



City of Lawton, Engineering Division

212 SW 9th Street ■ Lawton, Oklahoma 73501 ■ PH 580.581.3385 FX 580.581.3366
Shipping Address: 2202 SW 3rd Street Lawton, OK 73501

August 6, 2021

REVISED OFFER LETTER

Cate Farms, LLC
7610 NW Chelsey Dr.
Lawton, OK 73505

RE: Improvement Project on W. Gore Blvd, 82nd Street to 67th Street

JP: 19144(04)

Project: STP-116B(059)

Parcel: 2, 6.0, 6A

The City of Lawton has contracted with Smith-Roberts Land Services, Inc. (SRLS, Inc.) to represent it in the acquisition of necessary right-of-way for the above-referenced Gore Boulevard Improvement Project. Our records show that you may own or have interest in property in this project area. The agent presenting this letter will explain the project and its effects upon you and your property, and is making an offer to acquire the right-of-way from you in the name of The City of Lawton.

Parcel 2: To acquire a Permanent Easement for .854 acres of new right-of-way: **\$55,840.00**

Parcel 6, 6A: To acquire a Permanent Easement for .976 acres of new right-of-way: **\$63,743.00** and
a Perpetual Drainage Easement for .143 acres **\$7,031.00**
Plus \$ 16,974.67 as compensation for damages/improvement(s).

Total Offer (rounded) w/ damages is: \$ 136,559.00 rnd

The agent making this offer does not have authorization to change the amount. The above offer is the amount that The City of Lawton has determined to be the Fair Market Value of the part of your property needed inclusive of damages (if any) to your remaining property. This is a firm offer made according to statutory requirements; however, there is no prohibition against you donating the land for the right-of-way, if you wish to do so.

If it is necessary for you to move any of your personal property, you will be given 90 days from the date shown below to clear the right-of-way. Your consideration of our offer to acquire the right-of-way in an easement will be greatly appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim Smith", is written over a horizontal line. Below the signature, the text "City of Lawton" is printed.

City of Lawton

Property Rights Brochure delivered and written offer made by: Ellie Najm Date: Revised 8/6/21

SUMMARY OF ACQUISITION

JOB PIECE: 19144(04), COUNTY Comanche, PARCEL(S) 2, 6, 6A

PROPERTY LOCATION: Section 29, Township 2N, Range 12W,

BUYER: **THE CITY OF LAWTON**

SELLER: PROPERTY OWNER(S), NAME AND ADDRESS:

Cate Farms, LLC
7610 W. Chesley Drive
Lawton, OK 73505

ASSIGNMENT: _____

MORTGAGES AND LIENS: First National Bank and Trust Company, Hinton, OK 73047

IMPROVEMENTS: P2: NONE. P6/6A: NONE.

DAMAGES: P2: NONE. P6/6A: Perpetual Utility (Flowage) Easement, Replace steel corner set, Replace steel field gates, Replace pipe gate post.

PROPERTY OWNER(S) / SELLER(S) WILL EXECUTE AND SUBMIT TO THE CITY OF LAWTON, THE FOLLOWING DOCUMENTS:

Perpetual Easement	for parcel <u>2</u>	for <u>.854</u>	<u>Acres</u>
Perpetual Easement	for parcel <u>6</u>	for <u>.976</u>	<u>Acres</u>
Flowage Easement	for parcel <u>6A</u>	for <u>.143</u>	<u>Acres</u>
N/A	for parcel _____	for _____	<u>Acres</u>
N/A	for parcel _____	for _____	<u>Acres</u>

ACQUISITION AMOUNT FOR LAND, IMPROVEMENTS AND DAMAGES: \$136,559.00

BUYER AND SELLER AGREE: _____

UPON RECEIPT OF SIGNED DOCUMENTS, THE CITY OF LAWTON WILL PREPARE THE FOLLOWING:

CITY Warrant in the amount of \$136,559.00 to Cate Farms, LLC
CITY Warrant in the amount of _____ to _____
CITY Warrant in the amount of _____ to _____
CITY Warrant in the amount of _____ to _____

Signature
Taylor Watson
Managing Member of Cate Farms, LLC
PROPERTY OWNER / SELLER

