

**Ordinance**

Version 2.9 released on 9/5/19

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.

Approved By  
City Council On

NOV 18 2020

**CITY COUNCIL USE ONLY**Date Received: \_\_\_\_\_  
Committee Date: 10-14-2020  
1<sup>st</sup> Agenda Date: 10-28-2020Tracking #: 20-786-1Committee: UED  
Hearing Date: 10-28 11-18  
2<sup>nd</sup> Agenda Date: 11-18-2020**CITY CLERK USE ONLY**☐ ScannedDate: 12-02-2020☐ PostedItem #: 2010.02135**All department items requiring Council approval must be submitted through the Mayor's Office.****Primary Details**

Dept. Tracking No.

Board Approval

Other Board Name

City Council Approval

☒ Yes ☐ NoDepartment  
Mayors Office of Economic  
DevContact Name  
Jim ColesEmail  
jcoles@cityoftulsa.orgPhone  
918-576-5564Subject (Description)  
Peoria Mohawk Ec. Dev. Project Plan - Tax Increment District No  
17Ordinance Type  
Adopting Tax Increment District

Section

Township

Range

Lot

Block

Address

BA / CT Number

Amending Ord. No.

TRO Title No.

TRO Subtitle

Property/Non-Property

Council District  
1

Zoning No.

PUD No.

Planning District

**Budget**

Funding Source(s)

**TOTAL:**

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project Sting-Amount (144104.AbstTitle5413102.6001-4043122-541102-\$30,000.01)

**Approvals**

Department:

Legal:

Board:

Mayor:

Other:

Date: 10-6-20Date: 10-6-20

Date: \_\_\_\_\_

Date: OCT 07 2020

Date: \_\_\_\_\_

## Policy Statement

### Background Information

Pursuant to the Local Development Act, 52 O.S. Section 850 et seq. (LDA), the City has been working on a Project Plan with four supporting increment districts to provide an economic structure and funding mechanism for public improvements and to make a meaningful impact on Housing, on a key driver of economic development, health, and educational achievement in a large area of North Tulsa. The Project Plan focuses on the vicinity of Peoria and Mohawk Blvd. The LDA Review Committee, Chaired by Councilor Hall-Harper, recommended approval of the Peoria-Mohawk Project Plan. The first Public Hearing will be held at the 5 PM meeting of the City Council on October 28 for the purpose of providing information and answering questions; the second Public Hearing will be held at the 5 PM meeting of the City Council on November 18th for the purpose of giving interested members of the public the opportunity to express their views. At the close of the second public hearing, City Council will take possible action on adoption of the Project Plan and establishment of the Increment Districts. Notice of the public hearings will be published in accordance with Oklahoma law.

*Provide background information on the requested action.*

### Summation of the Requested Action

The Mayor's Office of Economic Development recommends approval of the Ordinance adopting the Peoria-Mohawk Project Plan; identifying and establishing four new tax increment districts; creating and naming "TIF A" as Increment District No. Seventeen, City of Tulsa; and deferring creation of TIF B, TIF C, and TIF D. TIF 17 is generally located South and East of the intersection of Peoria Avenue and Mohawk Blvd. The proposed Project Area is generally described as all of Census Tracts 2, 62, 80.01 and 80.02 and generally bounded by Yale Avenue and Highway 75 on the east and stretching past Martin Luther King, Jr. Blvd to the Osage-Tulsa County line on the west, between East Apache Street on the south to East 46th Street on the North.

*Summarize the pertinent details of the requested action.*

### Emergency Clause?

☒ Yes

☐ No

### Reason for Emergency Clause

Creating Increment District No. Seventeen as of November 23, 2020 will facilitate the establishment of the base assessed value by the Tulsa County Assessor.

*Explain why you are requesting that the City Council approve this action with an emergency clause.*

## Processing Information for City Clerk's Office

### Post Execution Processing

- ☐ Mail vendor copy (add'l signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Add'l governmental entity approval(s) required

### Additional Routing and Processing Details

Please email copy of published Ordinance to Audrey Blank, Mike Dickerson, and Jim Coles.



(Published in the  
Tulsa World

December 6, 2020)

