

CHICKASHA MUNICIPAL AUTHORITY

AGENDA
LOCATION OF MEETING
CITY HALL COUNCIL CHAMBERS
117 NORTH FOURTH STREET
CHICKASHA, OKLAHOMA 73018

TIME OF MEETING
6:30 PM

DATE OF MEETING
APRIL 7, 2025

All items on this agenda, including but not limited to any agenda item concerning the adoption of any ordinance, resolution, contract, agreement, or any other item of business, are subject to amendment, including additions and/or deletions. This rule will apply to every individual agenda item without exception, and without providing this same amendment language with respect to each individual agenda item. Such amendments should be rationally related to the topic of the agenda item, or the governing body will be advised to continue the item.

The governing body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the governing body may refer the matter to its City/Trust Manager, staff, attorney or to the recommending board, commission or committee.

- 1. Call to Order / Roll Call.**
- 2. Consent Docket:**
 - a. Acceptance of the Minutes of the March 3, 2025, Regular meeting and the Minutes of the March 17, 2025, Special Meeting.
 - b. Acceptance of the Claims List.
 - c. Acknowledge receipt of update on RFP CMA-2501 - Sanitary Sewer Main Replacement - Colorado Avenue at 4th Street, Chickasha, OK
- 3. Discussion/Approval of Items Removed from Consent Docket:**
- 4. Consideration and Discussion Items:**

- a. Discussion, consideration and possible action to approve First National Bank and Trust Company, Chickasha to serve as Escrow Agent for an annual fee of \$1,500 to hold and manage the Trustee deed relating to the Irrevocable Agreement to Transfer Real Property for the water treatment plant project.

5. Motion for Adjournment.

CHICKASHA

Meeting Type: CMA Agenda 4-7-2025

Meeting Date: 4/7/2025

Department: City Clerk

Agenda Item No. 2.a.

AGENDA ITEM: Acceptance of the Minutes of the March 3, 2025, Regular meeting and the Minutes of the March 17, 2025, Special Meeting.

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

Accept of the Minutes of the March 3, 2025, Regular meeting and the Minutes of the March 17, 2025, Special Meeting.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:

Susan M. McDaniel, CMC
City Clerk

Meeting Date:

April 7, 2025

Fund	Account	Amount
(To)		
FUND	ACCOUNT	AMOUNT
(From)		

V. ATTACHMENTS:

1. CMA 3-3-2025
2. CMA 3-17-2025

March 3, 2025

The **REGULAR** meeting of the **CHICKASHA MUNICIPAL AUTHORITY** was held in the council chambers in city hall on the 3rd day of March 2025 as specified by advance public notice with a properly prepared agenda stating the subject matter or matters to be discussed at said meeting. Chairman Grayson called the meeting to order at 7:15 p.m.

ITEM 1.

Call to Order / Roll Call:

CHAIRMAN AND TRUSTEES

PRESENT:

Zachary Grayson, Chairman
Georgianne Hebblethwaite, Vice Chairman
Kelly Boyd
Oscar Nelson
Kea Ginn
Erica Alexander
Charlie Burruss
Brian Gerdes

ABSENT:

John P. Smith

STAFF

PRESENT:

Jim Crosby, City Manager
Rachel Bernish, Asst. City Manager
Amanda Mullins, City Attorney
Susan M. McDaniel, City Clerk
Tony Samaniego, Fire Chief
Chief Music, Police Dept.
Darren Martin, Chief Building Inspector & Airport Manager
Omar Fierro, Public Works Director
Lillie Huckaby, Library Director
Spencer Winzenried, Parks & Rec Director
Elaine Jensen, Finance Director
Tracey Austin, HR Director
Shae Mortimer, Marketing and Civic Engagement Manager

ITEM 2.

Consent Docket: ITEM 2a – ITEM 2b.

ITEM 2a.

Acceptance of the Minutes of the February 17, 2025, regular meeting.

ITEM 2b.

Acceptance of the Claims List.

*Motion by Trustee Hebblethwaite, second by Trustee Nelson to approve Items 2a – 2b.

Roll call vote:

Ayes:” Hebblethwaite, Gerdes, Boyd, Nelson, and Grayson.

“Nays:” None

“Abstain:” Ginn, Alexander, and Burruss

Motion carried. 5-0-3

ITEM 3. Discussion / Approval of Items Removed from Consent Docket:

ITEM 2c. Accept and ratify the Financial Audit for the Fiscal Year Ending June 30, 2022.

