

EXHIBIT C

**IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA**

CITY OF NORMAN, OKLAHOMA,)
A Municipal Corporation,)

Plaintiff,)

vs.)

THE UPLANDS DEVELOPMENT CO., L.L.C.,)
An Oklahoma Limited Liability Company;)

JIM REYNOLDS, in his Capacity as)
Cleveland County Treasurer; and the)

BOARD OF COUNTY)
COMMISSIONERS FOR CLEVELAND)
COUNTY,)

Defendants.)

Case No.: CJ-2021-227
Honorable Judge Virgin

AGREED JOURNAL ENTRY OF JUDGMENT

COMES NOW, the Plaintiff, City of Norman, Oklahoma (the “City”), Defendant The Uplands Development Co., L.L.C. (“Property Owner”), and together submit the following:

1. The City filed a Petition for Condemnation in the above-referenced case on March 9, 2021, seeking to acquire a permanent right-of-way easement and temporary driveway easement (the “Property”) from the Property Owner for the street improvement project described in Plaintiff’s Petition. Also named as Defendants were the Jim Reynolds, Cleveland County Treasurer and the Board of County Commissioners for Cleveland County (collectively the “County Defendants”).

2. County Defendants filed an Answer and Disclaimer on April 19, 2021.
3. Property Owner, through legal counsel, filed an Entry of Appearance and Reservation on March 31, 2021.
4. Plaintiff provided a Notice to all Defendants regarding a hearing to appoint commissioners to be held on April 26, 2021.
5. The Parties submitted an agreed Order Appointing Commissioners to the Court, which order was approved by the Court and filed May 5, 2021.
6. The Report of Commissioners was filed on July 22, 2021. The Commissioners determined the just compensation owed to the Defendants to be a total of \$185,000.00. The court's record notes all Defendants' receipt of a copy of the Report of Commissioners.
7. The City deposited the \$185,000.00 award with the Cleveland County District Court as required by 66 O.S. §53(C) on August 3, 2021.
8. On September 16, 2021, Property Owner filed a demand for jury trial on the issue of just compensation.
9. On November 12, 2021, the City filed the July 22 Report of Commissioners with the Cleveland County Clerk at Book 6341 Page 1304-1306, vesting title to the Property in the City according to the terms of the Petition.
10. The parties are currently set for an April 1, 2024 Status Conference, and have engaged in voluntary settlement discussions as trial approaches. An amicable agreement for full disposition of the issues in this case, including just compensation and conveyance of the Property to the City, has been reached and the parties hereby seek this disposition of the matter in this Court, and according

to the terms of this Agreed Journal Entry, in order to effectively implement the parties' agreed settlement.

11. The parties have agreed to a total amount of just compensation of Sixteen Dollars and Twelve Cents (\$16.12) per square foot for Property acquired. The parties have agreed that half of the square footage of the Property shall be acquired by the City at a price of Sixteen Dollars and Twelve Cents (\$16.12) per square foot, and the other half shall be conveyed to the City pursuant to the Property owner's donation, for a total compensation amount of \$330,027.98. These conveyances shall be accomplished in form according to those conveyance instruments agreed to in the parties' settlement.
12. The City's previous deposit of \$185,000.00 with the Cleveland County District Court on August 3, 2021, which was disbursed to Property Owner on February 13, 2023, shall be retained by Property Owner and shall be applied against this just compensation amount, leaving a remaining judgment balance of \$145,027.98.
13. Further, according to 66 Okla. Stat. § 55(D), the final amount of just compensation exceeds the July 22 Commissioners' Award by more than ten percent (10%), and the parties have agreed to an attorney-fee and cost award in a total amount of \$54,734.33.
14. Upon entry of judgment, the City shall accomplish the following filings and/or conveyances of record in order to give full effect to the parties' agreement:
 - a. The City shall file the attached Release of Report of Commissioners in the land records for Cleveland County, State of Oklahoma, with this

final filed Journal Entry attached as its “Exhibit B.” Upon filing, this Release shall, in force and effect, release and re-convey to Property Owner any title interested obtained by the City to the Property by its November 12, 2021 filing of record.

- b. Immediately following the filing of the Release, and according to the parties’ agreement, the City shall file of record those conveyances accomplishing the City’s acquisition of the permanent right-of-way sought in this action, in the manner agreed to by the parties. Further, the City’s interest in the temporary driveway easement sought in this action shall immediately vest according to the parties’ agreed conveyance of the same.

Based upon the above and foregoing, this Court finds and ORDERS and ENTERS JUDGEMENT as follows:

1. That just compensation in this case is hereby set for the total amount of \$330,027.98, an attorney-fee and costs of award is hereby set for a total amount of \$54,743.33, and that amounts previously deposited and disbursed shall be credited, leaving a final judgment amount of **\$199,771.31** in favor of Property Owner;
2. That the Release of Commissioners’ Report and subsequent conveyances of the permanent right-of-way and temporary driveway easement sought by the City shall be accomplished, and have the legal force and effect, as set forth herein;
3. That this Agreed Journal Entry of Judgment fully and finally resolves all matters and issues that were or could have been brought by any and all parties to this action, but

does not apply to claims not alleged in this lawsuit which have not yet accrued or may accrue, occur, or arise in the future, as per the parties' further agreements.

This Journal Entry of Judgment has been reviewed and approved by the parties hereto.

SIGNED AND ENTERED this ____ day of _____ 2024.

Honorable Jeff Virgin
JUDGE of the DISTRICT COURT

APPROVED:

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