

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, FEBRUARY 23, 2023
JENKS CITY HALL
211 NORTH ELM STREET, JENKS, OKLAHOMA 74037

I. CALL TO ORDER

II. ROLL CALL

III. BUSINESS

Official action can only be taken on items which appear on the agenda. The Planning Commission may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item (except for Item 1).

1. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)

- 1.A. Approve minutes of the January 19, 2023 meeting

Documents:

[2023.01.19 PC MINUTES.PDF](#)

2. Consideration and appropriate action relating to items removed from the Consent Agenda
3. Presentation relating to City of Jenks Tax Increment District No. 1 Project Plan, City of Jenks Tax Increment District No. 2 Project Plan, and proposed Jenks River Entertainment District Economic Development Project Plan.

Documents:

[1. SR.TIF.CITY OF JENKS.PDF](#)
[JENKS TIF PRESENTATION 02-23-2023.PDF](#)

4. Conduct a public hearing regarding the proposed amendment of Increment District No. 1, City of Jenks and the City of Jenks Tax Increment District No. 1 Project Plan.

Documents:

[JENKS TIF 1 AMEND PUBLIC HEARING NOTICE \(WITH MAPS\) \(004\).PDF](#)

5. Conduct a public hearing regarding the proposed termination of Increment District No. 2, City of Jenks and the City of Jenks Tax Increment District No. 2 Project Plan.

Documents:

[JENKS TIF 2 TERMINATION PUBLIC HEARING NOTICE \(WITH MAP\) \(004\).PDF](#)

6. Conduct a public hearing regarding the proposed creation of three increment districts and adoption of the Jenks River Entertainment District Economic Development Project Plan.

Documents:

[JENKS TIF ABC PUBLIC HEARING NOTICE \(WITH MAPS\) \(004\) _202302081728489480.PDF](#)

7. Consideration and appropriate action relating to a Resolution recommending that the City of Jenks, Oklahoma, through its City Council amend Increment District No. 1, City of Jenks (City of Jenks Tax Increment District No. 1 Project Plan) to modify the boundaries of said Increment District.

Documents:

[RESOLUTION PLANNING COMM AMEND ID1 \(02-23-2023\).PDF](#)

8. Consideration and appropriate action relating to a Resolution recommending that the City of Jenks, Oklahoma, through its City Council terminate Increment District No. 2, City of Jenks (City of Jenks Tax Increment District No. 2 Project Plan).

Documents:

[RESOLUTION PLANNING COMM TERMINATE ID2 \(02-23-2023\).PDF](#)

9. Consideration and appropriate action relating to a Resolution recommending that the City of Jenks, Oklahoma, through its City Council create three tax increment districts and approve the Jenks River Entertainment District Economic Development Project Plan.

Documents:

[RESOLUTION PLANNING COMM ID ABC \(02-23-2023\).PDF](#)

10. JZ 23 PUD 138: request by Alan Bechan for approval of a PUD to allow for a drive-thru coffee shop. General Location: Aquarium Dr. and Riverfront Dr.

Documents:

[1. SR.JZ23PUD138_RAGLAND_PLAT.PDF](#)
[2.7BREW RIVERFRONT PUD.PDF](#)
[3.7 BREW TIA LETTER 2-2-23.PDF](#)
[4.PUBLIC NOTICE - JZ 23 PUD 138 \[SE CORNER OF RIVERFRONT DR AND AQUARIUM DR\].PDF](#)
[5. 7 BREW STACKING LETTER.PDF](#)

11. Final Plat for Ragland Plaza Amended Plat. General Location: Aquarium Dr. and Riverfront Dr.

Documents:

2.7BREW (RIVERFRONT) - PLAT.PDF

12. JZ 23 PUD 98.ma2: request by Alan Betchan for a major amendment to PUD 98 to allow for a hospital use and a build height increase to 120'. General Location: E of HWY 75 and Main St

Documents:

- 1.SR.JZ23 PUD 98.MA2 2900 WEST MAIN.PDF
2. 2900 WEST MAIN HOSPITAL PUD AMENDMENT.PDF
3. 2900 WEST MAIN.PDF
4. 2900 WEST MAIN PUD.PDF
5. PUBLIC NOTICE - JZ 23 PUD 98.MA1 [S OF MAIN, BETWEEN DOUGLAS AND ADAMS].PDF
6. JENKS MED PROJECT SOUTH SITE ALTERNATE.PDF

IV. OTHER BUSINESS

1. Planning Updates

V. ADJOURNMENT

MINUTES
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, JANUARY 19, 2023
JENKS CITY HALL, 211 NORTH ELM STREET

The Jenks Planning Commission was called to order at 6:01 p.m. on January 19, 2023, by Chair Scott West. A roll call vote of members was taken as follows:

Present

David Randolph
Jeffrey Beyer
John Brown
Amy Bors
Chair Scott West

Absent

Craig Bowman

Business

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1. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)
 - 1.A. Request to approve minutes of the December 08, 2022
 - 1.B. Approve JZ 23 PUD 83B1.mi2 - Request from Phil Dougherty for a build line adjustment. General Location: S of 100 S Gateway Pl
 - 1.C. Approve Preliminary Plat for Ragland Plaza Amended Plat. General Location: NE Corner of 9th and "A" St

John Brown asked to pull Item 1.C. John Brown made a motion to approve Item 1, pulling 1.C. Jeffrey Beyer seconded the motion. A roll call vote of members was taken as follows:

YEA: Randolph, Beyer, Brown, Bors, West

NAY: None

Motion carried.

2. Consideration and appropriate action relating to items removed from the Consent Agenda
John Brown stated that he had concerns with stacking and traffic with the development of this lot due to its location. John Brown made a motion to approve Item 1.C with the conditions listed in the staff report along with the requirement that a traffic impact study

be done before the PUD. David Randolph seconded the motion. A roll call vote of members was taken as follows:

YEA: Randolph, Beyer, Brown, Bors, West

NAY: None

Motion carried.

3. JZ 23-685: Request by the City of Jenks for a zone change to CG (Commercial General). General Location: HWY 75 and 101st St Planning Director Marcaé Hilton introduced Item 3 and answered questions. Jeffrey Beyer made a motion to approve Item 3 as CS (Commercial Shopping) zoning. Amy Bors seconded the motion. A roll call vote of members was taken as follows:

YEA: Randolph, Beyer, Brown, Bors, West

NAY: None

Motion carried.

4. JZ 23 PUD 137: Request by Wallace Engineering for approval of a Planned Unit Development to allow for a Food Hall. General Location: N of Oklahoma Aquarium Planning Director Marcaé Hilton introduced Item 4 and answered questions. Purvi Patel (Wallace Engineering) and Toni Lonbardi addressed the Commission about the proposed development and answered questions. Amy Bors made a motion to approve Item 4, with the condition of removing medical and dental offices, and food truck courts as listed uses. Jeffrey Beyer seconded the motion. A roll call vote of members was taken as follows:

YEA: Randolph, Beyer, Brown, Bors, West

NAY: None

Motion carried.

Planning Update – Planning Director Marcaé Hilton gave an update. *Scott West left at 6:37 p.m. and returned at 6:38 p.m.*

Adjournment. The Jenks Planning Commission adjourned at 6:48 p.m.

To	Planning Commission
Hearing Date	February 23, 2023
Case Number	TIF
Request	Recommendation Tax Increment Districts No. 1 & 2
Location	City of Jenks
Applicant	City of Jenks

Staff Report

Preparer | Marcaé Hilton

Attachments

☐ TIF Documents

Preparer

Nathan D. Ellis, Attorney

Background Information

STAFF COMMENTARY | The City of Jenks is positioned for extensive new commercial development. In order to better leverage the infrastructure needs and potential incentives, the City is discussing how to reshape the TIF boundaries. Some areas for discussion are currently in a TIF while other parcels would be new to a TIF. Mr. Nathan Ellis was hired by the City to facilitate the process.

TIF REQUEST SUMMARY

1. Presentation relating to City of Jenks Tax Increment District No. 1 Project Plan, City of Jenks Tax Increment District No. 2 Project Plan, and proposed Jenks River Entertainment District Economic Development Project Plan.
2. Conduct a public hearing regarding the proposed amendment of Increment District No. 1, City of Jenks and the City of Jenks Tax Increment District No. 1 Project Plan.
3. Conduct a public hearing regarding the proposed termination of Increment District No. 2, City of Jenks and the City of Jenks Tax Increment District No. 2 Project Plan.
4. Conduct a public hearing regarding the proposed creation of three increment districts and adoption of the Jenks River Entertainment District Economic Development Project Plan.
5. Consideration and appropriate action relating to a Resolution recommending that the City of Jenks, Oklahoma, through its City Council amend Increment District No. 1, City of Jenks (City of Jenks Tax Increment District No. 1 Project Plan) to modify the boundaries of said Increment District.

6. Consideration and appropriate action relating to a Resolution recommending that the City of Jenks, Oklahoma, through its City Council terminate Increment District No. 2, City of Jenks (City of Jenks Tax Increment District No. 2 Project Plan).
7. Consideration and appropriate action relating to a Resolution recommending that the City of Jenks, Oklahoma, through its City Council create three tax increment districts and approve the Jenks River Entertainment District Economic Development Project Plan.

Staff Evaluation & Recommendation

Evaluation | The TIF committee was selected and has met. The committee has recommended that each proposal be approved.

Recommendation | *Staff and the TIF committee recommend approval.*



Tax Increment Districts City of Jenks Jenks River Entertainment District

City of Jenks Planning Commission and Public Hearing #1

Jenks River Entertainment District
Economic Development Project Plan

and proposed

Amendment to Increment District No. 1

Termination of Increment District No. 2

Creation of Increment Districts “A”, “B”, and “C”

February 23, 2023

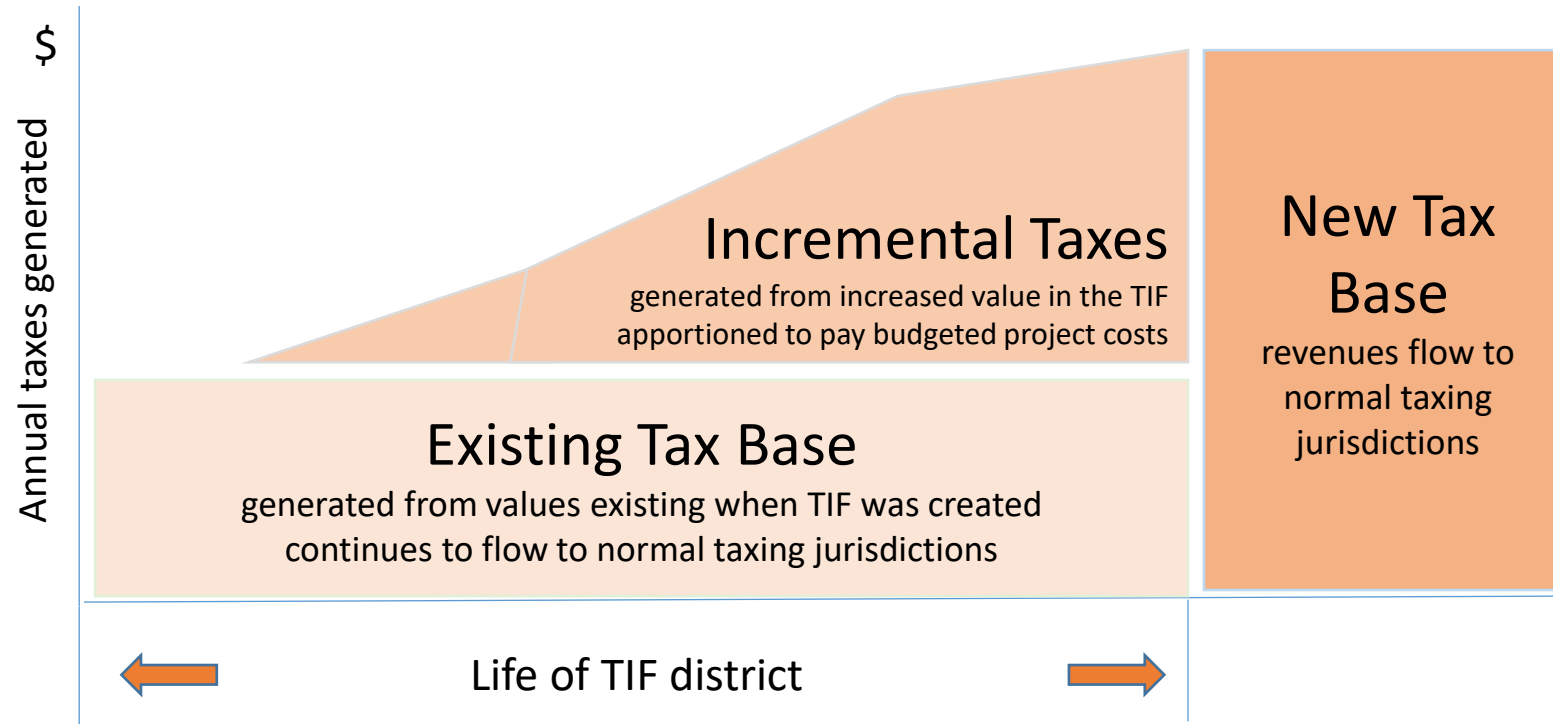
Tax Increment Districts – City of Jenks

What is a TIF?

- Tax Increment District (TIF)
 - Authorized by Article X, Section 6C of Oklahoma Constitution
 - Established pursuant to Local Development Act, Title 62, Oklahoma Statutes, Section 850 *et seq.*
 - Apportions the “increment” of new tax revenue generated within the TIF to finance certain identified project costs
- A TIF is an economic development tool used to incentivize capital investment in undeveloped or underdeveloped property in order to enhance the tax base and create employment opportunities within the City.
- Created by City Ordinance after completion of the TIF Process

Tax Increment Districts – City of Jenks

What is a TIF?



Basic TIF Model – Value Generation and Capture

Tax Increment Districts – City of Jenks

What is the TIF Process?

- Determination of Eligibility
 - Enterprise Area; Historic Preservation Area; Reinvestment Area
- Development of Project Plan
 - Duration (up to 25 full fiscal years from Commencement Date)
 - Capture of TIF Revenues (up to 100% of local tax revenues – ad valorem, sales tax, hotel tax, etc.)
 - Boundaries
 - Increment District – area where new tax revenues are captured
 - Project Area – area where project related activities may occur
 - Proposed Project and related Infrastructure Improvements
 - Proposed Allocation of TIF Revenues
- Statutory TIF Review Committee
 - Comprised of representatives of City Council, City Planning Commission, affected taxing jurisdictions and other at-large community members

Tax Increment Districts – City of Jenks

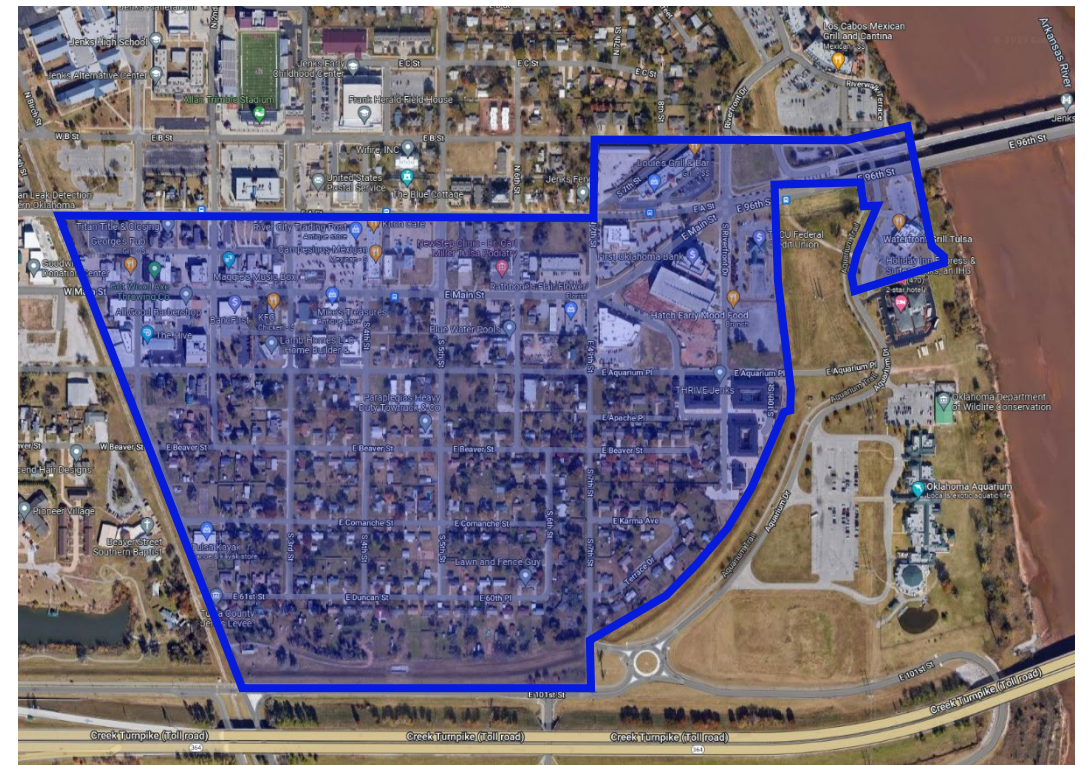
What is the TIF Process?

- Affected ad valorem taxing jurisdictions represented on TIF Review Committee
 - Jenks Public Schools (ISD No. 5 of Tulsa County)
 - Tulsa Technology Center (Vo-Tech District No. 18)
 - Tulsa County
 - Tulsa County Health Department
 - Tulsa Community College
 - Tulsa City-County Library
 - City of Jenks
- Project Plan Reviewed by TIF Review Committee
 - Make findings of eligibility and financial impacts on taxing jurisdictions and business activities
 - Make recommendation to City regarding approval of Project Plan
- Project Plan Reviewed by City's Planning Commission
 - Make recommendation to City regarding approval of Project Plan
- Hold two Public Hearings
- City Council considers an Ordinance approving Project Plan and creating TIF

Increment District No. 1, City of Jenks (Proposed Amendment)

- General location: North of Creek Turnpike, East of 1st Street, South of A Street
- Established in 2007 (Ord. 1148), amended in 2010 (Ord. 1291)
 - Expires in 2031 (25 year term)
- Captures 100% of ad valorem tax increment
 - 75% to public infrastructure reimbursement (to developers)
 - 25% to taxing entities
 - \$7,004,793 captured since inception
- Captures sales tax increment equal to 0.5% sales tax
 - 100% for public infrastructure reimbursement (to developers)
 - \$13,092 captured since inception (\$92,952 total sales tax generated)
- Authorized Project Costs: \$24.44 million
 - Approved applications for reimbursement: \$13.77 million
- Proposed Amendment:
 - Remove Oklahoma Aquarium Campus from Increment District No. 1
 - Proposed development (Oklahoma Aquarium Town Center Project) not supported by existing parameters of Increment District No. 1
 - Removal does not impact existing development

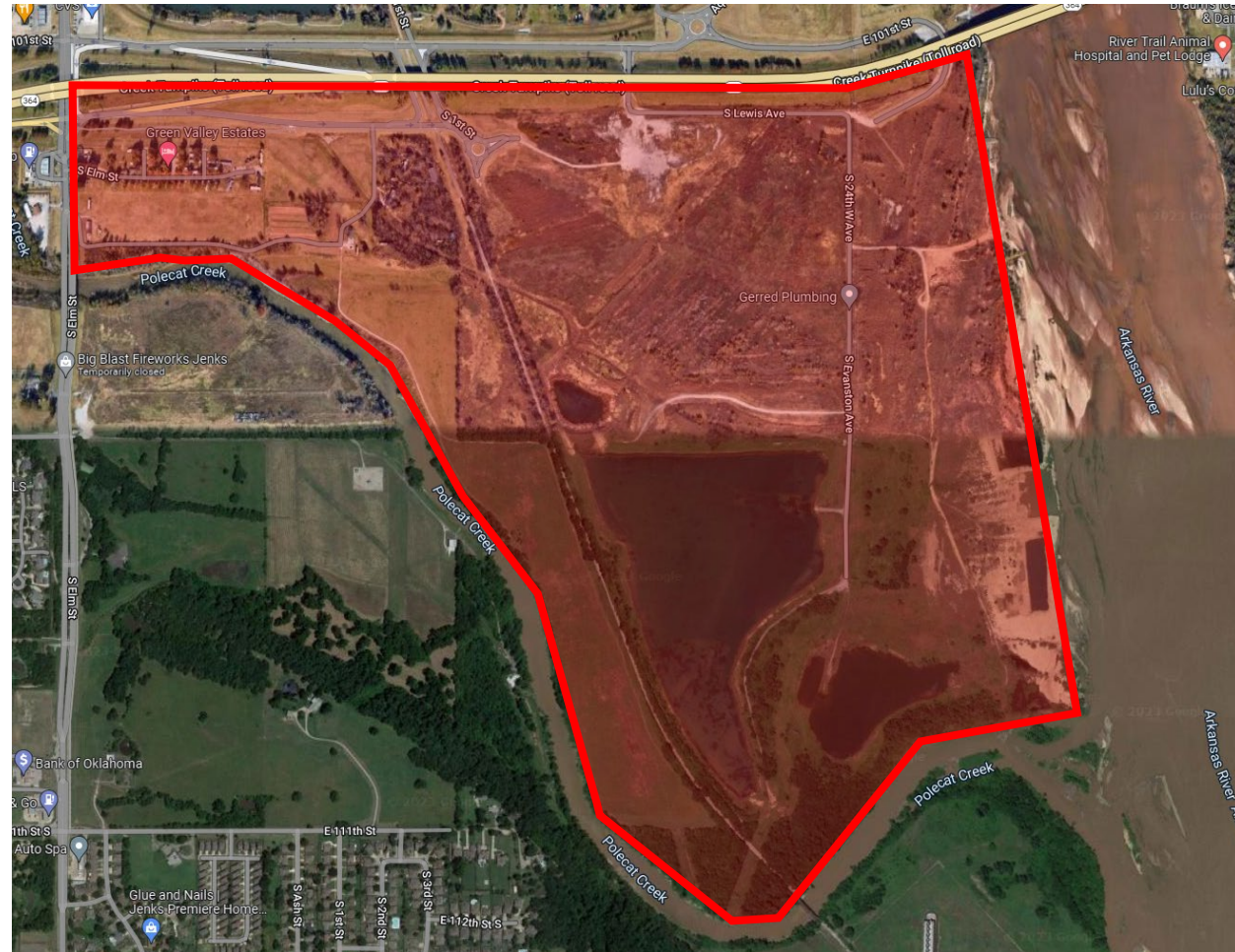
Existing Boundaries



Increment District No. 2, City of Jenks (Proposed Termination)

- General location: South of Creek Turnpike, East of Elm Street, North of Polecat Creek
- Established in 2007 (Ord. 1212), amended in 2011 (Ord. 1293)
 - Expires in 2032 (25 year term)
- Captures 100% of ad valorem tax increment
 - 75% to public infrastructure reimbursement (to developers)
 - 25% to taxing entities
 - \$348,733 captured since inception
- Captures sales tax increment equal to 0.5% sales tax
 - 100% for public infrastructure reimbursement (to developers)
 - \$0 captured since inception (\$0 total sales tax generated)
- Authorized Project Costs: \$84.48 million
 - Approved applications for reimbursement: \$5.03 million
- Proposed Termination:
 - Terminate provisions of Increment District No. 2
 - Proposed development (Retail Outlet Project) not supported by existing parameters of Increment District No. 2
 - Termination will increase the base ad valorem value benefitting taxing entities (\$169,686 in 2022 ad valorem taxes)

Existing Boundaries



Proposed Increment Districts, City of Jenks

What are the proposed new TIF details?

- Creation of three new TIF areas:
 - Increment District “A” – Retail Outlet Project
 - Increment District “B” – Oklahoma Aquarium Town Center Project
 - Increment District “C” – Sports Experience Project
- Original Terms of approximately 25 years from Commencement Date (as established by City Council)
- Capture 100% of new “incremental” ad valorem, sales, and hotel tax revenues
 - Existing “baseline” taxes unaffected
 - 75% of ad valorem tax apportioned to Project Costs
 - Remaining 25% apportioned to Jenks Public Schools
 - 56.34% of sales and use tax apportioned to Project Costs
 - Represents 2.0% of total 3.55% City sales tax
 - Remaining 43.66% retained by City
 - 100% of hotel tax apportioned to Project Costs
 - Represents all of total 5.0% City hotel tax
 - 100% of any Oklahoma Local Development and Enterprise Zone Incentive Leverage Act incentive payments received from State of Oklahoma

Proposed Increment District “A”

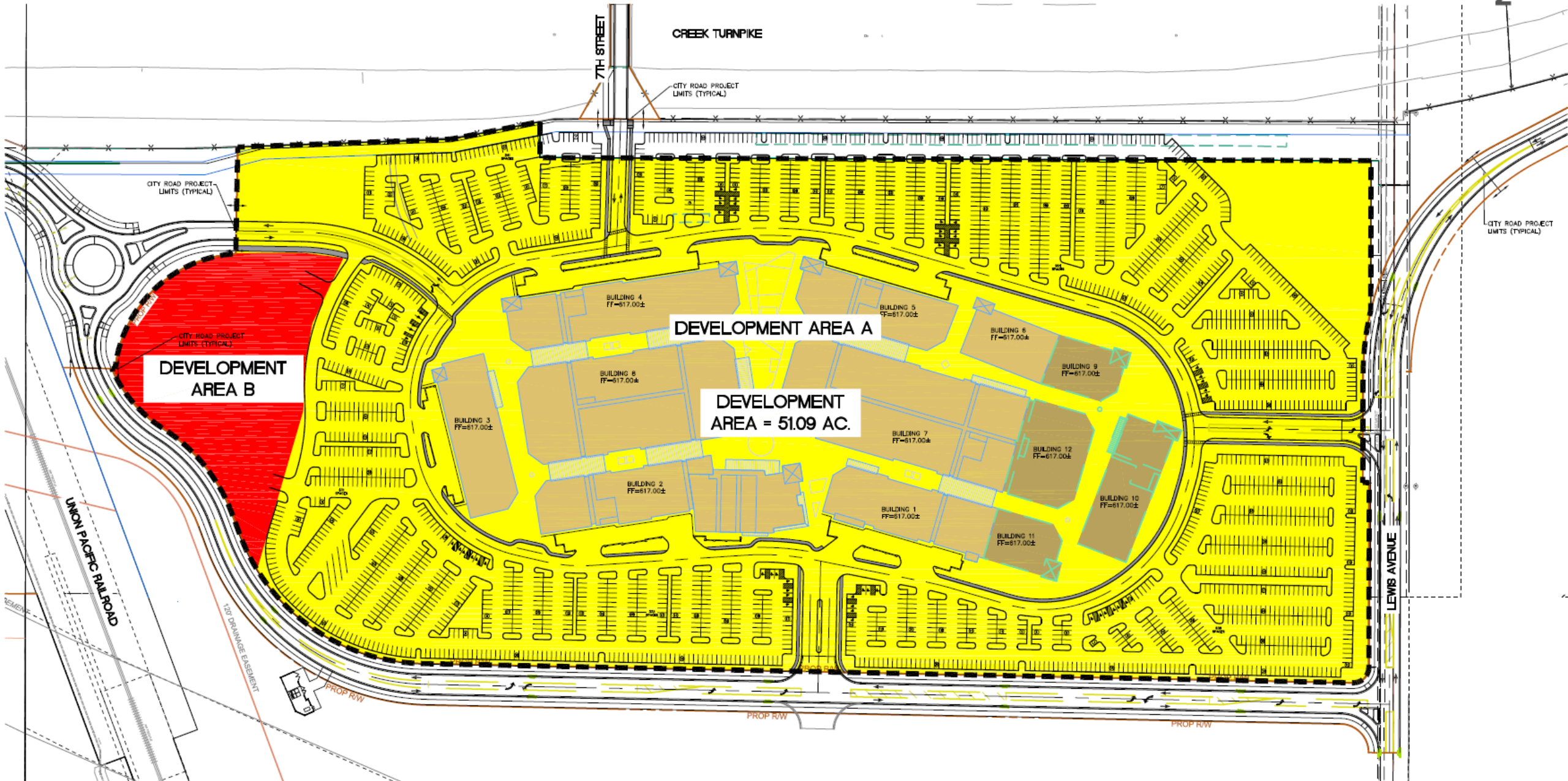
What is the Retail Outlet Project?

- Develop a destination shopping experience that will draw regional and out-of-state traffic to Jenks
- 340,000 square foot Tulsa Premium Outlets
 - Estimated \$100 million project investment
 - Projected \$115 million annual retail sales
 - Estimated TIF Revenue generated over 25 years:
 - Sales Tax: \$73.1 million
 - Ad valorem Tax: \$46.86 million
 - \$11.71 million to Jenks Public Schools
- Opportunities for significant additional development within the Increment District area

DEVELOPMENT AREAS

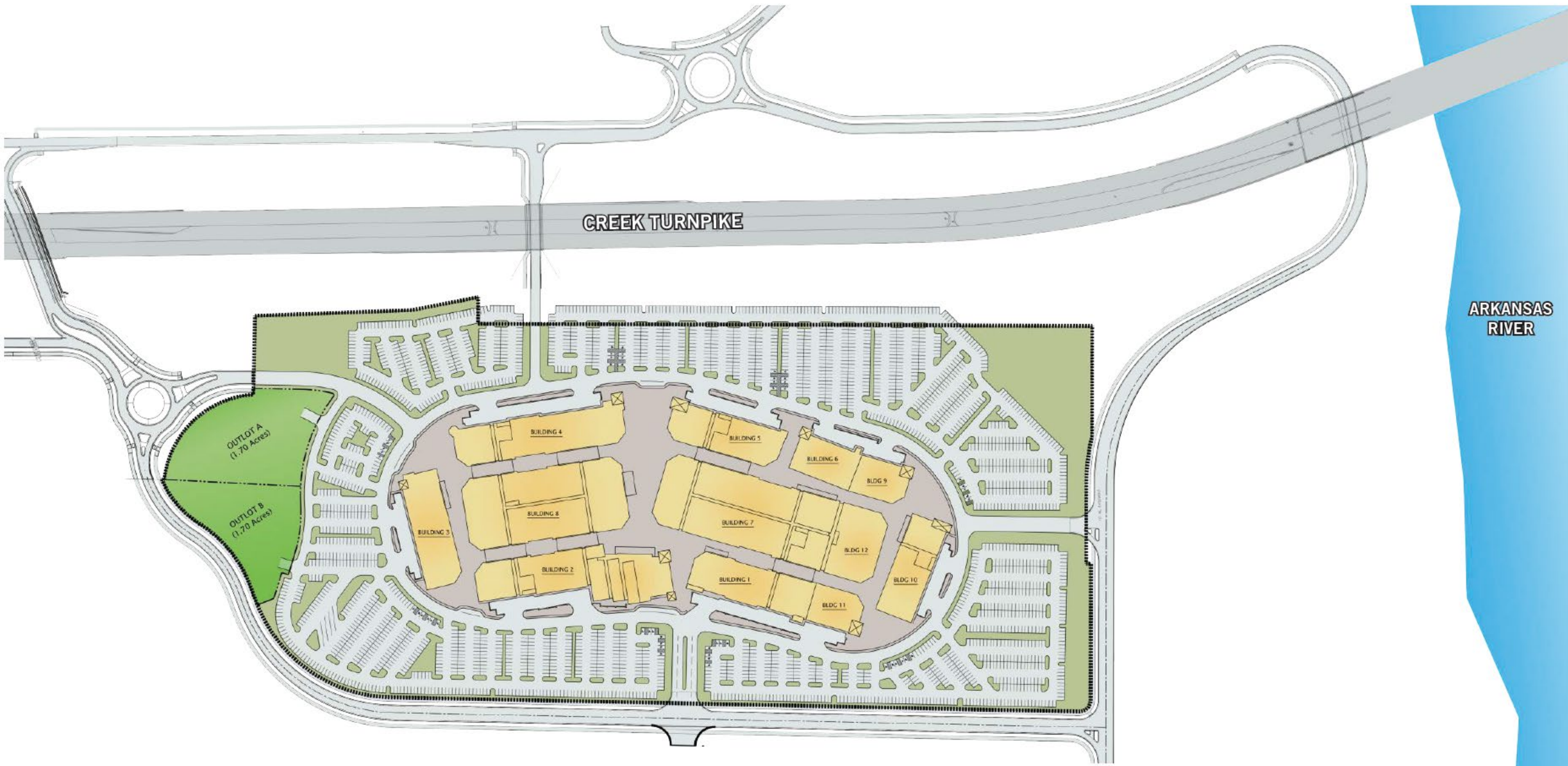
EXHIBIT

2



CONCEPTUAL SITE PLAN

EXHIBIT
3



CONCEPTUAL NORTH ENTRY VIEW

EXHIBIT
6



CONCEPTUAL MAIN COURT

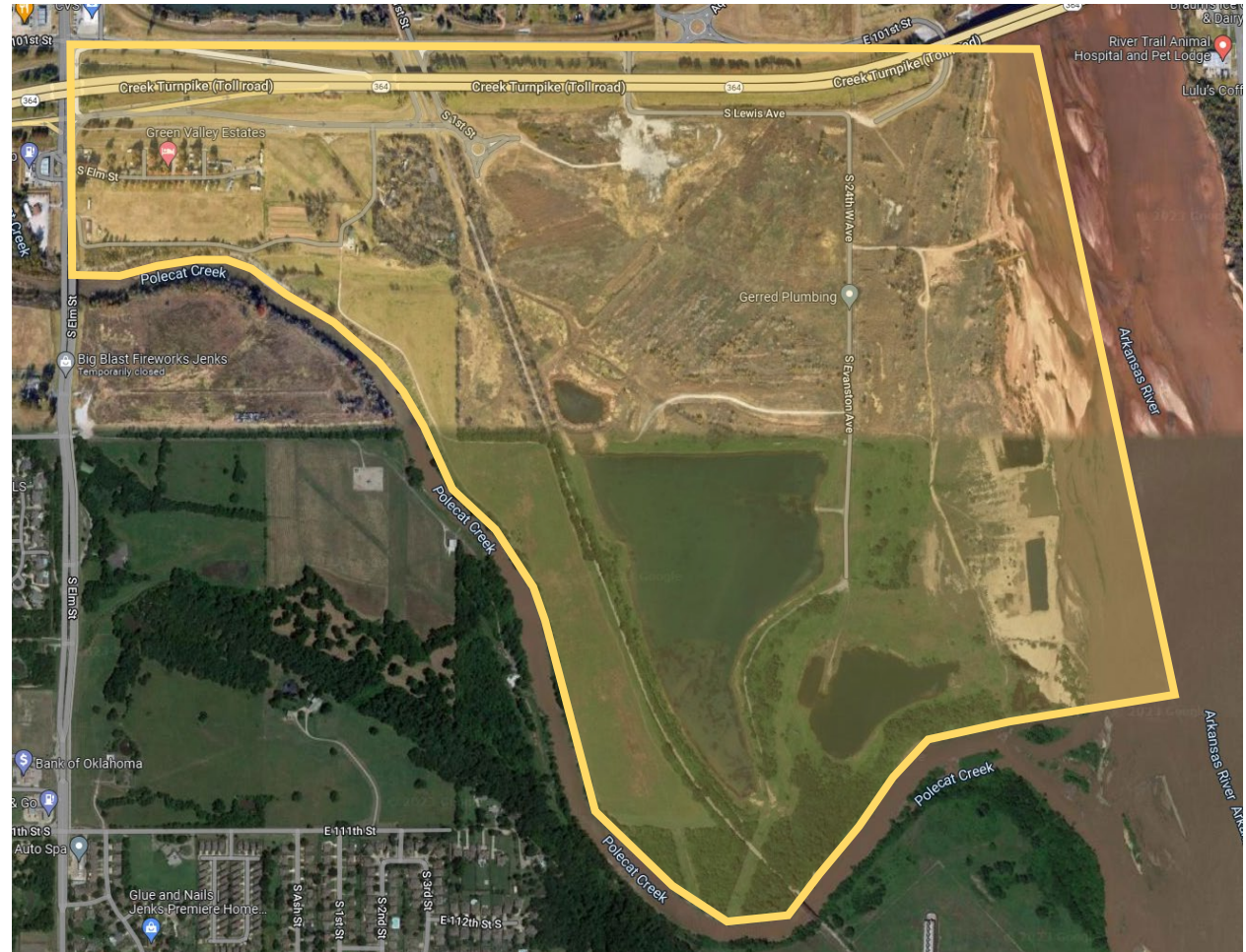
EXHIBIT
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Increment District “A”, City of Jenks (Proposed Creation)

Retail Outlet Project

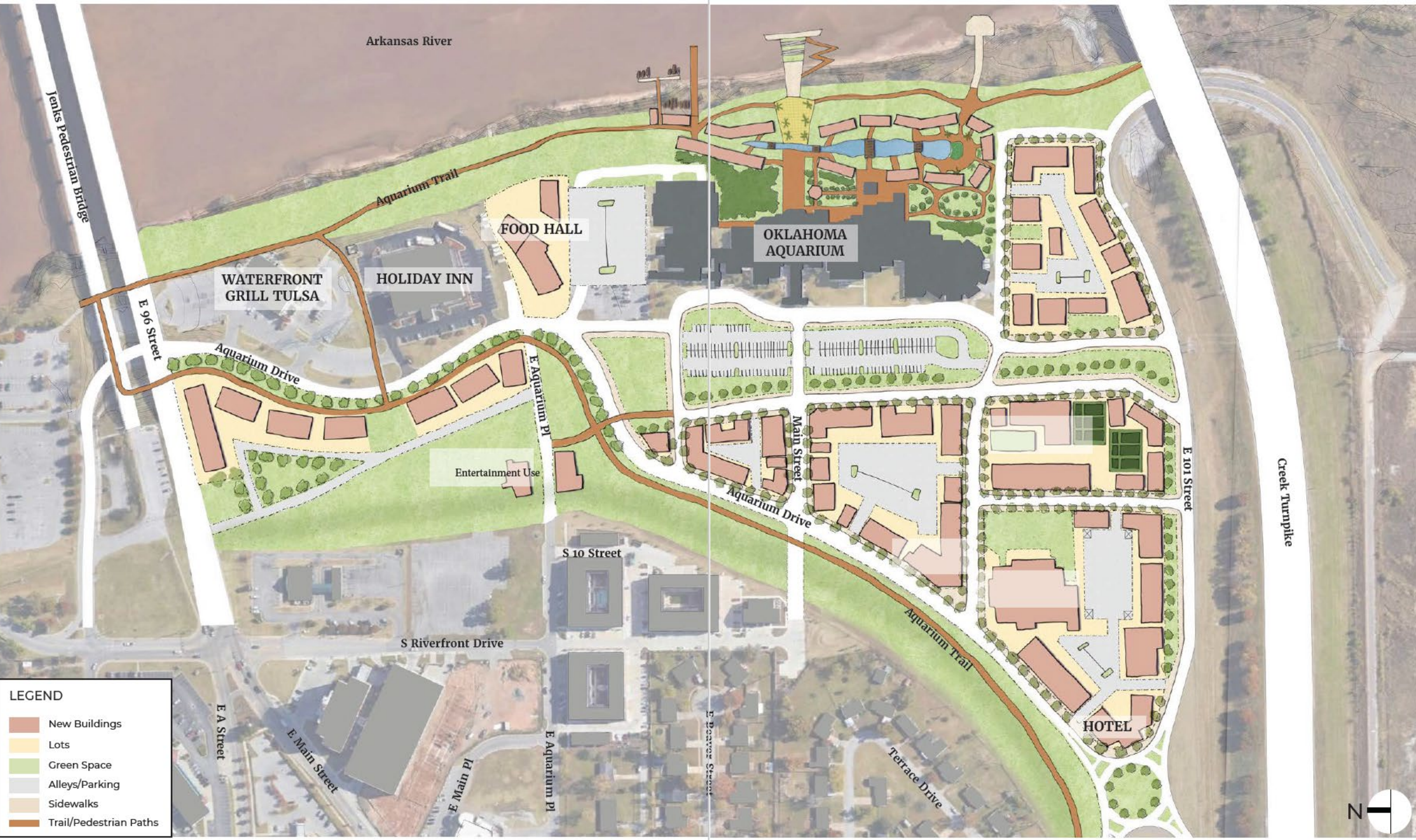
South of Creek Turnpike,
West of Arkansas River,
North of Polecat Creek,
East of Elm Street



Proposed Increment District “B”

What is the Oklahoma Aquarium Town Center Project?

- Create a vibrant, walkable, mixed-use destination that enhances the Oklahoma Aquarium Campus
 - First investments help build the overall plan
 - Multiple family friendly attractions that complement the Oklahoma Aquarium
 - Safe, comfortable and interesting streetscapes
 - Create a Riverfront landmark
- Concept retail and dining establishments, mixed use with first floor retail, and boutique hotel
 - Estimated \$163 million project investment
 - Projected \$86.97 million annual retail sales
 - Estimated TIF Revenue generated over 25 years:
 - Sales Tax: \$50.95 million
 - Ad valorem Tax: \$56.11 million
 - \$14.03 million to Jenks Public Schools
 - Hotel Tax: \$2.76 million



LEGEND

- New Buildings
- Lots
- Green Space
- Alleys/Parking
- Sidewalks
- Trail/Pedestrian Paths

Arkansas River

Jenks Pedestrian Bridge

Aquarium Trail

FOOD HALL

HOLIDAY INN

WATERFRONT GRILL TULSA

Aquarium Drive

Entertainment Use

E Aquarium Pl

S 10 Street

S Riverfront Drive

E A Street

E Main Street

E Main Pl

E Aquarium Pl

OKLAHOMA AQUARIUM

Main Street

Aquarium Drive

Aquarium Trail

HOTEL

E 101 Street

Creek Turnpike

Terrace Drive



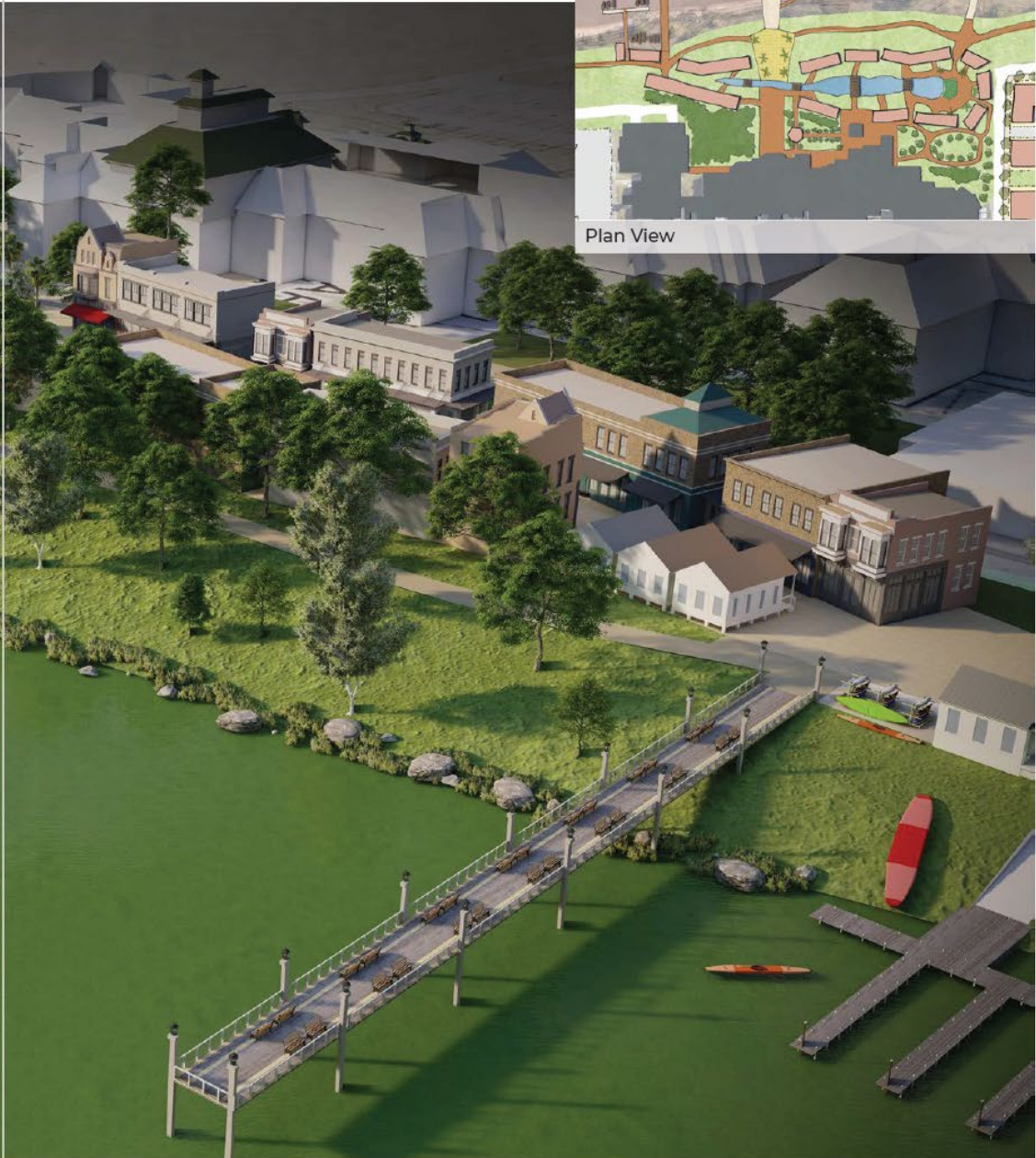


River access is provided with a stepped entrance and a ramp where mixed-use development is fronting the water.

WATERFRONT - NATURAL EDGE



Aerial view of the Waterfront



Oklahoma Aquarium Town Center



Waterfront South End with outdoor seating, a splash pad, and a central water feature/rain garden surrounded with small scale mixed use development.

MAIN STREET



In the Oklahoma Aquarium Town Center, Main Street would be the primary attraction.



The Oklahoma Aquarium would be visible while driving or walking on the main street which serves as a vibrant entryway to the Oklahoma Aquarium Town Center.



Awnings and shade of trees facilitate a comfortable experience for pedestrians and visitors.



Tree canopies create an outdoor living room. Outdoor seating makes the street vibrant.

OUTDOOR DINING VIEW



Food Hall or Market style dining with casual outdoor seating spaces. Dining options also include rooftop bars and restaurants.

ROUNDBABOUT ENTRANCE



Hotel acting as a focal point and landmark while entering the Oklahoma Aquarium Town Center.

Increment District “B”, City of Jenks (Proposed Creation)

Oklahoma Aquarium Town Center Project

North of Creek Turnpike,
West of Arkansas River,
South of Main Street,
East of flood control
levee



Proposed Increment District “C”

What is the Sports Experience Project?

- Create a destination sports complex that will provide a regional draw that complements the proposed Oklahoma Aquarium Town Center Project and the Retail Outlet Project.
- High-end sports complex, retail, dining, and family entertainment center, hotel
 - Estimated \$57.7 million project investment
 - Projected \$33.5 million annual retail sales
 - Estimated TIF Revenue generated over 25 years:
 - Sales Tax: \$21.39 million
 - Ad valorem Tax: \$21.97 million
 - \$5.49 million to Jenks Public Schools
 - Hotel Tax: \$3.78 million
- Opportunities for additional development within the Increment District area





Increment District “C”, City of Jenks (Proposed Creation)

Sports Experience Project

South and West of
Polecat Creek, Northeast
of Stone Bluff, North of ¼
mile south of W. 106th
Street, East of Elm Street

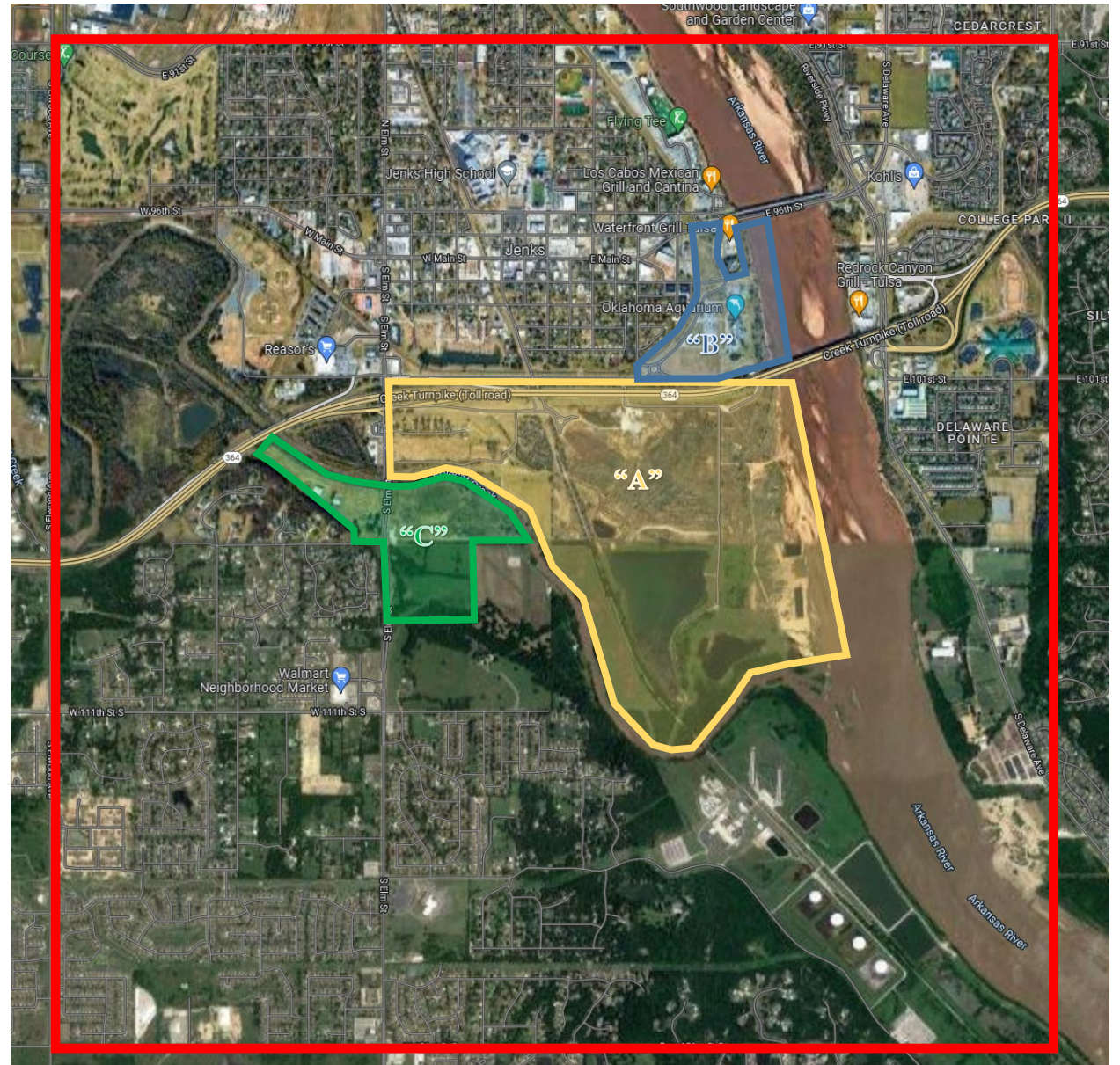


Proposed Increment Districts - Project Area

Project Area Boundaries

South of 91st Street S,
East of S. Elwood Ave.,
North of 121st Street S,
West of S. Harvard Ave.

9 square mile area where
project activities may
occur



Proposed Increment Districts, City of Jenks

What are the Identified TIF Project Costs?

Estimated Project Costs totaling \$299,250,000

- 106th Street Extension (\$19 million)
- 106th and Elm Lift Station and Forcemain Upgrade/Relocation (\$18 million); Aquarium Lift Station, Lift Station 1/1A, Associated Force Main Upgrade (\$12 million)
- Low Water Dam at 106th Street (\$16.6 million); Bank Stabilization for the West Bank of the Arkansas River from Main Street to Creek Turnpike (\$24.7 million)
- Extension of the Arkansas River Trail (\$3 million); Milling/overlay of the Aquarium Trail (\$700,000)
- Repair and repaint Main Street Bridge and Pedestrian Bridge (\$14 million)
- Additional Outlet Mall Related Improvements (\$16.5 million)
- Site Reclamation/Grading/Excavation & Fill (\$6.6 million)
- Public Structured Parking (\$30 million); Surface Parking (\$15 million)
- Streetscaping (\$3 million); Public Parks (\$2 million)
- Stormwater Piping and Drainage Improvements (\$20 million)
- Sanitary Sewer (\$8.5 million); Waterline Extensions (\$7 million)
- Engineering (\$10 million); Floodplain Permitting and Drainage Studies (\$7.5 million); Easements and Right of Way Acquisition (\$5 million); Organizational Costs (\$150,000)
- Incentive Costs for Assistance in Development Financing (other identified infrastructure requirements and economic incentives) (\$60 million)

Proposed Increment Districts, City of Jenks

What are the projected TIF revenues?

- Estimated \$124.95 million aggregate projected Ad Valorem TIF Revenues
 - \$93.71 million allocated to TIF Project Costs
 - \$31.24 million allocated to Jenks Public Schools
- Estimated \$612.25 million aggregate projected Sales Tax Revenues (State, County, and City)
 - TIF Revenues: \$145.48 million allocated to TIF Project Costs (2.0% City Sales Tax)
 - \$112.75 million allocated to the City of Jenks (1.55% City Sales Tax)
 - \$26.69 million allocated to Tulsa County (0.367% County Sales Tax)
 - \$327.33 million allocated to State of Oklahoma (4.5% State Sales Tax)
- Estimated \$6.54 million aggregate projected Hotel Tax TIF Revenues
 - \$6.54 million allocated to TIF Project Costs (5.0% City Hotel Tax)
- Certain Sales and Hotel Tax TIF Revenues may qualify for Leverage Act incentive payments from State of Oklahoma sales tax net benefit
 - All incentive payments allocated to TIF Project Costs
- Total Projected TIF Revenues: \$276.97 million (estimate based on conceptual buildouts)

Proposed Increment Districts, City of Jenks

What is the oversight of the TIF revenues?

- City will apportion TIF revenues pursuant to the respective Project Plan
 - City Manager listed as person in charge of implementation
 - City will approve public agreements with developers as appropriate
 - City will disburse School District allocation of Ad Valorem TIF Revenues
- Assistance in Development Financing for Developers
 - Direct Incentive representing reimbursement of public infrastructure costs incurred by developer(s) on behalf of City
 - Pursuant to a public development agreement approved by City and/or public trust on behalf of City
- Infrastructure Projects undertaken by City
 - Public construction contracts (subject to competitive bidding), approved by City, subject to City annual auditing

Proposed Increment Districts, City of Jenks

What are the expected impacts of the Projects?

- Impacts on Taxing Entities
 - Increase in population/students and associated needs (capital infrastructure and service demands)
 - Taxing Entity Revenue allocation to Jenks Public Schools provides enhanced funding
 - Estimated to \$31.23 million
 - Destination experiences will attract increased visitors to the City
 - These visitors result in new spending within the City that will enhance sales and hotel tax collections benefiting City's ability to fund other public improvements
 - Ancillary development outside of TIF districts may generate additional revenue for taxing entities

Proposed Increment Districts, City of Jenks

What are the expected impacts of the Projects?

- Impacts on Business Activities
 - New business inside Increment District areas will create short-term and long-term employment opportunities
 - Short-term and long-term payroll will likely result in increased spending within the City benefitting local businesses
 - Destination experiences will attract increased visitors to the City
 - These visitors result in new spending within the City that will enhance opportunities for local merchants to provide additional goods and services

Proposed Increment Districts, City of Jenks

Remaining Steps

- January 27 – TIF Review Committee Meeting (COMPLETE – UNANIMOUSLY RECOMMENDED APPROVAL)
 - Consider recommendations on approval of TIF #1 amendment, TIF #2 termination, creation of Increment Districts “A”, “B”, and “C”
- February 23 – Public Hearing #1 at 6:00pm
 - Held during Jenks City Planning Commission Regular Meeting, 211 N. Elm Street, Jenks, OK 74037
- February 23 – Planning Commission Regular Meeting at 6:00pm
 - Consider recommendations on approval of TIF #1 amendment, TIF #2 termination, creation of Increment Districts “A”, “B”, and “C”
- March 7 – Public Hearing #2 at 6:30pm
 - To be held during Jenks City Council Regular Meeting, 211 N. Elm Street, Jenks, OK 74037
- March 7 – City Council Meeting to consider adoption of TIF Ordinances (TIF #1 amendment, TIF #2 termination, creation of Increment Districts “A”, “B”, and “C”)

*Publish: Tulsa World
Thursday, February 9, 2023*

NOTICE OF PUBLIC HEARINGS

REGARDING THE AMENDMENT OF A TAX INCREMENT DISTRICT: INCREMENT DISTRICT NO. 1, CITY OF JENKS

CITY OF JENKS TAX INCREMENT DISTRICT NO. 1 PROJECT PLAN IN JENKS, OKLAHOMA

6:00 PM THURSDAY, FEBRUARY 23, 2023

6:00 PM TUESDAY, MARCH 7, 2023

TO ALL INTERESTED INDIVIDUALS:

The City of Jenks, Oklahoma (the “City”) invites and encourages all interested citizens and other interested parties to attend two public hearings scheduled for Thursday, February 23, 2023, at 6:00 P.M. (during the regularly scheduled meeting of the Jenks Planning Commission), and Tuesday, March 7, 2023, at 6:00 P.M. (during the regularly scheduled meeting of the Jenks City Council), both hearings to be held in the Council Chambers located at Jenks City Hall, 211 N. Elm Street, Jenks, Oklahoma 74037.

The purpose of the first hearing shall be for information and questions, and the second hearing shall be for persons to have an opportunity to be heard concerning the proposed amendment of Increment District No. 1, City of Jenks (referred to herein as the “Increment District”) on the following described tracts, and the City of Jenks Increment District No. 1 Project Plan (the “Project Plan”). Increment District was originally established by Ordinance No. 1148 dated January 3, 2006, as amended by Ordinance No. 1291 dated December 20, 2010 (collectively, the “TIF #1 Ordinance”).

Increment District No. 1

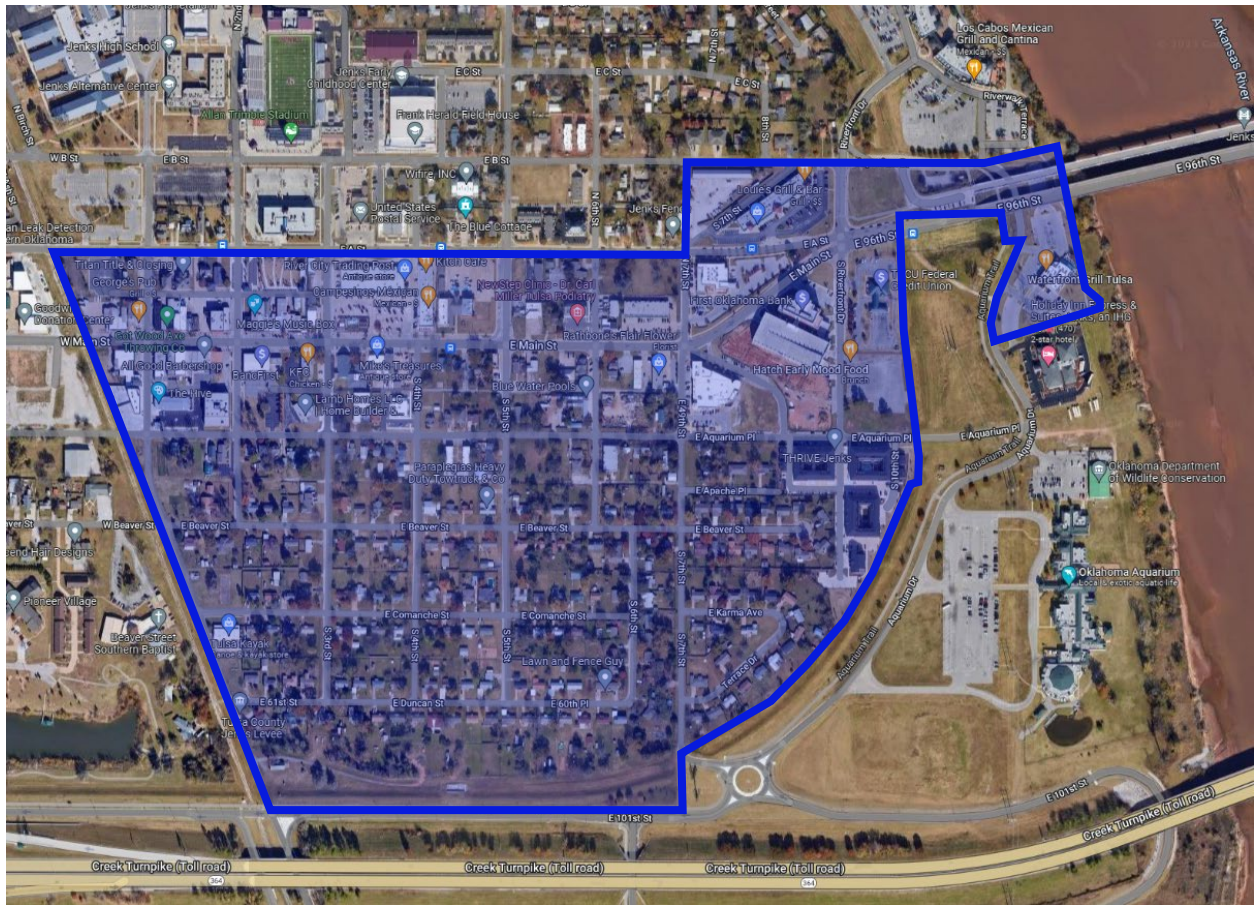
The boundaries of Increment District No. 1 currently contain an area generally described as the area bordered on the west by the Union Pacific Railroad tracks, on the south by the Creek Turnpike, on the east by the Arkansas River, and on the north by A Street. The proposed amendment would remove from the boundaries of the Increment District the undeveloped property located south and east of Aquarium Trail and the flood control levee, said area known as the Oklahoma Aquarium Campus. The new boundaries would contain an area generally described as the area bordered on the west by the Union Pacific Railroad tracks, on the north by A Street, on the east by the flood control levee along the western boundary of the Oklahoma Aquarium Campus, and on the south by 101st Street. The following described tracts are proposed for removal from Increment District No. 1:

Tract	<u>Parcel Number R-</u>	<u>Shorthand Legal Description</u>
1	98330833019140	PT NE NW EAST OF RY SEC 30-18-13 S & W RIV
2	60804831950360	LT 1 BLK 3
3	98330833011745	BEG NEC NE TH S523.50 W29.99 N46.85 W493.92 W1125 N69.39 SW175.37 WLY500.40 W319.72 TO WL NE TH N461.49 E2640.75 POB LESS BEG 401.70S NEC THEREOF TH W1620.75 SW28.60 S69.39 E1125 E493.92 S46.85 E29.99 NLY121.80 POB SEC 30 18 13 25.633ACS
4	60804831950350	LT 1 BLK 2
5	60804831950370	RESERVE A
6	60804831950320	PRT LT 1 BEG AT INT OF SL LT 1 & EL SEC 19 TH CRV LF APR 174.62 W294.46 CRV RT 153.25 CRV LF 642.74 CRV RT 149.93 NE APR 145.38 S APR 894.39 POB BLK 1

7	60804832045610	LT 2 LESS BEG NEC LT 3 TH NE72.32 SE111.24 SE75 SW50 SE86.10 SW51.56 NW316.76 POB BLK 1
8	60804831950335	PRT LT 5 BEG SWC LT 5 TH NE29.06 NE89.75 NW APR 45.58 E86.19 CRV LF 82.21 NE209.07 CRV RT 59.70 CRV RT APR 83.56 SW148.91 CRV LF 107.43 W126.24 POB BLK 1
9	60804831950339	PRT LT 5 BEG 48.94S NWC TH E95.45 CRV LF 72.22 NE245.26 CRV LF 44.45 CRV RT 151.61 CRV LF 59.70 SW209.07 CRV RT 82.21 W86.19 NW TO POB BLK 1
10	60804831950330	PRT LT 5 BEG NWC THEREOF TH NE9.39 CRV RT 137.38 NE238.04 CRV RT 37.43 SE APR 78.38 CRV RT 44.45 SW245.26 CRV RT 72.22 W95.45 N APR 48.94 POB BLK 1 & ALL THAT PRT VACATED AQUARIUM LANE ADJ ON N
11	60804831950340	LT 6 LESS BEG 313.36NW SWC LT 6 TH N265.33 NE143.80 NE303.83 CRV RT 54.09 SW126.62 CRV LF 135.06 W339.43 POB BLK 1 & ALL THAT PRT VACATED AQUARIUM LANE ADJ ON S
12	98329832932145	PRT LT 2 & A TR OF LAND IN RIVERBED BEG NWC LT 2 TH S523.50 E30 NLY 142.41 NELY CRV LF 538.90 NE175.46 NW40 NE402.99 W1076.86 POB SEC 29 18 13 5.49ACS
13	60804831950345	PRT LT 6 BEG 313.36NW SWC LT 6 TH N265.33 NE143.80 NE303.83 CRV RT 54.09 SW126.62 CRV LF 135.06 W339.43 POB BLK 1
14	98319831908809	BEG PT ON EL NE 222.37S NEC SE TH WLY APROX401.89 SLY APROX35 SWLY APROX40 S APROX145.07 NE146.60 E281.36 NLY ALONG EL 134.32 TO POB SEC 19 18 13 1.21ACS
15	60804832045609	PRT LT 1 BEG 112.79N & 189.01E SWC SEC 20 TH CRV LF174.99 CRV RT125.33 SW6.34 SW108.13 CRV RT35.49 CRV RT132.88 CRV RT17.51 TO POB BLK 1
16	98320832000119	BEG SWC SW TH ELY 1076.86 TH NE167.82 CLARK RIVER TH NWLY ALG CL 305.63 SW629.98 NW40 SW174.67 SWLY CRV RT 432.90POB INCLUDING 4.552AC RIPARIAN RTS SEC 20 18 13 4.64ACS
17		S Aquarium Drive E Right of Way (T18N R13E Sec 19)
18		S Aquarium Drive E Right of Way (T18N R13E Sec 20)

* The above Tracts 1-18 are subject to confirmation but are approximately representative of the properties removed from Increment District No. 1 boundaries shown in the map below.

MAP OF EXISTING TIF #1 BOUNDARIES



The Project Plan and TIF #1 Ordinance, along with the findings of the City's TIF Review Committee, may be reviewed by any person interested, in the Office of the City Clerk at the Jenks City Hall, 211 N. Elm Street, Jenks, Oklahoma 74037, during normal business hours from 9:00 a.m. to 5:00 p.m., Monday through Friday, and at the following web address: www.jenks.com.

The Increment District was established in 2007 and expires in 2031. Ad Valorem Increment Revenues are allocated 75% to Project Costs and 25% to the affected ad valorem taxing entities. The Increment District has collected \$7,004,793 in Ad Valorem Increment Revenues through June 30, 2022, with \$5,253,594.75 allocated to Project Costs and \$1,751,198.25 allocated to the taxing entities. Sales Tax Increment Revenues representing a 0.5% sales tax are also allocated to Project Costs. The Increment District has collected \$92,952 in total sales tax through June 30, 2022 (representing 3.55% City sales tax), with \$13,092 allocated to Project Costs. The Project Plan authorizes total Project Costs in the amount of \$24.43 million. The City has previously approved applications for reimbursement of public infrastructure investments in the amount of \$13,773,894.02 through June 30, 2022. The proposed amendment does not affect the total authorized Project Costs or the nature of the existing or proposed development within the Increment District. The City has determined that the parameters of the existing Increment District will no longer support the proposed economic development within the Oklahoma Aquarium Campus, and said project will not be undertaken in the foreseeable future without the provision of adequate infrastructure improvements to support said development. The amendment of the Increment District will permit any increased valuation for the removed property (above the baseline value established for the Increment District) to accrue to the benefit of the taxing jurisdictions within the Increment District, and will facilitate the provision of other economic development incentives (where appropriate), including the creation of future tax increment districts. The removal of property from the Increment District is not expected to have a material impact on the continued execution of the Project Plan.

**Brandon Macy, City Clerk
City of Jenks, Oklahoma
211 N. Elm Street
Jenks, Oklahoma 74037
Phone: (918) 299-5883**

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE TAX INCREMENT DISTRICT REVIEW COMMITTEE OF THE CITY OF JENKS, OKLAHOMA, MET IN SPECIAL SESSION IN THE COUNCIL CHAMBERS AT JENKS CITY HALL, 211 N. ELM STREET, JENKS, OKLAHOMA, 74037, ON THE 27TH DAY OF JANUARY, 2023, AT 2:00 O'CLOCK P.M.

PRESENT: Chaiman Cory Box (Mayor – City of Jenks), Scott West (Jenks Planning Commission), Cody Way (Jenks Public Schools), Mark McMullen (Tulsa Community College), Olga Morgan (Tulsa City-County Library), Kelly Dunkerley (Tulsa County), Jumao Wang (Tulsa City-County Health Department), Greg Helms (At-Large), Rick Huskey (At-Large), and Jeff Dixon (At-Large)

ABSENT: Joanne Lucas (Tulsa Technology Center)

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by title by the City Clerk. Committee Member Cody Way moved passage of the Resolution and Committee Member Scott West seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE: Scott West, Cody Way, Mark McMullen, Olga Morgan, Kelly Dunkerley, Jumao Wang, Greg Helms, Rick Huskey, Jeff Dixon, and Chaiman Cory Box

NAY: None

The Resolution so approved is as follows:

[RESOLUTION ON FOLLOWING PAGE]

RESOLUTION

A RESOLUTION RECOMMENDING THAT THE CITY OF JENKS, OKLAHOMA, THROUGH ITS CITY COUNCIL AMEND INCREMENT DISTRICT NO. 1, CITY OF JENKS (CITY OF JENKS TAX INCREMENT DISTRICT NO. 1 PROJECT PLAN) TO MODIFY THE BOUNDARIES OF SAID INCREMENT DISTRICT.

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S. 2021, Section 851 *et seq.* (the “Local Development Act”), as amended, the City Council of The City of Jenks, Oklahoma (the “City”) heretofore created Increment District No. 1, City of Jenks (referred to herein as the “Increment District”) pursuant to Ordinance No. 1148 dated January 3, 2006, as amended by Ordinance No. 1291 dated December 20, 2010, in connection with the adoption of the City of Jenks Tax Increment District No. 1 Project Plan (the “Project Plan”); and

WHEREAS, due to unforeseen economic factors beyond the control of the City, development of certain areas within the Increment District have not occurred and will not occur in a manner consistent with the Project Plan heretofore adopted by the City; and

WHEREAS, the City in its Resolution dated September 6, 2022, appointed the Tax Increment Financing Review Committee (the “Review Committee”) to review and make recommendations concerning the termination of the Increment District; and

WHEREAS, the Local Development Act provides that the Project Plan may be amended by the City upon recommendation of Review Committee; and

WHEREAS, the City is separately considering the creation of additional tax increment districts as set forth in the Jenks River Entertainment District Economic Development Project Plan, which contemplates the funding of essential public improvements and economic incentives; and

WHEREAS, it is necessary that the Increment District be amended to release the undeveloped areas within the Increment District, in order to facilitate the implementation of the Jenks River Entertainment District Economic Development Project Plan.

WHEREAS, the membership of this Review Committee is comprised of the following individuals: a representative of the City, a representative of the Planning Commission of the City, representatives of each taxing jurisdiction within the proposed district whose taxes might be impacted by virtue of the adoption of a project plan, and three representatives of the public at large, all as required pursuant to Section 855(A) of the Local Development Act; and

WHEREAS, the Review Committee has the statutory duty to consider and make its findings and recommendations to the City with respect to the appropriateness of the termination of the Increment District and the Project Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE REVIEW COMMITTEE THAT THE FOLLOWING RECOMMENDATION BE MADE TO THE CITY COUNCIL OF THE CITY OF JENKS, OKLAHOMA, IN REGARD TO THE PROPOSED AMENDMENT OF INCREMENT DISTRICT NO. 1, CITY OF JENKS, OKLAHOMA:

SECTION 1. AMENDMENT OF INCREMENT DISTRICT NO. 1, CITY OF JENKS, OKLAHOMA. The Review Committee hereby recommends that Increment District No. 1, City of Jenks be amended at the earliest possible time by the City, to remove from the boundaries of the Increment District the undeveloped property located south and east of Aquarium Trail and the flood control levee, said area known as the Oklahoma Aquarium Campus. This recommendation is based on the information that the parameters of the existing Increment District will no longer support the proposed economic development within the Oklahoma Aquarium Campus, and said project will not be undertaken in the foreseeable future without the provision of adequate infrastructure improvements to support development within the Increment District.

The existing boundaries of the Increment District, and the proposed amended boundaries of the Increment District, are shown in Exhibit "A" attached hereto.

The amendment of the Increment District will permit any increased valuation for the removed property (above the baseline value established for the Increment District) to accrue to the benefit of the taxing jurisdictions within the Increment District, and will facilitate the provision of other economic development incentives (where appropriate), including the creation of future tax increment districts. The removal of property from the Increment District is not expected to have a material impact on the continued execution of the Project Plan.

[Remainder of Page Left Blank Intentionally]

ADOPTED THIS 27TH DAY OF JANUARY, 2023.

(SEAL)
ATTEST:



By:

B. May
City Clerk

By:

[Signature]
Chairman

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

I, the undersigned, City Clerk of the City of Jenks, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the Tax Increment District Review Committee of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the "Open Meeting Law" was complied with for such meeting.

GIVEN UNDER MY HAND THIS 27TH DAY OF JANUARY, 2023.

(SEAL)





City Clerk

EXHIBIT "A"

Existing Boundaries of Increment District No. 1



Proposed Amended Boundaries of Increment District No. 1



TAX INCREMENT FINANCING DISTRICT NO. 1

Attached find the following documents;

1. City of Jenks Ordinance No. 1291 approved December 20, 2010, amending Ordinance No. 1148 approved January 16, 2006, which created City of Jenks Tax Increment Financing District No. 1 (TIF No. 1). This Ordinance modified the original Project Plan as approved by the Jenks City Council under Resolution No.405 dated September 6, 2005, and Ordinance No. 1148, and by including the recommendations of the Local Review Committee. The Ordinance No. 1291, made the TIF life 25 years rather than the original 12 years, and increased the total amount of eligible reimbursement to \$24,436,390.88.
2. Projections of ad valorem and business personal property taxes over the 25 year life of the TIF District, the division of revenues for TIF District improvements and reimbursements to the various taxing entities (of the total of \$32,581,854.51, 75% will go for improvements i.e \$24,436,390.88, and 25% to taxing entities i.e. \$8,145,463.63), the amounts projected to be reimbursed to the taxing entities, and the funding categories for eligible developer reimbursements.
(Note that the amounts may exceed a listed category amount as long as the total of \$24,436,390.88 of all reimbursable expenses is not exceeded). In addition to the use of ad valorem and business personal property taxes, one-half cent of the City's three cent sales tax on retail sales within the "Village on Main" development in the TIF District will go toward funding the TIF District improvements.
3. Copy of Ordinance No. 1148, which was amended by Ordinance No. 1291.

