

ORDINANCE NO. 27,345

AN ORDINANCE RELATING TO THE EXERCISE OF CERTAIN CONSTITUTIONAL POWERS, APPROVING AND ADOPTING THE FIRST AMENDMENT TO THE OKLAHOMA REGIONAL INNOVATION DISTRICT PROJECT PLAN; AMENDING THE BOUNDARIES OF THE PROJECT AREA; IDENTIFYING AND ESTABLISHING NEW INCREMENT DISTRICT NO. 17, CITY OF OKLAHOMA CITY, AND INCREMENT DISTRICT NO. "P," CITY OF OKLAHOMA CITY; ESTABLISHING A DATE FOR THE CREATION OF INCREMENT DISTRICT NO. 17; DEFERRING THE NUMBERING AND ACTIVATION DATE OF INCREMENT DISTRICT NO. "P"; DESIGNATING AND ADOPTING THE PROJECT AREA AND INCREMENT DISTRICT BOUNDARIES; DESIGNATING AND AUTHORIZING THE OKLAHOMA CITY REDEVELOPMENT AUTHORITY AND THE OKLAHOMA CITY URBAN RENEWAL AUTHORITY AS ENTITIES TO CARRY OUT AND ADMINISTER THE AMENDED PROJECT PLAN; AUTHORIZING THE OKLAHOMA CITY REDEVELOPMENT AUTHORITY TO ISSUE BONDS AND NOTES TO CARRY OUT PROVISIONS OF THE AMENDED PROJECT PLAN; DECLARING APPORTIONED FUNDS TO BE FUNDS OF THE OKLAHOMA CITY REDEVELOPMENT AUTHORITY; AUTHORIZING THE USE OF AD VALOREM AND SALES TAX INCREMENT REVENUES FOR THE PAYMENT OF PROJECT COSTS; RATIFYING AND CONFIRMING THE ACTIONS, RECOMMENDATIONS, AND FINDINGS OF THE REVIEW COMMITTEE AND THE PLANNING COMMISSIONS; PRESERVING PRIOR PROVISIONS OF THE AMENDED PROJECT PLAN NOT SPECIFICALLY AMENDED BY THIS ORDINANCE; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

WHEREAS, the Local Development Act, 62 O. S. §§ 850, *et seq.* ("Local Development Act"), was adopted by the Oklahoma Legislature to implement Section 6C of Article X of the Oklahoma Constitution, which empowers the governing bodies of cities, towns, and counties to approve project plans and establish increment districts for the development and redevelopment of eligible areas; and

WHEREAS, pursuant to the Local Development Act, on January 5, 1993, The City of Oklahoma City ("City") adopted Ordinance No. 19,875, approving the Oklahoma Health Center Economic Development Project Plan ("OHC Project Plan") and establishing Tax Increment District No. 1, City of Oklahoma City; and

WHEREAS, Ordinance No. 19,875 was subsequently amended by the City, by the adoption of Ordinance No. 21,471, Ordinance No. 21,829, and Ordinance No. 22,087, to bring it into compliance with a decision of the Oklahoma Supreme Court, to substitute the Oklahoma City Redevelopment Authority, a public trust, for the Medical Technology and Research Authority of

Oklahoma to carry out certain responsibilities with respect to the OHC Project Plan, and to make other minor amendments; and

WHEREAS, Ordinance No. 19,875 was subsequently amended by the City, by the adoption of Ordinance No. 22,242, to provide for the development of phase two of the Presbyterian Health Foundation Research Park; and

WHEREAS, on August 1, 2006, the City adopted Ordinance No. 23,059, approving an amendment to the OHC Project Plan, increasing the area of Increment District No. 1 and establishing Increment District No. 7, City of Oklahoma City; and

WHEREAS, on December 20, 2016, the City adopted Ordinance No. 25,531, approving the Oklahoma Regional Innovation District Project Plan (“Project Plan”), amending and restating the OHC Project Plan, amending the boundaries of Increment Districts No. 1 and No. 7, and establishing Increment Districts No. 11, No. “M,” and No. “N” (“M” and “N” to be numbered at a later date), City of Oklahoma City, and subsequently amended the boundaries of the project area by Ordinance No. 26,653, on February 2, 2021; and

WHEREAS, Increment District No. 1 expired by operation of law, and, accordingly, apportionment of ad valorem revenues from within the boundaries of Increment District No. 1 ceased on June 30, 2022; and

WHEREAS, the proposed First Amendment to the Project Plan (“First Amendment”) is intended to provide additional critical support to implement the City’s economic development objectives for the Innovation District with special focus on the enhancement of both the physical and economic connections between the area’s anchor institutions and the neighborhoods, amenities, and complementary developments that are essential to achieving its potential; and

WHEREAS, the First Amendment is further intended to assist in the achievement of the goals of the City’s Comprehensive (Master) Plan and subsequent amendments thereto, and to implement urban renewal plans previously approved by the City in the area; and

WHEREAS, in order to supplement and strengthen the Project Plan, the First Amendment proposes to expand the Project Area, as defined in the First Amendment, in an effort to improve connections between Downtown Oklahoma City and the Innovation District, and establish two new increment districts: (1) Increment District No. 17, City of Oklahoma City, a sales tax increment district covering the large mixed-use project known as Convergence and (2) Increment District No. “P,” an ad valorem increment district on property that remains undeveloped or significantly underdeveloped, primarily along the western and northern edges of the Innovation District; and

WHEREAS, the First Amendment is estimated to stimulate an additional approximately \$500 Million in new public and private investment and create approximately 1,500 additional high-quality jobs; and