ORDINANCE NO. 24482

AN ORDINANCE APPROVING AND ADOPTING THE PEORIA-MOHAWK PROJECT PLAN, PURSUANT TO THE OKLAHOMA LOCAL DEVELOPMENT ACT; IDENTIFYING AND ESTABLISHING FOUR NEW INCREMENT DISTRICTS TEMPORARILY IDENTIFIED IN THE PROJECT PLAN AS INCREMENT DISTRICTS "A," "B," "C," AND "D"; DESIGNATING AND ADOPTING PROJECT AREA AND INCREMENT DISTRICT BOUNDARIES; NAMING INCREMENT DISTRICT A AS INCREMENT DISTRICT NUMBER SEVENTEEN, CITY OF TULSA; DEFERRING THE NAMING AND DATES FOR THE CREATION OF THE INCREMENT DISTRICT B, INCREMENT DISTRICT C, AND INCREMENT DISTRICT D; ADOPTING CERTAIN FINDINGS; AUTHORIZING THE CITY OF TULSA AND THE TULSA INDUSTRIAL AUTHORITY AS THE ENTITIES TO CARRY OUT AND ADMINISTER THE PROJECT PLAN; ESTABLISHING A TAX APPORTIONMENT FUND; DECLARING APPORTIONED FUNDS TO BE SPECIAL FUNDS OF THE TULSA INDUSTRIAL AUTHORITY; AUTHORIZING THE USE OF INCREMENT REVENUES FOR THE PAYMENT OF CERTAIN PROJECT COSTS; RATIFYING AND CONFIRMING THE ACTIONS, RECOMMENDATIONS, AND FINDINGS OF THE REVIEW COMMITTEE AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION; DIRECTING CONTINUING APPORTIONMENT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

**WHEREAS**, the City of Tulsa, Oklahoma ("City") has prepared the Peoria-Mohawk Project Plan ("Project Plan"), in accordance with the Oklahoma Local Development Act, 62 O.S. § 850, *et seq.* ("Act"); and

**WHEREAS**, the purpose of the Project Plan is to provide an economic structure and funding mechanism for the substantial portion of the local public investment required to increase the availability and improve the quality of housing, including affordable and workforce housing, in and around the Peoria-Mohawk Business Park ("Project"); and

**WHEREAS**, the Project Plan supports the City's efforts to achieve its development objectives, improve the quality of life for its citizens, stimulate private investment, and enhance the tax base, thereby making possible investment that would be difficult without the adoption of the Project Plan and the apportionment of incremental tax revenues; and

**WHEREAS**, the Peoria-Mohawk Project Plan Review Committee ("Review Committee"), comprised of a representative of the City, a representative of the Tulsa Metropolitan Area Planning

Commission ("Planning Commission"), representatives of each of the affected taxing jurisdictions (including Tulsa Public Schools, Tulsa County, Tulsa City-County Library, Tulsa Health Department, Tulsa Community College, and Tulsa Technology Center) and three members of the public at large, one of whom represents the business community, has reviewed the Project Plan; and

**WHEREAS**, the Review Committee has reviewed the Project Area and the ad valorem Increment Districts (temporarily identified in the Project Plan as Increment Districts "A," "B," "C," and "D") in accordance with the criteria specified in the Act and has determined that the Increment Districts are eligible for designation as increment districts and for development under the Act and that the financial impacts on the affected taxing jurisdictions and business activities from implementation of the Project Plan are positive; and

**WHEREAS**, the Review Committee has adopted its findings and recommends to the City Council the approval of the Project Plan, including the proposed Increment Districts; and

**WHEREAS**, the Planning Commission has determined that the Project Plan conforms to the Tulsa Comprehensive Plan and is desirable; and

**WHEREAS**, the Planning Commission has adopted a resolution recommending to the City Council the approval of the Project Plan, including the proposed Increment Districts; and

**WHEREAS**, the Project Area, including the Increment Districts, is located within an "enterprise area," as defined by the Act; and

**WHEREAS**, the Project Area and the Increment Districts are "reinvestment areas," as defined by the Act; and

**WHEREAS**, the projected investment and development are difficult, but possible, within the Project Area and Increment Districts if the Project Plan is adopted and implemented; and

**WHEREAS**, tax increment financing is a necessary component in generating economic development in the Project Area and Increment Districts; and

**WHEREAS**, the apportioned increment revenues derived from the Increment Districts shall be used to finance eligible project costs contained in Section VIII of the Project Plan; and

**WHEREAS**, the establishment of the Increment Districts will work in conjunction with existing programs and other locally implemented economic development efforts in order to encourage economic development in the Project Area; and

**WHEREAS**, the Project is expected to generate substantial new investment within the Increment Districts and to stimulate additional indirect economic benefits outside of the Increment Districts which would not occur without the Project; and

**WHEREAS**, the Project Plan provides tools which will supplement and not supplant or replace normal public functions and services; and



**WHEREAS**, the boundaries of the Increment Districts do not dissect any similar area nor create an unfair competitive advantage; and

**WHEREAS**, maximum effort has been made to allow full public knowledge and participation in the application of the Act in the review and approval of the Project Plan; and

**WHEREAS**, all required notices have been given and all required hearings have been held in connection with the Project Plan, as prescribed by the Act, the Oklahoma Open Meetings Act, 25 O.S. § 301, *et seq.*, and other applicable law; and

**WHEREAS**, pursuant to said notice, all persons present were given an opportunity to be heard for and against the Project Plan; and