4. Copy of the original Project Plan which is in effect except as modified by the Local Review Committee recommendations which were incorporated in Ordinance No. 1291.

NOTICE

Before a developer expends funds for infrastructure, it is recommended that they confer with the Jenks City Engineer as to eligibility for reimbursement. To qualify for potential reimbursement, appropriate documentation of the expenses will need to be submitted to the City Engineer's office for final approval. Reimbursements will be in the order that the City has approved the same. If the City of Jenks or one of its related entities pre-funds any qualified expenses, those will move to the top of the list for reimbursement.

ORDINANCE NO. 1291

AN ORDINANCE AMENDING CITY OF JENKS ORDINANCE NO. 1148 WHICH HAD CREATED TAX INCREMENT DISTRICT NO. 1 OF THE CITY OF JENKS BY EXTENDING THE LIFE OF TAX INCREMENT DISTRICT NO. 1 FROM TWELVE YEARS TO TWENTY-FIVE YEARS; PROVIDING FOR CERTAIN SALES TAX REVENUES AND PARKING FEES BE USED TO FUND DISTRICT PROJECTS; PROVIDING FOR TWENTY-FIVE PERCENT OF AD VALOREM REVENUES COLLECTED BE DISBURSED TO THE PUBLIC TAXING ENTITIES; PROVIDING THAT SEVENTY-FIVE PERCENT OF THE AD VALOREM REVENUES BE COLLECTED FOR IMPROVEMENTS AND RELATED EXPENSES WITHIN THE DISTRICT; PROVIDING THAT THE TOTAL AMOUNT OF AD VALOREM REVENUES TO BE COLLECTED FOR IMPROVEMENTS AND RELATED EXPENSES AND DISBURSEMENTS TO THE PUBLIC TAXING ENTITIES NOT EXCEED \$32,581,854.51; PROVIDING FOR GENERALIZED PROJECT CATEGORIES AND EXPENSES TO BE ADJUSTED AMONG CATEGORIES TO REFLECT ACTUAL COSTS INCURRED IN A CATEGORY AND LIMITING THE TOTAL COSTS OF SAME; PROVIDING THAT THE PROJECT AREA INCLUDE ANY AREA WITHIN THE DISTRICT; PROVIDING FOR LIMITATIONS ON FUTURE FUNDING SOURCES IN CASE OF FUTURE INCREASE IN IMPROVEMENT COSTS; AND, DECLARING AN EMERGENCY.

WHEREAS, on January 3, 2006, City of Jenks Ordinance No. 1148 was passed by the Jenks City Council creating Tax Increment District No. 1 of the City of Jenks;

WHEREAS, as a result of the delays in development within the District as a result of the economic downturn and the amassing of numerous tracts of land within the District under one ownership, there has become an increased need for various items, of public infrastructure not contemplated when Ordinance No. 1148 was enacted; and,

WHEREAS, to adequately fund the needed infrastructure, including the potential of public parking structures, the time duration of Tax Increment District No. 1 needed to be increased as well as the total amount of ad valorem revenues collected for the improvements and related costs, and the project plan elements needed to be generalized; and,

WHEREAS, by increasing the time duration of Tax Increment District No. 1, the taxing entities would be foregoing ad valorem receipts for a longer period and a more equitable division of ad valorem receipts between the Tax Increment District and the public taxing entities needed to be developed; and,

WHEREAS, the Jenks City Council reviewed proposed amendments to Ordinance No. 1148 on October 4, 2010, to address these issues and forwarded the proposed amendments to the Jenks Planning Commission for review and comment; and,

WHEREAS, the Jenks Planning Commission reviewed and approved the proposed amendments on October 7, 2010, and submitted the same to the Local Review Committee of Tax Increment District No. 1 for review, comment and recommendations to be forwarded to the Jenks City Council prior to adoption of said proposed amendments; and,

WHEREAS, the Local Review Committee composed as required by 62 O.S. §855 met on October 26, 2010, and again on November 4, 2010, and considered the proposed amendments as well as modifications to the same submitted by Local Review Committee members; and,

WHEREAS, the Local Review Committee after review of an information packet which detailed the proposed development of Village on Main within Tax Increment District No.1, the proposed amendments, a generalized listing of the categories of qualified reimbursable infrastructure improvements and related costs in the total maximum amount of \$24,436,390.88, projected ad valorem revenues and business personal property revenues over an extended life of 25 years, projections of revenues during a 25 year life of 25% of ad valorem revenues going to the taxing entities and the other 75% being used to fund the improvements and related costs in TIF No. 1, and a chart showing the amount of projected revenues that would go to the various taxing entities based upon the 2009 County Treasurer's percentage disbursements, found that amendments were needed and approved the submitted proposed amendments with certain modifications and recommended their approval as modified by the Jenks City Council; and,

WHEREAS, notice of two public hearings for consideration of the amendments before the Jenks City Council scheduled for December 6, 2010, and December 20, 2010, was published on November 11, 2010, in the Jenks Journal, a newspaper of general circulation in the City of Jenks, Oklahoma; and,

WHEREAS, the scheduled public hearings were had on the dates, time and place as noted in the published notice; and,

WHEREAS, after hearing public comment on the proposed amendments and the proposed amendments as modified and recommended by the Local Review Committee, the Jenks City Council voted to approve the recommended amendments as submitted by the Local Review Committee.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JENKS, OKLAHOMA, that Ordinance No. 1148 creating Tax Increment District No. 1 of the City of Jenks, be amended as follows, to-wit:

1. That Tax Increment District No. 1 be amended to increase its life from twelve (12) years to twenty-five (25) years, and that the City of Jenks commit a half cent

of the City collected sales tax (of three cents) for the amended Tax Increment District No. 1 projects on future sales tax revenue collected only in the Village on Main, if it is reasonably possible to ascertain the same, to be used to retire (fund) the TIF.

2. That Tax Increment District No. 1 be amended to provide that commencing with fiscal year 2011-2012, that with the ad valorem revenues sent to the City by the Tulsa County Treasurer that the City disburse twenty-five percent (25%) of the ad valorem revenues collected after July 1, 2011 to the various ad valorem taxing entities entitled thereto with the other seventy-five percent (75%) retained by the City of Jenks for reimbursement of qualified City or developer expenses, including interest, and/or repayment of funds and related expenses, including interest, advanced to prefund infrastructure improvements, including the potential of a public parking facility. That the twenty-five percent (25%) of ad valorem revenues collected by the City is to be calculated annually and disbursed to the taxing entities in the proportion that they would be entitled to based upon the most current proration of ad valorem among the taxing entities.
3. That if the City or a trust of the City owns a multi-level parking facility in the Village on Main, and it becomes a full paid daily parking facility, then one-half the revenue from paid parking is to be applied to paying down (funding) Tax Increment District No. 1. All revenues from special event parking shall remain with the City or its trust.
4. That the total amount of ad valorem revenues to be collected and forwarded to the City of Jenks for improvements and related expenses be authorized to not exceed \$24,436,390.88. That said sum does not include the twenty-five percent of ad valorem revenues to be collected and disbursed to the taxing entities. Said total sum, including the twenty-five percent (25%) to the taxing entities, not to exceed \$32,581,854.51 in ad valorem revenues.
5. That the list of project areas, categories and estimated costs as set forth in the original Project Plan be modified to a list of generalized project categories and estimated expenses to be adjusted among project categories to reflect actual costs incurred in a category, with the same not to exceed \$24,436,390.88. That the Project Plan is amended to eliminate specific projects and expenditures and instead to list the following generalized categories of public infrastructure improvements and estimated costs, to-wit:

Streets/Streetscaping	\$600,000.00
Upgrade lift stations/force main	\$100,000.00
Drainage	\$400,000.00
Floodplain Development	\$250,000.00
Surface Parking	\$850,000.00
Structured parking facilities	\$11,800,000.00
Levee alterations	\$2,000,000.00

Contingency/interest

\$8,436,390.88

Total

\$24,436,390.88

6. That if further infrastructure and development beyond the scope and funding maximum of \$24,436,390.88 as herein amended is proposed, the City of Jenks agrees to provide additional sales tax for the same and the other public taxing entities will be held completely harmless from further increases in funding costs for the life of the TIF.
7. That the project area for expenditures for infrastructure and improvements is amended to include any areas within Tax Increment District No. 1.
8. That in the event the City of Jenks or a related trust of the City of which the City is the beneficiary advances or prefunds improvements or infrastructure within the District, said advances or prefunding, including interest and related expenses, shall be fully reimbursed from ad valorem receipts and above referenced one-half cent sales tax receipts, as may be available, prior to other developer incurred qualified expenses being reimbursed.

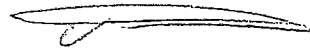
APPROVED this 20th day of December, 2010.

Since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, welfare and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the City Council.

PASSED with the Emergency Clause ruled upon separately this 20th day of December, 2010.

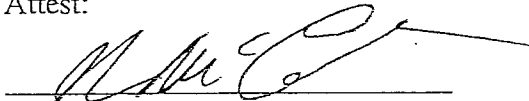
CITY OF JENKS, OKLAHOMA

By:

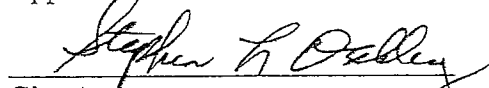


MAYOR OF THE CITY OF JENKS

Attest:


City Clerk

Approved:


City Attorney

TIF NO. 1

	Phase 1	Phase 2
Streets/Streetscaping	400,000.00	200,000.00
Upgrade liftstations/force main	100,000.00	
Drainage	400,000.00	
Floodplain Development	250,000.00	
Surface parking	850,000.00	7,800,000.00
Structured parking facilities	4,000,000.00	2,000,000.00
Levee alterations	6,380,078.52	2,056,312.36
Contingency/Interest	<u>12,380,078.52</u>	<u>12,056,312.36</u>
		24,436,390.88

TIF DISTRIBUTION NO. 1

EST.	YEAR	EXISTING ANNUAL COLLECTIONS		PHASE 1 OFFICE/APARTMENTS/RETAIL \$50,456,250		PHASE 2 OFFICE/HOTEL/RETAIL \$65,073,750	
		AD VALORUM TAX REVENUE					
	1	91,156 *	354,463	354,463	457,153	457,153	457,153
	2	91,156	354,463	354,463	457,153	457,153	457,153
	3	91,156	708,925	730,193	914,306	914,306	914,306
	4	91,156	730,193	752,099	941,735	941,735	941,735
	5	91,156	752,099	774,661	969,987	969,987	969,987
	6	91,156	774,661	797,901	999,087	999,087	999,087
	7	91,156	797,901	821,838	1,029,059	1,029,059	1,029,059
	8	91,156	821,838	846,494	1,059,931	1,059,931	1,059,931
	9	91,156	846,494	871,888	1,091,729	1,091,729	1,091,729
	10	91,156	871,888	898,045	1,124,481	1,124,481	1,124,481
	11	91,156	898,045	924,986	1,158,215	1,158,215	1,158,215
	12	91,156	924,986	952,736	1,192,962	1,192,962	1,192,962
	13	91,156	952,736	981,318	1,228,750	1,228,750	1,228,750
	14	91,156	981,318	1,010,758	1,265,613	1,265,613	1,265,613
	15	91,156	1,010,758	1,041,080	1,303,581	1,303,581	1,303,581
	16	91,156	1,041,080	1,072,313	1,342,689	1,342,689	1,342,689
	17	91,156	1,072,313	32,169	1,381,848	1,381,848	1,381,848
	18	91,156	1,113,472	32,169	1,413,641	1,413,641	1,413,641
	19	91,156	1,154,627	32,169	1,445,810	1,445,810	1,445,810
	20	91,156	1,195,782	32,169	1,477,979	1,477,979	1,477,979
	21	91,156	1,236,937	32,169	1,510,148	1,510,148	1,510,148
	22	91,156	1,278,102	32,169	1,542,317	1,542,317	1,542,317
	23	91,156	1,319,257	32,169	1,574,486	1,574,486	1,574,486
	24	91,156	1,360,412	32,169	1,606,655	1,606,655	1,606,655
	25	91,156	1,401,567	32,169	1,638,824	1,638,824	1,638,824
			1,823,129.40	14,289,717.08			15,622,123.75
				10,717,287.81			11,716,592.82
				3,572,429.27			3,905,530.94
							\$31,734,970.23
							\$23,801,227.67
							\$7,933,742.56

TIF NO. 1
Taxing Entities

TOTAL ANTICIPATED REVENUES

TOTAL ANTICIPATED REVENUE FROM NEW DEVELOPMENT:

TOTAL TIF NO. 1 SHARED REVENUE:

1,367,347.05

455,782.35

* Revenues based on current existing annual collections.
 ** Assumes 3% annual increase in assessed value.
 # In addition, reserves of \$190,212.38 on hand.

TIF DISTRICT NO. 1
ANTICIPATED REVENUES (25 YEARS)

PHASE 1		PHASE 2	
OFFICE/APARTMENTS/RETAIL	OFFICE/HOTEL/RETAIL		
\$252,280	\$325,369		
BUSINESS PERSONAL PROPERTY TAX REVENUE			

TIF NO. 1

Taxing Entities

295,443.67

98,481.22

339,719.54

113,239.85

TOTAL ANTICIPATED REVENUE FROM NEW DEVELOPMENT:
TOTAL TIF NO. 1 SHARED REVENUE:
TOTAL TAXING ENTITIES SHARED REVENUE:

\$846,884.28
\$635,163.21
\$211,721.07

* The above annual amounts assume an average 3% property tax devaluation.

TIF NO. 1

* EXISTING BASE COLLECTIONS COMMENCING 7/1/11	1,823,129.40
AD VALOREM TAXES (Phase I & II)	29,911,840.83
BUSINESS PERSONAL PROPERTY TAXES (Phase I & II)	846,884.28
TOTAL RECEIPTS	<u>32,581,854.51</u>
TIF NO.1 (75%)	24,436,390.88
TAXING ENTITIES (25%)	8,145,463.63

* Based upon FY 2009-2010 receipts annualized.
Additional \$190,212.38 on hand from prior collections.

TAXING ENTITIES

TIF No. 1

		8,145,463.63
Jenks Public Schools	58.07%	4,729,923.78
Tulsa Technology Center	10.44%	850,047.05
Tulsa County	8.07%	657,494.96
Tulsa Community College	5.64%	459,791.98
Tulsa City-County Library	4.16%	339,251.24
Tulsa City-County Health Dept.	2.02%	164,525.24
City of Jenks	8.46%	689,359.73
Schools	3.13%	255,069.66
		8,145,463.63

CITY OF JENKS ORDINANCE NO. 1148

**CREATING TAX INCREMENT DISTRICT NO. 1 OF THE CITY OF JENKS,
OKLAHOMA AND APPROVING ITS PROJECT PLAN**

An Ordinance creating the Tax Increment District No. 1 of the City of Jenks, Oklahoma; establishing boundaries of the District and projects as recommended by the Local Review Committee; providing for increases in the ad valorem and business personal property taxes over the current base amount as certified by the Tulsa County Assessors office to be used for a period not to exceed twelve years for financing said public improvements; and, declaring an emergency.

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S., 850 et seq. ("the Act"), the City Council for the City of Jenks, Oklahoma ("Governing Body"), approved proceeding with the steps necessary for the creation of Tax Increment District No. 1 and the formation of a review committee to review and make recommendations concerning the Tax Increment District Project Plan ("Project Plan"); and

WHEREAS, the membership of the Review Committee is comprised of the following individuals: a representative of the Governing Body, a representative of the Planning Commission of the City of Jenks, Oklahoma, representatives of each taxing jurisdiction within the proposed district such being Jenks Public Schools (Tulsa County Independent School District #5), Tulsa Community College, Tulsa Technology Center, Tulsa County, Tulsa City-County Library and Tulsa City-County Health Department whose taxes might be impacted according to the Project Plan, and three representatives of the public at large, all as required pursuant to 62 O.S., § 855(A); and

WHEREAS, the Review Committee has the statutory duty to consider and make its findings and recommendations to the Governing Body with respect to the conditions establishing the eligibility of the proposed District and the appropriateness of the approval of the Project Plan, as well-as to report its findings to the Governing Body in regard to the financial impact on the taxing jurisdictions within the proposed District; and

WHEREAS, Article 10, Section 6(C) of the Oklahoma Constitution and its enabling legislation, known as the Local Development Act, provides that the Governing Body may specifically use local taxes, in whole or in part, for specific public investments and improvements for reinvestment areas that are unproductive, undeveloped, underdeveloped or blighted; and

WHEREAS, the City of Jenks, Oklahoma, ("Applicant") has presented to the Review Committee a Project Plan for the creation of Tax Increment District Number One, City of Jenks, Oklahoma ("District"), and said Review Committee has defined the project areas as set forth in Exhibit No.1 attached hereto, and has made recommendations to establish the District boundaries as more particularly described in Exhibit No.2 attached hereto, wherein certain projects as recommended by the Review Committee are contemplated to be financed from public sources, including apportionment of ad valorem and business personal property tax increments derived from the District, to be established in connection with the Project; and

being located within a "Reinvestment Area" as defined in 62 O.S. § 853 (17) in that more than fifty percent (50%) of the structures in the proposed district are in excess of thirty-five (35) years old and that the proposed public improvements would serve as a catalyst for retaining or expanding employment, would attract major investment in the area or preserve or enhance the tax base; and

WHEREAS, the District supports the achievement of the development and redevelopment objectives of the City of Jenks, Oklahoma, to attract major investment in the area, preserve and enhance the tax base and make possible investment, development, and economic growth which would otherwise be difficult; and

WHEREAS, the improvements in the District area are likely to enhance the value of other real property in the area and promote the general interest; and

WHEREAS, the District and the Project Plan is in conformance with the objectives and intent of the Jenks Zoning Code and Comprehensive Plan as reviewed by the Jenks, Oklahoma, Planning Commission on September 22, 2005; and,

WHEREAS, the development of roadways, sewer and water line extensions, sewer line upgrades, and drainage improvements within the District accomplishes the following objectives:
(a) provides the area with the stability and market potential necessary for continued development;
(b) provides the market base for retail, restaurant, and entertainment facilities; and

WHEREAS, without the commercial development of the District the area would remain unused and thereby producing no economic value to the City of Jenks, Oklahoma, or taxing entities; and

WHEREAS, investment, development and economic growth would be difficult in the area of the District but is possible with tax apportionment financing for certain public improvements within the District; and

WHEREAS, the City Council will take care to exclude the use of tax increment financing in those areas where investment, development and economic growth would have occurred anyway; and

WHEREAS, the District does not create boundaries which dissects any similar area or create an unfair competitive advantage; and

WHEREAS, the aggregate net assessed value of the taxable property in all districts as determined pursuant to 62 O.S. §862 within the City of Jenks does not and shall not exceed thirty five percent (35%) of the total net assessed value of taxable property within the City of Jenks, nor does it nor shall it exceed twenty five percent (25%) of the total net assessed value of any affected school district within the City of Jenks, nor does the land area of this district and all other districts within the City of Jenks exceed nor shall it exceed twenty five percent (25%) of the total land area within the City of Jenks; and

WHEREAS, the Project Plan contemplates the development within the District of commercial structures and commercial businesses within those structures; and

WHEREAS, the Project Plan as recommended by the Local Review Committee contemplates a total increase in the ad valorem tax base to the relevant taxing jurisdictions, in the approximate amount of \$14,000,000 and business personal property tax base of \$1,275,000 at the end of the proposed twelve (12) year deferral of ad valorem and business personal property increases in the District; and

WHEREAS, the Project Plan contemplates that the aforementioned total benefit amount represents an increased ad valorem tax benefit to relevant taxing jurisdictions in an approximate amount of \$252,944.00 and business personal property tax of \$18,505.00; and

WHEREAS, the City of Jenks has provided published notice and conducted public hearing on the proposed Tax Increment District on December 19, 2005, and January 3, 2006, pursuant to the provisions and requirements of the Local Development Act; and

WHEREAS, The Jenks City Council finds that the recommendations of the Local Review Committee should be followed and that the boundaries, scope and cost of improvements, and duration of the original Project Plan should be modified to conform to such recommendations;

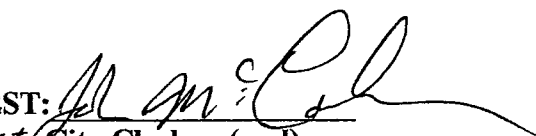
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JENKS, OKLAHOMA, THAT TAX INCREMENT DISTRICT NUMBER ONE, CITY OF JENKS, OKLAHOMA, AND ITS BOUNDARIES AS DEPICTED IN EXHIBIT No.2 ATTACHED HERETO AND THE PROJECT PLAN AS MODIFIED PURSUANT TO THE RECOMMENDATIONS OF THE LOCAL REVIEW COMMITTEE AS SET FORTH IN EXHIBIT No.2 BE AND ARE HEREBY ADOPTED AND SAID DISTRICT CREATED THIS DATE.

APPROVED THIS 3RD DAY OF JANUARY, 2006.

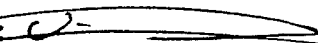
WHEREAS, TO PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF THE GENERAL PUBLIC, AN EMERGENCY IS DECLARED TO EXIST AND THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

EMERGENCY CLAUSE SEPARATELY VOTED ON AND APPROVED THIS 3RD DAY OF JANUARY, 2006

ATTEST:


Asst. City Clerk (seal)

CITY OF JENKS, OKLAHOMA

BY: 

Mayor

APPROVED AS TO FORM:

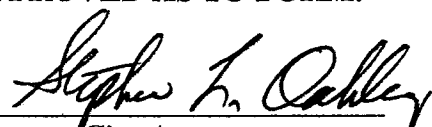

City Attorney

EXHIBIT No.1

PROJECT AREAS

The following areas are the general sites for the proposed public improvements for the City of Jenks Tax Increment District No. 1:

- A.) Extension of Aquarium Drive (101st Street) to link the Oklahoma Aquarium parking and roadway area to the south side of the Oklahoma Turnpike by going under the Turnpike where the bridge over the Arkansas River begins.
- B.) Apache Street Extension over the levee to Aquarium Drive.
- C.) Pipe Bursting to improve sanitary sewer line capacity along alleyways generally between Main and Apache from 1st to 4th Street; between Apache and Beaver from 1st to 3rd Street; between Beaver and Comanche from area between 1st and 2nd to area of 9th Street
- D.) Upgrade of Lift Station on Oklahoma Aquarium campus and sanitary sewer line from area around southern boundary of the Tumelson (Riverside) mobile home park through the levee to Aquarium Drive.
- E.) Six-inch Water Line Extension from 7th Street and along roadway access under the Creek Turnpike to southern boundary of the Creek Turnpike.
- F.) Drainage for Aquarium Drive extension south of the Oklahoma Aquarium.
- G.) Drainage for Apache Extension from areas around Apache and 9th Street, through the levee, along Aquarium Drive to area where drainage can go to Arkansas River.
- H.) Floodplain Development Regulation Requirement compliance in various areas of the Oklahoma Aquarium campus by raising elevations for potential development sites.

**FINDINGS AND RECOMMENDATIONS OF THE LOCAL REVIEW
COMMITTEE IN REGARD TO THE FORMATION OF THE
TAX INCREMENT DISTRICT NO. 1, A JENKS, OKLAHOMA TAX INCREMENT
DISTRICT AND ITS PROJECT PLAN**

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S., 850 et seq. ("the Act"), the City Council for the City of Jenks, Oklahoma ("Governing Body"), approved proceeding with the steps necessary for the creation of Tax Increment District No. 1 and the formation of a review committee to review and make recommendations concerning the Tax Increment District Project Plan ("Project Plan"); and

WHEREAS, the membership of the Review Committee is comprised of the following individuals: a representative of the Governing Body, a representative of the Planning Commission of the City of Jenks, Oklahoma, representatives of each taxing jurisdiction within the proposed district such being Jenks Public Schools, Tulsa Community College, Tulsa Technology Center, Tulsa County, Tulsa City-County Library and Tulsa City-County Health Department whose taxes might be impacted according to the Project Plan, and three representatives of the public at large, all as required pursuant to 62 O.S., § 855(A); and

WHEREAS, the Review Committee has the statutory duty to consider and make its findings and recommendations to the Governing Body with respect to the conditions establishing the eligibility of the proposed District and the appropriateness of the approval of the Project Plan, as well-as to report its findings to the Governing Body in regard to the financial impact on the taxing jurisdictions within the proposed District; and

WHEREAS, Article 10, Section 6(C) of the Oklahoma Constitution and its enabling legislation, known as the Local Development Act, provides that the Governing Body may specifically use local taxes, in whole or in part, for specific public investments and improvements for reinvestment areas that are unproductive, undeveloped, underdeveloped or blighted; and

WHEREAS, the City of Jenks, Oklahoma, ("Applicant") has presented to the Review Committee a Project Plan for the creation of Tax Increment District Number One, City of Jenks, Oklahoma ("District"), which boundaries are more particularly described in Exhibit "A" attached hereto, wherein certain projects are contemplated to be financed from public sources ("Project"), including apportionment of ad valorem and business personal property tax increments derived from the District, to be established in connection with the Project; and

WHEREAS, the District is eligible for designation as an increment district by virtue of being located within a "Reinvestment Area" as defined in 62 O.S. § 853 (17) in that more than fifty percent (50%) of the structures in the proposed district are in excess of thirty-five (35) years old and that the proposed public improvements would serve as a catalyst for retaining or expanding employment, would attract major investment in the area or preserve or enhance the tax base; and

WHEREAS, the District supports the achievement of the development and redevelopment objectives of the City of Jenks, Oklahoma, to attract major investment in the area, preserve and

enhance the tax base and make possible investment, development, and economic growth which would otherwise be difficult; and

WHEREAS, the District and the Project Plan as submitted to this Review Committee is in conformance with the objectives and intent of the Jenks Zoning Code and Comprehensive Plan as reviewed by the Jenks, Oklahoma, Planning Commission on September 22, 2005; and,

WHEREAS, the development of roadways, sewer and water line extensions, sewer line upgrades, and drainage improvements within the District accomplishes the following objectives:
(a) provides the area with the stability and market potential necessary for continued development;
(b) provides the market base for retail, restaurant, and entertainment facilities; and

WHEREAS, without the commercial development of the District the area would remain unused and thereby producing no economic value to the City of Jenks, Oklahoma, or taxing entities; and

WHEREAS, it is probable that investment, development and economic growth will not occur without tax apportionment financing for certain public improvements within the District; and,

WHEREAS, the District does not create boundaries which dissects any similar area or create an unfair competitive advantage; and

WHEREAS, the Project Plan contemplates the development within the District of commercial structures and commercial businesses within those structures; and

WHEREAS, the Project Plan contemplates a total increase in the ad valorem tax base to the relevant taxing jurisdictions, in the approximate amount of \$14,000,000 and business personal property tax base of \$1,275,000 at the end of the proposed twelve (12) year deferral of ad valorem and business personal property increases in the District; and

WHEREAS, the Project Plan contemplates that the aforementioned total benefit amount represents an increased ad valorem tax benefit to relevant taxing jurisdictions in an approximate amount of \$252,944.00 and business personal property tax of \$18,505.00;

NOW, THEREFORE, BE IT RESOLVED BY THE REVIEW COMMITTEE THAT THE FOLLOWING RECOMMENDATIONS BE MADE TO THE CITY COUNCIL OF THE CITY OF JENKS, OKLAHOMA, IN REGARD TO THE PROPOSED TAX INCREMENT DISTRICT NUMBER ONE, CITY OF JENKS, OKLAHOMA, AND ITS PROJECT PLAN:

SECTION I FINDINGS OF THE LOCAL REVIEW COMMITTEE; ELIGIBILITY AND CREATION OF "TAX INCREMENT DISTRICT NUMBER ONE", CITY OF JENKS, OKLAHOMA.

A. There has been prepared and presented to the Review Committee the Tax Increment District Project Plan for review and approval which consists of 27 pages, including maps and exhibits. The Project Plan and the data provided by INCOG as to the age of structures in the District are the basis for review and adoption by the Review Committee of the findings and recommendations to support the District's eligibility and the appropriateness of the Project Plan as set forth herein.

1. The Review Committee finds that said proposed Tax Increment District Number One, City of Jenks, Oklahoma, excluding that area south of the southern boundary of the Creek Turnpike as originally proposed, is legally eligible for said designation by virtue of its boundaries being located within a "Reinvestment Area" as defined by 62 O.S., § 853 (17);

2. The Review Committee finds that the tracts contained within the proposed District boundaries, excluding that area south of the southern boundary of the Creek Turnpike, are deemed to be unproductive, undeveloped and/or underdeveloped.

B. The Review Committee further finds that the contemplated public projects will likely enhance the value of other real property located within the District as well as increasing employment opportunities within said District.

C. The Review committee finds that the public projects contemplated within the Project Plan will result in increased ad valorem and business personal property tax revenues to the taxing jurisdictions within said District, as well as attendant increases in employment within the proposed District.

SECTION II. APPROVAL AND RECOMMENDATIONS IN REGARD TO THE PROJECT PLAN.

A. The Review Committee hereby approves the Project Plan as noted in the modified scope and cost of projects as noted in Exhibit "B" and the projections of revenue as noted in Exhibits "C", "D", "E" and the summary thereof in Exhibit "F" with the elimination of that area south of the southern boundary of the Creek Turnpike as noted on the attachment hereto, and except that the District should terminate at such time as the sum of \$2,207,500.00 in revenues from the tax increment financing as detailed in the modified Project Plan projected revenues is collected to pay the amount of the project estimates and related financing costs or twelve (12) years after the creation of the District, whichever occurs sooner. The governing body may grant the public entity in charge of the implementation of the project plan the authority to make minor amendments to the

plan. An amendment is considered to be minor if such amendment does not change the character or purpose of the plan; does not affect more than five percent (5%) of the district's area; or does not affect more than five percent (5%) of the public cost of the plan (\$2,338,875.00). All amendments made pursuant to the provisions of this subsection shall be considered on a cumulative basis. The Review Committee recommends that the governing body approve the Project Plan with the above modifications, designate and adopt the proposed boundaries as set forth in the attached Exhibit "G" as Tax Increment District Number One, City of Jenks, Oklahoma, said designation and approval to be conducted in the manner set forth in the Local Development Act, 62 O.S., § 850 et seq.

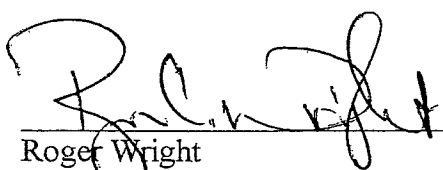
B. The Review Committee recommends that the increment of ad valorem and business personal property taxes, as defined by the Local Development Act, 62 O.S., § 850 et seq., from the proposed Tax Increment District Number One, City of Jenks, in excess of ad valorem and business personal property taxes generated by the base assessed value of the increment district, as most recently determined by the County Assessor prior to the Governing Body's enactment of the required ordinance, should be apportioned and used to pay the public project costs and related financing costs as set forth in the Project Plan as modified with the elimination of that area south of the southern boundary of the Creek Turnpike for a period of time sufficient to collect the funds to pay the project costs as estimated and related financing costs but not to exceed twelve (12) years.

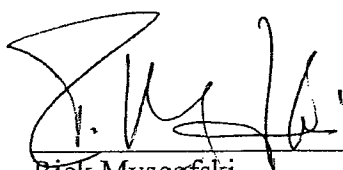
SECTION III. RATIFICATION BY THE LOCAL REVIEW COMMITTEE.

DATED this 28th day of November, 2005.

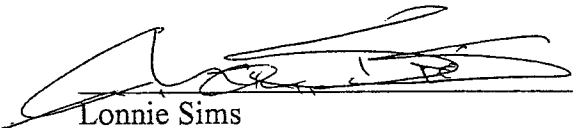

Mayor Vic Vreeland
Jenks City Council


Gene Callahan
Tulsa Technology Center

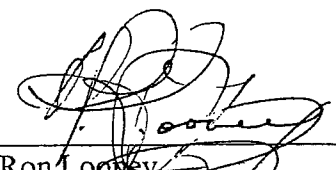

Roger Wright
Jenks School District

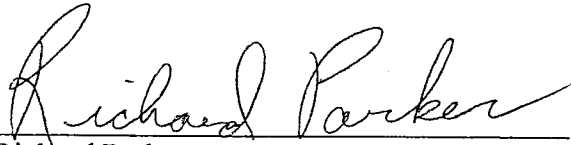

Rick Myscowski
Tulsa City-County Health Dept.


Mike Lyles
Member At-Large

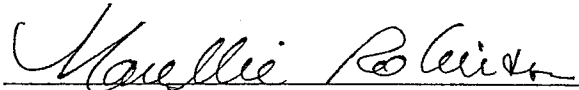

Lonnie Sims
Jenks Planning Commission


Bob Dotson
Tulsa County Commission

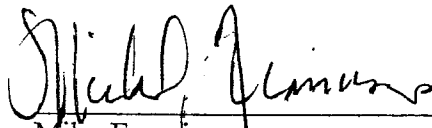

Ron Looney
Tulsa Community College



Richard Parker
Tulsa City-County Library



Marellie Robinson
Member At-Large



Mike Francisco
Member At-Large

Description of Boundaries:

The area to be included in the proposed district is generally that area commencing at the west bank of the Arkansas River by the Jenks Pedestrian Bridge; thence west along "B" Street to what would be 7th Street if extended; thence south to "A" Street; thence west to the old Missouri-Pacific railroad tracks; thence southeasterly along said railroad tracks to the south line of the NE/4 of Sec 30, T18N, R13E; then east to Lewis Avenue; thence north along Lewis Avenue to U.S. Government Lot 2; then east along the southern boundary of U.S. Government Lot 2 to the west bank of the Arkansas River; then north along the west bank of the Arkansas River to the point of beginning but excluding the site of the Oklahoma Aquarium and the Best Western Aquarium Inn and Suites. (See photo attached).

*City of Jenks
TIF District #1*

TIF District Boundary

Main St.

Creek Turnpike

Midland Valley RR



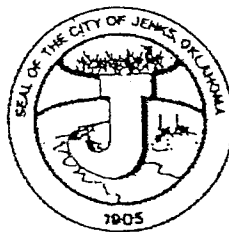
Map Prepared by NCOC 9-1-05

0 350 700 1,400
Feet

City of Jenks

Tax Increment District No. 1

Project Plan



September 7, 2005

Introduction

The City of Jenks contains areas that could develop commercially if adequate infrastructure were in place. Much of these areas are within the 100-year floodplain, making it economically cost prohibitive to develop unless water, sewer, stormwater, and roadway extensions or improvements are first in place. In addition, the proposed district includes more than 50% of housing and other structures which are in excess of thirty-five years old, which under the Oklahoma Local Development Act (Title 62 Okla. Stat. §850 et al) qualifies the proposed district as a "reinvestment area".

Creation of the district would provide the funding necessary to upgrade and extend water, sewer, storm drainage, roadways, and other infrastructure improvements to serve as a catalyst for retaining or expanding employment, to reverse economic stagnation or decline, to attract major investment in the area and to preserve or enhance the tax base in the area of the district.

Tax Increment Districts

Under the Local Development Act, a tax increment district (TIF) can be formed to fund improvements. Under a TIF, the assessed valuation of the properties within the district is established by the county assessor as a base valuation. Once the district is formed and commences, then any increase in the ad valorem taxes over the base valuation may be used to fund the projects designed under the TIF development plan. All of the jurisdictions that receive ad valorem taxes would continue to receive what they had under the base valuation. Only the increases over the base in the district would go toward the funding of the TIF projects. In addition, the business personal property tax increases over the base can be used to fund the proposed projects. This waiver of ad valorem tax increase and business personal property tax increase is only for a period of time deemed sufficient to fund the designated projects. By law, this could be up to twenty-five years, but under the proposed plan would only be for a period of twelve (12) years.

The advantage to the jurisdiction that relinquished the increases of ad valorem and business personal property taxes is that at the expiration of the TIF term they now will receive an increase which would not normally have occurred without the improvements for which the TIF had been created.

On July 15, 2002, after a public hearing, the Jenks City Council established a policy and guideline for approval of a TIF District. The policy provides that:

1. The district must be a reinvestment area, historic preservation district area, or an enterprise area (state or federal) which is unproductive, undeveloped, underdeveloped or a blighted area.
2. The district must improve and enhance the value of real property in the area and promote the general public interest.
3. The district must adhere to the requirement that the aggregate net assessed value of all TIF or exemption districts must not exceed 35% of the total assessed value in the City.
4. The district must adhere to the requirement that the aggregate net assessed value of all TIF or exemption districts must not exceed 25% of the total assessed value in the school district.

5. The district must adhere to the requirement that the aggregate land area of all TIF or exemption districts must not exceed 25% of the total land-area of the City.
6. The district must be developed in accordance with the City of Jenks Area Comprehensive Plan and must be in accordance with the City Zoning Code and related ordinances.
7. The district must receive a recommendation from the City Budget Committee as to the viability of the project utilizing the following evaluation criteria.
 - A. For privately owned projects, the investment of private funds of the applicant in the project. Projects which include 25% or more of applicants' private funds as applicants' investment in the project will be favored.
 - B. Feasibility and marketing studies which demonstrate the potential for success of a particular project.
 - C. Applications for projects using TIF assistance solely for public infrastructure will be favored.
 - D. The total amount of TIF assistance for private project costs which do not exceed 15% of the total project costs will be favored.
 - E. Projects that do not propose to utilize sales taxes will be favored.
 - F. Proposals which do not use the 25 year maximum time period for repayment will be favored.
 - G. Evidence and assurances that the private applicant has the financial ability to complete and operate the project.
 - H. Evidence that alternative financing methods have been thoroughly explored.
8. The district plan must demonstrate the need for the public improvements to be funded for future economic gain.
9. The district plan must demonstrate that private investment, development or redevelopment or economic growth would be difficult without the public improvements proposed by use of a TIF District.
10. The district should not be created where investment, development or economic growth would otherwise occur.
11. The district must be supported by a plan document as required by law, and provided by the applicant.
12. A report of the proposed improvements, supported by a study and preliminary engineering designs including cost estimates, must be provided by the applicant for a TIF District.
13. That the formation of a TIF District be used to supplement and not supplant or replace normal public functions and services;

14. That the information of a TIF District work in conjunction with existing programs and efforts such as the Oklahoma Main Street Program, Oklahoma Enterprise Zone Act, historic preservation and other locally implemented economic development efforts;
15. That any proposed districts be delineated with particular emphasis not to have boundaries that dissect a similar area or create unfair competitive advantage;
16. That the formation of a TIF District take into consideration the need for residential and neighborhood treatment, capital improvements to neighborhood public schools, as well as commercial/industrial development;
17. That maximum effort be made to allow full public knowledge and participation in the local use of the formation of a TIF District.
18. That conservation, preservation and rehabilitation be emphasized while demolition, clearance and relocation be minimized where possible; and
19. That the use of a TIF District not be used to encourage the relocation of a nearby business to the proposed TIF District.

Although portions of the City's policy were designed to address private developers applying for a TIF district creation to assist their proposed development, the City itself can look to a TIF district itself to fund necessary improvements.

Pursuant to the Local Development Act, the governing body shall cause to be prepared a project plan. The Planning Commission will review the project plan and make a recommendation on the plan to the governing body. The project plan shall include the following items, if applicable, according to the type of district being formed:

1. A description of the proposed boundaries of the district and the proposed boundaries of the project area by legal description and by street or other recognizable physical feature accompanied by a sketch clearly delineating the area in detail;
2. A general description of the proposed public works or improvements, the anticipated private investments and the estimated public revenues which should accrue;
3. A list of estimated project costs including administrative expenses;
4. A general description of the methods of financing the estimated project costs, the expected sources of revenue to finance or pay project costs, and the general time when the costs or monetary obligations related thereto are to be incurred;
5. A map showing existing uses and conditions of real property in the district and a map showing proposed improvements to and proposed uses of that property;
6. Proposed changes in zoning;
7. Proposed changes in the master plan and city ordinances if required to implement the project plan;
8. The name of the person who shall be in charge of the implementation of all of the project plans of the district with such name being forwarded to the Department of Commerce; and

9. A designation of any public entity to be authorized to carry out all or any part of the project plan.

In addition, a review committee shall be formed consisting of a representative from City Council, a representative of the Planning Commission having jurisdiction over the proposed district, a representative from each of the taxing entities whose ad valorem taxes might be impacted by the plan, and three members of the public at large.

The review committee shall consider and make its findings and recommendations to the governing body with respect to the conditions establishing the eligibility of the proposed district and the appropriateness of the approval of the proposed plan and project. The review committee may recommend that the project plan be approved, denied, or approved subject to conditions set forth by the committee.

The Plan

Per the requirements of the Act, the following items are addressed:

Description of Boundaries:

The area to be included in the proposed district is generally that area commencing at the west bank of the Arkansas River by the Jenks Pedestrian Bridge; thence west along "B" Street to what would be 7th Street if extended; thence south to "A" Street; thence west to the old Missouri-Pacific railroad tracks; thence southeasterly along said railroad tracks to the south line of the NE/4 of Sec 30, T18N, R13E; then east to Lewis Avenue; thence north along Lewis Avenue to U.S. Government Lot 2; then east along the southern boundary of U.S. Government Lot 2 to the west bank of the Arkansas River; then north along the west bank of the Arkansas River to the point of beginning but excluding the site of the Oklahoma Aquarium and the Best Western Aquarium Inn and Suites. (See photo attached).

Proposed Public Improvements:

In order for development to take place within the district boundaries, the following proposed infrastructure projects and related costs as authorized by the Local Development Act need to be funded with the formation of the TIF District.

- A.) 101st Place. Additional roadway, with curb and gutter and sidewalks, needs to be constructed from Aquarium Drive under the Creek Turnpike along the east side of the Missouri-Pacific Railroad right-of-way, and then east to connect with the existing (but unimproved) 101st Place.

The attached Exhibit "A" shows the location of the new roadway and the cost estimate of \$360,000.

- B.) 101st Place Extension to Aquarium Drive. This improvement would upgrade the existing 101st Place to Lewis Avenue and then extend easterly and then north under the Creek Turnpike and connect with Aquarium Drive. A bridge under the Creek Turnpike would also be constructed to allow the roadway extension to cross the drainage ravine under the Turnpike. The attached Exhibit "B" shows the location of the roadway extension and the cost estimate of \$800,000.

- C.) Apache Street Extension to Aquarium Drive. Currently, Apache dead-ends at what would be 8th Street by two large tracts. The extension would open up those tracts for development and extend along the northern edge of the existing mobile home park, over the levee to Aquarium Drive, thereby providing access needed in the area.

The attached Exhibit "C" shows the location of the roadway extension and the cost estimate of \$205,000.

- D.) Central Lift Station with Force Main. The extension of 6" sanitary sewer lines connecting with an existing 16" force main by way of a lift station located south of the Creek Turnpike and east of the Missouri-Pacific Railroad is essential for development in this area of the District.

The attached Exhibit "D" shows the general location of the sanitary sewer lines and lift station and the cost estimate of \$150,000.

- E.) Pipe bursting to improve sanitary sewer line capacity.

The attached Exhibit "E" shows the location of the upgraded sewer lines and the cost estimate of \$550,000.

- F.) Upgrade of Aquarium lift station in order to accommodate anticipated sanitary sewer demand for development on each side of levee.

The attached Exhibit "F" shows the location of the lift station and sanitary sewer lines and the cost estimate of \$70,000.

- G.) Six-inch Water Line Extension from 7th Street to 101st Place. For development to occur in the area south of the Creek Turnpike and east of the Missouri-Pacific Railroad, it is essential to bring potable water to the area.

The attached Exhibit "G" shows the location of the new 6" water line and the cost estimate of \$90,000.

- H.) Eight-inch Water Line from 7th Street to Lewis Avenue. This water line along 101st Place would allow for development in the area.

The attached Exhibit "H" shows the location of the new 8" water line and the cost estimate of \$105,000.

- I.) Drainage Along 101st Place. Adequate drainage along 101st Place to the Arkansas River will be necessary in this flood plain area for development.

The attached Exhibit "I" shows the location of the drainage way and the cost estimate of \$225,000.

- J.) Drainage for 101st Place Extension to Aquarium Drive. These drainage ways will be necessary to complement the 101st Place Extension to Aquarium Drive.

The attached Exhibit "J" shows the location of these two drainage way improvements and the cost estimate of \$65,000.

- K.) Drainage for Apache Extension. This drainage way will be necessary to complement the Apache Roadway Extension after crossing the levee.

The attached Exhibit "K" shows the location of this drainage way as well as the cost estimate of \$105,000.

- L.) Floodplain Development Regulation Requirement. Fill will be necessary to bring certain areas out of the floodplain to allow for development. The attached Exhibit "L" shows the location of fill areas and the estimated cost of \$225,000.

Summary of Public Improvement Costs (See Exhibit "M").

Cost of all projects:	\$2,950,000
Estimated Financing Costs:	\$1,032,500
Misc:	<u>\$9,075</u>
Total:	\$3,991,575

Estimated Public Revenues to Accrue:

Revenue will come from the following sources:

- A.) The approximate base ad valorem assessed value of the properties within the proposed district is 33 million dollars. With an average of a 3% annual increase in the valuation of the existing base, approximately \$192,227 will be generated over the twelve year existence of the TIF District. (See Exhibit "N").
- B.) Increase in ad valorem base with anticipated development south of the Creek Turnpike and an undeveloped area of Aquarium Campus and other areas in the District is anticipated to yield \$3,282,557 in revenue over the life of the TIF. (See Exhibit "O").
- C.) Business personal property tax associated with the new developments should yield \$516,791. (See Exhibit "P").

Total anticipated revenue: \$3,991,575

Method of Financing the Project Costs:

Now that an Oklahoma Constitutional Amendment has been approved allowing the funding of the project costs through bonding over a period of years as opposed to the delays in completion of the project if it were funded on a "pay as you go" basis, funding may be secured through the sale of bonds. Initial bond sale funding may be used to provide the funds to provide the infrastructure improvements as they appear to be needed. Additional bond sales or reimbursable advancements by the City may be made as infrastructure is needed for development commitments.

The City of Jenks or the Jenks Public Works Authority may initially advance funding for projects and be reimbursed later through the TIF revenues or bond fund proceeds.

In the event of a shortfall of anticipated revenues to fund projects, a "payback" arrangement may be implemented to recover a portion of project costs for infrastructure from developers that connect to said infrastructure. Funds in excess of project costs, if any, shall be retained in the City's general fund.

The City will determine in what order the proposed projects will be undertaken based upon need and funding availability.

Map Showing Existing Uses and Conditions:

See attached Exhibit "Q".

Map Showing Proposed Improvements and Uses:

See attached Exhibits "A" - "K" and Exhibit "R" showing the proposed future uses.

Proposed Changes in Zoning:

The tract south of the Creek Turnpike may either require zoning changes to commercial (CS) and/or office medium (OM), or be developed partially under a specific use permit for an entertainment venue.

The tract east of the levee and north of the Creek Turnpike may be platted for future tract sales and development.

Proposed Changes in Comprehensive Plan and Ordinances to Implement Project Plan:

The Comprehensive Plan should not require amendment to allow the anticipated uses if the proposed infrastructure is completed to encourage and allow for development. However, the Comprehensive Plan may be modified to provide an Arkansas River Entertainment/Tourism Area which may include a portion of the district.

Individual in Charge of Implementation of Project Plans:

Jenks City Engineer, F. Robert Carr, Jr., or his successor.

Public Entity Authorized to Carry Out Project Plan:

The City of Jenks, Oklahoma

City of Jenks
TIF District #1

TIF District Boundary

Main St

Creek Turnpike

Melancholia Valley RR



Map Prepared by INCOG 9-1-05

0 250 500 1,000 Feet



TIF INFRASTRUCTURE - STREETS

EXHIBIT "B"

Cost Estimate - 101st Place Extension to Aquarium Drive

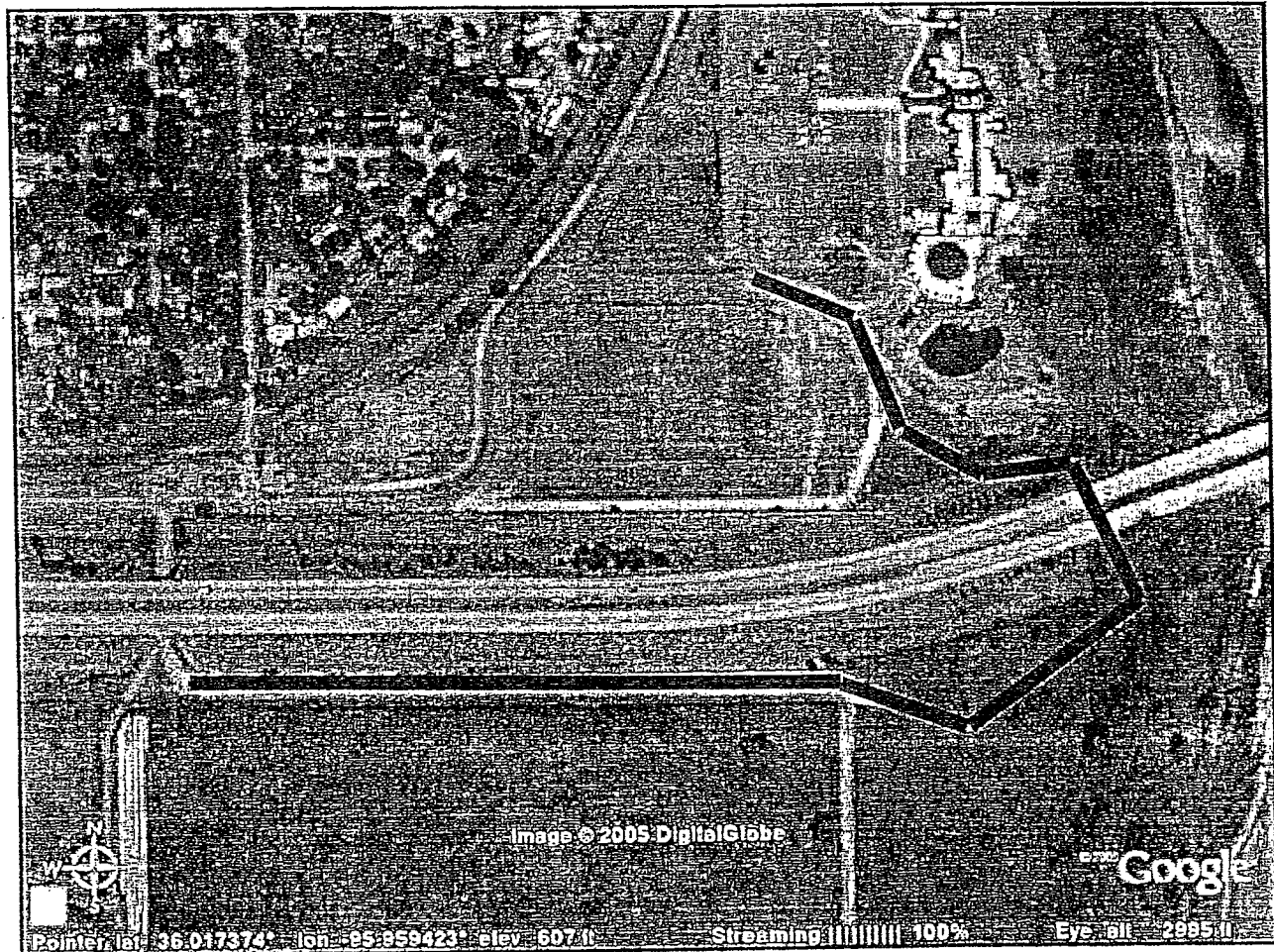
Approximate total length - 3500 LF collector extension of 101st Place east to Lewis (1500 LF), under turnpike (1100 LF) with connection to Aquarium (900 LF)

City of Jenks

August 8, 2005

Item (ODOT)	Description	Quantity	Unit	Unit Price	Amount
201-0102	Clearing and grubbing	1	LS	\$2,500	\$2,500
202(A)-0183	Unclassified excavation	7000	CY	\$3	\$21,000
202(C)-0184	Unclassified borrow	1500	CY	\$5	\$7,500
222-2801	Temporary bale barrier	500	LF	\$2	\$1,000
223-2801	Temporary silt fence	750	LF	\$1	\$750
230(A)-2806	Solid Slab Sodding	7000	SY	\$2	\$14,000
245(A)-7039	Lime	200	Ton	\$65	\$13,000
303-0192	Aggregate base	2500	CY	\$25	\$62,500
325-5271	Separator fabric	12950	SY	\$1	\$15,540
408-5774	Prime Coat	3500	Gal	\$2	\$5,775
411(A)-6500	Asphalt concrete - type A	4700	Ton	\$35	\$164,500
411(B)-6540	Asphalt concrete - type B	1600	Ton	\$40	\$64,000
609(B)-1525	2'-8" comb. Curb & gutter	7000	LF	\$13	\$91,000
610(B)-0602	4" concrete sidewalk	5000	LF	\$20	\$100,000
640-1398	Field office	1	EA	\$5,000	\$5,000
641-1399	Mobilization	1	LS	\$12,000	\$12,000
642-0098	Staking	1	LS	\$5,000	\$5,000
	Bridge	1	LS	\$50,000	\$50,000
				Subtotal	\$635,065
				contingency	\$158,766
				TOTAL	\$793,831

say \$800,000



TIF INFRASTRUCTURE - STREETS

EXHIBIT "C"

Cost Estimate - Apache Extension to Aquarium Drive

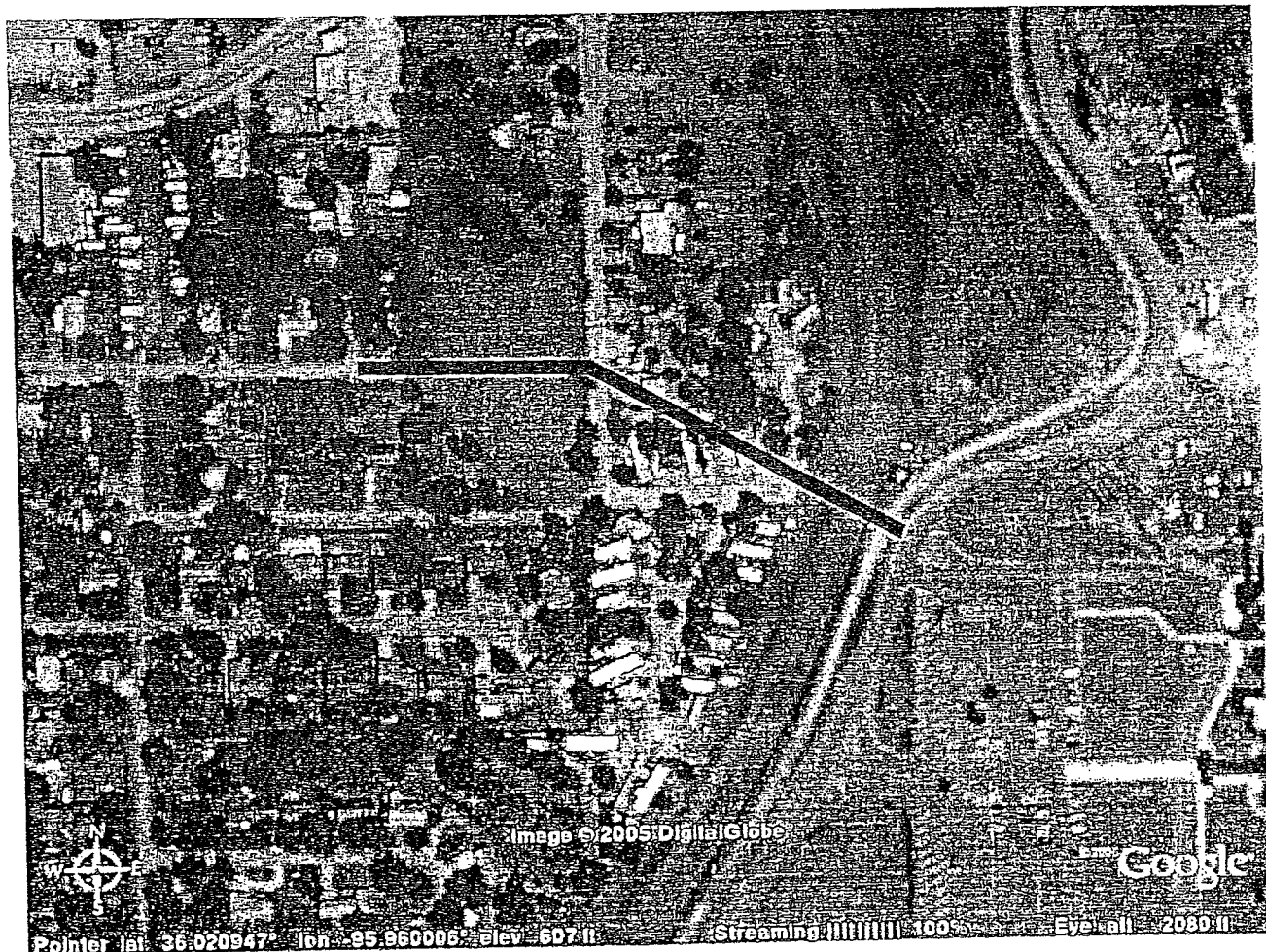
Approximate total length - 800 LF Extension of Apache to Aquarium Drive

City of Jenks

August 8, 2005

Item (ODOT)	Description	Quantity	Unit	Unit Price	Amount
201-0102	Clearing and grubbing	1	LS	\$2,500	\$2,500
202(A)-0183	Unclassified excavation	1600	CY	\$3	\$4,800
202(C)-0184	Unclassified borrow	500	CY	\$5	\$2,500
222-2801	Temporary bale barrier	100	LF	\$2	\$200
223-2801	Temporary silt fence	200	LF	\$1	\$200
230(A)-2806	Solid Slab Sodding	1600	SY	\$2	\$3,200
245(A)-7039	Lime	50	Ton	\$65	\$3,250
303-0192	Aggregate base	650	CY	\$25	\$16,250
325-5271	Separator fabric	3000	SY	\$1	\$3,600
408-5774	Prime Coat	800	Gal	\$2	\$1,320
411(A)-6500	Asphalt concrete - type A	1100	Ton	\$35	\$38,500
411(B)-6540	Asphalt concrete - type B	450	Ton	\$40	\$18,000
609(B)-1525	2'-8" comb. Curb & gutter	1600	LF	\$13	\$20,800
610(B)-0602	4" concrete sidewalk	1600	LF	\$20	\$32,000
640-1398	Field office	1	EA	\$5,000	\$5,000
641-1399	Mobilization	1	LS	\$7,000	\$7,000
642-0098	Staking	1	LS	\$2,500	\$2,500
				Subtotal	\$161,620
				contingency	\$40,405
				TOTAL	\$202,025

Say \$205,000



TIF INFRASTRUCTURE - SANITARY SEWER

EXHIBIT "D"

Cost Estimate - Central Lift Station with Force Main

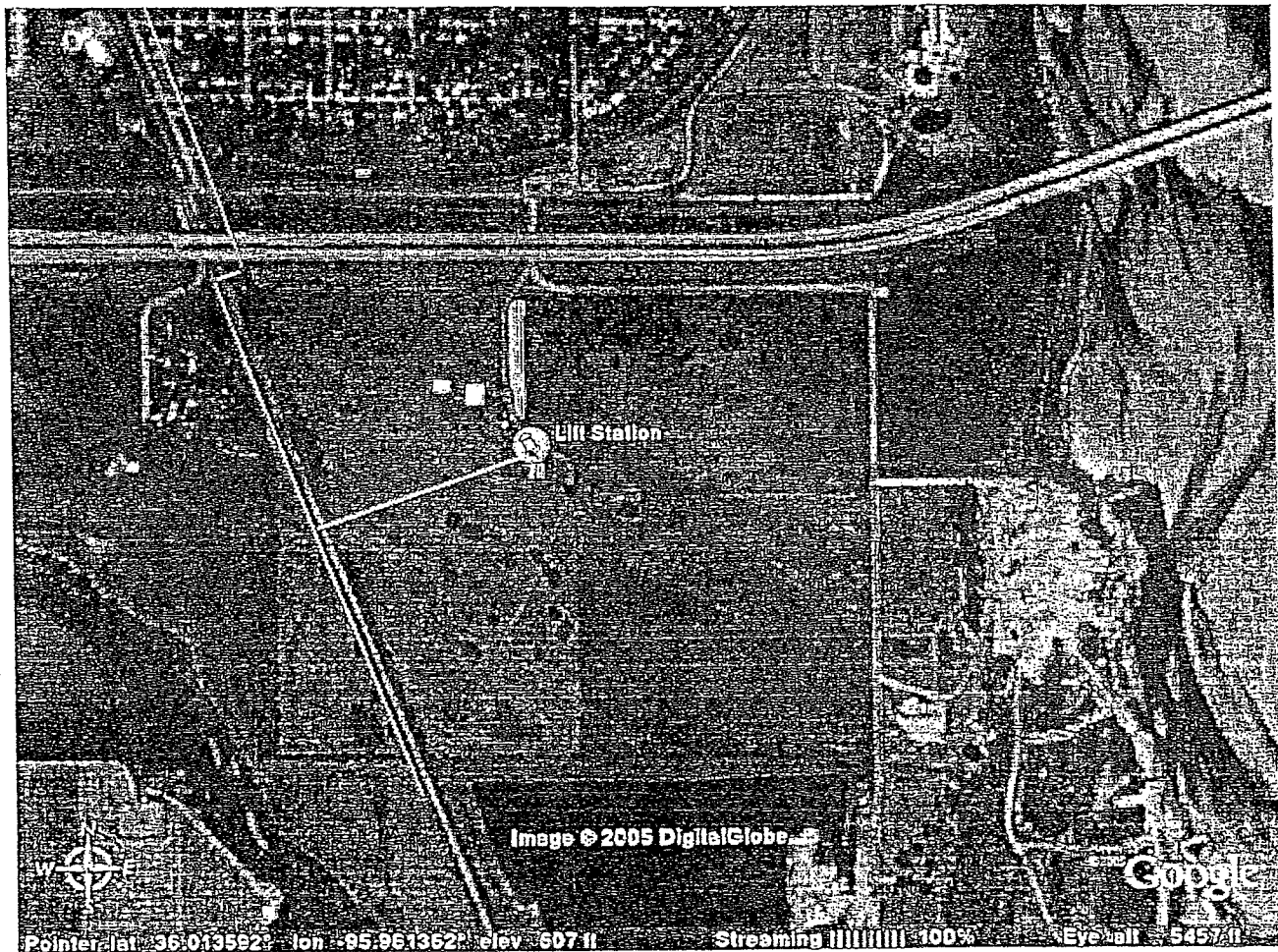
Approximate total length of force main - 1100 LF

City of Jenks

August 8, 2005

Item	Description	Quantity	Unit	Unit Price	Amount
1	Clearing and grubbing	1	LS	\$2,000	\$2,000
2	Excavation and backfill	1000	CY	\$3	\$3,000
3	Lift Station and appurtenances	1	LS	\$75,000	\$75,000
4	6-inch PVC C-900 force main	1100	LF	\$30	\$33,000
5	6" connection to 16" force main	1	LS	\$1,000	\$1,000
6	6" force main testing	1100	LF	\$1	\$1,100
7	Temporary bale barrier	100	LF	\$2	\$200
8	Temporary silt fence	200	LF	\$1	\$200
9	Mobilization	1	LS	\$2,500	\$2,500
10	Staking	1	LS	\$2,000	\$2,000
total					\$120,000
contingency					\$30,000
TOTAL					\$150,000

say \$150,000



TIF INFRASTRUCTURE - SEWER REHABILITATION

EXHIBIT "E"

Cost Estimate - Pipebursting

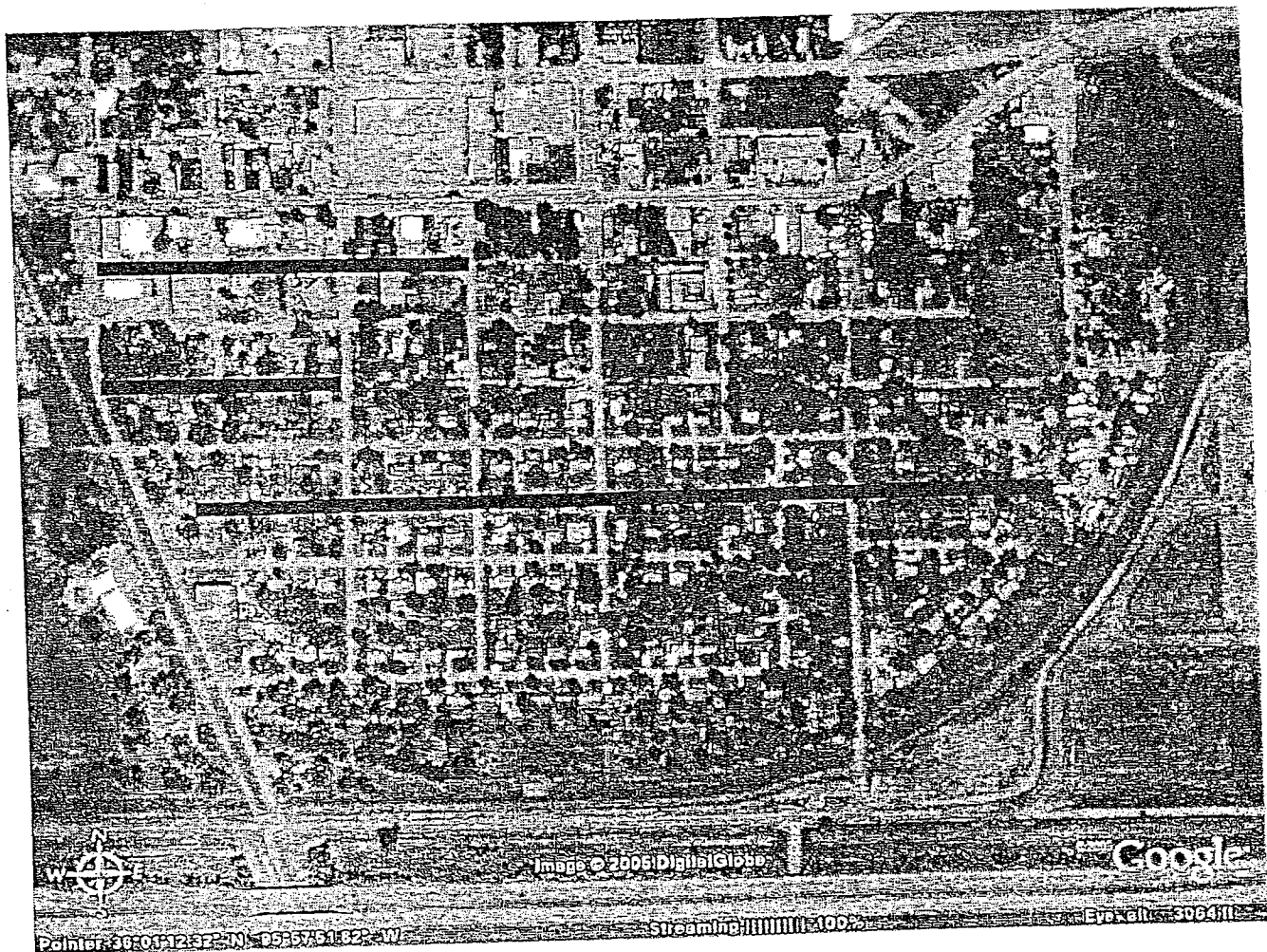
Approximate total length of main - 10" increased to 12" from 1st Street to 9th Street (approximately 2800 LF), 6" clay pipe replaced with 8" PVC between Main and Apache (1st Street to 4th Street)(approximately 1100 LF) and between Apache and Beaver (1st Street to 3rd Street)(approximately 725 LF)

City of Jenks

August 16, 2005

Item	Description	Quantity	Unit	Unit Price	Amount
1	Excavation and backfill	1500	CY	\$3	\$4,500
2	Pipe bursting (6" to 8")	1825	LF	\$70	\$127,750
3	Pipe bursting (10" to 12")	2800	EA	\$95	\$266,000
4	Service re-connections	70	EA	\$400	\$28,000
5	Asphalt removal and replacement	100	SY	\$75	\$7,500
6	Temporary silt fence	500	LF	\$2	\$1,000
7	Seeding/sod	7000	SF	\$2	\$14,000
8	Mobilization	1	LS	\$5,000	\$5,000
Subtotal					\$453,750
contingency					\$90,750
TOTAL					\$544,500

say \$550,000



TIF INFRASTRUCTURE - SANITARY SEWER

Cost Estimate - Aquarium Lift Station Upgrade and Force Main

EXHIBIT "F"

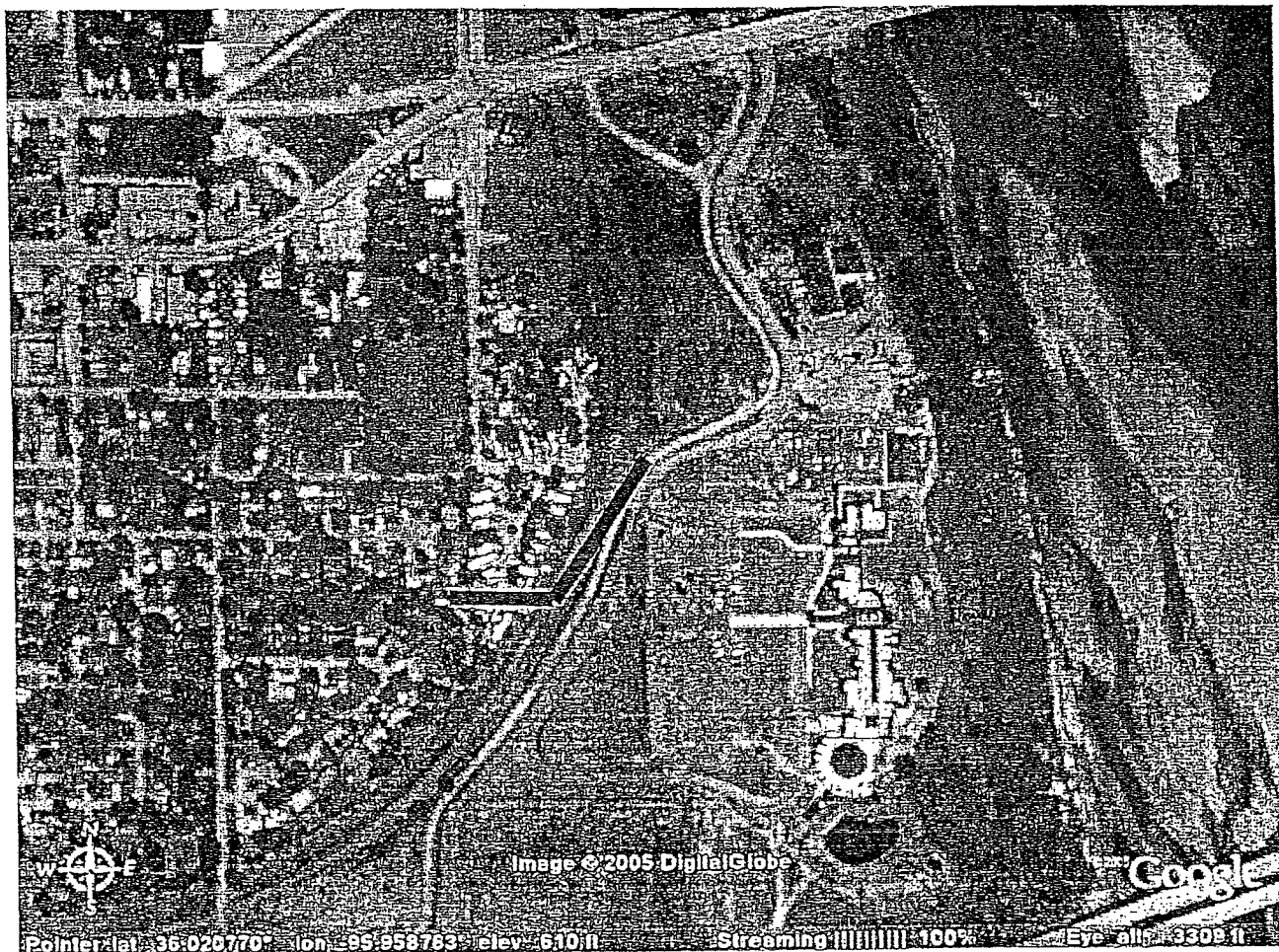
Approximate total length of force main - 700 LF

City of Jenks

August 8, 2005

Item	Description	Quantity	Unit	Unit Price	Amount
1	Clearing and grubbing	1	LS	\$2,000	\$2,000
2	Excavation and backfill	700	CY	\$3	\$2,100
3	Lift Station/ controls and appurtenances	1	LS	\$20,000	\$20,000
4	6-inch PVC C-900 force main	700	LF	\$30	\$21,000
5	6" connection to manhole	1	LS	\$1,000	\$1,000
6	6" force main testing	700	LF	\$2	\$1,400
7	Temporary bale barrier	100	LF	\$2	\$200
8	Temporary silt fence	200	LF	\$1	\$200
9	Mobilization	1	LS	\$2,500	\$2,500
10	Staking	1	LS	\$2,500	\$2,500
total					\$52,900
contingency					\$13,225
TOTAL					\$66,125

say \$70,000



TIF INFRASTRUCTURE - WATER

EXHIBIT "G"

