

RESOLUTION NO. 5872

**RESOLUTION APPROVING ISSUANCE OF A CONDITIONAL  
CERTIFICATE OF COMPLETION TO TOCH, LLC FOR  
ALOFT HOTEL PROJECT**

**WHEREAS**, the Tulsa Development Authority (TDA) has heretofore entered into a Redevelopment Agreement for the redevelopment of the former Tulsa City Hall property (the "Property") with Brickhugger, LLC ("Brickhugger"); and,

**WHEREAS**, all rights and obligations of Brickhugger in and to said Redevelopment Agreement have been transferred and assigned to TOCH, LLC, an Oklahoma limited liability company (TOCH) pursuant to the Certificate of Brickhugger dated the 30<sup>th</sup> day of September, 2010 which transfer and assignment has been approved by the TDA Board of Commissioners; and,

**WHEREAS**, TOCH, LLC has substantially completed the redevelopment of the Property as the ALOFT HOTEL and has received from the City of Tulsa a conditional certificate of occupancy; and,

**WHEREAS**, TOCH has requested that the TDA issue a Conditional Certificate of Completion of the redevelopment obligations of TOCH, LLC for the Property under the Redevelopment Agreement; and,

**WHEREAS**, the TDA Board of Commissioners, based upon the representations of the representative of TOCH and the recommendations of TDA's Executive Director and General Counsel, has determined that it is in the best interest of the Redeveloper, the TDA, the City of Tulsa and its citizens to issue such Conditional Certificate of Completion, to be effective so long as the City of Tulsa conditional certificate of occupancy continues to be in effect.

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

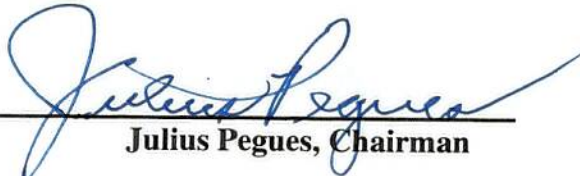
**Section 1.** The Board of Commissioners of the Tulsa Development Authority does hereby authorize and approve the issuance of a Conditional Certificate of Completion to TOCH, LLC for the ALOFT HOTEL project, to be effective so long as the City of Tulsa conditional certificate of occupancy for said hotel continues to be in effect.

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

**PASSED and ADOPTED** this 8<sup>th</sup> day of August, 2013.

**TULSA DEVELOPMENT AUTHORITY**

By:

  
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Julius Pegues, Chairman

**Approved as to legal form and adequacy:**

  
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Jot Hartley, General Counsel  
The Hartley Law Firm, PLLC