**WHEREAS**, the City has the right, pursuant to the Act, to make minor amendments to the Project Plan; and

**WHEREAS**, the City and the Tulsa Industrial Authority shall be authorized and designated to carry out certain provisions of the Project Plan, pursuant to the Act; and

**WHEREAS**, the Act authorizes the City to defer determination of the designation and date of creation of an increment district under Section 856 and the commencement of its period of apportionment under Section 861, provided that the determination is not more than ten (10) years after the date of approval of the project plan; and

**WHEREAS**, the City finds that it is in the best interest of the overall success of the Project to defer the date of creation, designation, and official naming of three (3) of the four (4) Increment Districts until later dates, which dates must be determined within ten (10) years of the date of the approval of the Project Plan; and

**WHEREAS**, the City deems it appropriate and desirable and in the best interest of the City and its citizens to adopt and approve the Project Plan, including establishment of the Increment Districts.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA:**

**SECTION 1.** In order to develop the eligible Project Area, the City elects to utilize Article 10, Section 6C of the Constitution of the State of Oklahoma and the Act, which authorize the use of local taxes for specific public investments, assistance in development financing, and as a revenue source for other public entities in the area, and which provide for the direction of apportionment of local taxes to plan, finance, and carry out development of unproductive, undeveloped, underdeveloped, or blighted areas as determined by the governing body of a city, town or county.

**SECTION 2.** The Project Plan is hereby adopted and approved, as recommended by the Tulsa Metropolitan Area Planning Commission and the Review Committee. As used herein

“Project Plan” shall mean the document dated November 18, 2020, comprised of one cover sheet, ten (10) pages of text, and seven (7) exhibits labeled Exhibits A, B, C, D, E, F, and G, and titled “Peoria-Mohawk Project Plan.”

**SECTION 3.** The membership of the Review Committee and all actions taken and all recommendations and findings made in connection with the Project Plan by the Review Committee and the Planning Commission are hereby ratified and confirmed.

**SECTION 4.** For identification purposes and until such time that the City officially names and designates each of the Increment Districts created under this Ordinance, and as set forth in the Project Plan, the Increment Districts shall be identified as Increment District A, Increment District B, Increment District C, and Increment District D, all as shown on Exhibit C and described on Exhibit D of the Project Plan.

**SECTION 5.** For identification purposes, the name of Increment District A, as set forth in the Project Plan, which is an ad valorem increment district, shall be Increment District Number Seventeen, City of Tulsa (“Increment District No. 17”).

**SECTION 6.** Increment District No. 17 is hereby created as of November 23, 2020.

**SECTION 7.** The date of creation, official designation, and naming of the Increment Districts temporarily identified as Increment District B, Increment District C, and Increment District D, and, accordingly, the commencement of each of the respective periods of apportionment, are hereby deferred until such time as determined by the City, provided that such date of creation shall be within ten (10) years of the effective date of this Ordinance.

**SECTION 8.** The boundaries of the Project Area of the Project Plan are shown on Exhibit A of the Project Plan, and described on Exhibit B of the Project Plan, and are hereby designated and adopted as follows:

Project Area Legal Description

Beginning at a point on the intersection of E 46<sup>th</sup> St N and N Rockford Ave E, located in Section 7 Township 20 North Range 13 East, and 152.77 feet East and .73 feet South of the Southwest corner of Northridge Addition, plat number 1998. Thence N 87°20'13" E for 298.90 feet, thence N 87°45'44" E for 240.73 feet, thence S 86°57'49" E for 44.36 feet. Thence N 87°18'49" E for 294.48 feet, thence S 89°36'52" E for 329.01 feet, thence N 87°20'04" E for 298.90 feet, thence N 89°19'30" E for 396.75 feet, thence N 87°13'38" E for 584.26 feet, thence N 88°10'43" E for 1,316.82 feet. Thence S 84°37'49" E for 260.69 feet. Thence N 88°31'25" E for 1,393.45 feet, thence S 51°45'45" E for 229.18 feet, thence S 12°39'37" E for 445.71 feet, thence N 78°47'33" E for 209.66 feet. Thence N 23°38'10" E for 280.81 feet, thence N 57°06'48" E for 138.64 feet, thence N 32°49'09" E for 263.55 feet. Thence N 34°07'35" E for 356.99 feet, thence N 06°21'17" W for 657.90 feet, thence N 62°31'54" E for 229.57 feet. Thence N 62°28'39" E for 99.37 feet, thence S 63°20'07" E for 233.57 feet. Thence N 41°35'18" E for 347.29 feet, thence N 31°44'21" E for 433.81 feet, thence N 81°49'54" E for 207.40 feet. Thence S 02°14'28" E for 887.28 feet, thence S 09°14'20" E for 724.60 feet, thence S 08°34'06" E for 723.46 feet, thence S 03°47'31" E for 655.55 feet. Thence S 02°30'09" W for 532.60 feet, thence S 09°14'28" E for 721.84 feet,



