



City of Broken Arrow
Meeting Agenda
Broken Arrow Economic Development
Authority

City of Broken Arrow
Council Chambers
220 S 1st Street
Broken Arrow OK
74012

Chairperson Craig Thurmond
Vice Chair Richard Carter
Trustee Mike Lester
Trustee Johnnie Parks
Trustee Scott Eudey

Tuesday, October 18, 2016

Council Chambers

TIME: Follows City Council meeting which begins at 6:30 p.m. and the Broken Arrow Municipal Authority meeting which follows City Council.

1. Call to Order

2. Roll Call

3. Consideration of Consent Agenda

- A. [16-965](#) Approval of Broken Arrow Economic Development Authority Meeting
Minutes of October 4, 2016

Sponsors: Broken Arrow City Council

Attachments: [10-04-16 BAEDA Minutes](#)

- B. [16-839](#) Approval of the Broken Arrow Economic Development Authority Claims
List for October 18, 2016

Attachments: [10-18-16 BAEDA CL](#)

4. Consideration of Items Removed from Consent Agenda

5. General Authority Business

- A. [16-1278](#) Consideration, discussion, possible approval of and authorization to execute
a First Amendment to Ground Lease between the City of Broken Arrow, the
Broken Arrow Economic Development Authority and Stoney Creek
Investors of Broken Arrow, L.L.C., as successor in interest to Stoney Creek
Hospitality Corporation, an Iowa Corporation, for the purpose of correcting
the legal description of the Conference/Convention Center

Attachments: [10-18-16 1st Amendment to Ground Lease Agreement_Stoney Creek](#)
[Legal Description ground lease](#)

- B.** [16-1279](#) Consideration, discussion, and possible approval of and authorization to execute a Ground Lessor Estoppel Certificate for property leased to Stoney Creek Investors of Broken Arrow, LLC, successor in interest to Stoney Creek Hospitality Corporation, for the Stoney Creek Hotel Conference Center located along West Albany Street between North Elm Place and Lynn Lane across from Bass Pro Outdoor World

Attachments: [Ground Lessor Estoppel \(9-29-16\)](#)

- C.** [16-1240](#) Consideration, discussion, and possible approval to reschedule the November 15, 2016, Broken Arrow Economic Development Authority meeting from Tuesday, November 15, 2016, to Monday, November 7, 2016, due to Authority members attending the National League of Cities Annual Conference in Pittsburgh, Pennsylvania

- D.** [16-1245](#) Consideration, discussion, and possible approval of the 2017 Calendar Year Schedule of Regular Meetings for the Broken Arrow Economic Development Authority

Sponsors: Broken Arrow City Council

Attachments: [2017 BAEDA Annual Regular Meeting Calendar](#)

6. Executive Session - - NONE

7. Adjournment

NOTICE:

If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.

All cell phones and pagers must be turned OFF or operated SILENTLY during meetings.

Exhibits, petitions, pictures, etc., shall be received and deposited in case files to be kept at the Broken Arrow City Hall. If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk



City of Broken Arrow

Fact Sheet

File #: 16-965, Version: 1

**Broken Arrow Economic Development Authority
Meeting of: 10-18-2016**

To: Chairman and Authority Members

From: Office of the City Clerk

**Title: Approval of Broken Arrow Economic Development Authority Meeting Minutes of
October 4, 2016**

Background: Minutes recorded for the Broken Arrow Economic Development Authority Meeting

Cost: None

Prepared By: Lisa Blackford, City Clerk

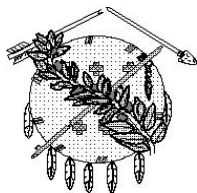
Reviewed By: Russell Gale, Assistant City Manager-Administration

Beth Anne Wilkening, City Attorney

Approved By: Michael L. Spurgeon, City Manager

Attachments: Broken Arrow Economic Development Authority minutes of October 4, 2016

**Recommendation: Approve the Broken Arrow Economic Development Authority meeting minutes of
October 4, 2016.**



City of Broken Arrow

City Hall
220 S 1st Street
Broken Arrow OK
74012

Minutes Broken Arrow Economic Development Authority

Chairman Craig Thurmond
Vice Chair Richard Carter
Trustee Mike Lester
Trustee Johnnie Parks
Trustee Scott Eudey

Tuesday, October 4, 2016

Council Chambers

1. Call to Order

Chairman Craig Thurmond called the meeting to order at approximately 7:23 p.m.

