

COMMISSIONERS:

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**CLERK DISTRICT COURT
AUDITOR and RECORDER**

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County of Shoshone

700 BANK STREET, SUITE 120
WALLACE, IDAHO 83873-2348

RESOLUTION 2023-26

A RESOLUTION FINALIZING THE TRANSFER OF COUNTY PROPERTY TO MAVERIK, INC., PURSUANT TO IDAHO CODE §31-808

WHEREAS, the Board of County Commissioners of Shoshone County, had previously determined that a certain parcel of land belonging to said County and more particularly described herein was not necessary for the use of said County, and sale of the same was in the public interest; and

WHEREAS, pursuant to Idaho Code §31-808, the Board of County Commissioners have the power and authority to sell or offer for sale at public auction any real or personal property belonging to the county not necessary for its use; and

WHEREAS, notice of the intent to offer such property up for public auction was duly advertised in a newspaper, as defined in Idaho Code §60-106; and

WHEREAS, the County was unable to sell such property at a public auction for lack of responsive bids and thereafter engaged those interested parties in order to effectuate a sale of said property; and

WHEREAS, the County was able to solicit the greatest purchase price from Maverik, Inc., a Utah corporation, by and through its agent Taylor Gibbons of SVN High Desert Commercial; and

WHEREAS, the County subsequently engaged Maverik, Inc., by and through their legal counsel, in negotiating a Purchase and Sale Agreement suitable to the County, which agreement has been attached hereto as **EXHIBIT A**; and

WHEREAS, in anticipation of the satisfaction of the obligations of each Party to the aforementioned agreement, the County does desire to proceed with closing on said property; and

WHEREAS, the Chairman of the Shoshone County Board of Commissioners has the authority to execute all contracts, leases, grants, deeds, negotiable instruments and any other legal documents on behalf of the Board, including those necessary to effectuate the sale and transfer of real property contemplated herein.

NOW, THEREFORE, BE IT RESOLVED, by the County of Shoshone and its Board of Commissioners:

1. For good and valuable consideration, and on the terms and conditions contained in **EXHIBIT A**, Shoshone County intends to remise, release, assign, transfer and forever quitclaims to Maverik, Inc., its heirs and assigns forever, all right, title and interest that Shoshone County has in that certain parcel of land, consisting of approximately 4.34 acres of land, situated in the County of Shoshone, State of Idaho, and more particularly described as:

Parcel #: 031500040010

Legal Description: Lot 1 Less 428452 Block 4(Shop) 35-49-2 Silver Valley Business Center

2. That all utility and other identified easements and encumbrances, which have not been otherwise vacated or abandoned, be attached and assigned to the applicable portions of said property.
3. That a warranty deed be executed and recorded by Shoshone County, after satisfaction and agreement of all obligations of the parties under the Purchase and Sale Agreement on or before the anticipated date of closing, September 21, 2023.
4. That proceeds from the sale of said property shall be paid into the county treasury for the general use of the county.
5. That commissioner Jeff Zimmerman of the of the Board of County Commissioners be delegated as "Authorized Signatory" to execute all legal documents on behalf of the County which may be needed to effectuate closing as contemplated herein.

DATED this 20th day of September, 2023.

BOARD OF COUNTY COMMISSIONERS

David Dose, Chairman



Tracy Casady, Commissioner



Jeff Zimmerman, Commissioner

ATTEST:



Sydney Millard, Deputy Clerk