Cost Estimate - 6" line from 7th to 101st Place

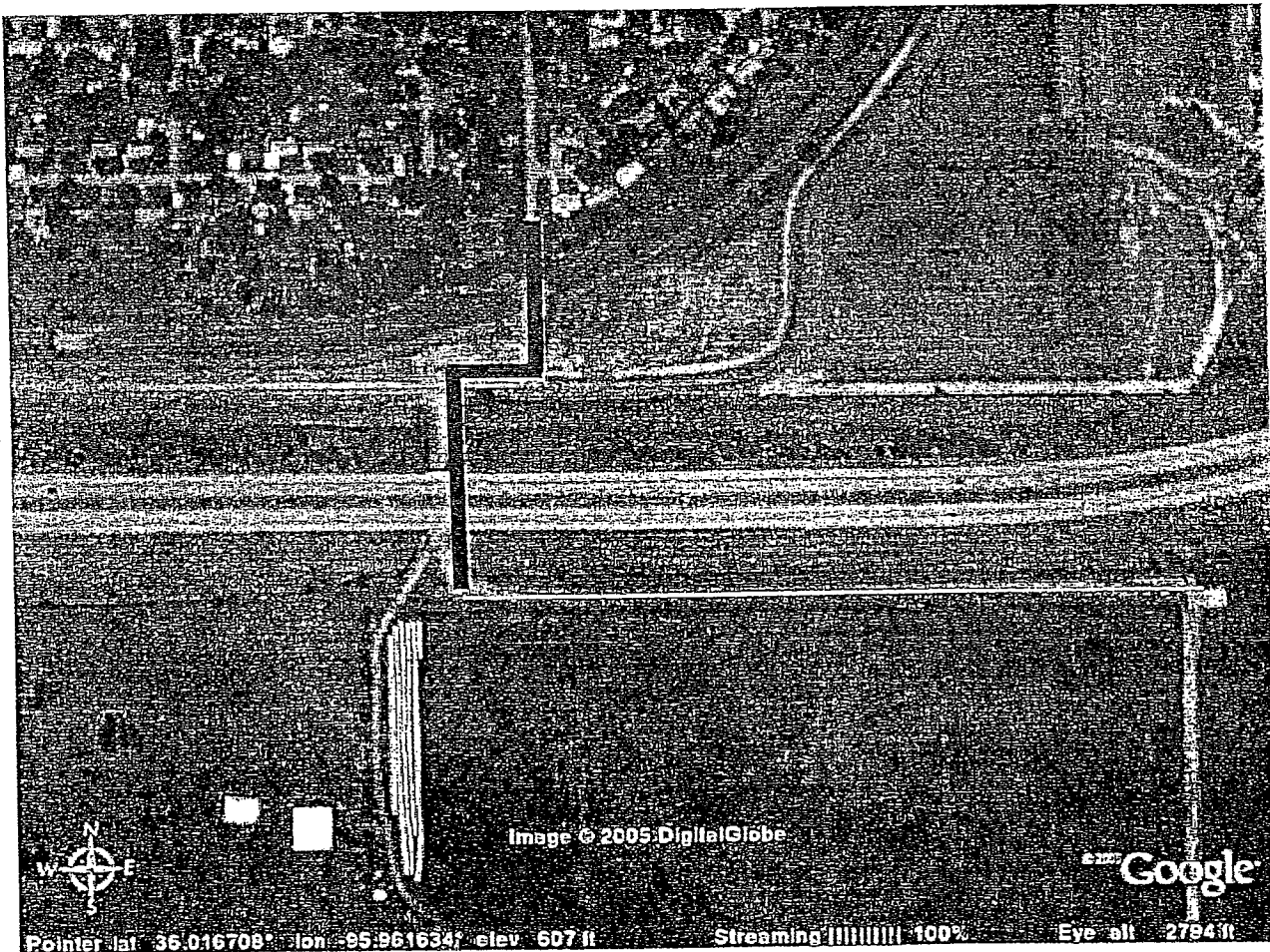
Approximate total length of main - 1000 LF

City of Jenks

August 8, 2005

Item	Description	Quantity	Unit	Unit Price	Amount
1	Clearing and grubbing	1	LS	\$2,000	\$2,000
2	Excavation and backfill	1000	CY	\$3	\$3,000
3	6" C-900 PVC pipe	1000	LF	\$30	\$30,000
4	6" 90-degree elbows	3	EA	\$500	\$1,500
5	6" blind flange	1	EA	\$250	\$250
6	6" MJ gate valve	2	EA	\$750	\$1,500
7	6" connection to existing main	1	LS	\$500	\$500
8	Bore and jack 15" steel casing	50	LF	\$150	\$7,500
9	6" testing and disinfection	1000	LF	\$1	\$1,000
10	1" corp stop and saddle	2	EA	\$200	\$400
11	6"x6"x6" tee	1	EA	\$600	\$600
	6"x6"x8" tee	1	EA	\$700	\$700
12	Fire hydrant assembly	1	EA	\$1,500	\$1,500
13	Asphalt removal and replacement	150	SY	\$80	\$12,000
14	Temporary bale barrier	100	LF	\$2	\$200
15	Temporary silt fence	200	LF	\$1	\$200
16	Mobilization	1	LS	\$5,000	\$5,000
17	Staking	1	LS	\$2,500	\$2,500
				Subtotal	\$70,350
				contingency	\$17,588
				TOTAL	\$87,938

say \$90,000



TIF INFRASTRUCTURE - WATER

EXHIBIT "H"

Cost Estimate - 8" line from 7th to Lewis

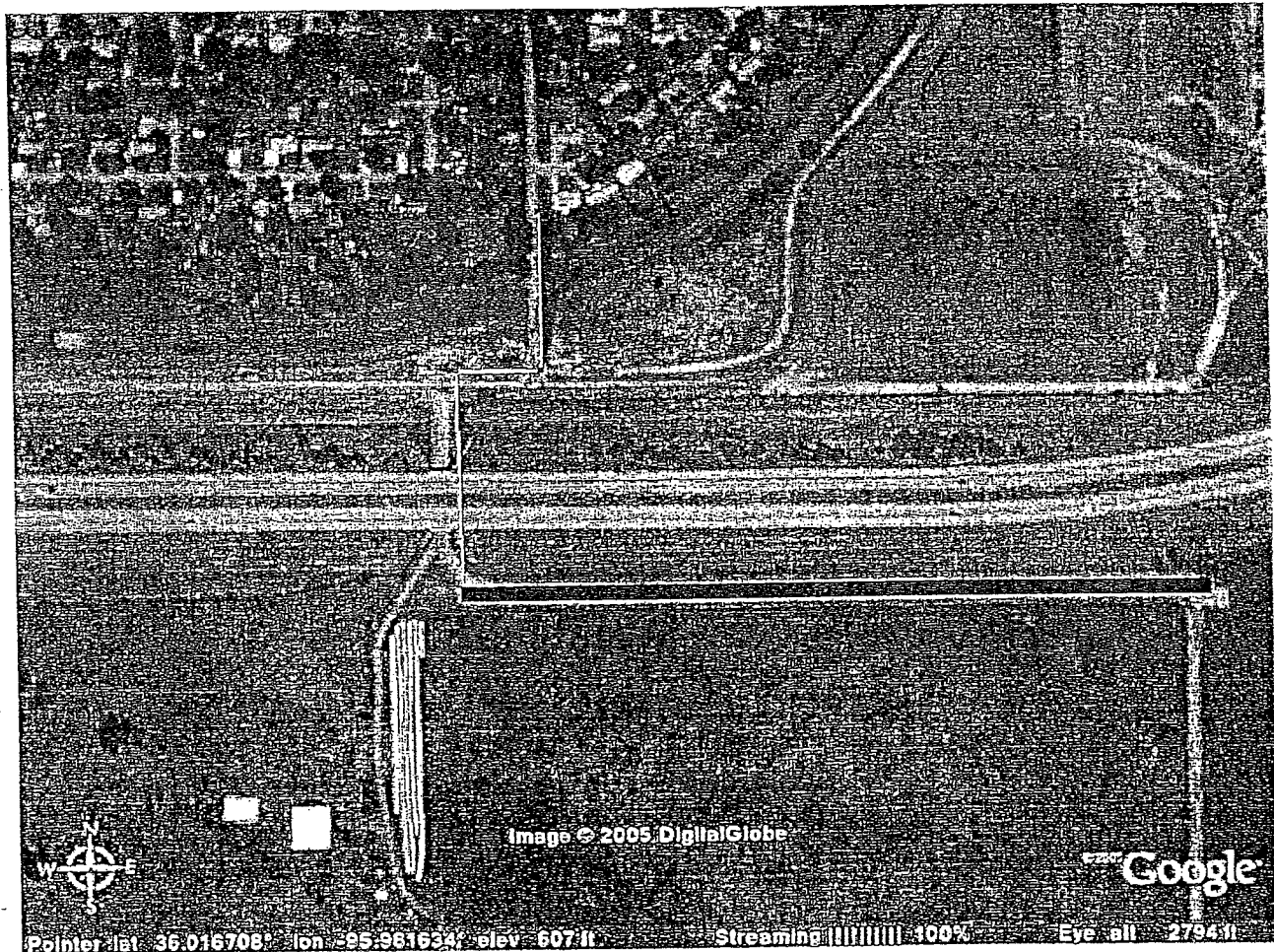
Approximate total length of main - 1500 LF

City of Jenks

August 8, 2005

Item	Description	Quantity	Unit	Unit Price	Amount
1	Clearing and grubbing	1	LS	\$2,000	\$2,000
2	Excavation and backfill	1500	CY	\$3	\$4,500
3	8" C-900 PVC pipe	1500	LF	\$40	\$60,000
5	6" MJ gate valve	1	EA	\$750	\$750
6	8" MJ gate valve	2	EA	\$800	\$1,600
7	8" connection to existing main	1	LS	\$650	\$650
9	8" testing and disinfection	1000	LF	\$1	\$1,000
10	1" corp stop and saddle	2	EA	\$200	\$400
11	8"x8"x6" tee	1	EA	\$750	\$750
12	Fire hydrant assembly	1	EA	\$1,500	\$1,500
13	Asphalt removal and replacement	25	SY	\$75	\$1,875
14	Temporary bale barrier	50	LF	\$2	\$100
15	Temporary silt fence	100	LF	\$1	\$100
16	Mobilization	1	LS	\$5,000	\$5,000
17	Staking	1	LS	\$2,500	\$2,500
Subtotal					\$82,725
contingency					\$20,681
TOTAL					\$103,406

say \$105,000



TIF INFRASTRUCTURE - DRAINAGE

EXHIBIT "I"

Cost Estimate - 101st Place

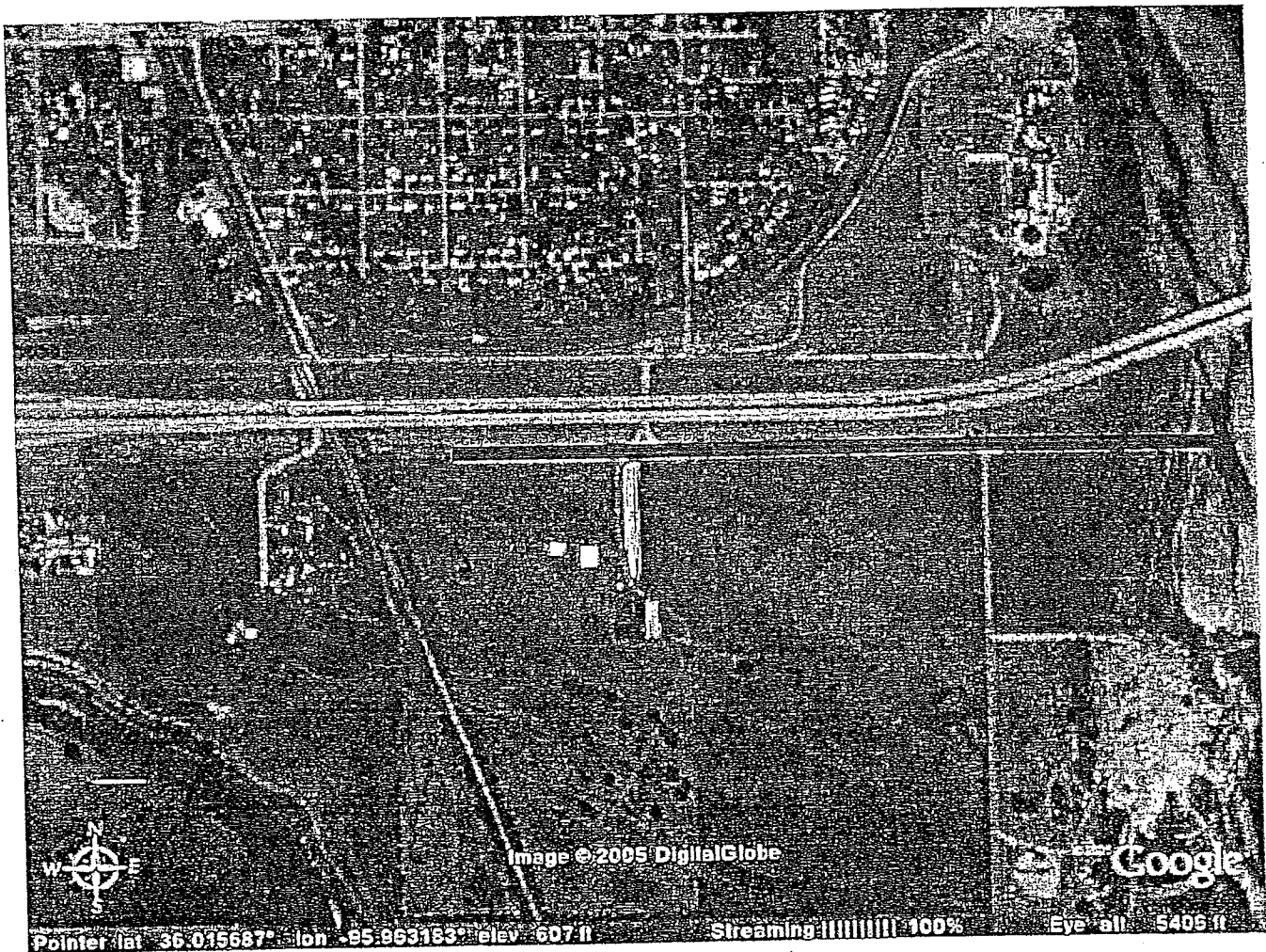
Approximate total length - 2500 LF extension of 101st Place roadway (1400 LF) east to Arkansas River (1100 LF)

City of Jenks

August 8, 2005

Item (ODOT)	Description	Quantity	Unit	Unit Price	Amount
201-0102	Clearing and grubbing	1	LS	\$2,500	\$2,500
202(A)-0183	Unclassified excavation	4000	CY	\$3	\$12,000
222-2801	Temporary bale barrier	200	LF	\$2	\$400
223-2801	Temporary silt fence	500	LF	\$1	\$500
611(A)-2657	Manhole (4' diameter)	4	EA	\$1,200	\$4,800
611(D)-4215	Manhole frame & cover	4	EA	\$350	\$1,400
611(E)-5112	Inlet CICI Des. 2 (std)	4	EA	\$1,500	\$6,000
611(J)-0487	Junction boxes	3	CF	\$30	\$90
613(B)-0493	30" RC Pipe Class III	2500	LF	\$60	\$150,000
613(M)-5732	30" prefab culvert end section, round	1	EA	\$500	\$500
641-1399	Mobilization	1	LS	\$3,000	\$3,000
642-0098	Staking	1	LS	\$2,000	\$2,000
subtotal					\$178,190
contingency					\$44,548
TOTAL					\$222,738

say \$225,000



TIF INFRASTRUCTURE - DRAINAGE

Cost Estimate - Apache extension

EXHIBIT "K"

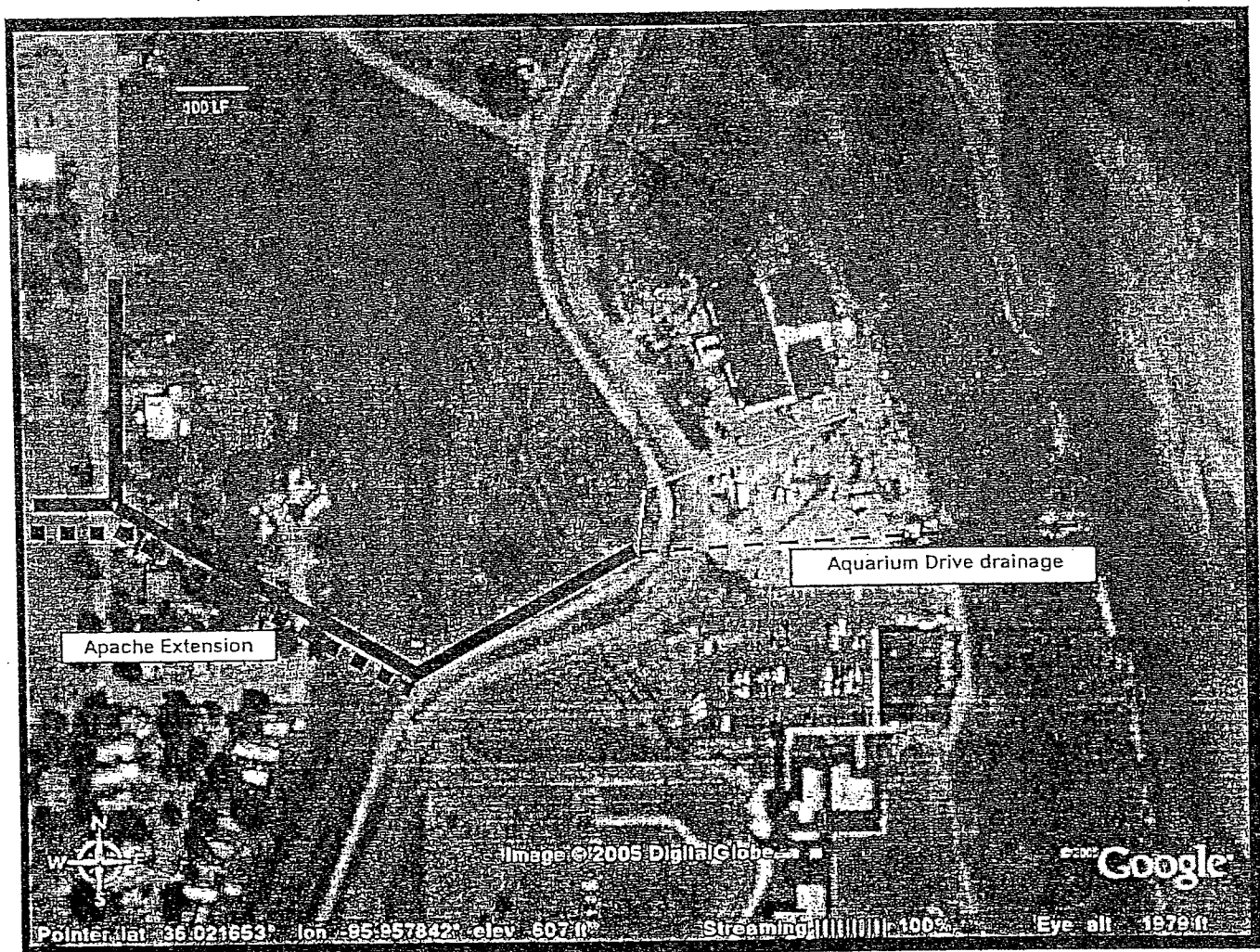
Approximate total length - 750 LF east to Arkansas River

City of Jenks

August 9, 2005

Item (ODOT)	Description	Quantity	Unit	Unit Price	Amount
201-0102	Clearing and grubbing	1	LS	\$1,500	\$1,500
202(A)-0183	Unclassified excavation	1000	CY	\$3	\$3,000
222-2801	Temporary bale barrier	200	LF	\$2	\$400
223-2801	Temporary silt fence	500	LF	\$1	\$500
611(A)-2657	Manhole (4' diameter)	4	EA	\$1,200	\$4,800
611(D)-4215	Manhole frame & cover	4	EA	\$350	\$1,400
611(E)-5112	Inlet CICI Des. 2 (std)	2	EA	\$1,500	\$3,000
611(J)-0487	Junction boxes	2	CF	\$30	\$60
613(B)-0493	30" RC Pipe Class III	750	LF	\$60	\$45,000
	Asphalt removal and replacement	40	SY	\$75	\$3,000
	Flap gate installation	1	LS	\$15,000	\$15,000
641-1399	Mobilization	1	LS	\$1,500	\$1,500
642-0098	Staking	1	LS	\$2,000	\$2,000
subtotal					\$81,160
contingency					\$20,290
TOTAL					\$101,450

say \$105,000



TIF INFRASTRUCTURE - FLOODPLAIN DEVELOPMENT

EXHIBIT "L"

REGULATION REQUIREMENT

Cost Estimate

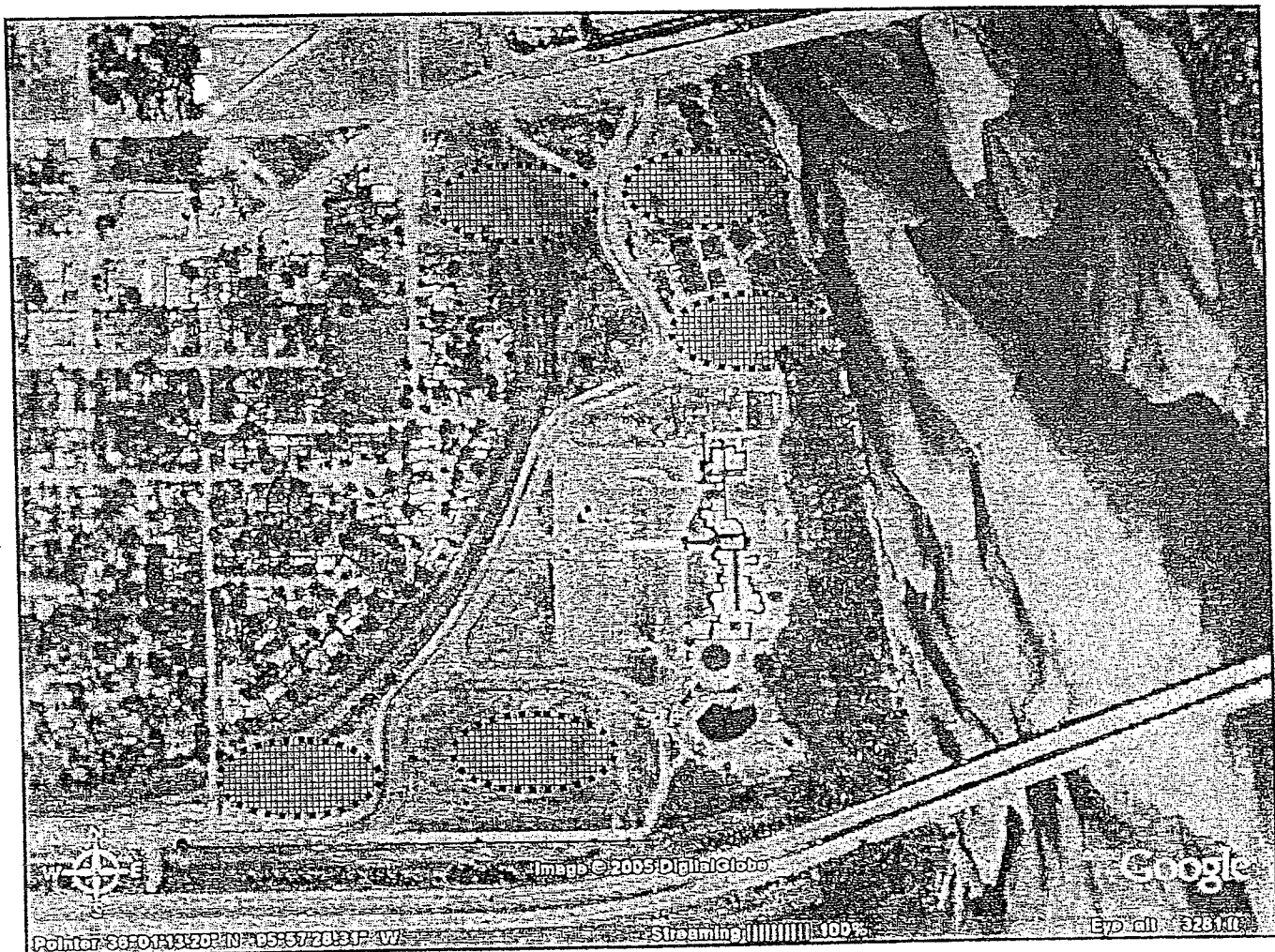
Preparation of areas for development (locations as shown on the drawing)

City of Jenks

September 2, 2005

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
1	Clearing and grubbing	1	LS	\$2,000	\$2,000
2	Unclassified excavation	9000	CY	\$3	\$27,000
3	Select borrow	13750	CY	\$10	\$137,500
4	Temporary bale barrier	500	LF	\$2	\$1,000
5	Temporary silt fence	700	LF	\$1	\$700
6	Mobilization	1	LS	\$5,000	\$5,000
7	Staking	1	LS	\$3,000	\$3,000
Subtotal					\$176,200
contingency					\$48,800
TOTAL					\$225,000

say \$225,000



TIF INFRASTRUCTURE **Cost Estimates Summary**

City of Jenks
September 2, 2005

EXHIBIT "M"

<u>Project Number</u>	<u>Category</u>	<u>Description</u>	<u>Estimated Cost</u>
1	Streets	101st Place	\$360,000
2	Streets	101st Place Extension to Aquarium Drive	\$800,000
3	Streets	Apache Extension	\$205,000
4	Sanitary Sewer	Central lift station and force main	\$150,000
5	Sanitary Sewer	Pipe bursting	\$550,000
6	Sanitary Sewer	Upgrade Aquarium lift station	\$70,000
7	Water	7th to 101st Place (6")	\$90,000
8	Water	101st Place (7th to Lewis)(8")	\$105,000
9	Drainage	101st Place	\$225,000
10	Drainage	101st Place Extension to Aquarium Drive	\$65,000
11	Drainage	Apache Extension	\$105,000
12	Floodplain	Floodplain development regulation requirements	\$225,000
Total			\$2,950,000

INCREASE IN EXISTING DISTRICT AD VALOREM BASE @ 3% PER ANNUM

EXISTING BASE	\$33,000,000.00
	11%
	<u>\$3,630,000.00</u>
124.41 PER THOUSAND	1,000.00
	3,630.00
MILLAGE RATE	<u>124.41</u>
	\$451,608.30

YEAR	BASE	3% INCREASE	BASE + INCREASE
1	451,608.30	13,548.25	465,156.55
2	465,156.55	13,954.70	479,111.25
3	479,111.25	14,373.34	493,484.58
4	493,484.58	14,804.54	508,289.12
5	508,289.12	15,248.67	523,537.79
6	523,537.79	15,706.13	539,243.93
7	539,243.93	16,177.32	555,421.25
8	555,421.25	16,662.64	572,083.88
9	572,083.88	17,162.52	589,246.40
10	589,246.40	17,677.39	606,923.79
11	606,923.79	18,207.71	625,131.51
12	625,131.51	18,753.95	643,885.45

TOTAL REVENUE \$192,277.15

31-Aug-05

EXHIBIT "D"

ANTICIPATED REVENUE OVER TWELVE(12) YEAR PERIOD FROM NEW DEVELOPMENT

EST.

EXHIBIT

ENTERTAINMENT COMPLEX	RESTAURANTS	HOTEL	OFFICE BUILDING	RESTAURANTS	MISCELLANEOUS RETAIL	BROWNSTONE RENTAL UNITS													
\$7,000,000	\$1,500,000	\$3,500,000	\$3,500,000	\$2,000,000	\$2,500,000	\$1,000,000													
AD VALOREM TAX REVENUE																			
TAX REVENUE	TAX REVENUE	TAX REVENUE	TAX REVENUE	TAX REVENUE	TAX REVENUE	TAX REVENUE													
1	95,796	2,874	98,670	20,527	616	21,143	47,898	1,437	49,335	27,370	821	28,191	34,212	1,026	35,238	13,685	411	14,096	
2	98,670	2,960	101,630	21,143	634	21,777	49,335	1,480	50,815	28,191	846	29,037	34,212	1,057	36,296	14,096	423	14,518	
3	101,630	3,049	104,679	21,777	653	22,430	50,815	1,524	52,339	29,037	871	29,908	34,212	1,089	37,384	14,096	436	14,954	
4	104,679	3,140	107,819	22,430	673	23,103	50,815	1,570	53,910	29,908	897	30,805	35,238	1,057	36,296	14,518	436	14,954	
5	107,819	3,235	111,054	23,103	693	23,796	52,339	1,570	53,910	30,805	924	31,729	36,296	1,089	37,384	14,954	449	15,403	
6	111,054	3,332	114,385	23,796	714	24,510	53,910	1,617	55,527	31,729	952	32,681	37,384	1,122	38,506	15,403	462	15,865	
7	114,385	3,432	117,817	24,510	735	25,246	55,527	1,666	57,193	32,681	980	33,662	38,506	1,155	39,661	15,865	476	16,341	
8	117,817	3,535	121,352	25,246	757	26,003	57,193	1,716	58,908	33,662	1,010	34,671	39,661	1,190	40,851	16,341	490	16,831	
9	121,352	3,641	124,992	26,003	780	26,783	58,908	1,767	60,676	34,671	1,040	35,712	40,851	1,226	42,076	16,831	505	17,333	
10	124,992	3,750	128,742	26,783	803	27,587	60,676	1,820	62,496	35,712	1,071	36,783	42,076	1,262	43,339	17,333	520	17,855	
11	128,742	3,862	132,604	27,587	828	28,414	62,496	1,875	64,371	36,783	1,101	37,884	43,339	1,298	44,602	17,855	535	18,386	
12	132,604	3,978	136,582	28,414	853	29,287	64,371	1,920	66,291	37,884	1,131	38,995	44,602	1,334	45,936	18,386	550	18,937	
TOTALS	1,226,936	3,862	132,604	262,906	828	28,414	549,097	1,875	64,371	486,601	1,071	36,783	313,766	1,262	43,339	304,225	139,027		

TOTAL ANTICIPATED AD VALOREM REVENUE FROM NEW DEVELOPMENT: \$3,282,557

* The above annual increases assume a 3% ad valorem valuation increase.

ANTICIPATED REVENUE OVER TWELVE(12) YEAR PERIOD FROM NEW DEVELOPMENT

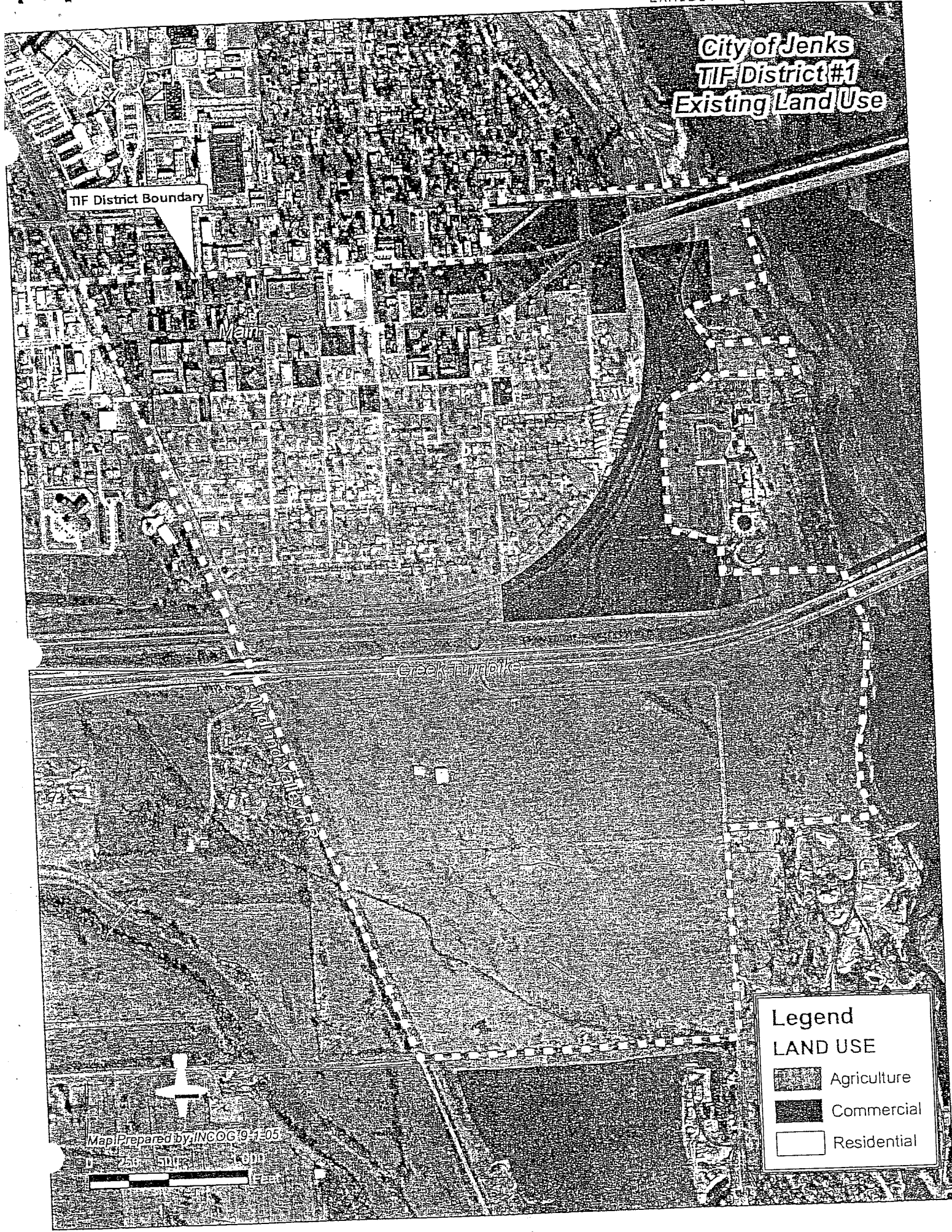
EXHIBIT "P"

"P" EXHIBIT														
YEAR	ENTERTAINMENT COMPLEX		RESTAURANTS		HOTEL		OFFICE BUILDING		RESTAURANTS		MISCELLANEOUS RETAIL		BROWNSTONE RENTAL UNITS	
	\$3,000,000		\$150,000		\$350,000		\$350,000		\$200,000		\$500,000		\$50,000	
BUSINESS PERSONAL PROPERTY TAX REVENUE														
1	37,323	1,120	36,203	1,866	56	1,810	4,354	131	4,223	2,488	25	2,463	622	19
2	36,203	1,086	35,117	1,810	54	1,756	4,223	127	4,097	2,463	74	2,389	603	18
3	35,117	1,054	34,064	1,756	53	1,703	4,223	127	4,097	2,389	72	2,318	585	18
4	34,064	1,022	33,042	1,703	51	1,652	4,097	123	3,974	2,318	70	2,248	568	18
5	33,042	991	32,051	1,652	50	1,602	3,974	119	3,855	2,248	67	2,181	551	17
6	32,051	962	31,089	1,602	48	1,554	3,855	116	3,739	2,181	65	2,115	534	16
7	31,089	933	30,156	1,554	47	1,508	3,739	112	3,627	2,115	63	2,052	518	16
8	30,156	905	29,252	1,508	45	1,462	3,627	109	3,518	2,052	62	1,990	503	15
9	29,252	878	28,374	1,462	44	1,419	3,518	106	3,412	1,990	60	1,930	487	15
10	28,374	851	27,523	1,419	43	1,376	3,412	102	3,310	1,930	58	1,873	473	15
11	27,523	826	26,697	1,376	41	1,335	3,310	99	3,211	1,873	56	1,810	459	14
12	26,697	801	25,896	1,335	40	1,294	3,211	99	3,100	1,810	54	1,756	445	14
TOTALS	354,194		17,708		38,109		34,798		22,174		44,837		4,971	

TOTAL ANTICIPATED BUSINESS PERSONAL PROPERTY TAX REVENUE FROM NEW DEVELOPMENT: **\$516,791**

* The above annual amounts assume an average 3% property tax devaluation.

**City of Jenks
TIF District #1
Existing Land Use**



TIF District Boundary

Main St

Creek Turnpike

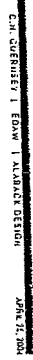
Indian Valley Rd

Legend
LAND USE

	Agriculture
	Commercial
	Residential

Map Prepared by INCOG 9-1-05





*Publish: Tulsa World
Thursday, February 9, 2023*

NOTICE OF PUBLIC HEARINGS

REGARDING THE TERMINATION OF A TAX INCREMENT DISTRICT: INCREMENT DISTRICT NO. 2, CITY OF JENKS

CITY OF JENKS TAX INCREMENT DISTRICT NO. 2 PROJECT PLAN IN JENKS, OKLAHOMA

6:00 PM THURSDAY, FEBRUARY 23, 2023

6:00 PM TUESDAY, MARCH 7, 2023

TO ALL INTERESTED INDIVIDUALS:

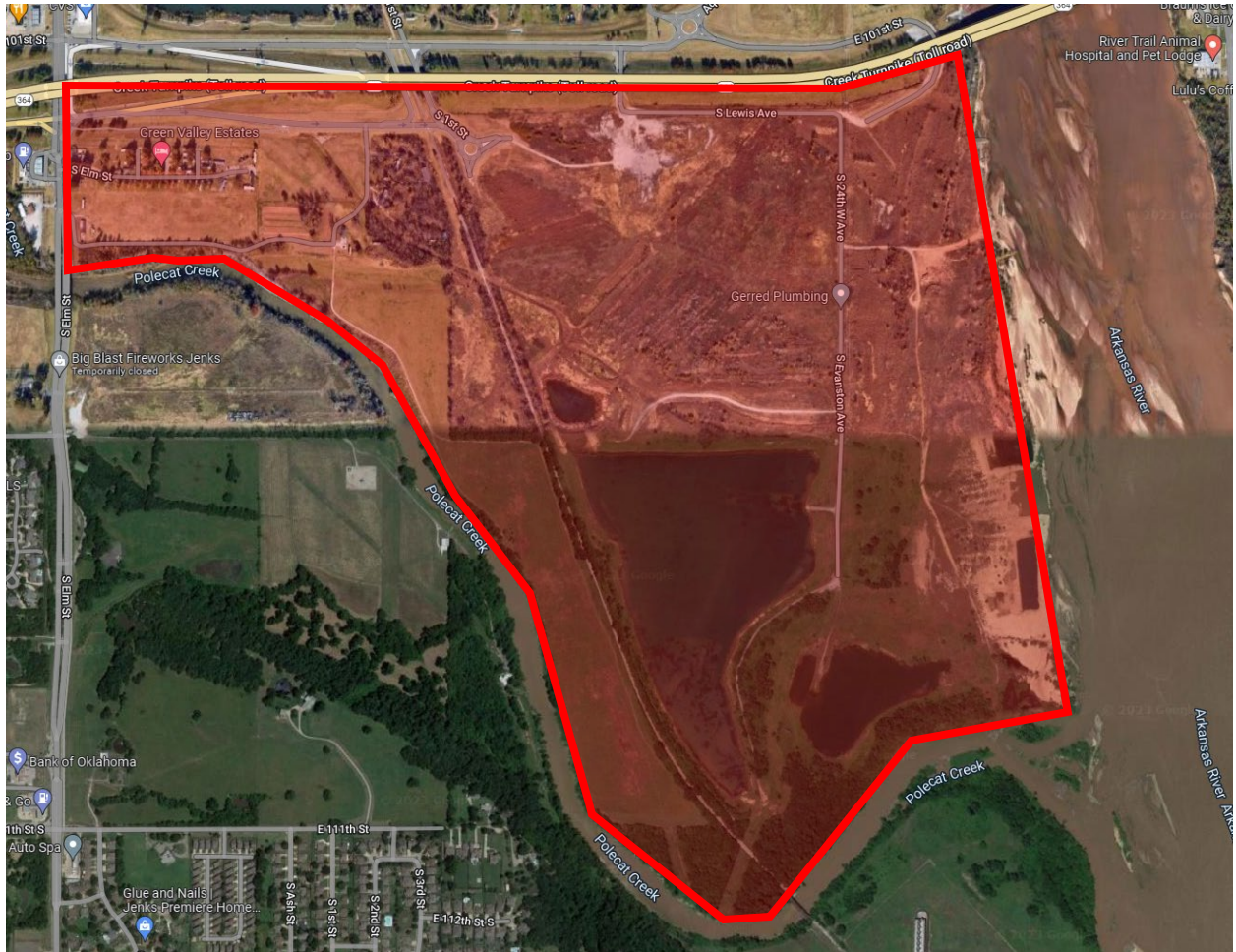
The City of Jenks, Oklahoma (the “City”) invites and encourages all interested citizens and other interested parties to attend two public hearings scheduled for Thursday, February 23, 2023, at 6:00 P.M. (during the regularly scheduled meeting of the Jenks Planning Commission), and Tuesday, March 7, 2023, at 6:00 P.M. (during the regularly scheduled meeting of the Jenks City Council), both hearings to be held in the Council Chambers located at Jenks City Hall, 211 N. Elm Street, Jenks, Oklahoma 74037.

The purpose of the first hearing shall be for information and questions, and the second hearing shall be for persons to have an opportunity to be heard concerning the proposed termination of Increment District No. 2, City of Jenks (referred to herein as the “Increment District”), and the City of Jenks Increment District No. 2 Project Plan (the “Project Plan”). Increment District was originally established by Ordinance No. 1212 dated December 17, 2007, as amended by Ordinance No. 1293 dated January 17, 2011 (collectively, the “TIF #2 Ordinance”).

Increment District No. 2

The legal description of the boundaries of Increment District No. 2 (as provided in the Project Plan) is generally that area commencing at the intersection of Polecat Creek and the center line of Elm Street being the west boundary of Section 30, Township 18 North, Range 13 East of the I.B.&M., Tulsa County, Oklahoma; thence along the northern bank of Polecat Creek east to the west bank of the Arkansas River; thence northerly along with west bank of the Arkansas River to a point which would be the northern boundary of the 101st Place alignment if extended to the Arkansas River south of the Oklahoma Turnpike Authority property (the Creek Turnpike); thence west along the southern boundary of Jenks Tax Increment District No. 1 generally following the northern boundary of the 101st Place alignment and south of the Oklahoma Turnpike Authority property to the east side of the Missouri-Pacific Railroad Right-of-Way; thence north along the railroad Right-of-Way to the north Right-of-Way of 101st Street (“Aquarium Drive”); thence west to the centerline of Elm Street; thence south along the center line of Elm Street to the point of beginning.

MAP OF EXISTING TIF #2 BOUNDARIES



The Project Plan and TIF #2 Ordinance, along with the findings of the City's TIF Review Committee, may be reviewed by any person interested, in the Office of the City Clerk at the Jenks City Hall, 211 N. Elm Street, Jenks, Oklahoma 74037, during normal business hours from 9:00 a.m. to 5:00 p.m., Monday through Friday, and at the following web address: www.jenks.com.

The Increment District was established in 2007 and expires in 2032. Ad Valorem Increment Revenues are allocated 75% to Project Costs and 25% to the affected ad valorem taxing entities. The Increment District has collected \$348,733 in Ad Valorem Increment Revenues through June 30, 2022, with \$261,549.75 allocated to Project Costs and \$87,183.25 allocated to the taxing entities. Sales Tax Increment Revenues representing a 0.5% sales tax are also allocated to Project Costs. The Increment District has collected \$0 in total sales tax through June 30, 2022 (representing 3.55% City sales tax), with \$0 allocated to Project Costs. The Project Plan authorizes total Project Costs in the amount of \$84.48 million. The City has previously approved applications for reimbursement of public infrastructure investments in the amount of \$5,025,442.92 through June 30, 2022.

The City has determined that the parameters of the existing Increment District will no longer support the proposed economic development contemplated in the Project Plan, and said project will not be undertaken in the foreseeable future without the provision of adequate infrastructure improvements to support development within the Increment District. The termination of the Increment District will permit any increased valuation (above the baseline value established for the Increment District) to accrue to the benefit of the taxing jurisdictions within the Increment District, and will facilitate the provision of other economic development incentives (where appropriate), including the creation of future tax increment districts.

**Brandon Macy, City Clerk
City of Jenks, Oklahoma
211 N. Elm Street
Jenks, Oklahoma 74037
Phone: (918) 299-5883**

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE TAX INCREMENT DISTRICT REVIEW COMMITTEE OF THE CITY OF JENKS, OKLAHOMA, MET IN SPECIAL SESSION IN THE COUNCIL CHAMBERS AT JENKS CITY HALL, 211 N. ELM STREET, JENKS, OKLAHOMA, 74037, ON THE 27TH DAY OF JANUARY, 2023, AT 2:00 O'CLOCK P.M.

PRESENT: Chaiman Cory Box (Mayor – City of Jenks), Scott West (Jenks Planning Commission), Cody Way (Jenks Public Schools), Mark McMullen (Tulsa Community College), Olga Morgan (Tulsa City-County Library), Kelly Dunkerley (Tulsa County), Jumao Wang (Tulsa City-County Health Department), Greg Helms (At-Large), Rick Huskey (At-Large), and Jeff Dixon (At-Large)

ABSENT: Joanne Lucas (Tulsa Technology Center)

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by title by the City Clerk. Committee Member Kelly Dunkerley moved passage of the Resolution and Committee Member Greg Helms seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE: Scott West, Cody Way, Mark McMullen, Olga Morgan, Kelly Dunkerley, Jumao Wang, Greg Helms, Rick Huskey, Jeff Dixon, and Chaiman Cory Box

NAY: None

The Resolution so approved is as follows:

[RESOLUTION ON FOLLOWING PAGE]

RESOLUTION

A RESOLUTION RECOMMENDING THAT THE CITY OF JENKS, OKLAHOMA, THROUGH ITS CITY COUNCIL TERMINATE INCREMENT DISTRICT NO. 2, CITY OF JENKS (CITY OF JENKS TAX INCREMENT DISTRICT NO. 2 PROJECT PLAN).

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S. 2021, Section 851 *et seq.* (the “Local Development Act”), as amended, the City Council of The City of Jenks, Oklahoma (the “City”) heretofore created Increment District No. 2, City of Jenks (referred to herein as the “Increment District”) pursuant to Ordinance No. 1212 dated December 7, 2007, as amended by Ordinance No. 1293 dated January 17, 2011, in connection with the adoption of the City of Jenks Tax Increment District No. 2 Project Plan (the “Project Plan”); and

WHEREAS, due to unforeseen economic factors beyond the control of the City, the economic development projects proposed in connection with the Increment District have not occurred and will not occur in a manner consistent with the Project Plan heretofore adopted by the City; and

WHEREAS, the City in its Resolution dated September 6, 2022, appointed the Tax Increment Financing Review Committee (the “Review Committee”) to review and make recommendations concerning the termination of the Increment District; and

WHEREAS, the Local Development Act provides that the Project Plan may be amended by the City upon recommendation of Review Committee; and

WHEREAS, the City is separately considering the creation of additional tax increment districts as set forth in the Jenks River Entertainment District Economic Development Project Plan, which contemplates the funding of essential public improvements and economic incentives; and

WHEREAS, it is necessary that the Increment District be terminated to release the undeveloped areas within the Increment District, in order to facilitate the implementation of the Jenks River Entertainment District Economic Development Project Plan.

WHEREAS, the membership of this Review Committee is comprised of the following individuals: a representative of the City, a representative of the Planning Commission of the City, representatives of each taxing jurisdiction within the proposed district whose taxes might be impacted by virtue of the adoption of a project plan, and three representatives of the public at large, all as required pursuant to Section 855(A) of the Local Development Act; and

WHEREAS, the Review Committee has the statutory duty to consider and make its findings and recommendations to the City with respect to the appropriateness of the termination of the Increment District and the Project Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE REVIEW COMMITTEE THAT THE FOLLOWING RECOMMENDATION BE MADE TO THE CITY COUNCIL OF THE CITY OF JENKS, OKLAHOMA, IN REGARD TO THE PROPOSED TERMINATION OF INCREMENT DISTRICT NO. 2, CITY OF JENKS, OKLAHOMA:

SECTION 1. TERMINATION OF INCREMENT DISTRICT NO. 2, CITY OF JENKS, OKLAHOMA. The Review Committee hereby recommends that Increment District No. 2, City of Jenks be terminated at the earliest possible time by the City, based on the information that the parameters of the Increment District will no longer support the economic development project contemplated in the Project Plan, and said project will not be undertaken in the foreseeable future without the provision of adequate infrastructure improvements to support development within the Increment District. The termination of the Increment District will permit any increased valuation (above the baseline value established for the Increment District) to accrue to the benefit of the taxing jurisdictions within the Increment District, and will facilitate the provision of other economic development incentives (where appropriate), including the creation of future tax increment districts.

[Remainder of Page Left Blank Intentionally]

ADOPTED THIS 27TH DAY OF JANUARY, 2023.

(SEAL)
ATTEST:



By:

City Clerk

By:

Chairman

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

I, the undersigned, City Clerk of the City of Jenks, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the Tax Increment District Review Committee of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the "Open Meeting Law" was complied with for such meeting.

GIVEN UNDER MY HAND THIS 27TH DAY OF JANUARY, 2023.

(SEAL)



B. Macy

City Clerk

TAX INCREMENT FINANCING DISTRICT NO. 2

Attached find the following documents;

1. City of Jenks Ordinance No. 1293 approved January 17, 2011, amending Ordinance No. 1212 approved December 17, 2007, which created City of Jenks Tax Increment Financing District No. 2 (TIF No. 2). This Ordinance modified the original Project Plan as approved by the Jenks City Council under Resolution No.455 dated September 4, 2007, and Ordinance No. 1212, and by including the recommendations of the Local Review Committee. The Ordinance No. 1293, made the TIF life 25 years rather than the original 18 years, but reduced the total amount of eligible reimbursement to \$84,978,395.
2. Projections of ad valorem and business personal property taxes over the 25 year life of the TIF District, the division of revenues for TIF District improvements and reimbursements to the various taxing entities (of the total of \$113,304,529.20, 75% will go for improvements i.e. \$84,978,395.20, and 25% to taxing entities i.e. \$28,326,131.73), the amounts projected to be reimbursed to the taxing entities, and the funding categories for eligible developer reimbursements.
(Note that the amounts may exceed a listed category amount as long as the total of \$84,978,395 of all reimbursable expenses is not exceeded). In addition to the use of ad valorem and business personal property taxes, one-half cent of the City's three cent sales tax on retail sales within the TIF District will go toward funding the TIF District improvements.
3. Copy of Ordinance No. 1212, which was amended by Ordinance No. 1293.

4. Copy of the original Project Plan which is in effect except as modified by the Local Review Committee recommendations which were incorporated in Ordinance No. 1293.

NOTICE

Before a developer expends funds for infrastructure, it is recommended that they confer with the Jenks City Engineer as to eligibility for reimbursement. To qualify for potential reimbursement, appropriate documentation of the expenses will need to be submitted to the City Engineer's office for final approval. Reimbursements will be in the order that the City has approved the same. If the City of Jenks or one of its related entities pre-funds any qualified expenses, those will move to the top of the list for reimbursement.

ORDINANCE NO. 1293

AN ORDINANCE AMENDING CITY OF JENKS ORDINANCE NO. 1212 WHICH HAD CREATED CITY OF JENKS TAX INCREMENT DISTRICT NO. 2 BY EXTENDING THE LIFE OF TAX INCREMENT DISTRICT NO. 2 FROM EIGHTEEN YEARS TO TWENTY-FIVE YEARS; PROVIDING FOR CERTAIN SALES TAX REVENUES BE USED TO FUND DISTRICT PROJECTS; PROVIDING FOR TWENTY-FIVE PERCENT OF AD VALOREM REVENUES COLLECTED BE DISBURSED TO THE PUBLIC TAXING ENTITIES; PROVIDING THAT SEVENTY-FIVE PERCENT OF THE AD VALOREM REVENUES BE COLLECTED FOR IMPROVEMENTS AND RELATED EXPENSES WITHIN THE DISTRICT; PROVIDING THAT THE TOTAL AMOUNT OF AD VALOREM REVENUES TO BE COLLECTED FOR IMPROVEMENTS AND RELATED EXPENSES AND DISBURSEMENTS TO THE PUBLIC TAXING ENTITIES NOT EXCEED \$113,304,526.93; PROVIDING FOR GENERALIZED PROJECT CATEGORIES AND EXPENSES TO BE ADJUSTED AMONG CATEGORIES TO REFLECT ACTUAL COSTS INCURRED IN A CATEGORY AND LIMITING THE TOTAL COSTS OF SAME; PROVIDING THAT THE PROJECT AREA INCLUDE ANY AREA WITHIN THE DISTRICT; PROVIDING FOR LIMITATIONS ON FUTURE FUNDING SOURCES IN CASE OF FUTURE INCREASE IN IMPROVEMENT COSTS; AND, DECLARING AN EMERGENCY.

WHEREAS, on December 17, 2007, City of Jenks Ordinance No. 1212 was passed by the Jenks City Council creating City of Jenks Tax Increment District No. 2;

WHEREAS, as a result of the economic downturn and new lending restraints, the reduction in the scope and projected estimated costs of the build out of the proposed River District, and that the proposed development would occur in phases, the total of reimbursable qualified expenses or repayment of advance funded infrastructure expenses should be reduced, but the time duration of City of Jenks Tax Increment District No. 2 should be extended to adequately fund the same, and, accordingly Ordinance No. 1212 needs to be amended to reflect such changes; and,

WHEREAS, the project plan elements and projected expenses needed to be generalized; and,

WHEREAS, by increasing the time duration of Tax Increment District No. 2, the taxing entities would be foregoing ad valorem receipts for a longer period and a more equitable division of ad valorem receipts between the Tax Increment District and the public taxing entities needed to be developed; and,

WHEREAS, the Jenks City Council reviewed proposed amendments to Ordinance No. 1212 on October 4, 2010, to address these issues and forwarded the proposed amendments to the Jenks Planning Commission for review and comment; and,

WHEREAS, the Jenks Planning Commission reviewed and approved the proposed amendments on October 7, 2010, and submitted the same to the Local Review Committee of Tax Increment District No. 2 for review, comment and recommendations to be forwarded to the Jenks City Council prior to adoption of said proposed amendments; and,

WHEREAS, the Local Review Committee composed as required by 62 O.S. §855 met on October 26, 2010, and again on November 18, 2010, and considered the proposed amendments as well as modifications to the same submitted by Local Review Committee members; and,

WHEREAS, the Local Review Committee after review of an information packet which detailed a generalized listing of the categories of qualified reimbursable infrastructure improvements and related costs in the total maximum amount of \$84,978,395.00, projected ad valorem revenues and business personal property revenues over an extended life of 25 years, projections of revenues during a 25 year life of 25% of ad valorem revenues going to the taxing entities and the other 75% being used to fund the improvements and related costs in TIF No. 2, and a chart showing the amount of projected revenues that would go to the various taxing entities based upon the 2009 County Treasurer's percentage disbursements, found that amendments were needed and approved the submitted proposed amendments with certain modifications and recommended their approval as modified by the Jenks City Council; and,

WHEREAS, notice of two public hearings for consideration of the amendments before the Jenks City Council scheduled for January 3, 2011, and January 17, 2011, was published on December 16, 2010, in the Jenks Journal, a newspaper of general circulation in the City of Jenks, Oklahoma; and,

WHEREAS, the scheduled public hearings were had on the dates, time and place as noted in the published notice; and,

WHEREAS, after hearing public comment on the proposed amendments and the proposed amendments as modified and recommended by the Local Review Committee, the Jenks City Council voted to approve the recommended amendments as submitted by the Local Review Committee.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JENKS, OKLAHOMA, that Ordinance No. 1212 creating City of Jenks Tax Increment District No. 2, be amended as follows, to-wit:

1. That Tax Increment Financing District No. 2 be amended to increase its life from eighteen (18) years to twenty-five (25) years.

2. That TIF No. 2 funding formula set forth in Ordinance No. 1212 which provided for the first \$696,440.00 each year in ad valorem revenues be retained by the various ad valorem taxing entities and for the Jenks Public Schools to retain the first \$383,333.33 in sales tax generated within the District each year, be deleted in their entirety and be amended to provide that commencing with fiscal year 2011-2012, that with the ad valorem revenues sent to the City by the Tulsa County Treasurer that the City disburse twenty-five percent (25%) of the ad valorem revenues collected to the various ad valorem taxing entities entitled thereto with the other seventy-five percent (75%) retained by the City of Jenks for reimbursement of qualified City or developer expenses, including interest, and/or repayment of funds and related expenses, including interest, advanced to prefund infrastructure improvements. That the twenty-five percent (25%) of ad valorem revenues collected by the City is to be calculated annually and disbursed to the taxing entities in the proportion that they would be entitled to based upon the most current proration of ad valorem among the taxing entities.
3. That the provision in Ordinance No. 1212 of the City of Jenks authorizing one cent of its three cent sales tax generated in the District to be used as a funding source be deleted. That Ordinance No. 1212 be amended to provide that the City of Jenks will commit a half (1/2) cent of the City's three cent sales tax collected within the TIF No. 2 District to be applied to the retirement (funding) of the TIF District.
4. That the total amount of ad valorem revenues to be collected and forwarded to the City of Jenks for improvements and related expenses be authorized to not exceed \$84,978,395.20. That said sum does not include the twenty-five percent of ad valorem revenues to be collected by the City and disbursed to the taxing entities. That the Ordinance be amended to provide if further infrastructure and development are proposed beyond the scope set forth in this amendment to TIF No. 2, the City of Jenks agrees to provide all funding for such projects, to be funded by city sales tax, it being understood that all other public taxing entities be held harmless from any other increases in funding costs for the life of TIF No. 2.
5. That the list of project categories and estimated costs be modified to a list of generalized project categories and estimated expenses to be adjusted among project categories to reflect actual costs incurred in a category, with the same not to exceed \$84,978,395.20. That the project area includes any area within the TIF No. 2 District. That said categories and estimated expenses are as follows, to-wit:

Water	\$3,000,000
Sanitary Sewer	3,000,000
Bank Stabilization	2,000,000
Grading/Storm Sewer	15,000,000
Pipeline relocations	500,000
Surface parking	15,000,000
Structured parking facilities	10,000,000

Public entertainment	10,000,000
Roads & Bridges	10,000,000
Landscape/Signage	5,000,000
Contingency/Interest	<u>10,978,395</u>
Total	\$84,978,395

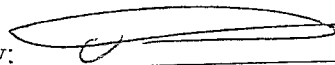
6. That the total amount of ad valorem, including the twenty-five percent (25%) to be forwarded to the taxing entities and the seventy-five percent (75%) retained for reimbursement of qualified improvements and infrastructure and related costs, and the one-half cent sales tax from sales in the District, shall not exceed the total of \$113,304,526.93.
7. That in the event the City of Jenks or a related trust of the City of which the City is the beneficiary advances or prefunds improvements or infrastructure within the District, said advances or prefunding, including interest and related expenses, shall be fully reimbursed from ad valorem receipts and above referenced one-half cent sales tax receipts, as may be available, prior to other developer incurred qualified expenses being reimbursed.

APPROVED this 17th day of January, 2011.

Since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, welfare and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the City Council.

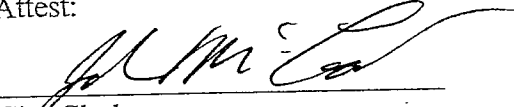
PASSED with the Emergency Clause ruled upon separately this 17th day of January, 2011.

CITY OF JENKS, OKLAHOMA

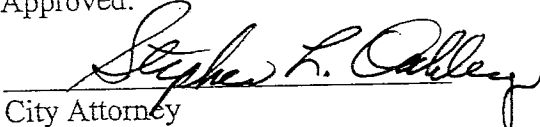
By: 

MAYOR OF THE CITY OF JENKS

Attest:


City Clerk

Approved:


City Attorney

TIF No. 2

Water	3,000,000
Sanitary Sewer	3,000,000
Bank Stabilization	2,000,000
Grading/Storm Sewer	15,500,000
Pipeline relocations	500,000
Surface parking	15,000,000
Structured parking facilities	10,000,000
Public entertainment	10,000,000
Roads & Bridges	10,000,000
Landscape/Signage	5,000,000
Contingency/Interest	10,978,395
	84,978,395

TIF O.2

ANTICIPATED AD VALOREM TAX REVENUE FROM NEW DEVELOPMENT

EST.		PHASE I MULTI-FAMILY, OFFICE \$46,899,000	PHASE 2 RETAILS, HOTELS, OUT PARCELS \$97,481,000	PHASE 3 MEDICAL/OFFICE \$125,000,000	PHASE 4 OUTPARCELS \$71,140,000	PHASE 5 APARTMENTS/CONDOS \$59,480,000
AD VALOREM TAX REVENUE						
YEAR						
1						
2						
3						
4						
5						
6						
7						
8	658,945	658,945				
9	658,945	658,945				
10	678,713	678,713				
11	699,075	699,075				
12	720,047	720,047				
13	741,648	741,648				
14	763,898	763,898				
15	786,815	786,815				
16	810,419	810,419				
17	834,732	834,732				
18	859,774	859,774				
19	885,567	885,567				
20	912,134	912,134				
21	939,498	939,498				
22	967,663	967,663				
23	996,713	996,713				
24	1,026,615	1,026,615				
25	1,057,413	1,057,413				
TOTALS		\$5,428,825.12	\$7,607,610	\$35,401,269	\$8,590,321	\$3,051,972

\$110,079,997.73

TOTAL ANTICIPATED REVENUE FROM NEW DEVELOPMENT:

* The above annual increases assume a 3% ad valorem valuation increase.

TIF 100.2

ANTICIPATED BUSINESS PERSONAL PROPERTY TAX FROM NEW DEVELOPMENT

EST.		PHASE 1 MULTI-FAMILY, OFFICE \$234,495	PHASE 2 RETAILS, HOTELS, OUT PARCELS \$487,405	PHASE 3 MEDICAL/OFFICE \$625,000	PHASE 4 OUTPARCELS \$355,700	PHASE 5 APARTMENTS/CONDOS \$297,400
BUSINESS PERSONAL PROPERTY TAX REVENUE						
YEAR						
1						
2						
3						
4						
5						
6						
7						
8						
9	29,952	29,952				
10	29,952	29,953				
11	29,053	28,182				
12	28,182	27,336				
13	27,336	26,515				
14	26,515	25,721				
15	25,721	24,949				
16	24,949	24,201				
17	24,201	23,475				
18	23,475	22,770				
19	22,770	22,087				
20	22,087	21,425				
21	21,425	20,782				
22	20,782	20,159				
23	20,159	19,554				
24	19,554	18,967				
25	18,967	18,398				
TOTALS	403,527.95	931,638	975,934	525,763	387,666	

\$3,224,529.20

TOTAL ANTICIPATED REVENUE FROM NEW DEVELOPMENT:

* The above annual increases assume a 3% ad valorem valuation devaluation.

TIF NO. 2

AD VALOREM TAXES
BUSINESS PERSONAL PROPERTY TAXES
TOTAL RECEIPTS

110,079,997.73
3,224,529.20

113,304,526.93

TIF NO.2 (75%)
TAXING ENTITIES

84,978,395.20
28,326,131.73

TAXING ENTITIES

TIF No. 2

		28,326,134.73
Jenks Public Schools	58.07%	16,448,475.41
Tulsa Technology Center	10.44%	2,956,068.36
Tulsa County	8.07%	2,286,461.71
Tulsa Community College	5.64%	1,598,942.70
Tulsa City-County Library	4.16%	1,179,758.05
Tulsa City-County Health Dept.	2.02%	572,142.26
City of Jenks	8.46%	2,397,272.57
Schools	3.13%	887,013.68
		28,326,134.73

CITY OF JENKS ORDINANCE NO. 1212

CREATING CITY OF JENKS TAX INCREMENT DISTRICT NO. 2 AND APPROVING ITS PROJECT PLAN

An Ordinance creating the City of Jenks, Oklahoma, Tax Increment District No. 2; establishing boundaries of the District and projects as recommended by the Local Review Committee; providing for increases in the ad valorem and business personal property taxes over the current base amount as certified by the Tulsa County Assessors office as well as one cent of the City of Jenks Sales tax generated within the district on retail sales, except for construction materials, to be used for a period not to exceed eighteen years for financing said improvements; and, declaring an emergency.

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S., 850 et seq. ("the Act"), the City Council for the City of Jenks, Oklahoma ("Governing Body"), approved proceeding with the steps necessary for the creation of Tax Increment District No. 2 ("TIF District") and the formation of a Local Review Committee to review and make recommendations concerning the Tax Increment District Project Plan ("Initial Project Plan") pursuant to Resolution No. 445 passed September 4, 2007; and

WHEREAS, the membership of the Local Local Review Committee is comprised of the following individuals: a representative of the Governing Body, a representative of the Planning Commission of the City of Jenks, Oklahoma, representatives of each taxing jurisdiction within the proposed district such being Jenks Public Schools (Tulsa County Independent School District #5), Tulsa Community College, Tulsa Technology Center, Tulsa County, Tulsa City-County Library and Tulsa City-County Health Department whose taxes might be impacted according to the Project Plan, and three representatives of the public at large, all as required pursuant to 62 O.S. § 855(A); and

WHEREAS, the Local Review Committee has the statutory duty to consider and make its findings and recommendations to the Governing Body with respect to the conditions establishing the eligibility of the proposed TIF District and the appropriateness of the approval of the Initial Project Plan, as well-as to report its findings to the Governing Body in regard to the financial impact on the taxing jurisdictions within which the proposed TIF District is located; and

WHEREAS, Article 10, Section 6(C) of the Oklahoma Constitution and its enabling legislation, known as the Local Development Act, provides that the Governing Body may specifically use local taxes, in whole or in part, for specific public and private investments and improvements for reinvestment areas that are unproductive, undeveloped, underdeveloped or blighted; and

WHEREAS, the City of Jenks, Oklahoma, ("Applicant") has presented to the Review Committee an Initial Project Plan for the creation of the TIF District, and said Local Review Committee has made recommendations to establish the TIF District boundaries as more particularly described in Exhibit "A" attached hereto ("Modified TIF Project Area"), wherein certain projects, as recommended by the Local Review Committee, are contemplated to be financed from public sources, including apportionment of ad valorem and business personal property tax increments and one cent of the sales taxes increments derived from the TIF District, to be established in connection with the Project; and finding that the Modified TIF Project Area is located within a "Reinvestment Area" as defined in 62 O.S. § 853 (17) in that the proposed public improvements would serve as a catalyst for retaining or expanding employment, would attract major investment in the area or

preserve or enhance the tax base; and

WHEREAS, the Local Review Committee considered the financial impacts of the Initial Project Plan on each taxing jurisdiction and has found that no adverse impact will result from the adoption of the Initial Project Plan, as modified by the Local Review Committee ("Modified Project Plan") and the project described therein in view of the economic benefits of the development for such jurisdictions and the community as a whole; and

WHEREAS, the District supports the achievement of the development and redevelopment objectives of the City of Jenks, Oklahoma, to attract major investment in the area, preserve and enhance the tax base and make possible investment, development, and economic growth which would otherwise be difficult; and

WHEREAS, the improvements in the District area are likely to enhance the value of other real property in the area and promote the general interest; and

WHEREAS, the TIF District and the Initial Project Plan is in conformance with the objectives and intent of the Jenks Zoning Code and Comprehensive Plan as reviewed and recommended by the Jenks, Oklahoma, Planning Commission on September 13, 2007; and,

WHEREAS, the development of roadways, sewer and water line extensions, and drainage improvements, river bank stabilization, removal of lands from the 100 year flood plain, pipeline relocations, parking facilities, landscaping, entertainment and aesthetic features within the TIF District accomplishes the following objectives:

- (a) provides the area with the stability and market potential necessary for continued development;
- (b) provides the market base for retail, restaurant, and entertainment facilities; and

WHEREAS, without the development of the TIF District the area would remain unused and thereby producing little or no economic value to the City of Jenks, Oklahoma, or taxing entities; and

WHEREAS, investment, development and economic growth would be difficult in the area of the TIF District but is possible with tax apportionment financing for certain improvements within the TIF District; and

WHEREAS, the City Council has taken care to exclude the use of tax increment financing in those areas where investment, development and economic growth would have occurred anyway; and

WHEREAS, the Local Review Committee has determined that the TIF District does not create boundaries which dissects any similar area or create an unfair competitive advantage; and

WHEREAS, the aggregate net assessed value of the taxable property in all districts as determined pursuant to 62 O.S. §862 within the City of Jenks does not exceed thirty five percent (35%) of the total net assessed value of taxable property within the City of Jenks, nor does it exceed twenty five percent (25%) of the total net assessed value of any affected school district within the City of Jenks, nor does the land area of this district and all other districts within the City of Jenks exceed twenty five percent (25%) of the total land area within the City of Jenks; and

WHEREAS, the Project Plan contemplates the development within the District of commercial structures and commercial businesses within those structures in that area referred to as the "River District" as set forth in plans by the River District Development Group, LLC; and

WHEREAS, the Final Project Plan as recommended by the Local Review Committee contemplates a total increase in the ad valorem tax base to the relevant taxing jurisdictions in the approximate amount of \$980,000,000.00 and the business personal property tax base of \$29,050,000 at the end of the proposed eighteen (18) year deferral of ad valorem and business personal property tax increases in the TIF District; and

WHEREAS, the Final Project Plan contemplates that the aforementioned total benefit amount represents an increased ad valorem tax benefit to relevant taxing jurisdictions in an approximate amount of \$21,859,155.00 and business personal property tax of \$255,887.00 at the end of the life of the TIF District; and

WHEREAS, the City of Jenks has provided published notice and conducted public hearings on the proposed City of Jenks Tax Increment District No. 2 on December 3, 2007, and December 17, 2007, pursuant to the provisions and requirements of the Local Development Act; and

WHEREAS, The Local Review Committee recommended that the governing body approve the Modified TIF Project Plan with the recommendations of the Review Committee and designate and adopt the proposed boundaries as set forth by the Review Committee as City of Jenks Tax Increment District No. 2, said designation and approval to be conducted in the manner set forth in the Local Development Act, 62 O.S., § 850 et seq.; and

WHEREAS, The Jenks City Council finds that the recommendations of the Local Review Committee should be followed in part and that the scope and cost of improvements and duration of the Modified TIF Project Plan should be modified to conform to such recommendations, except for the boundaries of the TIF District and the amount of funds payable to the Jenks Public Schools (Tulsa County Independent School District No. 5.); and

WHEREAS, it is in the best interest of the City of Jenks and its citizens to approve the Project Plan as amended hereby and to establish the proposed increment district;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JENKS, OKLAHOMA, THAT CITY OF JENKS TAX INCREMENT DISTRICT NO. 2, AND ITS BOUNDARIES AS DEPICTED IN EXHIBIT "A-1" ATTACHED HERETO, AND THE FINAL PROJECT PLAN AS RECOMMENDED BY THE LOCAL REVIEW COMMITTEE, EXCEPT FOR THE BOUNDARIES OF THE TIF DISTRICT AND THE AMOUNT OF FUNDS PAYABLE TO THE JENKS PUBLIC SCHOOLS (TULSA COUNTY INDEPENDENT SCHOOL DISTRICT NO. 5), AS HEREINAFTER SET FORTH, BE AND ARE HEREBY ADOPTED AND SAID TIF DISTRICT CREATED EFFECTIVE JANUARY 2, 2008, AND IT IS FURTHER ORDAINED,

That all of the recitals above are hereby adopted as specific findings of the City Council.

That the guidelines specified in Section 852 of the Local Development Act have been and shall be followed in relation to the City of Jenks Tax Increment District No. 2 and the Project plan (as modified hereby).

That the TIF Project Area as hereinafter set forth is within an area requiring public improvements to reverse economic stagnation or decline, to serve as a catalyst for retaining or expanding employment, to attract major investment in the area or to preserve or enhance the tax base. Therefore, the proposed Project Area, as modified hereby, qualifies as a "reinvestment area" pursuant to Section 852 of the Local Development Act and is eligible for designation as a tax increment district.

That the Final Project Plan is feasible and conforms to the Comprehensive Plan of the City of Jenks, Oklahoma.

That the Final Project Plan, includes the following recommendations of the Local Review Committee as set forth in paragraphs A through G below and shall supercede any provisions in the Initial Project Plan except as to the boundaries of the TIF Project Area to the contrary, to-wit:

A. That the duration of the TIF District be for an eighteen year period rather than fifteen years as originally submitted in the Initial Project Plan, that the estimated costs of projects as noted therein be adjusted to change the category of "Contingency" to "Contingency/Interest" at an amount of \$79,469,879.00, and the projections of incremental tax revenue over an eighteen year period as noted in attached Exhibits "B", "C" and "D" be adopted. The Governing Body may grant the public entity in charge of the implementation of the Final Project Plan the authority to make minor amendments to the plan. An amendment is considered to be minor if such amendment does not change the character or purpose of the plan; does not affect more than five percent (5%) of the district's area; or does not affect more than five percent (5%) of the public cost of the plan. All amendments made pursuant to the provisions of this subsection shall be considered on a cumulative basis.

B. That the increment of ad valorem and business personal property taxes, as defined by the Local Development Act, 62 O.S., § 850 et seq., from the proposed City of Jenks Tax Increment District No. 2, in excess of ad valorem and business personal property taxes generated by the base assessed value of the TIF Project Area, as most recently determined by the County Assessor prior to the effective date of the enactment of this Ordinance, and one cent of the sales tax increments derived from the TIF District, except sales taxes on building materials used in the TIF District, should be apportioned and used to pay the qualified project costs and related financing costs as set forth in the Final Project Plan as hereby recommended for a period of eighteen (18) years. No portion of such tax increments shall constitute a part of the general fund of the City of Jenks.

C. That to offset the potential financial impact on the various taxing entities which may be incurred during the life of the TIF District as a result of additional services to be provided by the taxing entities it is recommended that, in addition to the base ad valorem revenues that the following taxing entities, except the City of Jenks, receive the following amounts for years 4 thru 18 of the eighteen year TIF District from ad valorem revenues actually collected, to-wit:

Jenks Public Schools (Tulsa County Indept. School District No. 5)	\$500,000.00
Tulsa Technology Center	\$67,560.00
Tulsa County	\$52,260.00
Tulsa Community College	\$36,540.00
Tulsa City-County Library	\$27,000.00

Tulsa City-County Health Dept.

\$13,080.00
Total \$696,440.00

That in the event incremental ad valorem revenues from the TIF District Area are not sufficient to cover the above sum in any year, the amounts actually collected shall be apportioned among the above taxing entities on a pro rata basis. That said sums will be paid over to the above taxing entities within sixty (60) days of receipt by the City of Jenks.

D. That the City of Jenks shall appoint an oversight committee to meet annually to review the receipts and qualified disbursements to developers within the TIF District.

E. That TIF District terminate upon the earlier to occur of (a) the date upon which the sum of \$294,469,879.00 in "revenues" from tax increment financing has been received by the developer, or (b) the expiration of eighteen (18) years from the effective date creating the TIF District as set forth in this enacting Ordinance.

F. That the City of Jenks notify the taxing entities of the Review Committee of any change in developers of the River District or a major change in the scope of the project or delay in construction.

G. That the provision in the Initial Project Plan that the option of the City of Jenks to purchase the proposed stadium to be constructed for the sum of one dollar (\$1.00), be eliminated and a provision be added that the stadium and the immediate parking area planned by it never be transferred to an entity that would be exempt from paying ad valorem taxes on the same.

IT IS FURTHER ORDAINED that the boundary of the TIF District shall be that area commencing at the intersection of Polecat Creek and the center line of Elm Street being the west boundary of Section 30, Township 18 North, Range 13 East of the I.B.&M., Tulsa County, Oklahoma; thence along the northern bank of Polecat Creek east to the west bank of the Arkansas River; thence northerly along the west bank of the Arkansas River to the southern boundary of the Oklahoma Turnpike Authority property (the Creek Turnpike); thence westerly along the southern boundary of the Oklahoma Turnpike Authority property (the modified southern boundary of City of Jenks TIF District No. 1) to the eastern boundary of the old Midland Valley Railroad Right-of-Way property (Union-Pacific Railroad); thence north to the north Right-of-Way of 101st Street ("Aquarium Drive"); thence west along the northern Right-of-Way of 101st Street to the center line of Elm Street; thence south along the center line of Elm Street to the point of beginning (See Exhibit "A-1" attached).

