

**Jenks Public Works Authority
Resolution #2021-11**

A RESOLUTION DECLARING CERTAIN REAL PROPERTY TO BE SURPLUS TO THE NEEDS OF THE AUTHORITY; APPROVING SALE OF PROPERTY TO CVP-JENKS DB, LLC IN THE AMOUNT OF \$22,500.00; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AUTHORIZING THE MAYOR TO EXECUTE A DEED.

WHEREAS, certain property located behind 305 S. Elm St. (“Property”) owned by the Jenks Public Works Authority (the “Authority”) consisting of a 6,446 square foot tract of land north of Veterans Drive that is a remnant from previous public improvements, is of an unusual shape, and would not likely be independently marketable; and

WHEREAS, that Property is more fully described on Exhibit A hereto;

WHEREAS, on June 4, 2021, the Authority entered a commercial lease with CVP-JENKS DB, LLC to lease the Property for the purpose of a drive-in (drive-thru) restaurant – a Dutch Bros Coffee location — for an initial term of 15 years for \$22,500.00;

WHEREAS, CVP-JENKS DB, LLC has requested to purchase the Property in conjunction with developing the site for a Dutch Bros Coffee location;

WHEREAS, the Authority follows the City of Jenks surplus property procedures. Section 7-2-6(B)(3) of the Jenks City Code states that surplus real property that is a remnant or not of standard size or shape of surrounding privately owned properties or is otherwise not independently developable/marketable may be sold to an adjoining property owner at fair market value;

WHEREAS, the property has been appraised by an independent licensed real estate appraiser as having a fair market value of \$21,000.00 (a copy of the appraisal is attached hereto as Exhibit A); and

NOW, THEREFORE, BE IT RESOLVED by the Trustees of the Jenks Public Works Authority that the Property is hereby declared surplus and no longer needed for public purpose.

BE IT FURTHER RESOLVED, that the property may be sold to CVP-JENKS DB, LLC for \$22,500.00.

BE IT FURTHER RESOLVED, that the General Manager is authorized to execute all related contract documents and the Chairperson is authorized to execute the deed.

DONE, RATIFIED, AND PASSED THIS 21st Dec DAY OF Dec, 2021.



Cory Box, Chairperson

JENKS PUBLIC WORKS AUTHORITY

ATTEST:



Authority Secretary