

Advance Request 04

Attn: Jane Malone, Nancy Roberts
Tulsa Development Authority
1216 N Lansing Ave.,
Tulsa, OK 74106
Phone: 918.592.4944
E-mail: jane@tulsadevelopmentauthority.org
nancy@robertslive.com

Date: 01.30.2020

Project Name: Utility Relocation -
Block 44
Subject: Advance Request 04

Dear Ms. Malone and Ms. Roberts:

Pursuant to the First Amendment to Redevelopment Agreement – Utility Relocation – Block 44 Project, dated September 06, 2018, Ross Group Development, LLC submits the Advance Request 04 in the amount of \$50,503.31.

We request that the total amount of Advance Request 04 be made to PHSD Investments, LLC as they are the responsible party that is contracting the work with the construction company and the service providers.

Along with this letter, we are including the following for review:

- Attachment "A" Advance Request 04
- Contractor certified application of payments (1 total)
- Design invoices from KKT (1 total)
- Various Communications invoice (1 total from Verizon Wireless)
- Project sources and uses documents showing all costs incurred and paid to date.
- Ross Group certificate of insurance

As there is no true Architect of Record, Ross Group as Redeveloper can confirm that the project is currently over 83% complete and our costs (including what is currently being requested) is only 77% of the project costs. The requested funds cover work that was charged between July 2019 and this month.

If you should have any questions or need further documentation, please let me know.

Sincerely;

David Friedland Digitally signed by David Friedland
DN: cn=David Friedland, o=Ross Group, c=US
Date: 2020.01.30 10:12:04 -0500

David Friedland
Ross Group
918.878.2858
David.FriedlandW@withrossgroup.com

CC:

Warren Ross, Ross Group
Matt Newman, Ross Group
Tom Biolchini, Vast Bank

Stan Pinkham, Vast Bank
Pete Patel, Promise Hotels
Jot Hartley, Tulsa Development Authority

ATTACHMENT "A" - ADVANCE REQUEST

Pursuant to the Redevelopment Agreement dated January 30, 2020 as amended (the "Redevelopment Agreement"), by The Tulsa Development Authority ("TDA") and ROSS GROUP DEVELOPMENT, LLC, and VALLEY NATIONAL BANK ("Developer"), Developer hereby requests an Advance in the amount of \$ 50,503.31 for the account of Developer from the account in the City of Tulsa established for the Overhead Public Utility Line Relocation Project Redevelopment Agreement.

Developer does hereby certify to the TDA that, as of the date hereof: (i) the representations in the Redevelopment Agreement are hereby ratified and confirmed, (ii) the requested Advance herein is for the pro rata share of the Expenditures Eligible for Reimbursement of Development Costs (as defined in the Redevelopment Agreement), (iii) there exists no default in or breach of the terms and provisions of the Redevelopment Agreement by Developer, (iv) the Redevelopment Agreement is in full force and effect, and (v) all conditions precedent to payment of the requested Advance herein have been met and payment of the Advance requested herein is proper pursuant to the terms of the Redevelopment Agreement, (vi) attached hereto are copies of the AIA form (when applicable), architect certification of the percentage of completion of the Project, schedule of values for all elements of work performed, invoices, and other documentation required to be received by TDA under the Redevelopment Agreement in connection with such Expenditures Eligible for Reimbursement, (vi) there has not been filed with or served upon TDA notice of any lien, right to lien, or attachment upon or claim affecting the right to receive payment of, any of the monies payable to any of the persons, firms, or corporations named in such invoices, which have not been released or will not be released simultaneously with the payment of such obligation, and (vii) TDA has received from Developer all documents required by the Redevelopment Agreement, including, but not limited to the certificate evidencing all-risk builders risk insurance.

Dated this 30th day of January, 2020

ROSS GROUP DEVELOPMENT, LLC

By: 
Warren Ross, Manager

Dated this 30th day of January, 2020.

The above Advance Request is hereby approved this _____ day of _____, 2020.

TULSA DEVELOPMENT AUTHORITY

By: _____



PO Box 890800
Tulsa, OK 74109.0900
918.234.7675
withrossgroup.com

Request to Render Payment to Third Party

Attn: O.C. Walker
Tulsa Development Authority
1216 N Lansing Ave.,
Tulsa, OK 74106
Phone: 918.592.4944
E-mail: ocwalker@tulsa-development-authority.org

Date: 05.28.2019

Project Name: Utility Relocation -
Block 44
Subject: Third Party Payment

Dear Mr. Walker:

Pursuant to the First Amendment to Redevelopment Agreement – Utility Relocation – Block 44 Project, dated September 06, 2018, Ross Group Development, LLC and Valley National Bank request that PHSD Investments, LLC, a third-party entity, be assigned the right to issue draw requests on their behalf.

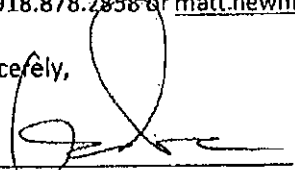
We request that the total amount of all advance requests be made to PHSD Investments, LLC as they are the responsible party that is contracting the work with the construction company and the service providers. This request is in agreement to the First Amendment to Redevelopment Agreement – Utility Relocation – Block 44 Project, section 9A, which assigns the Developer the right, at any time, to assign the right of payment of an advance or an advance to a third party.


Ross Group Development will provide on behalf of PHSD Investments, LLC, the following documents for review of each draw request:

- Attachment "A" of the Advance Request
- Contractor certified application of payments, if applicable
- Additional vendor invoices, if applicable
- Project sources and uses documents showing all costs incurred and paid to date.
- Ross Group certificate of insurance

If you should have any questions or need further documentation, please direct them to Matt Newman at 918.878.2858 or matt.newman@withrossgroup.com.

Sincerely,


Warren Ross
Ross Group Development, LLC
918.234.7675
warren.ross@withrossgroup.com


Tom Biolchini
Vast Bank
918-495-1700
tom.biolchini@sbtlaw.com

CC: Matt Newman, Ross Group
Stan Pinkham, Vast Bank
Pete Patel, Promise Hotels