WHEREAS, the estimated additional tax increment will be sufficient to pay additional Project Costs authorized by the First Amendment; and

WHEREAS, the First Amendment includes the continued support in in the implementation of the City's urban renewal plans within the Project Area; and

WHEREAS, the First Amendment supports the achievement of the economic development objectives of the City to serve as a catalyst for expanding employment in the area, attracting major investment to the area, and preserving and enhancing the tax base, thereby making possible investment and economic development that would be difficult or impossible without the project and the apportionment of tax revenues from within the Increment Districts; and

WHEREAS, the proposed First Amendment is an eligible project plan under the Local Development Act because the proposed Project Area and Increment Districts lie within an enterprise zone designated by the Oklahoma Department of Commerce pursuant to 62 O.S. §690.3, and as such fall within the definition of an Enterprise Area pursuant to 62 O.S. §853(5); and

WHEREAS, pursuant to the Local Development Act, the City Council may amend a project plan and establish new increment districts upon consideration of the recommendation of a review committee; and

WHEREAS, the Oklahoma Regional Innovation District Project Plan Review Committee ("Review Committee"), consists of the following: one representative of the Oklahoma City Council as the chairperson; one representative of the Oklahoma City Planning Commission; one representative designated by the Capitol-Medical Center Improvement and Zoning Commission; one representative designated by Oklahoma County; one representative designated by the City-County Health Department; one representative designated by Independent School District No. I-89; one representative designated by Vo-Tech District No. 22; one representative designated by the Metropolitan Library System; and three members selected by the other committee members from a list of seven names from the public at large submitted by the chairperson of the Review Committee, at least one of whom is a representative of the business community in the City; and

WHEREAS, the Review Committee met pursuant to the Oklahoma Open Meeting Act to discuss and consider the proposed First Amendment; and

WHEREAS, the Review Committee was provided advance copies of the proposed First Amendment in draft form and an Analysis of the Financial Impacts of the Proposed First Amendment to the Project Plan ("Financial Impacts Analysis") to allow the Review Committee opportunity to read and review the documents; and

WHEREAS, the Review Committee considered and reviewed the proposed First Amendment and Financial Impacts Analysis, including the possible financial impacts on each taxing jurisdiction and on business activities, and found that the economic benefits of the Project Plan as amended by the First Amendment ("Amended Project Plan") to the taxing jurisdictions and the community as a whole offset the financial impacts, if any, of the Amended Project Plan on the affected taxing jurisdictions, and the Review Committee further found that the aggregate

impacts on the affected taxing jurisdictions and on business activities from the implementation of the Amended Project Plan are positive and include the achievement of the objectives set for in the Amended Project Plan and support the estimated job and economic growth described in the Financial Impact Analysis; and

WHEREAS, on March 24, 2023, the Review Committee, based on its findings, adopted a resolution recommending that the City Council approve the proposed First Amendment, including the amendments to the Project Area, and the proposed Increment District No. 17 and Increment District No. “P”; and

WHEREAS, the Oklahoma City Planning Commission was provided advance copies of the proposed First Amendment in draft form and received a presentation regarding the proposed First Amendment; and

WHEREAS, the Oklahoma City Planning Commission determined at public meeting that the proposed First Amendment is in conformance with the Comprehensive (Master) Plan of The City of Oklahoma City and recommended that the City Council approve and adopt the First Amendment; and

WHEREAS, the Capitol-Medical Center Improvement and Zoning Commission was provided advance copies of the proposed First Amendment in draft form and received a presentation regarding the proposed First Amendment; and

WHEREAS, the Capitol-Medical Center Improvement and Zoning Commission determined at a public meeting that the proposed First Amendment is in conformance with the Comprehensive (Master) Plan for the area under the Capitol-Medical Center Improvement and Zoning Commission’s authority and jurisdiction, and recommended that the City Council approve and adopt the First Amendment; and

WHEREAS, the City Council has been provided advance copies of the proposed First Amendment in draft form and the Financial Impacts Analysis, and has received briefings regarding the proposed amendment to the Project Area and the proposed creation, designation, and establishment of Increment District No. 17 and Increment District No. “P” within the proposed Project Area; and

WHEREAS, Section 856 of the Local Development Act authorizes the governing body to defer determination of the designation and initiation of an increment district, provided that the determination is not more than ten (10) years after the date of approval of the project plan; and

WHEREAS, the City Council finds that it is in the best interest of the overall success of the project to defer the official numbering and activation of proposed Increment District No. “P” until a later date, which date must be determined within ten (10) years of the date of the approval of the First Amendment; and

WHEREAS, the apportioned ad valorem increment revenues derived from Increment Districts No. 7 and No. 11 (and Increment Districts No. “M,” “N,” and “P” when activated) shall be used to finance eligible Project Costs as described in the Amended Project Plan; and

WHEREAS, the apportioned sales tax increment revenues derived from Increment Districts No. 17 shall be used to finance eligible Project Costs as described in the Amended Project Plan; and

WHEREAS, the Constitution of the State of Oklahoma, Article 10, Section 6C provides that a direction of apportionment may be prospective and may continue for one or more years, and apportioned tax increments may be pledged beyond the current fiscal year for the repayment of indebtedness of public entities; and

WHEREAS, as provided for in the Amended Project Plan, the City Council finds and reaffirms that the Oklahoma City Redevelopment Authority, a public trust (“OCRA”), and the Oklahoma City Urban Renewal Authority, a public body corporate (“OCURA”), are authorized to carry out and administer the Amended Project Plan, and to exercise all powers necessary thereto except those powers reserved herein; and

WHEREAS, the City Council finds and reaffirms that OCRA is authorized to issue tax apportionment bonds or notes and to incur Project Costs, to be reimbursed for such costs, and to incur the costs of issuance of such bonds and to accumulate appropriate reserves, if any, in connection therewith, in order to implement the Amended Project Plan; and

WHEREAS, all required notices have been given and all required hearings have been held in connection with the proposed First Amendment, as prescribed by the Local Development Act, the Oklahoma Open Meeting Act, 25 O.S. § 301, *et seq.*, and other applicable law; and

WHEREAS, it is in the best interests of the City and its citizens to approve the proposed First Amendment, which includes an amendment to the boundaries of the Project Area, the creation, designation and establishment of Increment District No. 17, and the creation of Increment District No. “P,” to be numbered and activated at a later date.