2. Roll Call

Present 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

3. Consideration of Consent Agenda

Chairman Thurmond asked if there were any items to remove from the Consent Agenda. There being none, he asked for a motion.

A. 16-962 Approval of Broken Arrow Economic Development Authority Meeting Minutes of September 20, 2016

B. 16-836 Approval of the Broken Arrow Economic Development Authority Claims List for October 04, 2016

MOTION: A motion was made by Scott Eudey, seconded by Johnnie Parks.

Move to approve the Consent Agenda as presented

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

4. Consideration of Items Removed from Consent Agenda

No items were removed from the Consent Agenda. No action was required or taken.

5. General Authority Business

There was no general Authority business. No action was required or taken.

6. Executive Session

There was no Executive Session.

7. Adjournment

The meeting adjourned at approximately 7:23 p.m.

MOTION: A motion was made by Scott Eudey, seconded by Mike Lester.

Move to adjourn

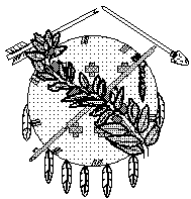
The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

Attest:

Chairman

Secretary



City of Broken Arrow

Fact Sheet

File #: 16-839, Version: 1

PREPARED 10/14/16, 7:01:18
PROGRAM GM314L
CITY OF BROKEN ARROW

ACCOUNTS PAYABLE BY FUND/ DUE DATE

PAGE 50

FUND	087 BAEDA						
DATE	VENDOR	VENDOR	VOUCHER	I NVOI CE	ACCOUNT		AMOUNT
DUE	NO	NAME	NO	NO	NO		
10/07/2016	10048	222 I NVESTMENTS LLC	003020	FI NAL 2016	087-1700-419.50-72		50,000.00
					10/07/2016 TOTAL -		50,000.00
					CUMULATI VE TOTAL -		50,000.00
10/12/2016	7824	BROKEN ARROW ECONOMI C	003224	OCT 2016	087-1700-419.50-70		32,292.00
			003225	OCT/ 2016	087-1700-419.50-70		17,500.00
					10/12/2016 TOTAL -		49,792.00
					FUND 087 TOTAL -		99,792.00



City of Broken Arrow

Fact Sheet

File #: 16-1278, Version: 1

Broken Arrow Economic Development Authority

Meeting of: 10-18-16

To: Chairman and Trustees
From: Office of the City Attorney

Title: Consideration, discussion, possible approval of and authorization to execute a First Amendment to Ground Lease between the City of Broken Arrow, the Broken Arrow Economic Development Authority and Stoney Creek Investors of Broken Arrow, L.L.C., as successor in interest to Stoney Creek Hospitality Corporation, an Iowa Corporation, for the purpose of correcting the legal description of the Conference/Convention Center

Background:

On November 4, 2014, the City Council and Economic Development Authority approved a Ground Lease with Stoney Creek Hospitality Corporation for the purpose of building a hotel and convention center. The Ground Lease provided a term of 75 years, along with one, 24-year extension. The Lease further requires Stoney Creek to construct a hotel consisting of approximately 150,000 square feet and containing 170 guest rooms. It also requires Stoney Creek to construct a convention center consisting of approximately 35,000-40,000 square foot. The total cost of the hotel and conference/convention center is projected to be approximately \$23,550,000.

The First Amendment to the Ground Lease corrects the legal description and brings it into compliance with the closing documents and the Economic Development Agreement. Staff recommends that the Council approve the First Amendment to Ground Lease and authorize its execution.

Cost: None

Prepared By: Beth Anne Wilkening, City Attorney

Reviewed By: Russell Gale, Assistant City Manager-Administration
Director of Development Services
Director of Economic Development

Approved By: Michael L. Spurgeon, City Manager

Attachments: First Amendment to Ground Lease;
Legal Description of Property

Recommendation:

Approve the First Amendment to Ground Lease and authorize its execution.