thence S 09°39'21" W for 226.85 feet. Thence S 11°52'28" W for 932.85 feet, thence S 07°53'34" W for 296.41 feet, thence S 10°44'40" W for 749.04 feet. Thence S 09°21'48" W for 141.46 feet, thence S 13°10'06" W for 383.69 feet to a point on the intersection of E 36<sup>th</sup> St N and Southbound Highway 75 Expressway. Thence N 89°58'35" E for 105.34 feet, thence N 88°54'32" E for 172.59 feet. Thence S 89°12'32" E for 114.53 feet, thence S 89°57'17" E for 165.84 feet. Thence S 79°47'39" E for 101.13 feet, thence S 87°19'22" E for 156.70 feet. Thence S 87°17'31" E for 809.82 feet, thence S 89°33'16" E for 339.12 feet. Thence N 88°12'23" E for 867.41 feet, thence N 89°25'11" E for 458.20 feet. Thence N 88°13'57" E for 646.13 feet, thence N 88°12'51" E for 700.71 feet. Thence N 89°49'58" E for 1,166.72 feet, thence N 87°39'18" E for 520.81 feet. Thence N 88°5'35" E for 213.90 feet, thence N 89°57'36" E for 105.64 feet. Thence N 89°40'34" E for 578.31 feet, thence S 6°29'24" E for 189.73 feet. Thence S 1°20'30" E for 146.34 feet, thence S 1°16'43" E for 320.71 feet. Thence S 1°48'27" E for 727.00 feet, thence S 1°48'13" E for 292.69 feet. Thence S 0°58'14" E for 198.39 feet, thence S 0°49'16" E for 542.78 feet. Thence S 1°13'34" E for 362.93 feet, thence S 8°48'39" E for 51.41 feet. Thence S 9°31'49" E for 47.42 feet, thence S 0°37'16" E for 363.32 feet. Thence S 0°40'19" E for 335.65 feet, thence S 1°22'48" E for 1,538.76 feet. Thence S 1°19'31" E for 170.36 feet, thence S 88°43'23" W for 809.10 feet. Thence N 89°59'17" W for 641.35 feet, thence S 88°5'41" W for 427.89 feet. Thence S 89°43'29" W for 528.85 feet, thence S 89°39'49" W for 212.18 feet. Thence S 84°55'20" W for 200.22 feet, thence S 88°55'4" W for 454.12 feet. Thence S 86°24'43" W for 149.73 feet, thence S 88°28'50" W for 554.75 feet, thence S 89°47'29" W for 641.01 feet. Thence S 87°49'28" W for 652.21 feet, thence S 88°59'46" W for 890.25 feet. Thence S 88°2'11" W for 222.50 feet, thence S 88°47'13" W for 175.57 feet. Thence S 88°49'4" W for 696.68 feet, thence S 89°1'9" W for 452.65 feet. Thence N 89°43'36" W for 548.44 feet, thence S 87°28'43" W for 238.48 feet. Thence S 85°15'39" W for 29.56 feet, thence S 84°56'30" W for 32.53 feet. Thence N 89°57'35" W for 367.46 feet, thence S 88°2'6" W for 303.07 feet. Thence S 86°46'25" W for 93.00 feet, thence N 89°59'0" W for 204.53 feet. Thence S 86°56'1" W for 100.97 feet, thence S 85°2'27" W for 116.80 feet. Thence N 81°21'44" W for 136.26 feet, thence S 87°40'26" W for 186.23 feet. Thence S 88°29'21" W for 478.32 feet, thence S 87°53'36" W for 993.65 feet. Thence S 89°52'23" W for 329.66 feet, thence S 83°13'29" W for 157.43 feet. Thence S 89°45'53" W for 323.74 feet, thence S 86°47'14" W for 165.93 feet. Thence S 88°34'46" W for 663.04 feet, thence S 88°22'45" W for 198.00 feet. Thence S 86°28'37" W for 89.778 feet, thence S 88°6'22" W for 540.03 feet. Thence S 88°40'37" W for 332.85 feet, thence S 88°10'23" W for 331.09 feet. Thence S 86°46'59" W for 330.39 feet, thence S 88°6'36" W for 330.51 feet. Thence S 86°41'56" W for 455.61 feet, thence S 84°55'25" W for 209.69 feet. Thence S 89°38'16" W for 326.09 feet, thence S 88°35'48" W for 495.73 feet. Thence S 89°31'9" W for 175.88 feet, thence N 89°8'38" W for 162.98 feet. Thence S 88°5'46" W for 263.52 feet, thence N 86°19'4" W for 209.97 feet. Thence S 89°53'49" W for 364.48 feet, thence S 89°30'30" W for 149.32 feet. Thence S 87°22'34" W for 159.98 feet, thence S 88°15'10" W for 224.27 feet. Thence S 89°59'44" W for 440.35 feet, thence S 88°22'25" W for 380.36 feet. Thence N 88°47'23" W for 113.11 feet, thence S 83°57'27" W for 189.23 feet. Thence S 89°2'55" W for 1,336.72 feet, thence S 87°57'18" W for 314.88 feet. Thence N 78°23'25" W for 356.75 feet, thence N 89°16'47" W for 405.66 feet. Thence S 88°49'6" W for 251.40 feet, thence S 88°49'4" W for 21.24 feet. Thence S 88°21'27" W for 180.88 feet, thence S 89°33'25" W for 707.36 feet. Thence N 2°5'25" W for 742.15 feet, thence N 2°4'1" W for 743.07 feet. Thence N 2°8'41" W for 140.17 feet, thence N 2°8'31" W for 140.53 feet. Thence N 1°58'25" W for 42.59 feet, thence N 1°55'42" W for 22.57 feet. Thence N 2°24'35" W for 54.98 feet, thence N 2°5'45" W for 55.33 feet. Thence N 2°32'44" W for 24.76 feet, thence N 1°51'9" W for 25.12 feet. Thence N 2°8'38" W for 1,560.45 feet, thence N 2°0'5" W for 41.14 feet. Thence N 2°9'19" W for 1,299.41 feet,