NOW, THEREFORE, BE IT ENACTED by the City Council of The City of Oklahoma City:

SECTION 1. The First Amendment to the Oklahoma Regional Innovation District Project Plan is hereby approved and adopted in its entirety as presented, as recommended by the Oklahoma Regional Innovation District Project Plan Review Committee (“Review Committee”), the Capitol-Medical Center Improvement and Zoning Commission, and the Oklahoma City Planning Commission. As used herein, “First Amendment” shall mean the document dated March 24, 2023, comprised of one cover page, seven (7) pages of text, and five (5) exhibits labeled “A”, “B”, “C”, “D”, and “E”, and entitled “First Amendment to the Oklahoma Regional Innovation District Project Plan.”

SECTION 2. The City of Oklahoma City (“City”) elects to utilize Article 10, Section 6C of the Constitution of the State of Oklahoma and the Local Development Act, 62 O.S. §§ 850, *et*

seq. (“Local Development Act”), which authorizes 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, to implement the provisions of the First Amendment.

SECTION 3. All actions taken and all recommendations and findings made in connection with the First Amendment by the Capitol-Medical Center Improvement and Zoning Commission, the Oklahoma City Planning Commission, and the Review Committee are hereby ratified and confirmed, including, but not limited to, the designation and selection of representatives to the Review Committee from the taxing jurisdictions and the public at large, recommendations for approval, findings of conformance with the City’s Comprehensive (Master) Plan, eligibility of Increment Districts No. 17 and No. “P,” and financial impacts upon the taxing jurisdictions and business activities.

SECTION 4. For identification purposes, the name of the new increment district created and established under this Ordinance and as set forth in the First Amendment shall be Increment District Number Seventeen, City of Oklahoma City, as shown on Exhibit A of the First Amendment, and may be commonly referred to as “Increment District No. 17.”

SECTION 5. Increment District No. 17, whose boundaries are set forth in Section 9 below, is hereby created, established and designated as of the effective date of this Ordinance.

SECTION 6. For identification purposes and until such time that the City Council, by resolution, officially numbers and activates Increment District No. “P” as created and established under this Ordinance, and as set forth in the First Amendment and shown on Exhibit A of the First Amendment, the increment district shall be identified temporarily as Increment District No. “P.”

SECTION 7. Increment District No. “P,” whose boundaries are set forth in Section 10 below, is hereby created and established, but the official numbering and activation date of Increment District No. “P” is hereby deferred until such time as determined by the City Council, provided that such date shall be no more than ten (10) years after the effective date of this Ordinance approving the First Amendment.

SECTION 8. The boundaries of the Project Area are hereby designated and adopted as follows:

A tract of land being a part of Sections 26, 27, 28, 33, 34 and 35, Township 12 North, Range 3 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

Beginning at the Northwest (NW) Corner of N.W. 16th Street and N. Broadway Avenue, said point being the POINT OF BEGINNING;

THENCE East along and with the North right-of-way line of N.W. 16th Street to the centerline of Interstate 235;

THENCE Southeasterly along and with the centerline of Interstate 235 to the extended North right-

of-way line of N.E. 14th Street;

THENCE East along and with the North right-of-way line of N.E. 14th Street extended to the East right-of-way line of North Walnut Avenue;

THENCE South along and with the East right-of-way line of North Walnut Avenue to the North line of the East/West Alley in Block 2 as shown on the plat CLASSEN'S NORTH HIGHLAND PARKED ADDITION;

THENCE East along and with the North line of the East/West Alley in Block 2 as shown on the plat CLASSEN'S NORTH HIGHLAND PARKED ADDITION and the North line of the East/West Alley in Block 3 as shown on the AMENDED PLAT BLOCKS 3&4 CLASSEN'S NORTH HIGHLAND PARKED ADDITION and the North line of the East/West Alley in Block 7 as shown on the plat HOWE'S CAPITOL ADDITION to the West right-of-way line of N. Lindsey Avenue;

THENCE North along and with the West right-of-way line of N. Lindsey Avenue to the North right-of-way line of N.E. 14th Street;

THENCE East along and with the North right-of-way line of N.E. 14th Street to the West right-of-way line of N. Phillips Avenue;

THENCE North along and with the West right-of-way line of N. Phillips Avenue to the North right-of-way line of N.E. 16th Street;

THENCE East along and with the North right-of-way line of N.E. 16th Street to the East right-of-way line of N. Kelley Avenue;

THENCE South along and with the East right-of-way line of N. Kelley Avenue to the North right-of-way line of N.E. 13th Street;

THENCE Easterly along and with the North right-of-way line of N.E. 13th Street to the West right-of-way line of N. Everest Avenue;

THENCE North along and with the West right-of-way line of N. Everest Avenue to the North right-of-way line of N.E. 14th Street;

