

RESOLUTION NO. 5841

**A RESOLUTION APPROVING ACTION TO SATISFY CERTAIN TITLE COMMITMENT EXCEPTIONS FOR THE SALE AND REDEVELOPMENT OF THE PROPERTY LOCATED AT AND NEAR THE SOUTHWEST CORNER OF 1<sup>ST</sup> STREET AND SOUTH BOULDER AVENUE, TULSA, OKLAHOMA  
- MAPLEVIEW ASSOCIATES, INC.**

**WHEREAS**, the Tulsa Development Authority (TDA), in carrying out its authorized programs, has previously approved a Contract for Redevelopment with Mapleview Associates, Inc., for the redevelopment of TDA owned property located at and near the southwest corner of 1<sup>st</sup> Street and South Boulder Avenue; and,

**WHEREAS**, The Redeveloper is ready to close on the purchase of the land upon satisfaction of certain title exceptions to the issuance of a title policy by Guaranty Abstract Company as set forth in a letter from Stephen A. Schuller dated October 17, 2012, a copy of which is attached hereto, more particularly described therein as items 1 through 4; and,

**WHEREAS**, the Board of Commissioners of the Tulsa Development Authority, based upon the recommendations of its General Counsel and the additional information presented to the Commissioners, believes that it would be in the best interest of the TDA, the City of Tulsa and the general public to authorize the Chairman and the Executive Director, upon the advice of TDA's General Counsel, to take such action as may be reasonably necessary to satisfy said title policy exceptions and requirements.

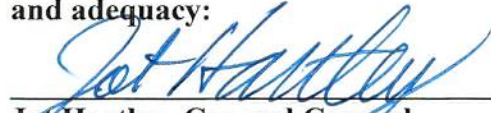
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TULSA DEVELOPMENT AUTHORITY, to-wit:**

**Section 1.** That the Board of Commissioners of the Tulsa Development Authority does hereby approve and authorize the Chairman and the Executive Director of the TDA, upon the advice of TDA's General Counsel, to take such action as may be reasonably necessary to satisfy said title policy exceptions and facilitate the issuance of a title policy and a closing of the sale to Mapleview Associates, Inc., for the redevelopment of TDA owned property located at and near the southwest corner of 1<sup>st</sup> Street and South Boulder Avenue.

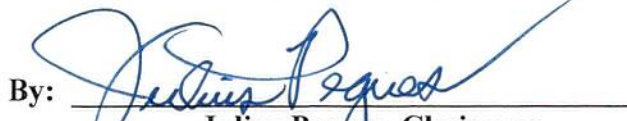
**Section 2** This Resolution shall take effect immediately.

**PASSED and ADOPTED** this 11th day of April, 2013.

Approved as to legal form  
and adequacy:

  
\_\_\_\_\_  
Jot Hartley, General Counsel  
The Hartley Law Firm, PLLC

TULSA DEVELOPMENT AUTHORITY

By:   
\_\_\_\_\_  
Julius Pegues, Chairman



Stephen A. Schuller  
Direct Line: (918) 595-4864  
SSchuller@GableLaw.com

1100 ONEOK Plaza  
100 West Fifth Street  
Tulsa, Oklahoma 74103-4217  
Telephone (918) 595-4800  
Fax (918) 595-4990  
www.gablelaw.com

October 17, 2012

Tulsa Development Authority  
ATTN: Mr. O.C. Walker II  
Executive Director  
Suite A  
1216 North Lansing Avenue  
Tulsa, Oklahoma

*HAND DELIVERED*

Re: "Contract for Sale of Land for Private Redevelopment"  
dated as of September 13, 2012, with Mapleview  
Associates, Inc. – 100 South Boulder Avenue:  
Notice of objections to title

Members of the Tulsa Development Authority:

We serve as counsel to Mapleview Associates, Inc., the "Purchaser" under the referenced Contract. This letter serves as our client's formal notice to you, pursuant to the provisions of Section 2(e) of the Contract, of our client's objections to the title to the "Property" as reflected in the Abstract of Title furnished according to Section 2(e).

Our client objects to the following matters, copies of each of which are enclosed:

1. "Notice of Lien" filed against Central Parking System Realty by the Downtown Improvement District No. 4, dated August 31, 2002, in the amount of \$1,620.00, filed for record on September 26, 2002 in the Office of the County Clerk of Tulsa County, Oklahoma, recorded in Book 6833 at Page 186. ***Our client requires that a release and satisfaction of such lien be filed for record.***
2. "Special Warranty Deed" by the City of Tulsa in favor of the Tulsa Development Authority, dated January 12, 2011, filed for record on January 19, 2011, recorded as Document No. 2011006612. ***Our client requires evidence satisfactory to our client's title insurance company of compliance with the rules and regulations of***



*city governance applicable to the conveyance of real property, with regard to this Deed, sufficient to remove an exception to title insurance coverage.*

3. "Special Warranty Deed" by the Tulsa Urban Renewal Authority in favor of the State of Oklahoma for the Tulsa Jr. [sic] College, containing certain restrictive covenants, dated October 28, 1971, filed for record on September 14, 1972, as Document No. 227177, recorded in Book 4034 at Page 1322. *Our client requires that the restrictive covenants be released and extinguished as provided by the terms of the Special Warranty Deed sufficient to remove an exception to title insurance coverage.*
  
4. "Amended Contract for Sale of Land for Private Redevelopment" between the Tulsa Urban Renewal Authority and Metro Center, Inc., dated July 9, 1973, filed for record on August 29, 1973 as Document No. 298502, recorded in Book 4085 at Page 1383, and amended and extended by one or more agreements between the parties that includes an "Amendment and Extension of Schedule Conveyance" as reflected in a "Memorandum and Notice of Amendment and Extension of Contract" dated July 8, 1983, filed for record on June 20, 1983, as Document No. 164595, recorded in Book 4699 at Page 1816. *Our client requires that the Contract as amended and extended be terminated and extinguished sufficient to remove an exception to title insurance coverage.*

Please feel free to contact the undersigned if you have any questions.

Very truly yours,

Stephen A. Schuller  
For the Firm

SAS:me

Enclosures

cc: Jot Hartley, Esq. (w/o enc)  
Mr. Joseph M. Westervelt (w/o enc)