

RESOLUTION NO. 6423

**RESOLUTION APPROVING RESPONSE BY TDA GENERAL COUNSEL
AND SPECIAL COUNSEL ON BEHALF OF THE
TULSA DEVELOPMENT AUTHORITY – UCAT MATTERS**

WHEREAS, the **TULSA DEVELOPMENT AUTHORITY** (“Authority” or “TDA”), in carrying out its authorized programs has previously entered into that certain Redevelopment Agreement for University Center at Tulsa (the “Redevelopment Agreement”) dated June 30, 1986 (“Contract”) with University Center at Tulsa (“UCAT” and “Redeveloper”) for redevelopment of the real estate described in said Contract for a project to be constructed by Redeveloper in accordance with a University Center at Tulsa Master Plan (“the Project”); and,

WHEREAS, the Authority did, on the 7th day of December, 2017, pursuant to Article VI, Sec. 1 of the Contract, issue its Notice of Default to the Redeveloper as a result of the default by the Redeveloper in satisfaction of its obligations under the said Contract; and,

WHEREAS, on February 2, 2018, the University Center at Tulsa (UCAT) filed a Petition for Declaratory Judgment (Case No. CV-2018-127) in the District Court of Tulsa County, Oklahoma, seeking a determination as to whether the UCAT is in default under the terms of the Contract with TDA; and,

WHEREAS, TDA’s General Counsel has recommended that the TDA Board of Commissioners approve action by TDA General Counsel, Jot Hartley, and TDA Special Counsel, James E. Weger, to provide representation to TDA as to all matters pertaining to the Redeveloper, including enforcement of TDA’s rights under the terms of said Contract and the assertion of defenses and counterclaims in said litigation; and,

WHEREAS, the Board of Commissioners of the TDA has determined that it would be in the best interest of it, the City of Tulsa and the general public to approve representation by TDA General Counsel, Jot Hartley, and TDA Special Counsel, James E. Weger, to provide such legal services upon consultation with, and subject to direction of, TDA’s General Counsel.

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 approve action by TDA General Counsel, Jot Hartley, and TDA Special Counsel, James E. Weger, to provide representation to TDA as to all matters pertaining to the Redeveloper, including enforcement of TDA’s rights under the terms of said Contract and the assertion of defenses and counterclaims in said litigation (Case No. CV-2018-127 in the District Court of Tulsa County, Oklahoma) upon consultation with, and subject to direction of, TDA’s General Counsel.

Section 2. This Resolution shall take effect immediately.

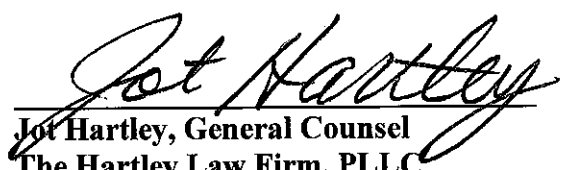
PASSED and ADOPTED this 1st day of March, 2018.

TULSA DEVELOPMENT AUTHORITY

By: _____


Roy Peters, Jr., Chairman

Approved as to legal form and adequacy:


Jot Hartley, General Counsel
The Hartley Law Firm, PLLC