*Motion by Trustee Burruss, second by Trustee Gerdes to accept and ratify the Financial Audit for the Fiscal Year Ending June 30, 2022.

Roll call vote:

Ayes:” Boyd, Nelson, Ginn, Hebblethwaite, Alexander, Burruss, Gerdes and Grayson.

“Nays:” None

“Abstain:” None

Motion carried. 8-0

ITEM 2d. Accept and ratify Letter of Engagement with HSPG & Associates, LLC to perform the City of Chickasha’s audit services for the FY23 and FY24 and authorize the Chairman to execute the same.

*Motion by Trustee Alexaner, second by Trustee Hebblethwaite to accept and ratify Letter of Engagement with HSPG & Associates, LLC to perform the City of Chickasha’s audit services for the FY23 and FY24 and authorize the Chairman to execute the same.

Roll call vote:

Ayes:” Boyd, Nelson, Ginn, Hebblethwaite, Alexander, Burruss, Gerdes and Grayson.

“Nays:” None

“Abstain:” None

Motion carried. 8-0

ITEM 4. Discussion and Consideration Items:

ITEM 4a. Discussion, consideration, and possible action to approve Change Order No. 1 for CMA-2405 – Sewage Lift Station Rehabilitation – 23rd Street at Grand Avenue.

TIME 7:15 P.M.

*Motion by Trustee Gerdes, second by Trustee Boyd to approve Change Order No. 1 for CMA-2405 – Sewage Lift Station Rehabilitation – 23rd Street at Grand.

Roll call vote:

Ayes:” Boyd, Nelson, Ginn, Hebblethwaite, Alexander, Burruss, Gerdes and Grayson.

“Nays:” None

“Abstain:” None

Motion carried. 8-0

ITEM 5. **Motion to Adjourn.**

*Motion by Trustee Alexander, second by Trustee Hebblethwaite to adjourn.

Meeting adjourned.

TIME: 7:18 PM

Approved this 7th day of April 2025.

Zachary Grayson, Chairman

Susan M. McDaniel, CMC – City Clerk

(ATTEST)

March 17, 2025

The **SPECIAL** meeting of the **CHICKASHA MUNICIPAL AUTHORITY** was held in the council chambers in city hall on the 17th day of March 2025 as specified by advance public notice with a properly prepared agenda stating the subject matter or matters to be discussed at said meeting. Chairman Grayson called the meeting to order at 6:37 p.m.

ITEM 1.

Call to Order / Roll Call:

CHAIRMAN AND TRUSTEES

PRESENT:

Zachary Grayson, Chairman
Georgianne Hebblethwaite, Vice Chairman
Kelly Boyd
Oscar Nelson
Kea Ginn
John P. Smith
Erica Alexander
Charlie Burruss

ABSENT:

Brian Gerdes

STAFF

PRESENT:

Jim Crosby, City Manager
Amanda Mullins, City Attorney
Susan M. McDaniel, City Clerk
Tony Samaniego, Fire Chief
Chief Music, Police Dept.
Omar Fierro, Public Works Director
Lillie Huckaby, Library Director
Spencer Winzenried, Parks & Rec Director
Elaine Jensen, Finance Director
Tracey Austin, HR Director
Shae Mortimer, Marketing and Civic Engagement Manager

ITEM 2.

Consent Docket: ITEM 2a.

ITEM 2a.

Acceptance of the Claims List.

*Motion by Trustee Boyd, second by Trustee Hebblethwaite to approve Items 2a.

Roll call vote:

TIME 6:37 P.M.

Ayes:” Hebblethwaite, Boyd, Nelson, Ginn, Alexander, Smith, Burruss and Grayson.
“Nays:” None
“Abstain:” None
Motion carried. 8-0

ITEM 3. **Discussion and Consideration Items:**

ITEM 3a. **Discussion, consideration, and possible action to approve a long-term lease agreement with the Evie Jo Erwin 2012 Revocable Trust for the site of the new water treatment plant project, with monthly rent of \$2,500, subject to annual increases based on the Consumer Price Index (CPI).**

*Motion by Trustee Hebblethwaite, second by Trustee Smith to approve a long-term lease agreement with the Evie Jo Erwin 202 Revocable Trust for the site of the new water treatment plant project, with monthly rent of \$2,500, subject to annual increases based on the Consumer Price Index (CPI).