THENCE East along and with the North right-of-way line of N.E. 14th Street to the East right-of-way line of N. Lottie Avenue;

THENCE South along and with the East right-of-way line of N. Lottie Avenue to the North right-of-way line of N.E. 13th Street;

THENCE East along and with the North right-of-way line of N.E. 13th Street to the East right-of-way line of N. Kate Avenue;

THENCE South along and with the East right-of-way line of N. Kate Avenue to the North right-of-way line of N.E. 6th Street;

THENCE East along and with the North right-of-way line of N.E. 6th Street to the Northwesterly right-of-way line of the Union Pacific Railroad;

THENCE Southwesterly along and with the Northwesterly right-of-way line of the Union Pacific Railroad to the South right-of-way line of E. Reno Avenue;

THENCE West along and with the South right-of-way line of E. Reno Avenue to the West right-of-way line of Charlie Christian Avenue (also known as Byers Avenue);

THENCE North along and with the West right-of-way line of Charlie Christian Avenue (also known as Byers Avenue) to the North right-of-way line of E. Sheridan Avenue;

THENCE East along and with the North right-of-way line of E. Sheridan Avenue to the Southeast (SE) Corner of a tract of land recorded in Book 12097, Page 1406;

THENCE North along and with the East line of said tract of land recorded in Book 12097, Page 1406 to the Northeast (NE) Corner of said tract of land recorded in Book 12097, Page 1406;

THENCE Northwesterly along and with the current South right-of-way line of the railroad branch line and the North line of said tract of land recorded in Book 12097, Page 1406, the North line of a tract of land recorded in Book 7866, Page 761 and the North line of a tract of land recorded in Book 14224, Page 603 to the South right-of-way line of N.E. 2nd Street;

THENCE West along and with the South right-of-way line of N.E. 2nd Street to the West right-of-way line of N. E.K. Gaylord Boulevard;

THENCE Northwesterly along and with the West right-of-way line of N. E.K. Gaylord Boulevard to the West right-of-way line of N. Broadway Avenue;

THENCE North along and with the West right-of-way line of N. Broadway Avenue to the South right-of-way of N.W. 13th Street;

THENCE West along and with the South right-of-way line of N.W. 13th Street to the West right-of-way line of N. Robinson Avenue;

THENCE North along and with the West right-of-way line of N. Robinson Avenue to the North right-of-way line of N.W. 14th Street;

THENCE East, along and with the North right-of-way line of N.W. 14th Street to the West right-of-way line of N. Broadway Avenue;

THENCE North along and with the West right-of-way line of N. Broadway Avenue to the POINT OF BEGINNING.

SECTION 9. The boundaries of Increment District No. 17, City of Oklahoma City, are hereby designated and adopted as follows:

A tract of land being a part of the Northwest Quarter (NW/4) of Section Thirty-four (34), Township Twelve (12) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being a portion of Lots One (1) and Two (2) Block Twenty-two (22) a portion of vacated Harrison Avenue, a portion of vacated N.E. 8th Street, a portion of vacated Central Avenue, portion of vacated N.E. 9th Street, a portion of vacated Stiles Avenue and a portion of vacated Stiles Circle (platted The Circle) as shown on the plat MAYWOOD ADDITION recorded in Book 1 of plats, Page 20 and a portion of Lots One (1) and Five (5) through Thirteen (13) and Lots Sixteen (16) through Eighteen (18) and all of Lots Two (2) through Four (4) and Nineteen (19) through Twenty-seven (27) and a portion of the North/South and East/West Alleys all in Block Fifteen (15) as shown on the AMENDED PLAT OF BLOCK NUMBER FIFTEEN MAYWOOD ADDITION recorded in Book 1 of plats, Page 44, being more particularly described as follows:

Commencing at the Northeast (NE) Corner of Lot One (1) of said Block Fifteen (15);

THENCE South 00°03'06" East, along and with the East line of said Block Fifteen (15), a distance of 13.97 feet to a point on the East line of said Lot One (1) Block Fifteen (15), said point lying on the West right-of-way line of said vacated Stiles Avenue, said point being the POINT OF BEGINNING;

THENCE North 89°58'03" East, departing the West right-of-way line of said vacated Stiles Avenue, a distance of 48.33 feet;

THENCE South 00°34'48" East, a distance of 157.58 feet;

THENCE North 89°25'06" East, a distance of 10.22 feet to a point on the East right-of-way line of said vacated Stiles Avenue;

THENCE South 00°03'06" East, along and with the East right-of-way line of said vacated Stiles Avenue, a distance of 47.16 feet to a point on the centerline of said vacated Stiles Circle;

THENCE along and with the centerline of said vacated Stiles Circle on a non-tangent curve to the right having a radius of 125.00 feet, a chord bearing of South 50°07'10" East, a chord length of 109.77 feet and an arc length of 113.64 feet;

THENCE South 24°04'25" East, departing said centerline, a distance of 89.14 feet;

THENCE South 66°29'09" West, a distance of 246.51 feet;

THENCE South 62°45'50" West, a distance of 58.71 feet to the Southeast (SE) Corner of that portion of platted Harrison Avenue vacated by Book 12523, Page 682 (vacated Harrison Avenue);

THENCE South 63°40'54" West, along and with the current North right-of-way line of Harrison

Avenue, a distance of 21.57 feet to the East right-of-way line of Interstate 235;

THENCE along and with the East right-of-way line of Interstate 235 the following four (4) calls:

1. North 61°43'03" West, a distance of 103.29 feet;
2. North 25°34'54" West, a distance of 349.90 feet;
3. North 46°34'56" West, a distance of 96.68 feet;
4. South 89°54'20" West, a distance of 1.87 feet;

THENCE North 25°09'06" East, departing said East right-of-way line, a distance of 107.09 feet;

THENCE on a non-tangent curve to the left having a radius of 76.00 feet, a chord bearing of South 70°52'15" East, a chord length of 130.48 feet and an arc length of 156.88 feet;

THENCE on a reverse curve to the right having a radius of 25.00 feet, a chord bearing of North 69°58'48" East, a chord length of 17.09 feet and an arc length of 17.44 feet;

THENCE North 89°58'03" East, a distance of 246.10 feet to the POINT OF BEGINNING.