thence N 2°12'40" W for 49.15 feet. Thence N 0°24'22" W for 21.84 feet, thence N 0°42'2" W for 35.31 feet. Thence N 0°45'49" W for 121.95 feet, thence N 0°29'31" W for 49.14 feet. Thence N 0°33'48" W for 1,234.5 feet, thence N 0°33'47" W for 656.07 feet. Thence N 0°33'48" W for 576.06 feet, thence N 0°33'34" W for 69.217 feet. Thence N 0°35'4" W for 28.39 feet, thence N 2°32'21" W for 87.02 feet. Thence N 2°32'0" W for 87.39 feet, thence N 2°50'14" W for 40.78 feet. Thence N 3°13'59" W for 41.16 feet, thence N 2°40'28" W for 2,001.39 feet. Thence N 2°59'45" E for 40.51 feet, thence N 0°22'8" E for 447.55 feet. Thence N 1°53'0" E for 38.64 feet, thence S 29°59'0" E for 23.26 feet. Thence S 40°11'54" E for 8.43 feet, thence S 42°53'23" E for 4.87 feet. Thence S 86°6'0" E for 176.79 feet, thence S 89°58'36" E for 519.85 feet. Thence N 82°40'2" E for 67.94 feet, thence S 89°56'39" E for 219.21 feet. Thence N 88°18'51" E for 289.67 feet, thence N 86°11'31" E for 87.40 feet. Thence S 89°51'13" E for 156.97 feet, thence S 87°41'49" E for 137.71 feet. Thence N 88°17'19" E for 197.34 feet, thence N 88°31'10" E for 210.61 feet. Thence S 89°25'43" E for 261.46 feet, thence N 86°47'58" E for 351.82 feet. Thence N 88°22'20" E for 188.49 feet, thence N 88°48'53" E for 140.40 feet. Thence N 84°22'51" E for 56.50 feet, thence S 88°1'45" E for 244.60 feet. Thence N 89°41'11" E for 47.79 feet, thence N 88°57'17" E for 295.26 feet. Thence N 87°32'41" E for 328.97 feet, thence N 89°58'38" E for 340.17 feet. Thence N 89°3'10" E for 345.70 feet, thence N 88°23'40" E for 300.58 feet. Thence N 89°14'39" E for 336.57 feet, thence N 88°48'35" E for 109.72 feet. Thence N 89°5'4" E for 227.42 feet, thence N 89°28'35" E for 343.66 feet. Thence S 85°23'43" E for 136.97 feet, thence N 86°16'35" E for 288.46 feet. Thence N 88°16'18" E for 389.37 feet, thence N 87°21'26" E for 820.57 feet. Thence N 88°20'5" E for 1,288.76 feet to the point of beginning.