Brooke Rooney
PROPERTY OWNER / SELLER

Ellie Najm
Ellie Najm
ACQUISITION AGENT

8/13/2021
8/13/2021
DATE

8/13/2021
DATE

8/17/2021
DATE

PERMANENT ROADWAY AND UTILITY EASEMENT
(LLC/Corporation Form)

KNOW ALL MEN BY THESE PRESENTS:

THAT Cate Farms, LLC, an Oklahoma
Limited Liability Company, of City of
Lawton, Comanche
County, State of Oklahoma

, hereinafter referred to as "Grantor", in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable considerations 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", its administrators, successors and assigns, a Permanent Easement and right-of-way in, over, across and along, and upon the following described real property and premises situated in Comanche County, State of Oklahoma, to-wit:

A strip, piece or parcel of land lying in the SW/4 of Section 29, Township 2 North, Range 12 West, I.M., Comanche County, Oklahoma being further described as follows;

Commencing at the SW corner of said SW/4, thence S 89°37'04" E along the South line of said SW/4 a distance of 538.00 feet to the Point of Beginning, thence S 89°37'04" E continuing along said South line a distance of 820.83 feet, thence N 00°16'47" E a distance of 75.00 feet, thence N 89°37'04" W parallel to said South line a distance of 951.93 feet to a point on the North Right-of-Way line of Gore Boulevard, thence S 71°52'14" E along said North Right-of-Way line a distance of 137.79 feet, Thence S 00°22'56" W perpendicular to said South line a distance of 33.00 feet to the Point of Beginning.

Containing 0.854 acres, more or less, of new right-of-way, the remaining 0.622 acres included in the above description being right-of-way being occupied by the existing right-of-way of Gore Boulevard.

With the right of ingress and egress to and from the same for the purpose of installing, constructing, operating, maintaining, repairing and replacing in, over, through, and upon the said property as described a public roadway, drainage structure, utility, or other facility along with the further right to operate, maintain, repair or replace the same.

Signed and delivered this 13th day of August, 2021

Cate Farms LLC by:

Taylor Watson Clay Anderson Brooke Rooney

=====

LLC ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) SS
COUNTY OF COMANCHE)

Before me, the undersigned, a Notary Public in and for said County and State on the 13 day of August, 2021, personally appeared Taylor Watson, as Brooke Rooney & Clay Anderson Signatory Members of Cate Farms, LLC, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that " " executed the same as " " free and voluntary act and deed of the LLC for the uses and purposes therein set forth.

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



Mandy D. James
Notary Public

My commission expires:

My commission number:

ACCEPTANCE

Accepted by the Lawton City Council for and on behalf of the City of Lawton, Oklahoma, this _____ day of _____, 20____.

THE CITY OF LAWTON, OKLAHOMA
a municipal corporation

ATTEST:

Stan Booker, Mayor

Traci Hushbeck, City Clerk

APPROVED as to form and legality on behalf of the City of Lawton this _____ day of _____, 20____.

John Ratliff, City Attorney

JOB NO.: 19144(04)

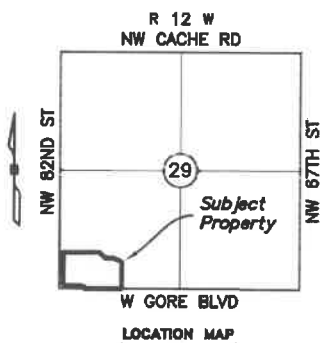
PARCEL NO.: 2.0

COUNTY: COMANCHE

PROJECT: 2012-08

LEGAL DESCRIPTION: PT. SW/4 SEC. 29,

T-2-N, R-12-W, I.M.



BEFORE GROSS

936,976 S.F.

21.510 ACRES

EXISTING R/W

27,090 S.F.

0.622 ACRES

PERMANENT R/W

37,224 S.F.

0.854 ACRES

EXCESS LAND

0 S.F.

0.000 ACRES

REM. IN QTR.

