

The City of Norman
P.O. Box 370
201 West Gray
Norman, OK 73070

FILED IN THE OFFICE
OF THE CITY CLERK
ON 6-19-14 *BH*

PETITION IN FAVOR OF A BUSINESS IMPROVEMENT DISTRICT

TO THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORMAN, OKLAHOMA

THE COSTS OF THE SERVICES PROVIDED PURSUANT TO THE CREATION OF THE PROPOSED BUSINESS IMPROVEMENT DISTRICT SHALL BE ASSESSED AGAINST PROPERTY LOCATED WITHIN THE BOUNDARIES OF INCREMENT DISTRICT NO. 2, CITY OF NORMAN, WHICH PROPERTY SHALL RECEIVE THE BENEFIT OF SUCH SERVICES.

The undersigned respectfully petitions the City of Norman ("City") to create a business improvement district ("BID") pursuant to the Oklahoma Improvement District Act, Title 11, Oklahoma Statutes, Section 39-101, *et seq.* ("Act").

1. The undersigned sets forth this Petition, pursuant to the Act, specifically Section 39-103.1, which provides for the creation and establishment of a BID for the purpose of providing assurance for the long-term maintenance of Legacy Park, including park trails and greenways through the University North Park Project Area. The BID may also be used, to the extent feasible, for the purpose of providing for enhanced landscaping in the Project Area, furthering development of a master lighting plan, furthering the development of a master landscaping plan, and/or designing and constructing a decorative entrance from Robinson Street into the University North Park Project Area. The undersigned respectfully requests that the Norman City Council consider, approve, and adopt the proposed BID, assessment plat, and appropriate the corresponding assessments.
2. The costs to be assessed against the affected properties for the maintenance enhancement, and further development of Legacy Park, Legacy Trail, Project Area entrances and other development enhancing components pursuant to the terms of the proposed BID are estimated to be \$200,000 per fiscal year.

3. The boundaries of the proposed BID shall be the boundaries of and embrace an area of Increment District No. 2, City of Norman ("TIF 2") from Robinson Street on the south to Interstate 35 on the west to Tecumseh Road on the north to Max Westheimer airport property on the east as depicted on Exhibit A and described more particularly on Exhibit B. The affected properties located within the proposed BID shall be assessed as follows:
 - a. Beginning on the commencement date of the BID, the total annual assessment levied to benefit property within TIF 2 shall be \$200,000. Individual assessments shall be levied annually on all parcels of real property located within TIF 2 as they become developed, except the public park and trails areas of Legacy Park and Legacy Trail ("Developed Tract"). A Developed Tract is an improved parcel that is subject to ad valorem assessment due to the completion, sale, occupancy and/or use of the building or buildings constructed thereon as provided by Title 68 Oklahoma Statutes, Section 2817(J). For the first eight (8) years from commencement of the BID, the amount of BID assessments attributed to each parcel shall be entirely or partially offset proportionately by annual BID contributions as set forth in Paragraph 7 herein from the Norman Tax Increment Finance Authority ("Authority").
4. The proposed commencement date of the BID is September 1, 2014.
5. The proposed BID will be administered by the Authority. The Authority will establish an advisory board to assist in administering all aspects of the BID except for certain duties the City is required to perform pursuant to the provisions of the Act. Members of the advisory board shall include the following nine (9) members:
 - a. Two (2) representatives from the Hospitality Industry appointed by the General Manager of Embassy Suites. Such representatives shall have a business location within the BID District;
 - b. Two (2) representatives from the Retail Industry appointed by University Town Center or the entity that owns the largest percentage of property within the BID District being utilized for retail activity. Such representatives shall have retail business or own property leased or utilized for retail activity within the BID District;
 - c. One (1) representative appointed by UNP LLC. If UNP no longer owns property within the BID District, then the entity that owns the largest percentage of property within the BID District being utilized for non-retail commercial or residential purposes shall appoint said representative;

- d. Four (4) representatives first nominated by the Mayor of the City of Norman and then confirmed by a majority of the Council.
6. The proposed annual assessments shall be determined in accordance with the following definitions and allocation formulas:
 - a. Definitions:

ANNUAL ASSESSMENT RATIO shall be annually applied to all Developed Tracts in the BID according to this paragraph 6.

ANNUAL ASSESSMENT PER DEVELOPED TRACT for each property in the BID shall be the Annual Assessment Ratio multiplied by the assessed value of such real property as defined herein and as determined annually by the county assessor. Assessed values of such real property used to determine annual assessments shall not include the value of equipment, inventory, or other personal property.

ANNUAL BUDGET outlining maintenance plan and other plan of work or activity shall be estimated each year and recommended by the Advisory Board at least sixty (60) days prior to the commencement of the fiscal year beginning July 1.

BID TAXABLE ASSESSED VALUE shall mean the following:

- i. For Commercial properties, or properties on which uses currently permitted as a matter of right in the C-2 zoning district of the City of Norman are occurring, Assessed Value shall mean the taxable value as determined by the Cleveland County Assessor on an annual basis.

- ii. For Residential properties, or properties on which uses currently permitted as a matter of right in the RM-6 zoning district of the City of Norman are occurring, Assessed Value shall mean the land value plus seventy percent (70%) of the difference between the taxable value and land value as determined by the Cleveland County Assessor on an annual basis.

- iii. For Office properties, or properties on which uses currently permitted as a matter of right in the O-1 and C-O zoning districts of the City of Norman are occurring, Assessed Value shall mean the land value plus fifty percent (50%) of the difference between the taxable value and land value as determined by the Cleveland County Assessor on an annual basis.