That the Jenks Public School Board (Tulsa County Independent School District No. 5) has asserted that the potential impact on the school district as a result of the development in the TIF District and the freezing of the ad valorem tax revenue within the TIF District for the term of the TIF District is \$13,250,000.00. That over the life of the TIF District, the school district could receive \$7,500,000.00 from the ad valorem revenues actually collected each year at the rate of \$500,000.00 per year beginning in year four of the term of the TIF District as provided for herein and recommended by the Local Review Committee. A shortfall of \$5,750,000.00 is claimed by the school district.

IT IS THEREFORE FURTHER ORDAINED, to overcome this shortfall, the City of Jenks will provide the sum of \$383,333.33 annually from sales taxes actually collected in that calendar year and generated from retail sales within the District over and above the one cent apportioned for development reimbursements, commencing in year four of the effective date of the TIF District through the remaining life of the TIF District. Such sales tax revenues shall not come from the sales tax on building materials utilized in the TIF District.

That in the event any portion of the provisions of this Ordinance or Final Project Plan is found to not be in compliance with current applicable law, invalid, or unconstitutional, that portion shall be stricken and the balance remain intact and valid.

APPROVED UNANIMOUSLY BY THE JENKS CITY COUNCIL THIS 17th DAY OF DECEMBER, 2007.

WHEREAS, TO PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF THE GENERAL PUBLIC, AN EMERGENCY IS DECLARED TO EXIST AND THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

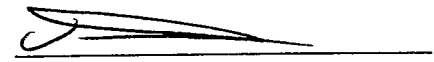
EMERGENCY CLAUSE SEPARATELY VOTED ON AND APPROVED UNANIMOUSLY THIS 17th DAY OF DECEMBER, 2007.

CITY OF JENKS, OKLAHOMA

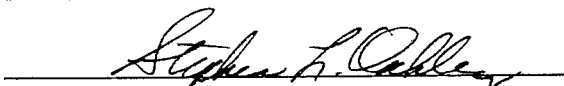
ATTEST:

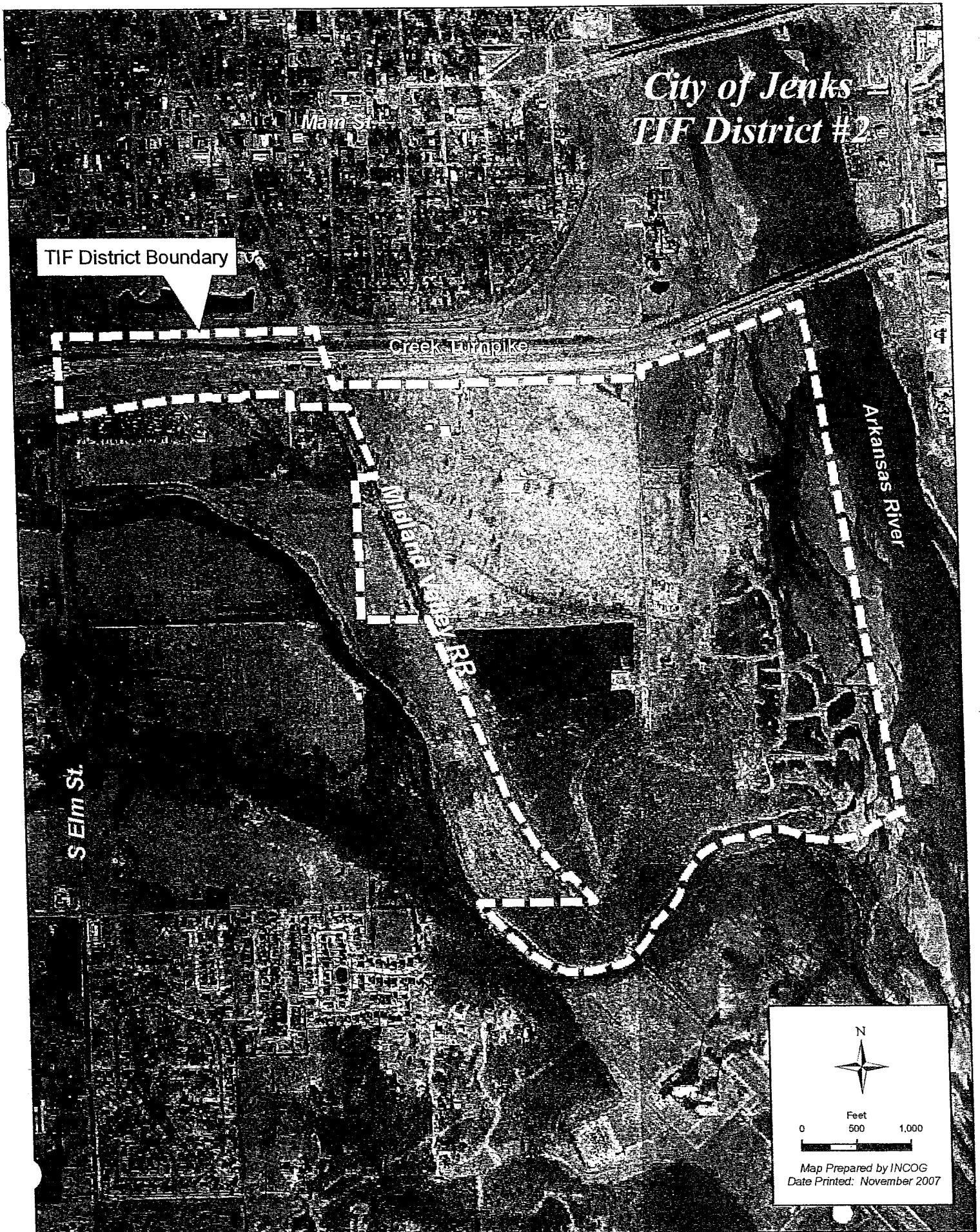

City Clerk (seal)

BY:

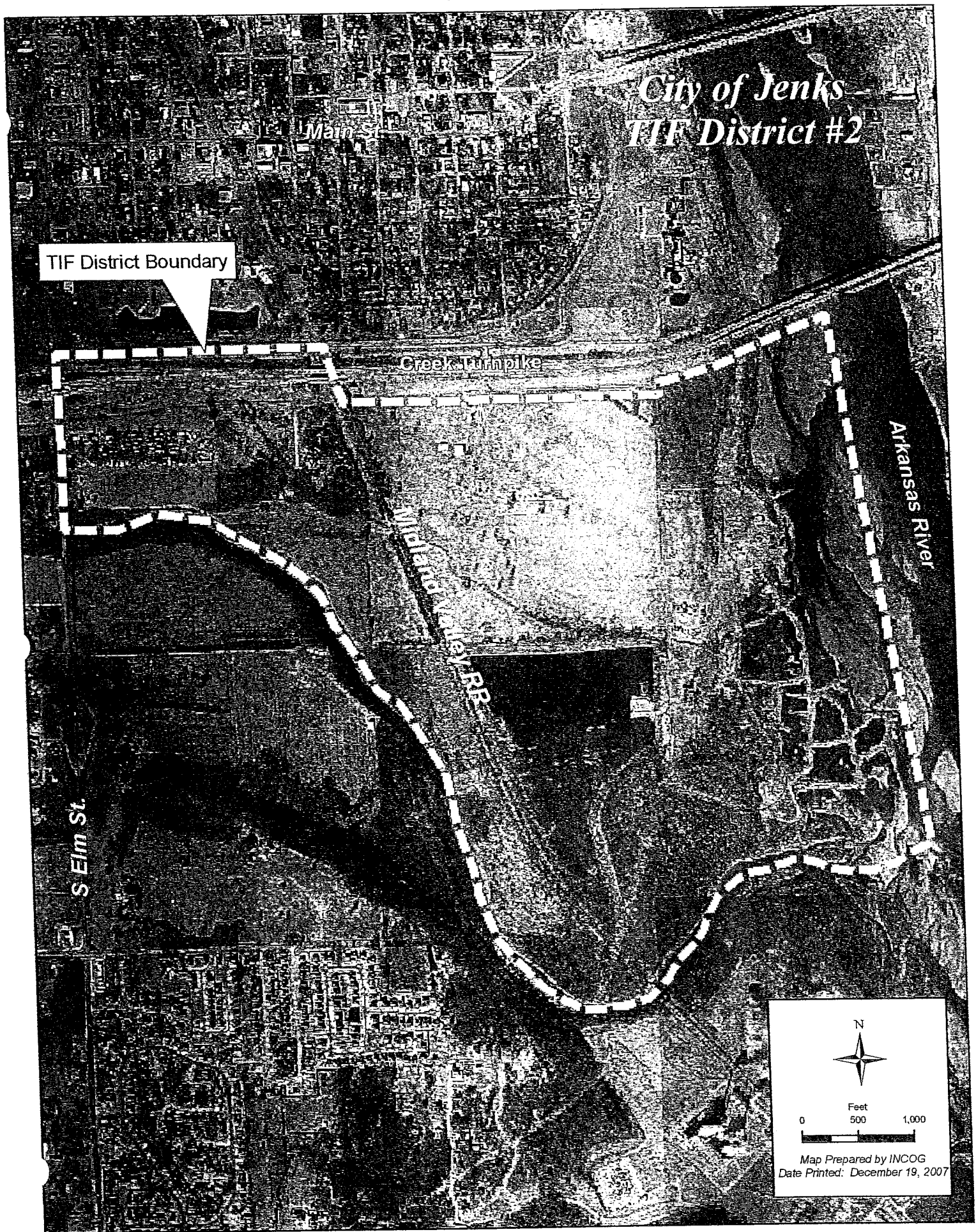

Mayor

APPROVED AS TO FORM:


City Attorney



Preliminary



ANTICIPATED AD VALOREM TAX REVENUE FROM NEW DEVELOPMENT

PHASE I		ADDITIONAL IMPROVEMENTS	ADDITIONAL IMPROVEMENTS	ADDITIONAL IMPROVEMENTS
INFRASTRUCTURE, FOUNTAINS, OFFICES, STADIUM, PARKING FACILITIES, HOTEL RESIDENTIAL UNITS, RETAIL USES				
\$680,000,000		\$100,000,000	\$100,000,000	\$100,000,000
AD VALOREM TAX REVENUE				
EST.	YEAR			
1	9,914,740	9,914,740		
2	297,442	10,212,182	1,458,050	
3	306,365	10,518,548	1,458,050	1,458,050
4	315,556	10,834,104	1,501,792	1,501,792
5	325,023	11,159,127	1,546,845	1,546,845
6	334,774	11,493,901	1,593,251	1,593,251
7	344,817	11,838,718	1,641,048	1,641,048
8	355,162	12,193,880	1,690,280	1,690,280
9	365,816	12,559,696	1,740,988	1,740,988
10	376,791	12,936,487	1,793,218	1,793,218
11	388,095	13,324,581	1,847,014	1,847,014
12	399,737	13,724,319	1,902,425	1,902,425
13	411,730	14,136,048	1,959,497	1,959,497
14	424,081	14,560,130	2,018,282	2,018,282
15	436,804	14,996,934	2,078,831	2,078,831
16		15,403,395.47	2,141,196	2,141,196
17			24,912,715	24,912,715
18			22,771,519	22,771,519
TOTALS				

TOTAL ANTICIPATED REVENUE FROM NEW DEVELOPMENT: \$252,780,318.48

The above annual increases assume a 3% ad valorem valuation increase.

ANTICIPATED BUSINESS PERSONAL PROPERTY TAX FROM NEW DEVELOPMENT

PHASE I		ADDITIONAL IMPROVEMENTS		ADDITIONAL IMPROVEMENTS		ADDITIONAL IMPROVEMENTS	
RETAIL, HOTEL, ENTERTAINMENT		\$20,800,000		\$2,750,000		\$2,750,000	
BUSINESS PERSONAL PROPERTY TAX REVENUE							
YEAR							
1							
2							
3							
4	275,704	275,704					
5	275,704	8,271	267,433	36,451			
6	267,433	8,023	259,410	36,451	1,094	36,451	
7	259,410	7,782	251,628	35,357	1,061	35,357	36,451
8	251,628	7,549	244,079	34,297	1,029	34,297	35,357
9	244,079	7,322	236,756	33,268	998	33,268	34,297
10	236,756	7,103	229,654	32,270	968	32,270	33,268
11	229,654	6,890	222,764	31,302	939	31,302	32,270
12	222,764	6,683	216,081	30,363	911	30,363	31,302
13	216,081	6,482	209,599	29,452	884	29,452	30,363
14	209,599	6,288	203,311	28,568	857	28,568	29,452
15	203,311	6,099	197,211	27,711	831	27,711	28,568
16	197,211	5,916	191,295	26,880	806	26,880	27,711
17	191,295	5,739	185,556	26,073	782	26,073	26,880
18	185,556	5,567	179,990	25,291	759	25,291	26,073
TOTALS			3,370,470.47	421,815	782	397,283	371,992

TOTAL ANTICIPATED REVENUE FROM NEW DEVELOPMENT: \$4,561,560.69

* The above annual amounts assume an average 3% property tax devaluation.

EXHIBIT "D"

10/18/07

TIF DISTRICT # 2
ONE - CENT SALES TAX REIMBURSEMENT

680,000 SQUARE FEET - RETAIL

ESTIMATED \$400.00 PER SQ. FOOT ANNUAL SALES

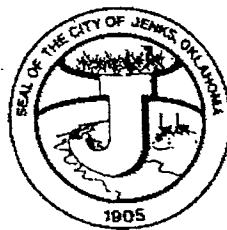
EST.

YEAR	100%	% COMPLETED	TOTAL REFUNDABLE
1			
2			
3			
4	2,720,000	65.00%	1,768,000
5	2,720,000	75.00%	2,040,000
6	2,720,000	85.00%	2,312,000
7	2,720,000	95.00%	2,584,000
8	2,720,000	95.00%	2,584,000
9	2,720,000	95.00%	2,584,000
10	2,720,000	95.00%	2,584,000
11	2,720,000	95.00%	2,584,000
12	2,720,000	95.00%	2,584,000
13	2,720,000	95.00%	2,584,000
14	2,720,000	95.00%	2,584,000
15	2,720,000	95.00%	2,584,000
16	2,720,000	95.00%	2,584,000
17	2,720,000	95.00%	2,584,000
18	2,720,000	95.00%	2,584,000
TOTALS	32,640,000		37,128,000.00

City of Jenks

Tax Increment District No. 2

Project Plan



Introduction

The City of Jenks contains areas that could develop commercially if adequate infrastructure and other public improvements were in place. Much of these areas are in part within the 100-year floodplain, making it economically cost prohibitive to develop unless water, sewer, storm water drainage, roadway extensions, floodplain modification or other improvements are first in place.

Creation of the district would provide the funding necessary to upgrade and extend water, sewer, storm drainage, roadways, provide for gas pipeline relocations, make necessary floodplain modifications and other improvements to serve as a catalyst for retaining or expanding employment, to reverse economic stagnation or decline, to attract major investment in the area and to preserve or enhance the tax base in the area of the district, which under the Oklahoma local Development Act (Title 62 Okla. Stat. §850 et seq) qualifies the proposed district as a "reinvestment area".

Tax Increment Districts

Under the Local Development Act, a tax increment financing district (TIF) can be formed to fund improvements. Under a TIF, the assessed valuation of the properties within the district is established by the county assessor as a base valuation. Once the district is formed and commences, then any increase in the ad valorem taxes over the base valuation may be used to fund the projects designed under the TIF development plan. All of the jurisdictions that receive ad valorem taxes would continue to receive what they had under the base valuation. Only the increases over the base in the district would go toward the funding of the TIF projects. In addition, the business personal property tax increases over the base can be used to fund the proposed projects. This use of ad valorem tax increase and business personal property tax for improved improvements is only to be for a period of time deemed sufficient to fund the designated projects. By law, this could be up to twenty-five years, but under the proposed plan would be limited to a period of fifteen (15) years.

The advantage to the jurisdiction that relinquished the increases of ad valorem and business personal property taxes is that at the expiration of the TIF term they now will receive an increase which would not normally have occurred without the improvements for which the TIF had been created.

In addition to the ad valorem and business personal property taxes used for the project costs, one cent (\$.01) of the City of Jenks' three cent (\$.03) sales tax collected from taxable sales within the district through the duration of the TIF shall also be utilized for approved improvements.

On July 15, 2002, after a public hearing, the Jenks City Council established a policy and guideline for approval of a TIF District. The policy provides that:

1. The district must be a reinvestment area, historic preservation district area, or an enterprise area (state or federal) which is unproductive, undeveloped, underdeveloped or a blighted area.
2. The district must improve and enhance the value of real property in the area and promote the general public interest.
3. The district must adhere to the requirement that the aggregate net assessed value of all TIF or exemption districts must not exceed 35% of the total assessed value in the City.

4. The district must adhere to the requirement that the aggregate net assessed value of all TIF or exemption districts must not exceed 25% of the total assessed value in the school district.
5. The district must adhere to the requirement that the aggregate land area of all TIF or exemption districts must not exceed 25% of the total land-area of the City.
6. The district must be developed in accordance with the City of Jenks Area Comprehensive Plan and must be in accordance with the City Zoning Code and related ordinances.
7. The district must receive a recommendation from the City Budget Committee as to the viability of the project utilizing the following evaluation criteria.
 - A. For privately owned projects, the investment of private funds of the applicant in the project. Projects which include 25% or more of applicants' private funds as applicants' investment in the project will be favored.
 - B. Feasibility and marketing studies which demonstrate the potential for success of a particular project.
 - C. Applications for projects using TIF assistance solely for public infrastructure will be favored.
 - D. The total amount of TIF assistance for private project costs which do not exceed 15% of the total project costs will be favored.
 - E. Projects that do not propose to utilize sales taxes will be favored.
 - F. Proposals which do not use the 25 year maximum time period for repayment will be favored.
 - G. Evidence and assurances that the private applicant has the financial ability to complete and operate the project.
 - H. Evidence that alternative financing methods have been thoroughly explored.
8. The district plan must demonstrate the need for the public improvements to be funded for future economic gain.
9. The district plan must demonstrate that private investment, development or redevelopment or economic growth would be difficult without the public improvements proposed by use of a TIF District.
10. The district should not be created where investment, development or economic growth would otherwise occur.
11. The district must be supported by a plan document as required by law, and provided by the applicant.
12. A report of the proposed improvements, supported by a study and preliminary engineering designs including cost estimates, must be provided by the applicant for a TIF District.

13. That the formation of a TIF District be used to supplement and not supplant or replace normal public functions and services;
14. That the information of a TIF District work in conjunction with existing programs and efforts such as the Oklahoma Main Street Program, Oklahoma Enterprise Zone Act, historic preservation and other locally implemented economic development efforts;
15. That any proposed districts be delineated with particular emphasis not to have boundaries that dissect a similar area or create unfair competitive advantage;
16. That the formation of a TIF District take into consideration the need for residential and neighborhood treatment, capital improvements to neighborhood public schools, as well as commercial/industrial development;
17. That maximum effort be made to allow full public knowledge and participation in the local use of the formation of a TIF District.
18. That conservation, preservation and rehabilitation be emphasized while demolition, clearance and relocation be minimized where possible; and
19. That the use of a TIF District not be used to encourage the relocation of a nearby business to the proposed TIF District.

Although portions of the City's policy were designed to address private developers applying for a TIF district creation to assist their proposed development, the City can look to a TIF district itself to fund necessary improvements.

Pursuant to the Local Development Act, the governing body shall cause to be prepared a project plan. The Planning Commission will review the project plan and make a recommendation on the plan to the governing body. The project plan shall include the following items, if applicable, according to the type of district being formed:

1. A description of the proposed boundaries of the district and the proposed boundaries of the project area by legal description and by street or other recognizable physical feature accompanied by a sketch clearly delineating the area in detail;
2. A general description of the proposed public works or improvements, the anticipated private investments and the estimated public revenues which should accrue;
3. A list of estimated project costs including administrative expenses;
4. A general description of the methods of financing the estimated project costs, the expected sources of revenue to finance or pay project costs, and the general time when the costs or monetary obligations related thereto are to be incurred;
5. A map showing existing uses and conditions of real property in the district and a map showing proposed improvements to and proposed uses of that property;
6. Proposed changes in zoning;
7. Proposed changes in the master plan and city ordinances if required to implement the project plan;

8. The name of the person who shall be in charge of the implementation of all of the project plans of the district with such name being forwarded to the Department of Commerce; and
9. A designation of any public entity to be authorized to carry out all or any part of the project plan.

In addition, a review committee shall be formed consisting of a representative from City Council, a representative of the Planning Commission having jurisdiction over the proposed district, a representative from each of the taxing entities whose ad valorem taxes might be impacted by the plan, and three members of the public at large.

The review committee shall consider and make its findings and recommendations to the governing body with respect to the conditions establishing the eligibility of the proposed district and the appropriateness of the approval of the proposed plan and project. The review committee may recommend that the project plan be approved, denied, or approved subject to conditions set forth by the committee.

The Plan

Per the requirements of the Act, the following items are addressed:

Description of Boundaries:

The area to be included in the proposed district is generally that area commencing at the intersection of Polecat Creek and the center line of Elm Street being the west boundary of Section 30, Township 18 North, Range 13 East of the I.B.&M., Tulsa County, Oklahoma; thence along the northern bank of Polecat Creek east to the west bank of the Arkansas River; thence northerly along the west bank of the Arkansas River to a point which would be the northern boundary of the 101st Place alignment if extended to the Arkansas River south of the Oklahoma Turnpike Authority property (the Creek Turnpike); thence west along the southern boundary of Jenks Tax Increment District No.1 generally following the northern boundary of the 101st Place alignment and south of the Oklahoma Turnpike Authority property to the east side of the Missouri-Pacific Railroad Right-of-Way; thence north along the railroad Right-of-Way to the north Right-of-Way of 101st Street ("Aquarium Drive"); thence west to the center line of Elm Street; thence south along the center line of Elm Street to the point of beginning. (See Exhibit "A" attached)

Proposed Public Improvements:

Upon approval of the Project Plan, a proposed development is to be constructed which will combine elements of retail establishments, office facilities, hospitality facilities, residential uses, recreation and entertainment venues and aesthetic features. In order for the proposed development to take place within the district boundaries, the following proposed improvements and related costs as authorized by the Local Development Act need to be funded with the formation of the TIF District.

The following categories are estimates of financial costs for infrastructure and related improvements required for the RIVER DISTRICT development. These estimated amounts may increase or decrease depending upon actual documented expenditures. Reimbursements will be made from actual funds received during the full term of the TIF District, which may exceed the estimates. Funds may be reimbursed that can logically be

associated with these categories and are permissible items for reimbursement under the Local Development Act. Any dispute in regard to such eligibility shall be decided by City Council and such decision shall be final.

Water	\$3,000,000
Sanitary Sewer	\$3,000,000
Bank stabilization and improvement	\$10,000,000
Grading/Storm Sewer/Site preparation	\$15,500,000
Pipeline and utility relocations	\$2,000,000
Surface parking, drives and sidewalks	\$23,000,000
Structured parking facilities	\$71,500,000
Public entertainment, special feature venues, e.g., fountains, stadium, lakes, etc.)	\$65,000,000
Access road Elm to Ash/Streets/RR Crossing	\$8,000,000
Landscape/Signage	\$5,000,000
Contingency	<u>\$14,000,000</u>
Total	\$220,000,000

The entire RIVER DISTRICT development as initially projected by the developer is estimated at a cost of \$982,000,000.

At end of 25 year lease for a stadium, or other equivalent paid entertainment venue, City has option to purchase same, including associated land for structures and parking for \$1.00, all in accordance with an Option Agreement to be negotiated between City and developer of RIVER DISTRICT.

Land reimbursement costs associated with entertainment special features venues shall be qualifying.

Interest expense associated with all above categories of financial costs shall be eligible for reimbursement.

Reimbursements to be made from ad valorem and business personal property tax proceeds actually received from property owned by developer within the TIF District as well as one-cent (\$.01) of the City's three-cent (\$.03) sales tax receipts collected from sales on property owned by the developer within the TIF District. The one-cent (\$.01) sales tax reimbursement does not apply to the sales tax on building materials delivered to the site for construction. Reimbursements will be contingent upon proper certified documentation of eligible expenses.

The first \$250,000.00 collected each year shall be paid to the Jenks Public Schools as an impact reimbursement which may be caused by the increase of residential units as part of the development within the TIF District. Up to the next \$100,000.00 collected shall be paid to the City of Jenks for direct administrative costs, including reasonable charges for the time spent by employees of the city in connection with implementation of the plan and related infrastructure improvements necessitated by the development impact.

The ultimate development will require infrastructure for additional extensions of water and sewer lines, streets and sidewalks, lighting and aesthetic features as the layout of the various facilities is determined. The actual cost of these other items payable with TIF revenues will be dependent upon the ultimate scope of the development and the taxable value of the structures and the business personal property located thereon as well as the sales taxes generated. It is proposed that once ad valorem and business property taxes and/or sales taxes under the TIF are collected, that each year the first \$250,000.00 collected will go to the Jenks Public Schools (Tulsa County Independent School District No. 5) as an impact reimbursement; the administrative costs incurred by the City of Jenks in an amount up to \$100,000.00 per year be paid next; and, subject to funds being available, project infrastructure and other related costs associated with the construction of the development be paid as revenues are available. The developer shall provide acceptable certified documentation to the City of Jenks of the costs incurred for the above improvements for reimbursement from the TIF funds available.

Pursuant to the provisions of the Local Development Act, the Jenks City Council designates that the Jenks City Manager, or his assign, may approve minor amendments to the Project Plan as the same is defined in Title 62 Okla. Statutes §858 D.

Areas within the TIF District boundary, but outside the area of the RIVER DISTRICT development may qualify for reimbursement for grading and fill costs in the floodplain areas, water and sewer extensions, and streets from the revenues generated on those parcels from ad valorem and business personal property taxes and one cent (\$.01) of the three-cent (\$.03) sales tax generated from sales upon those parcels actually collected during the life of the TIF District. The one-cent (\$.01) sales tax reimbursement does not apply to the sales tax on building materials delivered to the site for construction. Such infrastructure plans to be submitted to the City of Jenks for prior approval. Reimbursement shall be subject to providing certified documentation of costs expended for qualified improvements. The total of such reimbursable expenditures shall not exceed five percent (5%) of the original estimated costs associated with the RIVER DISTRICT Development, or \$11,000,000.00.

The TIF District is contingent upon final approval of the Jenks City Council. The City of Jenks disclaims any liability in the event the TIF District, or any provision therein, is successfully challenged in a court of competent jurisdiction.

The proposed RIVER DISTRICT development layout is depicted in Exhibit "C" attached.

Estimated Public Revenues to Accrue:

Revenue will come from the following sources:

- A.) The valuation of the existing taxable ad valorem base of the District area is approximately \$911,329.00, currently generating annual ad valorem taxes of approximately \$13,145.00.

- B.) Increases in the ad valorem base with the anticipated development south of the Creek Turnpike is anticipated to yield \$190,912,083.00 in ad valorem tax revenue over the life of the TIF. (See Exhibit "B").
- C.) Business personal property tax associated with the new developments is anticipated to yield \$3,769,913.00 over the life of the TIF. (See Exhibit "C").
- D.) One cent (\$.01) of the three cent (\$.03) City sales tax generated within the district should yield an estimated \$29,376,000.00 in revenue over the life of the TIF. (See Exhibit "D").

Total anticipated revenue: \$224,057,996.00

Impact on Taxing Jurisdictions:

It is estimated that at the end of the fifteen year TIF, that the annual ad valorem revenue available to the taxing jurisdictions will have increased from a current \$13,145.00 to approximately \$19,602,810.00, plus approximately \$280,000.00 in business personal property tax. This increase for the benefit of the taxing jurisdictions as a result of the RIVER DISTRICT Development would not occur without the formation of TIF District No. 2.

Method of Financing the Project Costs:

Instead of the City advancing the costs of the improvements, this will be based upon a reimbursement of qualified costs actually expended by the developer, to the extent TIF revenues are collected, and after payment to the Jenks Public Schools of \$250,000.00 per year out of TIF revenues, and payment of administrative costs incurred by the City of Jenks of up to \$100,000.00 per year.

Map Showing Existing Uses and Conditions:

See attached Exhibit "E".

Map Showing Proposed Improvements and Uses:

See attached Exhibit "F" showing the conceptual design for the proposed future uses.

Proposed Changes in Zoning:

The tract depicted as the RIVER DISTRICT may either require zoning changes to commercial (CS) and/or office medium (OM), and/or be developed partially or entirely under a specific use permit.

Proposed Changes in Comprehensive Plan and Ordinances to Implement Project Plan:

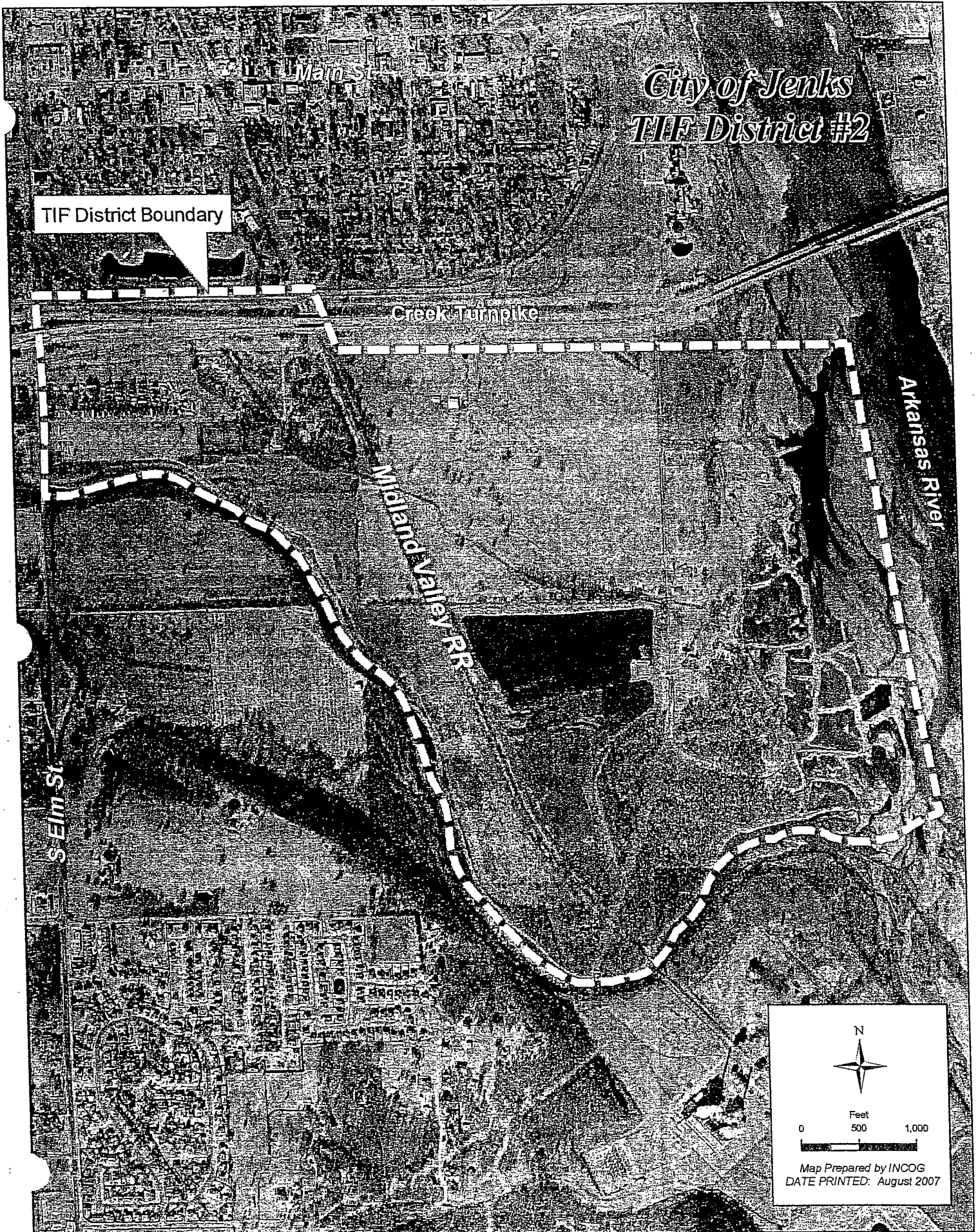
The Comprehensive Plan should not require amendment to allow the anticipated uses if the proposed infrastructure is completed to encourage and allow for development. However, the Comprehensive Plan may be modified to provide an Arkansas River Entertainment/Tourism Area which may include a portion of the district.

Individual in Charge of Implementation of Project Plans:

V.R. (Randy) Ewing, Jenks City Manager, or his successor, or assign.

Public Entity Authorized to Carry Out Project Plan:

The City of Jenks, Oklahoma



ANTICIPATED AD VALOREM TAX REVENUE FROM NEW DEVELOPMENT

YEAR	AD VALOREM TAX REVENUE			
	PHASE I INFRASTRUCTURE, FOUNTAINS, OFFICES, STADIUM, PARKING FACILITIES, HOTEL RESIDENTIAL UNITS, RETAIL USES \$680,000,000	ADDITIONAL IMPROVEMENTS \$100,000,000	ADDITIONAL IMPROVEMENTS \$100,000,000	ADDITIONAL IMPROVEMENTS \$100,000,000
1				
2				
3				
4	9,914,740	9,914,740		
5	9,914,740	297,442	1,458,050	1,458,050
6	10,212,182	306,365	1,458,050	1,501,792
7	10,518,548	315,556	1,501,792	1,546,845
8	10,834,104	325,023	1,546,845	1,593,251
9	11,159,127	334,774	1,593,251	1,641,048
10	11,493,901	344,817	1,641,048	1,690,280
11	11,838,718	355,162	1,690,280	1,740,988
12	12,193,880	365,816	1,740,988	1,793,218
13	12,559,696	376,791	1,793,218	1,847,014
14	12,936,487	388,095	1,847,014	1,902,425
15	13,324,581	399,737	1,902,425	1,959,497
TOTALS	140,710,283.17	18,674,407	16,714,909	14,812,485

TOTAL ANTICIPATED REVENUE FROM NEW DEVELOPMENT: \$190,912,083.60

The above annual increases assume a 3% ad valorem valuation increase.

ANTICIPATED BUSINESS PERSONAL PROPERTY TAX FROM NEW DEVELOPMENT

PHASE I		ADDITIONAL IMPROVEMENTS	ADDITIONAL IMPROVEMENTS	ADDITIONAL IMPROVEMENTS
RETAIL, HOTEL, ENTERTAINMENT		\$2,750,000	\$2,750,000	\$2,750,000
\$20,800,000				
BUSINESS PERSONAL PROPERTY TAX REVENUE				
YEAR				
1				
2				
3				
4	275,704	275,704		
5	275,704	267,433	36,451	
6	267,433	8,271	36,451	36,451
7	259,410	8,023	36,451	36,451
8	251,628	7,782	35,357	35,357
9	244,079	7,549	34,297	34,297
10	236,756	7,322	33,268	33,268
11	229,654	7,103	32,270	32,270
12	222,764	6,890	31,302	31,302
13	216,081	6,683	30,363	30,363
14	209,599	6,482	29,452	29,452
15	203,311	6,288	28,568	28,568
TOTALS	2,813,629.52	6,099	27,711	27,711
		831	26,880	26,880
		345,918	28,568	28,568
		319,038	27,711	27,711
		291,327	29,452	29,452

Exhibit "C"

TOTAL ANTICIPATED REVENUE FROM NEW DEVELOPMENT: \$3,769,913.50

The above annual amounts assume an average 3% property tax devaluation.

Exhibit "D"

08/28/07

TIF DISTRICT # 2
ONE - CENT SALES TAX REIMBURSEMENT

680,000 SQUARE FEET - RETAIL

\$400.00 PER SQ. FOOT

EST.

YEAR	100%	% COMPLETED	TOTAL REFUNDABLE
1			
2			
3			
4	2,720,000	65.00%	1,768,000
5	2,720,000	75.00%	2,040,000
6	2,720,000	85.00%	2,312,000
7	2,720,000	95.00%	2,584,000
8	2,720,000	95.00%	2,584,000
9	2,720,000	95.00%	2,584,000
10	2,720,000	95.00%	2,584,000
11	2,720,000	95.00%	2,584,000
12	2,720,000	95.00%	2,584,000
13	2,720,000	95.00%	2,584,000
14	2,720,000	95.00%	2,584,000
15	2,720,000	95.00%	2,584,000
TOTALS	32,640,000		29,376,000.00

JM8/28/07

City of Jenks TIF District #2 Existing Land Use

TIF District Boundary

Creek Turnpike

Midland Valley R.R.

Arkansas River

S Elm St

Map Prepared by INCOG
Date Printed: August 2007

0 400 800 Feet

LEGEND

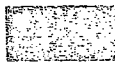
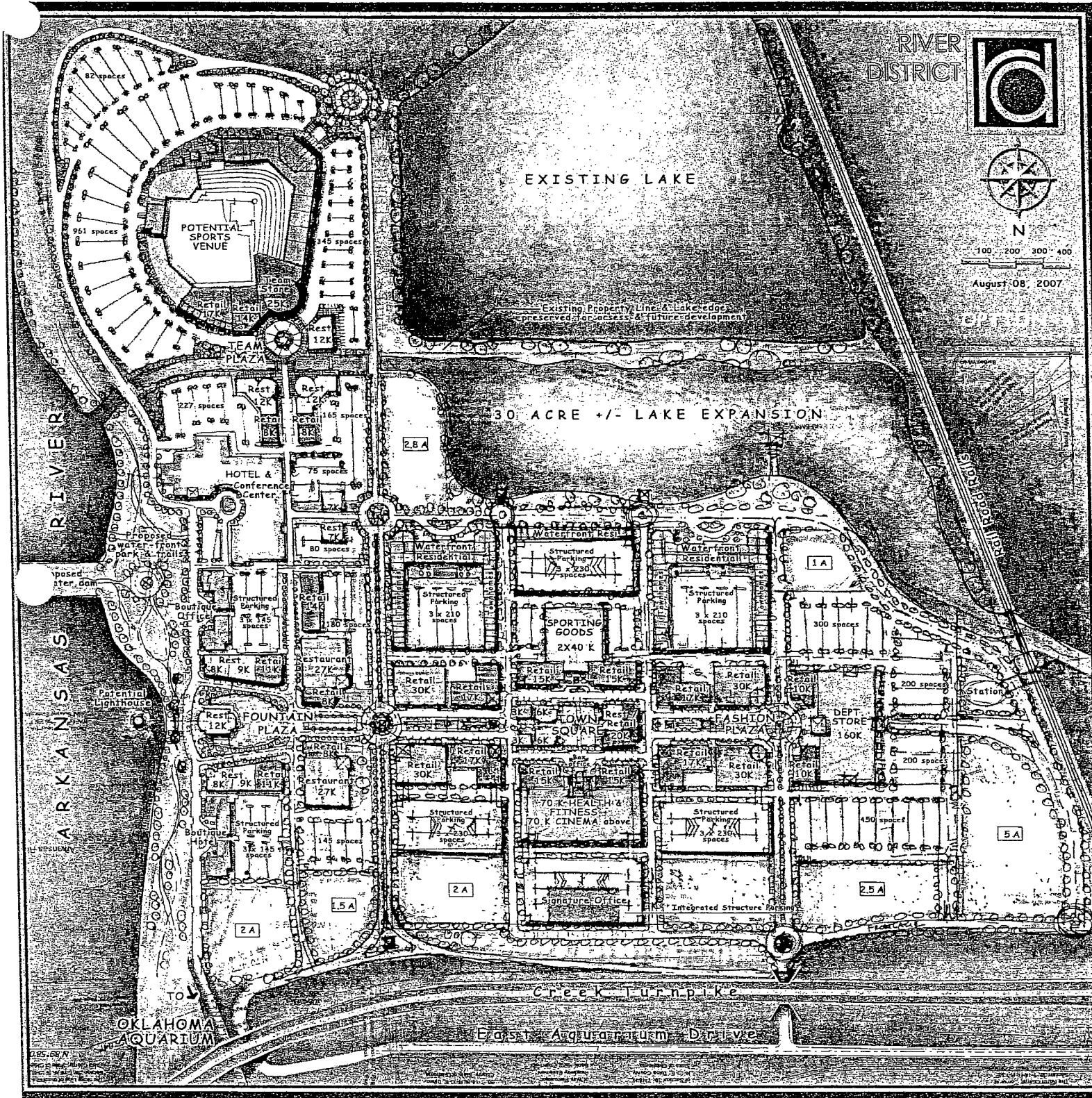
-  Agriculture
-  Commercial
-  Residential

Exhibit "F"



*Publish: Tulsa World
Thursday, February 9, 2023*

NOTICE OF PUBLIC HEARINGS

REGARDING THE ADOPTION OF TAX INCREMENT DISTRICTS:

INCREMENT DISTRICT “A”, CITY OF JENKS

INCREMENT DISTRICT “B”, CITY OF JENKS

INCREMENT DISTRICT “C”, CITY OF JENKS

JENKS RIVER ENTERTAINMENT DISTRICT ECONOMIC DEVELOPMENT PROJECT IN JENKS, OKLAHOMA

6:00 PM THURSDAY, FEBRUARY 23, 2023

6:00 PM TUESDAY, MARCH 7, 2023

TO ALL INTERESTED INDIVIDUALS:

The City of Jenks, Oklahoma (the “City”) invites and encourages all interested citizens and other interested parties to attend two public hearings scheduled for Thursday, February 23, 2023, at 6:00 P.M. (during the regularly scheduled meeting of the Jenks Planning Commission), and Tuesday, March 7, 2023, at 6:00 P.M. (during the regularly scheduled meeting of the Jenks City Council), both hearings to be held in the Council Chambers located at Jenks City Hall, 211 N. Elm Street, Jenks, Oklahoma 74037.

The purpose of the first hearing shall be for information and questions, and the second hearing shall be for persons to have an opportunity to be heard concerning the proposed creation of three Increment Districts within the City of Jenks (referred to herein as “Increment District A”, “Increment District B”, and Increment District C”, and collectively as the “Increment Districts”) on the following described tracts, and the Jenks River Entertainment District Economic Development Project Plan (the “Project Plan”).

Increment District “A”

The boundaries of Increment District “A” contain an area generally described as the area bordered on the north by the Creek Turnpike, on the east by the Arkansas River, on the south by Polecat Creek, and on the west by S. Elm Street.

Tract	Parcel Number R-	Shorthand Legal Description
1	98330833000090	N660 W644 NW NW LESS N200 E200 & LESS BEG 29.75E SWC TH E614.25 N146.61 SW621.13 S54.46 POB SEC 30 18 13 7.422ACS
2	98330833000110	BEG 444E NWC NW TH S200 E100 N200 W100 TO BEG SEC 30 18 13
3	98330833000100	BEG 544E NWC NW TH S200 E100 N200 W100 TO BEG SEC 30 18 13
4	98330833019540	N660 E396 W1040 NW NW OR GOV LT 1 LESS BEG 464.48S NEC TH S195.51 W396 N146.61 NE53.87 NE297.23 E48.52 POB SEC 30 18 13 4.44ACS
5	98330833020340	N660 NW NW OR GOV LT 1 LESS W1040 & LESS BEG 463.91S NEC TH S196.09 W311.82 N195.51 E311.76 POB SEC 30 18 13 3.322ACS
6	98330833018020	PRT NE NW BEG NWC NE NW TH S463.91 E339.72 NE53.85 E372.86 N442.51 W765.77 POB SEC 30 18 13 7.27AC
7	98330833018740	N189.75 E 11AC NE NW LYING W MVRR R/W SEC 30 18 13 .80AC
8	98330833015640	S 85 N 274.75 NE NW LYING W OF MV RR LESS W 823.7 SEC 30-18-13
9	98330833020310	S85 N359.75 NE NW LYING W OF W R/W OF RR & LESS W798.7 & LESS W25 FOR RD SEC 30 18 13
10	98330833020240	S 101 N 460.75 NE NW LYING W OF RR LESS W 798.7 LESS W 25 FOR RD SEC 30-18-13
11	98330833020140	S 94 N 554.75 NE NW LYING W RR & LESS W 798.7 SEC 30-18-13

12	98330833020839	BEG 584.04S & 169.27E NWC NW TH ELY480.06 ELY53.87 ELY297.27 E700 NE53.85 E372.86 S112.25 E22.66 S38.47 W790.41 W1176.73 TO POB SEC 30 18 13 4.444ACS
13	98330833018940	S170 N724.75 E 11AC NE NW LYING W MVRR R/W SEC 30 18 13 1.30AC
14	98330833019340	S221 N945.75 NE NW LYING W OF MV RR LESS W823.7 SEC 30 18 13
15	98330833015140	TR 10 S 380 N 1325.75 NE NW LYING W OF MV RR & LESS W 823.7 SEC 30-18-13
16	98330833016740	W798.7 N1047.1 NE NW LESS BEG NWC NE NW TH S463.91 E339.42 NE53.85 E372.86 N442.51 W765.77 POB & LESS BEG NWC THEREOF TH E339.42 NE53.85 E372.86 S112.25 E22.66 S38.47 W790.41 N TO POB SEC 30 18 13 9.562ACS
17	98330833000330	N330 S660 GOV LT 1 LESS BEG 330N SWC GOV LT 1 TH E40 N194.62 W40 S194.62 TO POB & LESS BEG 662.21S NWC NW TH E70.21 SE199.48 SLY39.15 SLY92.92 W48.31 N193.58 W40 N TO POB & LESS BEG NWC N330 S660 GOV LT 1 TH E APROX 9.79 SLY APROX 160.37 NLY PROX 160.66 TO POB SEC 30 18 13 9.343ACS
18	98330833020700	BEG 463.91S NEC NW NW TH S196.09 W311.82 N195.51 E311.76 POB LESS BEG NWC THEREOF TH E311.76 S117.16 W311.77 N117.54 TO POB SEC 30 18 13 .564AC
19	98330833019980	BEG EL N660 E396 W1040 NW NW & SLY R/W CREEK TURNPIKE 464.48S NEC TH S195.51 W396 N146.61 E53.87 NE297.23 E48.52 POB LESS BEG NWC THEREOF TH E53.87 NE297.23 E48.52 S117.54 W395.12 N70.53 TO POB SEC 30 18 13 .702AC
20	98330833000095	BEG 29.75E SWC NW NW TH E614.25 N146.61 SW621.13 S54.46 POB LESS BEG 662.21S & 29.75E NWC NW TH N54.46 E43.85 S61.03 W40.46 TO POB LESS BEG NEC THEREOF TH S 70.53 W437.43 NE480.06 TO POB & LESS BEG 601.07S & 73.04E NWC NW TH S58.99 E APROX 9.83 N APROX 11.10 NE108.83 SW97.28 TO POB SEC 30 18 13 .906AC
21	98330833020837	BEG 601.07S & 73.04E NWC NW TH S58.99 SELY160.66 N171.43 NE108.83 WLY97.28 TO POB SEC 30 18 13 .080AC
22	98330833000099	BEG 662.21S & 29.75E NWC NW TH N54.46 ELY43.85 S61.03 W40.46 TO POB SEC 30 18 13 .055AC
23	98330833000339	BEG 662.21S NWC NW TH E70.21 SE199.48 SLY39.15 SLY92.92 W48.31 N193.58 W40 N TO POB SEC 30 18 13 .421AC
24	98330833000320	BEG SWC GOV LT 1 TH E50 N330 W50 S330 POB & BEG 330N SWC GOV LT 1 TH E40 N194.62 W40 S194.62 POB SEC 30 18 13 .56AC
25	98330833000269	BEG 1324.43S & 50E NWC NW TH N331.09 E38.31 SLY151.81 E37.03 S180.01 W88 TO POB SEC 30 18 13 .526AC
26	98330833024337	BEG 75E NWC SW NW TH E63 S310.64 CRV RT60.06 N302.70 TO POB SEC 30 18 13 .432AC
27	98330833000220	W/2 S/2 S/2 NW NW LESS W50 THEREOF & LESS BEG 1324.43S & 50E NWC NW TH N331.09 E38.31 SLY151.81 E37.03 S180.01 W88 TO POB SEC 30 18 13 4.134ACS
28	98330833000270	E660 S330 NW NW SEC 30 18 13 5AC
29	98330833014640	S 272.9 W 798.7 NE NW & S/2 NW LYING N & E CENTER OF POLECAT CREEK LESS BEG NWC S/2 NW TH E138 S310.64 CRV RT60.06 S53.3 WLY75 N342 POB & ALL SE LYING W & S RY EX TR IN SW COR S & W POLECAT & ALL SW N OF CREEK SEC 30 18 13 76.840ACS
30	98330833000340	E/2 NE & SW NE LESS RR ROW & LESS BEG NEC NE TH S523.50 S TO SECR NE W25 N TO PT W4.99 N46.85 W TO WL NE NE TH N APPROX 476.58 E POB LESS PRT PLATTED FOR TULSA PREMIUM OUTLETS SEC 30 18 13 67.047ACS
31	98330833014638	PRT NE BEG 458.24S & 2232.04W NEC NE TH S205.33 CRV LF349.48 W100.61 NW204.79 N231.06 E319.72 NELY88.82 TO POB SEC 30 18 13 2.90ACS

32	98330833012040	W/2 NW NE & W/2 E/2 NW NE LESS ROW & LESS BEG NWC NE TH S461.49 E319.72 NE500.40 NE175.37 N APROX 407.16 W POB & LESS BEG 458.24S & 2232.04W NEC NE TH S205.33 CRV LF349.48 W100.61 NW204.79 N231.06 E319.72 NELY88.82 TO POB LESS PRT PLATTED FOR TULSA PREMIUM OUTLETS SEC 30 18 13 2.240ACS
33	98330833012010	BEG 401.70S NEC NE TH W1620.75 SW28.60 S69.39 E1125 E493.92 S46.85 E29.99 NLY121.80 POB SEC 30 18 13 2.642ACS
34	60973833054000	LOT 1 BLOCK 1, Tulsa Premium Outlets
35	98330833019140	PT NE NW EAST OF RY SEC 30-18-13 S & W RIV
36	98330833011745	BEG NEC NE TH S523.50 W29.99 N46.85 W493.92 W1125 N69.39 SW175.37 WLY500.40 W319.72 TO WL NE TH N461.49 E2640.75 POB LESS BEG 401.70S NEC THEREOF TH W1620.75 SW28.60 S69.39 E1125 E493.92 S46.85 E29.99 NLY121.80 POB SEC 30 18 13 25.633ACS
37	98329832932145	PRT LT 2 & A TR OF LAND IN RIVERBED BEG NWC LT 2 TH S523.50 E30 NLY 142.41 NELY CRV LF 538.90 NE175.46 NW40 NE402.99 W1076.86 POB SEC 29 18 13 5.49ACS
38	98329832930430	GOV LT 2 LESS W30 & LESS BEG 30E NWC THEREOF TH E174.83 SLY343.48 SWLY CRV RT 200.58 N POB SEC 29 18 13 3.83ACS
39	98329832932330	GOV LT 3 & GOV LT 6 LYING N CL POLECAT CREEK LESS W30 N2120 THEREOF & LESS E20 W50 S200 GOV LT 3 & LESS BEG 50E SWC NW TH N200 W20 N181.76 E178.71 S208.71 E50 S173.05 W POB & LESS BEG 50E NWC SW TH E350 S614.77 W370 N APROX 414.77 E20 N200 TO POB SEC 29 18 13 19.755ACS
40	98329832934900	PRT GOV LT 3 BEG 50E & 173.05N SWC GOV LT 3 TH N26.95 W20 N181.76 E178.71 S208.71 W158.71 POB SEC 29 18 13 .84AC
41	98329832933130	BEG 50E SWC LT 3 TH N173.05 E208.71 S173.05 W208.71 POB SEC 29 18 13 .829AC
42	98329832936830	BEG 50E NWC SW TH E350 S614.77 W370 N186.92 E133.24 N41.02 W133.24 N186.83 E20 N200 TO POB SEC 29 18 13 5.00ACS
43	98329832936730	BEG 30E & 386.83S NWC GOV LT 6 TH E133.24 S41.02 W133.24 N TO POB SEC 29 18 13 .126AC
44	98330833010580	E25 E/2 NE LESS N523.50 THEREOF SEC 30 18 13 1.21ACS
45	98329832935220	W30 GOV LT 2 LESS N523.50 THEREOF & W30 GOV LT 3 & N800 W30 GOV LT 6 & E20 W50 S200 GOV LT 3 & E20 W50 N200 GOV LT 6 SEC 29 18 13 2.192ACS
46	98330833053340	SE LYING E & N MV RY LESS TR IN SECR LYING SE POLECAT CRK & LESS E30 N800 SE & LESS W20 E50 N200 SE SEC 30 18 13 68.36AC
47	98330833012030	E30 N800 SE & W20 E50 N200 SE SEC 30 18 13 .642AC
48	98330833047840	PRT SE BEG 284.5N SECR SE TH NW380.3 NW471 NE175.9 NE228 NE347.92 S1250.15 POB SEC 30 18 13 6.98AC
49	98329832935230	PRT GOV LT 6 & 7 BEG SWC GOV LT 7 TH N1534.65 NE189.98 SE151.67 SE300 SE783.1 SE136.69 SW271.53 SW171.41 SW373.10 W213.02 POB SEC 29 18 13 19.34AC
50	98329832935530	GOV LT 6 & 7 LYING S OF POLECAT CREEK LESS BEG SWC GOV LT 7 TH N1534.65 NE189.98 SE151.67 SE300 SE783.10 SE136.69 SW271.53 SW171.41 SW373.1 W213.02 POB SEC 29 18 13 11.81AC
51	98331833119460	PRT N/2 NE BEG NEC NE TH S245.16 SWLY819.08 W172 NWLY1171.31 ALNG CL POLECAT CREEK E1721.07 POB SEC 31 18 13 19.84AC
52	98332833229600	PRT NW NW BEG NWC NW TH S245.16 NE273.6 NE51.23 W213.02 POB SEC 32 18 13 .60AC
53		Railroad Right of Way (T18N R13E Sec 29 & 30)
54		Arkansas River (west meander line to centerline T18N R13E Sec 29)

* The above Tracts 1-54 are subject to confirmation but are approximately representative of the Increment District "A" boundaries shown in the map below.

This aerial map shows a large, irregularly shaped property in Tulsa, Oklahoma, outlined in yellow. The property is situated along Polecat Creek and is bordered by Creek Turnpike (Tollroad) to the north and S Elm St to the west. The map shows various features including a large pond, a wooded area, and a building labeled 'Gerred Plumbing'. Surrounding areas include 'Green Valley Estates', 'Big Blast Fireworks Jenks', and 'Bank of Oklahoma'. The Arkansas River is visible to the east.

The boundaries of Increment District “B” contain an area generally described as the area bordered on the south by the Creek Turnpike, on the east by the Arkansas River, on the north by E. Main Street, and on the west by the flood control levee west of S. Aquarium Drive, and generally known as the Oklahoma Aquarium Campus.

Tract	Parcel Number R-	Shorthand Legal Description
1	98320832000110	PRT SW BEG 432.90 ALG CRV LF & 174.67NE & 40SE & 121.15NE SWC SW TH NW205.33 NW246.83 NW602.36 N168.59 NW337 NW110 NE50 N75 NW133 NW65 NW238 NE71.09 NE620.54 SE APR 2150 SW APR 508.83 POB SEC 20 18 13 21.868ACS
2	60804831950360	LT 1 BLK 3
3	60804832045600	PRT LT 1 BEG AT INT OF SL LT 1 & WL SEC 20 TH N APR 894.39 NE APR 3.53 CRV LF 180.52 SE38.34 E320 SE92.40 S168.59 SE602.36 SE246.83 S205.33 NW70.69 CRV LF 194.37 SW108.13 CRV RT 35.49 CRV RT132.89 CRV RT37.39 NW243.54 CRV LF APR 154.06 POB LESS BEG 112.79N & 189.01E SWC SEC 20 TH CRV LF174.99 CRV RT125.33 SW6.34 SW108.13 CRV RT35.49 CRV RT132.88 CRV RT17.51 TO POB BLK 1
4	60804831950350	LT 1 BLK 2
5	60804831950370	RESERVE A

6	60804831950320	PRT LT 1 BEG AT INT OF SL LT 1 & EL SEC 19 TH CRV LF APR 174.62 W294.46 CRV RT 153.25 CRV LF 642.74 CRV RT 149.93 NE APR 145.38 S APR 894.39 POB BLK 1
7	60804832045610	LT 2 LESS BEG NEC LT 3 TH NE72.32 SE111.24 SE75 SW50 SE86.10 SW51.56 NW316.76 POB BLK 1
8	60804831950335	PRT LT 5 BEG SWC LT 5 TH NE29.06 NE89.75 NW APR 45.58 E86.19 CRV LF 82.21 NE209.07 CRV RT 59.70 CRV RT APR 83.56 SW148.91 CRV LF 107.43 W126.24 POB BLK 1
9	60804831950339	PRT LT 5 BEG 48.94S NWC TH E95.45 CRV LF 72.22 NE245.26 CRV LF 44.45 CRV RT 151.61 CRV LF 59.70 SW209.07 CRV RT 82.21 W86.19 NW TO POB BLK 1
10	60804831950330	PRT LT 5 BEG NWC THEREOF TH NE9.39 CRV RT 137.38 NE238.04 CRV RT 37.43 SE APR 78.38 CRV RT 44.45 SW245.26 CRV RT 72.22 W95.45 N APR 48.94 POB BLK 1 & ALL THAT PRT VACATED AQUARIUM LANE ADJ ON N
11	60804831950340	LT 6 LESS BEG 313.36NW SWC LT 6 TH N265.33 NE143.80 NE303.83 CRV RT 54.09 SW126.62 CRV LF 135.06 W339.43 POB BLK 1 & ALL THAT PRT VACATED AQUARIUM LANE ADJ ON S
12	60804832045640	PRT LT 2 BEG NEC LT 3 TH NE72.32 SE111.24 SE75 SW50 SE86.10 SW51.56 NW316.76 POB BLK 1
13	60804831950345	PRT LT 6 BEG 313.36NW SWC LT 6 TH N265.33 NE143.80 NE303.83 CRV RT 54.09 SW126.62 CRV LF 135.06 W339.43 POB BLK 1
14	98319831908809	BEG PT ON EL NE 222.37S NEC SE TH WLY APROX401.89 SLY APROX35 SWLY APROX40 S APROX145.07 NE146.60 E281.36 NLY ALONG EL 134.32 TO POB SEC 19 18 13 1.21ACS
15	60804832045609	PRT LT 1 BEG 112.79N & 189.01E SWC SEC 20 TH CRV LF174.99 CRV RT125.33 SW6.34 SW108.13 CRV RT35.49 CRV RT132.88 CRV RT17.51 TO POB BLK 1
16		S Aquarium Drive E Right of Way (T18N R13E Sec 19)
17		S Aquarium Drive E Right of Way (T18N R13E Sec 20)

* The above Tracts 1-17 are subject to confirmation but are approximately representative of the Increment District "B" boundaries shown in the map below.

MAP OF PROPOSED INCREMENT DISTRICT "B" BOUNDARIES



Increment District “C”

The boundaries of Increment District “C” contain an area generally described as the area bordered on the north and east by Polecat Creek, on the south by one quarter mile south of W 106th Street S, and on the southwest by Stone Bluff.

Tract	Parcel Number R-	Shorthand Legal Description
1	98330833024440	S/2 NW LYING S & W OF CENTER OF POLECAT CREEK LESS BEG SWC S/2 NW TH N981.25 ELY75 SLY419.75 S549.25 W50 POB & LESS BEG 50E SWC S/2 NW TH N549.15 NELY419.84 N53.30 CRV LF60.06 S295.75 SWLY541.11 SELY183.13 W23.49 POB & LESS BEG 73.49E SWC SW TH NWLY25.37 E150.88 S23.69 W148.24 TO POB SEC 30 18 13 41.786ACS

2	98330833040740	GOV LT3 OR NW SW LYING E OF HWY LESS N20 THEREOF & LESS BEG 24.75E & 20S NWC NW SW TH E52.70 SE331.27 S102.06 NW107.30 CRV RT85.40 N271 TO POB & LESS BEG 24.75E SWC NW SW TH N243.29 NE263.75 SE306.35 SW182.13 W104.10 TO POB SEC 30 18 13 37.160ACS
3	98330833044738	BEG 24.75E SWC NW SW TH N243.29 NE263.75 SE306.35 SW182.13 W104.10 TO POB SEC 30 18 13 1.004AC
4	98330833044739	BEG 24.75E & 20S NWC NW SW TH E52.70 SE331.27 S102.06 NW107.30 CRV RT85.40 N271 TO POB SEC 30 18 13 .719AC
5	98330833040640	PRT NW SW BEG 2836S NWC NW TH CRV LF204.5 SE149.7 CRV RT216.24 SW414.6 CRV LF159.9 N TO POB SEC 30 18 13 1.67AC
6	98330833028937	BEG 50E SWC SW NW TH N549.15 NELY419.84 N53.30 CRV LF60.06 S295.75 SWLY541.11 SELY183.13 W23.49 TO POB SEC 30 18 13 1.01ACS
7	98330833044737	N20 NW SW SEC 30 18 13 .606AC
8	98330833024340	PRT GOV LT 2 OR SW NW BEG NWC THEREOF TH E375 S356 TO PT ON LOW-WATER MARK POLE CAT CRK WLY75 N342 POB & BEG SWC GOV LT 2 TH N981.25 TO PT ON LOW-WATER MARK POLE CAT CRK ELY75 SWLY419.75 S549.25 W50 POB SEC 30 18 13 1.85AC
9	98225822524530	PRT SE NE BEG SECR SE NE TH W50 NWLY1143.05 TO PT ON NL CREEK SE TO PT 44.75W EL & 1049.5N SL NE TH E44.75 S1049.5 POB SEC 25 18 12 1.98AC
10	98330833028936	BEG 73.49E SWC SW NW TH NWLY25.37 E150.88 S23.69 W148.24 TO POB SEC 30 18 13 .084AC
11	98225822511597	BEG 50W SECR NE TH W46 NE84.41 SE18.71 SE54.97 TO POB SEC 25 18 12 .039AC
12	98225822504130	BEG 2649.28S & 50W E QTR COR (NEC NE) SEC 25 TH W404.64 N135.81 NW279.68 NW316.10 NW502.63 NW204.03 NW213.70 NW228.81 NW180.90 WLY195.06 TO PT ON S ROW LINE OF CREEK TURNPIKE TH CRV RT191.97 NE190.90 NE130.49 SE124.53 CRV LF1558.97 ELY171.31 SLY813.90 S49.25 TO POB SEC 25 18 12 25.030ACS

* The above Tracts 1-12 are subject to confirmation but are approximately representative of the Increment District "C" boundaries shown in the map below.

MAP OF PROPOSED INCREMENT DISTRICT "C" BOUNDARIES

MAP OF PROPOSED PROJECT AREA BOUNDARIES

The Jenks River Entertainment District Economic Development Project Plan contemplates the creation of three separate tax increment districts that brings a transformative commercial development to the Jenks River Entertainment District area. There are three primary development components of the Project. The first component of the Project is a large commercial retail outlet development by Tulsa Premium Outlets,

LLC (“TPO”). TPO proposes to construct a retail outlet center on the south side of the Creek Turnpike, to be known as Tulsa Premium Outlets encompassing a total of approximately 340,000 square feet of gross building area, with an initial capital investment of approximately \$100 million (referred to herein as “Retail Outlet Project”). The Retail Outlet Project will be located in Increment District “A”. The second component of the Project is the development of property adjacent to the Oklahoma Aquarium to attract concept retail and dining establishments that complement and enhance the tourism destination that is the Oklahoma Aquarium (referred to herein as the “Oklahoma Aquarium Town Center Project”). The Oklahoma Aquarium Town Center Project will be located in Increment District “B”. The third component of the Project is to attract a destination sports experience in the vicinity of Elm and 106th Street (south of the Creek Turnpike) that would include baseball and softball facilities and training opportunities, along with onsite hotel, dining, retail, and entertainment offerings (referred to herein as the “Sports Experience Project”). The Sports Experience Project will be located in Increment District “C”. The proposed Project Costs (as described in the Project Plan) total approximately \$299,250,000, including necessary public infrastructure and economic incentives to fully develop the area within each Increment District. The City expects to phase the expenditure of Project Costs in coordination with specific development projects, and intends apply other available funds as appropriate to offset the costs of the Increment Districts. Based on the preliminary development projections assuming full buildout of the Retail Outlet Project, the Oklahoma Aquarium Town Center Project, and the Sports Experience Project, it is anticipated that approximately \$124.95 million in ad valorem tax TIF Revenues will be generated during the term of the Increment District, with approximately \$93.71 million available for the payment of Project Costs, and the balance of approximately \$31.24 million apportioned to Jenks Schools. It is anticipated that approximately \$258.22 million in sales and use tax TIF Revenues will be generated during the term of the Increment District, with approximately \$145.48 million available for the payment of Project Costs, and the balance of approximately \$112.74 million apportioned to the City. It is anticipated that approximately \$6.54 million in hotel tax TIF Revenues will be generated during the term of the Increment District, with approximately \$6.54 million available for the payment of Project Costs. Additional TIF Revenues in an amount up to approximately \$145.48 million may be realized through state matching incentive payments made pursuant to the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act, 62 O.S. §840, *et seq.* With respect to the sales tax TIF Revenues, the Project Plan contemplates the capture the equivalent revenues of a two percent (2%) sales tax during the term of the Increment District (out of the currently levied 3.55% City sales tax). With respect to the hotel tax TIF Revenues, the Project Plan contemplates the capture all of the revenues derived from a five percent (5%) hotel tax during the term of the Increment District. With respect to the ad valorem tax TIF Revenues, the Project Plan contemplates the capture of 100% of such revenues during the term of the Increment District, but 25% of such revenues will be apportioned to the School District for the purpose of providing a specific revenue source for capital expenditures (and any related financing costs) for the benefit of the School District. Each Increment District shall commence on a Commencement Date as established by the City Council, and continue for a term of 25 full fiscal years, or the payment of all Project Costs, which ever occurs first.

Incremental increases in ad valorem tax revenue, sales and use tax revenue, and hotel tax revenue that are generated within the boundaries of the Increment Districts will serve as the revenue source for financing the proposed Project Costs, including interest and other costs associated with financing said Project Costs. Said revenues are the public revenues directly attributable to the Project resulting from establishment of the Increment Districts.

Brandon Macy, City Clerk
City of Jenks, Oklahoma
211 N. Elm Street
Jenks, Oklahoma 74037
Phone: (918) 299-5883

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE TAX INCREMENT DISTRICT REVIEW COMMITTEE OF THE CITY OF JENKS, OKLAHOMA, MET IN SPECIAL SESSION IN THE COUNCIL CHAMBERS AT JENKS CITY HALL, 211 N. ELM STREET, JENKS, OKLAHOMA, 74037, ON THE 27TH DAY OF JANUARY, 2023, AT 2:00 O'CLOCK P.M.

PRESENT: Chaiman Cory Box (Mayor – City of Jenks), Scott West (Jenks Planning Commission), Cody Way (Jenks Public Schools), Mark McMullen (Tulsa Community College), Olga Morgan (Tulsa City-County Library), Kelly Dunkerley (Tulsa County), Jumao Wang (Tulsa City-County Health Department), Greg Helms (At-Large), Rick Huskey (At-Large), and Jeff Dixon (At-Large)

ABSENT: Joanne Lucas (Tulsa Technology Center)

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by title by the City Clerk. Committee Member Jeff Dixon moved passage of the Resolution and Committee Member Scott West seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE: Scott West, Cody Way, Mark McMullen, Olga Morgan, Kelly Dunkerley, Jumao Wang, Greg Helms, Rick Huskey, Jeff Dixon, and Chaiman Cory Box

NAY: None

The Resolution so approved is as follows:

[RESOLUTION ON FOLLOWING PAGE]

RESOLUTION

A RESOLUTION RECOMMENDING THAT THE CITY OF JENKS, OKLAHOMA THROUGH ITS CITY COUNCIL CREATE THREE TAX INCREMENT DISTRICTS AND APPROVE THE JENKS RIVER ENTERTAINMENT DISTRICT ECONOMIC DEVELOPMENT PROJECT PLAN; AND MAKING CERTAIN FINDINGS IN REGARDS THERETO.

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S. 2021, Section 851 *et seq.* (the “Local Development Act”), as amended, the City Council of the City of Jenks, Oklahoma (the “City”) appointed the Tax Increment District Review Committee (the “Review Committee”) to review and make recommendations concerning a proposed tax increment district within the City; and

WHEREAS, the membership of this Review Committee is comprised of the following individuals: a representative of the City, a representative of the Planning Commission of the City, representatives of each taxing jurisdiction within the proposed district whose taxes might be impacted by virtue of the adoption of a project plan, and three representatives of the public at large, all as required pursuant to Section 855(A) of the Local Development Act; and

WHEREAS, the Review Committee has the statutory duty to consider and make its findings and recommendations to the City with respect to the conditions establishing the eligibility of the proposed district and the appropriateness of the approval of the proposed plan and project, as well as to report its findings to the City in regard to the financial impact on the taxing jurisdictions and business activities within the proposed district; and

WHEREAS, Article 10, Section 6C of the Oklahoma Constitution and its enabling legislation known as the Local Development Act provide that the City may use local taxes and local fees, in whole or in part, for specific public investments, assistance in development financing, or as a specific revenue source for other public entities in the area for which the improvements take place and may direct the apportionment of the taxes and fees for historic preservation, reinvestment, or enterprise areas that are exhibiting economic stagnation or decline; and

WHEREAS, the Review Committee has been presented with the “Jenks River Entertainment District Economic Development Project Plan” (the “Project Plan”), providing for the creation of up to three (3) related Increment Districts, City of Jenks, Oklahoma (collectively, the “Increment Districts”), wherein certain projects are contemplated to be financed from a combination of public and private sources, including apportionment of ad valorem taxes, sales and use taxes, and hotel taxes, along with qualifying Leverage Act revenues, all derived from the proposed Increment Districts, to be established in connection with the project; and

WHEREAS, the Project Plan contemplates the funding of essential public improvements and economic incentives; and

WHEREAS, it is more likely than not that the private investment referenced in the Project Plan would not occur within the proposed Increment Districts without the public improvements and economic incentives specified in such plan.

NOW, THEREFORE, BE IT RESOLVED BY THE REVIEW COMMITTEE THAT THE FOLLOWING RECOMMENDATIONS AND FINDINGS BE MADE TO THE CITY COUNCIL OF THE CITY OF JENKS, OKLAHOMA, IN REGARD TO THE PROPOSED INCREMENT DISTRICTS AND THE PROJECT PLAN:

SECTION 1. ELIGIBILITY AND CREATION OF INCREMENT DISTRICTS. The Review Committee hereby finds that the boundaries of the proposed Increment Districts, as set forth in Exhibit "D" of the Project Plan, are within a reinvestment area (as defined in Section 853(17) of the Local Development Act), and therefore, meets the requirements of Section 856(B)(4)(a)(1) of the Local Development Act. Additionally, the area comprising Increment District "A" (Retail Outlet Project) and Increment District "B" (Oklahoma Aquarium Town Center Project) are each contained within a designated enterprise zone (Tract 40,143,006,703.00) and therefore constitute an enterprise area (as defined in Section 853(5) of the Local Development Act).

SECTION 2. APPROVAL AND RECOMMENDATIONS IN REGARD TO THE PROJECT PLAN.

(A) The Review Committee has considered the Project Plan, and hereby finds that the provisions of the Project Plan do meet the following legislative guidelines set forth in Section 852 of the Local Development Act:

(1) Investment, development, and economic growth are difficult within the boundaries of the proposed Increment Districts, but possible if the tax increment financing provisions of the Local Development Act are available;

(2) That the proposed Increment Districts do not encompass an area where investment, development and economic growth would occur without the assistance of public funds;

(3) That the undertaking of the projects described in the Project Plan will not supplant or replace normal public functions and services;

(4) That the purpose set forth in the Project Plan for the proposed Increment Districts works in conjunction with the City's locally implemented economic development plans;

(5) That the proposed Increment Districts do not have boundaries that dissect a similar area and does not create an unfair competitive advantage;

(6) That the project contemplates the need for residential and neighborhood treatments, and capital improvements to neighborhood public schools, as well as commercial/industrial development;

(7) That where possible, partial credits or credits that do not utilize the full time frame allowed have been incorporated into the Project Plan;

(8) That the maximum effort has been made to allow full public knowledge and participation in the use of the Local Development Act in connection with the preparation and adoption of the Project Plan;

(9) That the Project Plan contemplates the conservation, preservation and rehabilitation of existing improvements within the proposed Increment Districts; that demolition, clearance and relocation is minimized except for structures necessary for the undertaking of the projects referenced in the Project Plan; and

(10) That the Project Plan, upon adoption by the City, develops and applies clear standards, criteria and threshold limits that are applicable to all similar property and areas that the Project Plan contains protection against nearby relocations to utilize incentives.

(B) The Review Committee further finds that contemplated private and public projects described in the Project Plan will likely enhance the value of other real property located within the proposed Increment Districts and the Project Area and will promote the general public interest.

(C) The Review Committee further finds that the aggregate net assessed value of all taxable property in all increment districts, as determined pursuant to Section 856(B)(4)(d) of the Local Development Act, within the City does not exceed 35% of the total net assessed value of taxable property within the City.

(D) The Review Committee further finds that the aggregate net assessed value of the taxable property in all increment districts, as determined pursuant to Section 856(B)(4)(f) of the Local Development Act, within the City does not exceed 25% of the total assessed net value of any affected school districts located within the City.

(E) The Review Committee further finds that the land area of all increment districts within the City does not exceed 25% of the total land area of the City.

(F) Based on the foregoing, the Review Committee finds that the Project Plan and the projects therein are appropriate under the provisions of the Local Development Act, and the approval of the Project Plan by the City is hereby recommended.

SECTION 3. REPORT OF FINANCIAL IMPACT.