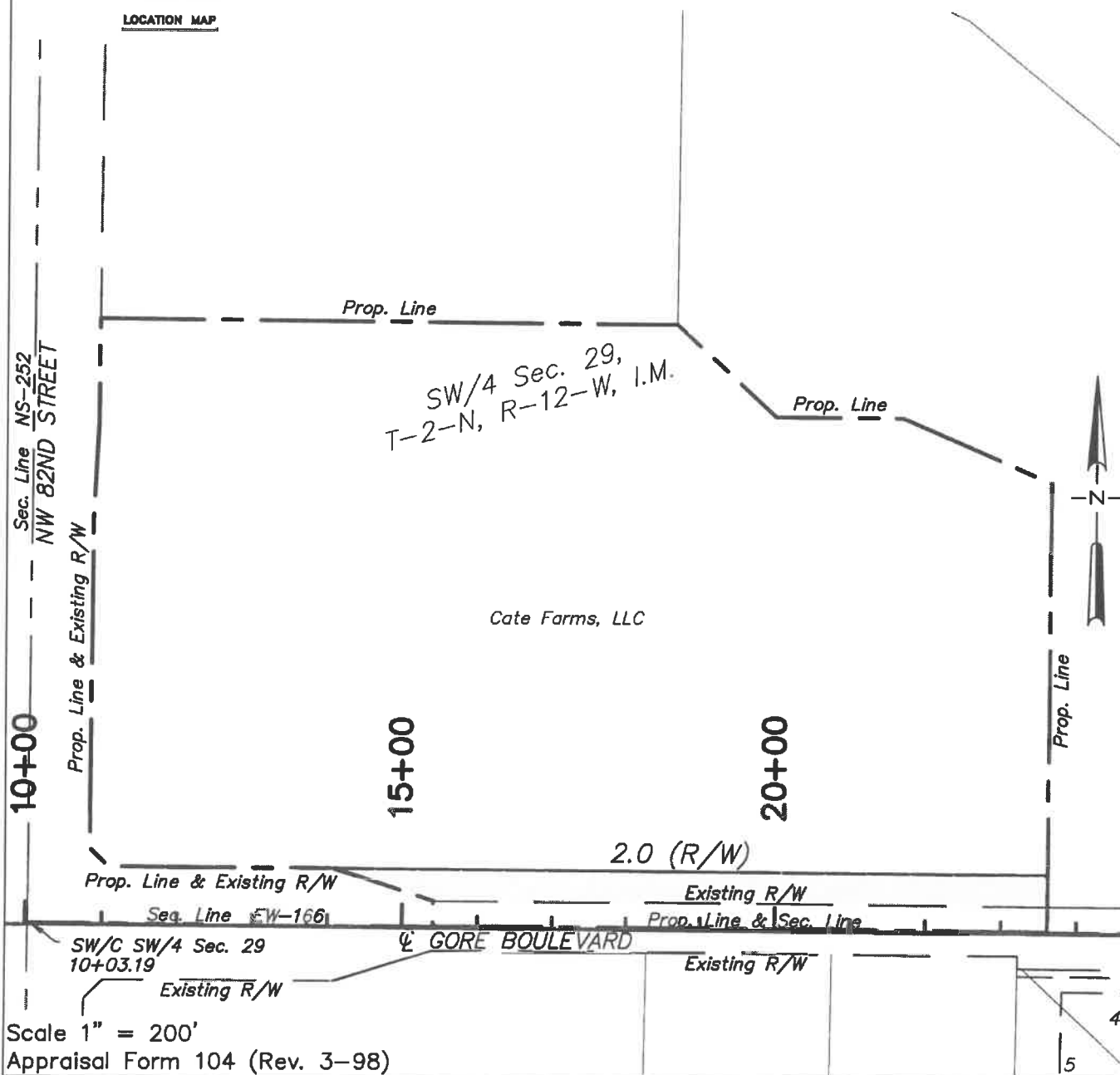
872,662 S.F.