Roll call vote:

Ayes:” Boyd, Nelson, Ginn, Hebblethwaite, Smith, Alexander, Burruss, and Grayson.
“Nays:” None
“Abstain:” None
Motion carried. 8-0

ITEM 3b. **Discussion, consideration, and possible action to authorize an Irrevocable Agreement to Transfer Real Property with the Evie Jo Erwin 2012 Revocable Trust, providing for the transfer of the property to the Chickasha Municipal Authority (CMA) following the lease term and ensuring recognition of the Erwin Family’s contribution.**

*Motion by Trustee Hebblethwaite, second by Trustee Alexander to authorize an Irrevocable Agreement to Transfer Real Property with the Evie Jo Erwin 2012 Revocable Trust, providing for the transfer of the property to the Chickasha Municipal Authority (CMA) following the lease term and ensuring recognition of the Erwin Family’s contribution.

Roll call vote:

Ayes:” Boyd, Nelson, Ginn, Hebblethwaite, Smith, Alexander, Burruss, and Grayson.
“Nays:” None
“Abstain:” None
Motion carried. 8-0

ITEM 3c. Discussion, consideration, and possible action to name the new water treatment plant The Erwin Family Waterworks.

*Motion by Trustee Smith, second by Trustee Alexander to name the new water treatment plant The Erwin Family Waterworks.

Roll call vote:

Ayes:" Boyd, Nelson, Ginn, Hebblethwaite, Smith, Alexander, Burruss, and Grayson.

"Nays:" None

"Abstain:" None

Motion carried. 8-0

ITEM 3d. Discussion, consideration, and possible action to declare an emergency exists pursuant to Title 61 O.S. §130 of the Oklahoma Competitive Bidding Act, finding that immediate action is necessary to address the sudden unexpected happening or unforeseen occurrence or condition whereby the public health or safety is endangered if the situation is not addressed promptly relating to the condition of the sanitary sewer system, and to waive the publication requirements as to CMA-2501 Sanitary Sewer Main Replacement Project.

*Motion by Trustee Boyd, second by Trustee Hebblethwaite to declare an emergency exist pursuant to Title 61 O.S. §130 of the Oklahoma Competitive Bidding Act, finding that immediate action is necessary to address the sudden unexpected happening or unforeseen occurrence or condition whereby the public health or safety is endangered if the situation is not addressed promptly relating to the condition of the sanitary sewer system, and to waive the publication requirements as to CMA-2501 Sanitary Sewer Main Replacement Project.

Roll call vote:

Ayes:" Boyd, Nelson, Ginn, Hebblethwaite, Smith, Alexander, Burruss, and Grayson.

"Nays:" None

"Abstain:" None

Motion carried. 8-0

ITEM 3d. Discussion, consideration, and possible action to declare an emergency exists pursuant to Title 61 O.S. §130 of the Oklahoma Competitive Bidding Act, finding that immediate action is necessary to address the sudden unexpected happening or unforeseen occurrence or condition whereby the public health or safety is endangered if the situation is not addressed promptly relating to the condition of the sanitary sewer system,

and to waive the publication requirements as to CMA-2501 Sanitary Sewer Main Replacement Project.

*Motion by Trustee Boyd, second by Trustee Hebblethwaite to declare an emergency exist pursuant to Title 61 O.S. §130 of the Oklahoma Competitive Bidding Act, finding that immediate action is necessary to address the sudden unexpected happening or unforeseen occurrence or condition whereby the public health or safety is endangered if the situation is not addressed promptly relating to the condition of the sanitary sewer system, and to waive the publication requirements as to CMA-2501 Sanitary Sewer Main Replacement Project.

Roll call vote:

Ayes:” Boyd, Nelson, Ginn, Hebblethwaite, Smith, Alexander, Burruss, and Grayson.

“Nays:” None

“Abstain:” None

Motion carried. 8-0

ITEM 3e. Discussion, consideration, and possible action to award the contract for the CMA-2501 Sanitary Sewer Main Replacement to the lowest responsive and responsible bidder, Matthews Trenching Co., Inc., in the amount of Four Hundred Fifty-Two Thousand Eight Hundred Seventy Dollars (\$452,870.00) and authorize the Chairman to execute all the necessary documents related to the project.

