

LIFT STATION AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____ 2023, by and between the Norman Utilities Authority (hereinafter referred to as the "Authority") and Wiggins Investments, LLC, an Oklahoma limited liability company (hereinafter referred to as the "Developer").

1. WHEREAS, the Developer applying for the approval of developing and subdividing their property, which would otherwise be served by septic tanks or sewage lagoons maintained privately, and desires that their property be served by a lift station which would pump wastewater into the Authority's wastewater system; and
2. WHEREAS, this alternative, if approved by the Authority would require additional operation, maintenance, and replacement costs which are unique to the particular subdivision being served; and
3. WHEREAS, the Developer of the proposed Liberty Point subdivision requests that the subdivision be provided wastewater service through the existing Post Oak Lift Station pumping into the Authority's wastewater system; and
4. WHEREAS, the Developer requests that this alternative be approved as part of the platting process and that an administrative lift station fee be established for each lot or unit in the Liberty Point subdivision to provide for the operation, maintenance, and replacement of said lift station serving said subdivision; and
5. WHEREAS, the existing Post Oak Lift Station was constructed and placed into service in 2010 and is subject to a lift station fee pursuant to Contract K-0809-115 which requires that the lift station fee be established for all lots connecting to the lift station; and
6. WHEREAS, connecting to the existing Post Oak Lift Station and the serving of the Liberty Point subdivision by the lift station will be of great advantage to the property owners within the subdivision by reducing their costs for the installation, operation and maintenance of septic systems or privately maintained sewage lagoons.

BE IT THEREFORE AGREED BY AND BETWEEN THE PARTIES HERETO:

7. THAT the parties do establish an operation, maintenance, and replacement monthly lift station fee for the Liberty Point subdivision whose sanitary sewage will flow to the existing Post Oak Lift Station for the purpose of pumping wastewater into the City's wastewater system and that said monthly fee be billed each lot in all subdivisions served by the lift station by the City of Norman through the utility billing process. Said provisions shall be included in the restrictive covenants covering said subdivisions.
8. THAT the procedure for establishing said operation, maintenance, and replacement fee for each individual subdivision shall be as follows:
 - (a) Prior to Council consideration of the preliminary plat, the Utilities Engineer or his authorized representative, shall estimate the annual administrative fee (the Lift Station Fee) necessary

to provide for the proper operation, maintenance and replacement (OM&R) of the Post Oak Lift Station, force main and associated appurtenances.

- (b) The Authority shall levy the Lift Station Fee upon all lots within the Post Oak service area and this determination shall be made a condition of Council's preliminary plat approval.
- (c) Prior to Council consideration of any final plat utilizing the Post Oak Lift Station and force main, the Utilities Engineer or his authorized representative, shall update and adjust the Lift Station Fee as required by the amended lift station service area. The adjusted Lift Station Fee shall be filed of record as a restrictive covenant with said final plat all future final plats within the lift station service area.
- (d) The Lift Station Fee will be adjusted annually to account for inflation based on the rate of change in the United States Department of Labor's Consumer Price Index for All Urban Consumers for the month most recently published, as compared to the same month in the previous year, and may otherwise be adjusted if the Authority determines that changes to the lift station's service area boundaries necessitate said adjustment.
- (e) In the event a new lift station enlarges the service area of the existing Post Oak Lift Station and replaces said lift station, the Lift Station Fee applicable to all existing final plats may not increase as a result of new calculation. However, the Lift Station Fee applicable to all existing final plats (if any) may decrease to the amount of new Lift Station Fee calculation.
- (f) The Lift Station Fee shall be charged and collected in perpetuity as long as the lift station remains in operation.
- (g) In the event the lift station is taken out of service and its wastewater subsequently flows by gravity to the wastewater treatment facility site, any applicable Lift Station Fee shall be discontinued upon filing of a notice by the Authority.
- (h) The Lift Station Fee shall be made a part of the City of Norman Utility bill for collection monthly and accounted for in the Wastewater Fund.
- (i) The estimated Lift Station Fee has been calculated and is attached hereto as Exhibit "A" and made a part hereof.
- (j) The proposed Liberty Point subdivision was envisioned and accounted for within the design of the Post Oak Lift Station service area is shown on Exhibit "B" attached hereto and made a part hereof.

IN WITNESS WHEREOF, the Authority and Developer have executed this Agreement.

Norman Utilities Authority
201 West Gray
Norman, OK 73069

ATTEST:

By: _____
Larry Heikkila, Chairperson

Secretary

APPROVED as to form and legality this 8 day of February, 2024.

