

RESOLUTION NO. 6363

RESOLUTION TO DIRECT TDA GENERAL COUNSEL TO RESPOND TO CARLAND GROUP REPLY TO NOTICE OF DEFAULT – CONTRACT FOR SALE OF LAND FOR PRIVATE REDEVELOPMENT WITH CARLAND GROUP LLC FOR CHEROKEE MEADOWS PROJECT LOCATED ON PROPERTY DESCRIBED AS LOT 5, GATEWAY PLAZA, A SUBDIVISION IN THE CITY OF TULSA, TULSA, OKLAHOMA

WHEREAS, THE CARLAND GROUP, LLC is the purchaser and assignee of the rights, interest and obligations of Omega Alpha Development, LLC in and to a Contract for Private Redevelopment of Real Estate (“Contract”) with Tulsa Development Authority (TDA) dated November 11, 2008 (and modifying a Contract for Sale of Land for Private Redevelopment between TDA and Albertson’s Inc. dated and effective December 22, 2000), for the purchase and redevelopment of the real estate described on Exhibit “A” attached hereto (the “Property”) for an urban affordable housing residential project, subject to the terms, covenants and conditions of said Contract; and,

WHEREAS, the Carland Group, LLC submitted its redevelopment site schematic plans and specifications (the Cherokee Meadows project) to the Board of Commissioners of the Tulsa Development Authority which were reviewed and approved by the Board of Commissioners on April 10, 2014 (Resolution #5939); and,

WHEREAS, said Contract contained certain requirements for the redevelopment of said real estate by Carland Group, LLC. but it has not constructed the improvements for the Cherokee Meadows project in conformity with the approved redevelopment site schematic plans as required by said Contract (specifically by installing “Integral Curbs” across the driveway entrances to the residences occupied by senior citizen residents of Cherokee Meadows); and,

WHEREAS, the Board of Commissioners of the Tulsa Development Authority has previously issued a sixty (60) day **notice of default** (Section 15(c)(1)) to Carland Group, LLC for failure to construct the improvements for the Cherokee Meadows project in conformity with the approved redevelopment site schematic plans as required by said Contract (specifically by installing “Integral Curbs” across the driveway entrances to the residences occupied by senior citizen residents of Cherokee Meadows); and,

WHEREAS, legal counsel for Carland Group, LLC has responded to said Notice of Default by a letter to TDA dated July 10, 2017, to which reply the TDA Board of Commissioners desires to direct TDA’s General Counsel to issue a written response and advise that this matter will be placed on the Agenda for action at the September, 2017 meeting of the TDA Board of Commissioners.

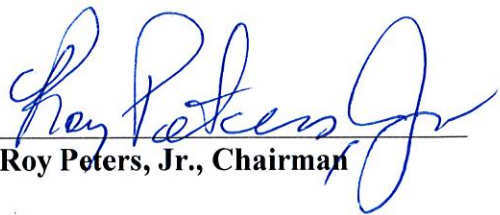
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TULSA DEVELOPMENT AUTHORITY, to-wit:

Section 1. That the Board of Commissioners of the Tulsa Development Authority does hereby direct the TDA General Counsel to issue a written response to the reply submitted by legal counsel for Carland Group in that letter to TDA dated July 10, 2017, and to further advise in said response that this matter will be placed on the Agenda for action at the September, 2017 meeting of the TDA Board of Commissioners


Section 2. This Resolution shall take effect immediately.

PASSED and ADOPTED this 3rd day of August, 2017.

TULSA DEVELOPMENT AUTHORITY

By: 
Roy Peters, Jr., Chairman

Approved as to legal form and adequacy:


Jot Hartley, General Counsel
The Hartley Law Firm, PLLC