(A) The Review Committee finds that the current ad valorem tax revenues collected within the proposed Increment Districts will continue to be apportioned to the taxing entities. The Committee also finds that dedicating incremental ad valorem tax, sales and use tax, and hotel tax revenues, along with qualifying Leverage Act revenues (the "TIF Revenues" as described in the Project Plan) to the Increment District apportionment fund beginning on a date determined by the City Council of the City with respect to each Increment District, in accordance with Section 856(B)(2) of the Local Development Act (each a "Commencement Date") until such time as all project costs are paid or twenty-five (25) full fiscal years following the respective Commencement Date (each referred to as an "Expiration Date"), whichever is less, is desirable to serve as a catalyst for retaining or expanding employment, to attract major investment in the area, and to enhance the tax base. These investments will benefit the proposed Increment District and thereby eventually result in substantial increased ad valorem tax revenues, sales and use tax revenues, and hotel tax

revenues to the taxing jurisdictions through implementation of the Project Plan. Furthermore, the Project Plan provides that excess ad valorem, sales and use, and hotel tax revenues collected within the proposed Increment District that are not required for project costs and/or debt service on the TIF Bonds (as defined in the Project Plan) shall be returned to the respective taxing jurisdiction. As used herein, the phrase “payment of project costs” is deemed to include any interest component of any reimbursement offered pursuant to a development agreement.

(B) The Project as represented to the Review Committee contemplates the creation of three separate tax increment districts that bring a transformative commercial development to the Jenks River Entertainment District area. There are three primary development components of the Project. The first component of the Project is a large commercial retail outlet development by Tulsa Premium Outlets, LLC (“TPO”). TPO proposes to construct a retail outlet center on the south side of the Creek Turnpike, to be known as Tulsa Premium Outlets encompassing a total of approximately 340,000 square feet of gross building area, with an initial capital investment of approximately \$100 million (referred to herein as “Retail Outlet Project”). The second component of the Project is the development of property adjacent to the Oklahoma Aquarium to attract concept retail and dining establishments that complement and enhance the tourism destination that is the Oklahoma Aquarium (referred to herein as the “Oklahoma Aquarium Town Center Project”). The third component of the Project is to attract a destination sports experience in the vicinity of Elm and 106th Street (south of the Creek Turnpike) that would include baseball and softball facilities and training opportunities, along with onsite hotel, dining, retail, and entertainment offerings (referred to herein as the “Sports Experience Project”). The proposed Project Costs (as described in the Project Plan) total approximately \$299,250,000, including necessary public infrastructure and economic incentives to fully develop the area within each Increment District. The City expects to phase the expenditure of Project Costs in coordination with specific development projects, and intends to apply other available funds as appropriate to offset the costs of the Increment Districts. Based on the preliminary development projections assuming full buildout of the Retail Outlet Project, the Oklahoma Aquarium Town Center Project, and the Sports Experience Project, it is anticipated that approximately \$124.95 million in ad valorem tax TIF Revenues will be generated during the term of the Increment District, with approximately \$93.71 million available for the payment of Project Costs, and the balance of approximately \$31.24 million apportioned to Jenks Schools. It is anticipated that approximately \$258.22 million in sales and use tax TIF Revenues will be generated during the term of the Increment District, with approximately \$145.48 million available for the payment of Project Costs, and the balance of approximately \$112.74 million apportioned to the City. It is anticipated that approximately \$6.54 million in hotel tax TIF Revenues will be generated during the term of the Increment District, with approximately \$6.54 million available for the payment of Project Costs. Additional TIF Revenues in an amount up to approximately \$145.48 million may be realized through state matching incentive payments made pursuant to the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act, 62 O.S. §840, *et seq.* With respect to the sales tax TIF Revenues, the Project Plan contemplates the capture of the equivalent revenues of a two percent (2%) sales tax during the term of the Increment District (out of the currently levied 3.55% City sales tax). With respect to the hotel tax TIF Revenues, the Project Plan contemplates the capture of all of the revenues derived from a five percent (5%) hotel tax during the term of the Increment District. With respect to the ad valorem tax TIF Revenues, the Project Plan contemplates the capture of 100% of such revenues during the term of the Increment District, but 25% of such revenues will be apportioned to the School District for the purpose of providing a specific revenue source for capital expenditures (and any related

financing costs) for the benefit of the School District, in accordance with Sections 853(9), 853(14)(i) and 854(4) of the Local Development Act.

(C) The Review Committee hereby finds that the likely financial impact on each of the taxing jurisdictions within the proposed Increment District to be as follows:

(1) CITY OF JENKS. The City currently levies sales and use taxes equal to three and fifty-five hundredths percent (3.55%) pursuant to Chapter 7, Article 1, Section 7-1-1 *et seq.*, of the Jenks Code of Ordinances (referred to within this subsection as the "Sales Tax Revenue"). The stated purposes of the Sales Tax Revenue under the Jenks Code of Ordinances are: (i) two (2.0%) is designated for general municipal functions of the City; (ii) one percent (1.0%) of is designated for capital improvement projects; and (iii) fifty five hundredths of one percent (0.55%) is designated for funding of the proposed Jenks/Tulsa Arkansas River low water dam project, for the purposes of constructing, reconstructing, improving, remodeling, repairing, operating and maintaining the proposed low water dam and related facilities; with additional funds to be used for capital projects including constructing roads and road maintenance; park improvements and construction; construction of sidewalks and trails; and upgrades to storm water and sewer infrastructure; engineering; acquiring necessary lands and right of way. Additionally, the City currently levies hotel taxes equal to five percent (5.0%) pursuant to Chapter 7, Article 15, Section 7-15-1 *et seq.*, of the Jenks Code of Ordinances (referred to within this subsection as the "Hotel Tax Revenue"). The stated purposes of the Hotel Tax Revenue under the Jenks Code of Ordinances are: (x) 12.5 percent of the Hotel Tax Revenue shall be available to pay expenses-incurred by the City of Jenks in the enforcement of this chapter, to include expenses incurred in monitoring the collection, expenditure and auditing of the accommodations tax; and (y) 87.5 percent of taxes levied and collected pursuant to this chapter shall be deposited in to the Economic Development Fund of the City and used and expended for Economic Development purposes subject to budget review and approval by the City Council to carry out its duties and obligations for the same. Furthermore, the City may levy ad valorem taxes (at varying rates from year to year) to pay principal and interest on the City's outstanding General Obligation indebtedness (if any) and/or judgment rolls (referred to within this subsection as the "Sinking Fund Revenue")

Sales Tax Revenue. There is currently no Sales Tax Revenue generated within the proposed Increment Districts. The City reasonably expects that the Project may result in increased competition for retail sales with establishments within Jenks but outside the Increment Districts boundaries, therefore the Project Plan proposes that an amount equivalent to a two percent (2.0%) sales and use tax, representing approximately 56.34% of the incremental sales and use tax revenue based on a total of 3.55% sales and use tax levied by the City, will be captured by the Increment Districts, and further, that the increment of Sales Tax Revenues shall be reduced by the amount of sales tax revenues generated by any existing businesses (currently located within the City, but outside the boundaries of the Increment Districts) that cease operations at their existing location and relocate to within the Increment Districts, but provided further, said reduction shall not be applied to any existing businesses that open an additional location within the Increment Districts for so

long as all other existing location(s) remain open for business. With regard to future incremental Sales Tax Revenue, the maximum annual and total incremental revenues which are expected to be generated within the proposed Increment Districts from the City's 3.55% sales and use tax levy and apportioned under the Project Plan for project costs and/or debt service on the TIF Bonds are estimated as set forth on Exhibit "A" hereto. Because substantially all of the incremental Sales Tax Revenue which would be generated from new private investment would not have occurred without the construction of the projects listed in the Project Plan, and because the City has proposed mitigating measures to guard against the cannibalization of existing sales tax collections, no adverse financial impact to the City's Sales Tax Revenue is expected.

Hotel Tax Revenue. There is currently no Hotel Tax Revenue generated within the proposed Increment Districts. The Project Plan proposes that one-hundred percent (100%) of the increment of Hotel Tax Revenues will be captured by the Increment Districts. With regard to future incremental Hotel Tax Revenue, the maximum annual and total incremental revenues which are expected to be generated within the proposed Increment Districts from the City's 5% hotel tax levy and apportioned under the Project Plan for project costs and/or debt service on the TIF Bonds are estimated as set forth on Exhibit "A" hereto. Because substantially all of the incremental Hotel Tax Revenue which would be generated from new private investment would not have occurred without the construction of the projects listed in the Project Plan, no adverse financial impact to the City's Hotel Tax Revenue is expected.

Sinking Fund Revenue. The establishment of the proposed Increment Districts does not alter the City's legal obligation under its General Obligation Bonds and/or judgment rolls, and will likely not affect the City's ability to raise sufficient Sinking Fund Revenue to repay such obligations. Thus, no adverse financial impact to the City's Sinking Fund Revenue is expected.

(2) TULSA COUNTY. Tulsa County, Oklahoma (the "County") currently levies: (a) ad valorem taxes equal to 10.30 mills to support the general governmental activities of the County (referred to within this subsection as the "General Fund Revenue"), and (b) ad valorem taxes (at varying rates from year to year) to pay principal and interest on the County's outstanding General Obligation indebtedness, if any (referred to within this subsection as the "Sinking Fund Revenue").

General Fund Revenue. As all of the existing General Fund Revenue that is currently generated within the proposed Increment Districts will continue to accrue to the County, no diminishment of the County's General Fund Revenue will likely result from the establishment of the proposed Increment Districts. With regard to future incremental General Fund Revenue, the maximum annual and total incremental revenues which are expected to be generated within the proposed Increment Districts from the County's 10.30 mill levy and apportioned under the Project Plan for project costs and/or debt service on the TIF Bonds are estimated as set forth on Exhibit "B" hereto. However, because substantially all of the

incremental General Fund Revenue which would be generated from new private investment would not have occurred without the construction of the projects listed in the Project Plan, no adverse financial impact to the County's General Fund Revenue is expected.

Sinking Fund Revenue. The establishment of the proposed Increment Districts does not alter the County's legal obligation under its General Obligation Bonds, and will likely not affect the County's ability to raise sufficient Sinking Fund Revenue to repay such debt. Thus, no adverse financial impact to the County's Sinking Fund Revenue is expected.

Other Considerations. The County levies sales and use tax equal to 0.367%. There is currently no Sales Tax Revenue generated within the proposed Increment Districts, other than the sales tax generated from taxable sales at the Oklahoma Aquarium. The proposed development will result in a significant source of revenue for the duration of the Increment Districts that will also be available to offset any adverse financial impacts to the County.

(3) TULSA TECHNOLOGY CENTER. Tulsa Technology Center District No. 18 ("Technology Center") currently levies: (a) ad valorem taxes equal to 8.24 mills to support the educational activities of the Technology Center (referred to within this subsection as the "General Fund Revenue"), (b) ad valorem taxes equal to 5.09 mills to finance a portion of the capital needs of the Technology Center (referred to within this subsection as the "Building Fund Revenue"), and (c) ad valorem taxes (at varying rates from year to year) to pay principal and interest on the Technology Center's outstanding General Obligation indebtedness, if any (referred to within this subsection as the "Sinking Fund Revenue").

General Fund Revenue. As all of the existing General Fund Revenue that is currently being generated within the proposed Increment Districts will continue to accrue to Technology Center, no diminishment of Technology Center's General Fund Revenue will likely result from the establishment of the proposed Increment Districts. With regard to future incremental General Fund Revenue, the maximum annual and total incremental revenues which are expected to be generated within the proposed Increment Districts from the Technology Center's 8.24 mill levy and apportioned under the Project Plan for project costs and/or debt service on the TIF Bonds are estimated as set forth on Exhibit "B" hereto. However, because substantially all of the incremental General Fund Revenue which would be generated from new private investment would not have occurred without the construction of the projects listed in the Project Plan, no adverse financial impact to the Technology Center's General Fund Revenue is expected.

Building Fund Revenue: As all of the existing Building Fund Revenue that is currently generated within the proposed Increment Districts will continue to accrue to Technology Center, no diminishment of Technology Center's Building Fund Revenue will likely result from the establishment of the proposed Increment Districts. With regard to future incremental Building Fund Revenue, the maximum

annual and total incremental revenues which are expected to be generated within the proposed Increment Districts from the Technology Center's 5.09 mill levy and apportioned under the Project Plan for project costs and/or debt service on the TIF Bonds are estimated as set forth on Exhibit "B" hereto. However, because substantially all of the incremental Building Fund Revenue which would be generated from new private investment would not have occurred without the construction of the projects listed in the Project Plan, no adverse financial impact to the Technology Center's Building Fund Revenue is expected.

Sinking Fund Revenue. The establishment of the proposed Increment Districts does not alter the Technology Center's legal obligation under its General Obligation Bonds, and will likely not affect the Technology Center's ability to raise sufficient Sinking Fund Revenue to repay such debt. Thus, no adverse financial impact to the Technology Center's Sinking Fund Revenue is expected.

(4) TULSA CITY-COUNTY HEALTH DEPARTMENT. The Tulsa City-County Health Department (the "Health Department") currently levies ad valorem taxes equal to 2.58 mills to support the operational activities of the Health Department (referred to within this subsection as the "General Fund Revenue").

General Fund Revenue. As all of the existing General Fund Revenue that is currently being generated within the proposed Increment Districts will continue to accrue to the Health Department, no diminishment of the Health Department's General Fund Revenue will likely result from the establishment of the proposed Increment Districts. With regard to future incremental General Fund Revenue, the maximum annual and total incremental revenues which may be generated within the proposed Increment Districts from the Health Department's 2.58 mill levy and apportioned under the Project Plan for project costs and/or debt service on the TIF Bonds are estimated as set forth on Exhibit "B" hereto. However, because substantially all of the incremental General Fund Revenue which would be generated from new private investment would not have occurred without the construction of the projects listed in the Project Plan, no adverse financial impact to the Health Department's General Fund Revenue is expected.

(5) TULSA CITY-COUNTY LIBRARY. The Tulsa City-County Library (the "Library") currently levies ad valorem taxes equal to 5.32 mills to support the operational activities of the Library (referred to within this subsection as the "General Fund Revenue").

General Fund Revenue. As all of the existing General Fund Revenue that is currently being generated within the proposed Increment Districts will continue to accrue to the Library, no diminishment of the Library's General Fund Revenue will likely result from the establishment of the proposed Increment Districts. With regard to future incremental General Fund Revenue, the maximum annual and total incremental revenues which may be generated within the proposed Increment Districts from the Library's 5.32 mill levy and apportioned under the Project Plan for project costs and/or debt service on the TIF Bonds are estimated as set forth on Exhibit "B" hereto. However, because substantially all of the incremental General

Fund Revenue which would be generated from new private investment would not have occurred without the construction of the projects listed in the Project Plan, no adverse financial impact to the Library's General Fund Revenue is expected.

(6) TULSA COMMUNITY COLLEGE. The Tulsa Community College (the "College") currently levies ad valorem taxes equal to 7.21 mills to support the operational activities of the College (referred to within this subsection as the "General Fund Revenue").

General Fund Revenue. As all of the existing General Fund Revenue that is currently being generated within the proposed Increment Districts will continue to accrue to the College, no diminishment of the College's General Fund Revenue will likely result from the establishment of the proposed Increment Districts. With regard to future incremental General Fund Revenue, the maximum annual and total incremental revenues which may be generated within the proposed Increment Districts from the College's 7.21 mill levy and apportioned under the Project Plan for project costs and/or debt service on the TIF Bonds are estimated as set forth on Exhibit "B" hereto. However, because substantially all of the incremental General Fund Revenue which would be generated from new private investment would not have occurred without the construction of the projects listed in the Project Plan, no adverse financial impact to the College's General Fund Revenue is expected.

(7) JENKS PUBLIC SCHOOLS. The Jenks Independent School District #5 of Tulsa County, Oklahoma (the "School District") currently levies: (a) ad valorem taxes (at varying rates from year to year) to pay principal and interest on the School District's outstanding General Obligation indebtedness, if any (referred to within this subsection as the "Sinking Fund Revenue"); (b) ad valorem taxes equal to 36.15 mills to support the operational activities of the School District (referred to within this subsection as the "General Fund Revenue"); and (c) ad valorem taxes equal to 5.08 mills to finance a portion of the capital needs of the school district (referred to within this subsection as the "Building Fund Revenue"). Also, additional ad valorem taxes equal to 4.13 mills are levied county-wide to support the operational activities of all public schools within Tulsa County, and distributed on the basis of the legal average daily attendance for the preceding school year as certified by the State Board of Education (referred to within this subsection as the "County Levy Revenue").

Sinking Fund Revenue. The establishment of the proposed Increment Districts does not alter the School District's legal obligation under its General Obligation Bonds, and will likely not affect the School District's ability to raise sufficient Sinking Fund Revenue to repay such debt. Thus, no adverse financial impact to the School District's Sinking Fund Revenue is expected.

Building Fund Revenue. As all of the existing Building Fund Revenue that is currently being generated within the proposed Increment Districts will continue to accrue to the School District, no diminishment of the School District's Building Fund Revenue will likely result from the establishment of the proposed Increment Districts. With regard to future incremental Building Fund Revenue, the maximum annual and total incremental revenues which may be generated within the proposed

Increment Districts from the School District's 5.08 mill levy and apportioned under the Project Plan for (a) payment of project costs and/or debt service on the TIF Bonds or (b) allocated to the School District, are estimated as set forth on Exhibit "A" hereto. However, because substantially all of the incremental Building Fund Revenue which would be generated from new private investment would not have occurred without the construction of the projects listed in the Project Plan, no adverse financial impact to the School District's Building Fund Revenue is expected.

General Fund Revenue and County Levy Revenue. As all of the existing General Fund Revenue and County Levy Revenue that are currently being generated within the proposed Increment Districts (and allocated to the School District) will continue to accrue to the School District, no significant diminishment of the School District's General Fund Revenue or County Levy Revenue will likely occur. With regard to future incremental General Fund Revenue, these revenues are predominantly impacted by changes in funding from the State of Oklahoma's "State Aid Fund", as provided in Title 70, Sections 118-101 *et seq.* of the Oklahoma Statutes (such revenues being referred to herein as the "State Aid Revenue"). Under these provisions, increases in the net assessed valuation of a school district are offset by reductions in the amount of State Aid Revenue contributed by the State of Oklahoma. Therefore, the inclusion or omission of the net assessed valuation of the new private investment generated within the Increment Districts would not substantially increase or decrease the net amount of General Fund Revenue available to the School District. Furthermore, the apportionment of an allocable portion of the TIF Revenue, as described in Other Considerations below, will accrue for purpose of providing a specific revenue source for capital expenditures (and any related financing costs) for the benefit of the School District, and will not be considered an offset against State Aid Revenue. The impacts of State Aid Revenue notwithstanding, the maximum annual and total incremental revenues which may be generated within the proposed Increment Districts from the School District's 36.15 mill levy and apportioned under the Project Plan for project costs and/or debt service on the TIF Bonds are estimated as set forth on Exhibit "A" hereto.

Moreover, under current provisions of Oklahoma law, if new students are attracted to the School District due to the construction of the projects described in the Project Plan, then the School District will likely receive additional State Aid Revenue and County Levy Revenue by virtue of those students. However, cost increases to service these new students are expected to be commensurate with any additional funding. Therefore, the net impact of these factors yields no adverse or beneficial financial impact on the General Fund Revenue or the County Levy Revenue by virtue of the implementation of the Project Plan.

Other Considerations. The apportionment of the School District's portion of the TIF Revenues not required for payment of the Project Costs, represents a significant source of revenue for the duration of the Increment Districts that, pursuant to the Project Plan, will be dedicated for the purpose of providing a specific revenue

source for capital expenditures (and any related financing costs) for the benefit of the School District.

(D) The Review Committee hereby finds that there will be no impact to existing business activities within the proposed Increment Districts. There are no ongoing business activities within any of the proposed Increment Districts, except for the Oklahoma Aquarium. Development of the Oklahoma Aquarium Town Center Project, along with the Retail Outlet Project and the Sports Experience Project, is expected to create a destination experience that will generate new commercial traffic benefitting the Oklahoma Aquarium and surrounding businesses outside the proposed Increment Districts.

[Remainder of Page Left Blank Intentionally]

ADOPTED THIS 27TH DAY OF JANUARY, 2023.

(SEAL)
ATTEST:



By:

B. Macy
City Clerk

By:

[Signature]
Chairman

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

I, the undersigned, City Clerk of the City of Jenks, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the Tax Increment District Review Committee of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the "Open Meeting Law" was complied with for such meeting.

GIVEN UNDER MY HAND THIS 27TH DAY OF JANUARY, 2023.

(SEAL)



B. Macy

City Clerk

EXHIBIT A
Estimated Potential Impact on Certain Sales Tax Collections

Taxing Purpose	Tax Rate ⁽¹⁾	TIF Revenues Captured ⁽²⁾			Allocation to County ⁽³⁾	Allocation to State ⁽⁵⁾	Total Sales Tax Revenue
		Allocation to City ⁽³⁾	Allocation to Project Costs ⁽⁴⁾				
City of Jenks Sales Tax	3.550%	112,745,871.17	145,478,543.45		0.00	0.00	258,224,414.62
Tulsa County Sales Tax	0.367%	0.00	0.00		26,695,312.72	0.00	26,695,312.72
State of Oklahoma Sales Tax	4.500%	0.00	0.00		0.00	327,326,722.76	327,326,722.76
TOTALS:	8.417%	112,745,871.17	145,478,543.45		26,695,312.72	327,326,722.76	612,246,450.11

- (1) Assumes continued levy through expiration of Increment District (June 30, 2049)
(2) Based on estimated \$7.273 billion in total taxable sales
(3) 43.66% allocation of Sales Tax Increment Revenues allocated to City (1.55% of a total of 3.55% sales tax), 100% of County sales tax allocated to County
(4) 56.34% allocation of Sales Tax Increment Revenues; excess revenues not needed for Project Costs and related financing costs will be returned to the City
(5) Some portion of the State's allocation may qualify as TIF Revenues based on the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act

Estimated Potential Impact on Certain Hotel Tax Collections

Taxing Purpose	Tax Rate ⁽¹⁾	TIF Revenues Captured ⁽²⁾			Allocation to County ⁽³⁾	Total Sales Tax Revenue
		Allocation to City ⁽³⁾	Allocation to Project Costs ⁽⁴⁾			
City of Jenks Hotel Tax	5.000%	0.00	6,543,720.00		0.00	6,543,720.00
Tulsa County Hotel Tax	0.000%	0.00	0.00		0.00	0.00
TOTALS:	5.000%	0.00	6,543,720.00		0.00	6,543,720.00

- (1) Assumes continued levy through expiration of Increment District (June 30, 2049)
(2) Based on estimated \$130.87 million in total taxable sales
(3) 0% allocation of Hotel Tax Increment Revenues allocated to City
(4) 100% allocation of Hotel Tax Increment Revenues allocated to Project Costs; excess revenues not needed for Project Costs and related financing costs will be returned to the City

EXHIBIT "B"
Estimated Potential Impact on Certain Ad Valorem Collections

Ad Valorem Taxing Entity	Mill Levy ⁽¹⁾	TIF Revenues Captured ⁽²⁾	
		Maximum Year	25 Year Total
Tulsa County - General Fund	10.300	529,350.45	10,011,684.62
Tulsa County - Sinking Fund	0.960	49,337.52	933,127.89
Tulsa County - 4 Mill School Levy	4.000	205,572.99	3,888,032.86
Tulsa County Health Dept. - General Fund	2.580	132,594.58	2,507,781.20
Jenks ISD #5 - General Fund	36.400	1,870,714.20	35,381,099.04
Jenks ISD #5 - Building Fund	5.200	267,244.89	5,054,442.72
Jenks ISD #5 - Sinking Fund	32.300	1,660,001.88	31,395,865.35
Tulsa Technology Center #18 - General Fund	8.240	423,480.36	8,009,347.69
Tulsa Technology Center #18 - Building Fund	5.090	261,591.63	4,947,521.82
Tulsa Technology Center #18 - Sinking Fund	0.000	0.00	0.00
Tulsa City-County Library System - General Fund	5.320	273,412.07	5,171,083.71
Tulsa City-County Library System - Sinking Fund	0.000	0.00	0.00
Tulsa Community College - General Fund	7.210	370,545.31	7,008,179.23
Tulsa Community College - Sinking Fund	0.000	0.00	0.00
City of Jenks - Sinking Fund	10.950	562,756.06	10,643,489.96
TOTALS:	128.550	6,606,601.92	124,951,656.08

Allocation to TIF Projects	75%	4,954,951.44	93,713,742.06
Allocation to Jenks ISD #5	25%	1,651,650.48	31,237,914.02
TOTAL ALLOCATION	100%	6,606,601.92	124,951,656.08

(1) Based on 2022 millage rate (128.55 mills total)

(2) 75% of Ad Valorem Tax Increment Revenues allocated to Project Costs; 25% allocated to Taxing Entities; excess revenues not needed for Project Costs and related financing costs will be returned to the respective taxing jurisdiction

**JENKS RIVER ENTERTAINMENT DISTRICT
ECONOMIC DEVELOPMENT PROJECT PLAN**

Prepared by:

CITY OF JENKS, OKLAHOMA

**MAYOR AND CITY COUNCIL
CORY BOX, MAYOR, WARD 6
DONNA OGEZ, VICE MAYOR, WARD 5
KAYE LYNN, WARD 1
GARY ISBELL, WARD 2
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JENKS RIVER ENTERTAINMENT DISTRICT ECONOMIC DEVELOPMENT PROJECT PLAN

I. DESCRIPTION OF PROJECT

This Jenks River Entertainment District Economic Development Project Plan (the “**Project Plan**”) describes an economic development project of the City of Jenks, Oklahoma (the “**City**”), that brings a transformative commercial development to the Jenks River Entertainment District area. The Project Plan is created pursuant to the Local Development Act, 62 O.S. §850, *et seq* (the “**Local Development Act**”), as authorized pursuant to Article 10, §6C of the Oklahoma Constitution. The purpose of the Increment Districts (as described herein) is to encourage economic development in the City by facilitating the payment of the costs of essential infrastructure improvements and remedial costs necessary to make certain property viable for development (collectively and as more thoroughly discussed herein, referred to as the “**Project**”).

There are three primary development components of the Project. The first component of the Project is a large commercial retail outlet development by Tulsa Premium Outlets, LLC (“**TPO**”). TPO proposes to construct a retail outlet center on the south side of the Creek Turnpike, to be known as Tulsa Premium Outlets encompassing a total of approximately 340,000 square feet of gross building area, with an initial capital investment of approximately \$100 million (referred to herein as “**Retail Outlet Project**”). The second component of the Project is the development of property adjacent to the Oklahoma Aquarium to attract concept retail and dining establishments that complement and enhance the tourism destination that is the Oklahoma Aquarium (referred to herein as the “**Oklahoma Aquarium Town Center Project**”). The third component of the Project is to attract a destination sports experience in the vicinity of Elm and 106th Street (south of the Creek Turnpike) that would include baseball and softball facilities and training opportunities, along with onsite hotel, dining, retail, and entertainment offerings (referred to herein as the “**Sports Experience Project**”).

The City has for a number of years attempted to develop these areas without success. The development areas require significant public infrastructure improvements to support the scale of the proposed development. The City has previously included portions of the development area in its tax increment districts, however, the infrastructure needs far outpace the capacity of the existing tax increment districts to support the proposed development, and as such, the creation of one or more new tax increment districts comprising the proposed development areas is critical to the successful implementation of the proposed Projects.

The City has identified an aggregate total of \$299,250,000 in costs associated with the infrastructure improvements, economic incentives, and organizational costs of establishing the Increment Districts (as defined herein) (collectively referred to herein as the “**TIF Projects**”). The costs of the infrastructure improvements to serve the entirety of the Project Area, inclusive of the Increment Districts (each as defined herein) are estimated to be \$239,100,000 (collectively, the “**Infrastructure Costs**”). Certain economic incentives are proposed in the estimated amount of \$60,000,000 in support of the Project (the “**Incentive Costs**”). The associated costs of the TIF

Projects comprising the Infrastructure Costs and the Incentive Costs (and including the Organizational Costs incurred by the City in connection with the establishment of the Increment Districts) are referred to herein as the “**Project Costs**”. Many of the Infrastructure Costs will support development within more than one of the Increment Districts, and as such, any of the Infrastructure Costs shall be deemed to be authorized Project Costs of any and all of the Increment Districts. The City expects to phase the expenditure of Project Costs in coordination with specific development projects, and intends to apply other available funds as appropriate to offset the costs of the Increment Districts.

Based on the proposed Projects, the aggregate total commercial development within the Increment Districts could result in a potential total taxable capital investment in excess of \$280 million (net taxable value subject to ad valorem taxes). Please see Exhibit “E” for a more detailed description of projected development within the Increment Districts. Please see Exhibit “F” for Preliminary Site Development Plans for the Retail Outlet Project, the Oklahoma Aquarium Town Center Project, and the Sports Experience Project.

II. PROJECT AREA AND INCREMENT DISTRICT BOUNDARIES

The Project Area is the area within which all project activities, including construction of the supporting public improvements, will take place (referred to herein as the “**Project Area**”). A map showing the Project Area is attached as Exhibit “A”. The legal description of the Project Area is set forth in Exhibit “B”. An Increment District is the specific geographic area within which the identified tax increments will be generated and utilized as set forth in this Project Plan (collectively referred to herein as an “**Increment District**” or the “**Increment Districts**”). The Project Plan establishes boundaries for three separate increment districts, each of which may comprise Ad Valorem Increment Revenues, Sales Tax Increment Revenues, and Hotel Tax Increment Revenues, and may also include certain Leverage Act Increment Revenues, each as are defined in Section VII herein. The Increment Districts are each located entirely within the Project Area. Many of the contemplated project activities will occur within the boundaries of the specific Increment District, however certain project activities may occur outside the boundaries of the specific Increment District but within the Project Area. Maps showing the boundaries for the proposed Increment Districts are attached as Exhibit “C”. The legal descriptions of the Increment Districts are set forth in Exhibit “D”. The three separate increment districts are labeled “A” through “C” in these Exhibits, and will be assigned a number (*i.e.*, “Increment District No. 5”, etc.) in the order by which they become effective by action of the Jenks City Council as described in Section VI(B) herein, and as required by Section 856(B)(3) of the Local Development Act (as defined herein). Increment District “A” is associated with the Retail Outlet Project. Increment District “B” is associated with the Oklahoma Aquarium Town Center Project. Increment District “C” is associated with the Sports Experience Project.

III. ELIGIBILITY OF PROJECT

The Increment Districts are undeveloped and/or underdeveloped within the meaning of and the Local Development Act. The Project Area (including the Increment Districts) is located in a reinvestment area (as defined in Section 853(17) of the Local Development Act) and is therefore eligible for assistance under the Local Development Act. Additionally, the area comprising Increment District “A” (Retail Outlet Project) and Increment District “B” (Oklahoma Aquarium Town Center Project) are each contained within a designated enterprise zone (Tract 40,143,006,703.00) and therefore constitute an enterprise area (as defined in Section 853(5) of the Local Development Act).

The Increment Districts comprise areas where investment, development and economic growth have not occurred, and which require significant public infrastructure improvements to serve as a catalyst to expand employment opportunities, to attract major investment in the area, and to enhance the tax base.

IV. OBJECTIVES

The purpose of the Project and the Increment Districts is to support the achievement of the economic development objectives of the City in order to:

- A. Create significant developments within the City that will act as a catalyst for additional development within the community;
- B. Attract major investment in the area;
- C. Serve as a catalyst for retaining and expanding employment in the area;
- D. Promote economic development to increase tax revenues, raise property values, and improve economic stability;
- E. Preserve and enhance the tax base; and
- F. Make possible investment, development and economic growth which would otherwise be difficult or impossible without the TIF Projects and the apportionment of ad valorem taxes, sales and use taxes, and hotel/motel taxes from within the Increment Districts.

V. FINANCIAL IMPACTS

The proposed private development will generate tax increments necessary to pay all or a portion of the authorized costs of the TIF Projects. Without the creation of the proposed Increment Districts, significant development within the Project Area would be unlikely and as a result, any significant increases in ad valorem taxes, sales and use taxes, and hotel/motel taxes would be extremely improbable.

The proposed development project does not create a significant increase in demand for services or costs to the affected taxing entities other than the City, whose public sector costs will be offset by apportioned tax increments as provided in this Project Plan.

The affected ad valorem taxing jurisdictions are Tulsa County, the Tulsa City County Health Department, Independent School District No. 5 of Tulsa County (Jenks Public Schools, and referred to herein as the “**School District**”), Tulsa Technology Center No. 18, Tulsa Community College, and Tulsa City-County Library. The general and intangible impacts on the affected taxing jurisdictions from implementation of this Project Plan are positive and include the achievement of the objectives set forth in Section IV of this Project Plan.

The creation of the Increment Districts will allow the City to apportion the incremental increase in ad valorem tax revenues, sales and use tax revenues, and hotel/motel tax revenues generated through construction and operation of the commercial developments within the Increment Districts for the purpose of paying Project Costs, either through direct payment and/or reimbursement and/or paying debt service on tax apportionment bonds or notes (collectively, the “**TIF Bonds**”), which may be issued in one or more series by a public trust created under Title 60, Oklahoma Statutes 2021, Section 176 *et seq.*, for the benefit of the City and including any interest, capitalized interest and other related financing costs. The proceeds of any such TIF Bonds (if issued) shall be utilized for the Project Costs.

It is anticipated that a successful development will result in significant long-term benefits to the affected ad valorem taxing jurisdictions without causing significant (if any) negative impact on the existing tax base during the term of the Increment Districts. The formation of an Increment District should result in no net loss in existing ad valorem tax revenue to each of the affected ad valorem taxing jurisdictions. The formation of the Increment District will cause the affected ad valorem taxing jurisdictions to forgo any new incremental ad valorem tax revenue generated from real and personal property values during the term of the Increment Districts, but will not affect the existing ad valorem tax base within the Increment Districts. During the term of the Increment Districts, the 25% of TIF Revenues (as defined herein) apportioned to the School District as a specific revenue source are estimated to be approximately \$31.24 million (ranging from \$607,100 to \$1,651,650 per year and based on the proposed development of the Projects), and which will be apportioned directly to the affected taxing jurisdictions. Upon expiration of the Increment Districts, the affected ad valorem taxing jurisdictions could see an aggregate net gain in annual ad valorem tax revenues of approximately \$6,726,100 (based on an aggregate taxable capital investment of approximately \$281.7 million).

Potential impacts on the ad valorem taxing jurisdictions include population growth and the demand for services created thereby. The direct impact on each ad valorem taxing jurisdiction is the loss of a portion of the new ad valorem tax increment revenues during the period of apportionment. An additional impact on the School District is that the valuation of the Increment Districts will not count for, and will therefore limit, the bonding capacity of the School District. However, the School District does realize additional revenue from other sources on a per pupil basis. These impacts may be mitigated by any increase in valuation of property outside the Increment Districts (for example, successful development enhances the property values surrounding the Increment Districts), and by any increase in new housing outside the Increment

Districts (for example, successful development results in net population gain to the City creating demand for new housing).

The proposed Project will create an increase in demand for utility services from the City, however the City has sufficient capacity to handle such demand, and the proposed development within the Increment Districts should generate significant increases in annual water and sewer utility revenues. Any increase in public sector costs should be more than offset by apportioned tax increments as provided in this Project Plan.

The formation of the Increment Districts should also result in no net loss in existing sales and use tax revenue or existing hotel/motel tax revenue to the City, as the affected sales tax jurisdiction. A baseline sales tax collection level within each Increment District will be identified and will continue to accrue to the City. There are currently no hotel/motel taxes collected within the Increment Districts. A potentially negative impact of utilizing incremental sales tax revenues to promote the creation of a significant retail development is the potential for transfer of sales tax dollars from existing retail establishments located outside the Increment Districts to new retail establishments located inside the Increment Districts. To offset this concern, the Increment Districts will only capture the equivalent of a two percent (2.0%) sales and use tax (representing approximately 56.34% of the incremental sales and use tax revenue based on a total of 3.55% sales and use tax levied by the City as of the date of this Project Plan) for the payment of Project Costs, with the other one and fifty-five hundredths percent (1.55%) sales and use tax (representing approximately 43.66% of the incremental sales and use tax revenue based on a total of 3.55% sales and use tax levied by the City as of the date of this Project Plan) accruing to the City for general or dedicated municipal purposes, and further, the incremental sales and use tax revenues will exclude an amount representing the estimated historical sales tax collections for any business located within the City that relocates to a site within the Increment Districts. Assuming completion of the proposed development of the Projects, the City could realize an estimated gross gain in annual sales and use tax revenues in the approximate amount of \$3.89 million, and upon expiration of the Increment Districts, an estimated gross gain in annual sales and use tax revenues of approximately \$13.57 million. Additionally, Tulsa County levies a 0.367% sales and use tax as of the date of this Project Plan. The County sales and use tax collections are not subject to the apportionment of the Increment Districts, however, it is estimated that upon completion of the proposed development of the Projects, the County could realize an estimated gross gain in annual sales and use tax revenues in the approximate amount of \$925,900.

The City will forgo any new incremental hotel/motel taxes collected during the term of the Increment Districts. However, the City could realize new hotel/motel tax levels of approximately \$289,000 per year after expiration of the Increment Districts (based on an assumed level of annual taxable hotel/motel transactions upon full build-out in the approximate amount of \$6.54 million).

These impacts may be mitigated by any decrease in sales and use tax collections outside the Increment Districts (for example, potential decline in overall sales of competing businesses, or relocation of existing businesses from other areas of the City to the Increment Districts) or by increased costs of providing city services to the development (police, fire, etc.) but may be augmented by the increased retention of customer spending within the City (for example, by reducing the leakage of sales to other municipalities by offering a wider and more diversified retail selection within the City).

VI. STATEMENT OF PRINCIPAL ACTIONS

Implementation actions for the project, including all necessary, appropriate and supportive steps, will consist of any of the following:

A. Site preparation, planning and construction of public improvements necessary to support the development project;

B. Acquisition by private developers of any additional property interests necessary for the development project including connecting public easements;

C. Negotiation, preparation, execution, and implementation of development agreements, including agreements for financing, demolition, and construction by private developers, as authorized by the Local Development Act. Such agreements may include the granting of incentives for private developers to complete certain improvements within the Project Area;

D. Issuance of tax apportionment bonds or other debt issuance necessary to provide funds for Project Costs;

E. All other actions necessary and appropriate to carry out the development project as authorized by the Local Development Act.

VII. ESTABLISHMENT OF ADDITIONAL CITY OF JENKS INCREMENT DISTRICTS

This Project Plan, upon adoption by Ordinance of the City of Jenks, Oklahoma, creates three (3) Increment Districts. Each Increment District shall commence as of the date determined by the City Council of the City in accordance with Section 856(B)(2) of the Local Development Act (each a “**Commencement Date**”); provided however, each Commencement Date shall not be later than ten (10) years following adoption of this Project Plan. Each Increment District shall be comprised of the area shown and described in Exhibits “C” and “D”. In accordance with the provisions of the Local Development Act, the following incremental revenues shall be apportioned and used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan. The apportionment of the Ad Valorem Increment Revenues, the Sales Tax Increment Revenues, the Hotel Tax Increment Revenues, and the Leverage Act Increment Revenues (each as defined herein, and collectively referred to as the “**TIF Revenues**”) shall continue for that period required for the payment of the Project Costs, or a period not to exceed twenty-five (25) full fiscal years following the respective Commencement Date (each referred to as the “**Expiration Date**”), whichever is less:

A. One hundred percent (100.0%) of the total equalized assessed value of real and personal property within the boundaries of the Increment District. The base assessed value (as described in Section 862 of the Local Development Act) of the Increment District shall be

calculated as an amount equal to one hundred percent (100.0%) of the initial equalized assessed value of real and personal property within the boundaries of the Increment District. In accordance with the provisions of the Local Development Act, one hundred percent (100%) of the increments of real and personal property ad valorem taxes generated within the Increment District, in excess of the real and personal property ad valorem taxes generated from the base assessed value of the Increment District, as such increments are determined and defined pursuant to the Local Development Act (collectively, the “**Ad Valorem Increment Revenues**”, and said amount representing one hundred percent (100.0%) of the total new ad valorem tax revenues generated within the boundaries of the Increment District, as determined annually by the Tulsa County Assessor), shall be apportioned as follows: (i) seventy-five percent (75%) of the Ad Valorem Increment Revenues shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan; and (ii) twenty-five percent (25%) of the Ad Valorem Increment Revenues shall be apportioned to the School District for the purpose of providing a specific revenue source for capital expenditures (and any related financing costs) for the benefit of the School District, in accordance with Sections 853(9), 853(14)(i) and 854(4) of the Local Development Act; and

B. An amount equivalent to a two percent (2.0%) sales and use tax, representing approximately 56.34% of the incremental sales and use tax revenue based on a total of 3.55% sales and use tax levied by the City as of the date of this Project Plan pursuant to Chapter 7, Article I, Section 7-1-1 *et seq.*, of the Jenks Code of Ordinances (the “**Code of Ordinances**”), as such Code of Ordinances may be amended, replaced, extended, superseded, terminated, or otherwise modified from time to time (collectively, the “**Sales Tax Increment Revenues**”); provided that all such Sales Tax Increment Revenues shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan; provided, however, the Sales Tax Increment Revenues shall be reduced by the amount of sales tax revenues generated by any existing businesses (currently located within the City, but outside the boundaries of the Increment District) that cease operations at their existing location and relocate to within the Increment District, but provided further, said reduction shall not be applied to any existing businesses that open an additional location within the Increment District for so long as all other existing location(s) remain open for business. Said amount of reduction (collectively, the “**Transfer Adjustment**”) shall be calculated based on the sales tax collections during the twelve month period prior to closing the previous location. The remaining unapportioned one and fifty-five hundredths percent (1.55%) sales and use tax (representing approximately 43.66% of the incremental sales and use tax revenue based on a total of 3.55% sales and use tax levied by the City as of the date of this Project Plan) shall be retained by the City and utilized for any lawful purpose consistent with the aforementioned Code of Ordinances; and

C. One hundred percent (100%) of the incremental hotel/motel tax revenues derived from the Increment District, representing all of the total five percent (5.0%) hotel/motel tax levied by the City pursuant to Chapter 7, Article 15, Section 7-15-1 *et seq.*, of the Jenks Code of Ordinances (the “**Code of Ordinances**”), as such Code of Ordinances may be amended, replaced, extended, superseded, terminated, or otherwise modified from time to time (collectively, the “**Hotel Tax Increment Revenues**”); provided that all of the generated increment shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan; and

D. One hundred percent (100%) of the incentive matching payments made by the State of Oklahoma pursuant to the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act, 62 O.S. §840, *et seq.* (the “**Leverage Act**”), based on sales and use tax and hotel/motel tax increments dedicated to the Increment District, as such amounts are hereinafter determined and defined (collectively, and as more specifically defined in Section X herein, the “**Leverage Act Increment Revenues**”); provided that all of the generated increment shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan.

VIII. PROJECT AND INCREMENT DISTRICT AUTHORIZATIONS

A. Upon adoption of an Ordinance of the City Council of the City approving this Project Plan, the City is hereby designated and authorized as the public entity to carry out and administer the provisions of this Project Plan and to exercise all powers necessary or appropriate thereto, including, without limitation, those powers described in Section 854 of the Local Development Act.

B. The City may create a new public trust with the City named as its beneficiary, and/or designate an existing public trust with the City named as its beneficiary (said public trust referred to herein as the “**Authority**”), and said Authority shall be the public entity designated by the City to assist in carrying out and administering the provisions of this Project Plan and authorized to exercise all powers necessary or appropriate thereto pursuant to Title 62, Section 854 of the Local Development Act, except for approval of this Project Plan and those powers enumerated in paragraphs 1, 2, 3, 4, 7, 13, and 16 of that section, which powers shall be reserved to the City.

C. The person in charge of implementation of this Project Plan in accordance with the provisions, authorizations and respective delegations of responsibilities contained herein is Mr. Christopher Shrout, City Manager. Mr. Shrout, or his successor as City Manager, is authorized to empower one or more designees to exercise responsibilities in connection with project implementation.

IX. BUDGET OF ESTIMATED PROJECT COSTS TO BE FINANCED BY TAXES APPORTIONED FROM INCREMENT DISTRICTS

Project Costs to be financed by the apportionment of tax increments from the Increment Districts include: (i) the planning, design, acquisition, site preparation and/or construction of the Infrastructure Costs in an aggregate total amount of \$239,100,000 (ii) the Incentive Costs in an aggregate total amount of \$60,000,000; (iii) the payment of assistance in development financing (as authorized by Section 853(14)(o) of the Local Development Act) to a third party as reimbursement for the payment of Public Improvement Costs and/or as Investment Incentive Costs; and (iv) the direct or incidental costs incurred or to be incurred by or on behalf of the City or the Authority (as contemplated in Title 62, Section 853(14)(e) of the Local Development Act)

in organizing, supervising, implementing and administering this Project Plan, including, but not limited to, payment and/or reimbursement of costs advanced in connection with the preparation and approval of this Project Plan, administrative costs, organizational costs, professional service costs, including those incurred for architectural, planning, engineering, legal and financial advisors and services, and costs for determining or re-determining the base assessed value of the Increment Districts, financing costs and fees, and principal, interest (including capitalized interest), and prepayment premium paid on debt service and/or any reimbursement obligation. The Organizational Costs associated with the creation and implementation of the Increment Districts are preliminarily estimated at \$150,000.

The total estimate of Project Costs that may be made available for improvements and incentives from apportioned tax revenues shall be \$299,250,000 (including all engineering, construction, planning, and contingency costs). Apportioned tax revenues in excess of the amounts needed for Project Costs may be utilized if necessary (x) to pay interest and other financing costs, as well as to fund any capitalized interest and reasonably required reserves associated with obligations issued to fund said improvements; and/or (y) to pay the direct administrative costs incurred or to be incurred by or on behalf of the City, the Authority, or other public entities in implementing and administering this Project Plan (as contemplated in Title 62, Section 853(14)(e) of the Local Development Act). The Organizational Costs are an estimated total amount of preliminary costs incurred by the City in connection with the establishment of the Increment Districts.

X. METHODS OF FINANCING PROJECT COSTS, EXPECTED SOURCES OF REVENUES, AND TIME WHEN COSTS OR MONETARY OBLIGATIONS ARE TO BE INCURRED

It is hereby determined that the proposed Project Costs, specifically including but not limited to the Infrastructure Costs, will generally benefit and support development throughout the Project Area, inclusive of the individual Increment Districts. It is further determined that (i) the TIF Revenues derived from any of the Increment Districts may properly be utilized to pay any and all Project Costs within the Project Area; and (ii) it is proper and may be appropriate (at the discretion of the City) to pledge TIF Revenues from any or all of the Increment Districts to the repayment of TIF Bonds. Therefore, with respect to each of the Increment Districts:

A. Methods of Financing. It is expected that the Project Costs will be paid from proceeds of the Authority's TIF Bonds. Payment of principal and interest due on the TIF Bonds will be paid from available TIF Revenues. Certain Project Costs may be directly paid by a third party developer or the City and reimbursed from proceeds of the TIF Bonds. Alternately, certain Project Costs may also be directly paid by a third party developer or the City and reimbursed from TIF Revenues in excess of those needed for debt service on the TIF Bonds. Certain other costs of the Project may be paid from such other funds of the City or the Authority as may be lawfully used for the purposes hereinabove stated, including proceeds of certain debt obligations issued by the Authority and secured by a pledge of general sales tax, utility, or other available revenues.

B. Expected Sources of Revenues. The payment or reimbursement of Project Costs, including any interest component on reimbursed funds and any principal, interest, and premium on any TIF Bonds, will be made from one or more of the following sources of revenues:

(i) *Ad Valorem Increment Revenues.* In accordance with the provisions of the Local Development Act, the Ad Valorem Increment Revenues are to be apportioned and set aside from all other ad valorem taxes levied within the Increment District, to be used exclusively for:

- (a) the payment of principal, interest and premium, if any, on any TIF Bonds issued pursuant to Section 863 of the Local Development Act (including pledging as security for such payments);
- (b) the payment, if required, of amounts necessary to satisfy or replenish any reserve requirement established with respect to any TIF Bonds;
- (c) the payment of Project Costs incurred in connection with the development, construction, or implementation of the TIF Projects;
- (d) the reimbursement of a third party developer (pursuant to a development agreement with the City or the Authority), the City, or any agency thereof (including the Authority), which has paid Project Costs from funds which were not increments derived from the Increment District, but only to the extent that such sums were actually paid or, in the case of reimbursement of a third party developer, constitute an interest component on sums that were actually paid; and
- (e) the establishment and payment of a specific revenue source for affected taxing entities pursuant to Sections 853(9), 853(14)(i), and 854(4) of the Local Development Act.

Pursuant to the Local Development Act, the Ad Valorem Increment Revenues apportioned hereunder shall be transferred by the Tulsa County Treasurer to a special fund to be known as the “Increment District No. [] - Apportionment Fund” (hereinafter, each an “**Apportionment Fund**”), which fund will be held by and be the property of the City (except that such fund may also be held by the Authority or a trustee acting on behalf of the Authority). No portion of such increments and no portion of the Apportionment Fund shall constitute a part of the general fund of the City. All Ad Valorem Increment Revenues so collected shall be apportioned as follows: (i) seventy-five percent (75%) of the Ad Valorem Increment Revenues shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan; and (ii) twenty-five percent (25%) of the Ad Valorem Increment Revenues shall be apportioned to the School District for the purpose of providing a specific revenue source for capital expenditures (and any related financing costs) for the benefit of the School District, in accordance with Sections 853(9), 853(14)(i) and 854(4) of the Local Development Act.

The apportionment of ad valorem taxes pursuant to this section shall terminate upon the final payment of, or reimbursement for, all project costs incurred in connection with the projects listed in this Project Plan, and the payment of all outstanding principal, accrued interest, and premium due on the TIF Bonds; provided, however, that in no case shall the apportionment of revenues pursuant hereto extend beyond the Expiration Date.

In the event that any portion of the principal of or interest on the TIF Bonds, issued in connection herewith, or any amount due and owing for reimbursement under a development agreement between the City and the Company, remains unpaid as of the Expiration Date, then the Increment District shall not terminate until the increment apportioned during the term of the Increment District is actually received by the Apportionment Fund, even if the receipt of such revenues occurs subsequent to the Expiration Date.

(ii) *Sales Tax Increment Revenues.* In accordance with the provisions of the Local Development Act, the Sales Tax Increment Revenues are to be apportioned and set aside from all other sales and use taxes levied within the Increment District, to be used exclusively for:

- (a) the payment of principal, interest and premium, if any, on any TIF Bonds issued pursuant to Section 863 of the Local Development Act (including pledging as security for such payments);
- (b) the payment, if required, of amounts necessary to satisfy or replenish any reserve requirement established with respect to any TIF Bonds;
- (c) the payment of Project Costs incurred in connection with the development, construction, or implementation of the TIF Projects; and
- (d) the reimbursement of a third party developer (pursuant to a development agreement with the City or the Authority), including any interest component (pursuant to a development agreement with the City and/or the Authority), the City, or any agency thereof (including the Authority), which has paid Project Costs from funds which were not increments derived from the Increment District, but only to the extent that such sums were actually paid or, in the case of reimbursement of a third party developer, constitute an interest component on sums that were actually paid.

Provided, however, the remaining unapportioned incremental sales and use tax revenues derived from the Increment District, as of the date of this Project Plan representing the equivalent of 1.55% of the total 3.55% sales and use tax levied by the City, shall be retained by the City and utilized for any lawful purpose consistent with the aforementioned Code of Ordinances. For purposes of determining the incremental portion of the sales and use taxes generated within or sourced to the Increment District, the Mayor of the City shall certify as the “base sales tax amount” the annual sales taxes received by the City that were generated within the area comprising the Increment District during the calendar year immediately preceding the Commencement Date of the respective Increment District. If necessary for such certification, said base amount may be determined using reasonable

estimates prepared by the City Clerk. The base sales tax amount for Increment Districts “A” and “C” are each projected to be \$0.00; the base sales tax amount for Increment District “B” will be calculated at the appropriate time and is excepted to comprise an amount based on the taxable sales at the Oklahoma Aquarium. The equivalent of a two percent (2.0%) sales and use tax generated within or sourced to the Increment District and received by the City which are in excess of such base amount, net of any Transfer Adjustment, shall be considered to be the “increment” subject to apportionment by this section. In addition to sales and use tax generated from retail sales, the Sales Tax Increment Revenues shall include sales and use tax generated from actual construction occurring within the Increment District. The City shall establish procedures related to the calculation and determination of construction related sales and use tax revenue qualifying as Sales Tax Increment Revenues. Such procedures shall stipulate that construction related Sales Tax Increment Revenues be derived only from new construction activities occurring within the Increment District. The City shall be entitled to rely on certifications of actual construction costs provided by a third party developer(s) or related parties in connection with determining any applicable Sales Tax Increment Revenues.

Pursuant to the Local Development Act, the Sales Tax Increment Revenues apportioned hereunder and so collected shall be placed into the Apportionment Fund. No portion of such increments and no portion of the Apportionment Fund shall constitute a part of the general fund of the City. All Sales Tax Increment Revenues so collected shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan, including any interest component (pursuant to a development agreement with the City and/or the Authority).

The apportionment of sales and use taxes pursuant to this section shall terminate upon the final payment of, or reimbursement for, all Project Costs incurred in connection with the projects listed in this Project Plan, and the payment of all outstanding principal, accrued interest, and premium due on the TIF Bonds; provided, however, that in no case shall the apportionment of revenues pursuant hereto extend beyond the Expiration Date.

In the event that any portion of the principal of or interest on the TIF Bonds, issued in connection herewith, or any amount due and owing for reimbursement under a development agreement between the City and the Company, remains unpaid as of the Expiration Date, then the Increment District shall not terminate until the increment apportioned during the term of the Increment District is actually received by the Apportionment Fund, even if the receipt of such revenues occurs subsequent to the Expiration Date.

(iii) *Hotel Tax Increment Revenues.* In accordance with the provisions of the Local Development Act, the Hotel Tax Increment Revenues are to be apportioned and set aside from all other hotel/motel taxes levied within the Increment District, to be used exclusively for:

- (a) the payment of principal, interest and premium, if any, on any TIF Bonds issued pursuant to Section 863 of the Local Development Act (including pledging as security for such payments);
- (b) the payment, if required, of amounts necessary to satisfy or replenish any reserve requirement established with respect to any TIF Bonds;
- (c) the payment of Project Costs incurred in connection with the development, construction, or implementation of the TIF Projects; and
- (d) the reimbursement of a third party developer (pursuant to a development agreement with the City or the Authority), including any interest component (pursuant to a development agreement with the City and/or the Authority), the City, or any agency thereof (including the Authority), which has paid Project Costs from funds which were not increments derived from the Increment District, but only to the extent that such sums were actually paid or, in the case of reimbursement of a third party developer, constitute an interest component on sums that were actually paid.

For purposes of determining the incremental portion of the hotel/motel taxes generated within the Increment District, the Mayor of the City shall certify as the “base lodging tax amount” the annual hotel/motel taxes received by the County that were generated within the area comprising the Increment District between January 1, 2022, and December 31, 2022. If necessary for such certification, said base amount may be determined using reasonable estimates prepared by the City Clerk. The base lodging tax amount is projected to be \$0.00 for each of the Increment Districts. All hotel/motel tax revenue generated within the Increment District and received by the City which are in excess of such base amount, shall be considered to be the “increment” subject to apportionment by this section.

Pursuant to the Local Development Act, the Hotel Tax Increment Revenues apportioned hereunder and so collected shall be placed into the Apportionment Fund. No portion of such increments and no portion of the Apportionment Fund shall constitute a part of the general fund of the City. All Hotel Tax Increment Revenues so collected shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan, including any interest component (pursuant to a development agreement with the City and/or the Authority).

The apportionment of hotel/motel taxes pursuant to this section shall terminate upon the final payment of, or reimbursement for, all Project Costs incurred in connection with the projects listed in this Project Plan, and the payment of all outstanding principal, accrued interest, and premium due on the TIF Bonds; provided, however, that in no case shall the apportionment of revenues pursuant hereto extend beyond the Expiration Date.

In the event that any portion of the principal of or interest on the TIF Bonds, issued in connection herewith, or any amount due and owing for reimbursement under a development agreement between the City and the Company, remains unpaid as of the Expiration Date, then the Increment District shall not terminate until the increment

apportioned during the term of the Increment District is actually received by the Apportionment Fund, even if the receipt of such revenues occurs subsequent to the Expiration Date.

(iv) *Leverage Act Increment Revenues.* In accordance with the provisions of the Local Development Act, the Leverage Act Increment Revenues are to be apportioned and set aside from all other revenues generated within the Increment District, to be used exclusively for:

- (a) the payment of principal, interest and premium, if any, on any TIF Bonds issued pursuant to Section 863 of the Local Development Act (including pledging as security for such payments);
- (b) the payment, if required, of amounts necessary to satisfy or replenish any reserve requirement established with respect to any TIF Bonds;
- (c) the payment of Project Costs incurred in connection with the development, construction, or implementation of the TIF Projects; and
- (d) the reimbursement of a third party developer (pursuant to a development agreement with the City or the Authority), including any interest component (pursuant to a development agreement with the City and/or the Authority), the City, or any agency thereof (including the Authority), which has paid Project Costs from funds which were not increments derived from the Increment District, but only to the extent that such sums were actually paid or, in the case of reimbursement of a third party developer, constitute an interest component on sums that were actually paid.

The City shall establish procedures related to application under the Leverage Act for sales and use tax and hotel/motel tax matching funds. It is hereby recognized that any Leverage Act Increment Revenues represent a substantial economic benefit to the City and the development of the Project, and the City and the Authority shall take all reasonable actions necessary to maximize the Leverage Act Increment Revenues.

Pursuant to the Local Development Act, the Leverage Act Increment Revenues apportioned hereunder and so collected shall be placed into the Apportionment Fund. No portion of such increments and no portion of the Apportionment Fund shall constitute a part of the general fund of the City. All Leverage Act Increment Revenues so collected shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan, including any interest component (pursuant to a development agreement with the City and/or the Authority).

The apportionment of matching incentive funds pursuant to this section shall terminate upon the final payment of, or reimbursement for, all Project Costs incurred in connection with the projects listed in this Project Plan, and the payment of all outstanding principal, accrued interest, and premium due on the TIF Bonds; provided, however, that in no case shall the apportionment of revenues pursuant hereto extend beyond the Expiration Date.

In the event that any portion of the principal of or interest on the TIF Bonds, issued in connection herewith, or any amount due and owing for reimbursement under a development agreement between the City and the Company, remains unpaid as of the Expiration Date, then the Increment District shall not terminate until the increment apportioned during the term of the Increment District is actually received by the Apportionment Fund, even if the receipt of such revenues occurs subsequent to the Expiration Date.

C. Time When Costs Or Monetary Obligations Are To Be Incurred. It is estimated that the time frame for incurring most of the Project Costs will be within five to seven years from the date of approval of this Project Plan; however, certain Project Costs will not be incurred until appropriate development projects within the Increment District are identified by the City. It is anticipated that most Project Costs will be paid from proceeds of TIF Bonds issued by the Authority, provided however, certain Project Costs may be directly paid or reimbursed from apportioned TIF Revenues.

D. Flow of Funds; Excess Revenues.

During the term of the Increment Districts, TIF Revenues shall be utilized as follows:

- FIRST: The payment of principal, accrued interest, and premium, if any, due on the TIF Bonds;
- SECOND: If applicable, transfers to any debt service reserve established in connection with the TIF Bonds in such amounts as may be necessary to restore the reserve to its prescribed levels;
- THIRD: The payment and/or reimbursement of authorized Project Costs (including any interest component pursuant to a development agreement);
- FOURTH: If applicable, the prepayment of principal on any TIF Bonds until such time as all TIF Bonds are retired; and
- FIFTH: Upon retirement of all TIF Bonds (if any) and payment of all Project Costs (including any interest component pursuant to a development agreement), (a) any remaining Ad Valorem Increment Revenues shall be transferred to the various ad valorem taxing jurisdictions, in the same percentages as originally collected, as determined by reference to the millage levied by each of the various ad valorem taxing jurisdictions for the related tax year, excluding sinking fund levies, and (b) any remaining Sales Tax Increment Revenues and/or Hotel Tax Increment Revenues shall be transferred to the City for deposit into the General Fund or to the appropriate special fund, in each case consistent with the provisions of the Local Development Act. Any remaining Leverage Act Increment Revenues either shall be treated appropriately as ad valorem tax revenue, sales and use tax revenue, or hotel/motel tax revenue, and shall be transferred as set forth in (a) and (b)

herein, or, if required by the Leverage Act, shall be returned to the State of Oklahoma.

XI. FINANCING REVENUE SOURCES

The TIF Revenues are expected to finance all or a portion of the Project Costs authorized by Section IX. Based on the initial projections of Ad Valorem Increment Revenues for the Projects, it is estimated that approximately \$124.95 million could be generated by the incremental increase in ad valorem tax revenue during the term of the Increment Districts, with approximately \$93.71 million available for allocation to Project Costs and approximately \$31.24 million apportioned to the School District. The initial projections of Ad Valorem Increment Revenues are based upon an estimated \$281.77 million initial taxable capital investment, an 11% assessment rate for real property, a 10% assessment rate for business personal property, and an approximately 12.855% millage levy within the Increment Districts (based on the 2022 levy rates).

Based on the initial projections of Sales Tax Increment Revenues for the Projects, it is estimated that approximately \$258.22 million could be generated by the incremental increase in sales and use tax revenue during the term of the Increment Districts, with approximately \$145.48 million available for allocation to Project Costs and approximately \$112.74 million retained by the City. The initial projections of incremental sales and use tax revenue are based upon the projected revenues generated within the Increment Districts from the levy of an aggregate total of three and fifty-five hundredths percent (3.55%) sales and use tax on new construction within the Increment Districts and new retail and other space generating approximately \$7.27 billion in gross taxable sales during the term of the Increment Districts.

Based on the initial projections of Hotel Tax Increment Revenue, it is estimated that approximately \$6.54 million could be generated by the incremental increase in hotel/motel tax revenue during the term of the Increment Districts and allocated to Project Costs. The initial projections of incremental hotel/motel tax revenue are based upon the revenues generated within the Increment Districts from the levy of five percent (5.0%) room occupancy tax, and occupancy generating approximately \$130.87 million in gross occupancy sales during the term of the Increment Districts.

Additional TIF Revenues may be realized through state matching incentive payments made pursuant to the Leverage Act, as set forth in Section X(B)(iv) above (i.e. the Leverage Act Increment Revenues). Based on the initial projections of revenue and the level of apportionment of sales and use tax and hotel/motel tax to Project Costs, state matching payments could make available up to an additional \$145.48 million for Project Costs, although it is expected that only a portion of the taxable transactions may qualify for state matching incentive payments.

The calculation of projected TIF Revenues will be refined based upon (i) the actual effective ad valorem tax rate and base assessed valuation, as determined from time to time by the Tulsa County Assessor and subject to change by voters of the applicable taxing jurisdiction at an election(s) held for such purpose, (ii) the total net capital investment resulting from development within the Increment Districts, (iii) the timing of the development; (iv) the impact of the specific

nature of the actual retail investment on projected sales per square foot, and (v) the availability, occupancy, and rates and charges established for lodging establishments within the Increment Districts.

The realization of the TIF Revenues is directly dependent on the City's ability to attract development proposals on a magnitude necessary to fully develop the area within the Increment Districts during the term of the Increment Districts. The Retail Outlet Project, the Oklahoma Aquarium Town Center Project, and the Sports Experience Project collectively represent the initial efforts of the City, and the initial projections of TIF Revenues contained in this Project Plan are based solely on said initial projects. The City anticipates that additional development of the Increment Districts could result in substantial additional TIF Revenues beyond the initial projections. The anticipated development, including the Retail Outlet Project, the Oklahoma Aquarium Town Center Project, and the Sports Experience Project, along with the necessary Infrastructure Costs, is more fully discussed in Exhibit "E". Preliminary site development plans for the Retail Outlet Project, the Oklahoma Aquarium Town Center Project, and the Sports Experience Project are included as Exhibit "F". As appropriate, the Authority and/or the City may enter into economic development agreements with developers as required by the Local Development Act.

Certain TIF Projects may be designed and/or constructed by the City. Authorized Project Costs, or the payment of debt service on TIF Bonds issued to pay Project Costs, will be paid from TIF Revenues by the City or the Authority, and may include (i) reimbursement of the City or the Authority for certain public improvements constructed from other available funds, and (ii) assistance in development financing (as authorized by the Local Development Act) to the Developer for certain public infrastructure and/or other site improvements constructed on behalf of the City in furtherance of the purposes of this Project Plan. The financing of the projected private development in the area may be provided by private equity and private mortgage financing, secured by the private developments.

XII. PUBLIC REVENUE ESTIMATED TO ACCRUE FROM THE PROJECT AND OTHER ECONOMIC IMPACTS

The increase in ad valorem tax, sales and use tax, and hotel/motel tax revenues (estimated at a total of approximately \$389.72 million over the term of the Increment Districts based on projected development of the Projects, and not including potential Leverage Act matching incentive funds from the State), of which portions will serve as all or a portion of the revenue source for financing the Project Costs authorized by Section IX of this Project Plan, are the public revenues directly attributable to the project defined by establishment of the Increment Districts. Additionally, the various taxing jurisdictions may realize additional ad valorem tax and sales and use tax revenue from additional development outside the boundaries of the Increment Districts.

Construction of the improvements and subsequent development should have a positive impact on total employment in the City's metropolitan area, including temporary construction jobs and permanent positions at the Company's facilities. Indirect impacts (associated with the employment and income which result from the provision of inputs in support of the primary

activity), and induced impacts (associated with the wages and jobs resulting from changes in household expenditures which come about through direct and indirect employment) will also result in additional growth in the City's metropolitan area.

This Project Plan includes certain projections and estimates, which are based on the current expectations or beliefs of third party developer(s) and are subject to uncertainty and changes in circumstances. Actual results may vary materially from the expectations contained herein due to changes in economic conditions, market demand and other factors affecting the development of the Project.

XIII. PRIVATE AND PUBLIC INVESTMENTS EXPECTED FOR THE PROJECT

The publicly financed project costs in the amount of \$299,250,000, as authorized by this Project Plan, represent approximately 48.2% of the projected total public and private investment for the Project, which including anticipated expenditures by or on behalf of commercial or governmental entities within the Increment Districts, could exceed \$621 million.

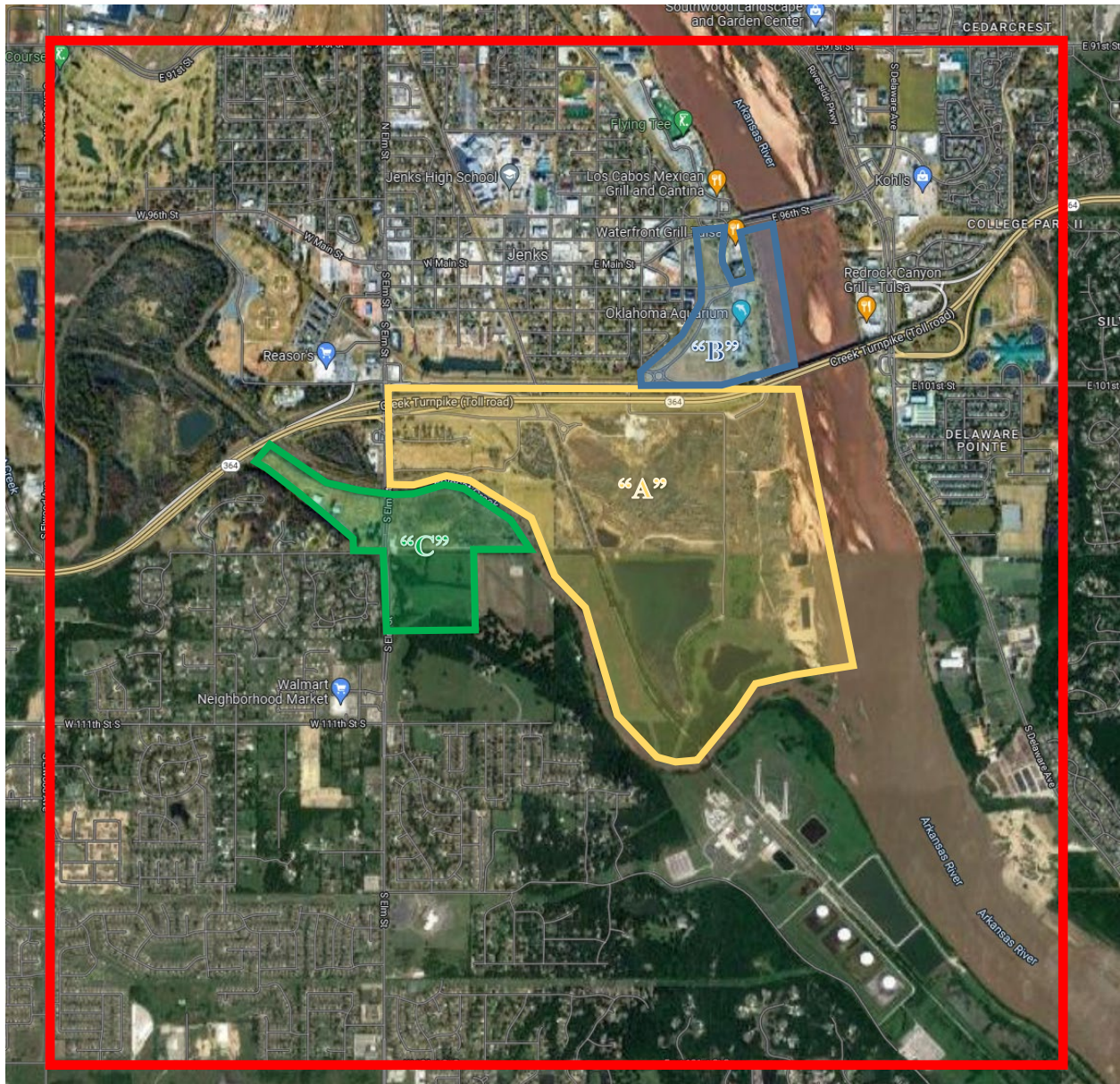
XIV. MISCELLANEOUS PROVISIONS

A. Zoning Conditions. A portion of the property within the boundaries of Increment District "A" is currently zoned commercial, including a planned unit development in connection with the proposed Retail Outlet Project, a portion of the property is zoned residential mobile home, and the majority of the property is zoned agriculture. A small portion of the property within the boundaries of Increment District "B" is currently zoned agriculture, but the primary zoning is commercial according to a dedicated subdivision for the Oklahoma Aquarium Campus. The property within the boundaries of Increment District "C" is currently zoned agriculture. No changes in the ordinances (other than minor zoning adjustments to accommodate the proposed projects) of the City of Jenks are contemplated under this Project Plan. Development is anticipated to occur in accordance with current zoning requirements, with appropriate adjustments as approved by the City. The proposed project conforms to the comprehensive plan for the City of Jenks, as amended. A map showing the existing uses and conditions of the real property is included as Exhibit "G".

B. Annual Reports. In accordance with Section 867 of the Local Development Act, following the end of each fiscal year, the City shall prepare and submit a report to the chief executive officer of each taxing entity that levies ad valorem taxes on property within each Increment District. At the time of submitting the report, the City shall also publish a notice and summary of the report in a newspaper of general circulation.

EXHIBIT “A”**MAP OF ECONOMIC DEVELOPMENT PROJECT AREA**

The boundaries of the Project Area associated with the Increment Districts contain an area comprising all of Sections 24, 25, and 36, Township 18 North, Range 12 East, Tulsa County, Oklahoma, and all of Sections 19, 20, 29, 30, 31, and 32, Township 18 North, Range 13 East, Tulsa County, Oklahoma. The Project Area is bordered on the south by 121st Street South, on the west by S. Elwood Avenue, on the north by 91st Street South (K Pl.), and on the east by S. Harvard Avenue.



Project Area is outlined by red border.

EXHIBIT “B”

PROJECT AREA LEGAL DESCRIPTION

INCREMENT DISTRICT PROJECT AREA

An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

All of Sections 24, 25, and 26 of Township 18 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma

All of Sections 19, 20, 29, 30, 31, and 32 of Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma

INCREMENT DISTRICT “A”

C-1

INCREMENT DISTRICT “B”

The boundaries of Increment District “B” contain an area generally described as the area bordered on the south by the Creek Turnpike, on the east by the Arkansas River, on the north by E. Main Street, and on the west by the flood control levee west of S. Aquarium Drive, and generally known as the Oklahoma Aquarium Campus.



* Increment District boundaries contained within the blue border.

INCREMENT DISTRICT “C”

The boundaries of Increment District “C” contain an area generally described as the area bordered on the north and east by Polecat Creek, on the south by one quarter mile south of W 106th Street S, and on the southwest by Stone Bluff.



* Increment District boundaries contained within the green border.

EXHIBIT “D”

INCREMENT DISTRICT LEGAL DESCRIPTIONS

INCREMENT DISTRICT “A”

The composite legal description for Increment District “A” is an area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

[TO BE PROVIDED]

The following Tracts 1-54 are approximately representative of the Increment District “A” boundaries shown on the map in Exhibit “C”.