SECTION 10. The boundaries of Increment District No. "P", City of Oklahoma City, are hereby designated and adopted as follows:

A tract of land being a part of Sections 27 and 34, Township 12 North, Range 3 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

Beginning at the Intersection of the centerline of N.E. 13th Street and the centerline of N. Stiles Avenue;

THENCE East along and with the centerline of N.E. 13th Street to the centerline of N. Lincoln Boulevard;

THENCE Southerly along and with the centerline of N. Lincoln Boulevard to the North line of the Northeast Quarter (NE/4) of said Section 34;

THENCE West along and with the North line of the Northeast Quarter (NE/4) of said Section 34 and the North line of the Northwest Quarter (NW/4) of said Section 34 to the centerline of N. Geary Avenue;

THENCE South along and with the centerline of N. Geary Avenue to the centerline of platted N.E. 9th Street;

THENCE East along and with the centerline of platted N.E. 9th Street to the centerline of N.

Lincoln Boulevard;

THENCE South along and with the centerline of N. Lincoln Boulevard to the centerline of N.E. 8th Street;

THENCE Southwesterly along and with the centerline of N.E. 8th Street to the Easterly right-of-way line of the Easterly portion of platted Stiles Circle;

THENCE Northwesterly along and with the Easterly right-of-way line of the Easterly portion of platted Stiles Circle to the East right-of-way line of Stiles Avenue;

THENCE North along the East right-of-way line of N. Stiles Avenue to the centerline of N.E. 9th Street;

THENCE West along and with the centerline of N.E. 9th Street to the centerline of N. Stiles Avenue;

THENCE North along the centerline of N. Stiles Avenue to the centerline of N.E. 10th Street;

THENCE West along the centerline of N.E. 10th Street to the centerline of platted Central Avenue;

THENCE North along and with the centerline of platted Central Avenue to the centerline of N.E. 11th Street;

THENCE East along and with the centerline of N.E. 11th Street to the centerline of N. Stiles Avenue;

THENCE North along and with the centerline of N. Stiles Avenue to the POINT OF BEGINNING.

AND

A tract of land being a part of Sections 27, 28, and 34, Township 12 North, Range 3 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

Beginning at the intersection of the centerline of N.W. 16th Street and the centerline of N. Broadway Avenue, said point being the POINT OF BEGINNING;

THENCE East along and with the centerline of N.W. 16th Street to the centerline of Interstate 235;

THENCE Southeasterly along and with the centerline of Interstate 235 to the extended centerline of N.E. 14th Street;

THENCE East along and with the centerline of N.E. 14th Street extended to the centerline of N. Walnut Avenue;

THENCE South along and with the centerline of N. Walnut Avenue to the extended centerline of the East/West Alley in Block 2 as shown on the plat CLASSEN'S NORTH HIGHLAND PARKED ADDITION;

THENCE East along and with the centerline of the East/West Alley in Block 2 as shown on the plat CLASSEN'S NORTH HIGHLAND PARKED ADDITION and the centerline of the East/West Alley in Block 3 as shown on the AMENDED PLAT BLOCKS 3&4 CLASSEN'S NORTH HIGHLAND PARKED ADDITION and the centerline of the East/West Alley in Block 7 as shown on the plat HOWE'S CAPITOL ADDITION to the centerline of N. Lindsey Avenue;

THENCE South along and with the centerline of N. Lindsey Avenue to the centerline of N.E. 13th Street;

THENCE West along and with the centerline of N.E. 13th Street to the centerline of Interstate 235;

THENCE Southeasterly along and with the centerline of Interstate 235 to the North right-of-way line of the railroad branch line running East/West along the South line of the plat PHILLIPS & MEAD EAST SIDE ADDITION;

THENCE Easterly along and with the North right-of-way of the railroad branch line running East/West along the South line of the plat PHILLIPS & MEAD EAST SIDE ADDITION to the Northwestern right-of-way line of the Union Pacific railroad running Northeast/Southwest;

THENCE Southwesterly along and with the Northwestern right-of-way line of the Union Pacific railroad running Northeast/Southwest to a corner on the East line of a tract of land described in Book 15218, Page 1445 (Hotel Tract A);

THENCE Northwesterly along and with the East and North line of said Hotel Tract A to East right-of-way line of N. Lincoln Boulevard;

THENCE Southwesterly, perpendicular to the right-of-way of N. Lincoln Boulevard to the centerline of N. Lincoln Boulevard;

THENCE Southeasterly along and with the centerline of N. Lincoln Boulevard to the extended North line of a tract of land described as Tract 3 in Book 10921, Page 743 (Gas Station Tract);

THENCE West along and with the North line of said Gas Station Tract to the Northwest (NW) Corner of said Gas Station Tract;

THENCE South along and with the West line of said Gas Station Tract to the Northeast (NE) Corner of a tract of land described as Tract 2 in Book 10921, Page 743 (Restaurant Tract);

