

RESOLUTION NO. 6041

**A RESOLUTION APPROVING FOURTH AMENDMENT TO
REDEVELOPMENT AGREEMENT WITH TULSA OPEN SPACE
ALLIANCE, INC. FOR THE REDEVELOPMENT OF TDA OWNED
PROPERTY LOCATED ALONG GREENWOOD AVENUE, BETWEEN
2ND AND 3RD STREETS, TULSA, OKLAHOMA**

WHEREAS, the **TULSA DEVELOPMENT AUTHORITY** (“Authority”), in carrying out its authorized programs has entered into a Contract for Sale of Land for Private Redevelopment (“Contract”) with **TULSA OPEN SPACE ALLIANCE, INC.**, (“Redeveloper”) for redeveloped of the real estate described on Exhibit “A” (the Property) attached hereto for an urban park project to be constructed by Purchaser; and

WHEREAS, heretofore the parties hereto on the 14th day of February, 2012, entered into a Contract for Sale of Land for Private Redevelopment (Contract) for the creation of an urban park and green space upon the real property more particularly described on Exhibit A attached hereto (Property); and,

WHEREAS, the parties, on August 8, 2013, agreed to and executed a First Amendment to said Contract, on February 13, 2014, agreed to and executed a Second Amendment to said Contract and on August 14, 2014, agreed to and executed a Third Amendment to said Contract; and,

WHEREAS, TOSA has requested that the said Contract be further amended for TDA to permit, consent to and authorize the installation, maintenance and repair of access sidewalks by Harford Commons, LLC across the Property, said sidewalks to be located between the real property comprising the Hartford Commons project and South Greenwood Avenue, Tulsa, Oklahoma; and

WHEREAS, the Board of Commissioners of the Tulsa Development Authority has determined that it is in the best interest of it, the City of Tulsa and the general public to approve and execute a Fourth Amendment of Contract For Sale Of Land For Private Redevelopment with Redeveloper in the form attached hereto as Exhibit “B” of even date and subject to all terms and conditions set forth therein.

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

Section 1. That the Chairman of the Board of Commissioners of the Tulsa Development Authority, shall be and he is hereby authorized to execute said Fourth Amendment to Contract For Sale Of Land For Private Redevelopment with Redeveloper in the form attached hereto as Exhibit “B” for the redevelopment of the real estate described on Exhibit “A” hereto, subject to all terms and conditions set forth therein..

Section 2. This Resolution shall take effect immediately.

PASSED and **ADOPTED** this 11th day of December, 2014.

TULSA DEVELOPMENT AUTHORITY

By: 
Julius Regues, Chairman

Approved as to legal form and adequacy:


Jot Hartley, General Counsel
The Hartley Law Firm, PLLC

EXHIBIT "A"

LEGAL DESCRIPTION

TRACT 2: The Westerly Forty (40) feet of Lots Five (5), Six (6) and Seven (7) of Block 111; all in the Original Town Addition to the City of Tulsa, Tulsa County, State of Oklahoma according to the recorded plat thereof.

FOURTH AMENDMENT TO CONTRACT FOR SALE OF LAND FOR PRIVATE REDEVELOPMENT BETWEEN TULSA DEVELOPMENT AUTHORITY AND TULSA OPEN SPACE ALLIANCE, INC.

THIS FOURTH AMENDMENT is made and entered into by and between the Tulsa Development Authority (“TDA”), a public body corporate, having its principal office at 1216 N. Lansing Ave., Suite A, Tulsa, Oklahoma 74106, and **TULSA OPEN SPACE ALLIANCE, INC.** (“TOSA”), a not for profit conservation organization, whose mailing address is: 624 S. Boston Avenue, Suite 400, Tulsa, Oklahoma, 74119, effective from the date of execution hereafter shown, constitutes the Fourth amendment to a Contract for Sale of Land for Private Redevelopment (Contract) dated 14th day of February, 2012.