FIRST AMENDMENT TO GROUND LEASE

This First Amendment to GROUND LEASE (the "First Amendment") is made and effective as of this 18th day of October, 2016, by and between **THE CITY OF BROKEN ARROW, OKLAHOMA** an Oklahoma Municipal Corporation (together with its successors and assigns, the "City," which term, when used in such context, shall also mean and refer to the areas within the territorial limits of the City), **BROKEN ARROW ECONOMIC DEVELOPMENT AUTHORITY**, an Oklahoma Public Trust of which the City is sole Beneficiary (together with its successors and assigns "BAEDA"), and **STONEY CREEK HOSPITALITY CORPORATION**, an Iowa corporation (together, with its successors and assigns, the "Developer").

WITNESSETH

WHEREAS, on November 15, 2014, the City, BAEDA, and Stoney Creek entered into an Economic Development Agreement ("2014 Agreement") and a Ground Lease ("2014 Lease") whereby certain Premises were made available to Stoney Creek for location of a conference/convention center and an accompanying hotel; and

WHEREAS, the advancement of the Project has resulted in the need to amend the 2014 Lease in order to more effectively document the intent of the parties and to resolve an issue necessitated by construction of the Project (as defined in Article I of the 2014 Lease); and

WHEREAS, Exhibit A to the, 2014 Lease has been modified to more fully reflect the intent of the parties and, as such, is addressed by this First Amendment and incorporated into the 2014 Lease (as amended by this First Amendment, the "Lease"), i.e. the legal description attached as **Exhibit A** hereto, to be substituted in whole for Exhibit A to the 2014 Lease; and

WHEREAS, both the City and BAEDA deem it appropriate to approve the execution and delivery of this First Amendment in the interest of providing for the implementation of the Project and have determine such actions are in the best interest of the City and the health, safety, and welfare of the City and residents within and near the City; and

NOW, THEREFORE, in consideration of the covenants and mutual obligations set out herein and in the 2014 Lease, and other consideration, the sufficiency of which the parties hereby acknowledge, the parties hereto hereby covenant and agree to the following Amendment:

Legal Description of the Land. Following the execution and delivery of the 2014 Lease, it was necessary to refine and revise the legal description of the land and the parties agree that **Exhibit A**, as attached hereto and made a part hereof, shall become and be Exhibit A to the 2014 Lease.

ARTICLE A
EXHIBITS AND SCHEDULES

ARTICLE B
CONTINUING TERMS OF AGREEMENT

B.1 Except as hereby amended hereby, all terms of the 2014 Lease remain in full force and effect without modification or change. The 2014 Lease, as amended herein, is in all respects ratified and confirmed and shall be read, take and construed as one in the same instrument

IN WITNESS WHEREOF, each of the parties has caused this First Amendment to Ground Lease Agreement to be executed by its duly authorized officials and its official seal to be impressed hereon, as of the date of the first above written.

The City:

THE CITY OF BROKEN ARROW, OKLAHOMA

ATTEST: (S E A L)

By: _____
Craig Thurmond, Mayor

By: _____
City Clerk

BAEDA:

BROKEN ARROW ECONOMIC
DEVELOPMENT AUTHORITY,
an Oklahoma public trust

ATTEST: (S E A L)

By: _____
Chairman

By: _____
Secretary

The Developer:

STONEY CREEK HOSPITALITY CORPORATION

By: _____
James H. Thompson, Chairman and CEO

EXHIBIT 1

TRACT 1

A TRACT OF LAND LYING IN THE NORTHWEST QUARTER (NW1/4) OF SECTION TWO (2), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW1/4;

THENCE N88°42'33"E ALONG THE NORTH LINE OF SAID NW1/4 FOR A DISTANCE OF 1112.21 FEET TO THE EAST LINE OF A GENERAL WARRANTY DEED RECORDED WITH THE TULSA COUNTY CLERK'S OFFICE AS DOCUMENT NO. 2014083357 ON SEPTEMBER 19, 2014;

THENCE S01°11'31"E ALONG SAID EAST LINE FOR A DISTANCE OF 184.38 FEET TO THE **POINT OF BEGINNING** SAID POINT ALSO BEING AT A CURVE TO THE RIGHT;

THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 9°46'34", A RADIUS OF 178.00 FEET FOR AN ARC LENGTH OF 30.37 FEET AND A LONG CHORD DISTANCE OF 30.33 FEET, BEARING S66°10'44"E;

THENCE S61°17'27"E FOR A DISTANCE OF 199.19 FEET;

THENCE S43°09'48"E FOR A DISTANCE OF 182.42 FEET;

THENCE N63°38'37"E FOR A DISTANCE OF 79.88 FEET;

THENCE S28°00'25"E FOR A DISTANCE OF 569.33 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST ALBANY STREET AS ESTABLISHED BY A SPECIAL WARRANTY DEED RECORDED WITH THE TULSA COUNTY CLERK'S OFFICE IN BOOK 7306, PAGES 2462-2464 ON JUNE 02, 2004 AND LATER AMENDED TO RETURN PORTIONS OF THE RIGHT-OF-WAY BY THE CITY OF BROKEN ARROW'S ORDINANCE NO. 2814, PASSED AND APPROVED AUGUST 21, 2006, AND RECORDED AS DOCUMENT NO. 2006098464 WITH THE TULSA COUNTY CLERK'S OFFICE;

(THE FOLLOWING 4 COURSE ARE ALONG SAID NORTHERLY RIGHT-OF-WAY)

1. THENCE S24°59'37"E FOR A DISTANCE OF 75.60 FEET;
2. THENCE S65°00'23"W FOR A DISTANCE OF 29.74 FEET TO A CURVE TO THE RIGHT;
3. THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 81°51'26", A RADIUS OF 530.00 FEET FOR AN ARC LENGTH OF 757.20 FEET AND A LONG CHORD DISTANCE OF 694.43 FEET, BEARING N74°03'54"W;

4. THENCE N33°08'11"W FOR A DISTANCE OF 195.73 FEET;
THENCE N58°19'15"E FOR A DISTANCE OF 63.66 FEET;
THENCE S51°32'54"E FOR A DISTANCE OF 40.65 FEET;
THENCE N53°03'12"E FOR A DISTANCE OF 25.18 FEET;
THENCE N20°00'08"E FOR A DISTANCE OF 329.91 FEET;
THENCE N61°14'14"W FOR A DISTANCE OF 119.72 FEET TO A CURVE TO THE LEFT;
THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE LEFT HAVING A
CENTRAL ANGLE OF 60°03'06", A RADIUS OF 142.00 FEET FOR AN ARC LENGTH OF
148.83 FEET AND A LONG CHORD DISTANCE OF 142.11 FEET, BEARING S88°41'00"W;
THENCE S58°39'27"W FOR A DISTANCE OF 188.51 FEET TO A POINT ON SAID
NORTHERLY RIGHT-OF-WAY LINE LINE OF WEST ALBANY STREET;
THENCE N33°08'11"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR A
DISTANCE OF 36.02 FEET TO A POINT ON THE SOUTHERLY LINE OF A GENERAL
WARRANTY DEED RECORDED WITH THE TULSA COUNTY CLERK'S OFFICE AS
DOCUMENT NO. 2014083357 ON SEPTEMBER 19, 2014;

(THE FOLLOWING 2 COURSES ARE ALONG SAID SOUTHERLY LINE)

1. THENCE N58°39'27"E FOR A DISTANCE OF 189.64 FEET TO A CURVE TO THE
RIGHT;
2. THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT HAVING A
CENTRAL ANGLE OF 50°16'32", HAVING A RADIUS OF 178.00 FEET FOR AN
ARC LENGTH OF 156.19 FEET AND A LONG CHORD DISTANCE OF 151.23
FEET, BEARING N83°47'43"E TO THE **POINT OF BEGINNING**;

THE ABOVE DESCRIPTION CONTAINING 8.128 ACRES MORE OR LESS.