THENCE West along and with the North line of said Restaurant Tract extended to the centerline of Charlie Christian Avenue (also known as Byers Avenue);

THENCE North along and with the centerline of Charlie Christian Avenue (also known as Byers

Avenue) to the extended South line of a tract of land recorded in Book 12474, Page 680 (Hotel Tract B);

THENCE East along and with the South line of said Hotel Tract B and the South line of a tract of land recorded in Book 12324, page 1864 (Parking Lot Tract) to the West right-of-way line of N. Lincoln Boulevard;

THENCE Northeasterly perpendicular to the right-of-way of N. Lincoln Boulevard to the centerline of N. Lincoln Boulevard;

THENCE Northwesterly along and with the centerline of N. Lincoln Boulevard to the centerline of E. Sheridan Avenue;

THENCE West along and with the centerline of E. Sheridan Avenue to the extended East line of a tract of land recorded in Book 12097, Page 1406 (Steelyard Tract);

THENCE North along and with the East line of said Steelyard Tract extended to the centerline of Main Street as shown on the plat THE HILL AT BRICKTOWN;

THENCE West along and with the centerline of Main Street to the centerline of N.E. 1st Street;

THENCE Northwesterly along and with the centerline of N.E. 1st Street to the centerline of N. Ellison Avenue;

THENCE Northeasterly along and with the centerline of N. Ellison Avenue to the extended South line of Common Area "G" as shown on the plat THE HILL AT BRICKTOWN;

THENCE Northwesterly along and with the South line of said Common Area "G" to a corner on the north line of Lot 6 Block 5 located 14.37 feet East of the Northwest (NW) Corner of said Lot 6 as shown on the plat THE HILL AT BRICKTOWN SECTION 3;

THENCE Northeast to the Southwest (SW) Corner of Lot 8 Block 6 as shown on the plat THE HILL AT BRICKTOWN SECTION 3;

THENCE Northeast along and with the West line of said Lot 8 Block 6 to the Northwest (NW) Corner of said Lot 8 Block 6;

THENCE North to the Southwest (SW) Corner of Lot 8 Block 9 as shown on the plat THE HILL AT BRICKTOWN SECTION 3;

THENCE Northeast along and with the West line of said Lot 8 Block 9 to the Northwest (NW) Corner of said Lot 8 Block 9;

THENCE West along and with the North line of Lot 7 Block 9 as shown on the plat THE HILL AT BRICKTOWN SECTION 3 to the extended West line of Lot 1 Block 10 as shown on the plat THE HILL AT BRICKTOWN SECTION 3;

THENCE North along and with the West line of said Lot 1 Block 10 extended to the centerline of N.E. 2nd Street;

THENCE West along and with the centerline of N.E. 2nd Street to the centerline of Russel M. Perry Avenue;

THENCE North along and with the centerline of Russell M. Perry Avenue to the centerline of N.W. 4th Street;

THENCE West along and with the centerline of N.W. 4th Street to the extended East line of a tract of Land recorded in Book 10690, Page 1165 (Block 42 Condos);

THENCE North, West and South along the boundary of said Block 42 Condos to the centerline of N.W. 4th Street;

THENCE West along and with the centerline of N.W. 4th Street to the East right-of-way line of the Railroad;

THENCE North along and with the East right-of-way line of the Railroad to the centerline of N.E. 6th Street;

THENCE East along and with the centerline of N.E. 6th Street to the extended East line of a tract of land recorded in Book 13587, Page 753 (Metropolitan Apartments);

THENCE North along and with the East line of said Metropolitan Apartments to the Northeast (NE) Corner of said Metropolitan Apartments;

THENCE West along and with the North line of said Metropolitan Apartments extended to the centerline of N. Oklahoma Avenue;

THENCE North along and with the centerline of N. Oklahoma Avenue to the centerline of N.E. 10th Street;

THENCE West along and with the centerline of N.E. 10th Street to the East right-of-way line of the railroad;

THENCE North along and with the East right-of-way line of the railroad to the centerline of Park Place;

THENCE East along and with the centerline of Park Place to the centerline of N. Oklahoma Avenue;

THENCE North along and with the centerline of N. Oklahoma Avenue to the centerline of N.E. 13th Street;

THENCE West along and with the centerline of the N.E. 13th Street and N.W. 13th Street to the centerline of N. Robinson Avenue;

THENCE North along and with the centerline of N. Robinson Avenue to the centerline of N.W. 14th Street;

THENCE East along and with the centerline of N.W. 14th Street to the centerline of N. Broadway Avenue;

THENCE North along and with the centerline of N. Broadway Avenue to the POINT OF BEGINNING.

LESS & EXCEPT

Flatiron Tract (Book 12641, Page 828)

A tract of land being a part of the Northwest Quarter (NW/4) of Section Thirty-four (34), Township Twelve (12) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, and being a portion of Lot Five (5) as shown on the plat RYAN'S SUBDIVISION recorded in Book 10 of plats, Page 94 and a portion of Harrison Avenue (vacated by Ordinance No. 23,276, as modified by Ordinance No. 23,377 recorded in Book 10595, Page 809) as shown on the amended plat of MAYWOOD ADDITION TO OKLAHOMA CITY, Oklahoma County, Oklahoma recorded in Book 1 of plats, Page 20, being more particularly described as follows:

Beginning at the West corner of said Lot Five (5), said point being the POINT OF BEGINNING;

THENCE North 50°28'03" East, along and with the Northerly line of said Lot Five (5), a distance of 9.16 feet;

THENCE North 39°31'57" West, departing said Northerly line, a distance of 1.50 feet;

THENCE North 50°28'03" East, parallel with the Northerly line of said Lot Five (5), a distance of 121.24 feet;

THENCE South 39°31'57" East, a distance of 1.50 feet to a point on the Northerly line of said Lot Five (5);

THENCE North 50°28'03" East, along and with the Northerly line of said Lot Five (5), a distance of 1.11 feet;

THENCE South 41°24'46" East, departing said Northerly line, a distance of 46.54 feet;

THENCE South 02°28'48" West, a distance of 48.46 feet to a point on the South line of said Lot Five (5);

THENCE South 89°49'40" West, along and with the South line of said Lot Five (5), a distance of 130.12 feet to the POINT OF BEGINNING.