[See following page]

INCREMENT DISTRICT "A"

An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

Parcel Number R-	Shorthand Legal Description	Record Owner	Acres	Address	2022 Market	2022 Tax	2022	2022 Taxes	Status
					Value	Value	Assessed Value		
1	98330833000090 N660 W644 NW NW LESS N200 E200 & LESS BEG 29.75E SWC TH E614.25 N146.61 SW621.13 S54.46 POB SEC 30 18 13 7.422ACS	OKLAHOMA TURNPIKE AUTHORITY	7.42		1,493	1,493	164	21	Exempt
2	98330833000110 BEG 444E NWC NW TH S200 E100 N200 W100 TO BEG SEC 30 18 13	OKLAHOMA TURNPIKE AUTHORITY	0.46		67	67	7	1	Exempt
3	98330833000100 BEG 544E NWC NW TH S200 E100 N200 W100 TO BEG SEC 30 18 13	OKLAHOMA TURNPIKE AUTHORITY	0.46		67	67	7	1	Exempt
4	98330833019540 N660 E396 W1040 NW NW OR GOV LT 1 LESS BEG 464.48S NEC TH S195.51 W396 N146.61 NE53.87 NE297.23 E48.52 POB SEC 30 18 13 4.44ACS	OKLAHOMA TURNPIKE AUTHORITY	4.44		722	722	79	10	Exempt
5	98330833020340 N660 NW NW OR GOV LT 1 LESS W1040 & LESS BEG 463.91S NEC TH S196.09 W311.82 N195.51 E311.76 POB SEC 30 18 13 3.322ACS	OKLAHOMA TURNPIKE AUTHORITY	3.32		486	486	53	7	Exempt
6	98330833018020 PRT NE NW BEG NWC NE NW TH S463.91 E339.72 NE53.85 E372.86 N442.51 W765.77 POB SEC 30 18 13 7.27AC	OKLAHOMA TURNPIKE AUTHORITY	7.27		1,071	1,071	118	15	Exempt
7	98330833018740 N189.75 E 11AC NE NW LYING W MVRR R/W SEC 30 18 13 .80AC	OKLAHOMA TURNPIKE AUTHORITY	0.8		117	117	13	2	Exempt
8	98330833015640 S 85 N 274.75 NE NW LYING W OF MV RR LESS W 823.7 SEC 30-18-13	OKLAHOMA TURNPIKE AUTHORITY	0.49		89	89	10	1	Exempt
9	98330833020310 S85 N359.75 NE NW LYING W OF W R/W OF RR & LESS W798.7 & LESS W25 FOR RD SEC 30 18 13	OKLAHOMA TURNPIKE AUTHORITY	0.37		71	71	8	1	Exempt
10	98330833020240 S 101 N 460.75 NE NW LYING W OF RR LESS W 798.7 LESS W 25 FOR RD SEC 30-18-13	OKLAHOMA TURNPIKE AUTHORITY	0.52		162	162	18	2	Exempt
11	98330833020140 S 94 N 554.75 NE NW LYING W RR & LESS W 798.7 SEC 30-18-13	OKLAHOMA TURNPIKE AUTHORITY	0.54		111	111	12	2	Exempt
12	98330833020839 BEG 584.04S & 169.27E NWC NW TH ELY480.06 ELY53.87 ELY297.27 E700 NE53.85 E372.86 S112.25 E22.66 S38.47 W790.41 W1176.73 TO POB SEC 30 18 13 4.444ACS	CITY OF JENKS	4.44		100	100	-	-	Exempt
13	98330833018940 S170 N724.75 E 11AC NE NW LYING W MVRR R/W SEC 30 18 13 1.30AC	HOLLAND, THOMAS WILLIAM & RENA LOU TRUST	1.3	617 S ASH ST W	56,800	23,906	2,629	338	
14	98330833019340 S221 N945.75 NE NW LYING W OF MV RR LESS W823.7 SEC 30 18 13	HOLLAND, THOMAS WILLIAM & RENA LOU TRUST	1.78	619 S ASH ST W	390,000	48,645	5,351	688	
15	98330833015140 TR 10 S 380 N 1325.75 NE NW LYING W OF MV RR & LESS W 823.7 SEC 30-18-13	VANCE, GARY	4.53	625 S ASH ST W	32,623	32,623	3,588	461	
16	98330833016740 W798.7 N1047.1 NE NW LESS BEG NWC NE NW TH S463.91 E339.42 NE53.85 E372.86 N442.51 W765.77 POB & LESS BEG NWC THEREOF TH E339.42 NE53.85 E372.86 S112.25 E22.66 S38.47 W790.41 N TO POB SEC 30 18 13 9.562ACS	SPARKMAN LAND LLC	9.56		104,100	3,995	439	56	
17	98330833000330 N330 S660 GOV LT 1 LESS BEG 330N SWC GOV LT 1 TH E40 N194.62 W40 S194.62 TO POB & LESS BEG 662.21S NWC NW TH E70.21 SE199.48 SLY39.15 SLY92.92 W48.31 N193.58 W40 N TO POB & LESS BEG NWC N330 S660 GOV LT 1 TH E APROX 9.79 SLY APROX 160.37 NLY PROX 160.66 TO POB SEC 30 18 13 9.343ACS	SPARKMAN LAND LLC	9.34	711 S ELM ST	913,600	714,240	78,567	10,100	
18	98330833020700 BEG 463.91S NEC NW NW TH S196.09 W311.82 N195.51 E311.76 POB LESS BEG NWC THEREOF TH E311.76 S117.16 W311.77 N117.54 TO POB SEC 30 18 13 .564AC	SPARKMAN LAND LLC	0.56		49,100	12,285	1,351	174	
19	98330833019980 BEG EL N660 E396 W1040 NW NW & SLY R/W CREEK TURNPIKE 464.48S NEC TH S195.51 W396 N146.61 E53.87 NE297.23 E48.52 POB LESS BEG NWC THEREOF TH E53.87 NE297.23 E48.52 S117.54 W395.12 N70.53 TO POB SEC 30 18 13 .702AC	SPARKMAN LAND LLC	0.7		61,200	15,267	1,679	216	
20	98330833000095 BEG 29.75E SWC NW NW NW TH E614.25 N146.61 SW621.13 S54.46 POB LESS BEG 662.21S & 29.75E NWC NW TH N54.46 E43.85 S61.03 W40.46 TO POB LESS BEG NEC THEREOF TH S 70.53 W437.43 NE480.06 TO POB & LESS BEG 601.07S & 73.04E NWC NW TH S58.99 E APROX 9.83 N APROX 11.10 NE108.83 SW97.28 TO POB SEC 30 18 13 .906AC	SPARKMAN LAND LLC	0.91		79,000	19,734	2,171	279	
21	98330833020837 BEG 601.07S & 73.04E NWC NW TH S58.99 SELY160.66 N171.43 NE108.83 WLY97.28 TO POB SEC 30 18 13 .080AC	OKLAHOMA TURNPIKE AUTHORITY	0.08		19	19	2	-	Exempt
22	98330833000099 BEG 662.21S & 29.75E NWC NW TH N54.46 ELY43.85 S61.03 W40.46 TO POB SEC 30 18 13 .055AC	CITY OF JENKS	0.06		100	100	-	-	Exempt
23	98330833000339 BEG 662.21S NWC NW TH E70.21 SE199.48 SLY39.15 SLY92.92 W48.31 N193.58 W40 N TO POB SEC 30 18 13 .421AC	CITY OF JENKS	0.42		100	100	-	-	Exempt
24	98330833000320 BEG SWC GOV LT 1 TH E50 N330 W50 S330 POB & BEG 330N SWC GOV LT 1 TH E40 N194.62 W40 S194.62 POB SEC 30 18 13 .56AC	TULSA COUNTY	0.56		100	100	-	-	Exempt

INCREMENT DISTRICT "A"

An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

Parcel Number R-	Shorthand Legal Description	Record Owner	Acres	Address	2022 Market Value	2022 Tax Value	2022	2022 Taxes	Status
							Assessed Value		
25	98330833000269	BEG 1324.43S & 50E NWC NW TH N31.09 E38.31 SLY151.81 E37.03 S180.01 W88 TO CITY OF JENKS POB SEC 30 18 13 .526AC	0.53		100	100	-	-	Exempt
26	98330833024337	BEG 75E NWC SW NW TH E63 S310.64 CRV RT60.06 N302.70 TO POB SEC 30 18 13 .432AC	0.43		100	100	-	-	Exempt
27	98330833000220	W/2 S/2 S/2 NW NW LESS W50 THEREOF & LESS BEG 1324.43S & 50E NWC NW TH N331.09 E38.31 SLY151.81 E37.03 S180.01 W88 TO POB SEC 30 18 13 4.134ACS	4.62	10209 S ELM ST W	53,153	53,153	5,847	752	
28	98330833000270	E660 S330 NW NW SEC 30 18 13 5AC	4.62		34,452	34,452	3,790	487	
29	98330833014640	S 272.9 W 798.7 NE NW & S/2 NW LYING N & E CENTER OF POLECAT CREEK LESS BEG NWC S/2 NW TH E138 S310.64 CRV RT60.06 S53.3 WLY75 N342 POB & ALL SE LYING W & S RY EX TR IN SW COR S & W POLECAT & ALL SW N OF CREEK SEC 30 18 13 76.840ACS	76.84	706 S ASH ST W	119,388	91,204	10,032	1,290	
30	98330833000340	E/2 NE & SW NE LESS RR ROW & LESS BEG NEC NE TH S523.50 S TO SECR NE W25 N TO PT W4.99 N46.85 W TO WL NE NE TH N APPROX 476.58 E POB LESS PRT PLATTED FOR TULSA PREMIUM OUTLETS SEC 30 18 13 67.047ACS	67.05		1,460,300	19,592	2,155	277	
31	98330833014638	PRT NE BEG 458.24S & 2232.04W NEC NE TH S205.33 CRV LF349.48 W100.61 NW204.79 N231.06 E319.72 NELY88.82 TO POB SEC 30 18 13 2.90ACS	2.9		100	100	-	-	Exempt
32	98330833012040	W/2 NW NE & W/2 E/2 NW NE LESS ROW & LESS BEG NWC NE TH S461.49 E319.72 NE500.40 NE175.37 N APPROX 407.16 W POB & LESS BEG 458.24S & 2232.04W NEC NE TH S205.33 CRV LF349.48 W100.61 NW204.79 N231.06 E319.72 NELY88.82 TO POB LESS PRT PLATTED FOR TULSA PREMIUM OUTLETS SEC 30 18 13 2.240ACS	2.24		390,400	620	68	9	
33	98330833012010	BEG 401.70S NEC NE TH W1620.75 SW28.60 S69.39 E1125 E493.92 S46.85 E29.99 NLY121.80 POB SEC 30 18 13 2.642ACS	2.64	OKLAHOMA TURNPIKE AUTHORITY	387	387	43	6	Exempt
34	60973833054000	LOT 1 BLOCK 1, Tulsa Premium Outlets	51.09	TULSA PREMIUM OUTLETS LLC	12,000,000	12,000,000	1,320,000	169,686	
35	98330833019140	PT NE NW EAST OF RY SEC 30-18-13 S & W RIV	2	OKLAHOMA TURNPIKE AUTHORITY	366	366	40	5	Exempt
36	98330833011745	BEG NEC NE TH S523.50 W29.99 N46.85 W493.92 W1125 N69.39 SW175.37 WLY500.40 W319.72 TO WL NE TH N461.49 E2640.75 POB LESS BEG 401.70S NEC THEREOF TH W1620.75 SW28.60 S69.39 E1125 E493.92 S46.85 E29.99 NLY121.80 POB SEC 30 18 13 25.633ACS	25.63	OKLAHOMA TURNPIKE AUTHORITY	3,861	3,861	425	55	Exempt
37	98329832932145	PRT LT 2 & A TR OF LAND IN RIVERBED BEG NWC LT 2 TH S523.50 E30 NLY 142.41 NELY CRV LF 538.90 NE175.46 NW40 NE402.99 W1076.86 POB SEC 29 18 13 5.49ACS	5.49	OKLAHOMA TURNPIKE AUTHORITY	992	992	109	14	Exempt
38	98329832930430	GOV LT 2 LESS W30 & LESS BEG 30E NWC THEREOF TH E174.83 SLY343.48 SWLY CRV RT 200.58 N POB SEC 29 18 13 3.83ACS	3.83	RIVER DISTRICT DEVELOPMENT	1,100	1,100	121	16	
39	98329832932330	GOV LT 3 & GOV LT 6 LYING N CL POLECAT CREEK LESS W30 N2120 THEREOF & LESS E20 W50 S200 GOV LT 3 & LESS BEG 50E SWC NW TH N200 W20 N181.76 E178.71 S208.71 E50 S173.05 W POB & LESS BEG 50E NWC SW TH E350 S614.77 W370 N APPROX 414.77 E20 N200 TO POB SEC 29 18 13 19.755ACS	19.76	RIVER DISTRICT DEVELOPMENT	3,300	3,300	363	47	
40	98329832934900	PRT GOV LT 3 BEG 50E & 173.05N SWC GOV LT 3 TH N26.95 W20 N181.76 E178.71 S208.71 W158.71 POB SEC 29 18 13 .84AC	0.84	RIVER DISTRICT DEV GROUP LLC	50,000	50,000	5,500	707	
41	98329832933130	BEG 50E SWC LT 3 TH N173.05 E208.71 S173.05 W208.71 POB SEC 29 18 13 .829AC	0.83	RIVER DISTRICT DEV GROUP LLC	50,000	50,000	5,500	707	
42	98329832936830	BEG 50E NWC SW TH E350 S614.77 W370 N186.92 E133.24 N41.02 W133.24 N186.83 E20 N200 TO POB SEC 29 18 13 5.00ACS	5	RIVER DISTRICT DEV GROUP LLC	900	900	99	13	
43	98329832936730	BEG 30E & 386.83S NWC GOV LT 6 TH E133.24 S41.02 W133.24 N TO POB SEC 29 18 13 .126AC	0.13	RIVER DISTRICT DEV GROUP LLC	200	200	22	3	
44	98330833010580	E25 E/2 NE LESS N523.50 THEREOF SEC 30 18 13 1.21ACS	1.21	CITY OF JENKS	100	100	-	-	Exempt
45	98329832935220	W30 GOV LT 2 LESS N523.50 THEREOF & W30 GOV LT 3 & N800 W30 GOV LT 6 & E20 W50 S200 GOV LT 3 & E20 W50 N200 GOV LT 6 SEC 29 18 13 2.192ACS	2.19	TULSA COUNTY	100	100	-	-	Exempt
46	98330833053340	SE LYING E & N MV RY LESS TR IN SECR LYING SE POLECAT CRK & LESS E30 N800 SE & LESS W20 E50 N200 SE SEC 30 18 13 68.36AC	68.36	RIVER DISTRICT DEV GROUP LLC	17,700	17,700	1,947	250	
47	98330833012030	E30 N800 SE & W20 E50 N200 SE SEC 30 18 13 .642AC	0.64	CITY OF JENKS	100	100	-	-	Exempt
48	98330833047840	PRT SE BEG 284.5N SECR SE TH NW380.3 NW471 NE175.9 NE228 NE347.92 S1250.15 POB SEC 30 18 13 6.98AC	6.98	RIVER DISTRICT DEV GROUP LLC	1,200	1,200	132	17	

INCREMENT DISTRICT "A" An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

					2022 Market	2022 Tax	2022		
Parcel Number R-	Shorthand Legal Description	Record Owner	Acres	Address	Value	Value	Assessed Value	2022 Taxes	Status
49	98329832935230	PRT GOV LT 6 & 7 BEG SWC GOV LT 7 TH N1534.65 NE189.98 SE151.67 SE300 SE783.1 SE136.69 SW271.53 SW171.41 SW373.10 W213.02 POB SEC 29 18 13 19.34AC	RIVER DISTRICT DEV GROUP LLC	19.34		2,300	2,300	253	33
50	98329832935530	GOV LT 6 & 7 LYING S OF POLECAT CREEK LESS BEG SWC GOV LT 7 TH N1534.65 NE189.98 SE151.67 SE300 SE783.10 SE136.69 SW271.53 SW171.41 SW373.1 W213.02 POB SEC 29 18 13 11.81AC	PUBLIC SERVICE CO OF OKLA	11.81		5,100	5,100	-	- Exempt
51	98331833119460	PRT N/2 NE BEG NEC NE TH S245.16 SWLY819.08 W172 NWLY1171.31 ALNG CL POLECAT CREEK E1721.07 POB SEC 31 18 13 19.84AC	RIVER DISTRICT DEV GROUP LLC	19.84		1,949	1,949	214	28
52	98332833229600	PRT NW NW BEG NWC NW TH S245.16 NE273.6 NE51.23 W213.02 POB SEC 32 18 13 .60AC	RIVER DISTRICT DEV GROUP LLC	0.6		200	200	22	3
53	Railroad Right of Way (T18N R13E Sec 29 & 30)		Tulsa Sapulpa Union Railway						
54	Arkansas River (west meander line to centerline T18N R13E Sec 29)		Arkansas River						
				TOTALS:	467.77	15,889,146	13,214,746	1,452,948	186,780
Excluding Exempt Properties:								1,451,840	186,637

INCREMENT DISTRICT “B”

The composite legal description for Increment District “B” is an area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

[TO BE PROVIDED]

The following Tracts 1-17 are approximately representative of the Increment District “B” boundaries shown on the map in Exhibit “C”.

[See following page]

INCREMENT DISTRICT "B" An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

Parcel Number R-	Shorthand Legal Description	Record Owner	Acres	Address	2022 Market	2022 Tax	2022	2022 Taxes	Status
					Value	Value	Assessed Value		
1	98320832000110 PRT SW BEG 432.90 ALG CRV LF & 174.67NE & 40SE & 121.15NE SWC SW TH NW205.33 NW246.83 NW602.36 N168.59 NW337 NW110 NE50 N75 NW133 NW65 NW238 NE71.09 NE620.54 SE APR 2150 SW APR 508.83 POB SEC 20 18 13 21.868ACS	OKLAHOMA AQUARIUM FOUNDATION	21.87		100	100	-	-	Exempt Commercial
2	60804831950360 LT 1 BLK 3	CITY OF JENKS AND	7.31		2,227,800	2,227,800	-	-	Exempt Commercial
3	60804832045600 PRT LT 1 BEG AT INT OF SL LT 1 & WL SEC 20 TH N APR 894.39 NE APR 3.53 CRV LF 180.52 SE38.34 E320 SE92.40 S168.59 SE602.36 SE246.83 S205.33 NW70.69 CRV LF 194.37 SW108.13 CRV RT 35.49 CRV RT 132.89 CRV RT37.39 NW243.54 CRV LF APR 154.06 POB LESS BEG 112.79N & 189.01E SWC SEC 20 TH CRV LF174.99 CRV RT125.33 SW6.34 SW108.13 CRV RT35.49 CRV RT132.88 CRV RT17.51 TO POB BLK 1	OKLAHOMA AQUARIUM FOUNDATION	15.85	300 S AQUARIUM DR E	9,284,714	9,284,714	-	-	Exempt Commercial
4	60804831950350 LT 1 BLK 2	CITY OF JENKS	4.43		599,500	599,500	-	-	Exempt
5	60804831950370 RESERVE A	CITY OF JENKS	2.52		100	100	-	-	Exempt
6	60804831950320 PRT LT 1 BEG AT INT OF SL LT 1 & EL SEC 19 TH CRV LF APR 174.62 W294.46 CRV RT 153.25 CRV LF 642.74 CRV RT 149.93 NE APR 145.38 S APR 894.39 POB BLK 1	CITY OF JENKS	6.63	300 S AQUARIUM DR E	2,346,278	2,346,278	-	-	Exempt Commercial
7	60804832045610 LT 2 LESS BEG NEC LT 3 TH NE72.32 SE111.24 SE75 SW50 SE86.10 SW51.56 NW316.76 POB BLK 1	INSPIRATION HALL LLC	1.33		462,700	462,700	-	-	
8	60804831950335 PRT LT 5 BEG SWC LT 5 TH NE29.06 NE89.75 NW APR 45.58 E86.19 CRV LF 82.21 NE209.07 CRV RT 59.70 CRV RT APR 83.56 SW148.91 CRV LF 107.43 W126.24 POB BLK 1	OKLAHOMA AQUARIUM FOUNDATION	1.09		101,500	101,500	-	-	Exempt Commercial
9	60804831950339 PRT LT 5 BEG 48.94S NWC TH E95.45 CRV LF 72.22 NE245.26 CRV LF 44.45 CRV RT 151.61 CRV LF 59.70 SW209.07 CRV RT 82.21 W86.19 NW TO POB BLK 1	CITY OF JENKS	0.67		233,030	233,030	-	-	Exempt
10	60804831950330 PRT LT 5 BEG NWC THEREOF TH NE9.39 CRV RT 137.38 NE238.04 CRV RT 37.43 SE APR 78.38 CRV RT 44.45 SW245.26 CRV RT 72.22 W95.45 N APR 48.94 POB BLK 1 & ALL THAT PRT VACATED AQUARIUM LANE ADJ ON N	OKLAHOMA AQUARIUM FOUNDATION	1.49		148,500	148,500	-	-	Exempt Commercial
11	60804831950340 LT 6 LESS BEG 313.36NW SWC LT 6 TH N265.33 NE143.80 NE303.83 CRV RT 54.09 SW126.62 CRV LF 135.06 W339.43 POB BLK 1 & ALL THAT PRT VACATED AQUARIUM LANE ADJ ON S	OKLAHOMA AQUARIUM FOUNDATION	2.2		204,100	204,100	-	-	Exempt Commercial
12	60804832045640 PRT LT 2 BEG NEC LT 3 TH NE72.32 SE111.24 SE75 SW50 SE86.10 SW51.56 NW316.76 POB BLK 1	VILLAGE ON MAIN LLC	0.46		51,600	51,600	5,676	730	
13	60804831950345 PRT LT 6 BEG 313.36NW SWC LT 6 TH N265.33 NE143.80 NE303.83 CRV RT 54.09 SW126.62 CRV LF 135.06 W339.43 POB BLK 1	PATEL, VIPUL K	2.41		650,000	650,000	71,500	9,191	
14	98319831908809 BEG PT ON EL NE 222.37S NEC SE TH WLY APROX401.89 SLY APROX35 SWLY APROX40 S APROX145.07 NE146.60 E281.36 NLY ALONG EL 134.32 TO POB SEC 19 18 13 1.21ACS	CITY OF JENKS	1.21		100	100	-	-	Exempt
15	60804832045609 PRT LT 1 BEG 112.79N & 189.01E SWC SEC 20 TH CRV LF174.99 CRV RT125.33 SW6.34 SW108.13 CRV RT35.49 CRV RT132.88 CRV RT17.51 TO POB BLK 1	CITY OF JENKS	0.13		100	100	-	-	Exempt
16	S Aquarium Drive E Right of Way (T18N R13E Sec 19)	City of Jenks							
17	S Aquarium Drive E Right of Way (T18N R13E Sec 20)	City of Jenks							
TOTALS:			69.6		16,310,122	16,310,122	77,176	9,921	
Excluding Exempt Properties:							77,176	9,921	
ADDITIONAL PARCELS - NOT PART OF INCREMENT DISTRICT "B"									
60804832045620	LT 3 BLK 1	OKLAHOMA AQUARIUM FOUNDATION C/O LEISURE HOSPITALITY INC	2.31	150 S AQUARIUM DR	4,000,000	4,000,000	440,000	56,562	
60804832045630	LT 4 BLK 1	VOM-WATERFRONTGRILL LLC	2.39	120 S AQUARIUM DR E	2,340,500	2,340,500	257,455	33,096	
TOTALS:			4.7		6,340,500	6,340,500	697,455	89,658	

INCREMENT DISTRICT “C”

The composite legal description for Increment District “B” is an area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

[TO BE PROVIDED]

The following Tracts 1-12 are approximately representative of the Increment District “B” boundaries shown on the map in Exhibit “C”.

[See following page]

INCREMENT DISTRICT "C" An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

<u>Parcel Number R-</u>	<u>Shorthand Legal Description</u>	<u>Record Owner</u>	<u>Acres</u>	<u>Address</u>	<u>2022 Market Value</u>	<u>2022 Tax Value</u>	<u>2022 Assessed Value</u>	<u>2022 Taxes</u>	<u>Status</u>
1	98330833024440 S/2 NW LYING S & W OF CENTER OF POLECAT CREEK LESS BEG SWC S/2 NW TH N981.25 ELY75 SLY419.75 S549.25 W50 POB & LESS BEG 50E SWC S/2 NW TH N549.15 NELY419.84 N53.30 CRV LF60.06 S295.75 SWLY541.11 SELY183.13 W23.49 POB & LESS BEG 73.49E SWC SW TH NWLY25.37 E150.88 S23.69 W148.24 TO POB SEC 30 18 13 41.786ACS	OAK PROPERTIES LLC	41.79		10,527	10,527	1,158	149	
2	98330833040740 GOV LT3 OR NW SW LYING E OF HWY LESS N20 THEREOF & LESS BEG 24.75E & 20S NWC NW SW TH E52.70 SE331.27 S102.06 NW107.30 CRV RT85.40 N271 TO POB & LESS BEG 24.75E SWC NW SW TH N243.29 NE263.75 SE306.35 SW182.13 W104.10 TO POB SEC 30 18 13 37.160ACS	JENKS PUBLIC WORKS AUTHORITY	38.88		1,270,100	1,270,100	-	-	Exempt
3	98330833044738 BEG 24.75E SWC NW SW TH N243.29 NE263.75 SE306.35 SW182.13 W104.10 TO POB SEC 30 18 13 1.004AC	CITY OF JENKS	1		100	100	-	-	Exempt
4	98330833044739 BEG 24.75E & 20S NWC NW SW TH E52.70 SE331.27 S102.06 NW107.30 CRV RT85.40 N271 TO POB SEC 30 18 13 .719AC	CITY OF JENKS	0.72		100	100	-	-	Exempt
5	98330833040640 PRT NW SW BEG 2836S NWC NW TH CRV LF204.5 SE149.7 CRV RT216.24 SW414.6 CRV LF159.9 N TO POB SEC 30 18 13 1.67AC	CITY OF JENKS	1.67		100	100	-	-	Exempt
6	98330833028937 BEG 50E SWC SW NW TH N549.15 NELY419.84 N53.30 CRV LF60.06 S295.75 SWLY541.11 SELY183.13 W23.49 TO POB SEC 30 18 13 1.01ACS	CITY OF JENKS	1.01		100	100	-	-	Exempt
7	98330833044737 N20 NW SW SEC 30 18 13 .606AC	POLECAT BOTTOMS LLC	0.61		200	200	22	3	
8	98330833024340 PRT GOV LT 2 OR SW NW BEG NWC THEREOF TH E375 S356 TO PT ON LOW-WATER MARK POLE CAT CRK WLY75 N342 POB & BEG SWC GOV LT 2 TH N981.25 TO PT ON LOW-WATER MARK POLE CAT CRK ELY75 SWLY419.75 S549.25 W50 POB SEC 30 18 13 1.85AC	TULSA COUNTY	1.85		100	100	-	-	Exempt
9	98225822524530 PRT SE NE BEG SECR SE NE TH W50 NWLY1143.05 TO PT ON NL CREEK SE TO PT 44.75W EL & 1049.5N SL NE TH E44.75 S1049.5 POB SEC 25 18 12 1.98AC	TULSA COUNTY	1.98		100	100	-	-	Exempt
10	98330833028936 BEG 73.49E SWC SW NW TH NWLY25.37 E150.88 S23.69 W148.24 TO POB SEC 30 18 13 .084AC	CITY OF JENKS	0.08		100	100	-	-	Exempt
11	98225822511597 BEG 50W SECR NE TH W46 NE84.41 SE18.71 SE54.97 TO POB SEC 25 18 12 .039AC	CITY OF JENKS	0.04		100	100	-	-	Exempt
12	98225822504130 BEG 2649.28S & 50W E QTR COR (NEC NE) SEC 25 TH W404.64 N135.81 NW279.68 NW316.10 NW502.63 NW204.03 NW213.70 NW228.81 NW180.90 WLY195.06 TO PT ON S ROW LINE OF CREEK TURNPIKE TH CRV RT191.97 NE190.90 NE130.49 SE124.53 CRV LF1558.97 ELY171.31 SLY813.90 S49.25 TO POB SEC 25 18 12 25.030ACS	F & W INVESTMENTS LLC	25.03		2,910,000	2,910,000	320,100	41,149	
TOTALS:			114.66		4,191,627	4,191,627	321,280	41,301	
Excluding Exempt Properties:							321,280	41,301	

EXHIBIT “E”**PROPOSED DEVELOPMENT IN THE PROJECT AREA
AND INCREMENT DISTRICTS**

This Jenks River Entertainment District Economic Development Project Plan describes an economic development project of the City of Jenks, Oklahoma, that brings a transformative commercial development to the Jenks River Entertainment District area. The purpose of the Increment Districts (as described herein) is to encourage economic development in the City by facilitating the payment of the costs of essential infrastructure improvements and remedial costs necessary to make certain property viable for development.

There are three primary development components of the Project. The first component of the Project is a large commercial retail outlet development by Tulsa Premium Outlets, LLC. TPO proposes to construct a retail outlet center on the south side of the Creek Turnpike, to be known as Tulsa Premium Outlets encompassing a total of approximately 340,000 square feet of gross building area, with an initial capital investment of approximately \$100 million. The second component of the Project is the development of property adjacent to the Oklahoma Aquarium to attract concept retail and dining establishments that complement and enhance the tourism destination that is the Oklahoma Aquarium. The third component of the Project is to attract a destination sports experience in the vicinity of Elm and 106th Street (south of the Creek Turnpike) that would include baseball and softball facilities and training opportunities, along with onsite hotel, dining, retail, and entertainment offerings.

The City has for a number of years attempted to develop these areas without success. The development areas require significant public infrastructure improvements to support the scale of the proposed development. The City has previously included portions of the development area in its tax increment districts, however, the infrastructure needs far outpace the capacity of the existing tax increment districts to support the proposed development, and as such, the creation of one or more new tax increment districts comprising the proposed development areas is critical to the successful implementation of the proposed Projects.

The City has identified an aggregate total of \$299,250,000 in costs associated with the infrastructure improvements, economic incentives, and organizational costs of establishing the Increment Districts. The costs of the infrastructure improvements (i.e., the Infrastructure Costs) to serve the entirety of the Project Area, inclusive of the Increment Districts, are estimated to be \$239,100,000. Certain economic incentives (i.e., the Incentive Costs) are proposed in the estimated amount of \$60,000,000 in support of the Project.

The following specific Infrastructure Costs have been identified by the City as necessary to support the full development of the Project. Many of the Infrastructure Costs will support development within more than one of the Increment Districts, and as such, any of the Infrastructure Costs shall be deemed to be authorized Project Costs of any and all of the Increment Districts.

- | | | |
|----|---|---------------------|
| A. | <u>106th Street Extension:</u> Extend 106 th Street east from Elm Street to Lewis Avenue. This project will include a trail extension and a waterline extension. | \$19,000,000 |
|----|---|---------------------|

- B. **106th and Elm Lift Station and Forcemain Upgrade/Relocation:** Increase the capacity of the existing lift station, relocate the lift station by moving to the south along the east side of Elm Street and reroute and upside the forcemain. **\$18,000,000**
- C. **Bank Stabilization for the West Bank of the Arkansas River from Main Street to Creek Turnpike:** Stabilize the west bank of the Arkansas river between the Main Street and Creek Turnpike bridges by installing a wall along this section of the Arkansas River's West Bank. This project includes design plans and creation of the bid documents. **\$24,700,000**
- D. **Extension of the Arkansas River Trail:** Extend the Arkansas River Trail from the northern boundary of Jenks along the west side of the Arkansas River to an existing trail at Riverwalk Crossing and extend trail from the existing trail on the south side of the Holiday Inn Express to future site of the Low Water Dam at 106th Street. **\$3,000,000**
- E. **Low Water Dam at 106th Street:** Construct a low water dam across the Arkansas River at 106th Street South. **\$16,600,000**
- F. **Aquarium Lift Station and Lift Station 1/1A and Associated Force Main Upgrade:** Install a new lift station and forcemain to serve the new development within the Project Area boundaries and increase the capacity of the existing lift stations 1/1A. **\$12,000,000**
- G. **Milling/overlay of the Aquarium Trail:** Rehabilitate the pavement of the existing trail along Aquarium Drive by milling and overlaying the asphalt pavement and striping the centerline. **\$700,000**
- H. **Repair and repaint Main Street Bridge and Pedestrian Bridge:** Inspect, repair and repaint the Main Street and Pedestrian Bridges. This project also includes the design and bidding document preparation for repairing both bridges. **\$14,000,000**
- I. **Additional Outlet Mall Related Improvements:** Various improvements associated with the Tulsa Premium Outlet Mall construction that was not installed prior to January 1, 2022 (i.e. roads, sidewalks, trails, sanitary sewer lift station/force main/gravity main, etc.). **\$16,500,000**
- J. **Site Reclamation/Grading/Excavation & Fill:** This category covers all earthwork activities for development within the Project Area boundaries. **\$6,600,000**

- | | | |
|----|--|---------------------|
| K. | <u>Public Structured Parking (200+/- cars):</u> This category covers public parking structures built within the Project Area boundaries. | \$30,000,000 |
| L. | <u>Surface Parking (200+/- cars):</u> This category covers public surface parking (non-structured) built within the Project Area boundaries. | \$15,000,000 |
| M. | <u>Streetscaping (wayfinding signage, sidewalks, lighting, landscaping):</u> Install streetscaping in the forms of wayfinding signage, sidewalks, landscaping, lighting within the I Project Area boundaries for vehicle and pedestrian transportation. | \$3,000,000 |
| N. | <u>Stormwater Piping & Drainage Improvements:</u> Storm sewer systems extensions and drainage improvements (including flap gates on all outfall structures along the Arkansas River and Polecat Creek) within the Project Area boundaries. | \$20,000,000 |
| O. | <u>Sanitary Sewer Extensions:</u> Extensions of the public wastewater system to support public and private development within the Project Area boundaries. The cost for ODEQ permitting is included in this category. | \$8,500,000 |
| P. | <u>Waterline Extensions:</u> Extensions of the public waterline system to support public and private development within the Project Area boundaries. The cost for ODEQ permitting is included in this category. | \$7,000,000 |
| Q. | <u>Public Parks:</u> Improvements associated with the creation of a public park area within the Project Area boundaries. | \$2,000,000 |
| R. | <u>Engineering:</u> Engineering design services related to public improvements within the Project Area boundaries. | \$10,000,000 |
| S. | <u>Floodplain & Floodway Permitting/Drainage Study:</u> This category covers all drainage study services and FEMA permitting within the Regulatory Floodplain/Floodway within the Project Area boundaries. | \$7,500,000 |
| T. | <u>Easement and Right-of-Way Acquisition:</u> This category covers the costs related to acquiring easements and right-of-way for public improvements, utility extensions and street installation. | \$5,000,000 |

The Incentive Costs are estimated to be \$60,000,000, and will be used for the purpose of providing assistance in development financing (as authorized by Section 853(14)(o) of the Local Development Act) necessary to accomplish the Project. Assistance in development financing in the amount of up to \$30 million is proposed in connection with the Retail Outlet Project,

representing infrastructure improvements completed in support of the Retail Outlet Project. Assistance in development financing in the amount of \$30 million is proposed in connection with the Oklahoma Aquarium Town Center Project. Said assistance in development financing will be approved by the City Council pursuant to an economic development agreement with the prospective development that sets forth appropriate performance requirements to qualify for the incentive(s). The Organizational Costs pertaining to the creation of the Increment Districts are estimated to be \$150,000. The aggregate total of \$299,250,000 in Project Costs is a not-to-exceed maximum, however the City reserves the right to reallocate the costs described above to accommodate any cost differentials from the preliminary projections. The City anticipates that certain other funds may be available to supplement and/or offset all or a portion of certain Project Costs. The City expects to phase the expenditure of Project Costs in coordination with specific development projects.

The estimated \$320.7 million capital investment (\$281.7 million in net taxable value) and \$7.273 billion in total taxable sales over the term of the Increment Districts is based on the following assumptions:

- Retail Outlet Project (Increment District “A”)
 - 340,000 square foot premium outlet mall facilities, with an estimated \$100,000,000 project investment (\$100 million taxable value) and \$115,500,000 in annual retail sales (average of \$340/sf.)
- Oklahoma Aquarium Town Center Project (Increment District “B”)
 - Approximately five (5) concept retail and dining establishments totaling approximately 99,000 square foot of buildings, with an estimated \$24,300,000 project investment (\$20.1 million taxable value) and \$24,600,000 in annual retail sales (average of \$150-200/sf.)
 - Additional retail development totaling approximately 169,500 square foot of buildings, with an estimated \$38,775,000 project investment (\$32.19 million taxable value) and \$29,000,000 in annual retail sales (average of \$100-250/sf.)
 - Mixed use residential with first floor retail development totaling approximately 621,500 square foot of buildings (including 119,500 square foot of first floor retail), with an estimated \$93,200,000 project investment (\$77.0 million taxable value) and \$29,900,000 in annual retail sales (average of \$250/sf.)
 - Concept boutique hotel of approximately 80 room, with an estimated \$6,720,000 project investment (\$5.5 million taxable value) and \$3,500,000 in annual taxable sales subject to sales tax, and \$2,628,000 in annual taxable sales subject to hotel tax.
- Sports Experience Project (Increment District “C”)
 - Approximately 3.5 million square foot baseball/softball complex, with an

estimated \$25,000,000 project investment (\$18 million taxable value) and \$5,500,000 in annual taxable sales.

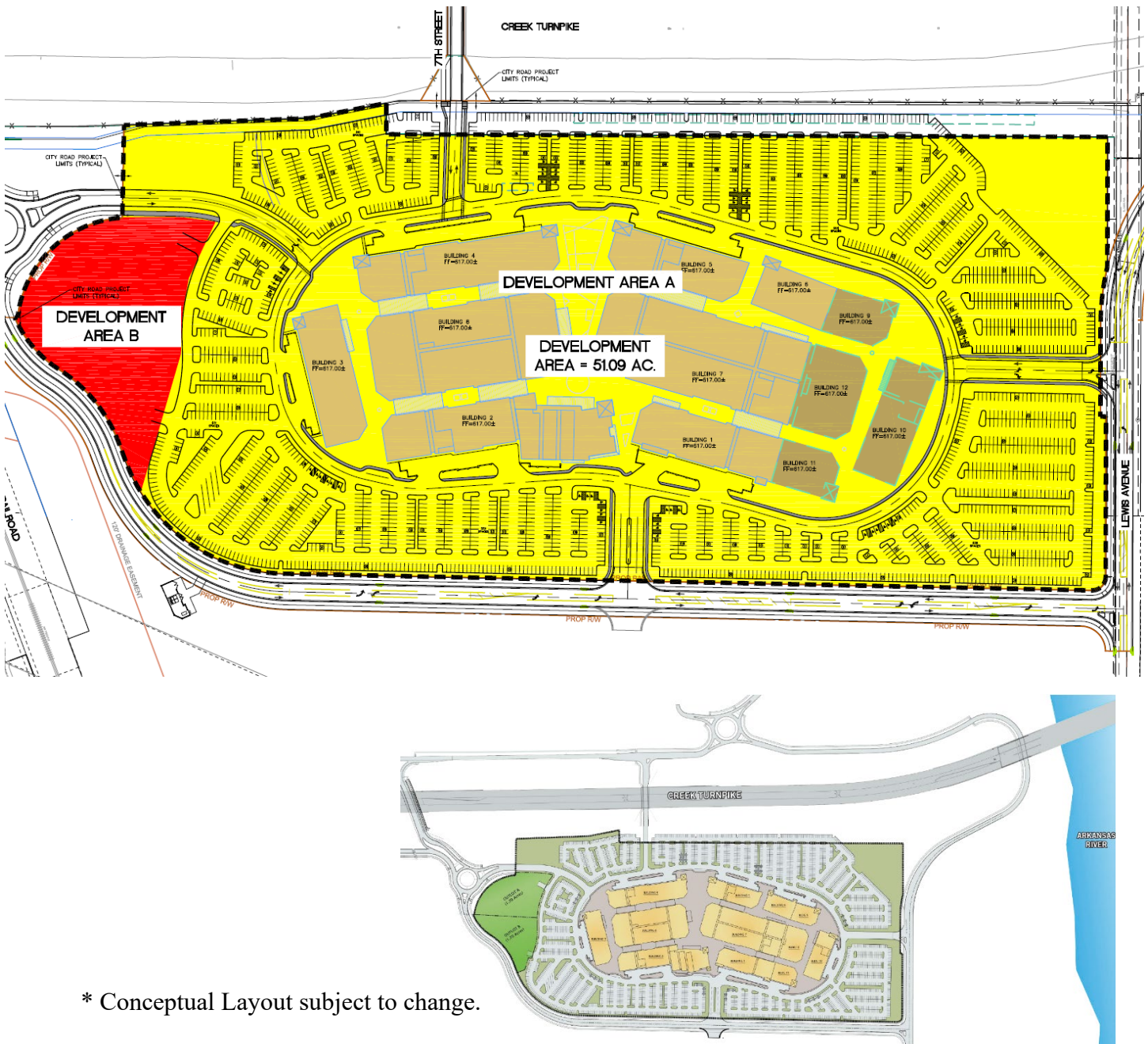
- 5,000 square foot baseball complex retail store, with an estimated \$2,125,000 project investment (\$1.904 million taxable value) and \$2,000,000 in annual retail sales (average of \$400/sf.)
- 20,000 square foot entertainment center, with an estimated \$8,500,000 project investment (\$7.004 million taxable value) and \$7,500,000 in annual retail sales (average of \$375/sf.)
- Approximately six (6) retail and dining establishments totaling approximately 25,500 square foot of buildings, with an estimated \$10,837,500 project investment (\$9.895 million taxable value) and \$15,000,000 in annual retail sales (average of \$570-600/sf.)
- Hotel of approximately 120 room, with an estimated \$11,250,000 project investment (\$10.1 million taxable value) and \$3,500,000 in annual taxable sales subject to sales tax, and \$3,153,600 in annual taxable sales subject to hotel tax.

Please see Exhibit “F” for a Preliminary Site Development Plans for the Retail Outlet Project, the Oklahoma Aquarium Town Center Project, and the Sports Experience Project.

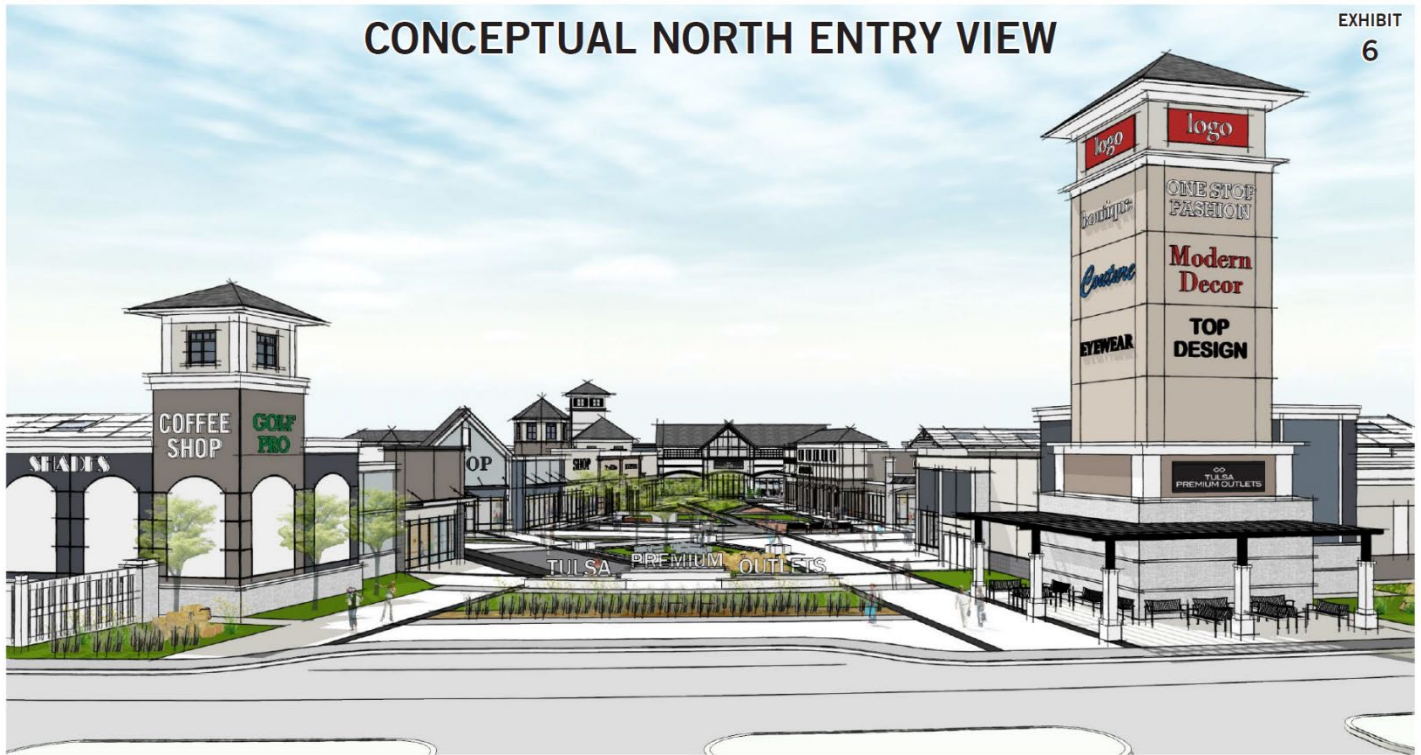
EXHIBIT "F"

PRELIMINARY SITE DEVELOPMENT PLAN*

RETAIL OUTLET PROJECT



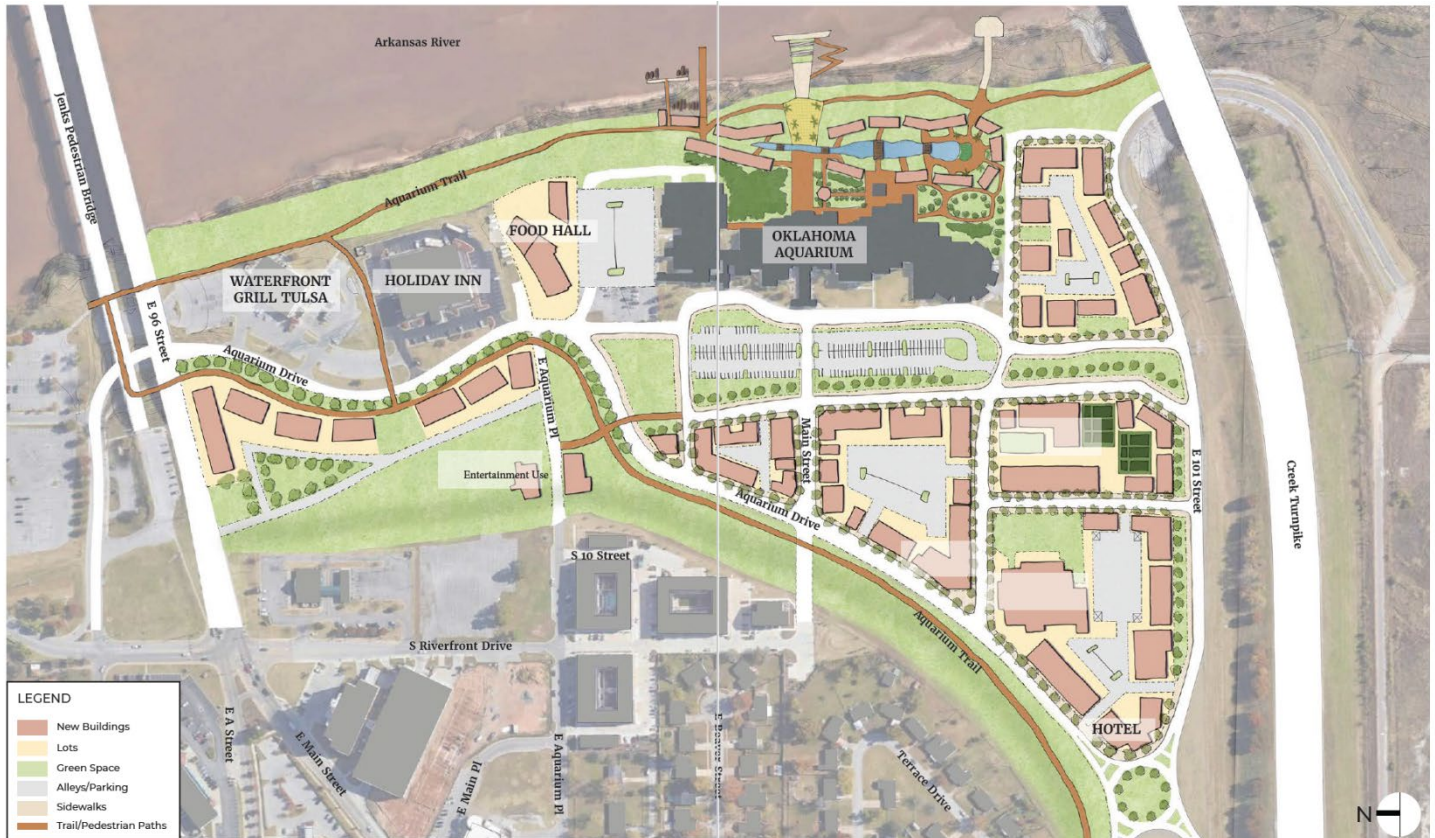
* Conceptual Layout subject to change.



* Conceptual Renderings subject to change.

PRELIMINARY SITE DEVELOPMENT PLAN*

OKLAHOMA AQUARIUM TOWN CENTER PROJECT



* Conceptual Layout subject to change.



River access is provided with a stepped entrance and a ramp where mixed-use development is fronting the water.

WATERFRONT - NATURAL EDGE



Aerial view of the Waterfront

* Conceptual Renderings subject to change.

MAIN STREET



In the Oklahoma Aquarium Town Center, Main Street would be the primary attraction.

ROUNDBOUT ENTRANCE



Hotel acting as a focal point and landmark while entering the Oklahoma Aquarium Town Center. Other development includes an apartment complex with retail on first floor.

*** Conceptual Renderings subject to change.**

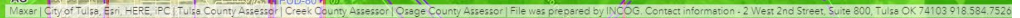
PRELIMINARY SITE DEVELOPMENT PLAN*

SPORTS EXPERIENCE PROJECT



* Conceptual Layout subject to change.

EXISTING USES AND CONDITIONS OF REAL PROPERTY



PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE PLANNING COMMISSION OF THE CITY OF JENKS, OKLAHOMA, MET IN REGULAR SESSION IN THE COUNCIL CHAMBERS AT JENKS CITY HALL, 211 N. ELM STREET, JENKS, OKLAHOMA, 74037, ON THE 23RD DAY OF FEBRUARY, 2023, AT 6:00 O'CLOCK P.M.

PRESENT:

ABSENT:

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by the City Clerk. Commissioner _____ moved passage of the Resolution and Commissioner _____ seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE:

NAY:

The Resolution so approved is as follows:

RESOLUTION

A RESOLUTION RECOMMENDING THAT THE CITY OF JENKS, OKLAHOMA, THROUGH ITS CITY COUNCIL AMEND INCREMENT DISTRICT NO. 1, CITY OF JENKS (CITY OF JENKS TAX INCREMENT DISTRICT NO. 1 PROJECT PLAN) TO MODIFY THE BOUNDARIES OF SAID INCREMENT DISTRICT.

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S. 2021, Section 851 *et seq.* (the "Local Development Act"), as amended, the City Council of The City of Jenks, Oklahoma (the "City") heretofore created Increment District No. 1, City of Jenks (referred to herein as the "Increment District") pursuant to Ordinance No. 1148 dated January 3, 2006, as amended by Ordinance No. 1291 dated December 20, 2010, in connection with the adoption of the City of Jenks Tax Increment District No. 1 Project Plan (the "Project Plan"); and

WHEREAS, due to unforeseen economic factors beyond the control of the City, development of certain areas within the Increment District have not occurred and will not occur in a manner consistent with the Project Plan heretofore adopted by the City; and

WHEREAS, the City in its Resolution dated September 6, 2022, directed the Planning Commission of the City of Jenks, Oklahoma (the “Planning Commission”) to review and make recommendations concerning the amendment of the Increment District; and

WHEREAS, the Local Development Act provides that the Project Plan may be amended by the City upon recommendation of Planning Commission; and

WHEREAS, the City is separately considering the creation of additional tax increment districts as set forth in the Jenks River Entertainment District Economic Development Project Plan, which contemplates the funding of essential public improvements and economic incentives; and

WHEREAS, it is necessary that the Increment District be amended to release the undeveloped areas within the Increment District, in order to facilitate the implementation of the Jenks River Entertainment District Economic Development Project Plan.

WHEREAS, the proposed amendment to the Project Plan is consistent with the comprehensive plan of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE METROPOLITAN AREA PLANNING COMMISSION OF THE CITY OF ENID, OKLAHOMA:

SECTION 1. AMENDMENT OF INCREMENT DISTRICT NO. 1, CITY OF JENKS, OKLAHOMA. The Planning Commission hereby recommends that the Increment District be amended at the earliest possible time by the City, to remove from the boundaries of the Increment District the undeveloped property located south and east of Aquarium Trail and the flood control levee, said area known as the Oklahoma Aquarium Campus. This recommendation is based on the information that the parameters of the existing Increment District will no longer support the proposed economic development within the Oklahoma Aquarium Campus, and said project will not be undertaken in the foreseeable future without the provision of adequate infrastructure improvements to support development within the Increment District. The existing boundaries of the Increment District, and the proposed amended boundaries of the Increment District, are shown in Exhibit “A” attached hereto.

PASSED AND APPROVED THIS 23RD DAY OF FEBRUARY, 2023.

(SEAL)
ATTEST:

By: _____
Chairman

By: _____
City Clerk

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

I, the undersigned, City Clerk of the City of Jenks, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the Planning Commission of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the “Open Meeting Law” was complied with for such meeting.

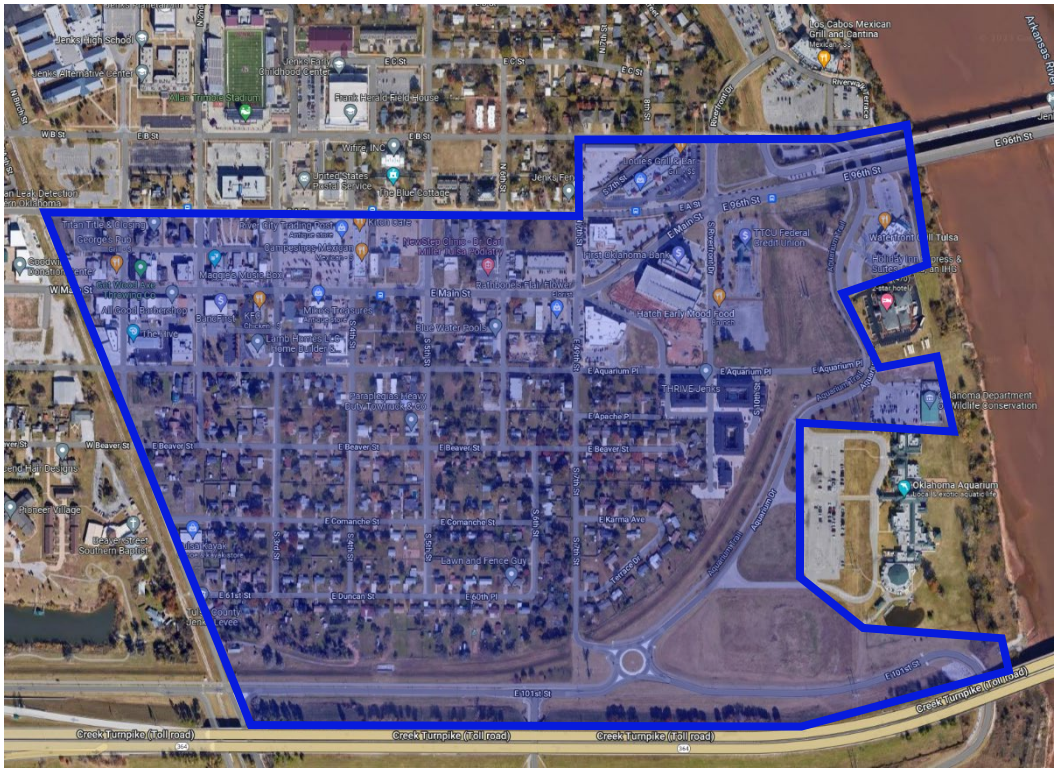
GIVEN UNDER MY HAND THIS 23RD DAY OF FEBRUARY, 2023.

(SEAL)

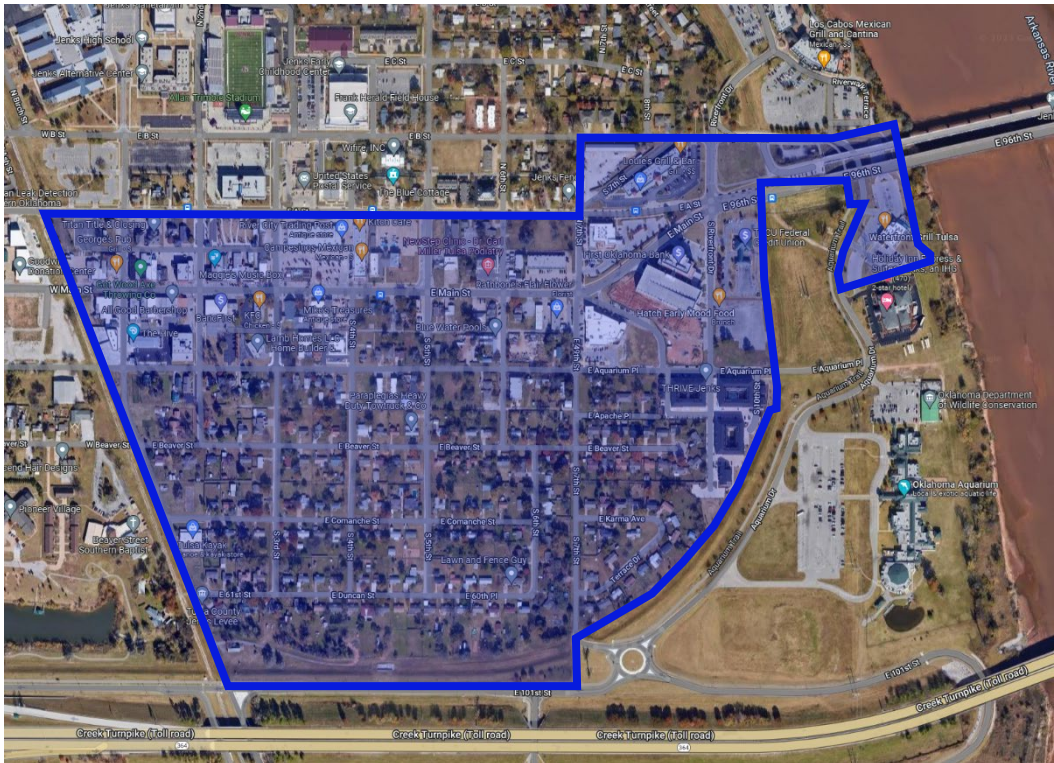
City Clerk

EXHIBIT "A"

Existing Boundaries of Increment District No. 1



Proposed Amended Boundaries of Increment District No. 1



PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE PLANNING COMMISSION OF THE CITY OF JENKS, OKLAHOMA, MET IN REGULAR SESSION IN THE COUNCIL CHAMBERS AT JENKS CITY HALL, 211 N. ELM STREET, JENKS, OKLAHOMA, 74037, ON THE 23RD DAY OF FEBRUARY, 2023, AT 6:00 O'CLOCK P.M.

PRESENT:

ABSENT:

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by the City Clerk. Commissioner _____ moved passage of the Resolution and Commissioner _____ seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE:

NAY:

The Resolution so approved is as follows:

RESOLUTION

A RESOLUTION RECOMMENDING THAT THE CITY OF JENKS, OKLAHOMA, THROUGH ITS CITY COUNCIL TERMINATE INCREMENT DISTRICT NO. 2, CITY OF JENKS (CITY OF JENKS TAX INCREMENT DISTRICT NO. 2 PROJECT PLAN).

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S. 2021, Section 851 *et seq.* (the "Local Development Act"), as amended, the City Council of The City of Jenks, Oklahoma (the "City") heretofore created Increment District No. 2, City of Jenks (referred to herein as the "Increment District") pursuant to Ordinance No. 1212 dated December 7, 2007, as amended by Ordinance No. 1293 dated January 17, 2011, in connection with the adoption of the City of Jenks Tax Increment District No. 2 Project Plan (the "Project Plan"); and

WHEREAS, due to unforeseen economic factors beyond the control of the City, the economic development projects proposed in connection with the Increment District have not occurred and will not occur in a manner consistent with the Project Plan heretofore adopted by the City; and

WHEREAS, the City in its Resolution dated September 6, 2022, directed the Planning Commission of the City of Jenks, Oklahoma (the “Planning Commission”) to review and make recommendations concerning the termination of the Increment District; and

WHEREAS, the Local Development Act provides that the Project Plan may be amended by the City upon recommendation of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF JENKS, OKLAHOMA:

SECTION 1. TERMINATION OF INCREMENT DISTRICT NO. 2, CITY OF JENKS, OKLAHOMA. The Planning Commission hereby recommends that the Increment District be terminated at the earliest possible time by the City, based on the information that the parameters of the Increment District will no longer support the economic development project contemplated in the Project Plan, and said project will not be undertaken in the foreseeable future without the provision of adequate infrastructure improvements to support development within the Increment District. The termination of the Increment District will permit any increased valuation (above the baseline value established for the Increment District) to accrue to the benefit of the taxing jurisdictions within the Increment District, and will facilitate the provision of other economic development incentives (where appropriate), including the creation of future tax increment districts.

PASSED AND APPROVED THIS 23RD DAY OF FEBRUARY, 2023.

(SEAL)
ATTEST:

By: _____
Chairman

By: _____
City Clerk

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

I, the undersigned, City Clerk of the City of Jenks, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the Planning Commission of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the “Open Meeting Law” was complied with for such meeting.

GIVEN UNDER MY HAND THIS 23RD DAY OF FEBRUARY, 2023.

(SEAL)

City Clerk

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE PLANNING COMMISSION OF THE CITY OF JENKS, OKLAHOMA, MET IN REGULAR SESSION IN THE COUNCIL CHAMBERS AT JENKS CITY HALL, 211 N. ELM STREET, JENKS, OKLAHOMA, 74037, ON THE 23RD DAY OF FEBRUARY, 2023, AT 6:00 O'CLOCK P.M.

PRESENT:

ABSENT:

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by the City Clerk. Commissioner _____ moved passage of the Resolution and Commissioner _____ seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE:

NAY:

The Resolution so approved is as follows:

RESOLUTION

A RESOLUTION RECOMMENDING THAT THE CITY OF JENKS, OKLAHOMA THROUGH ITS CITY COUNCIL CREATE THREE TAX INCREMENT DISTRICTS AND APPROVE THE JENKS RIVER ENTERTAINMENT DISTRICT ECONOMIC DEVELOPMENT PROJECT PLAN.

WHEREAS, the City of Jenks, Oklahoma (the "City") is working to promote economic development in the area, in order to provide increased opportunity for residents of the area and to improve the overall standard of living; and

WHEREAS, the City aspires to attract and retain business interests with the potential to invest in commercial retail and entertainment facilities within the City, subject to certain conditions including economic development incentives and financing; and

WHEREAS, the Local Development Act, Title 62, Oklahoma Statutes Section 850 *et seq.* (the "Local Development Act"), was passed by the Oklahoma Legislature to implement Section 6C of Article X of the Oklahoma Constitution, which empowers the governing bodies of cities,

towns, and counties to apportion tax increments to help finance the public costs of economic development; and

WHEREAS, the proposed project depends upon the utilization of tax increment financing to help finance the project costs; and

WHEREAS, at the direction of the City Council of the City, this Planning Commission has reviewed the Jenks River Entertainment District Economic Development Project Plan (the “Project Plan”); and

WHEREAS, the creation of new opportunities for investment in commercial retail and entertainment facilities and the further development of the project area (all as described in the Project Plan) are in the best interests of the City; and

WHEREAS, the proposed Project Plan is consistent with the comprehensive plan of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE METROPOLITAN AREA PLANNING COMMISSION OF THE CITY OF ENID, OKLAHOMA:

Section 1. The Planning Commission recommends to the City Council of the City the creation of three tax increment districts and approval of the Jenks River Entertainment District Economic Development Project Plan.

PASSED AND APPROVED THIS 23RD DAY OF FEBRUARY, 2023.

(SEAL)
ATTEST:

By: _____
Chairman

By: _____
City Clerk

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

I, the undersigned, City Clerk of the City of Jenks, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the Planning Commission of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the “Open Meeting Law” was complied with for such meeting.

GIVEN UNDER MY HAND THIS 23RD DAY OF FEBRUARY, 2023.

(SEAL)

City Clerk

To	Chairman, Dr. Scott West and Planning Commission
Hearing Date	February 23, 2023
Case No.(s)	JZ 23 PUD 138 Final Plat Ragland Plaza Amended
Request	<i>Approval of PUD 138 and Final Plat</i>
Location	East of 9 th Street between Main Street and East “B” Street

Staff Report

Preparer | Marcaé Hilton

Attachments

Plat Documents

PUD 138 Documents

Preparer

Alan Betchan, AAB Engineering

Alan Betchan, AAB Engineering

Background Information

STAFF COMMENTARY | This staff report serves as the background for two requests:

1. Recommendation of approval of the Final | Amended Plat for Ragland Plaza.
2. Recommendation of approval for PUD 138.

The applicant is asking for recommendation of approval for a drive through coffee concept. The preliminary plat was conditionally approved earlier this month. The best site development plan required amending the plat to remove of the Limits of No Access and buildline (did not match RTC zoning). The Planned Unit Development (PUD 138) is required due to the materials request, they are providing additional landscaping in lieu of being able to use some metal panels, and lighting around the roofline. The location of the front of the building is complicated since the site is bordered by three streets. During the Preliminary Plat phase, the Planning Commission requested a Traffic Impact Analysis (TIA), the City of Jenks has provided a letter detailing the potential impact.

PLAT SUMMARY

CITY COUNCIL SUMMARY | **February 07, 2023** | 0-5-2 (2 Councilors were missing) | Approved pre staff recommendation (Consent Agenda)

PLANNING COMMISSION SUMMARY | **January 19, 2023**, | 0-6-1 | Approved with conditions:

The Planning Commission (PC) expressed concerns about the potential for additional traffic issues at the intersection of 9th Street and Main Street and acknowledged a drive through coffee concept (7 Brew) could complicate traffic in that area. Currently the traffic does get backed up across the Arkansas River Bridge (Main Street Bridge) and southbound on 9th Street during certain times. Staff stated the plat is not the time to talk about

the potential project impact or discuss site plan issues. *CONDITIONAL APPROVAL: The PC recommended approval of the preliminary plat and asked that any future applicant/development bring a Traffic Impact Analysis (TIA*) along with any PUD to identify possible issues, reduce potential hazards and congestion in the area. PC is aware the applicant has applied for PUD approval; the item will be on the agenda for February. Staff has requested from the engineer of record to provide information on the number of trips/traffic counts that 7 Brew coffee shop expects to see on average and their peak business hours during. The City Manager directed staff to contact TEC, who recently did a Transportation Master Plan for the City and have them to take the information requested and do a TIA on this site. *TIA | A specialized study that evaluates the effects of a subdivision's (project's) traffic on the surrounding transportation infrastructure, the TIA helps identify where the subdivision (project) may have a significant impact on safety, traffic, and transportation operations, and provides a means for the subdivider (applicant) and City to mitigate these impacts.*

Request	Approval of PUD 138 & Approval of Final Plat
Public Comment	None other than the property owner, plats are not advertised
General Location	East of 9 th Street between Main Street and East "B" Street
Parcel ID.	60812831950320
LEGAL	LT 1 BLK 1
OWNER	RAGLAND, RONALD PAUL TRUSTEE
PROP_ADD	TBD
TR_SEC	8319
STR	Section: 19, Township: 18N, Range: 13E
GROSS ACRES	0.95
Comprehensive Plan	Regional Commercial & Riverfront Subarea plan
Plat	Ragland Plaza is being amended to match potential project details.
Zoning	RTC (Riverfront Tourist Commercial)
Surrounding Zoning	North PUD-30C (RTC) Amended, Riverwalk Development East PUD-30C (RTC) Pedestrian Bridge South PUD-76 (RTC) Village on Main Development West (RTC) Strip Center

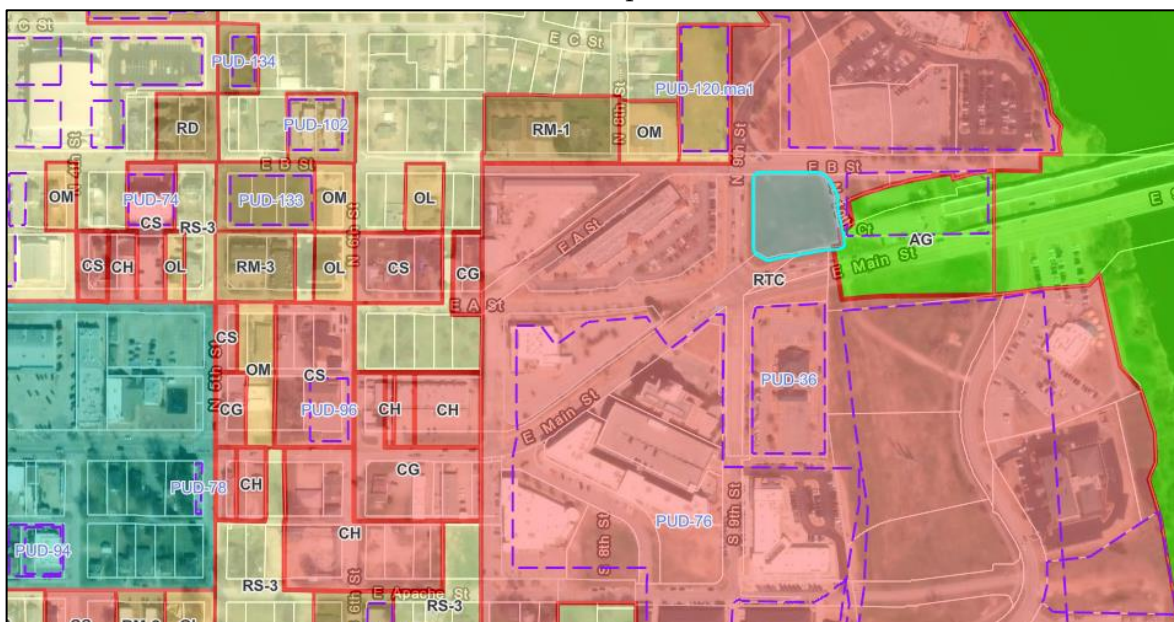
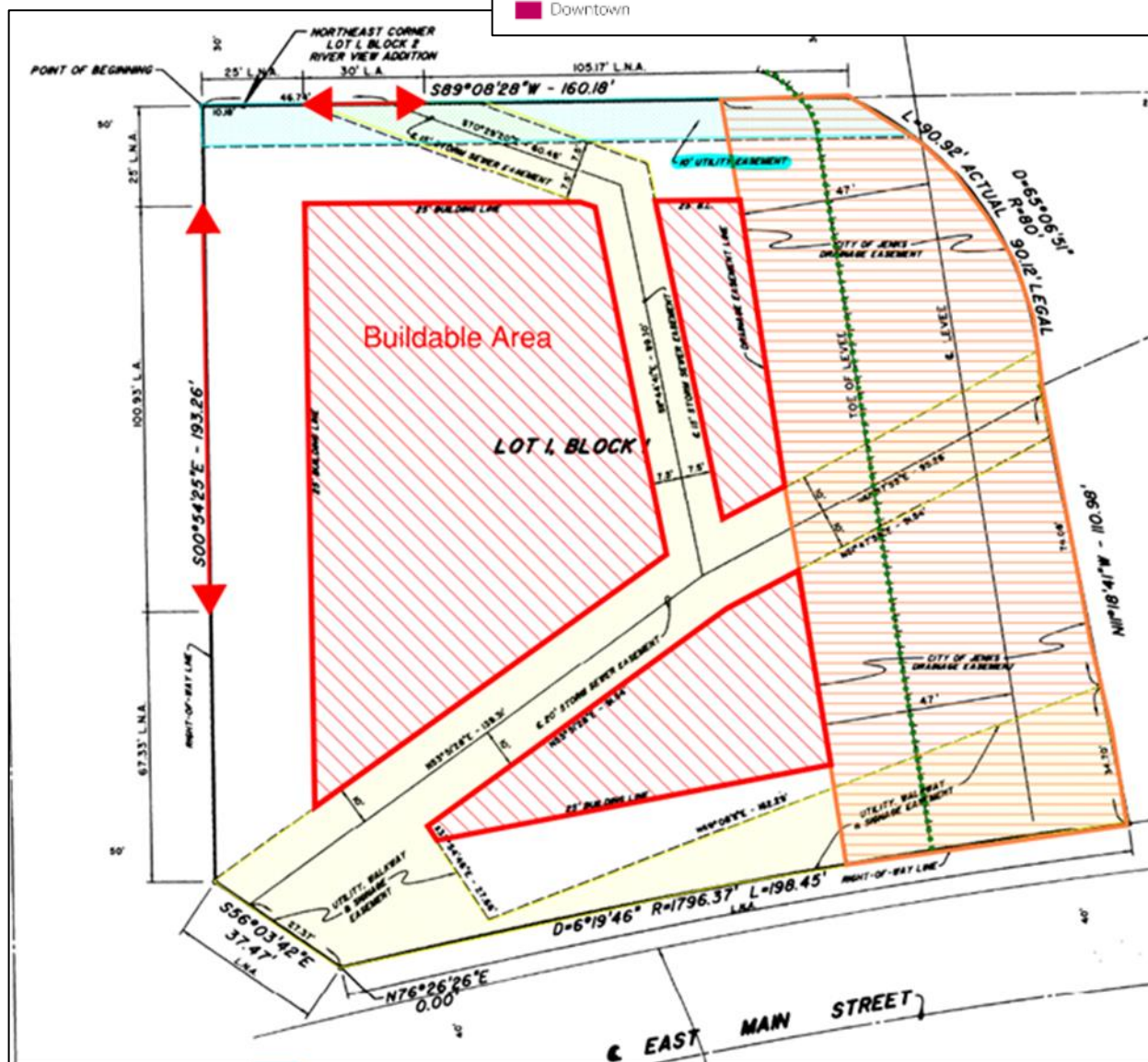
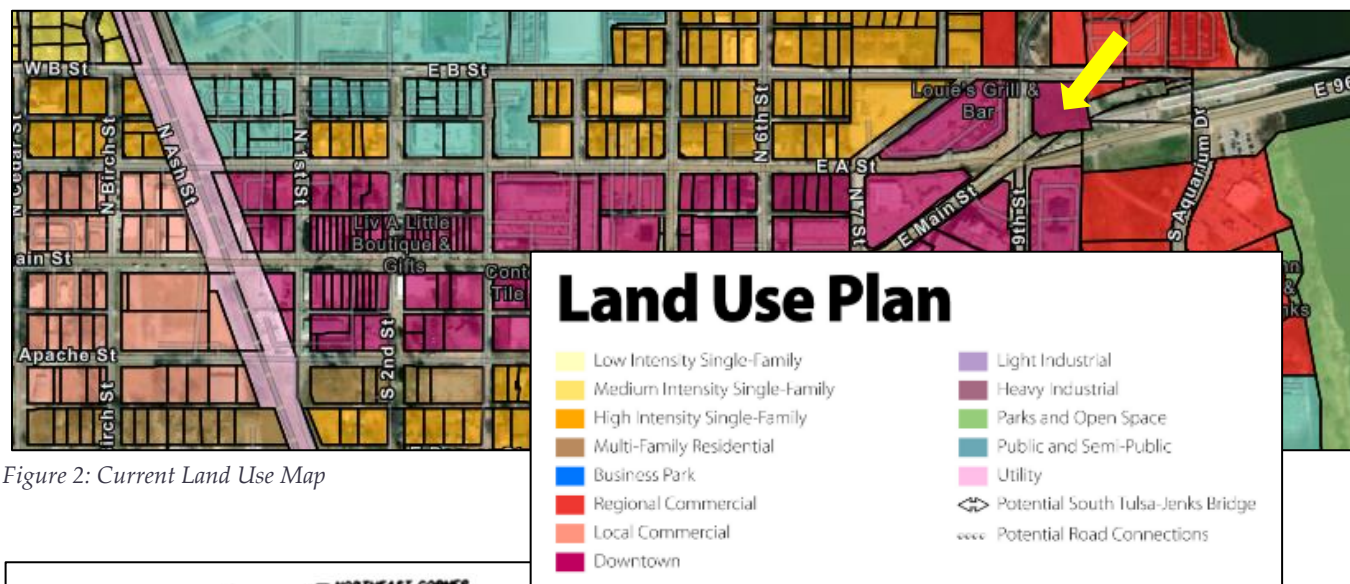


Figure 1: Zoning Map | GIS



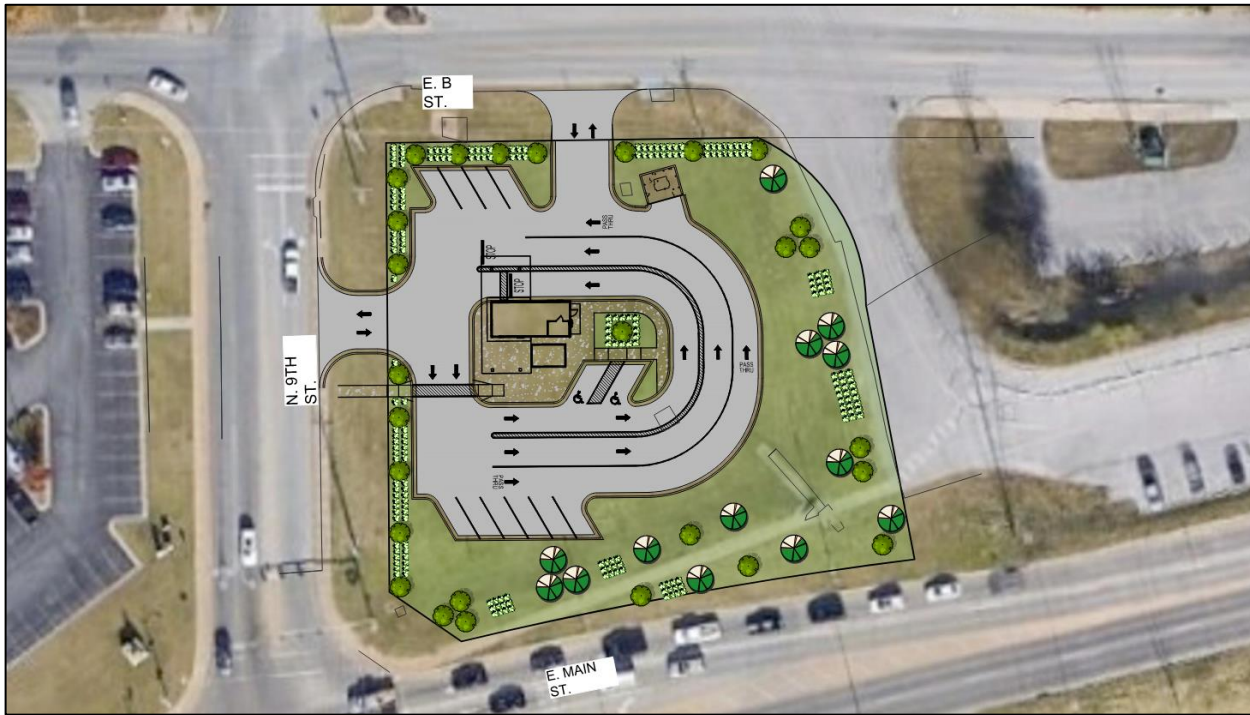


Figure 4: Proposed Site Plan as seen in PUD submittal.