20.034 ACRES

TEMP. R/W

0 S.F.

0.000 ACRES



PERMANENT ROADWAY AND UTILITY EASEMENT
(LLC/Corporation Form)

KNOW ALL MEN BY THESE PRESENTS:

THAT Cate Farms, LLC, an Oklahoma
Limited Liability Company, of City of
Lawton, Comanche
County, State of Oklahoma

, hereinafter referred to as "Grantor", in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable considerations 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", its administrators, successors and assigns, a Permanent Easement and right-of-way in, over, across and along, and upon the following described real property and premises situated in Comanche County, State of Oklahoma, to-wit:

A strip, piece or parcel of land lying in the SW/4 of Section 29, Township 2 North, Range 12 West, I.M., Comanche County, Oklahoma being further described as follows;

Beginning at the SE corner of said SW/4, thence N 89°37'04" W along the South line of said SW/4 a distance of 1,030.00 feet, thence N 18°44'04" E a distance of 79.02 feet, thence S 89°37'04" E parallel to said South line a distance of 1,005.00 feet to a point on the East line of said SW/4, thence S 00°16'47" W along said East line a distance of 75.00 feet to the Point of Beginning.

Containing 0.976 acres, more or less, of new right-of-way, the remaining 0.776 acres included in the above description being right-of-way being occupied by the existing right-of-way of Gore Boulevard.

With the right of ingress and egress to and from the same for the purpose of installing, constructing, operating, maintaining, repairing and replacing in, over, through, and upon the said property as described a public roadway, drainage structure, utility, or other facility along with the further right to operate, maintain, repair or replace the same.

Signed and delivered this 13th day of August, 20201

Cate Farms LLC by:

Taylor Watson

Brooke Rooney

LLC ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF COMANCHE) SS

Before me, the undersigned, a Notary Public in and for said County and State on the 13 day of AUGUST, 2021, personally appeared TAYLOR WATSON as BROOKE ROONEY & CLAY ANDERSON as signatory members of Cate Farms, LLC, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that """ executed the same as """ free and voluntary act and deed of the LLC for the uses and purposes therein set forth.



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

Mandy D. Jones
Notary Public

My commission expires:

My commission number:

ACCEPTANCE

Accepted by the Lawton City Council for and on behalf of the City of Lawton, Oklahoma, this _____ day of _____, 20____.

THE CITY OF LAWTON, OKLAHOMA
a municipal corporation

ATTEST:

Stan Booker, Mayor

Traci Hushbeck, City Clerk

APPROVED as to form and legality on behalf of the City of Lawton this _____ day of _____, 20____.

John Ratliff, City Attorney

PERMANENT DRAINAGE EASEMENT
(Individual Form)

KNOW ALL MEN BY THESE PRESENTS:

THAT Cate Farms, LLC, an Oklahoma Limited Liability Company of Lawton, 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, on behalf of the Grantor and said Grantor executors, administrators, successors and assigns, hereby Grant, Bargain, Sell and Convey unto **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", its administrators, successors and assigns, a Permanent Easement and right-of-way in, over, across and along, and upon the following described real property and premises situated in Comanche County, State of Oklahoma to-wit:

A strip, piece or parcel of land lying in the SW/4 of Section 29, Township 2 North, Range 12 West, I.M., Comanche County, Oklahoma being further described as follows;

Commencing at the SE Corner of said SW/4, thence N 89°37'04" W along the South line of said SW/4 a distance of 845.59 feet, thence N 00°22'56" E parallel to said South line a distance of 75.00 feet to a point on the Proposed North Right-of-Way line of Gore Boulevard and the Point of Beginning, thence N 89°37'04" W along said Proposed North Right-of-Way line a distance of 100.00 feet, thence N 00°22'56" E perpendicular to said South line a distance of 62.50 feet, thence S 89°37'04" E parallel to said South line a distance of 100.00 feet, thence S 00°22'56" W perpendicular to said South line a distance of 62.50 feet to the Point of Beginning.

Containing 0.143 acres, more or less.

with the right of ingress and egress to and from the same for the purpose of installing, constructing, operating, maintaining, repairing and replacing in, over, through, and upon the said property as described a drainage pipe, channel, structure or other facility along with the further right to operate, maintain, repair or replace the same.

Signed and delivered this 13th day of August 2021.