AND

A tract of land being a part of the Southwest Quarter (SW/4) of Section 34, Township 12 North, Range 3 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

Beginning at the intersection of the centerline of N.E. 3rd Street and the centerline of N. Central Avenue, said point being the POINT OF BEGINNING;

THENCE East along and with the centerline of N.E. 3rd Street to the extended East line of Lot 13 Block 10 as shown on the plat MILITARY ADDITION;

THENCE South along and with the East line of said Lot 13 extended to the centerline of the East/West Alley in said Block 10;

THENCE West, along and with the centerline of said East/West Alley to the centerline of N. Central Avenue;

THENCE North along and with the centerline of N. Central Avenue to the POINT OF BEGINNING.

AND

A tract of land being a part of the Southwest Quarter (SW/4) of Section 34, Township 12 North, Range 3 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

Beginning at the intersection of the centerline of N.E. 3rd Street and the centerline of N. Walnut Avenue, said point being the POINT OF BEGINNING;

THENCE East along and with the centerline of N.E. 3rd Street to the extended East line of Lot 4 Block 9 as shown on the plat MILITARY ADDITION;

THENCE South along and with the East line of said Lot 4 extended to the centerline of the East/West Alley in said Block 9;

THENCE West along and with the centerline of said East/West Alley to the centerline of N. Walnut Avenue;

THENCE North along and with the centerline of N. Walnut Avenue to the POINT OF BEGINNING.

AND

A tract of land being a part of the Southeast Quarter (SE/4) of Section 33, Township 12 North, Range 3 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

Beginning at the Intersection of the centerline of N.W. 4th Street and the centerline of E.K. Gaylord Boulevard;

THENCE East along and with the centerline of N.W. 4th Street to the West right-of-way line of the Railroad;

THENCE South along and with the West right-of-way line of the Railroad to the centerline of the East/West Alley in Block 9 as shown on the recorded plat OKLAHOMA CITY ORIGINAL;

THENCE West along and with the centerline of said East/West Alley to the centerline of E.K. Gaylord Boulevard;

THENCE Northwesterly along and with the centerline of E.K. Gaylord Boulevard to the POINT OF BEGINNING.

SECTION 11. The City Council hereby finds:

A. Findings Regarding Eligibility of the Project Area and Increment Districts.

1. The Project Area and all Increment Districts in the Amended Project Plan comply with the statutory definition of “enterprise zone” by virtue of being wholly within a state-designated enterprise zone.
2. The level of investment, development, and economic growth desired by the City is difficult, but possible, within the Project Area and the Increment Districts if the provisions of the Local Development Act are utilized and the proposed First Amendment is adopted.
3. Tax increment financing is a necessary component in achieving the objectives of the Amended Project Plan.
4. Tax increment financing will be used to supplement and not supplant or replace normal public functions and services.
5. Tax increment financing will be used in conjunction with existing programs and efforts of the City, as well as other locally implemented economic development efforts, in order to foster and support partnerships to achieve the objectives of the Amended Project Plan.
6. The boundaries of the proposed Increment Districts and existing Increment Districts do not dissect any similar area nor create an unfair competitive advantage.

7. Maximum effort has been made to allow full public knowledge and participation in the application of the Local Development Act in the review and approval of the First Amendment.
8. Where possible, the First Amendment emphasizes rehabilitation, conservation, and preservation.
9. The proposed activities within the Increment Districts and the Project Area are likely to enhance the value of other real property in the area and to promote the general public interest;
10. The aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to Section 862 of the Local Development Act, does not exceed 25% of the total net assessed value of taxable property within the City;
11. The aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to Section 862 of the Local Development Act, does not exceed 25% of the total assessed net value of any affected school districts located within the City; and
12. The land area of all increment districts within the City does not exceed 25% of the total land area of the City.

B. Findings Regarding the Financial Impact on the Affected Taxing Jurisdictions within the Project Area and the Existing and Proposed Increment Districts.

1. The activities authorized under the Amended Project Plan will generate tax increments and related revenues sufficient to pay a substantial portion of the authorized Project Costs in the Amended Project Plan; without the Amended Project Plan and the existing and proposed Increment Districts, the activities described in the Amended Project Plan and the resulting increases in tax revenues would not occur.
2. Achievement of the objectives of the Amended Project Plan will not result in a measurable increase in demand for services by or in costs to the affected taxing jurisdictions, and any such costs incurred will be offset by the stimulation of new tax revenues outside of the Increment Districts.
3. Implementation of the Amended Project Plan may require public expenditures, but these public sector costs will be substantially defrayed from apportioned tax increments as provided in the Amended Project Plan.