AND

TRACT 2

A TRACT OF LAND LYING IN THE NORTHWEST QUARTER (NW1/4) OF SECTION
TWO (2), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE
INDIAN MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA AND
FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW1/4;

THENCE N88°42'33"E ALONG THE NORTH LINE OF SAID NW1/4 FOR A DISTANCE OF
1112.21 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING N 88°42'33"E ALONG SAID NORTH LINE FOR A DISTANCE OF
575.19 FEET TO A POINT ON THE EAST LINE OF A QUIT-CLAIM DEED RECORDED

WITH THE TULSA COUNTY CLERK'S OFFICE AS DOCUMENT NO. 2011000490 ON JANUARY 03, 2011;

(THE FOLLOWING 3 COURSE ARE ALONG SAID EAST LINE)

1. THENCE S46°14'38"E FOR A DISTANCE OF 70.65 FEET;
2. THENCE S01°11'51"E FOR A DISTANCE OF 347.76 FEET;
3. THENCE S17°19'28"E FOR A DISTANCE OF 472.79 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WEST ALBANY STREET AS ESTABLISHED BY A SPECIAL WARRANTY DEED RECORDED WITH THE TULSA COUNTY CLERK'S OFFICE IN BOOK 7306, PAGES 2462-2464 ON JUNE 02, 2004;

THENCE S61°03'07"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 119.00 FEET;

THENCE N28°00'25"W FOR A DISTANCE OF 569.33 FEET; THENCE S63°38'37"W FOR A DISTANCE OF 79.88 FEET;

THENCE N43°09'48"W FOR A DISTANCE 182.42 FEET;

THENCE N61°17'27"W FOR A DISTANCE OF 199.19 FEET TO A CURVE TO THE LEFT;

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 9°46'34", A RADIUS OF 178.00 FEET, FOR AN ARC LENGTH OF 30.37 FEET AND A LONG CHORD DISTANCE OF 30.33 FEET, BEARING N66°10'44"W TO THE EAST LINE OF A GENERAL WARRANTY DEED RECORDED WITH THE TULSA COUNTY CLERK'S OFFICE AS DOCUMENT NO. 2014083357 ON SEPTEMBER 19, 2014;

THENCE N01°11'31"W ALONG SAID EAST LINE FOR A DISTANCE OF 184.38 FEET TO THE **POINT OF BEGINNING**;

THE ABOVE DESCRIPTION CONTAINING 6.875 ACRES MORE OR LESS.

BEARINGS ARE BASED ON A GRID BEARING ALONG THE NORTH LINE OF THE NW1/4 OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 14 EAST (N88°42'33"E) BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE, U.S. SURVEY FEET.

THIS DESCRIPTION WAS PREPARED ON JANUARY 16, 2015 FROM THE BENEFIT OF A BOUNDARY SURVEY COMPLETED ON JANUARY 15, 2015 FOR AND ON BEHALF COWAN GROUP ENGINEERING, LLC. BY JUSTIN SMITH, PLS 1868, CERTIFICATE OF AUTHORIZATION NUMBER CA6414, EXPIRES ON JUNE 30, 2016.



City of Broken Arrow

Fact Sheet

File #: 16-1279, Version: 1

**Broken Arrow Economic Development Authority
Meeting of: 10-18-16**

To: Chairman and Authority Members
From: Office of the City Attorney

Title: Consideration, discussion, and possible approval of and authorization to execute a Ground Lessor Estoppel Certificate for property leased to Stoney Creek Investors of Broken Arrow, LLC, successor in interest to Stoney Creek Hospitality Corporation, for the Stoney Creek Hotel Conference Center located along West Albany Street between North Elm Place and Lynn Lane across from Bass Pro Outdoor World

Background:

On November 15, 2014, the City of Broken Arrow, The Broken Arrow Economic Development Authority, and Stoney Creek Hospitality Corporation, entered into a comprehensive Economic Development Agreement and Ground Lease for the development of a conference/convention center and accompanying hotel. Both the Agreement and the Lease allowed the Developer to assign its interests to an affiliated party without formal approval by the City Council or the Authority. On May 13, 2016, the City received notification of Stoney Creek Hospitality Corporation's Assignment and Assumption to Stoney Creek Investors of Broken Arrow, L.L.C. ("Stoney Creek").