Staff Evaluation & Recommendation

Evaluation This PUD request and Final Plat (amendment) has been reviewed by TAC and staff, the plat comments have been received by the engineer of record and have/will be corrected prior to final plat submittal.

Approving the PUD as submitted will allow the following:

- Metal Panels on the exterior of façade.
- Lighting around the roof (currently planned for blue).
- Stacking aisles on adjacent to Main and “B”.
- All Uses Permitted by Right in RTC: see chart

Table 16-3-1(B): Nonresidential District Bulk and Dimensional Standards		
Standard	RTC	PUD
Lot Standards (Minimum)		
Lot Area (acres)	n/a	0.95
Lot Width (ft)	n/a	n/a
Yard Setbacks (Minimum, unless otherwise stated)		
Front (ft)	0	West 60
Front, maximum (ft)	60	West 60
Exterior Side (ft) (3)	0	North 0
Exterior Side, maximum (ft)	60	North 70
Exterior Side (ft) (3)	0	South 0
Exterior Side, maximum (ft)	0	South 130
Building Standards (Maximum)		
Height (ft)	85	Not Specified
Impervious Surface Coverage	70%	Not Specified
Table 16-3-4(C) Nonresidential District Permitted, Conditional, Special Exception, and Specific Uses		

Use	Additional Regulation	RTC
Agricultural Uses		RTC
Residential Uses		RTC
Residential, above ground floor		P
Institutional and Utility Uses		RTC
Government Uses, indoor		P
Wireless Communication Facility, Small Cell	16-5-3(B)	C
Retail Uses		RTC
Convenience Store		P
General Retail, less than 10,000 sqft	16-5-4(B)	P
General Retail, 10,000 sqft—49,999 sqft	16-5-4(C)	P
General Retail, 50,000 or more sqft	16-5-4(D)	S
Multitenant Shopping Center	16-5-4(E)	P
Service Uses		RTC
General Service, less than 10,000 sqft	16-5-5(C)	P
Medical/Dental Office		P
Professional Office		P
Professional Office, above ground floor		P
Lodging Uses		RTC
Hotel		P
Short-Term Rental	16-5-6(B)	C
Eating/Drinking Uses		RTC
Bar/Tavern		P
Brewery/Winery/Distillery, micro		P
Brewery/Winery/Distillery, tasting room		P
Coffee/Tea Shop	16-5-7(A)	P
Restaurant, fast casual		P
Restaurant, sit down		P
Entertainment Uses		RTC
General Entertainment, indoor, less than 10,000 sqft	16-5-8(A)	P
General Entertainment, indoor, 10,000 sqft—49,999 sqft	16-5-8(B)	P
Vehicle Related Uses		RTC
Industrial Uses		RTC
Medical Marijuana Uses		RTC
Accessory Uses		RTC
Accessory Building	16-5-12(A)	P
Accessory Structure	16-5-12(D)	P
Drive Through	16-5-12(F)	P
Home Based Business	16-5-12(H)	C
Solar Energy Collection System, canopy	16-5-12(L)	P
Solar Energy Collection System, ground	16-5-12(M)	P
Solar Energy Collection System, roof	16-5-12(N)	P
Temporary Uses		RTC
Construction Related		T
Farmers Market		T
Food Truck	16-5-13(A)	T
Outdoor Dining	16-5-13(B)	T
Outdoor Activity/Operation, temporary		T
Outdoor Display/Sale of Merchandise, temporary	16-5-13(C)	T
Seasonal Sales	16-5-13(E)	T

TAC COMMENTS | January 04, 2023:

Alex Mills, Tulsa County Engineer | We continue to have concerns about the language of the plat describing the easement as a City of Jenks Drainage Easement. Also, all improvements near the levee will require COE buyoff as described on the attached email. (Site plan has been revised to prevent levee encroachments)

Diana Carew, COX, Land Use Contractor | The Plats seem to have a dedicated easement and provided conduit route to accommodate us.

Timothy Mickles, ONEOK

- Thank you forwarding the planning information for Ragland Plaza I Amended, Jenks, OK. Please be advised that the development for the Ragland Plaza I Amended, will not impact any ONEOK pipelines.
NE/SE 19-18N-13E, Tulsa Co, OK
Ragland Plaza, Amended, Jenks, OK

Chris Cloyde, COJ Engineer & Marcae Hilton COJ Planner

PRELIMINARY PLAT

- Show Toe of Levee and essential dimensions
- Parking appears to be within Toe of Levee (has been removed)
- Remove build line, does not match RTC zoning

CONCEPTUAL IMPROVEMENTS (SITE PLAN/ELEVATIONS) | Zoning RTC (follow UDO standards)

Approving this request for the Preliminary Plat will allow the owner to develop the subject property, a Planned Unit Development will provide the specifics.

The Planning Commission shall evaluate the proposed Major Subdivision preliminary plat, and after consideration of the City Planner report, make a recommendation to the City Council to:

approve,

approve with modifications,

or deny the Major Subdivision preliminary plat based on the applicable review criteria.

The Planning Commission shall transmit a report containing its recommendation to approve, approve with modifications, or deny the Major Subdivision preliminary plat to the City Council.

Action by City Council. The City Council shall evaluate the proposed Major Subdivision preliminary plat, and after consideration of the Planning Commission's recommendation, the City Planner report, and the applicable review criteria, may:

approve,

approve with modifications,

or deny the Major Subdivision preliminary plat in accordance with applicable state law.

RECOMMENDATION | Staff, Planning Commission and TAC recommend conditional approval the Final Plat for Ragland Plaza Amended

1. Correct Plat (add street names)
2. Provide release letters from TAC.
3. Adhere to engineering and planning requirements.
4. Adhere to all building code and fire code.
5. Provide updated PUD including charts as presented in staff report.

7Brew Jenks Riverfront

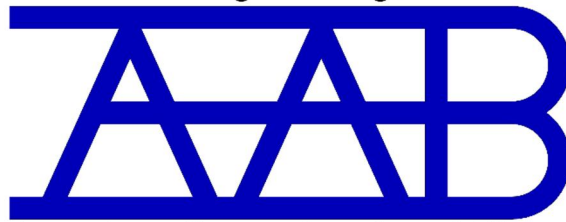
Planned Unit Development #PUD-XXX

Prepared
January 9th, 2023

Location
Lot 1 Block 1 of Ragland Plaza 1
Part of Seciton 19, Township 18 North, Range 13 East
City of Jenks, Oklahoma

Owner
Ronald Paul Ragland Revocable Trust
906 West "D" Street
Jenks, OK 74037

Prepared By:
AAB Engineering, LLC



Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
Office: (918) 514-4283 Fax: (918) 514-4288

Development Concept

7Brew Jenks Riverfront is a single lot commercial development located on the northeast corner of East Main Street and North 9th Street in Jenks, Oklahoma. The proposed site is located at what is effectively the entryway to both the Riverwalk Area as well as Downtown Jenks. It is uniquely situated with roads to the north, south, and west and the levee to the east. Exhibit B shows the subject property in relation to the existing surrounding developments. This PUD is a Planned Unit Development overlay of an existing River Tourist Commercial (RTC) district. It is surrounded by properties with a similar zoning designation though a small portion of the property to the east is currently zoned Agricultural (AG). The project will be developed in conformance with the RTC district standards except as modified by this document. See Exhibit C for existing zoning map with proposed development shown. The proposed development plan contemplates two small structures and associated canopies with a dual wrapping drive thru lane. See attached Exhibit F for conceptual Site Plan. Exhibit A includes legal descriptions of the PUD.

The configuration of the existing tract presents several difficulties in relation to the Unified Development Ordinance. The location of the abutting streets in conjunction with the location of the levee and existing utilities makes development within the strict confines of the RTC district difficult if not strictly impossible. That said, the unique location of the property at what is essentially the gateway into Jenks warrants a high standard of landscaping and a closer scrutiny of the anticipated development. This PUD sets out the standards that make the site viable for development but also instates a higher level of landscaping than would otherwise be required by the code. It is our opinion that the standards set out in this document meet the modification standards of UDO section 16-9-8(C)(2) for sections: b. Sustainable Design, c. Landscape Conservation and Visual Enhancement, and f. Universal Design.

Development Standards

The development shall conform to the bulk and area requirements of the River Tourism Commercial zoning district as established in the City of Jenks Unified Development Ordinance as it exists on the date of approval, except as hereinafter modified.

Permitted uses:	All uses permitted by right within the RTC zoning district
Gross Land Area	0.95 acres
Maximum Impervious Surface Coverage	60%
Maximum Building Height	22 feet
Building Setbacks	
Front (West) Minimum	0 feet
Front (West) Maximum	60 feet
Exterior (North)Side Minimum	0 feet
Exterior (North) Side Maximum	70 feet
Exterior (South) Side Minimum	0 feet
Exterior (South) Side Maximum	130 feet

Architectural Requirements and Screening Standards

All building facades within the development shall conform to the Riverfront Tourist Commercial district standards except that metal panels may be used in conjunction with the other materials allowed by the UDO.

Drainage & Utilities

The site drains towards existing inlets that are internal to the property. These inlets are connected to a 60" storm sewer that crosses the levee and discharges directly to the Arkansas River. All stormwater from the development will be directed toward these inlets which will be modified to accommodate the site development proposed. The attached Exhibit D depicts the existing site survey for the tract.

An existing 12" line extends into the property at the southwest corner before turning south to cross Main Street. An additional 10" line parallels B Street to the north and directly abuts the property for a small portion of the frontage. One of these lines will be tapped to provide service to the lot. There is an existing dead end sewer manhole on the west side of 9th Street immediately west of the property. A public extension of this main will be constructed to provide service to the tract. Other utility services are currently provided to the site and will continue to be provided via underground services. See Exhibit E for the conceptual improvements plan for the proposed development.

Access and Circulation

An amended plat is currently under review which modifies the limits of not access for the tract to bring them in to conformance with the proposed conceptual development plan. Any modifications of the access points as proposed on the plat will require an amendment to the PUD.

Landscaping

The unique location of this site relative to surrounding developments makes landscaping critical to a high-quality development. The below requirements are intended to exceed the requirements of the UDO:

A Type B transition zone shall be constructed along the eastern boundary and the southern boundary of the parcel. This requirement may be modified by staff if there is an objection to the planting materials in proximity to the levee. If such modification is necessary, an equivalent amount of planting material shall be utilized in other areas of the site.

The northern and western boundaries shall conform to the parking area perimeter landscape zone with the additional requirement that 4 canopy or understory trees shall be planted for every 100 feet of frontage.

In lieu of the building foundation landscape required by the UDO the building island (area of site surrounded by paving) shall contain a minimum of 450 square feet of landscape area with a minimum of 1 canopy or understory tree.

All other landscape provisions of the UDO shall still be enforced. The conceptual site plan shown in Exhibit F depicts an accurate representation of the landscape requirements listed.

Requirement to Plat

No building permit shall be issued until a plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Jenks Subdivision Regulations. The plat currently in process may serve to meet this requirement.

UDO vs PUD Matrix

Exhibit A

Legal Descriptions

LEGAL DESCRIPTION

LOT 1 OF BLOCK 1 OF RAGLAND PLAZA 1 A SUBDIVISION OF THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA ACCORDING TO THE RECORDED PLAT 5532 THEREOF. SAID TRACT ALSO BEING DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT ONE (1); THENCE NORTH 89°11'29" EAST, A DISTANCE OF 160.18 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A CHORD BEARING OF SOUTH 32°43'50" EAST, A CHORD DISTANCE OF 86.07 FEET, AND A CURVE DISTANCE OF 90.87 FEET; THENCE SOUTH 10°50'36" EAST, A DISTANCE OF 110.98 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1796.37 FEET, A CHORD BEARING OF SOUTH 79°45'07" WEST, A CHORD DISTANCE OF 198.35 FEET, AND A CURVE DISTANCE OF 198.45 FEET; THENCE NORTH 55°35'37" WEST, A DISTANCE OF 37.47 FEET; THENCE NORTH 00°26'21" WEST, A DISTANCE OF 193.26 FEET TO THE POINT OF BEGINNING. CONTAINING 41,224 SQUARE FEET OR 0.95 ACRES.

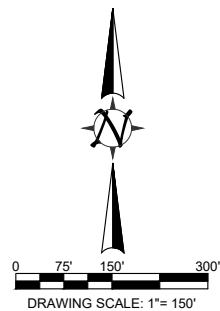
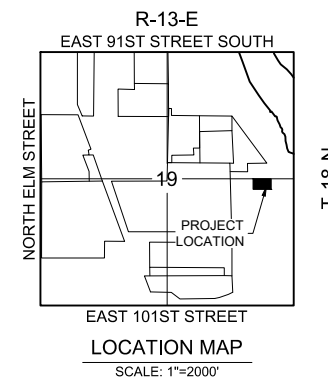


Exhibit B Surrounding Areas for 7Brew (RiverFront)

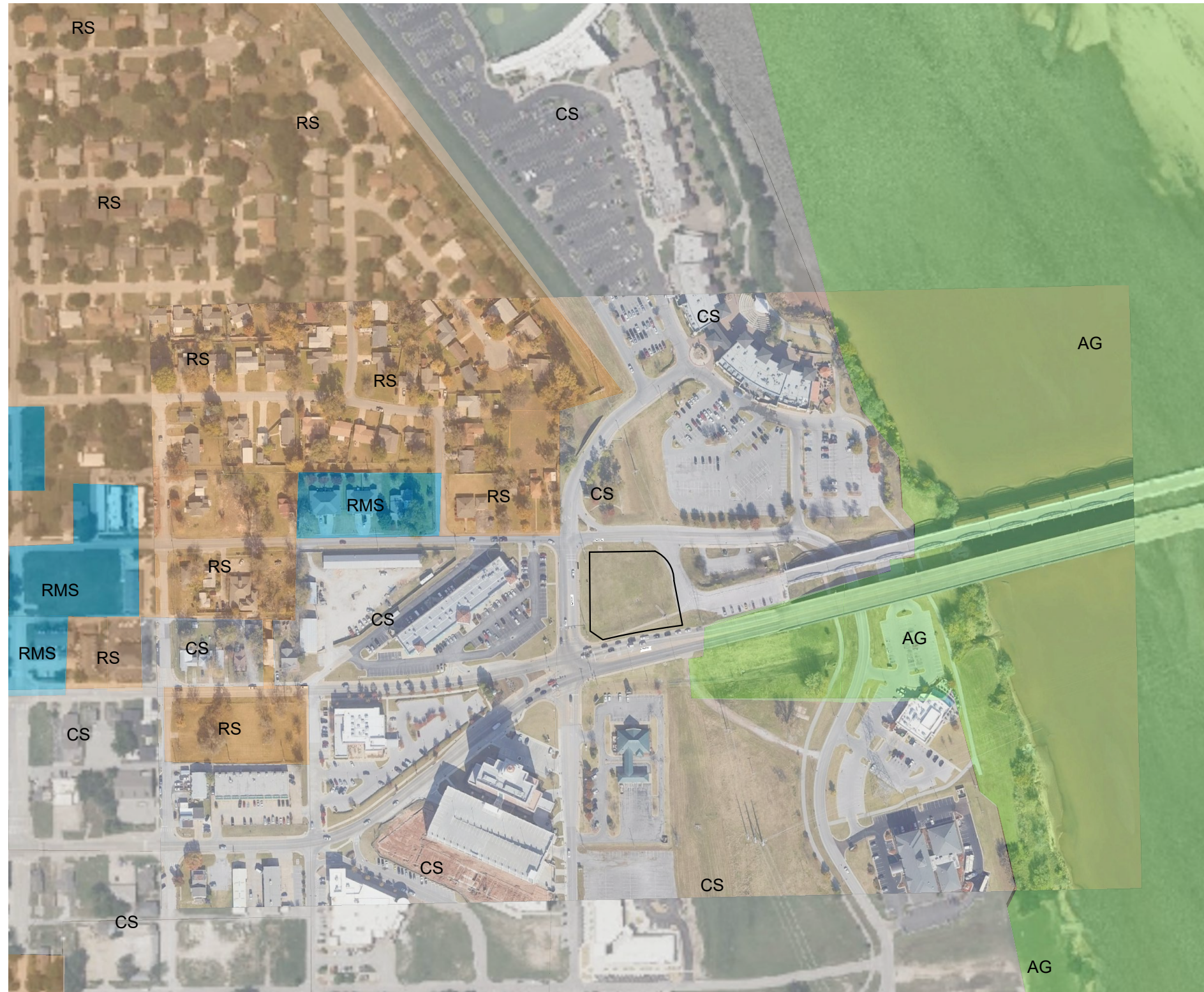
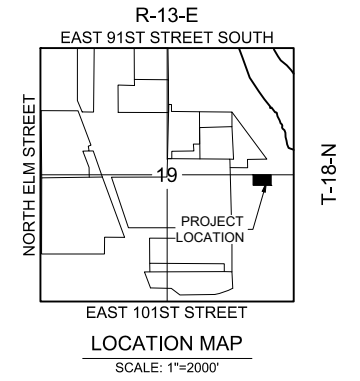
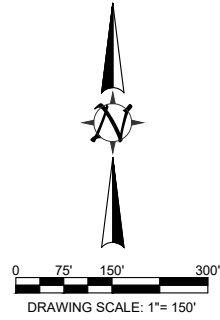


AAB Engineering, LLC
AAB
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2024
KS CA#2292 Exp: Dec. 31, 2024
Office: (918) 514-4283 Fax: (918) 514-4288

Exhibit C

Zoning for

7Brew (RiverFront)

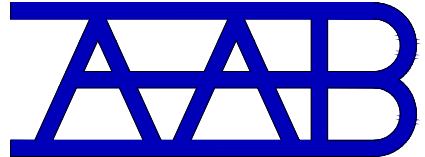


LEGEND

-  ZONED AGRICULTURE (AG)
-  ZONED RIVER TOURIST COMMERCIAL (CS)
-  ZONED MULTI-FAMILY RESIDENTIAL (RMS)
-  ZONED RESIDENTIAL (RS)



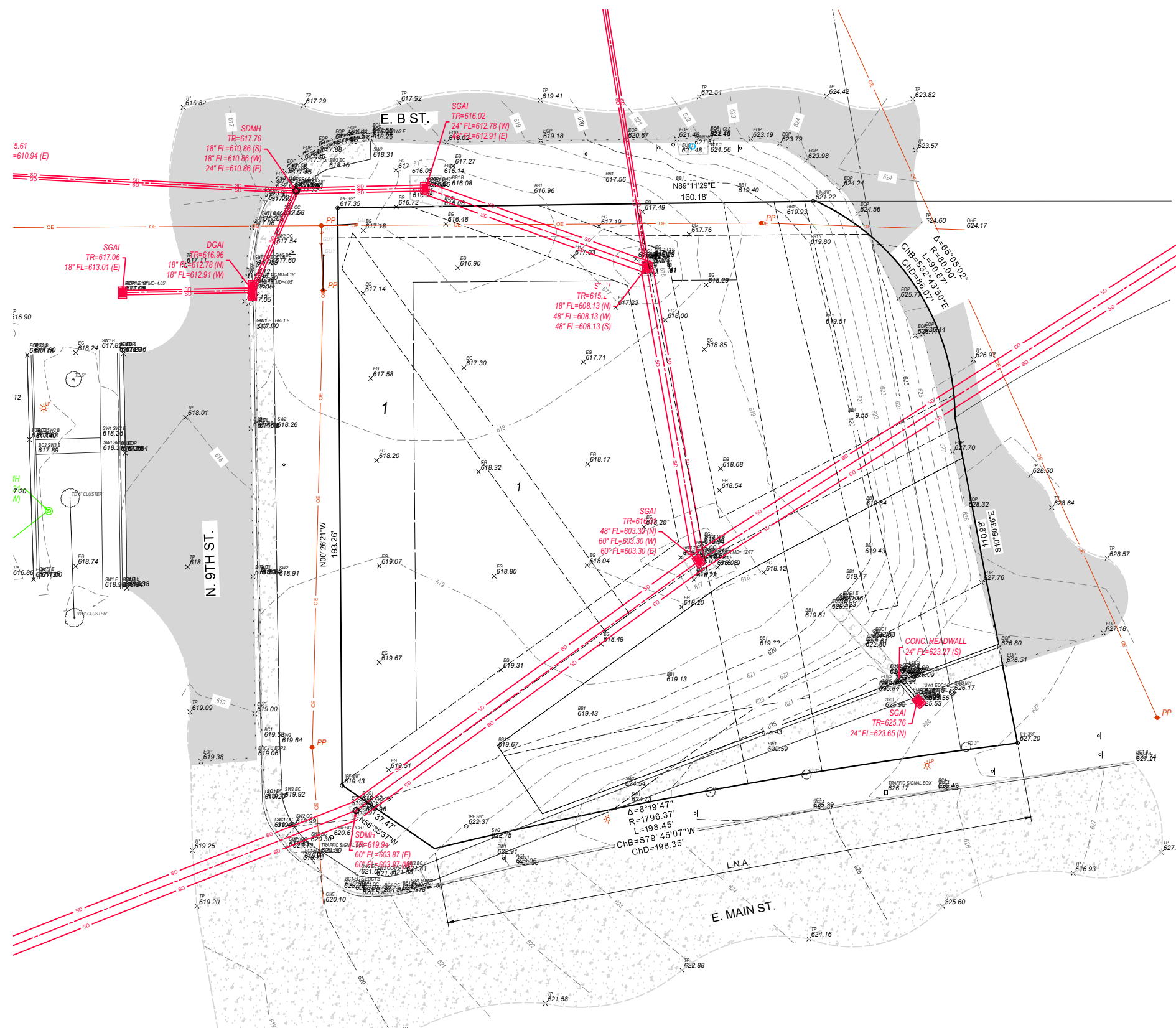
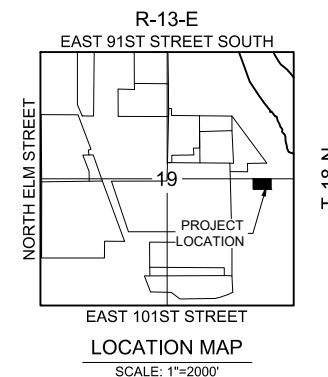
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DRAWING SCALE: 1" = 20'



AAB Engineering, LLC

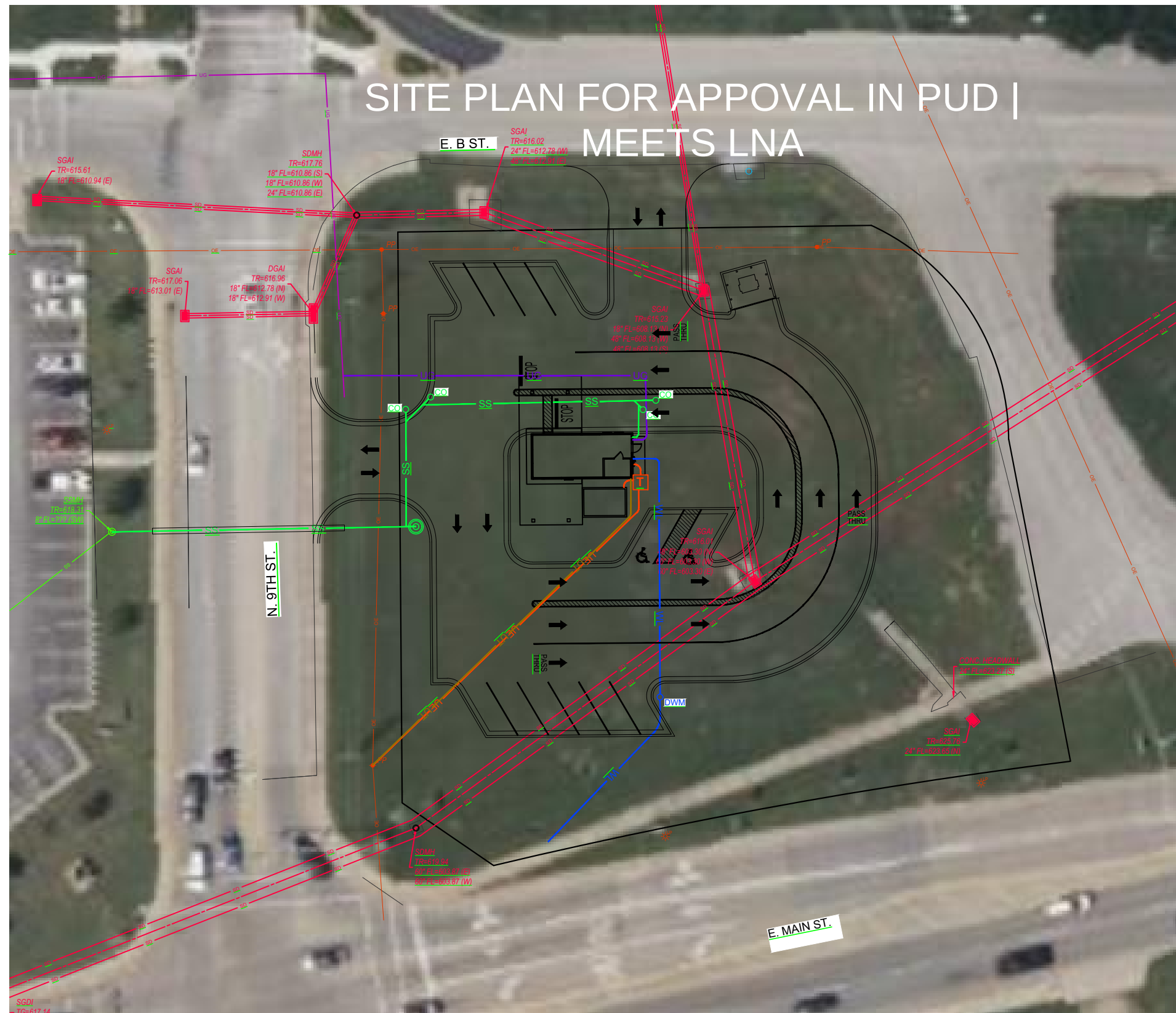
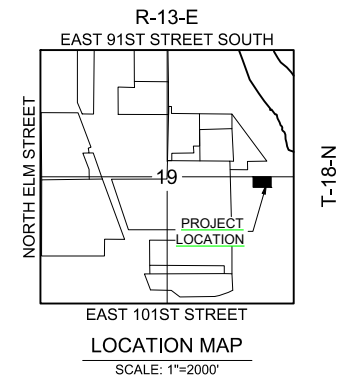
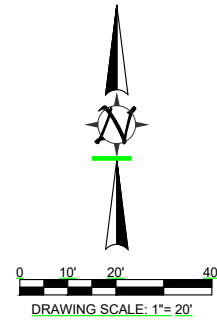


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Exhibit E
Conceptual Improvement Plan

for
7Brew (RiverFront)



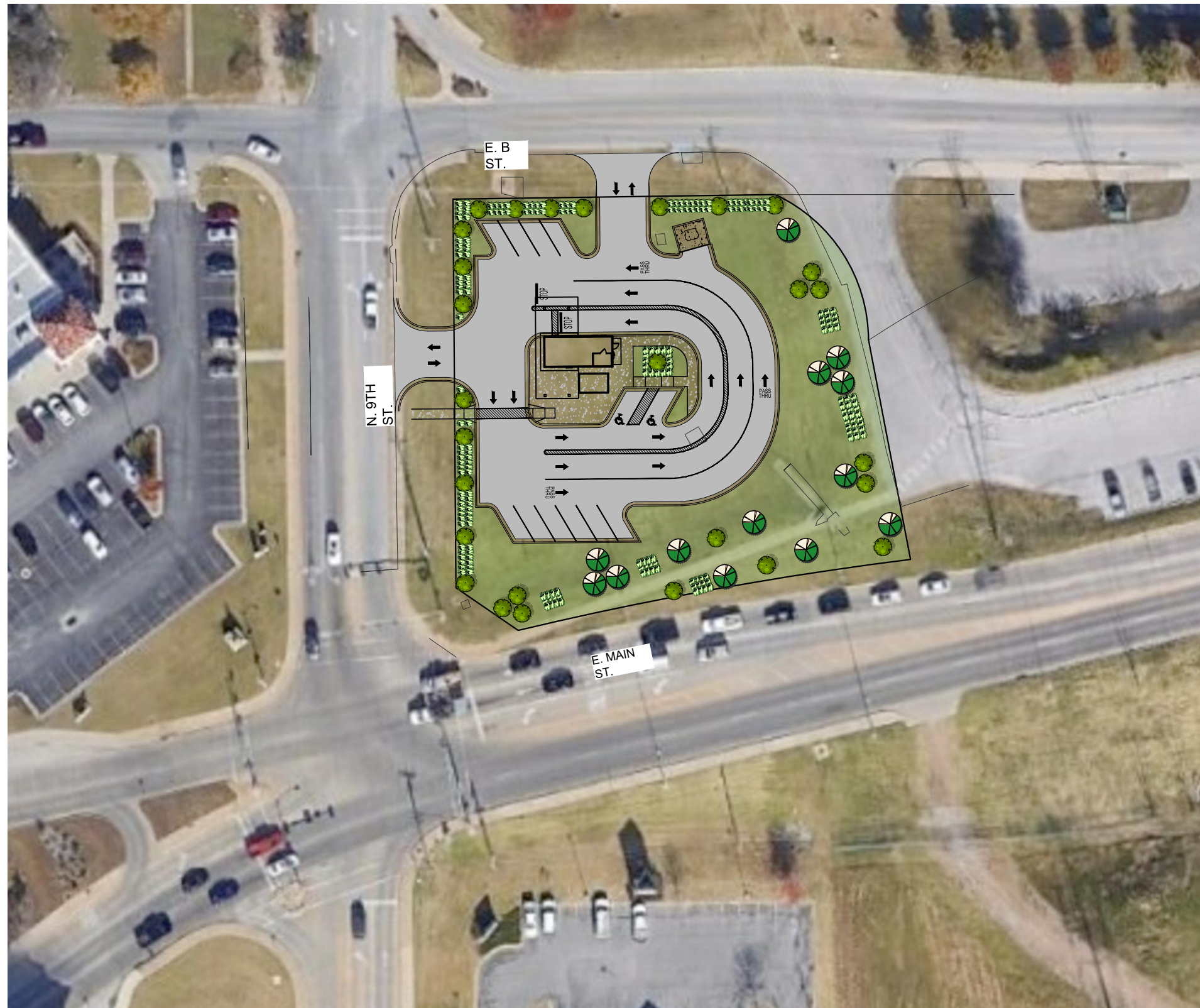
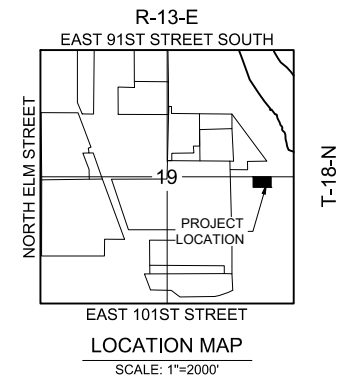
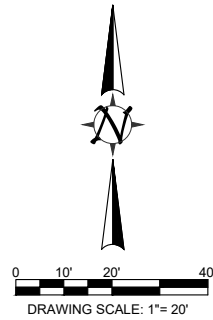
LEGEND

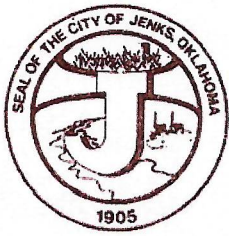
SS	PROPOSED SANITARY SEWER
SS	EXISTING SANITARY SEWER
WL	PROPOSED 12" WATERLINE
WL	EXISTING 6"/8"/10" WATERLINE
SD	PROPOSED STORM SEWER
SD	EXISTING STORM SEWER
UG	PROPOSED GAS
UG	EXISTING GAS
UE	PROPOSED ELECTRIC
UE	EXISTING ELECTRIC
UT	PROPOSED TELEPHONE
UT	EXISTING TELEPHONE



Exhibit F
Conceptual Site Plan

for 7Brew (RiverFront)





CITY OF JENKS
211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

February 2, 2023

Alan Betchan
ABB Engineering
200 N. McKinley Ave.
Sand Springs, OK 74063

Emailed to

Alan,

Regulations requiring Traffic Impact Analysis (TIA) cited in City Code are included in Section 8 of the Uniform Development Ordinance UDO (Subdivision Regulations) (Section 16-8-7(E)) as stated below:

- (E) *Traffic Impact Analysis (TIA).*
 - (1) *Purpose.*
 - (a) *TIA's are used to evaluate whether the scale of subdivision is appropriate for a particular site and what improvements may be necessary, on and off the site, to provide safe and efficient access and traffic flow. TIA is an essential part of the subdivision review process to assist subdividers and the City in making land use decisions involving subdivisions.*
 - (b) *As a specialized study that evaluates the effects of a subdivision's traffic on the surrounding transportation infrastructure, the TIA helps identify where the subdivision may have a significant impact on safety, traffic, and transportation operations, and provides a means for the subdivider and City to mitigate these impacts.*
 - (2) *Threshold. A subdivider is required to provide a TIA and is responsible for all associated costs in the following instances:*
 - (a) *If the nature of the proposed subdivision is such that the number of trips it can be expected to generate equals or exceeds 150 new peak hour trips, or*
 - (b) *When the City Engineer determines:*
 - (I) *That traffic generated by the proposed subdivision will substantially impact an intersection or a roadway segment already identified as operating at a failing level of service (LOS),*
 - (II) *That traffic generated by the proposed subdivision may create a hazard to public safety, or*
 - (III) *That traffic generated by the proposed subdivision will substantially change the off-site transportation system or connections to it.*

Although these criteria refer to "subdivisions", they can serve as a guide for City staff to determine the need for a TIA for commercial development at specific locations using traffic generation data provided by a developer. Data were provided for a similar 7-Brew facility in Rogers, Arkansas as follows:

Peak hour period (8:00am – 9:00am)	61 vehicles/hour
Peak 15-minutes period (7:15am – 7:30am)	22 total vehicles
Average vehicles in queue (7:00am – 9:00am)	5 vehicles
Maximum observed vehicles in queue (8:55am)	14 vehicles
Average peak hour process time	5 minutes and 55 seconds
Maximum stacking	14 vehicles
Proposed vehicle stacking at Jenks facility	24 vehicles

In addition to these data, it has been determined that:

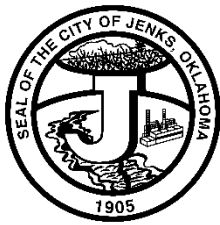
- The number of trips that can be expected at the Jenks location do not equal or exceed 150 new peak hour trips (61 trips versus the threshold of 150 trips per peak hour).
- The traffic that is expected to be generated by the development will be contained within the stacking lanes on site (24 vehicles stacked in two lanes (max. loading) and a rate of processing 22 vehicles every 15 minutes).
- The City of Jenks Transportation Master Plan provides data indicating the intersection of 9th Street and Main Street is operating at a Level of Service D which is an acceptable (non-failing) level of service.

Based on this information and evaluation, in my opinion as City Engineer, a Traffic Impact Analysis is not necessary for this development.

ENGINEERING DEPARTMENT

A handwritten signature in blue ink, appearing to read "Christian J. Cloyde".

Christian J. Cloyde, PE, CFM
City Engineer



CITY OF JENKS

211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

NOTICE OF A PUBLIC HEARING LOCATED IN THE CITY OF JENKS, OKLAHOMA

Case Number: JZ 23 PUD 138

Request: PUD

Request by Alan Betchan for approval of a Planned Unit Development to allow for a drive-through

Legal Description: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT ONE (1); THENCE NORTH 89°11'29" EAST, A DISTANCE OF 160.18 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A CHORD BEARING OF SOUTH 32°43'50" EAST, A CHORD DISTANCE OF 86.07 FEET, AND A CURVE DISTANCE OF 90.87 FEET; THENCE SOUTH 10°50'36" EAST, A DISTANCE OF 110.98 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1796.37 FEET, A CHORD BEARING OF SOUTH 79°45'07" WEST, A CHORD DISTANCE OF 198.35 FEET, AND A CURVE DISTANCE OF 198.45 FEET; THENCE NORTH 55°35'37" WEST, A DISTANCE OF 37.47 FEET; THENCE NORTH 00°26'21" WEST, A DISTANCE OF 193.26 FEET TO THE POINT OF BEGINNING. CONTAINING 41,224 SQUARE FEET OR 0.95 ACRES.

General Location: SE Corner of Aquarium Dr and Riverfront Drive

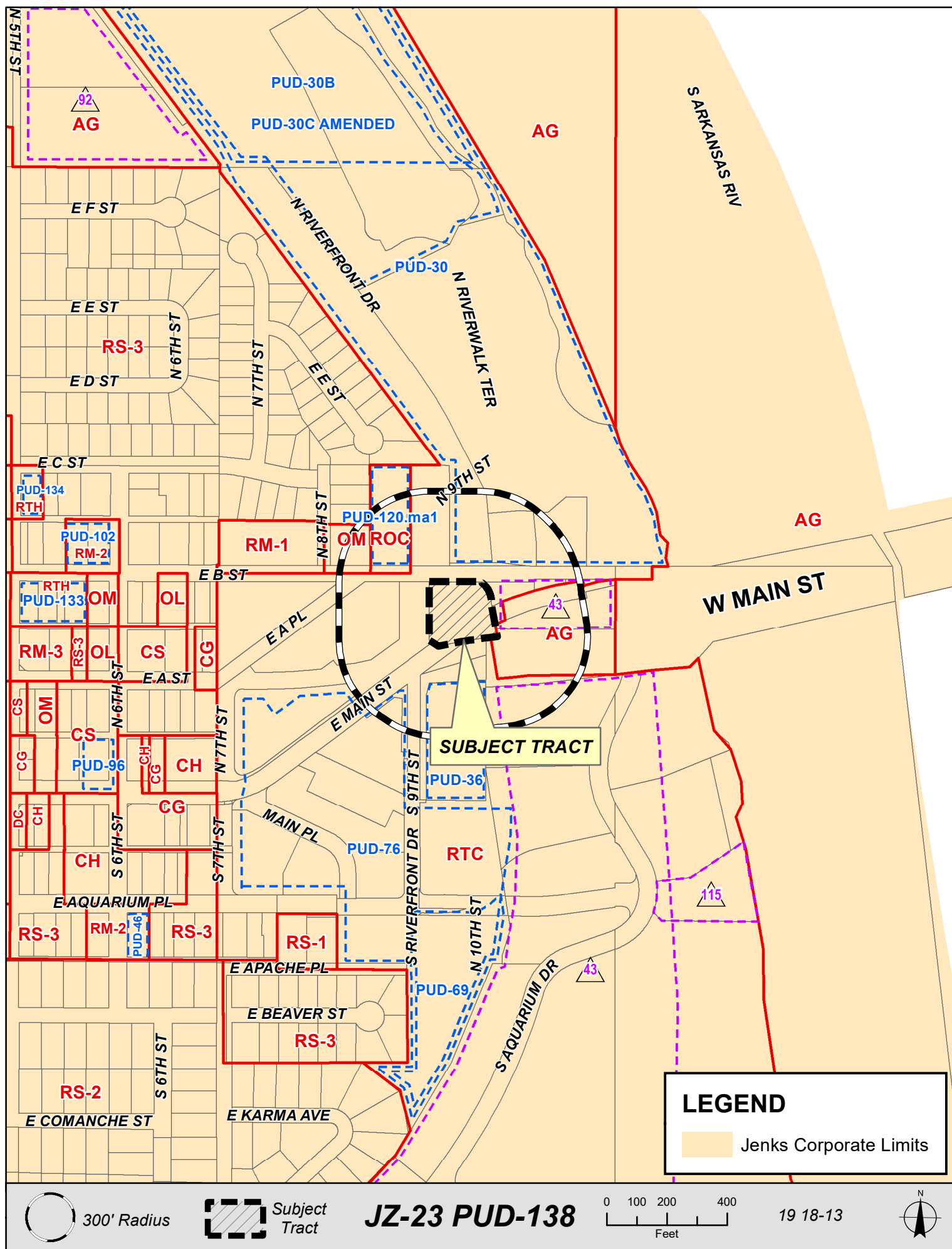
Hearing Date: 23 February 2023

Location: Jenks City Hall, 211 N Elm St, Jenks, OK 74037

All persons interested in this matter may appear at these hearings and present their objections to or arguments for any of the above matters.

Dated at Jenks Oklahoma on 23 January 2023.

Marcae Hilton, Secretary
Jenks Planning Commission





January 26, 2023

**Chris Cloyde, PE, CFM (City Engineer)
City of Jenks, OK**

Please accept this letter as documentation of our traffic study at an existing 7-Brew site of similar size and location to the proposed 7-Brew site at the intersection of 9th Street and Main Street in Jenks, OK. The existing 7-Brew site is located in Rogers, Arkansas.

The site was observed from 7:00 AM-9:15 AM. During this time, the peak 2-hour period of operation was observed with an arrival rate of 60 vehicles/hour. The peak hour occurred between 8:00 AM-9:00 AM, with an arrival rate of 61 vehicles/hour. The peak 15-minute period occurred from 7:15 AM-7:30 AM, with a total vehicle count of 22 occurring in that 15-minute period.

During the 2-hour peak period, the average observed queue was 5 vehicles. The maximum observed queue occurred at 8:55 AM with 14 vehicles in the queue. The average process time for the peak 15-minute interval was 5 minutes and 31 seconds. The average process time for the peak hour was 5 minutes and 55 seconds. The average process time for the full observation period was 5 minutes and 15 seconds. The average process time consists of the time it takes from the arrival of a vehicle in the queue to the time the vehicle leaves the site.

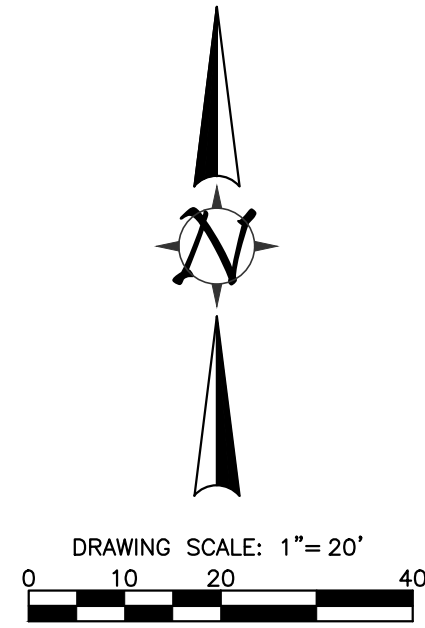
The proposed 7-Brew location at Jenks can handle 24 vehicles stacked in line before spilling into the intersection. This is nearly double the maximum observed queue of 14 at the location in Rogers, AR. Based on our observed data and stacking information provided by 7-Brew Corporate, the proposed project in Jenks is satisfactory to hold traffic within the property, with a substantial safety buffer.

Respectfully,
Josh Thomas

TMG Construction Management



FILE: P:\1813\18-RAGLAND PLAZA I\DWG\VIEW\FRONT\BREW (RIVERFRONT).DWG
PLOT DATE: Thu, 16 Feb 2023

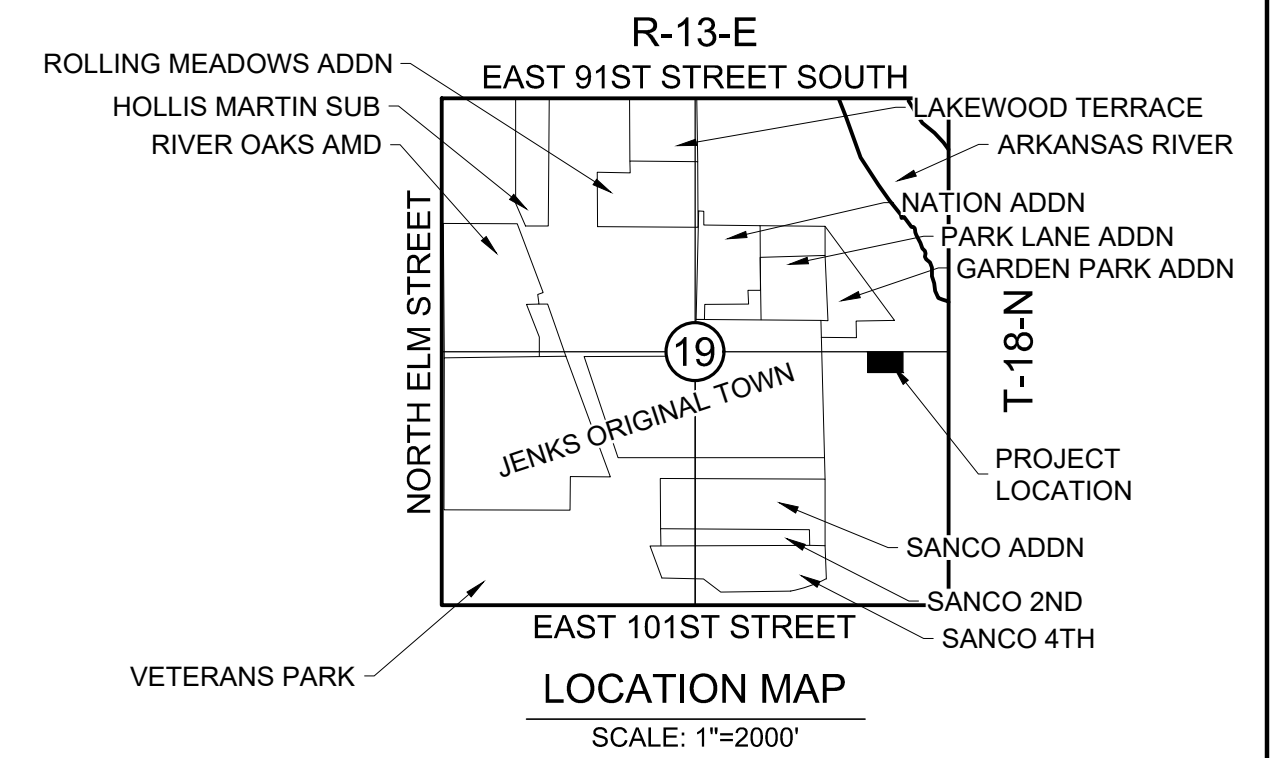


OWNER/DEVELOPER
7 VENTURE, INC
FAYETTEVILLE, AR 72703
PHONE: 479.646.2053

RAGLAND PLAZA I AMENDED

LOT ONE(1), BLOCK ONE(1), RAGLAND PLAZA I, A SUBDIVISION IN THE CITY OF JENKS,
TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 5532

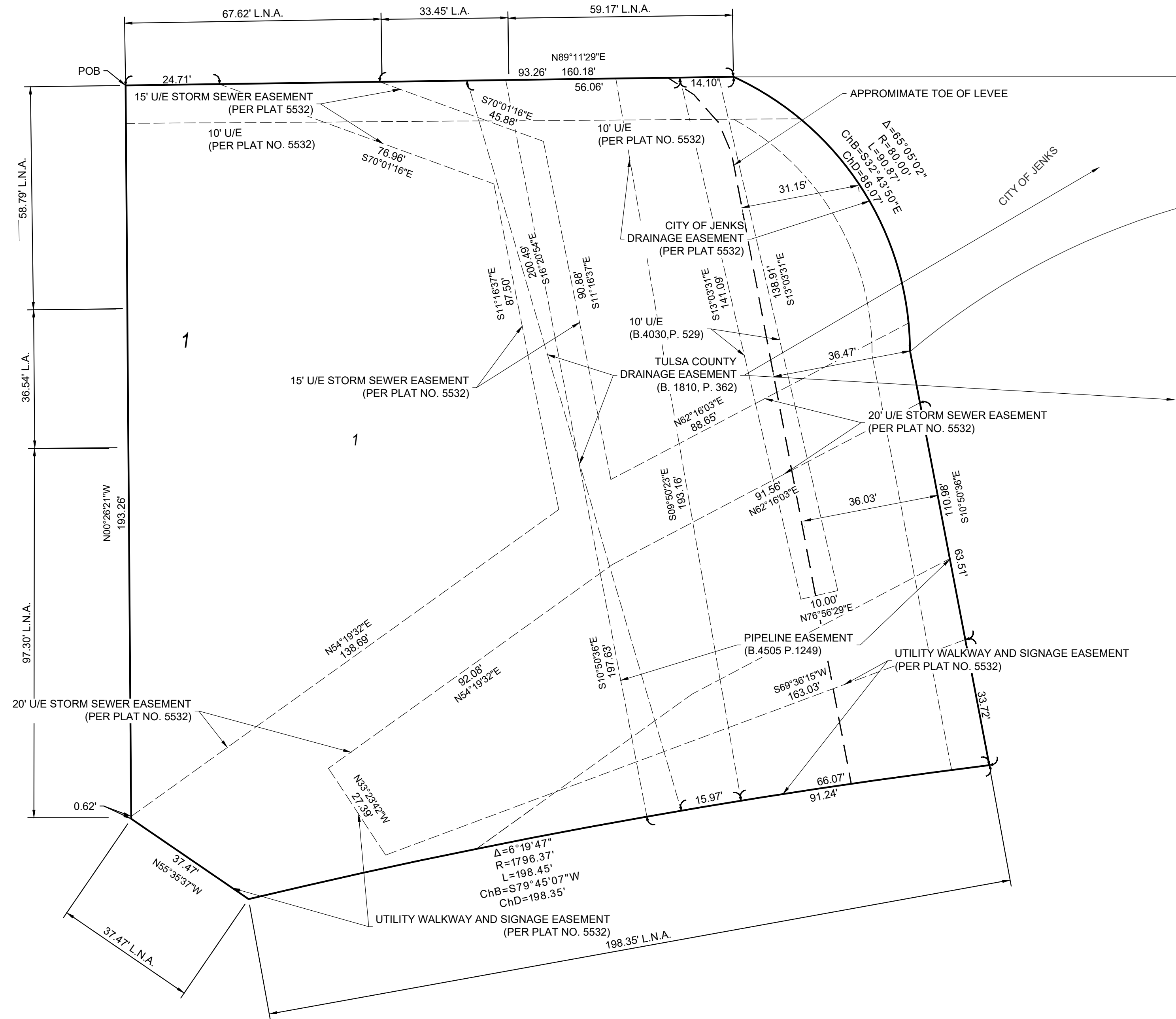
ENGINEER/SURVEYOR
AAB ENGINEERING LLC
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288



SUBDIVISION STATISTICS
SUBDIVISION CONTAINS 1 LOT IN 1 BLOCK
BLOCK 1, 1 LOT (.95 ACRES)

CONTACTS	
MUNICIPAL AUTHORITY CITY OF JENKS 211 NORTH ELMS STREET JENKS, OK 74037	
UTILITY	
OKLAHOMA NATURAL GAS COMPANY 2318 W. EDISON ST. TULSA, OK 74127 918-834-8000	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E. 6TH ST. TULSA, OK 74119 1-888-216-3523
AT&T 1403 S. LEWIS TULSA, OK 74104 918-712-1803	COX COMMUNICATIONS 11811 EAST 51ST STREET TULSA, OK 74145 918-286-4658

FLOODPLAIN
ALL OF THE PROPERTY IS CONTAINED IN FEMA ZONE
X (UNSHADED) (AREAS DETERMINED TO BE OUTSIDE
THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN
ON FIRM PANEL "40143C0364L" DATED OCTOBER 16,
2012.



SUBDIVISION DATA
BENCHMARK
CHISELED X ON SOUTH SIDE OF EAST MAIN STREET
APPROXIMATELY 243' EAST OF NORTH 9th STREET.
ELEV=625.02' (NAVD 88)
BASIS OF BEARINGS
GRID BEARINGS OF THE OKLAHOMA STATE
PLANE COORDINATE SYSTEM - ZONE 3501
NORTH LINE OF LOT 1 BEING N89°11'29\"E
MONUMENTATION
A 3/8\" X 18\" REBAR WITH A YELLOW PLASTIC CAP
STAMPED \"CA6038\" TO BE SET AT ALL LOT CORNERS, ALL
STREET CENTERLINE INTERSECTIONS, POINTS OF
CURVE, POINTS OF TANGENT, POINTS OF COMPOUND
CURVE, POINTS OF REVERSE CURVE, CENTER OF
CUL-DE-SACS AND CENTER OF EYEBROWS, AFTER
COMPLETION OF IMPROVEMENTS, UNLESS NOTED
OTHERWISE.

FILE: P:\19\15\15-BISSELL\VIEW\VIEWFRONT\BREW (VIEWFRONT).DWG
PLOT DATE: Thu, 16 Feb 2023

OWNER/DEVELOPER

7 VENTURE, INC
FAYETTEVILLE, AR 72703
PHONE: 479.646.2053

FINAL PLAT

RAGLAND PLAZA I
AMENDED

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288

LOT ONE(1), BLOCK ONE(1), RAGLAND PLAZA I, A SUBDIVISION IN THE CITY OF JENKS,
TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 5532

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:
7 VENTURE, INC, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING
DESCRIBED LAND IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

LOT ONE(1), BLOCK ONE(1), RAGLAND PLAZA I, A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, STATE
OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 5532, MORE PARTICULARLY DESCRIBED AS;

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT ONE (1); THENCE NORTH 89°11'29" EST, A DISTANCE OF
160.18 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A CHORD BEARING OF
SOUTH 32°43'50" EAST, A CHORD DISTANCE OF 86.07 FEET, AND A CURVE DISTANCE OF 90.87 FEET; THENCE
SOUTH 10°50'36" EAST, A DISTANCE OF 110.98 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS
OF 1796.37 FEET, A CHORD BEARING OF SOUTH 79°45'07" WEST, A CHORD DISTANCE OF 198.35 FEET, AND A
CURVE DISTANCE OF 198.45 FEET; THENCE NORTH 55°35'37" WEST, A DISTANCE OF 37.47 FEET; THENCE NORTH
00°28'21" WEST, A DISTANCE OF 193.26 FEET TO THE POINT OF BEGINNING. CONTAINING 41.224 SQUARE FEET
OR 0.95 ACRES.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND
SUBDIVIDED INTO 1 LOT IN 1 BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED
THE SUBDIVISION AS "RAGLAND PLAZA I AMENDED", A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY,
OKLAHOMA (HEREINAFTER REFERRED TO AS "RAGLAND PLAZA I AMENDED" OR THE "SUBDIVISION"), THE
OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES, FOR ITSELF, ITS
SUCCESSORS AND ASSIGNS TO BE BOUND BY THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS:

SECTION I. UTILITIES

A. UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED ON THE
ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF
CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL
PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION
LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION
LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES,
METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER
APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY
EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO
CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES,
TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE,
OPERATION, LAYING, REPAIRING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY
EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER
SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT,
WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF
JENKS, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE
UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER
ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH STATED USES AND PURPOSES OF
THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING
HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND
CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER
MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER'S LOT.
- WITHIN UTILITY EASEMENTS, DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE
FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC
WATER MAIN, SANITARY SEWER MAIN OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH,
IN THE JUDGMENT OF THE CITY OF JENKS, WOULD INTERFERE WITH PUBLIC WATER MAINS,
SANITARY SEWER MAINS, OR STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY
MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT
THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR
NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S AGENTS AND/OR
CONTRACTORS.
- THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF
ACCESS TO ALL UTILITY EASEMENTS, DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE
PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING,
REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR
STORM SEWER FACILITIES.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF
JENKS, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND
BY THESE COVENANTS.

C. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE
REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY
MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS,
COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED
UPON THE ACCOMPANYING PLAT, PROVIDED THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, OR
THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH
ACTIVITIES.

D. UTILITY SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES
MAY BE LOCATED WITHIN THE EASEMENTS ABUTTING THE PUBLIC RIGHT-OF-WAY OF NORTH 9TH
STREET AND EAST B STREET. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY
OVERHEAD LINE OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION,
ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL
BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES.
SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES,
MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE
SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR
TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF
SUCH STRUCTURE UPON THE LOT, PROVIDED UPON INSTALLATION OF A SERVICE CABLE OR GAS
SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE
DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE
LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR
LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE
ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, THROUGH ITS
AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY
EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION
FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE
UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE
SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND
SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF
GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC,
TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL
BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT
OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR
NECESSITATED BY ACTS OF LOT THE OWNER OR THE LOT OWNER'S AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF
THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF ANY LOT
AGREES TO BE BOUND BY THESE COVENANTS.

E. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES
HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE
PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING,
REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS
SERVICE.
- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND
GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR
ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE
SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS
FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED
OR NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S AGENTS OR
CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF
THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

F. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION
OF THE PROPERTY ADJACENT TO MAIN STREET, NORTH 9TH STREET, AND EAST B STREET WITHIN THE
BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO
ACCESS MAY BE AMENDED OR RELEASED BY THE JENKS PLANNING COMMISSION, OR ITS SUCCESSOR,
WITH THE APPROVAL OF THE CITY OF JENKS, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE
STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO
ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA.

G. SURFACE DRAINAGE

EACH LOT WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE
STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT
OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS
WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE
OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE
BY ANY AFFECTED LOT OWNER AND BY THE CITY OF JENKS, OKLAHOMA.

H. EASEMENTS FROM RAGLAND PLAZA I

ALL EASEMENTS CREATED BY RAGLAND PLAZA I RECORDED AS PLAT NO. 5532 IN TULSA COUNTY,
OKLAHOMA ARE STILL IN AFFECT AND ARE DEPICTED HEREON AS EASEMENTS PER PLAT NO. 5532. ALL
SUCH EASEMENTS SHALL BE GOVERNED BY THE RESTRICTIONS AND PERMISSIONS GRANTED BY THE
ORIGINAL RAGLAND PLAZA I PLAT AND THE OWNER SPECIFICALLY AGREES TO BE BOUND BY THAT
DOCUMENT.

SECTION II. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE
BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I,
UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING
THERETO AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I SHALL INURE
TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE CITY OF JENKS OKLAHOMA. IN ANY JUDICIAL ACTION
BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE
DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW
IS HEREBY WAIVED.

B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL
AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS
TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY
TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH
THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE JENKS PLANNING
COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF JENKS OKLAHOMA. ANY SUCH AMENDMENT OR
TERMINATION SHALL BE EFFECTIVE AS OF THE DATE THE WRITTEN INSTRUMENT IS RECORDED IN THE
RECORDS OF THE TULSA COUNTY CLERK.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER,
JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF
THE OTHER RESTRICTIONS OF ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN
FULL FORCE AND EFFECT.

IN WITNESS WHEREOF: 7 VENTURE, INC, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____,
2023.

7 VENTURE, INC

BY: _____
MANAGER

STATE OF OKLAHOMA)

) SS

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY
_____, AS MANAGER OF 7 VENTURE, INC

NOTARY PUBLIC
MY COMMISSION EXPIRES:
COMMISSION NUMBER:

CERTIFICATE OF SURVEY

I, JAY P. BISSELL, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY
CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE
DESIGNATED HEREIN AS "RAGLAND PLAZA I AMENDED", A SUBDIVISION IN THE CITY OF JENKS, TULSA
COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY AND
MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE
OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS. DATE OF
LAST SITE VISIT: 11/30/2019.

JAY P. BISSELL
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1318

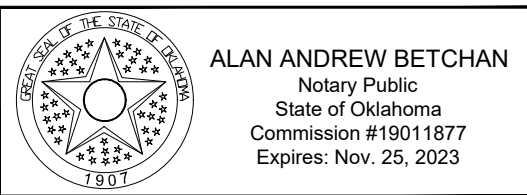
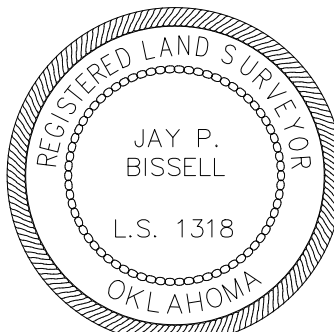
STATE OF OKLAHOMA)

) SS.

COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS ____ DAY OF _____,
2020, PERSONALLY APPEARED JAY P. BISSELL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO
SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED
THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

NOTARY PUBLIC
MY COMMISSION EXPIRES: NOVEMBER 25, 2023
COMMISSION NUMBER: 19011877



Jenks | PC Staff Report



To	Planning Commission
Hearing Date	February 21, 2023
Case	JZ 23 PUD 98.MA2 (2900 WEST MAIN DEVELOPMENT)
Request	<i>Approval of Major Amendment No. 2 to PUD 98</i>
Location	237 South Franklin Street, south of Main Street

Staff Report

Preparer | Marcaé Hilton

Attachments
PUD Documents

Preparer
Alan Betchan, AAB Engineering

Background Information

STAFF COMMENTARY | “2900 West Main” development consists of 58.21 acres and with 19 lots in two blocks to date is has been developed as Commercial Shopping District uses with a service station, and office in accordance with Planned Unit Development 98. Lot 16 (SOCO) is a gymnasium which was platted separately and does not follow the development standards of PUD 98. The ownership group is interested in selling to a hospital which would require a few major deviations from the PUD 98. This request is to allow for a hospital use and an increase in height from seventy (70) feet to “one hundred and thirty (130) feet with no reference to a number of stories.”

Request	Approve Major Amendment No. 2 to PUD 98 for “Hospital Use”
Public Comment	None at the time of this report
General Location	South of Main Street and east of Franklin
LEGAL	LT 5-9, 14, 15, & 17 of BLK 1
OWNER	2900 WEST MAIN LLC C/O JAMES FERRIS
PROP_ADD	TBD
TR_SEC	82239
STR	Section: 23, Township: 18N, Range: 12E
Comprehensive Plan	Business Park
Plat	2900 West Main
	Document No. 6724 Recorded 03/02/2017
Zoning	PUD 98 A CS (Commercial Shopping)
Surrounding Zoning	North CS, RE, OM Commercial, Residential and Office
	East CS (Commercial Shopping)
	South CS (Commercial Shopping) Undeveloped
	West CS and CG (Commercial Development) Gateway

Development Area A also sets out the maximum height for buildings within this area as **Six Store and/or 70 feet**. The developer would like to amend the PUD, as it relates to the lots listed, to reflect a maximum permitted height of **130' with no reference to a number of stories**. This portion of the site is well buffered from any surrounding residential properties and will be directly abutted by only commercial uses. The height request is supported by the developers of the yet undeveloped land to the south. All buildings will be **subject to FAA review** and approval regardless of the heights listed in the PUD.

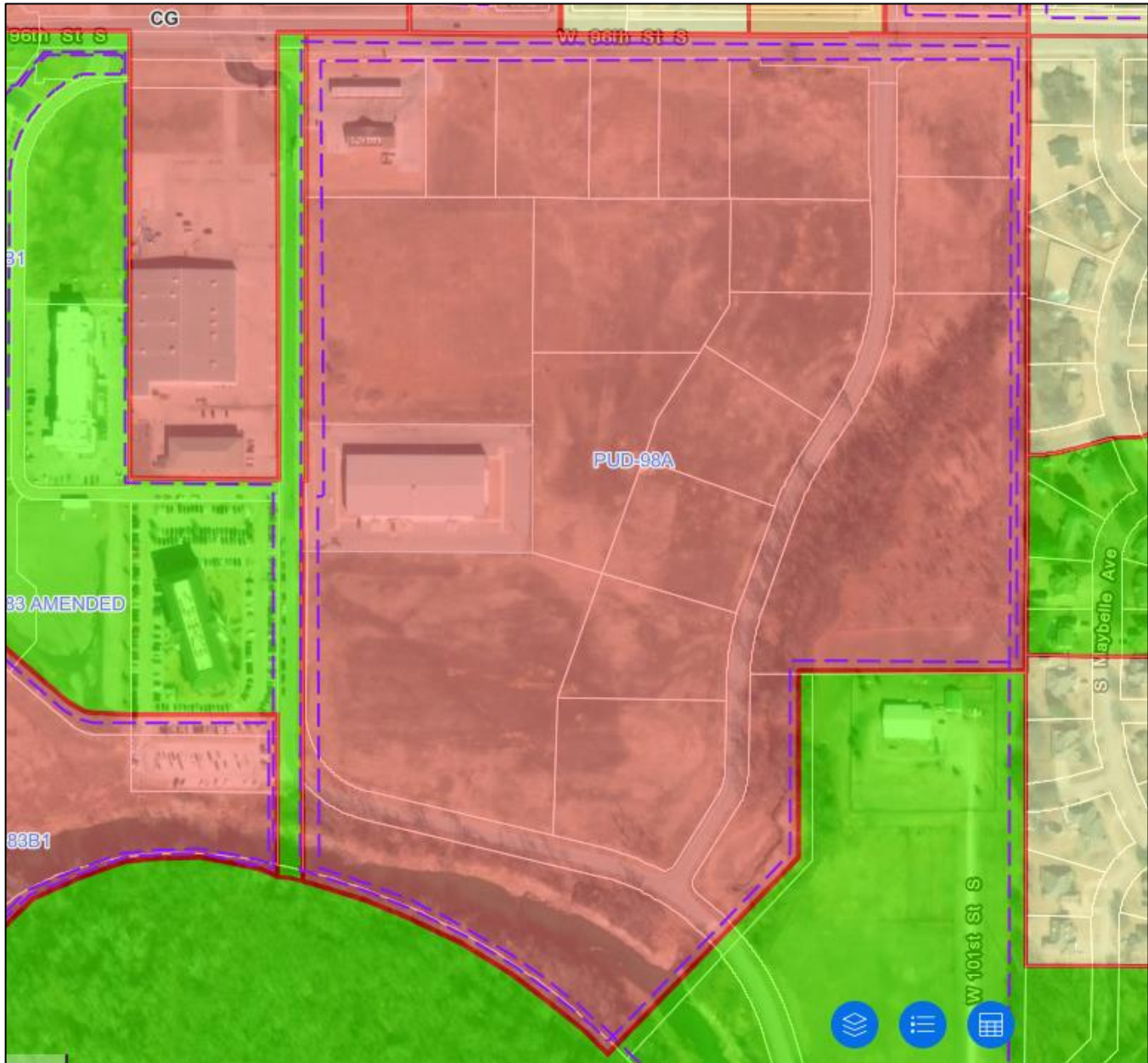


Figure 1: Zoning Map | CS (Commercial Shopping)



Figure 2: Current Land Use Map

Land Use Plan

Low Intensity Single-Family	Light Industrial
Medium Intensity Single-Family	Heavy Industrial
High Intensity Single-Family	Parks and Open Space
Multi-Family Residential	Public and Semi-Public
Business Park	Utility
Regional Commercial	Potential South Tulsa-Jenks Bridge
Local Commercial	Potential Road Connections
Downtown	

Staff Evaluation & Recommendation

EVALUATION | Approving this request will allow the potential buyer to move forward in the due diligence process of purchasing the site for the purpose of a hospital and allowing a height of up to 130 feet with no reference to number of stories.

RECOMMENDATION | Staff recommends approval of the Major Amendment to allow for a Hospital use with a height up to 130 feet.



AAB Engineering, LLC
PO Box 2136
200 N. McKinley Ave
Sand Springs, OK 74063
(918) 514-4283 phone / (918) 514-4288 fax

January 6th, 2023

Mrs. Marcae Hilton
City of Jenks, Director of Planning
211 N. Elm St.
Jenks, OK 74037

Mrs. Hilton,
Planned Unit Development 98 was approved by the Jenks City Council on June 6, 2016. Our client is under contract to purchase Lots 5-9, 14, 15, & 17 of Block 1 with the intent to construct a surgical hospital. Development Area A of the PUD, which the above lots are wholly contained within, authorizes "All uses permitted by right within the CS zoning district and Use Unit 22 Warehousing and Wholesaling" which would not permit Hospital uses since that use is only authorized in the CS district by specific use (per the newly approved Unified Development Ordinance). As such we are requesting that Hospital be included as a permitted use within Development Area A for the lots specified above. Since the PUD Major Amendment process closely mirrors the specific use process a separate specific use approval should be unnecessary.

Development Area A also sets out the maximum height for buildings within this area as Six Store and/or 70 feet. The developer would like to amend the PUD, as it relates to the lots listed, to reflect a maximum permitted height of 130' with no reference to a number of stories. This portion of the site is well buffered from any surrounding residential properties and will be directly abutted by only commercial uses. The height request is supported by the developers of the yet undeveloped land to the south. All buildings will be subject to FAA review and approval regardless of the heights listed in the PUD.

We have attached a conceptual site plan showing the current site configuration that is still in development. The design process is still in the early stages however contractual requirements necessitate that we secure the right to construct a Hospital at this stage. We feel that the above changes do not constitute a major departure from the original spirit and intent of the PUD and could be considered as a minor amendment, however, in consideration of the specific use permit requirement for Hospital uses we request that this amendment be processed in accordance with the Major Amendment guidelines.

Please let me know if you need any additional information.

Respectfully,

A handwritten signature in black ink, appearing to read 'Alan Betchan'.

Alan Betchan, P.E.
President
AAB Engineering, LLC

IMPERVIOUS SURFACE COVERAGE

Enclosure



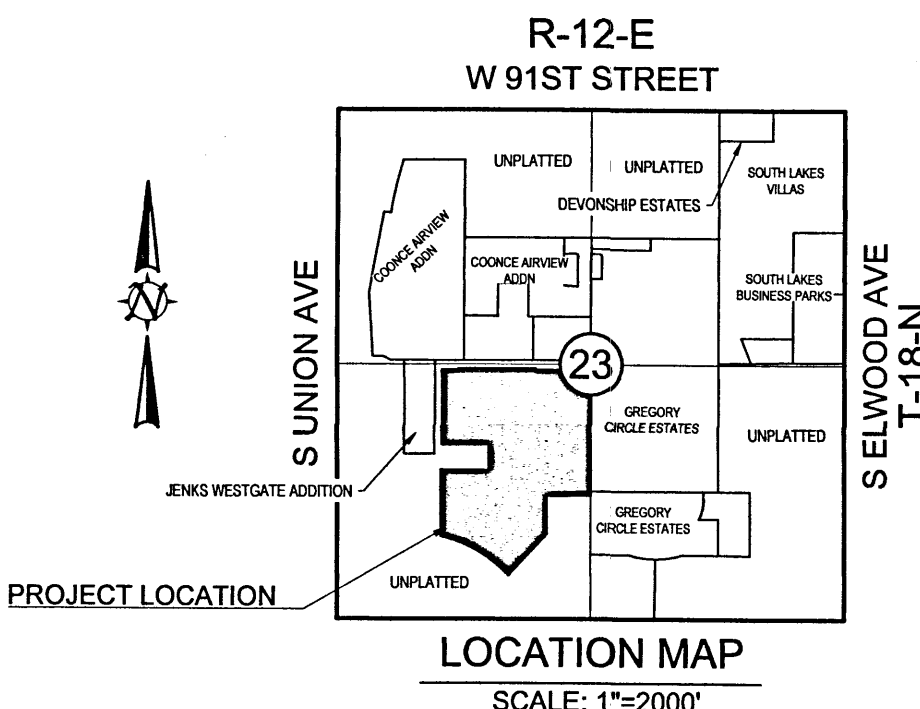
2900 West Main

PUD-98

AN ADDITION TO THE CITY OF JENKS, BEING A TRACT OF LAND LYING IN SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

OWNER:
2900 WEST MAIN, LLC
4942 EAST 73RD STREET
TULSA, OK 74136
PHONE: 918-582-5281
ATTN: JAMES FERRIS

ENGINEER/SURVEYOR:
AAB ENGINEERING, LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE 30, 2018
PO BOX 2136
SAND SPRINGS, OKLAHOMA 74063
PHONE: (918) 514-4283
EMAIL: ALAN@AABENG.COM



CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$48,954.00 per trust receipt no. 14793 to be applied to 2017 taxes. This certificate is NOT to be construed as payment of 2017 taxes in full but is given in order that this plat may be filed for record. 2017 taxes may exceed the amount of the security deposit.