*Motion by Trustee Hebblethwaite, second by Trustee Alexander to award the contract for the CMA-2501 Sanitary Sewer Main Replacement to the lowest responsive and responsible bidder, Matthews Trenching Co., Inc., in the amount of Four Hundred Fifty-Two Thousand Eight Hundred Seventy Dollars \$452,870.00) and authorize the Chairman to execute all the necessary documents related to the project.

Roll call vote:

Ayes:” Boyd, Nelson, Ginn, Hebblethwaite, Smith, Alexander, Burruss, and Grayson.

“Nays:” None

“Abstain:” None

Motion carried. 8-0

ITEM 4. Motion to Adjourn.

*Motion by Trustee Alexander, second by Trustee Hebblethwaite to adjourn.

Meeting adjourned.

TIME: 6:49 PM

Chickasha Municipal Authority Meeting 3-17-2025
TIME 6:37 P.M.

Approved this 7th day of April 2025.

Zachary Grayson, Chairman

Susan M. McDaniel, CMC – City Clerk

(ATTEST)

CHICKASHA

Meeting Type: CMA Agenda 4-7-2025

Meeting Date: 4/7/2025

Department: Finance

Agenda Item No. 2.b.

AGENDA ITEM: Acceptance of the Claims List.

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

Accept the Claims List.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:

Elaine Jensen, Finance Director

Meeting Date:

April 7, 2025

Fund	Account	Amount
(To)		
FUND	ACCOUNT	AMOUNT
(From)		

V. ATTACHMENTS:

CHICKASHA

Meeting Type: CMA Agenda 4-7-2025

Meeting Date: 4/7/2025

Department: Administration

Agenda Item No. 2.c.

AGENDA ITEM: Acknowledge receipt of update on RFP CMA-2501 - Sanitary Sewer Main Replacement - Colorado Avenue at 4th Street, Chickasha, OK

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:

	Fund	Account	Amount
	(To)		
	FUND	ACCOUNT	AMOUNT
Meeting Date: April 7, 2025	(From)		

V. ATTACHMENTS:

1. 20250401143103083



CHISHOLM TRAIL CONSULTING, LLC

R. Scott Vaughn, P.E., CFM
Professional Engineering Services
580-467-8130
rscottv11@gmail.com

March 31, 2025

Chickasha Municipal Authority
Mr. Omar Fierro, Acting Public Works Director
117 North 4th Street
Chickasha, Oklahoma 73018

RE: RFP CMA-2501
SANITARY SEWER MAIN REPLACEMENT
COLORADO AVENUE AT 4TH STREET
CHICKASHA, OK

Dear Sir:

As you know, the Chickasha Municipal Authority on March 17, 2025 awarded a contract to Matthews Trenching Co., Inc. (MTCI) for construction of CMA-2501 Sanitary Sewer Main Replacement in the amount of \$452,870.00. This project is necessary to replace an existing sanitary sewer main that has failed and has been a continuous operational/maintenance problem.

Since that time MTCI has mobilized to the site and started work on the project.

While potholing to expose utilities within the project limits, as required by state statutes and to expose the proposed connection points, MTCI has discovered that existing conditions vary from previously known conditions. Primarily, the elevations of the existing sanitary sewer main pipes are different than determined by traditional surveying methods.

As a result, to resolve this condition the design has been revised. The revisions result in overruns to existing pay items in the contract. Please find attached the pertinent revised drawings and a revised cost estimate listing these overruns.

If you have any questions or require additional information, please do not hesitate to call me.