WITNESSETH:

WHEREAS, heretofore the parties hereto on the 14th day of February, 2012, entered into a Contract for Sale of Land for Private Redevelopment (Contract) for the creation of an urban park and green space upon the real property more particularly described on Exhibit A attached hereto (Property); and,

WHEREAS, a First Amendment to said Contract was executed by the parties on August 8, 2013, a Second Amendment to said Contract was executed by the parties on February 13, 2014 and a Third Amendment to said Contract was executed by the parties on August 14, 2014; and,

WHEREAS, TOSA has requested that the TDA Board of Commissioners approve a Fourth Amendment of said Contract for TDA to permit, consent to and authorize the installation, maintenance and repair of access sidewalks by Hartford Commons, LLC across the Property and to be located between the real property comprising the Hartford Commons project and South Greenwood Avenue, Tulsa, Oklahoma; and

WHEREAS, the Board of Directors of TDA has determined that the requested Fourth Amendment is in the best interest of the TDA, the City of Tulsa and the citizens of the City of Tulsa and should be approved and executed by its Chairman on behalf of TDA.

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions set forth herein, the parties hereto do hereby agree as follows:

1. The Contract shall be amended for TDA to permit, consent to and authorize the installation, maintenance and repair of access sidewalks by Hartford Commons, LLC, across the Property, said sidewalks to be located between the real property comprising the Hartford Commons project and South Greenwood Avenue, Tulsa, Oklahoma.

2. All other terms and provisions of the Redevelopment Agreement shall remain the same unless expressly amended herein and the parties hereto hereby ratify and confirm all other terms and conditions set forth in said Redevelopment Agreement.

3. This Fourth Amendment to Contract for Sale of Land for Private Redevelopment (Contract) dated 14th day of February, 2012, is approved, executed and effective this 11th day of December, 2014.

**TULSA DEVELOPMENT AUTHORITY,
TDA - Seller**

By: _____
Julius Pegues, Chairman

**TULSA OPEN SPACE ALLIANCE, INC.
TOSA - Purchaser**

By: _____
Bruce G. Bolzle, Chairman

EXHIBIT A

LEGAL DESCRIPTION

TRACT 2: The Westerly Forty (40) feet of Lots Five (5), Six (6) and Seven (7) of Block 111; all in the Original Town Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Tulsa Open Space Alliance, Inc.

December 9, 2014

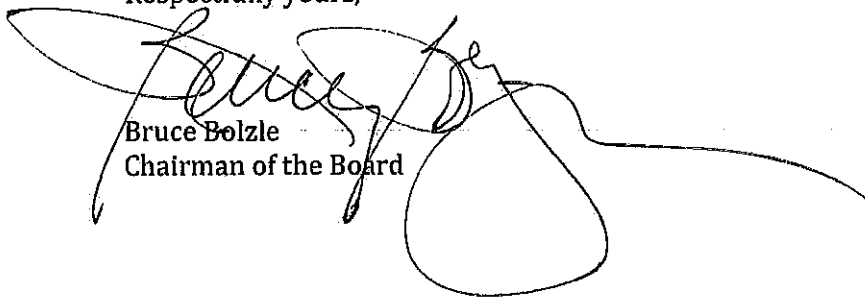
Mr. O. C. Walker, Executive Director
Tulsa Development Authority
1216 North Lansing, Suite A
Tulsa, Oklahoma 74106

RE: Sidewalk Easement - TOSA Development Parcel

Dear Mr. Walker:

TOSA agrees that TDA may address a letter to the City of Tulsa, stating that the proposed TOSA parcel, Lot 10, is subject to and Owner agrees that there exists a non-exclusive sidewalk easement upon and across Lot 10 for the use and benefit of Lots 1-9 and Lot 11, or any other similar language satisfactory to the City of Tulsa and Hartford Commons.

Respectfully yours,


Bruce Bolzle
Chairman of the Board