Elizabeth Elvickela
Authority Attorney

Wiggins Investments, LLC
5801 N Broadway Ext., Suite 120
Oklahoma City, OK 73116

By: Chuck Wiggins
CHUCK WIGGIN, Manager

Subscribed and sworn to before me this 06 day of February, 2024.



Larenda G. Hord
Notary Public

My Commission Expires:

April 22, 2027

Lift Station Operation, Maintenance and Replacement Cost Estimate

Exhibit A										
Post Oak Lift Station										
The Engineering Report provided by the developer will include sufficient information to allow the City of Norman to calculate the approximate cost to operate, maintain and replace capital equipment for the life of the proposed lift station. This information shall include the following at a minimum:										
Proposed Lift Station Sewer Service Area including expected number and type of residential units as well as the number of acres of other zoning classifications such as commercial, institutional, industrial, etc. If applicable, a phasing plan shall be submitted. Calculate estimated population equivalent to be served by the lift station (include total population and breakout by phases, if applicable.) Estimated average daily wastewater flow (ADF) in gallons per day (GPD) and peak hourly flow in GPD utilizing generally accepted standards for per capita ADF or other data acceptable to the City of Norman.										
	Parcel 1 Links Units	The Acres	Parcel 2A (Commercial) Acres	Parcel 2B (Residential) Units	Parcel 3 (Industrial) Acres	Parcel 4 (Mixed Use) Acres	Parcel 5 RV Park Acres	Parcel 6 (LDR) Units	Parcel 7 (LDR) Acres	Total
	924		29.27	400	5.45	7	138	1	48.42	
Population Equivalent Per Category	1.60		14.38	1.60	10.00	14.38	8.89	2.54	8.89	
Estimated Population	1,478		421	640	54	101	1,226	3	430	4,354
Estimated average daily wastewater flow (ADF) in gallons per day using 125 gpcd	147,840		42,090	64,000	5,447	10,080	98,074	318	53,807	421,656
Estimated peak hourly flow in GPD	517,440		147,316	224,000	19,065	35,281	343,261	1,111	188,324	1,475,797
Peaking Factor	3.5									
Drawings showing the location of the proposed lift station, force main and access roadways. Include sufficient data to allow the pump static head to be determined).										
HP = ((GPM) x (TDH)) / ((3960) x (0.50)) where pump efficiency is assumed to be 50% (unless otherwise approved). Check if pump of estimated GPM and TDH is available; adjust HP as required.										
	GPM	TDH	Efficiency	HP						
	1000	120	50%	60.61						
Estimate average annual electrical cost										
1. Pump time (hours per day) = ((ADF in GPD) x 24) / (1440 x (Pump Capacity in GPM))										
	ADF	Pumping Capacity	Pumping Hours/day							
	421,656	1000	7.03							
2. kilowatt-hours (kWh) = (HP) x 0.746 x (pump time in hours per day) x 365										
	HP	Pumping Hours/Day	Kwh Per Day	Kwh Per Year						
	60.61	7.03	317.73	115,973						
3. Annual Electrical Cost = kWh per year x \$0.08 kWh										
	Kwh Per Year	Cost per Kwh	Cost per Year							
	115,973	\$0.08	\$9,277.80							
Estimate annual lift station and force main OM&R cost. Provide approximate cost for lift station and appurtenances. Include wetwell, pumps, discharge piping and valves, electrical controls, flow metering, force main quick-connect coupling, valve vault, fittings and valves, fencing, all weather access road, force main, air release valves and vaults, etc. Assume annual replacement cost is 5% of original construction cost.										
Annual OM&R Cost = 0.05 x Capital Cost										
	Lift Station Cost	Force Main Length	12" Force Main Per Foot	Force Main Cost	Total Cost	Annual Cost				
	\$580,484.00	9,350	\$36.00	\$336,600	\$917,084	\$45,854				
Calculate Total Monthly OM&R Cost: Monthly OM&R Cost = (Annual Electrical Cost + Annual OM&R Cost) / 12										
	Electrical Cost	Emer Gen Maint Cost	OM&R Cost	Total Annual Cost	Total Monthly Cost					
	\$9,277.80	\$2,700.00	\$45,854.20	\$57,832.00	\$4,819.33					
Calculate Lift Station Fee: The fee will be calculated on a residential lot basis as well as a per capita basis to accommodate other zoning classifications such as commercial, institutional, industrial, etc.										
Monthly Per Capita Fee = ((Monthly OM&R Cost) x Per Capita ADF) / ((ADF) x 30.417 days per month)										
Monthly Residential Fee = where the number of persons per household is the same as was assumed in the Engineering Report.										
	Total Annual Monthly	Monthly Cost Per	Monthly Cost Per	Monthly Cost Per	Monthly Cost Per					
	Cost	Person	Household	Apartment/ RV Space	Business					
Original Agreement Rate	\$4,819.33	\$1.11	\$2.81	\$1.77	\$31.06					
Current Rate w/ Inflation (adj. 7/1/23)		\$1.69	\$4.29	\$2.70	\$47.42					