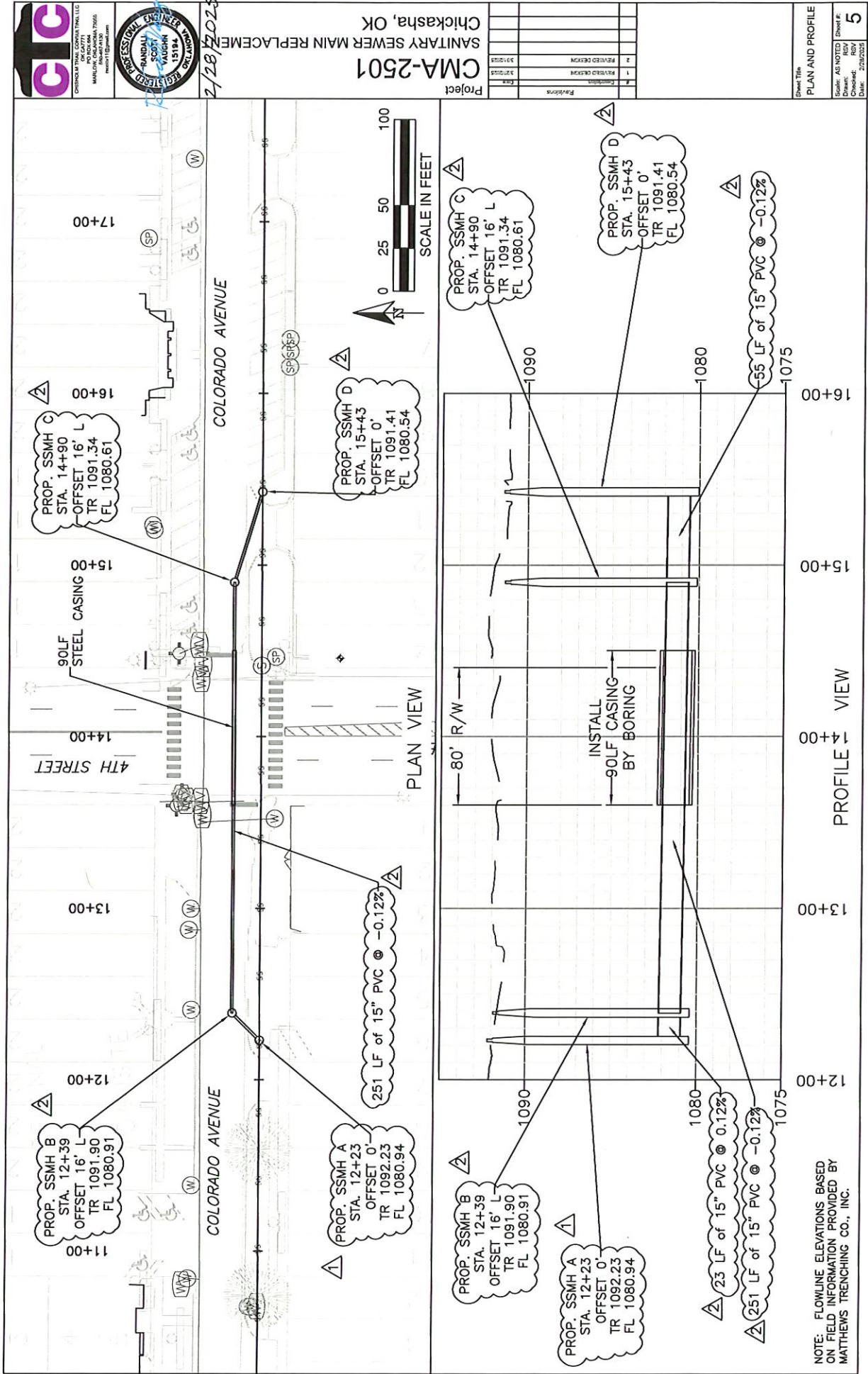
Sincerely,

A handwritten signature in blue ink that reads 'R. Scott Vaughn'.

R. Scott Vaughn, P.E., CFM

Enclosures
Cc: File

REASONABLE ■ SENSIBLE ■ QUALITY



NOTE: FLOWLINE ELEVATIONS BASED ON FIELD INFORMATION PROVIDED BY MATTHEWS TRENCHING CO., INC.

Project
CMA-2501
SANITARY SEWER MAIN REPLACEMENT
Chickasha, OK

2/28/2025

Sheet Title
PLAN AND PROFILE

Scale: AS NOTED
Drawn: JED
Checked: REV
Date: 2/28/2025

Sheet #
5

Professional Engineer
PANDAL SCOTT MAUGHN
15194
OKLAHOMA

CHICKASHA TRENCHING CO., INC.
CHICKASHA, OK 73015
MATTHEWS TRENCHING CO., INC.
MATTHEWS TRENCHING CO., INC.
MATTHEWS TRENCHING CO., INC.

