereafter release and remove the obligation of LEDA in the amount of \$102,265.54, more or less for landfill fees that LURA incurred on LEDA's behalf as part of the redevelopment of the twelve-block area on the east side of NW 2nd Street, between W Gore Boulevard and NW Ferris Avenue.

ADOPTED and APPROVED this _____ day of _____, 2022.

Fred L. Fitch, LEDA Chairman

ATTEST:

Secretary

ADOPTED and APPROVED this _____ day of _____, 2022.

Earnest Sheppard, LURA Chairman

ATTEST:

Secretary

ADOPTED and APPROVED this ____ day of _____, 2022.

Stan Booker, Mayor

ATTEST:

City Clerk

Approved as to form and legality this _____ day of _____, 2022.

City Attorney

WARRANTY DEED
(CORPORATE FORM)

KNOW ALL MEN BY THESE PRESENTS:

THAT **Lawton Economic Development Authority, a public trust**, Comanche County, State of Oklahoma, hereinafter referred to as "Grantor", in consideration of the sum of Ten and no/100 Dollars in hand paid, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey unto **The City of Lawton, Oklahoma, a Municipal Corporation, of 212 SW 9th Street, Lawton, Oklahoma, 73501**, Comanche County, State of Oklahoma, hereinafter referred to as "Grantee", the following described real property and premises situate in Comanche County, State of Oklahoma to-wit:

Lots Five (5) and Twelve (12), Block Thirty-two (32), ORIGINAL TOWNSITE, to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof.

together with all the improvements thereon and the appurtenances thereunto belonging and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said Grantee, heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this _____ day of _____, 2022.

**LAWTON ECONOMIC DEVELOPMENT
AUTHORITY, a public trust**

ATTEST:

Fred L. Fitch, Chairman

Secretary

=====

ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
COUNTY OF COMANCHE)

Before me, the undersigned, a Notary Public in and for said County and State on this ____ day of _____, 2022, personally appeared Fred L. Fitch, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Chairman, and acknowledged to me that they executed the same as their free and voluntary act and deed, and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

My commission expires:

=====

ACCEPTANCE

Accepted by the Lawton City Council for and on behalf of the City of Lawton, Oklahoma, this ____ day of _____, 2022.

THE CITY OF LAWTON, OKLAHOMA
a municipal corporation

ATTEST:

STANLEY BOOKER, Mayor

TRACI HUSHBECK, City Clerk

APPROVED as to form and legality on behalf of the City of Lawton this _____ day of _____, 2022.

JOHN RATLIFF, City Attorney

**CITY OF LAWTON**

SERVICE BILL

UTILITY SERVICES DIVISION

212 SW 9TH STREET

LAWTON, OK 73501

ACCOUNT #: 00031203

CUSTOMER #: 5057618

CYCLE CODE: 020

DUE DATE: 02/17/2022

TOTAL DUE: \$ 102265.54FOR BILLING INFORMATION CALL: (580) 581-3308
OFFICE HOURS 8:00 AM - 5:00 PM MONDAY - FRIDAY

AMOUNT REMITTED: \$

081163



LAWTON URBAN RENEWAL AUTH

C/O PLANNING AND DEV

212 SW 9TH ST

LAWTON OK 73501-3944

472

Please Make Check Payable To:

CITY OF LAWTON**UTILITY SERVICES DIVISION****212 SW 9TH STREET****LAWTON, OK 73501**☐ CHECK HERE IF ADDRESS HAS CHANGED AND INDICATE CHANGES ON REVERSE.

DETACH TOP PORTION AND RETURN WITH YOUR REMITTANCE

RETAIN THIS PORTION FOR YOUR RECORDS

Acct No.: 00031203 Cust No.: 5057618 Cycle: 020 Account Type: Government
 Billing Date: 01/28/2022 Due Date: 02/17/2022 Service Address: 8900 SW 11th ST

SERIAL #	READINGS	DATE	USAGE* # of DAYS
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READING HISTORY

Transactions This Period	Amount
Previous Balance	102265.54
Payments Through 01/28/2022	0.00
Adjustments/Late Charge	0.00
Past Due Balance	102265.54

Current Service Bill Detail	Unit(s)
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PAST DUE: 102265.54

CURRENT BILL: 0.00

TOTAL: \$ 102265.54

A 10% late penalty will be assessed on your current bill if payment not received by 5 PM on 02/17/2022.