4. The public revenue anticipated to result from the activities authorized by the Amended Project Plan includes increased tax revenue both inside and outside the Increment Districts.
5. The economic benefits of the Amended Project Plan for the affected taxing jurisdictions and the community as a whole offset the adverse financial impacts, if any, of the Amended Project Plan on the affected taxing jurisdictions.
6. The aggregate impacts on the affected taxing jurisdictions from implementation of the Amended Project Plan are positive and include the achievement of the objectives set forth in the Amended Project Plan.
7. The aggregate impacts on business activities from implementation of the Amended Project Plan are positive and include the achievement of the objectives set forth in the Amended Project Plan and support the estimated job and economic growth described in the Financial Impact Analysis.
8. The activities authorized under the Amended Project Plan will stimulate substantial new investment within the Increment Districts and will generate additional indirect economic benefits outside of the Increment Districts, which would not occur without the project activities.

SECTION 12. The Oklahoma City Redevelopment Authority, a public trust, and the Oklahoma City Urban Renewal Authority, a public body corporate, established pursuant to the Oklahoma Urban Renewal Act, 11 O.S. §§38-101, *et seq.*, are designated and authorized as public entities to carry out and administer the provisions of the Amended Project Plan, in accordance with their respective responsibilities, and to exercise all power necessary or appropriate thereto as provided in 62 O.S. §854 except those powers enumerated in paragraphs 1, 3, 4, 7, 13, and 16 thereof. As a public entity designated by The City of Oklahoma City, the Oklahoma City Redevelopment Authority, a public trust, is authorized to: (1) enter into implementation agreements; (2) determine if acquisitions by tax-exempt entities are acquisitions in support of this Project Plan (pursuant to 62 O.S. §861(G)); (3) issue tax apportionment bonds or notes, or both; (4) incur Project Costs pursuant to the Amended Project Plan; (5) provide funds to or reimburse the Oklahoma City Urban Renewal Authority, a public body corporate, for the acquisition of property for redevelopment in the Project Area, payment of Project Costs and other costs incurred in support of the implementation of the Amended Project Plan; (6) advance, guaranty, loan and repay funding for Project Costs by and between Increment Districts No. 7, No. 11, and No. 17, and Increment Districts No. “M”, No. “N”, and No. “P”, when activated by the City Council; (7) pledge increments, other revenues, and assets to repay bonds or notes; and (8) incur the cost of issuance of bonds or notes for payment of such costs and to accumulate appropriate reserves, if any, in connection with them.

SECTION 13. J. Larry Nichols, Chairman of the Oklahoma City Urban Renewal Authority, a public body corporate, or his successor in office, or, if authorized by the Chairman, then James R. Tolbert III, Vice-Chairman, or his successor in office, shall be the person in charge of implementation of the Amended Project Plan in accordance with the provisions, authorizations,

and respective delegations of responsibilities contained therein. The Chairman (or Vice-Chairman, as the case may be, or their respective successors in office), is authorized to empower one or more designees to exercise responsibilities in connection with project implementation.

SECTION 14. The direction of apportionment of increments for Increment Districts No. 7 and 11, City of Oklahoma City, as described, clarified, and/or confirmed in Ordinance No. 23,059 and Ordinance No. 25,531 shall continue as described therein.

SECTION 15. The respective expiration dates of Increment District No. 7 and Increment District No. 11, shall be for a period not to exceed 25 fiscal years from their respective effective dates, calculated as prescribed by law and clarified and/or confirmed in Ordinance No. 23,059 for Increment District No. 7, and Ordinance No. 25,531 for Increment District No. 11.

SECTION 16. The increment of sales taxes from Increment District No. 17, as determined by the formula approved by resolution of the City Council, shall be apportioned to pay Project Costs for a period not to exceed twenty-five (25) fiscal years or the period required for the payment of authorized Project Costs, and/or indebtedness incurred by the Oklahoma City Redevelopment Authority and the Oklahoma City Urban Renewal Authority in carrying out the provisions of the Amended Project Plan.

SECTION 17. During the period of apportionment, the apportionment fund (a) shall be available to pay Project Costs under the Amended Project Plan, (b) shall constitute funds of the Oklahoma City Redevelopment Authority, and (c) shall not constitute a part of the general fund to be appropriated annually by the governing body of the City.

SECTION 18. Pursuant to Section 6C of Article X of the Constitution of the State of Oklahoma and the Local Development Act, the direction of apportionment shall continue beyond the current fiscal year for the duration of each Increment District or the period required for the payment of Project Costs authorized by the Amended Project Plan, whichever is less.

SECTION 19. All other provisions of the Amended Project Plan not specifically amended by this Ordinance are hereby preserved and remain in full force and effect.

SECTION 20. 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 21. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, safety, and public good of The City of Oklahoma City, and the inhabitants thereof, that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist, by reason whereof this Ordinance shall take effect and be in full force from and after the date of its passage, as provided by law.

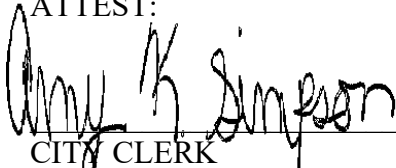
INTRODUCED and CONSIDERED in open meeting of the Council of The City of Oklahoma City on the 25TH day of APRIL, 2023.

PASSED by the Council of The City of Oklahoma City this 23RD day of MAY, 2023.

ADOPTED as an emergency measure on the 23RD day of MAY, 2023.

SIGNED by the Mayor of The City of Oklahoma City on the 23RD day of MAY, 2023.

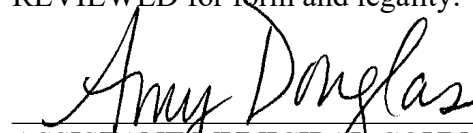
ATTEST:


CITY CLERK




VICE-MAYOR

REVIEWED for form and legality.


ASSISTANT MUNICIPAL COUNSELOR