**SECTION 9.** The boundaries of Increment District No. 17 are shown on Exhibit C of the Project Plan, described on Exhibit D of the Project Plan, and are hereby designated and adopted as follows:

#### INCREMENT DISTRICT NO. 17 LEGAL DESCRIPTION:

A part of Lot One (1), Block One (1), NP36, a Resubdivision of Lots One (1), Two (2) and Three (3), Block Four (4), MURRAY 2ND ADDITION and also part of Lot One (1), Block Two (2), of the vacated portion of BUTTER CREEK PARK and also part of vacated North Wheeling Avenue and also part of Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, City of Tulsa, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

BEGINNING at the Southwest Corner of said Lot 1, NP36; thence along the Westerly line of said Lot 1 for the following 16 calls; thence North 45°28'05" West, for a distance of 124.91 feet; thence North 80°10'32" West, for a distance of 171.86 feet; thence North 65°11'16" West, for a distance of 162.34 feet; thence North 07°22'14" West, for a distance of 326.83 feet; thence North 81°26'21" West, for a distance of 183.81 feet; thence North 56°34'06" West, for a distance of 117.41 feet; thence North 01°11'36" West, for a distance of 81.29 feet; thence North 08°25'54" East, for a distance of 23.01 feet to a point of curve; thence along a curve to the right with a radius of 136.87 feet, a chord bearing of North 31°19'11" East, for a chord distance of 106.47 feet, and an arc distance of 109.36 feet; thence North 54°12'28" East, for a distance of 107.46 feet; thence North 35°47'32" West, for a distance of 203.19 feet to a point on the South line of Government Lot 1; thence North 88°09'14" East and along said South line, for a distance of 147.45 feet; thence North 52°07'56" East, for a distance of 275.09 feet; thence North 13°13'30" East, for a distance of 255.86



feet; thence North 32°38'59" East, for a distance of 139.23 feet; thence North 01°13'28" West, for a distance of 136.22 feet to the Northwest Corner of said Lot 1, same being the Southwest Corner of Lot 1, Block 2 BUTTER CREEK PARK; thence North 88°09'14" East and along said South line, same being the North line of said Lot 1, Block 1, NP36, for a distance of 1099.11 feet; thence South 46°32'07" East, for a distance of 24.62 feet to a point of curve; thence along a curve to the left, with a radius of 60.00 feet, a chord bearing of South 11°48'48" West, for a chord distance of 78.52 feet and an arc distance of 85.60 feet; thence South 60°55'09" West, for a distance of 217.42 feet; thence South 29°04'51" East, for a distance of 1019.74 feet to a point on the South line of said Lot 1; thence South 60°55'09" West, for a distance of 818.93 feet; thence South 62°58'10" West and continuing along said South line, for a distance of 542.79 feet to the POINT OF BEGINNING.

**SECTION 10.** The boundaries of Increment District B, Increment District C, and Increment District D are shown on Exhibit C of the Project Plan, described on Exhibit D of the Project Plan, and are hereby designated and adopted as follows:

#### INCREMENT DISTRICT B LEGAL DESCRIPTION:

A part of Government Lots 2 and 3 and a part of Lot Two (2), Block One (1), NP36, a Resubdivision of Lots One (1), Two (2) and Three (3), Block Four (4), MURRAY 2ND ADDITION and also part of Lot One (1), Block Two (2), of the vacated portion of BUTTER CREEK PARK and also part of vacated North Wheeling Avenue and also part of Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, City of Tulsa, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Government Lot 2; thence North 88°09'22" East and along the South line of said Lot 2, for a distance of 50.00 feet to the POINT OF BEGINNING; thence North 89°09'22" East and continuing along said South line, for a distance of 118.08 feet; thence North 61°50'14" East, for a distance of 69.78 feet; thence North 40°50'50" East, for a distance of 69.78 feet; thence North 19°23'37" East, for a distance of 72.83 feet; thence North 06°45'05" East, for a distance of 191.59 feet; thence South 88°09'27" West, for a distance of 19.59 feet; thence North 08°26'51" East, for a distance of 709.09 feet to a point of curve; thence along a curve to the right, with a radius of 353.07 feet, a chord bearing of North 24°06'11" East, for a chord distance of 190.55 feet, for an arc distance of 192.95 feet; thence North 01°10'34" West, for a distance of 110.91 feet to a point on the North line of said Government Lot 2, being 509.00 feet East of the Northwest Corner of Government Lot 2; thence North 88°09'14" East and along said North line, for a distance of 146.72 feet to a point on the Westerly line of Lot 1, Block 1, NP36; thence along said Westerly line for the following 11 calls; thence South 35°47'32" East, for a distance of 203.19 feet; thence South 54°12'28" West, for a distance of 107.46 feet to a point of curve; thence along said curve to the left, with a radius of 136.87 feet, a chord bearing of South 31°19'11" West, for a chord distance of 106.47 feet, for an arc distance of 109.36 feet; thence South 08°25'54" West, for a distance of 23.01 feet; thence South 01°11'36" East, for a distance of 81.29 feet; thence South 56°34'06" East, for a distance of 117.41 feet; thence South 81°26'21" East, for a distance of 183.81 feet; thence South 07°22'14" East, for a distance of 326.83 feet; thence South 65°11'16" East, for a distance of 162.34 feet; thence South 80°10'32" East, for a distance of 171.86 feet; thence South 45°28'05" East, for a distance of 124.91 feet to the Southeast