Revision	Description	By	Date
1	ISSUED FOR PERMIT	JED	2/28/2025
2	REVISED DESIGN	JED	3/10/2025

CITY OF CHICKASHA
CMA-2501
SANITARY SEWER MAIN REPLACEMENT
COLORADO AT 4TH STREET
REVISED COST ESTIMATE

PAY ITEM NO.	PAY ITEM DESCRIPTION	UNITS	AS-BID			REVISED ESTIMATE		
			EST QTY	EST UNIT PRICE	EST TOTAL COST	EST QTY	EST UNIT PRICE	EST TOTAL COST
UTILITY QUANTITIES								
1	DEWATERING	LSUM	1	\$ 50,000.00	\$ 50,000.00	2.00	\$ 50,000.00	\$ 100,000.00
614	ABANDONING SEWER	LSUM	1	\$ 3,500.00	\$ 3,500.00	1	\$ 3,500.00	\$ 3,500.00
618	SEWER FLOW CONTROL	LSUM	1	\$ 22,500.00	\$ 22,500.00	0	\$ 22,500.00	\$ -
625	SEWER PIPE LEAKAGE TESTING	L.SUM	1	\$ 2,000.00	\$ 2,000.00	1	\$ 2,000.00	\$ 2,000.00
626	SANITARY SEWER MANHOLES	EA	4	\$ 7,500.00	\$ 30,000.00	4	\$ 7,500.00	\$ 30,000.00
651	SDR 26 PVC SANITARY SEWER MAIN (15-INCH), INSTALLED	LF	152	\$ 800.00	\$ 121,600.00	329	\$ 800.00	\$ 263,200.00
654	STEEL CASING, INSTALLED	LF	80	\$ 1,000.00	\$ 80,000.00	90	\$ 1,000.00	\$ 90,000.00
ROADWAY QUANTITIES								
230(A)	SOLID SLAB SODDING, INSTALLED	SY	159	\$ 10.00	\$ 1,590.00	51	\$ 10.00	\$ 513.33
411	ASPHALT PAVEMENT REMOVAL AND REPLACEMENT	SY	330	\$ 150.00	\$ 49,500.00	481	\$ 150.00	\$ 72,100.00
501(G)	CLSM BACKFILL	CY	207	\$ 175.00	\$ 36,225.00	207	\$ 175.00	\$ 36,225.00
609(B)	CURB AND GUTTER REMOVAL AND REPLACEMENT	LF	51	\$ 150.00	\$ 7,650.00	42	\$ 150.00	\$ 6,300.00
610(A)	4" CONCRETE SIDEWALK REMOVAL AND REPLACEMENT	SY	56	\$ 115.00	\$ 6,440.00	0	\$ 115.00	\$ -
610(B)	6" CONCRETE DRIVEWAY REMOVAL AND REPLACEMENT	SY	135	\$ 175.00	\$ 23,625.00	78	\$ 175.00	\$ 13,611.11
610(I)	TACTILE WARNING DEVICE REMOVAL AND REPLACEMENT	SF	8	\$ 75.00	\$ 600.00	8	\$ 75.00	\$ 600.00
855(B)	TRAFFIC STRIPE (PLASTIC) (24" WIDE)	LF	132	\$ 20.00	\$ 2,640.00	132	\$ 20.00	\$ 2,640.00
880(J)	CONSTRUCTION TRAFFIC CONTROL	LSUM	1	\$ 15,000.00	\$ 15,000.00	0	\$ 15,000.00	\$ -
TOTAL CONSTRUCTION COST ESTIMATE						\$ 452,870.00		\$ 620,689.44



CHISHOLM TRAIL CONSULTING, LLC

3/31/2025

CHICKASHA

Meeting Type: CMA Agenda 4-7-2025

Meeting Date: 4/7/2025

Department: Administration

Agenda Item No. 4.a.

AGENDA ITEM: Discussion, consideration and possible action to approve First National Bank and Trust Company, Chickasha to serve as Escrow Agent for an annual fee of \$1,500 to hold and manage the Trustee deed relating to the Irrevocable Agreement to Transfer Real Property for the water treatment plant project.

I. BACKGROUND/DESCRIPTION:

This is to approve "Exhibit A" of the Irrevocable Agreement to Transfer Real Property that was approved by the Chairman and Trustees on March 17, 2025.