Cate Farms, LLC, an Oklahoma Limited Liability Company by:

Taylor Watson

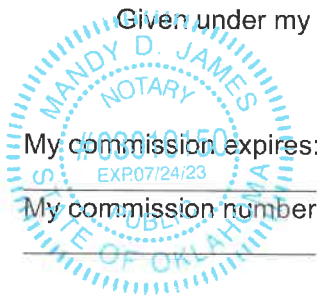
Brooke Rooney

LLC ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) SS
COUNTY OF COMANCHE)

Before me, the undersigned, a Notary Public in and for said County and State on this 13 day of AUGUST, 2021, personally appeared TAYLOR WATSON; BROOKE ROONEY; CLAY ANDERSON the Secretary members of **Cate Farms LLC**, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as " " free and voluntary act and deed of the LLC for the uses and purposes therein set forth.

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



Mandy D. James
Notary Public

My commission expires:

My commission number:

ACCEPTANCE

Accepted by the Lawton City Council for and on behalf of the City of Lawton, Oklahoma, this _____ day of _____, 20____.

THE CITY OF LAWTON, OKLAHOMA
a municipal corporation

ATTEST:

Stan Booker, Mayor

Traci Hushbeck, City Clerk

APPROVED as to form and legality on behalf of the City of Lawton this _____ day of _____, 20____.

John Ratliff, City Attorney

EXHIBIT "A"

Perpetual Drainage Easement

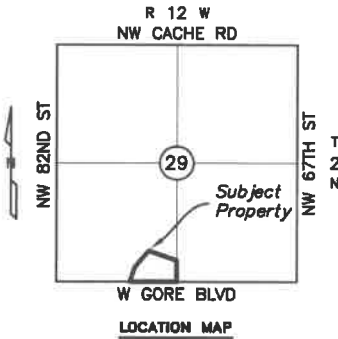
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Commencing at the SE Corner of said SW/4, thence N 89°37'04" W along the South line of said SW/4 a distance of 845.59 feet, thence N 00°22'56" E parallel to said South line a distance of 75.00 feet to a point on the Proposed North Right-of-Way line of Gore Boulevard and the Point of Beginning, thence N 89°37'04" W along said Proposed North Right-of-Way line a distance of 100.00 feet, thence N 00°22'56" E perpendicular to said South line a distance of 62.50 feet, thence S 89°37'04" E parallel to said South line a distance of 100.00 feet, thence S 00°22'56" W perpendicular to said South line a distance of 62.50 feet to the Point of Beginning.

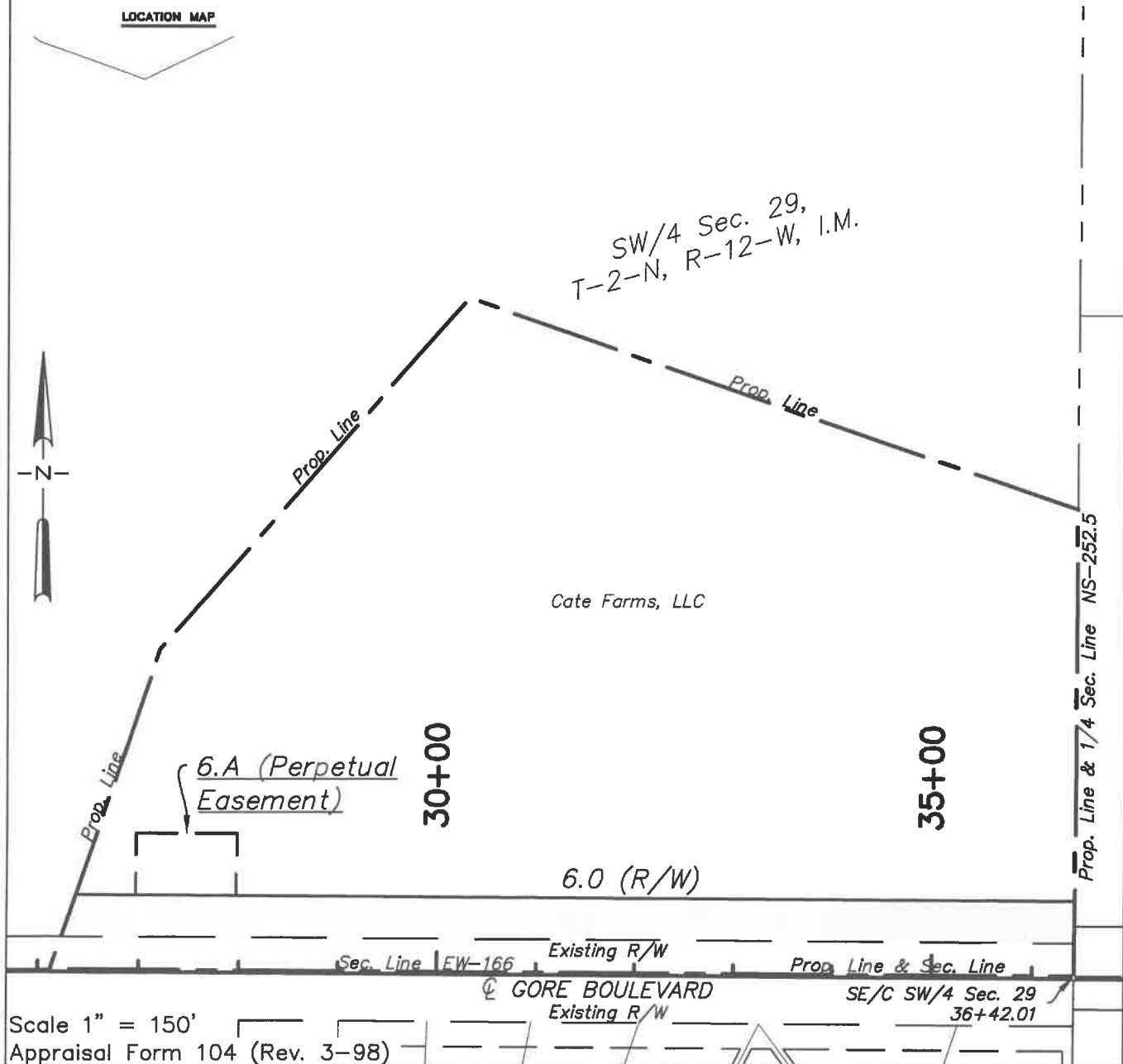
Containing 0.143 acres, more or less.