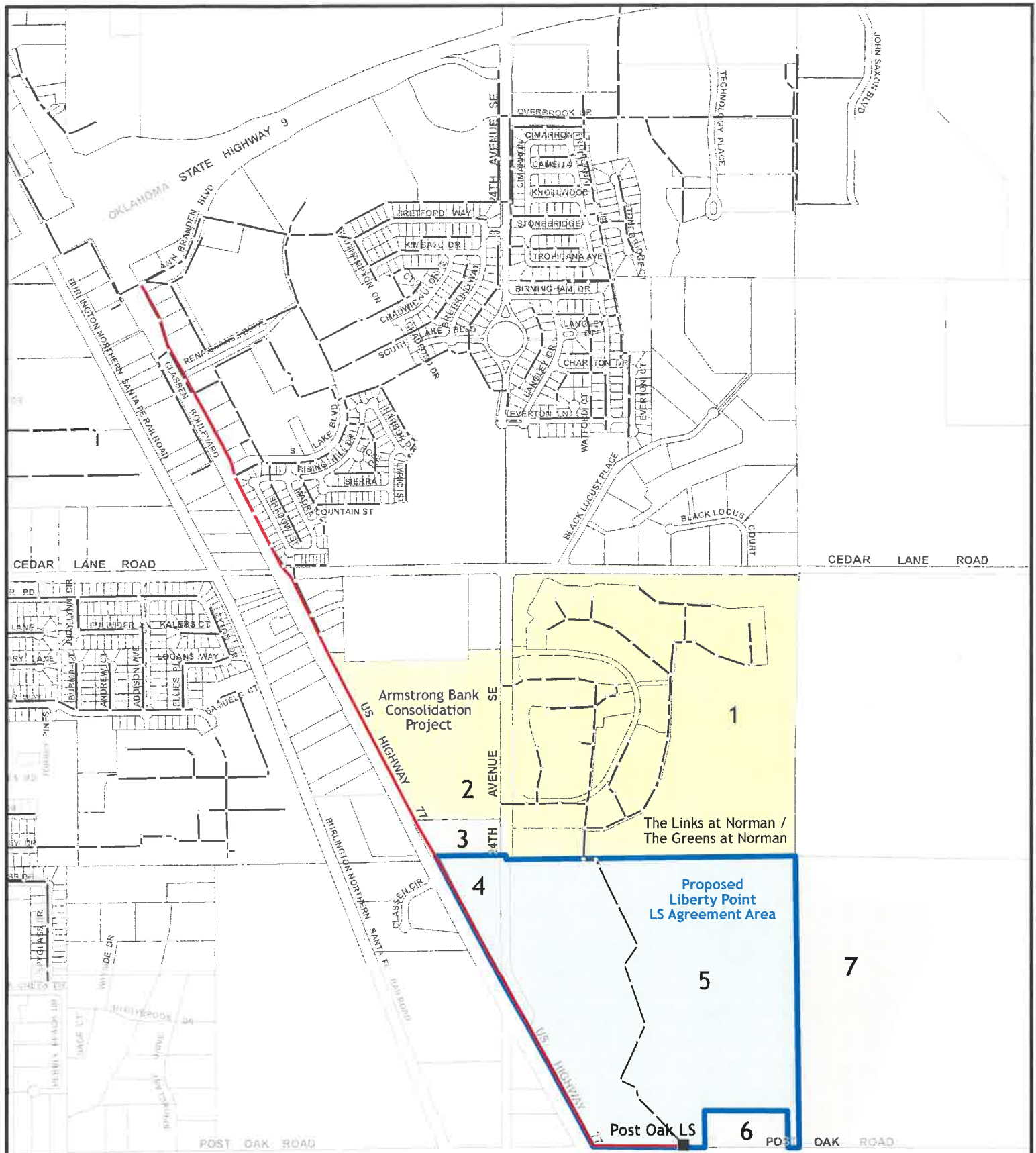


Exhibit B - Liberty Point Lift Station Agreement



Map Produced by the City of Norman
Geographic Information System.

The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

0 0.1 0.2 0.3 Miles

December 6, 2023



- Lift Station
- Proposed Liberty Point Agreement
- SS Force Main
- Existing LS Agreements
- SS Gravity Main
- Future LS Agreements
- Parcel Boundary