Dated: 03/01/2017
Dennis Sepler
Tulsa County Clerk
By: *Carol Ann Sepler*
Deputy

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS NINETEEN (19) LOTS IN TWO (2) BLOCKS AND TWO (2) RESERVE AREAS (58.21 TOTAL ACRES)

BLOCK 1..... 16 LOTS (36.69 ACRES)
BLOCK 2..... 3 LOTS (11.52 ACRES)
RESERVE A..... (1.93 ACRES)
RESERVE B..... (4.41 ACRES)

SUBDIVISION DATA

BENCHMARK
CHISELED BOX ON TOP OF CULVERT NORTH OF "WEST 96TH STREET". 70.58' NORTH AND 562.50' EAST OF NORTHWEST PROPERTY CORNER.

ELEV=643.66' (NAVD 88)

BASIS OF BEARINGS
GRID BEARINGS OF THE OKLAHOMA STATE PLANE COORDINATE SYSTEM - ZONE 3501 NORTH

MONUMENTATION
A 3/8" X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "CA6318" TO BE SET AT ALL LOT CORNERS, POINTS OF CURVE, POINTS OF TANGENT, POINTS OF COMPOUND CURVE, POINTS OF REVERSE CURVE, UNLESS NOTED OTHERWISE.

FLOODPLAIN

PORTIONS OF PROPERTY ARE CONTAINED WITHIN THE 1% ANNUAL CHANCE (100-YEAR FLOOD ZONE AE) AND 0.2% ANNUAL CHANCE (ZONE X-SHADED) AS SHOWN ON FIRM PANEL "40143C0344L" DATED OCTOBER 16, 2012

UTILITY CONTACTS

WATER & SEWER
CITY OF JENKS WATER DEPARTMENT
211 N. ELM STREET
JENKS OK 74037
(918) 299-5363

PUBLIC SERVICE COMPANY OF OKLAHOMA
212 E. 6TH ST.
TULSA, OK 74119
1-888-216-3523

OKLAHOMA NATURAL GAS COMPANY
2319 WEST EDISON STREET
TULSA, OK 74127
918-834-8000

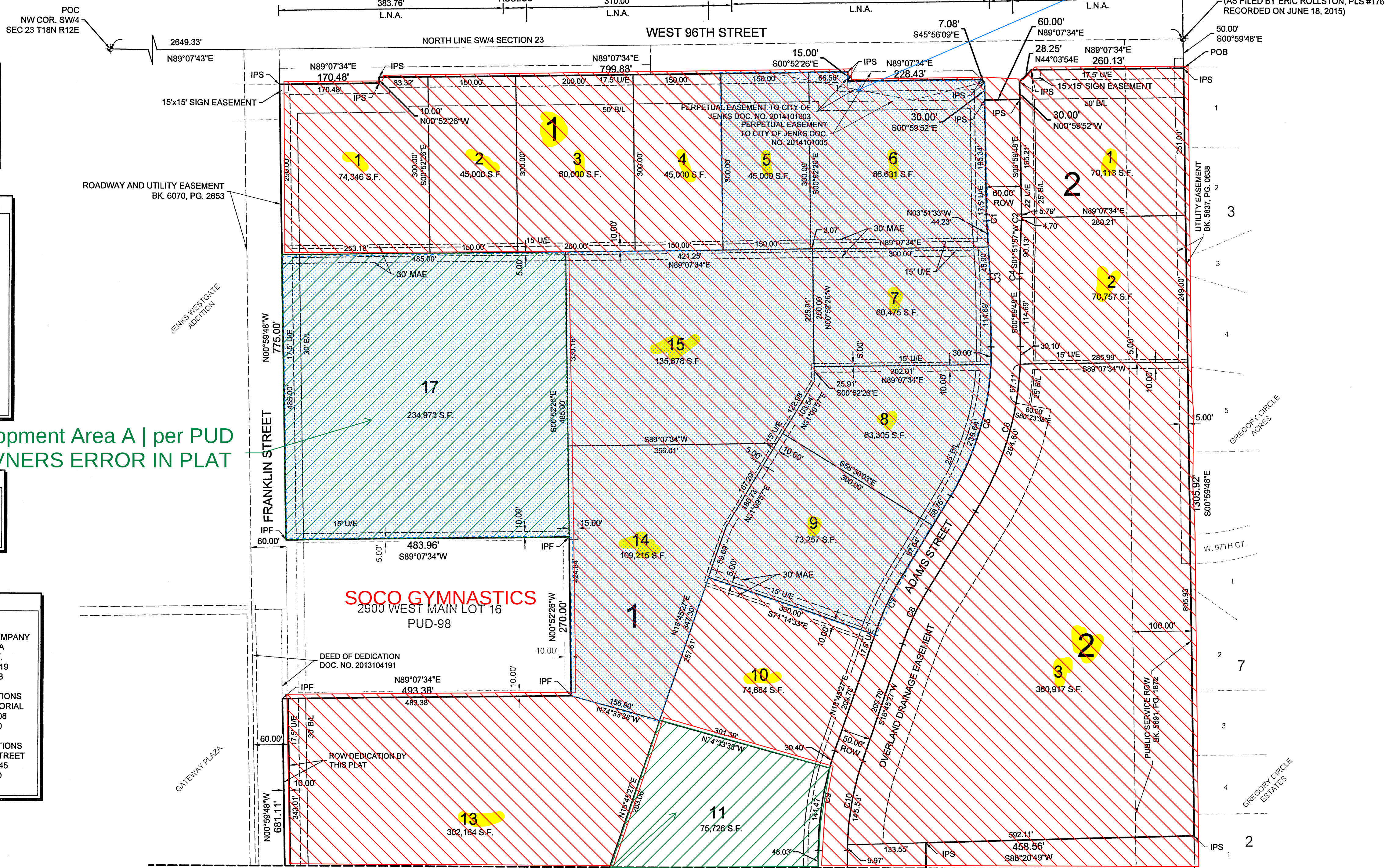
BTC COMMUNICATIONS
11134 SOUTH MEMORIAL
BIXBY, OK 74008
(918) 366-8000

COX COMMUNICATIONS
11811 EAST 51ST STREET
TULSA, OK 74145
(918) 806-6000

AT&T
(800) 464-7928

Development Area A (PER PLAT): Block 1 Lots 1-10, 13, 14, 15, Block 2 Lots 1-3

Amendment/Hospital Area | Block 1: Lots 5-9, 14, 15, 17



LEGEND

B/L..... BUILDING LINE
L.N.A..... LIMITS OF NO ACCESS
POB..... POINT OF BEGINNING
POC..... POINT OF COMMENCEMENT
ROW..... RIGHT OF WAY
U/E..... UTILITY EASEMENT
MAVE..... MUTUAL ACCESS EASEMENT
BK..... BOOK
PG..... PAGE
IPF..... IRON PIN FOUND
IPS..... IRON PIN SET

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA
C1	10.49	210.000	2°51'45"
C2	10.49	210.000	2°51'45"
C3	9.49	190.000	2°51'45"
C4	9.49	190.000	2°51'45"
C5	266.64	475.000	32°09'45"
C6	294.70	525.000	32°09'45"
C7	113.70	525.000	12°24'30"
C8	102.87	475.000	12°24'30"
C9	171.87	525.000	18°45'27"
C10	155.51	475.000	18°45'27"
C11	53.85	100.000	30°51'19"
C12	80.78	150.000	30°51'19"
C13	37.13	25.000	85°05'49"
C14	37.13	25.000	85°05'49"
C15	132.09	560.000	13°30'52"
C16	329.81	500.000	37°47'38"
C17	133.04	560.000	13°36'42"
C18	158.28	235.000	38°35'27"
C19	234.15	175.000	76°39'47"

FINAL PLAT CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the
Jenks City Council on 11/21/16
Kelly C. Varley
MAYOR - VICE MAYOR
This approval is void if the above signature is not
endorsed by the City Manager
[Signature]
CITY MANAGER

Development Area B

PUD-98

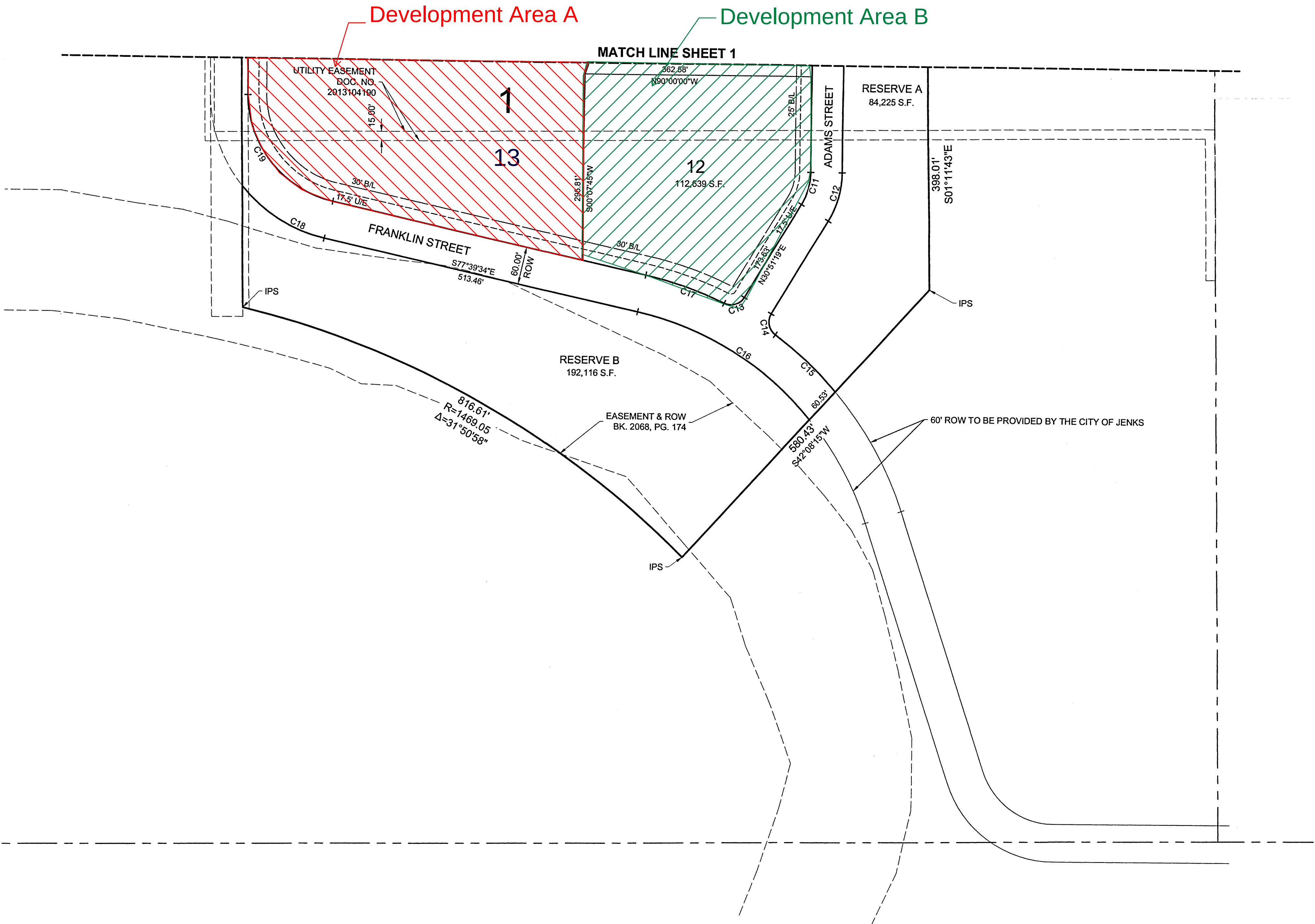
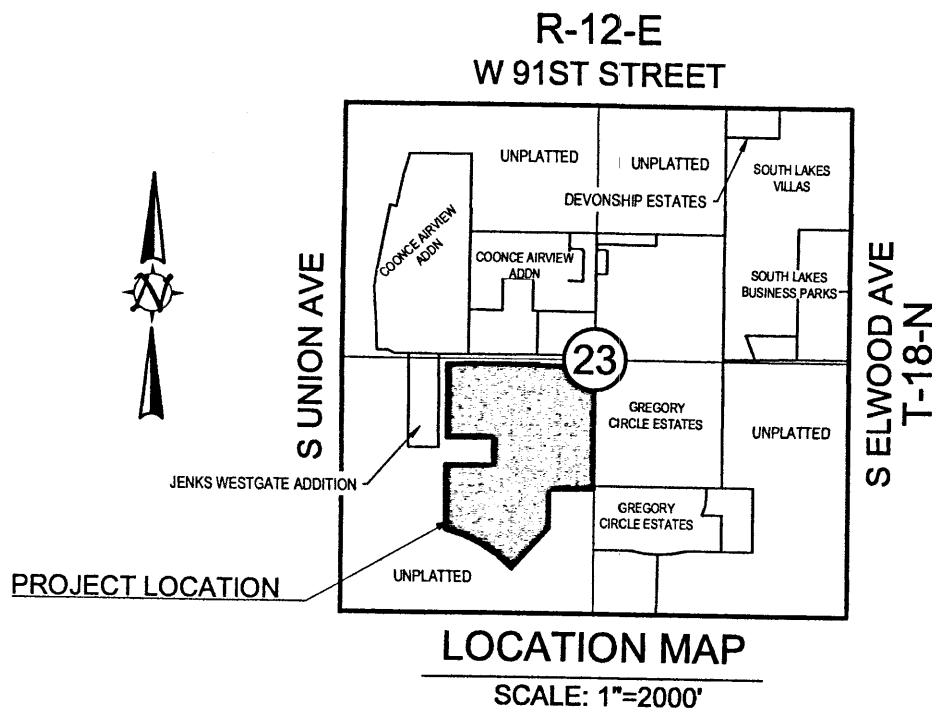
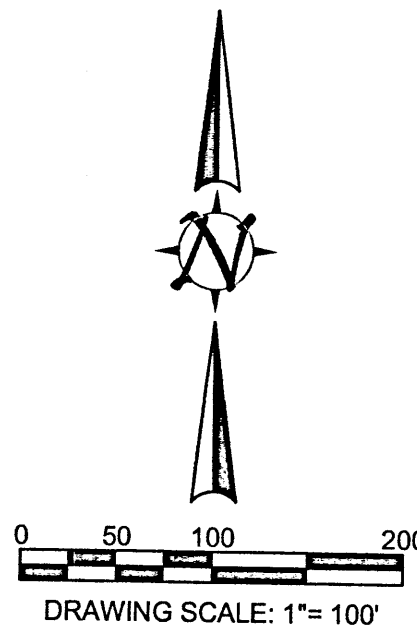
OWNER:
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4942 EAST 73RD STREET
TULSA, OK 74136
PHONE: 918-582-5281
ATTN: JAMES FERRIS

ENGINEER/SURVEYOR:
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Dated: 03/01/2017
Dennis Semler
Tulsa County Treasurer
By: C. Semler 
Deputy

PORTIONS OF PROPERTY ARE CONTAINED WITHIN
THE 1% ANNUAL CHANCE (100-YEAR FLOOD ZONE
AE) AND 0.2% ANNUAL CHANCE (ZONE X-SHADED)
AS SHOWN ON FIRM PANEL "40143C0344L" DATED
OCTOBER 16, 2012



LEGEND	
BL.....	BUILDING LINE
L.N.A.....	LIMITS OF NO ACCESS
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C18	158.28	235.000	38°35'27"
C19	234.15	175.000	76°39'47"



DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:
2900 WEST MAIN, LLC., HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY OF THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

A TRACT OF LAND THAT IS PART OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY OF THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SOUTHWEST QUARTER (SW/4) OF SAID SECTION 23; THENCE NORTH 89°07'43" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (SW/4) A DISTANCE OF 2649.33 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 23; THENCE SOUTH 00°59'48" EAST AND ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 23 FOR A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°59'48" EAST AND ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 23 FOR A DISTANCE OF 1305.92 FEET; THENCE SOUTH 88°20'49" WEST FOR A DISTANCE OF 458.56 FEET; THENCE SOUTH 01°11'43" EAST FOR A DISTANCE OF 398.01 FEET; THENCE SOUTH 42°08'15" WEST FOR A DISTANCE OF 580.43 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE AND A POINT ON THE TOP OF BANK OF POLECAT CREEK; SAID CURVE TURNING TO THE LEFT ALONG SAID TOP OF BANK THROUGH AN ANGLE OF 31°50'58", HAVING A RADIUS OF 1469.05 FEET FOR A LENGTH OF 816.61 FEET, AND WHOSE LONG CHORD BEARS NORTH 61°14'57" WEST FOR A DISTANCE OF 806.14 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE AND A POINT ON AN EASTERLY RIGHT-OF-WAY AS DESCRIBED IN DOCUMENT NUMBER 2013104191; THENCE NORTH 00°59'48" WEST AND ALONG SAID EASTERLY RIGHT OF WAY FOR A DISTANCE OF 681.11 FEET; THENCE NORTH 89°07'34" EAST A DISTANCE FOR A DISTANCE OF 493.38 FEET; THENCE NORTH 00°52'26" WEST FOR A DISTANCE OF 270.00 FEET; THENCE SOUTH 89°07'34" WEST FOR DISTANCE OF 483.96 FEET TO A POINT ON ROADWAY AND UTILITY EASEMENT AS DESCRIBED IN BOOK 6070 PAGE 2853 OF THE TULSA COUNTY CLERKS OFFICE; THENCE NORTH 00°59'48" WEST FOR A DISTANCE OF 775.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF WEST 96TH STREET; THENCE NORTH 89°07'34" EAST ALONG SAID RIGHT OF WAY FOR A DISTANCE OF 170.48 FEET; THENCE NORTH 00°52'26" WEST FOR A DISTANCE OF 10.00 FEET; THENCE NORTH 89°07'34" EAST FOR A DISTANCE 799.88 FEET; THENCE SOUTH 00°52'26" EAST FOR A DISTANCE OF 15.00 FEET; THENCE NORTH 89°07'34" EAST FOR A DISTANCE OF 228.43 FEET; THENCE SOUTH 45°56'09" EAST FOR A DISTANCE OF 7.08 FEET; THENCE SOUTH 00°59'52" EAST FOR A DISTANCE OF 30.00 FEET; THENCE NORTH 89°07'34" EAST FOR A DISTANCE OF 60.00 FEET; THENCE NORTH 00°59'52" WEST FOR A DISTANCE OF 30.00 FEET; THENCE NORTH 44°03'54" EAST FOR A DISTANCE OF 28.25 FEET; THENCE NORTH 89°07'34" EAST A DISTANCE OF 260.13 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 2,535.641.55 SQUARE FEET OR 58.21 ACRES, MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 19 LOTS IN 2 BLOCKS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "2900 WEST MAIN", A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "2900 WEST MAIN" OR THE "SUBDIVISION").

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE SUBDIVISION OF THE ABOVE DESCRIBED LAND WHICH SHALL BE DESIGNATED AND REFERRED TO HEREIN AS "2900 WEST MAIN".

SECTION I. PUBLIC STREETS AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "UE" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNERS LOT.
- WITHIN UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF JENKS, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNERS AGENTS AND/OR CONTRACTORS.
- THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

C. RESERVES 'A' & 'B' (OVERLAND DRAINAGE EASEMENTS)

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL OVERLAND EASEMENTS ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVE "A" AND RESERVE "B" FOR THE PURPOSES OF PROTECTING AND PROVIDING ACCESS TO THE 100-YEAR FLOODPLAIN LOCATED WITHIN THE RESERVES. THE OVERLAND DRAINAGE EASEMENT IS HEREBY ESTABLISHED TO RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS.
- RESERVE "A" AND RESERVE "B" SHALL REMAIN AS A NATURAL UNIMPROVED AREA PROVIDED REMOVAL OF UNDERBRUSH AND GROUND MAINTENANCE SHALL BE PERMITTED. SUPPLEMENTAL LANDSCAPING MAY BE PERMITTED IF IT DOES NOT IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE RESERVE. "A" HAS BEEN GRANTED. NOTWITHSTANDING THAT THE OWNER OF RESERVE "A" AND RESERVE "B" SHALL MAINTAIN THE RESERVES AS A NATURAL UNIMPROVED AREA, THE OWNER SHALL COMPLY WITH ALL STATE STATUTES AND ORDINANCES OF THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, REGULATING THE EXISTENCE OF PUBLIC AND PRIVATE NUISANCES.
- THE OWNER OF RESERVE "A" AND RESERVE "B" SHALL NOT CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE RESERVES. IN THE EVENT THE OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE GRADE, THE CITY OF JENKS, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COST SHALL BE PAID BY THE OWNER. IN THE EVENT THE OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS, THE CITY OF JENKS, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF A STATEMENT OF LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE OWNERS LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF JENKS, OKLAHOMA.

2900 West Main

PUD-98

AN ADDITION TO THE CITY OF JENKS, BEING A TRACT OF LAND LYING IN SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

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EMAIL: ALAN@AABENG.COM

PLAT, ARE HEREBY ESTABLISHED FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM ALL STREETS AND AREAS ADJACENT TO AND CONTAINED WITHIN THE SUBDIVISION, SUCH EASEMENTS SHALL BE FOR THE MUTUAL USE AND BENEFIT OF EACH AFFECTED LOT OWNER, THEIR GUESTS, AND INVITEES, AND SHALL BE APPURTENANT TO EACH AFFECTED LOT OWNER, PROVIDED GOVERNMENTAL AGENCIES AND THE SUPPLIERS OF UTILITY SERVICES SHALL HAVE THE REASONABLE USE OF SUCH EASEMENTS INCIDENTAL TO THE PROVISION OF SERVICES TO THE LOTS WITHIN THE SUBDIVISION.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, 2900 WEST MAIN WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS P.U.D. NO. 98 AS PROVIDED BY THE CITY OF JENKS ZONING CODE, AS THE SAME EXISTED ON JUNE 1, 2016), WHICH P.U.D. NO. 98 WAS APPROVED BY THE JENKS PLANNING COMMISSION ON JUNE 1, 2016 AND BY THE COUNCIL OF THE CITY OF JENKS, OKLAHOMA, ON JUNE 6, 2016; AND WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF JENKS, OKLAHOMA; THEREFORE, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH. REFERENCES TO THE JENKS ZONING CODE IN THIS SECTION II SHALL MEAN THE JENKS ZONING CODE IN EFFECT AS OF JUNE 1, 2016, AND REFERENCES TO "USE UNITS" SHALL MEAN THE USE UNITS AS DEFINED THEREIN.

PUD-98 DEVELOPMENT AREA 'A' DEVELOPMENT STANDARDS:

LOTS 1-10, 13, 14 & 15, BLOCK 1 AND LOTS 1-3, BLOCK 2	
GROSS LAND AREA	38.38 AC
A. PERMITTED USES	
USES PERMITTED AS A MATTER OF RIGHT WITHIN THE CS ZONING DISTRICT, ALONG WITH WAREHOUSING AND WHOLESALE AS DESCRIBED IN USE UNIT 22 OF THE JENKS ZONING CODE.	
B. MAXIMUM BUILDING FLOOR AREA RATIO	0.60
C. MAXIMUM BUILDING HEIGHT:	
WEST OF ADAMS STREET EXTENSION	70 FEET
EAST OF ADAMS STREET EXTENSION	35 FEET

PUD-98 DEVELOPMENT AREA 'B' DEVELOPMENT STANDARDS:

LOTS 11, 12 & 17, BLOCK 1	
GROSS LAND AREA	19.83 AC
A. PERMITTED USES	
USES PERMITTED AS A MATTER OF RIGHT WITHIN THE CS ZONING DISTRICT, ALONG WITH WAREHOUSING AND WHOLESALE AS DESCRIBED IN USE UNIT 22 OF THE JENKS ZONING CODE.	
1.	IF DEVELOPMENT AREA "B" IS DEVELOPED FOR COMMERCIAL USES THE DEVELOPMENT CRITERIA AS IDENTIFIED IN DEVELOPMENT AREA "A" SHALL APPLY. RESIDENTIAL DEVELOPMENT OF AREA "B" IS RESTRICTED TO AND CONSIDERED A SENIOR INDEPENDENT RETIREMENT VILLAGE OR LIVING CENTER. THE UNDERLYING ZONING WOULD REMAIN CS BUT SINGLE FAMILY RESIDENTIAL DEVELOPMENT WOULD BE ALLOWED WITHIN THE SENIOR INDEPENDENT RETIREMENT VILLAGE. THE PLANNED UNIT DEVELOPMENT ESTABLISHED THE PARAMETERS OF A MAXIMUM OF 50 SINGLE FAMILY RESIDENTIAL UNITS. MINIMUM LOT WIDTH SHALL BE 55 FEET, LOT SIZE SHALL BE 6,000. FRONT YARD SETBACK SHALL BE ADJOINING A STREET SHALL BE ESTABLISHED AT 15 FEET. IF THE MULTIUNIT RESIDENTIAL COMPONENT IS ADDED FOR THE USE OF THE SENIOR LIVING CENTER THE MEDIUM INTENSITY PLAN DESIGNATION WOULD ALLOW UP TO 16 DWELLING UNITS PER ACRE, HOWEVER ONLY 13 ACRES WOULD BE AVAILABLE AFTER THE SINGLE FAMILY COMPONENT LIMITING THE NUMBER OF MULTIUNIT DWELLINGS TO NO GREATER THAN 208. ANY PROPOSED RESIDENTIAL DEVELOPMENT WOULD REQUIRE THAT THE SITE PLAN AND BUILDING ELEVATION BE APPROVED AS AN AMENDMENT TO PLANNED UNIT DEVELOPMENT 98.

B. MAXIMUM BUILDING FLOOR AREA RATIO	0.60
C. MAXIMUM BUILDING HEIGHT:	
WEST OF ADAMS STREET EXTENSION	70 FEET

DEVELOPMENT STANDARDS APPLICABLE TO DEVELOPMENT AREAS 'A' AND 'B'

- PUBLIC STREET FRONTAGE**
LOTS 13 AND 14 SHALL NOT BE REQUIRED TO HAVE THE MINIMUM FRONTAGE PRESCRIBED BY THE CS DISTRICT. ACCESS TO THESE TRACTS WILL BE PROVIDED VIA MUTUAL ACCESS EASEMENTS RECORDED OF RECORD.
- SCREENING WALLS AND FENCES**
A 6 FOOT TALL WOOD SCREENING FENCE ON A CONCRETE FOOTER SHALL BE CONSTRUCTED ALONG THE EASTERN BOUNDARY OF DEVELOPMENT AREA 'A' WHERE IT IS ADJACENT TO GREGORY CIRCLE.
- MASONRY**
ALL COMMERCIAL BUILDING WITH THE PROJECT SHALL BE CONSTRUCTED OF 75% MASONRY ON ALL EXTERIOR FACES. THE 75% MASONRY REQUIREMENT SHOULD ALSO BE REQUIRED FOR ANY MULTIUNIT RESIDENTIAL. ANY SINGLE FAMILY RESIDENTIAL BUILDINGS SHALL BE CONSTRUCTED OF 100% MASONRY THE FIRST FLOOR TOP PLATE EXCLUDING WINDOWS AND COVERED PORCHES. ALL COMMERCIAL BUILDINGS WITHIN THE DEVELOPMENT WILL REQUIRE APPROVAL THROUGH THE APPEARANCE REVIEW PROCESS.
- SIGNAGE**
SIGNS SHALL BE LIMITED TO THE FOLLOWING:
 - THE DEVELOPMENT WILL ALLOW TWO MONUMENT SIGNS AT THE SIGNED ENTRANCES TO THE PROPERTY. THESE SIGNS SHALL COMPLY WITH THE JENKS ZONING CODE HEIGHT AND SIZE RESTRICTIONS AND WILL REQUIRE REVIEW AND APPROVAL THROUGH THE ARP (APPEARANCE REVIEW PROCESS) REVIEW
 - INDIVIDUAL TENANT WALL SIGNS MAY UTILIZE CHANNEL LETTERING AND WILL NOT REQUIRE ARP (APPEARANCE REVIEW PROCESS).
 - COMMERCIAL TENANTS ALONG MAIN STREET MAY HAVE GROUND SIGNS. THESE SIGNS, AND ALL OTHERS THAT ARE NOT CHANNEL LETTERING WILL REQUIRE AN APPEARANCE REVIEW PROCESS.

- TRASH**
 - TRASH RECEPTACLES SHALL BE DESIGNED WITHIN COMPACTION AREAS BEHIND GATED ENCLOSURES OR BEHIND ROLL UP OR SERVICE DOORS WITHIN BUILDINGS.
 - TRASH RESEPTICLES SHALL NOT BE VISIBLE FROM ANY PEDESTRIAN OR VEHICULAR TRAVEL WAY
- PARKING**
 - MINIMUM PARKING AREA SETBACK ADJOINING PUBIC STREETS OR PRIVATE STREETS SHALL BE 5 FEET.
 - PARKING SHALL BE PROVIDED AS REQUIRED FOR THE APPLICABLE USE UNIT AS SET FORTH IN THE JENKS ZONING CODE.
 - NO PARKING WILL BE ALLOWED WITHIN THE RIGHTS OF WAY ASSOCIATED WITH FRANKLIN AVENUE OR ADAMS STREET.
- LIGHTING**
LIGHTING SHALL BE DESIGNED SO THAT THE LIGHT PRODUCING ELEMENTS AND POLISHED LIGHT REFLECTING ELEMENTS OF EXTERIOR LIGHT FIXTURES SHALL NOT BE EMITTED TOWARD THE RESIDENTIAL AREAS TO THE EAST. NO LIGHT STANDARD SHALL EXCEED 25 FEET IN HEIGHT, PROVIDED THAT LIGHT STANDARDS AT STREET INTERSECTIONS SHALL BE NO LESS THAN 19 FEET IN HEIGHT. LIGHTING ASSOCIATED WITHIN PUBLIC AND PRIVATE STREETS SHALL NOT BE SUBJECT TO SHIELDING REQUIREMENTS FOR THE INTENT OF THIS LIGHTING IS TO PROVIDE SAFETY ASSOCIATED WITH THE ROADWAYS.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE CITY OF JENKS OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE JENKS ZONING CODE AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA AND ANY OWNER OF A LOT WITHIN THE SUBDIVISION. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II, IT SHALL BE LAWFUL FOR THE CITY OF JENKS OR ANY OWNER OF A LOT TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEDICATION THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

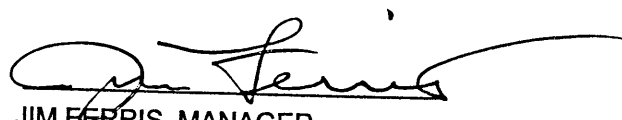
THE COVENANTS CONTAINED WITHIN SECTION I, UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE COVENANTS OR ITS SUCCESSORS, AND THE CITY OF JENKS, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT TO WHICH THE AMENDMENT OR SUCCESSORS AND THE CITY OF JENKS, OKLAHOMA.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OF ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

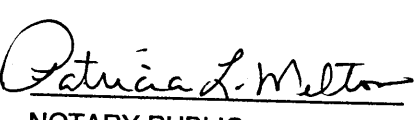
IN WITNESS WHEREOF: 2900 WEST MAIN, LLC. HAS EXECUTED THIS INSTRUMENT THIS 19TH DAY OF DECEMBER, 2016.

2900 WEST MAIN, LLC.

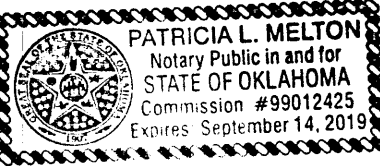
BY: 
JIM FERRIS, MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS 19TH DAY OF DECEMBER, 2016, PERSONALLY APPEARED JIM FERRIS, MANAGER OF 2900 WEST MAIN, LLC., TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

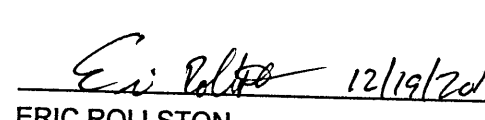

NOTARY PUBLIC

MY COMMISSION EXPIRES: 9-14-19
COMMISSION NUMBER: 99012425



CERTIFICATE OF SURVEY

I, ERIC ROLLSTON, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "2900 WEST MAIN" A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

 12/19/2016
ERIC ROLLSTON

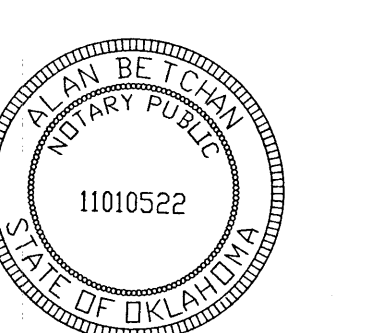
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1761

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS 19TH DAY OF DECEMBER, 2016, PERSONALLY APPEARED ERIC ROLLSTON, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.


NOTARY PUBLIC

MY COMMISSION EXPIRES: NOVEMBER 20, 2019
COMMISSION NUMBER: 11010522



2900 West Main

Planned Unit Development #

Prepared
May 6, 2016

Location

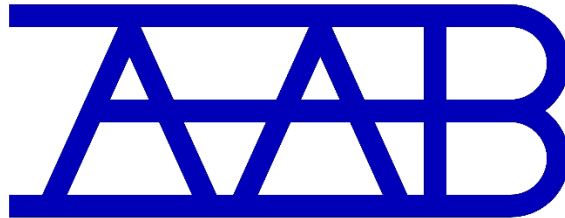
Part of the Southwest Quarter (SW/4) of Section Twenty Three(23), Township Eighteen(18) North, Range Twelve(12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma. This PUD contains 61.24 +/- Acres.

Owner

2900 West Main Enterprises LLC
c/o James Farris
401S, Boston Ave, Suite 1100
Tulsa, OK 74103

Prepared By:

AAB Engineering, LLC



Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
Office: (918) 514-4283 Fax: (918) 514-4288

Development Concept

2900 West Main is a proposed mixed used development located on the southeast corner of West 96th Street and Franklin Street. The proposed development encompasses approximately 63 acres abutted by Gateway Plaza on the west, Polecat Creek on the south, Gregory Circle Acres and Jenks Public Schools on the east, and 96st Street South on the north. Exhibit A shows the subject property in relation to the existing and proposed surrounding developments. This PUD is a Planned Unit Development overlay of an existing AG zoned parcel. It is submitted in conjunction with a rezoning application to CS zoning; see Exhibit E for existing zoning map with proposed rezoning overlay. The project will be developed with two Development Areas largely modeling the bulk and area requirements of the underlying zoning. See attached Exhibit B for proposed development areas/conceptual site plan and Exhibit F for the legal descriptions of the overall PUD and each development area.

The proposed development plan contemplates multiple pad development lots fronting 96th Street along the northern portion of Development Area A. The southern portions of Development Area A west of the proposed Nogales Ave allow for larger office, medical, and general commercial users while still accommodating some traditional pad development facing Nogales. The portion of Development Area A east of Nogales is proposed as office/retail with height restrictions matching that of the CS district to protect and buffer the existing neighborhood.

Development Area B is uniquely allowed to develop with commercial uses or as a single senior citizen independent living development. If commercial development is utilized it will be developed under general CS zoning restrictions.

Development Standards

Development Area 'A'

Development within Development Area A shall conform to the bulk and area requirements of the CS zoning district as established in the City of Jenks Zoning code as it exists on the date of approval, except as hereinafter modified.

Permitted uses:	All uses permitted by right within the CS* zoning district and Use Unit 22 Warehousing and Wholesaling *Hospital (requires SUP) when not in PUD.
Gross Land Area	43.38 acres
Maximum Building Floor Area Ratio	0.60
Maximum Building Height (West of Nogales Ave Extension)	Six Stories and/or 70 feet *see request
Maximum Building Height (East of Nogales Ave Extension)	35 feet

Development Area 'B'

The intended use for this development area is expansion of the commercial development within Development Area A or the development of an independent living/patio home development concept. Any commercial development within this area shall conform to the bulk and area requirements of the CG zoning district as established in the City of Jenks Zoning code as it exists on the date of approval. Any residential development of this Area B shall adhere to the use and development regulations of RS-3 zoning as established in the City of Jenks Zoning code as it exists on the date of approval of this PUD, except as hereinafter modified. If any portion of Development Area B is developed using the CS development standards no portion of Development Area B shall be developed for residential uses.

Commercial Standards

Permitted uses:	All uses permitted by right within the CS zoning district and Use Unit 22 Warehousing and Wholesaling
Gross Land Area	19.83 acres
Maximum Building Floor Area Ratio	0.60
Maximum Building Height (West of Nogales Ave Extension)	35 feet
Maximum Building Height (East of Nogales Ave Extension)	35 feet

Development Area A also sets out the maximum height for buildings within this area as **Six Store and/or 70 feet**. The developer would like to amend the PUD, as it relates to the lots listed, to reflect a maximum permitted height of **130' with no reference to a number of stories**. This portion of the site is well buffered from any surrounding residential properties and will be directly abutted by only commercial uses. The height request is supported by the developers of the yet undeveloped land to the south. All buildings will be **subject to FAA review** and approval regardless of the heights listed in the PUD.

*request

Senior Independent Living Center

Permitted uses:

Senior Independent Living Center

Gross Land Area

19.83 acres

Maximum Number of Dwelling Units

50

Minimum Lot Width

55 feet

Minimum Lot Size

6,000 square feet

Minimum Front Yard Setback

20 feet

Side Yard Adjoining a Lot

5 feet

Side Yard Adjoining a Street

15 feet

Architectural Requirements and Screening Standards

A 6 foot tall wood screening fence shall be constructed along the eastern boundary of Development Area A where it abuts a residentially zoned property. If Development Area B is developed with residential uses a 6' screening fence shall be constructed between Development Areas A & B.

All commercial buildings with the project shall be constructed of 75% masonry on all exterior faces. All residential buildings shall be constructed of 100% masonry to the first floor top plate excluding windows and covered porches

Drainage & Utilities

The majority of the site drains to the southeast to an unnamed tributary of Polecat Creek which drains south to Polecat Creek. Polecat Creek flows west to east along the southern property line of the development. The project proposes to continue these drainage patterns with the construction of a box culvert at the entrance along 96th Street that will route offsite flow from the north to a proposed drainage easement along the east side of Nogales Avenue. Proposed channel improvements will be contained within this drainage easement and will convey street and development runoff south to Polecat Creek.

An existing waterline runs east and west along the north side of 96th Street as well as north and south along the east side of Franklin Street. These lines will be connected to new internal lines that will be extended along the proposed street alignments. These lines will provide domestic water and fire service to the property.

An existing sanitary sewer line runs along the western property line and continues east and west through the southern portion of Development Area B. Sanitary sewer extensions will be constructed from the existing line to serve the development.

Other utility services are currently provided to the site and will continue to be provided via underground services. See attached Exhibit C for the conceptual improvements plan.

Access and Circulation

Primary access to the development will be via the signalized intersection of Nogales Avenue and 96th Street South. Nogales Avenue will be extended to a proposed intersection with Franklin Avenue as shown in the conceptual development plan. Franklin Avenue will be extended for its current dead end to intersect with Nogales Avenue at the southeast corner of the site. It is anticipated that Nogales will eventually be continued south and connect to 101st Street South. Limits of No Access (LNA) will be imposed by the future plat along 96th Street except at shared entrances for the lots abutting 96th Street.

Lots within Development Area A will not be required to front a public street provided mutual access easements providing dedicated vehicular access to a public street are filed of record and all requirements of the City of Jenks Fire Marshal are met. Residential lots within Development Area B shall be accessed via private gated streets. Street/gate configuration and construction will be to City of Jenks standards.

Environmental Analysis

The site generally slopes from the west to east as well as north to south. The Tulsa County Soils survey defines the onsite soils as Okay loam, Okemah-Parsons-Pharoah complex, and Radley silt loam, of varying grades. These soils are typically well drained and provide little issue to construction of a project as proposed. A geotechnical engineer will be contracted to perform a soils analysis for the project.

The Polecat Creek floodplain extends along the southern portion of the property and backwaters the north-south unnamed tributary to Polecat Creek. Channel improvements for the unnamed tributary will contain the backwater to the proposed drainage easement. No fill will be placed within the floodway, however minor fills will be placed in the floodplain for the roadway improvements along the southern portion of the property and to contain the floodplain within the drainage easement.

The attached Exhibit D depicts an aerial of the existing site as well as topography.

Requirement to Plat

No building permit shall be issued until a plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Jenks Subdivision Regulations.

Schedule of Development

Development Construction is expected to begin in early summer 2016.

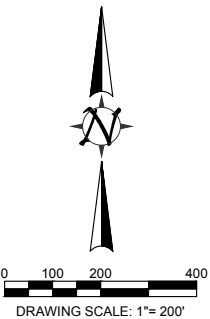


Exhibit A

Surrounding Areas
for

Main Street Jenks

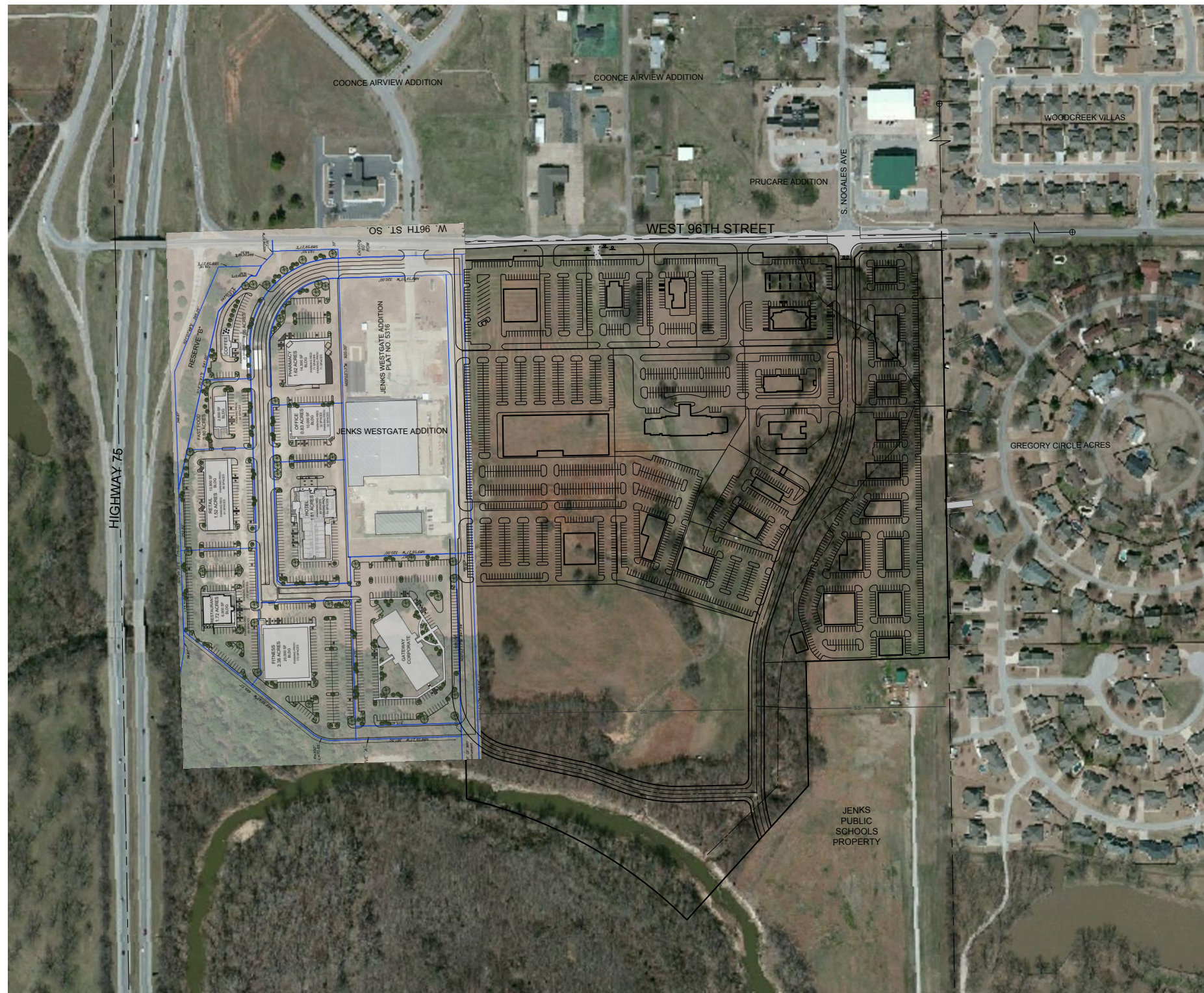
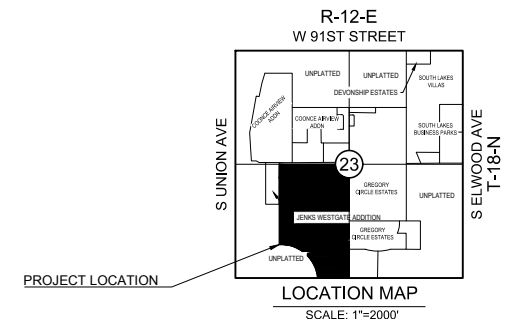


Exhibit B

Conceptual Site Plan & Development Areas
for

Main Street Jenks

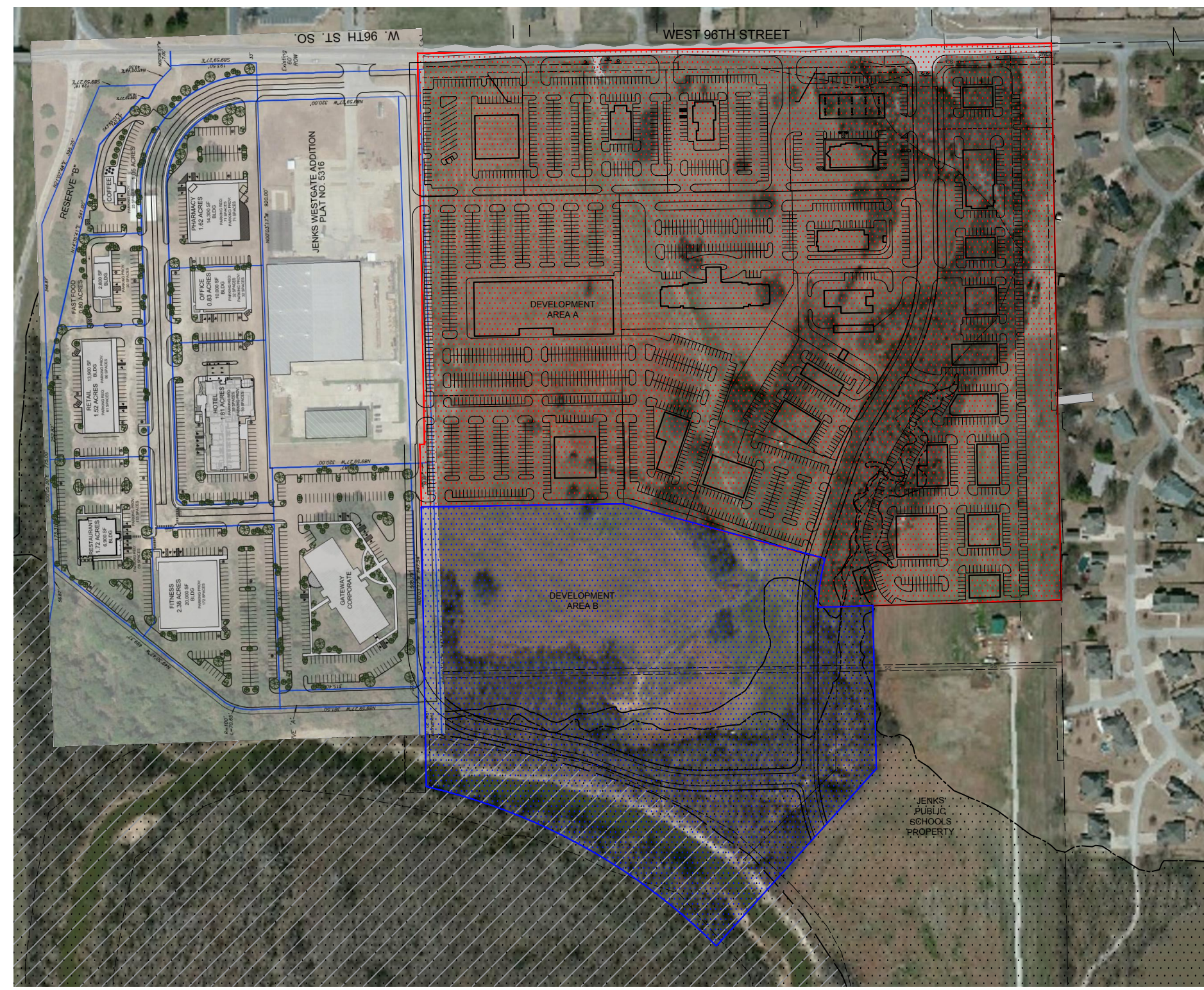
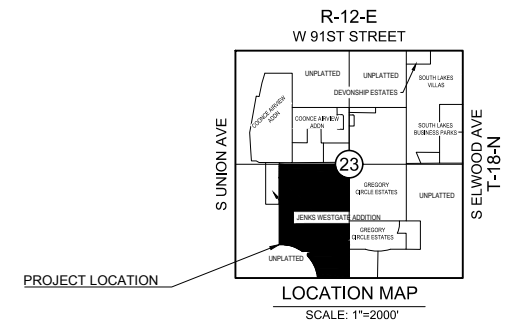
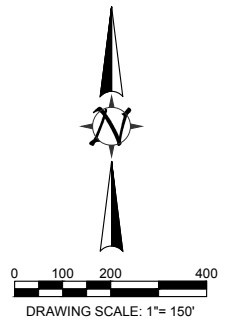


Exhibit C

Conceptual Improvements Plan for Main Street Jenks

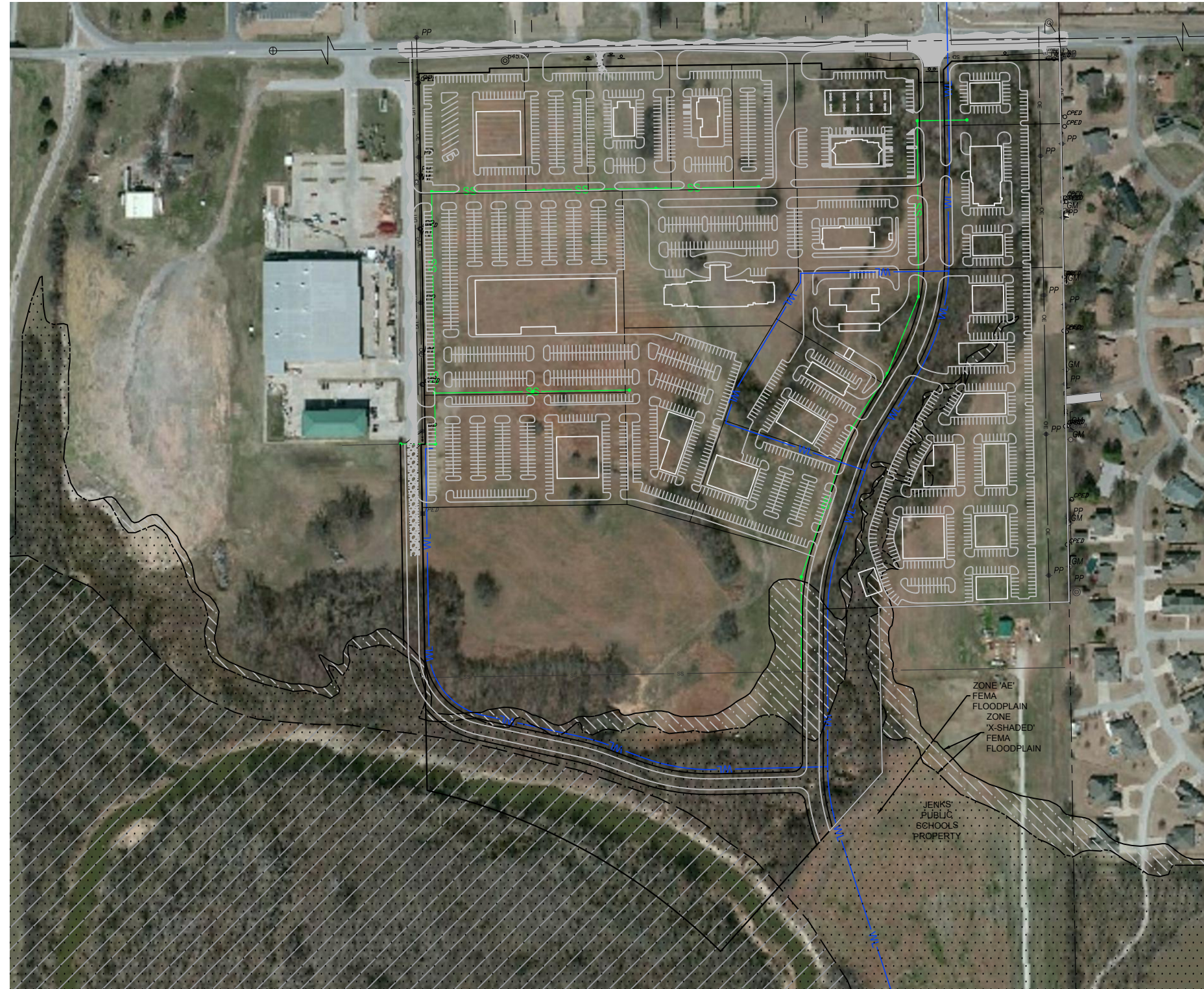
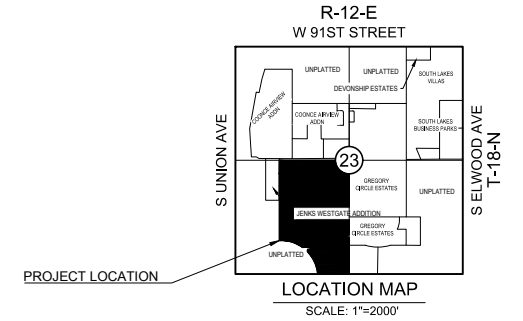
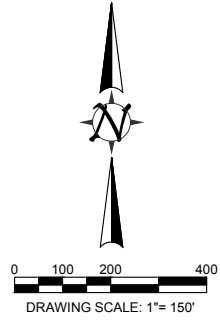


Exhibit D

Existing Topo & Aerial
for

Main Street Jenks

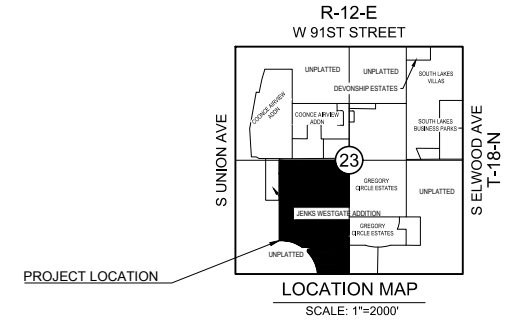
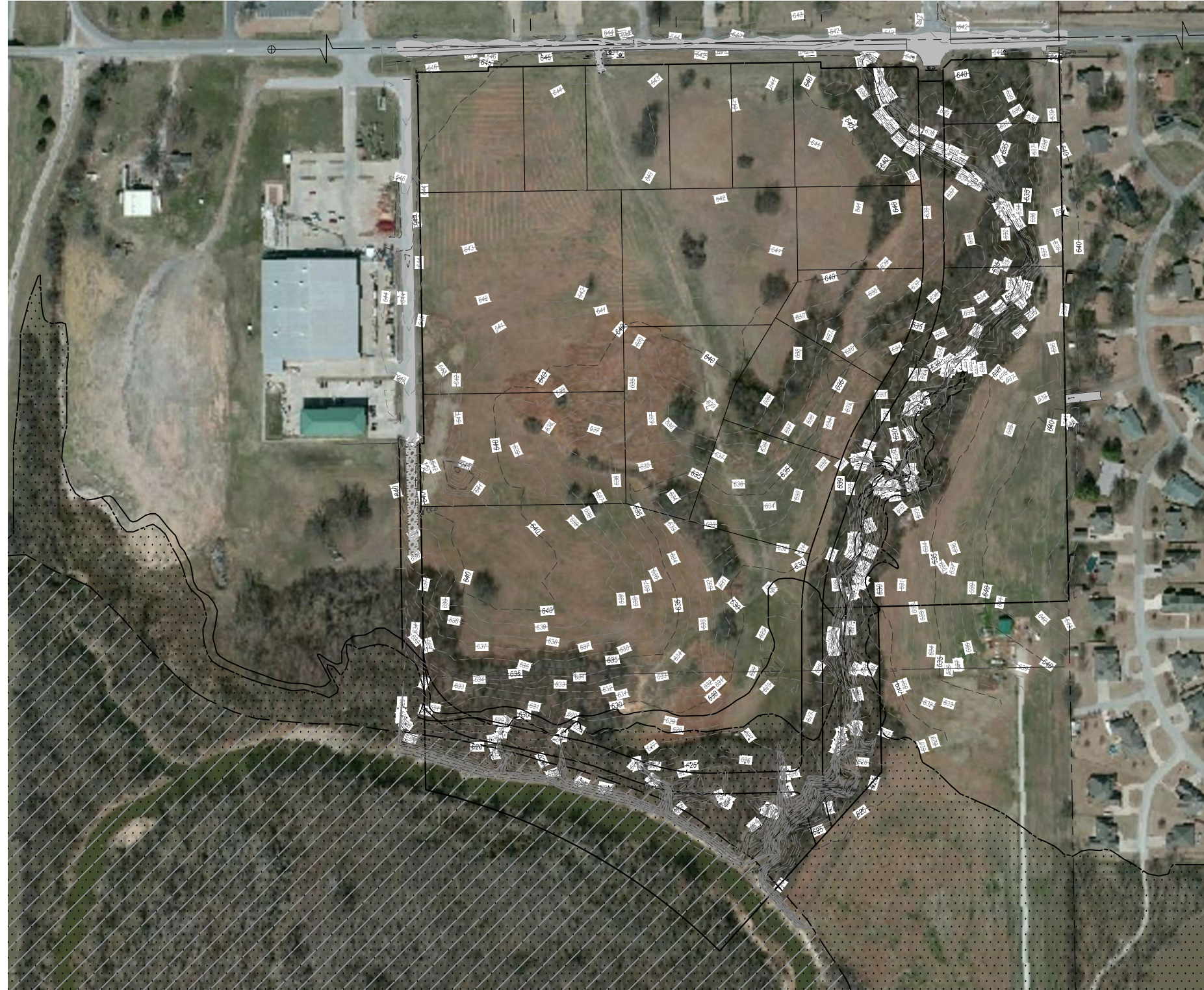
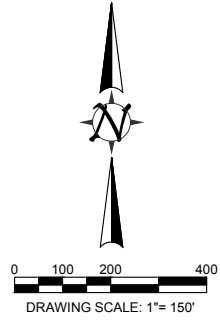
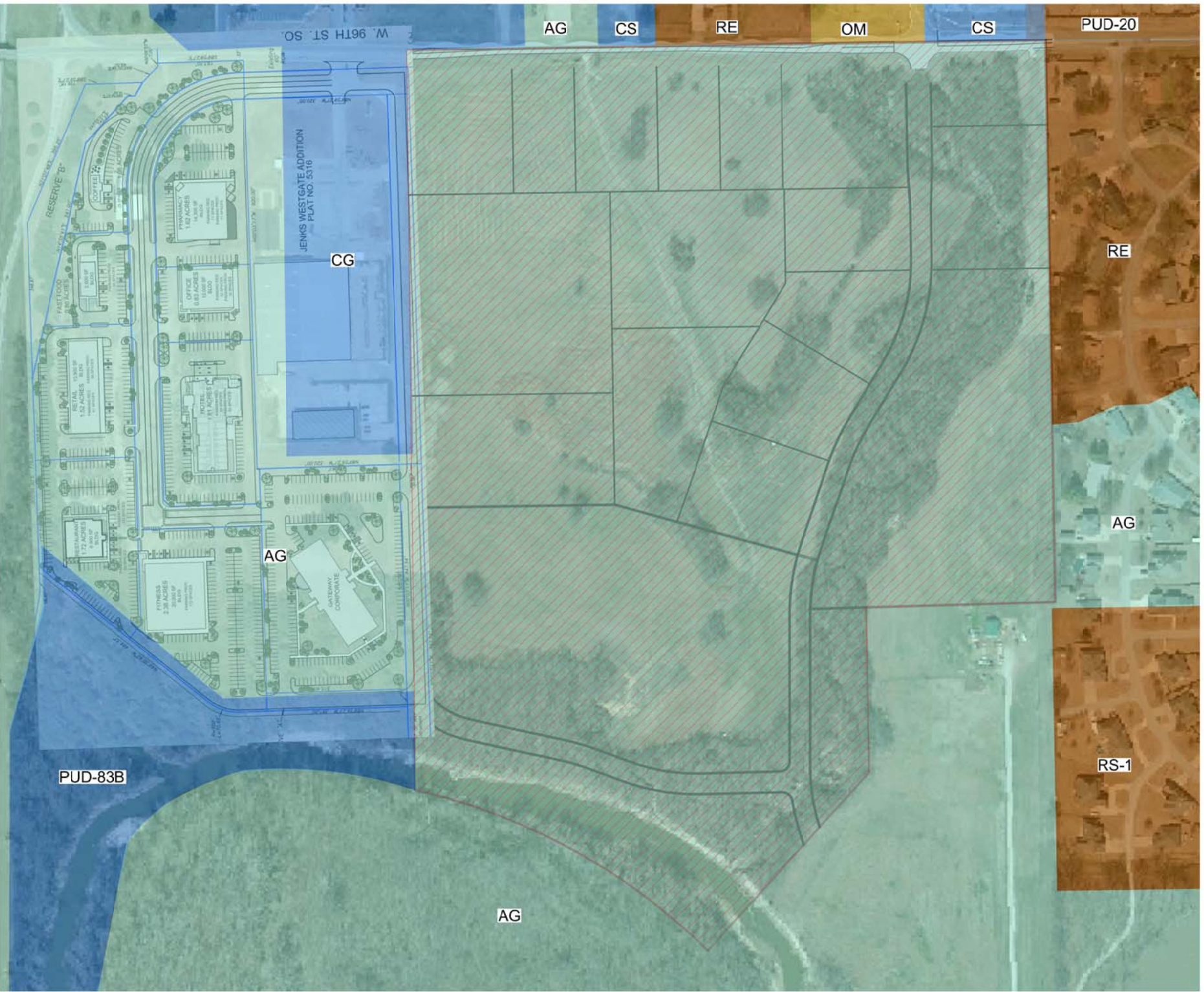
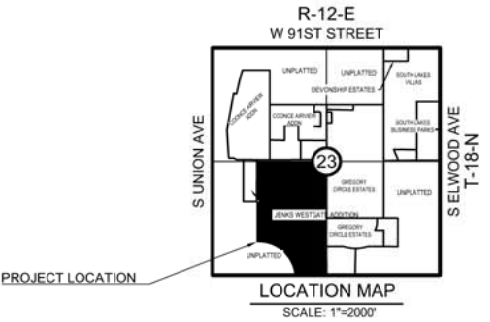




Exhibit E
Existing Zoning and Proposed Zoning
for
Main Street Jenks



LEGEND

 PROPOSED CS ZONING

PLOT DATE: Mon, 09 May 2016 FILE: P1101223-2000 WEST MAIN STREET MAIN STREET JENKS.PLD



AAB Engineering, LLC
AAB
Engineering • Surveying • Land Planning
P.O. Box 2156 Sand Springs, OK 74065
OK CARS318 Exp. June 30, 2016
NS CARS290 Exp. Dec 31, 2016
Office: (918) 514-4282 Fax: (918) 514-4288

Exhibit F

Legal Description
for

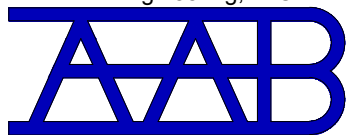
Main Street Jenks

A TRACT OF LAND THAT IS PART OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY OF THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF SW/4 OF SAID SECTION 23; THENCE S 00°03'17" E AND ALONG THE EAST LINE OF THE SW/4 OF SAID SECTION 23 FOR A DISTANCE OF 1355.92 FEET; THENCE S 89°17'20" W FOR A DISTANCE OF 458.56 FEET; THENCE S 00°15'12" E FOR A DISTANCE OF 398.01 FEET; THENCE S 43°04'46" W FOR A DISTANCE OF 580.43 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE AND A POINT ON THE TOP OF BANK OF POLECAT CREEK; SAID CURVE TURNING TO THE LEFT ALONG SAID TOP OF BANK THROUGH AN ANGLE OF 31°50'58". HAVING A RADIUS OF 1469.05 FEET FOR A LENGTH OF 816.61 FEET, AND WHOSE LONG CHORD BEARS N 60°18'28" W FOR A DISTANCE OF 806.14 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE AND A POINT ON AN EASTERLY RIGHT-OF-WAY AS DESCRIBED IN DOCUMENT NUMBER 2013104191; THENCE N 00°03'17" W AND ALONG SAID EASTERLY RIGHT OF WAY FOR A DISTANCE OF 833.12 FEET TO A POINT ON THE ROADWAY AND UTILITY EASEMENT AS DESCRIBED IN BOOK 6070 PAGE 2653 OF THE TULSA COUNTY CLERKS OFFICE. THENCE N 89°56'43" E AND ALONG SAID ROADWAY EASEMENT FOR A DISTANCE OF 10.00 FEET; THENCE N 00°03'17" W FOR A DISTANCE OF 952.97 FEET TO A POINT ON THE NORTH LINE OF THE SW/4 OF THE SAID SECTION 23; THENCE S 89°55'55" E ALONG THE NORTH LINE OF THE SW/4 OF THE SAID SECTION 23 FOR A DISTANCE OF 1,543.91 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 2,753,362.40 SQUARE FEET OR 63.21 ACRES, MORE OR LESS.

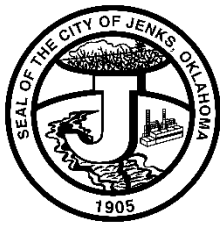
PLOT DATE: Fri, 06 May 2016 FILE: P:\1812\23-2900 WEST MAIN STREET\MAIN STREET_JENKS-PUD -LEGAL

AAB Engineering, LLC



Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2016
KS CA#2292 Exp: Dec. 31, 2016
Office: (918) 514-4283 Fax: (918) 514-4288



CITY OF JENKS

211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

NOTICE OF A PUBLIC HEARING LOCATED IN THE CITY OF JENKS, OKLAHOMA

Case Number: JZ 23 PUD 98.ma1

Request: PUD Major Amendment

Request by Alan Betchan for a Major Amendment to PUD 98 to allow for a hospital use and a height increase to 130'.

Legal Description: LEGAL DESCRIPTION
LOTS 5, 6, 7, 8, 9, 14, 15, AND 17 OF BLOCK 1 OF 2900 WEST MAIN, AN ADDITION TO THE CITY OF JENKS, ACCORDING TO THE RECORDED PLAT #6724 THEREOF.

General Location: S of Main St, between Douglas and Adams

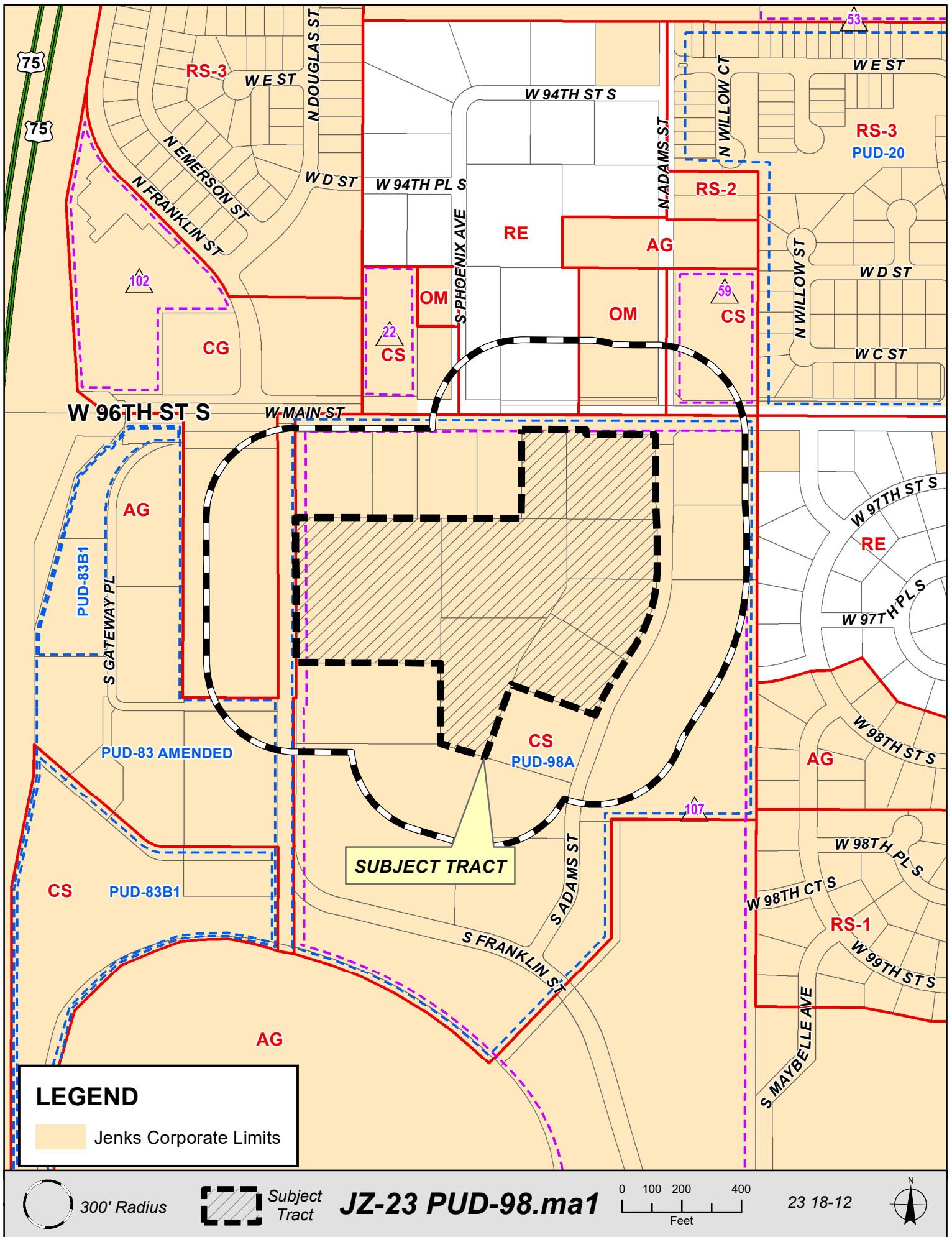
Hearing Date: 23 February 2023

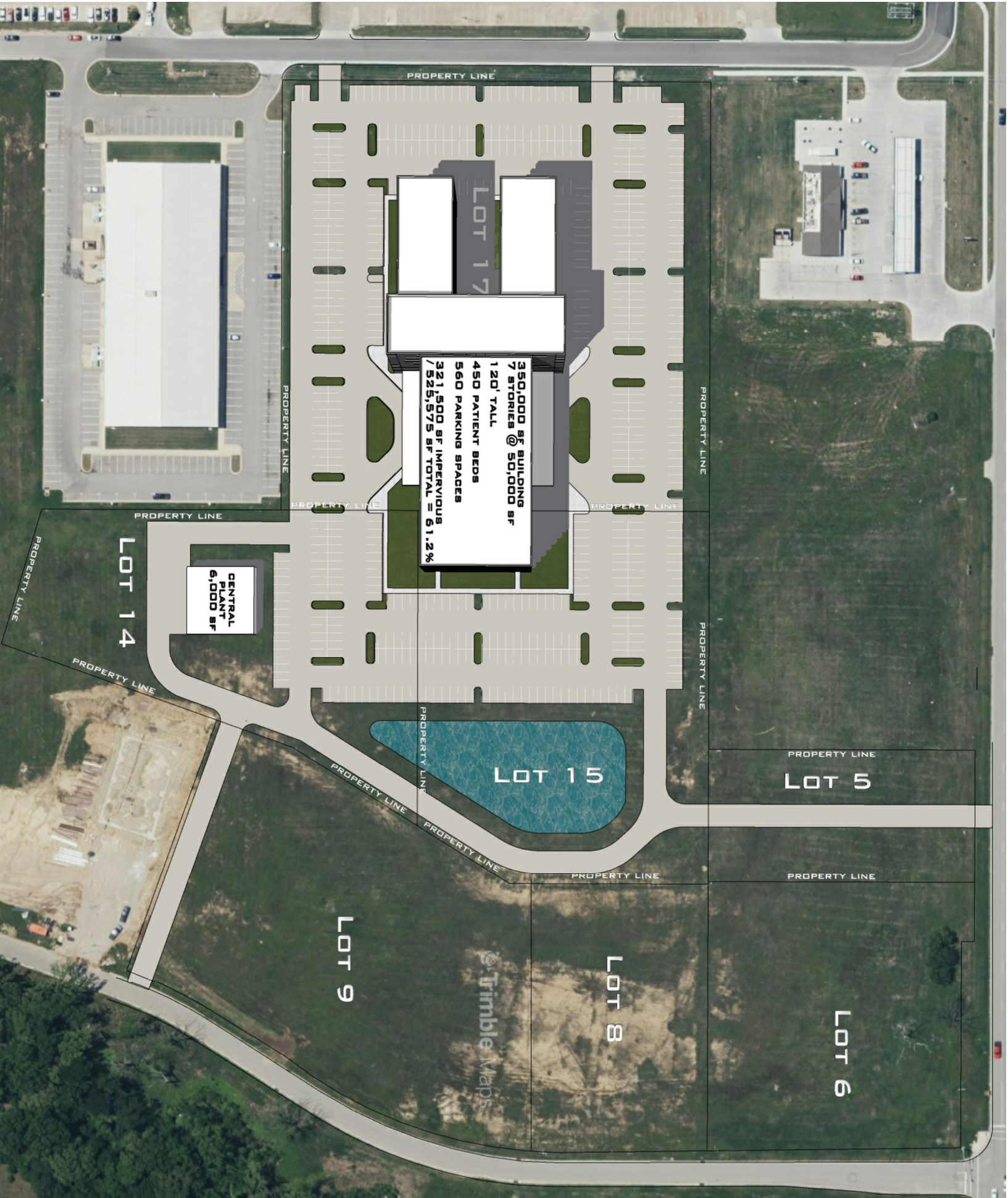
Location: Jenks City Hall, 211 N Elm St, Jenks, OK 74037

All persons interested in this matter may appear at these hearings and present their objections to or arguments for any of the above matters.

Dated at Jenks Oklahoma on 23 January 2023.

Marcae Hilton, Secretary
Jenks Planning Commission





South Site Plan - Option 2

SITE PLANS



**South Site Aerial Perspective
Option 2**