JOB NO.: 19144(04)
 PARCEL NO.: 6.0, 6.A
 COUNTY: COMANCHE
 PROJECT: 2012-08

LEGAL DESCRIPTION: PT. SW/4 SEC. 29,
 T-2-N, R-12-W, I.M.



BEFORE GROSS	526,205 S.F.	12.080 ACRES
EXISTING R/W	33,818 S.F.	0.776 ACRES
PERMANENT R/W	42,495 S.F.	0.976 ACRES
EXCESS LAND	0 S.F.	0.000 ACRES
REM. IN QTR.	449,892 S.F.	10.328 ACRES
PERPETUAL EASEMENT	6,250 S.F.	0.143 ACRES



AFFIDAVIT OF MANAGING MEMBER

Taylor Watson
Brooke Rooney
Clay Anderson

signatory

the Managing Member of the Cate Farms, LLC hereby certifies as follows:

1. Cate Farms, LLC is the record owner of the following described property, to-wit:

See Attached Legal Description for parcel 2, 6, 6A

2. The LLC is still in full force and effect.

3. I, Taylor Watson, Brooke Rooney, Clay Anderson am the appointed Managing Member of the Cate Farms, LLC and that we have full power and authority pursuant to said LLC agreement to convey unto the City of Lawton the above referenced property.

Clay Anderson

Taylor Watson

Managing Member

8/13/2021

Date

Brooke Rooney
signatory member

State of Oklahoma

County of Comanche

On this 13 day of August, 2021, before me the undersigned, a Notary Public in

and for the county and state aforesaid, personally appeared Taylor Watson; Brooke Rooney; Clay Anderson

to me known to be the identical person S who executed the within and foregoing instrument as its signatory members and acknowledged to me that " " executed the same as " " free and voluntary act and deed for the uses and purposes therein set forth.

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

My Commission Expires: _____ Commission# _____

Notary Public

Mandy D. James



Request for Taxpayer Identification Number and Certification

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Cate Farms, LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC

☐ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/estate

☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ **P**

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
7610 NW Chesley Drive

6 City, state, and ZIP code
Lawton, OK. 73505

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - ____

or

Employer identification number

83 - 2957942

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person ▶ **Taylor Watson**

Date ▶ **8/16/2021**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)

- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.