* USAGE IS MEASURED IN THOUSANDS OF GALLONS

MESSAGES**Payment Options:**

Go to the City's home page: lawtonok.gov
 Or call 1-888-585-0980, 24 hours/7 days a week

Save energy, reduce greenhouse gases and reserve space in the landfill by opting in for recycling services via Recyclops, a curbside recycling City of Lawton contractor, at <https://recyclops.com/locations/>.

FAILURE TO PAY PAST DUE BALANCE WILL RESULT IN LOSS OF SERVICE ON: 02/08/2022**CITY OF LAWTON**

SERVICE BILL

UTILITY SERVICES DIVISION

212 SW 9TH STREET

LAWTON, OK 73501

FOR BILLING INFORMATION CALL: (580) 581-3308
OFFICE HOURS 8:00 AM - 5:00 PM MONDAY - FRIDAY



City of Lawton

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Commentary

File #: 22-699

Agenda Date: 10/20/2022

Agenda No: 5.

ITEM TITLE:

Consider approving an Engagement Letter from Richard Rogalski to provide economic development consulting services to the Authority and authorize the Chairman to execute said letter.

INITIATOR: Chairman Fred Fitch

STAFF INFORMATION SOURCE: Chairman

BACKGROUND: This retainer agreement would aid during the transition of ongoing redevelopment projects that Richard Rogalski was directly involved in as the Executive Director of LEDA.

EXHIBIT: Engagement Letter

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve an engagement letter from Richard Rogalski to provide economic development consulting services to the authority and authorize the Chairman to execute said letter.

Richard Rogalski, PE
2604 SE 60th Street, Lawton, Oklahoma 73501
Email: richrogalski@sbeglobal.net
580-591-2545

ENGAGEMENT LETTER

Lawton Economic Development Authority
City Hall
212 SE 9th Street
Lawton, OK 73501

August 28, 2022

Dear Chairman Fitch:

Thank you for retaining me to provide consulting services to the Lawton Economic Development Authority ("Authority"). I will service as an economic development consultant to the Authority and may be appointed by the Authority as the Director.

The retainer for service as the economic development consultant for the Authority is \$1000.00 per month. This fee will be billed by invoice on the first day of each month for time spent on various matters the previous month and payable by the 15th of each month. Out of pocket costs for items such as mileage, reproduction fees, etc., incurred as a part of providing service to the Authority will be included in the monthly invoice and payable in addition to the monthly retainer billed to you each month.

My office will work diligently on all work requested and will keep trustees informed regarding the progress of work. The Authority's requests to complete work will need to be made with a reasonable lead time before the competition of the work is needed by any deadlines or other time constraints and take into account my schedule and commitments. Any meetings requiring my attendance in person, are best scheduled either early or late in the day, to best accommodate my other responsibilities.

I will advise trustees of the recommended technical and strategic issues as they arise in connection with requested work. Generally, the information you provide to my office is considered confidential, however would be subject to an open records request submitted to the Authority in accordance with Oklahoma statutes. The Authority has the right to discontinue my services at any time. The terms of this Engagement Letter will be reviewed and subject to revision while it remains in effect.

I welcome the opportunity to serve as the Authority's economic development consultant and look forward to continue working with you.

Sincerely,

Richard Rogalski, P.E.

Fred Fitch, Chairman
Lawton Economic Development Authority



City of Lawton

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Commentary

File #: 22-698

Agenda Date: 10/20/2022

Agenda No: 6.

ITEM TITLE:

Consider a request for development assistance, financing, and the sale and/or acquisition of property in respect to the Lawton Downtown Redevelopment Project and in particular the development of a portion of Lot 8, Block 1, Lawton Downtown Center, Part 2, and approve a Letter of Interest/Term Sheet for a Redevelopment Agreement with Southern Oklahoma Brewery that includes the sale/transfer of land to the redeveloper.

INITIATOR: Fred Fitch, Chairman

STAFF INFORMATION SOURCE: N/A

BACKGROUND: This is for the discussion and approval of the terms of a redevelopment agreement with Southern Oklahoma Brewery which includes the sale of the property, but also certain improvements and a discounted sale price that is forgiven with 10 years of operation.

EXHIBIT: N/A

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve a Letter of Interest/Term Sheet for a Redevelopment Agreement with Southern Oklahoma Brewery that includes the sale/transfer of land to the redeveloper.