

RESOLUTION NO. 4A 2023-01

A RESOLUTION OF THE MIDWEST CITY UTILITIES AUTHORITY DECLARING LOTS 2A, 2B, 2C, 2D, 2E, 3A, 3B, 3C, 3D, 3E, 3F, AND 3G, OF SOLDIER CREEK INDUSTRIAL PARK, AN ADDITION TO THE CITY OF MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA. (A/K/A +/- 11.73 ACRES LOCATED IN THE NORTH HALF OF SECTION 27, TOWNSHIP 12 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN) AS SURPLUS; APPROVING THAT CERTAIN “AGREEMENT FOR THE PURCHASE AND SALE OF REAL ESTATE”, BY AND BETWEEN THE MIDWEST CITY UTILITIES AUTHORITY AND AMERICAN GLASS, INC. (THE “REAL ESTATE AGREEMENT”); AUTHORIZING AND DIRECTING EXECUTION AND DELIVERY OF THE REAL ESTATE AGREEMENT; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

WHEREAS, the Midwest City Utilities Authority, an Oklahoma public trust (hereinafter, the “Utilities Authority”), in its effort to create jobs and to expand local economic development opportunities previously acquired certain personal property for the purpose of developing the Soldier Creek Industrial Park (hereinafter “SCIP”),

WHEREAS, American Glass, Inc., an Oklahoma corporation (hereinafter, the “Company”), intends to develop, construct, equip and operate a glass wall panel assembly facility within SCIP in Midwest City, Oklahoma (hereinafter, the “AG Facility”), and to create between 70 and 100 new direct jobs at the AG Facility, with salaries and benefits equal to or higher than the current average now obtaining within Oklahoma County (hereinafter, the “Project”); and

WHEREAS, in exchange for the Company’s agreement to undertake the Project, the Midwest City Utilities Authority, an Oklahoma public trust (hereinafter, the “Utilities Authority”), has agreed to sell land owned by the Utility Authority in the Soldier Creek Industrial Park to the Company, pursuant to the terms and conditions of that certain “Agreement for the Purchase and Sale of Real Estate”, by and between the Utilities Authority and the Company (hereinafter, the “Real Estate Agreement”); and

WHEREAS, the Trustees of the Utilities Authority have determined that it is in the best interests of the residents of Midwest City, Oklahoma that the Real Estate Agreement be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND TRUSTEES OF THE MIDWEST CITY UTILITIES AUTHORITY, AS FOLLOWS:

SECTION 1. Declaring the Property as Surplus. The Trustees of the Midwest City Utilities Authority hereby declare Lots 2A, 2B, 2C, 2D, 2E, 3A, 3B, 3C, 3D, 3E, 3F, and 3G of SOLDIER CREEK INDUSTRIAL PARK, an Addition to the City of Midwest City, Oklahoma County, Oklahoma. (a/k/a +/- 11.73 acres located in the North Half of Section 27, Township 12 North, Range 2 West of the Indian Meridian, as surplus, and authorizing the General Manager/Administrator to dispose of the property as provided for in the Real Estate Agreement.

SECTION 2. Approving the Terms and Conditions of the Real Estate Agreement. The Trustees of the Midwest City Utilities Authority hereby approve that certain “Agreement for the Purchase and Sale of Real Estate”, dated as of its date of execution, by and between the Utilities

Authority and the Company (the "Real Estate Agreement"), in substantially the form submitted at this meeting, with such changes as made be hereafter approved by the Chairman of the Utilities Authority.

SECTION 3. Authorizing and Directing Execution and Delivery of the Real Estate Agreement and All Related Instruments. The Chairman and the Secretary are hereby authorized and directed to execute and deliver the Real Estate Agreement and such other instruments as may be necessary or appropriate in order to effectuate the execution and delivery of the Real Estate Agreement.

PASSED AND APPROVED by the Chairman and Trustees of the Midwest City Utilities Authority this 28 day of February, 2023.



ATTEST:

Sara Hancock
Sara Hancock, City Secretary

MIDWEST CITY UTILITIES AUTHORITY

Matthew D. Dukes II
Matthew D. Dukes II, Chairman

APPROVED as to form and legality this 28th day of February, 2023.

Don Maisch
Don Maisch, Counselor