

TULSA STADIUM IMPROVEMENT DISTRICT NO. 1
ASSESSMENT ROLL
PLAN FOR RESOLUTION OF OBJECTIONS

- **There are 610 Property Owners and 43 Objections Were Filed**
 - No objections were filed by 567 property owners
 - 6 objections have been withdrawn or resolved
 - 19 objections were timely raised
 - ✓ Improper calculation of assessment pursuant to formula
 - ✓ Unconstitutional confiscation
 - Remaining objections were not timely raised
 - ✓ District not properly created
 - ✓ Formula for assessment is improper
 - ✓ District is of no benefit
 - ✓ Assessment is not proportionate to benefit to particular property

- **Objections Have Been Filed on Six Grounds**
 - Improvement District Improperly Created
 - Formula for Assessment Improper
 - Improvement District of No Benefit to Properties
 - Improper Calculation of Assessment Pursuant to Formula
 - Assessment Is Not Proportionate to Benefit to Particular Parcel
 - Unconstitutional Confiscation of Property

- **Two Methods for Resolution of Objection, at the Option of the Objector**
 - An objector who objected on the basis of an improper calculation of the assessment pursuant to the formula or on the basis of an unconstitutional confiscation (a “timely objecting party”) may enter into the negotiating period for resolution without prejudice to her or his statutory right to challenge in District Court
 - All objectors may exercise her or his statutory right to challenge in District Court without electing the negotiation period
 - An objector who objected on the grounds that the District was improperly created, the formula for assessment was improper, the District is of no benefit to the properties within the District, or the assessment is not proportionate to the benefit may not elect to enter into the negotiating period

- **Negotiating Period for Timely Objections**
 - Each timely objecting party has fifteen (15) days following publication of Ordinance Approving Assessment Roll whether to elect the negotiating option
 - City will enter into a tolling agreement through July 31, 2009
 - If negotiations are unsuccessful, the timely objecting party may then exercise her or his statutory right to challenge assessment in District Court
 - City undertakes to negotiate in good faith to resolve objections

- **Statutory Right to Challenge in District Court**
 - All objecting parties may, at her or his option, challenge assessment in District Court within 15 day period prescribed by statute

- **Legal Position of City of Tulsa**
 - Objections on the following grounds were timely raised
 - ✓ Improper Calculation under the Formula
 - ✓ Assessment is unconstitutional confiscation

 - Objections on the following grounds were not timely raised
 - ✓ Improvement District was Improperly Created
 - ✓ Formula for Calculating the Assessment is Improper
 - ✓ District is of No Benefit to Properties Within the District
 - ✓ Assessment Is Not Proportionate to the Benefit

- **Statutory Right of Judicial Review**
 - All objections may be pursued in Tulsa County District Court
 - All objectors have option to proceed with statutory right of judicial review

- **Tolling and Negotiating Agreement**
 - The form of Tolling and Negotiating Agreement for timely objecting parties who elect the negotiation period is attached

June 1, 2009