Corner of said Lot 2 NP36, same being the Northerly Right of Way of Mohawk Boulevard; thence South 62°58'02" West and along said Right of Way, for a distance of 642.73 feet; thence South 58°13'03" West and continuing along said Right of Way, for a distance of 688.17 feet; thence South 42°50'34" West and continuing along said Right of Way, for a distance of 137.05 feet to a non-tangent curve; thence continuing along said Right of Way, being along a curve to the right with a radius of 30.00 feet, a chord bearing of North 37°33'11" West, a chord distance of 35.58 feet, for an arc distance of 38.08 feet; thence North 01°09'38" West and parallel with the West line of the SW4 of Section 19, for a distance of 412.03 feet to the POINT OF BEGINNING.

#### INCREMENT DISTRICT C LEGAL DESCRIPTION:

A part of Government Lot One (1), Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

COMMENCING at the Northwest Corner of the Northwest Quarter, Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East; thence North 88°09'14" East and along the North line of said NW/4, for a distance of 80.00 feet to the POINT OF BEGINNING; thence North 88°09'14" East and continuing along said North line, for a distance of 1083.90 feet to the Northeast Corner of said Government Lot 1; thence South 01°13'28" East and along the East line of said Lot 1, for a distance of 659.86 feet to the Northwest Corner of Lot 1, Block 1, NP36; thence South 01°13'28" East and along the Westerly line of said Lot 1, for a distance of 136.22 feet; thence South 32°38'59" West and continuing along said Westerly line, for a distance of 139.23 feet; thence South 13°13'30" West and continuing along said Westerly line, for a distance of 255.85 feet; thence South 52°07'56" West and continuing along said Westerly line, for a distance of 275.09 feet to a point on the South line of said Government Lot 1; thence South 88°09'14" West and along said South line, for a distance of 753.17 feet; thence North 01°09'41" West and parallel with the West line of said NW/4, for a distance of 1280.71 feet; thence North 88°09'14" East and parallel with the North line of said NW/4, for a distance of 30.00 feet; thence North 01°09'41" West and parallel with said West line, for a distance of 39.00 feet to the POINT OF BEGINNING.

#### INCREMENT DISTRICT D LEGAL DESCRIPTION:

A part of Lot One (1), Block One (1), NP36, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma and part Lot One (1), Block Two (2), BUTTER CREEK PARK, a subdivision in the City of Tulsa County, State of Oklahoma and part of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE/4 NE/4 NW/4) of Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 1, NP36; thence South 60°48'41" West and along the South line of said Lot 1, for a distance of 2183.09 feet; thence South 60°55'09" West and continuing along said South line, for a distance of 672.02 feet; thence North 29°04'51" West, for a distance of 1019.74 feet; thence North 60°55'09" East, for a distance of 217.42 feet to a point of a non-tangent curve; thence along said curve to the right, with a radius of 60.00 feet, with a chord bearing of North 11°48'48" East, a chord distance of 78.52, for an arc distance of 85.60 feet; thence North 46°32'07" West, for a distance of 24.62 feet to a point on the North line of said Lot 1; thence



South 88°09'14" West and along said North line, for a distance of 1099.11 feet to the Southwest corner of Lot 1, Block 2, BUTTER CREEK PARK, same being the East line of Government Lot 1; thence North 01°13'28" West and along said East line, for a distance of 609.85 feet to the Northwest corner of said Lot 1, BUTTER CREEK PARK; thence North 88°09'14" East and along said North line, being parallel with the North line of said NW/4, for a distance of 659.09 feet; thence North 01°13'28" West, for a distance of 50.00 feet to a point on the North line of said NW/4; thence North 88°09'14" East and along said North line, for a distance of 550.10 feet; thence South 01°13'28" East, for a distance of 50.00 feet to a point on the North line of said Lot 1, Block 1, NP36; thence North 88°09'14" East and along said North line, being parallel with the North line said NW/4, for a distance of 2358.97 feet; thence South 01°50'46" East and perpendicular to said North line, for a distance of 8.00 feet; thence North 88°09'14" East and along the North line of said Lot 1, Block 1, NP36, being parallel with the North line of said NW/4, for a distance of 306.97 feet to a point of curve; thence along curve to the right with a radius of 30.00 feet, a chord bearing of South 46°32'39" East, a chord distance of 42.65 feet, for an arc distance of 47.44 feet to a point on the East line of said Lot 1, Block 1 NP36; thence South 01°14'37" East and along said East line, for a distance of 361.26 feet to the POINT OF BEGINNING.