In addition to the land purchase price, which came from approved General Obligation Bond proceeds, the City of Broken Arrow, through Vision Surplus Funds, contributed the sum of \$6,335,573.33 to this project for the purposes of grading, infrastructure, engineering design, architectural design and construction of utilities, among other things. In order to complete the hotel and conference center, it was always contemplated that the Developer would need to obtain financing secured by a mortgage of the real property and the improvements. In order to finalize the process, Stoney Creek has requested approval of the attached Ground Lessor Estoppel Certificate. The Legal Department has reviewed the Certificate and found it acceptable.

Cost: None
Prepared By: Beth Anne Wilkening, City Attorney
Reviewed By: Assistant City Manager-Administration
Development Services Director
Director of Economic Development

Approved By: **Michael L. Spurgeon, City Manager**

Attachments: **Ground Lessor Estoppel Certificate**

Recommendation:

Approve the Ground Lessor Estoppel Certificate and authorize its execution.

GROUND LESSOR ESTOPPEL CERTIFICATE

This Ground Lessor Estoppel Certificate ("Estoppel") is dated _____, 2016, on behalf of the City of Broken Arrow, Oklahoma, an Oklahoma municipal corporation (the "City"), and Broken Arrow Economic Development Authority, an Oklahoma public trust of which the City is sole beneficiary ("BAEDA"), for the benefit of Guaranty Abstract Company ("Escrow Agent") and Old Republic National Title Insurance Company ("Underwriter").

Craig Thurmond, being duly sworn, on oath affirms that the following statements are true:

1. I am the Mayor of the City and Chairman of BAEDA. The City, as fee owner of the land described in Exhibit A attached hereto (the "Land") and ground lessor, and BAEDA are parties to that certain Ground Lease dated November 4, 2014, and amended on October 18, 2016, (the Lease"), by and among the City, BAEDA and Stoney Creek Hospitality Corporation, an Iowa corporation ("Developer"), as ground tenant.
2. The Lease has not been modified since October 18, 2016, except that the Developer's interest under the Lease has been assigned to Stoney Creek Investors of Broken Arrow, L.L.C., an Iowa limited liability company, pursuant to Assignment and Assumption Agreement dated May 24, 2016.
3. As of the date of this Estoppel:
 - (a) The Lease is in full force and effect in accordance with its terms and has not been assigned, supplemented, modified or otherwise amended, except as set forth in paragraph 2 above.
 - (b) To the best knowledge of the City and BAEDA, each of the obligations of the Developer to be performed to date under the Lease have been performed.
 - (c) To the best knowledge of the City and BAEDA no event has occurred that constitutes a "Default" (as defined in the Lease) on the part of the Developer.
4. The representations herein are made to induce Escrow Agent and Underwriter to issue one or more policies of title insurance affecting the Land and affiant acknowledges on behalf of the City and BAEDA that Escrow Agent and Underwriter are relying upon the truth of such representations. In consideration thereof, the City and BAEDA hereby agree to indemnify and hold harmless Escrow Agent and Underwriter from any claims, costs, damages, causes of action, expenses and attorney's fees in any way arising from the inaccuracy of the representations made herein.

[Signature page follows]

AFFIANT:

as Mayor of the City of Broken Arrow, Oklahoma

as Chairman of Broken Arrow Economic Development Authority

Printed name: _____

State of Oklahoma)

)

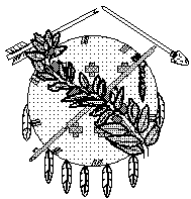
County of Tulsa)

Sworn to and subscribed before me on _____, 2016 by _____.

Notary Public

EXHIBIT A

LEGAL DESCRIPTION



City of Broken Arrow

Fact Sheet

File #: 16-1240, **Version:** 2

**Broken Arrow Economic Development Authority
Meeting of: 10-18-2016**

To: Chairman and Authority Members
From: Office of the City Clerk
Title:

Consideration, discussion, and possible approval to reschedule the November 15, 2016, Broken Arrow Economic Development Authority meeting from Tuesday, November 15, 2016, to Monday, November 7, 2016, due to Authority members attending the National League of Cities Annual Conference in Pittsburgh, Pennsylvania

Background: The National League of Cities (NLC) will hold its 2016 Annual Conference from November 16 - 19, 2016 in Pittsburgh, Pennsylvania. The NLC Annual Conference is the largest gathering of local elected officials and staff in the country. The Conference creates opportunity for discussions and seminars covering a variety of topics from economic development to public safety, and infrastructure development to sustainable local economies and technology. Due to Authority members attending the NLC 2016 Conference, there will not be a quorum present at the November 15, 2016 meeting. Chairman Craig Thurmond requests that the November 15th meeting be cancelled and rescheduled to November 7, 2016 at the usual time of following the City Council meeting at 6:30 p.m.