II. RECOMMENDED ACTION:

Approve First National Bank and Trust Company, Chickasha to serve as Escrow Agent for an annual fee of \$1,500 to hold and manage the Trustee deed relating to the Irrevocable Agreement to Transfer Real Property for the water treatment plant project.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:

Fund	Account	Amount
(To)		
FUND	ACCOUNT	AMOUNT
(From)		

Meeting Date:
April 7, 2025

V. ATTACHMENTS:

- 20250401154550972

EXHIBIT "A"

ESCROW INSTRUCTIONS

These Escrow Instructions (the "Instructions") are entered into this ____ day of _____, 20____, by and among the Evie Jo Erwin 2012 Revocable Trust (the "Erwin Trust"), the Chickasha Municipal Authority ("CMA"), and The First National Bank and Trust Co (the "Escrow Agent").

Delivery of Escrow Documents. Within thirty (30) days of executing the Irrevocable Agreement to Transfer Real Property (the "Agreement"), the Erwin Trust shall deliver the following documents (collectively, the "Escrow Documents") to the Escrow Agent:

- a. A duly executed and acknowledged Trustee Deed conveying the real property described in the Agreement (the "Property") to CMA.
- b. Any necessary transfer documents required to effectuate the conveyance of the Property, including but not limited to an affidavit of trust or other certification of trust, if required.
- c. Any other documentation mutually agreed upon by the Erwin Trust and CMA.

Duties of Escrow Agent. The Escrow Agent shall:

- a. Hold the Escrow Documents in trust and not release them except as provided in these Instructions.
- b. Maintain the Escrow Documents in a safe and secure location.
- c. Notify CMA and the Erwin Trust in writing upon receipt of the Escrow Documents.

Conditions for Release of Escrow Documents. The Escrow Agent shall release and record the Escrow Documents in the official land records of Grady County, Oklahoma, upon receipt of the following:

- a. A certified copy of the death certificate of Evie Erwin; or other verifiable certification of death; and
- b. Written instructions from CMA directing the Escrow Agent to record the Escrow Documents.

Dispute Resolution. In the event of any dispute between the Erwin Trust and CMA regarding the release or recording of the Escrow Documents, the Escrow Agent shall retain the Escrow Documents until receipt of a joint written instruction from both parties or a final court order directing the Escrow Agent's actions.

Escrow Fees. Any fees or costs associated with the Escrow Agent's services shall be paid by the CMA unless otherwise agreed in writing.

Indemnification. The Erwin Trust and CMA shall jointly and severally indemnify and hold the Escrow Agent harmless from any claims, losses, liabilities, or expenses incurred in good faith performance of its duties under these Instructions, except in cases of the Escrow Agent's gross negligence or willful misconduct.

General Provisions.

- a. **Governing Law:** These Instructions shall be governed by the laws of the State of Oklahoma. Venue shall be in the District Courts of Grady County.
- b. **Modification:** These Instructions may only be modified by a written agreement signed by all parties.
- c. **Counterparts:** These Instructions may be executed in counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.
- d. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties and may not be modified or amended except by written instrument executed by both parties.
- e. **Joint Preparation.** This Agreement is to be deemed to have been prepared jointly by the parties hereto after arms-length negotiations, and any uncertainty or ambiguity existing herein shall not be construed against any party on the ground that one party or the other drafted some or all of this Agreement or any related document.
- f. **Severability, Savings.** If any provision of this Agreement is determined to be invalid or unenforceable to any extent, the remainder of the provisions will not be affected and will be valid and enforceable to carry out, to the fullest extent possible, the original intent of the parties as permitted by law or in equity.

IN WITNESS WHEREOF, the parties have executed these Escrow Instructions as of the date first above written.

Executed the date and year first written herein above.

THE EVIE ERWIN 2012 REVOCABLE TRUST

Emily Crain
Senior Vice President
Trust Company Oklahoma

STATE OF OKLAHOMA)

)

GRADY COUNTY)

Before me, a notary public in and for said county and state, on this _____ day of _____, 202_, personally appeared Emily Crain , the Senior Vice President of Trust Company Oklahoma, the Trustee of the Evie Jo Erwin 2012 Revocable Trust and executed the within and foregoing instrument, and acknowledged to me that she executed the same as her voluntary act and deed for the uses and purposes therein set forth and further acknowledged that she has the full authority to sign on behalf of the Evie Jo Erwin 2012 Revocable Trust.

My commission expires:

Notary Public

CHICKASHA MUNICIPAL AUTHORITY

Chairman

Secretary

_____, The First National Bank and Trust Co.
122 North 6th Street
Chickasha, OK 73018