**SECTION 11.** The City hereby finds and determines:

- (a) that the Project Area, including the Increment Districts, is an enterprise area as defined by the Act;
- (b) that the Project Area and the Increment Districts are reinvestment areas as defined by the Act;
- (c) that the financial impacts of the proposed Project Plan and Project on the affected taxing jurisdictions and business activities within the Increment Districts are positive and that the economic benefits for the community as a whole offset any adverse impacts;
- (d) that the improvement of the Project Area is likely to enhance the value of other real property in the area and to promote the general public interest;
- (e) that the Project Plan complies with the guidelines of Section 852 of the Act, including specifically paragraphs 1 and 2;
- (f) that the aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to the Act, does not exceed twenty-five percent (25%) of the total net assessed value of the taxable property within the City;
- (g) that the aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to the Act, does not exceed twenty-five percent (25%) of the total net assessed value of any affected school districts located within the City;
- (h) that the land within all increment districts within the City does not exceed twenty-five percent (25%) of the total land area of the City; and
- (i) that the Project Plan is feasible and conforms to the Tulsa Comprehensive Plan.

**SECTION 12.** The following Project and Increment Districts authorizations are hereby approved:

(a) The City of Tulsa shall be the principal entity responsible for implementation and is authorized to carry out and administer the provisions of the Project Plan and to exercise all powers necessary or appropriate thereto pursuant to Section 854 of the Act, including the power to make minor amendments to the Project Plan in accordance with Section 858(D) of the Act;

(b) The Tulsa Industrial Authority, a public trust, shall have the authority and be designated to carry out implementation actions for the Project, including the consideration, approval, and authorization of agreements necessary or appropriate to implement and provide assistance to the Project;

(c) The Tulsa Industrial Authority, a public trust, shall also have the authority to carry out certain provisions of the Project Plan, including the authority to: (i) issue tax apportionment bonds or notes, or both; (ii) pledge revenues from current and future fiscal years to repayment; (iii) incur project costs pursuant to Section VIII of the Project Plan; (iv) provide funds to or reimburse the City for the payment of project costs and other costs incurred in support of the implementation of the Project; and (v) incur the cost of issuance of bonds for payment of such costs and to accumulate appropriate reserves, if any, in connection with them;

(d) The Chief of Economic Development, Kian Kamas, her successor in office, or another Mayoral designee shall be the person in charge of implementation of the Project Plan in accordance with the provisions, authorizations, and respective delegations of responsibilities contained in the Project Plan.

**SECTION 13.** The increment of ad valorem taxes from each respective Increment District in excess of ad valorem taxes generated by the base assessed value of that respective Increment District shall be apportioned and paid into an apportionment fund and may be pledged in accordance with Article X, § 6C(B) of the Oklahoma Constitution, for a period not to exceed twenty-five (25) fiscal years from each of the respective dates of creation of each of the Increment Districts, as provided by law, or the period required for payment of the project costs authorized by Section VIII of the Project Plan, whichever is less.

**SECTION 14.** During each respective period of apportionment, the tax apportionment fund (a) shall be available to pay project costs under Section VIII of the Project Plan, (b) shall constitute special funds of the Tulsa Industrial Authority, and (c) shall not be subject to annual appropriation as a part of the general fund of the City of Tulsa.

**SECTION 15.** Pursuant to Section 6C of Article X of the Constitution of the State of Oklahoma and the Act, the direction of apportionment shall continue beyond the current fiscal year for the duration of the Increment Districts or the period required for the payment of project costs authorized by the Project Plan, whichever is less.

**SECTION 16.** The Project Plan is hereby determined to be desirable and is approved.



**SECTION 17. SEVERABILITY.** *If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall not affect the validity of the remaining portions of this Ordinance.*

**SECTION 18. EMERGENCY CLAUSE.** *It being immediately necessary for the preservation of the peace, health, safety, and public good of the City of Tulsa, and the citizens thereof, that the provisions of this Ordinance take effect and be put into full force and effect, an emergency is declared to exist by reason whereof this Ordinance shall take effect and be put in full force and effect from and after November 23, 2020.*

**ADOPTED** by the Council: NOV 18 2020  
Date

  
Chair of the Council

**ADOPTED** as an emergency measure: NOV 18 2020  
Date

  
Chair of the Council

#### OFFICE OF THE MAYOR

Received by the Mayor: \_\_\_\_\_, at \_\_\_\_\_  
Date Time

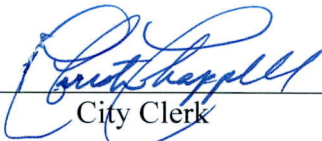
Mayor

By \_\_\_\_\_  
Secretary

**APPROVED** by the Mayor of the City of Tulsa Oklahoma: DEC 02 2020  
at \_\_\_\_\_ Date  
Time

  
Mayor

(Seal)  
**ATTEST:**

  
\_\_\_\_\_  
City Clerk



**APPROVED:**

  
\_\_\_\_\_  
City Attorney

ADB