Jones

# REQUEST FOR LEGAL SERVICES

This form is used to provide legal opinions and contract approval by the District Attorney's Office. Only that advice that is related to a pending or potential claim against the County or its officers and employees is protected by the attorney-client priviledge. Opinions that are privileged should not be disclosed to anyone or the priviledge may be waived.

All legal opinions and approvals rendered are based only on the documentation and information stated below or attached to this form and, thus, it is important that all relevant facts and information be provided at the time of review. Please advise the District Attorney's Office of new or additional information, as it may cause the opinion to change. In all cases, the opinions of the District Attorney's Office are not binding on the County, its officers or employees and may be followed or disregarded in the discretion of the elected official.

. 04/23/2025

Date of Request: 04/23/2025	Department: District 1
State the nature of the legal request	
Please review the legality for the follwir	ng General Mutual Cooperation Agreement. Town of
RECEIVED	***************************************
APR 2 3 2025	
CIVIL DIVISION	Joseph Parger
DISTRICT ATTORNEY	County Officer or Department Director
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Reply of District Attorney's Office: _	
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## GENERAL MUTUAL COOPERATION AGREEMENT

## BETWEEN THE TOWN OF JONES CITY

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### THE BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY

THIS GENERAL MUTUAL COOPERATION AGREEMENT (the "Agreement") is entered into effective July 1, 2025, between the TOWN OF JONES CITY, a municipal corporation organized and existing under the laws of the State of Oklahoma (the "Municipality"), and the BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY, a political subdivision organized and existing under the laws of the State of Oklahoma (the "County").

#### **RECITALS:**

WHEREAS, 69 O.S. § 601A, authorizes the County to use any funds which are in the county highway fund to construct and maintain as county highways those roads which best serve the most people of the county; and

WHEREAS, 69 O.S. § 603 provides that the County may contract for grading, draining, or hard-surfacing any street within any municipality where such street is a continuation of or a connecting link in the State or County Highway System; and

WHEREAS, 69 O.S. § 1903B authorizes the County to enter into an agreement with a municipality or any two or more counties or municipalities to construct, improve, repair or maintain any of the roads, streets or highways of the other parties to the contract; and

WHEREAS, County Resolution No. 118-08 has set out procedures for tinhorn acquisition if the requested tinhorn location(s) is/are within the corporate limits of a municipality, and a legal agreement with the municipal entity to install the tinhorn and collect the fees must be approved; and,

WHEREAS, the County and the Municipality find that it is to the mutual benefit of the citizens of both the Municipality and the County to enter into an agreement for mutual cooperation for maintenance, construction, and repair of certain streets within the limits of the Municipality and the responsibility of the Municipality, and the installation of tinhorns within the limits of the Municipality.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

- 1. The County may, at their discretion, perform work to construct, improve, or repair certain roadways within the incorporated limits of the Municipality.
- 2. The Municipality's governing body must submit specific written requests to the County, identifying the particular streets or portions of streets, along with an appropriate title for each

request for which the Municipality is seeking the County's assistance in construction, improvement, repair and maintenance. Said requests shall adequately and specifically describe the street location and the specific type of assistance needed from the County and describe the anticipated period of time that such assistance shall be needed. If the County approves the Municipality's request for assistance, said request shall be performed pursuant to the authority of this Agreement and the specific agreement.

- 3. The Municipality shall, under the specific agreement, furnish to the County the funds to pay the Municipality's share of the costs of labor, engineering, equipment, and material if applicable.
- 4. No party to the contract shall be liable for the acts or omissions of the other party or for failure to inspect or supervise the performance of the other party.
- 5. The parties understand and agree that this Agreement in no way relieves the Municipality of the Municipality's primary duty to maintain its streets in a reasonably safe condition for travel by the public for the duration of the project.
- 6. Municipality hereby represents and warrants to County that the Municipality owns, leases, or holds beneficial easements on any and all real property on which they seek the County's assistance in construction, improvement, repair or maintenance.
- 7. Notwithstanding anything to the contrary herein, the Municipality acknowledges that the County's performance of work under this agreement is subject to the County's availability of highway department personnel, equipment, labor and materials, and to weather conditions or circumstances beyond the reasonable control of County.
- 8. This Agreement shall commence on July 1, 2025 and continue through June 30, 2026.

APPROVED by the governing bodies of the parties on the dates hereafter set forth.

### **MUNICIPALITY**

APPROVED by the Municipality this	day of
2025.	
ATTEST:	
	Ву
City Clerk	Mayor
APPROVED as to form and legality th	is,

Form General Mutual Cooperation Agreement Last Modified 3/18/15

2025.	
	City Attorney
<u>(</u>	COUNTY
APPROVED by the County this	day of,
2025.	
	BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY, OKLAHOMA
	By Chairman
ATTEST:	By
County Clerk	By
APPROVED as to form and legality	this 23 day of April, 2025.
	Assistant District Attorney)