Cost: None

Prepared By: Lisa Blackford, City Clerk

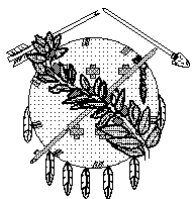
Reviewed By: Russell Gale, Assistant City Manager-Administration

Beth Anne Wilkening-City Attorney

Approved By: Michael L. Spurgeon, City Manager

Attachments: None

Recommendation: Reschedule the November 15, 2016 Broken Arrow Economic Development Authority meeting to Monday, November 7, 2016.



City of Broken Arrow

Fact Sheet

File #: 16-1245, Version: 1

**Broken Arrow Economic and Development Authority
Meeting of: 10-18-2016**

To: Chairman and Authority Members

From: Office of the City Clerk

Title:

Consideration, discussion, and possible approval of the 2017 Calendar Year Schedule of Regular Meetings for the Broken Arrow Economic Development Authority

Background: The 2017 Calendar Year Schedule of Regular Meetings for the Broken Arrow Economic Development Authority is attached for consideration and approval.

Cost: None

Prepared By: Lisa Blackford, City Clerk

Reviewed By: Russell Gale, Assistant City Manager-Administration

Beth Anne Wilkening-City Attorney

Approved By: Michael L. Spurgeon, City Manager

Attachments: 2017 Calendar Year Broken Arrow Economic Development Authority Schedule of Regular Meetings

Recommendation: Approve the 2017 Calendar Year Broken Arrow Economic Development Authority Schedule of Regular Meetings

**NOTICE OF
2017 CALENDAR YEAR
SCHEDULE OF REGULAR MEETINGS
BROKEN ARROW ECONOMIC DEVELOPMENT AUTHORITY**

**LOCATION:
CITY COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012**

DATE - 1st and 3rd Tuesday of each month	*TIME	PLACE
January 3, 2017	*6:30 p.m.	Council Chambers
January 17, 2017	*6:30 p.m.	Council Chambers
February 7, 2017	*6:30 p.m.	Council Chambers
February 21, 2017	*6:30 p.m.	Council Chambers
March 7, 2017	*6:30 p.m.	Council Chambers
March 21, 2017	*6:30 p.m.	Council Chambers
April 4, 2017	*6:30 p.m.	Council Chambers
April 18, 2017	*6:30 p.m.	Council Chambers
May 2, 2017	*6:30 p.m.	Council Chambers
May 16, 2017	*6:30 p.m.	Council Chambers
** June 5, 2017 Monday	*6:30 p.m.	Council Chambers
** June 19, 2017 Monday	*6:30 p.m.	Council Chambers
** July 3, 2017 Monday	*6:30 p.m.	Council Chambers
July 18, 2017	*6:30 p.m.	Council Chambers
August 1, 2017	*6:30 p.m.	Council Chambers
August 15, 2017	*6:30 p.m.	Council Chambers
September 5, 2017	*6:30 p.m.	Council Chambers
September 19, 2017	*6:30 p.m.	Council Chambers
October 3, 2017	*6:30 p.m.	Council Chambers
October 17, 2017	*6:30 p.m.	Council Chambers
November 7, 2017	*6:30 p.m.	Council Chambers
November 21, 2017	*6:30 p.m.	Council Chambers
December 5, 2017	*6:30 p.m.	Council Chambers
December 19, 2017	*6:30 p.m.	Council Chambers

***Time:** Follows the City Council meeting which begins at 6:30 p.m. and the Broken Arrow Municipal Authority meeting which immediately follows the Council meeting

**** Note:** Regular Council Meetings are on the 1st and 3rd Tuesday of each month unless indicated otherwise.

Posted this _____ day of _____ 2016 at _____ am/pm

Signed: _____
City Clerk