- iv. For Industrial properties, or properties on which uses currently permitted as a matter of right in the I-1 and M-1 zoning districts of the City of Norman are occurring, Assessed Value shall mean the land value as determined by the Cleveland County Assessor on an annual basis.

b. Allocation Formulas

Annual Assessment Ratio =
(BID Contribution) divided by
(BID Taxable Assessed Value of Developed Tracts within the BID)

Annual Assessment Per Developed Tract =
(BID Taxable Assessed Value of Developed Tract) multiplied by
(Annual Assessment Ratio)

c. BID CONTRIBUTION shall be due as follows:

FY 1 (JULY 1, 2014 – JUNE 30, 2015)	\$ 0
FY 2 (JULY 1, 2015 – JUNE 30, 2016)	\$ 25,000
FY 3 (JULY 1, 2016 – JUNE 30, 2017)	\$ 50,000
FY 4 (JULY 1, 2017 – JUNE 30, 2018)	\$ 75,000
FY 5 (JULY 1, 2018 – JUNE 30, 2019)	\$100,000
FY 6 (JULY 1, 2019 – JUNE 30, 2020).....	\$125,000
FY 7 (JULY 1, 2020 – JUNE 30, 2021).....	\$150,000
FY 8 (JULY 1, 2021 – JUNE 30, 2022)	\$175,000
FY 9 (JULY 1, 2022 – JUNE 30, 2023).....	\$200,000
FY 10 (JULY 1, 2023 – JUNE 30, 2024).....	\$200,000

- d. Any budgeted reserve from the annual assessments shall be placed in a contingency fund and used to further the purposes of the BID, as needed. Any estimated annual excess shall be carried forward and may be used for maintenance, enhancement, or future development of Legacy Park, Legacy Trail, entrances into the Project Area or other purposes recommended by the Advisory Committee and approved by the NTIFA. The Annual Assessment Ratio will be effective on July 1st of each year. The ratio shall be calculated using the assessed value of the Developed Tracts on record in the Cleveland County Assessor's office as of the prior January 1.
7. There is no proposed apportionment of costs for accomplishing BID purposes between the BID and the City of Norman. However, there is a proposed allocation of UNP TIF Incremental Revenues during the initial eight (8) year period to entirely or partially offset the annual amount of the BID Contribution assessed against each parcel owner. The Incremental Revenues are provided to assist in: the creation of the BID; the payment of maintenance costs; the enhancement, and future development of Legacy Park, Legacy Trail, entrances into the Project Area; or other purposes as recommended by the Advisory Committee and approved by the NTIFA. The proposed offsets from increment revenues are:

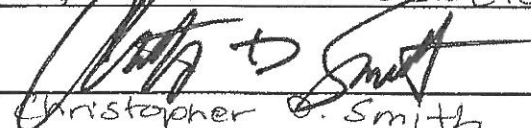
FY 1 (JULY 1, 2014 – JUNE 30, 2015)	\$200,000
FY 2 (JULY 1, 2015 – JUNE 30, 2016)	\$175,000
FY 3 (JULY 1, 2016 – JUNE 30, 2017)	\$150,000
FY 4 (JULY 1, 2017 – JUNE 30, 2018)	\$125,000
FY 5 (JULY 1, 2018 – JUNE 30, 2019)	\$100,000
FY 6 (JULY 1, 2019 – JUNE 30, 2020).....	\$ 75,000
FY 7 (JULY 1, 2020 – JUNE 30, 2021).....	\$ 50,000
FY 8 (JULY 1, 2021 – JUNE 30, 2022)	\$ 25,000
FY 9 (JULY 1, 2022 – JUNE 30, 2023).....	\$ - 0 -
FY 10 (JULY 1, 2023 – JUNE 30, 2024).....	\$ - 0 -

8. The names of property owners and the respective parcel number(s) are provided on Exhibit C attached and incorporated to this Petition.

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THE UNDERSIGNED CERTIFIES, at the time of the signing of this petition, that the undersigned is the owner of the property within the jurisdictional boundaries of the City and owner of property located within the boundaries of the proposed BID, and as such satisfies the requirements of the Act to petition the City to create a Business Improvement District as set forth herein.

Owner(s): JQH Norman Development, LLC

Signature: 
Christopher E. Smith

Title: Sec/Treas

Parcel No(s): NCT2 UNPS2 1 1 001

NCT2 UNPS2 1 2 001

THE UNDERSIGNED CERTIFIES, at the time of the signing of this petition, that the undersigned is the owner of the property within the jurisdictional boundaries of the City and owner of property located within the boundaries of the proposed BID, and as such satisfies the requirements of the Act to petition the City to create a Business Improvement District as set forth herein.

Owner(s): Norman Economic Development Coalition
Signature: [Handwritten Signature]
Title: Executive Director
Parcel No(s): NCT 293W13021, NCT 293W13022
NCT 293W14033, NCT 293W1480³⁵

THE UNDERSIGNED CERTIFIES, at the time of the signing of this petition, that the undersigned is the owner of the property within the jurisdictional boundaries of the City and owner of property located within the boundaries of the proposed BID, and as such satisfies the requirements of the Act to petition the City to create a Business Improvement District as set forth herein.

Owner(s): Valliance Bank

Signature: MW R Chouse

Title: President - Normal Office

Parcel No(s): NCT2 UNP55 21 001

THE UNDERSIGNED CERTIFIES, at the time of the signing of this petition, that the undersigned is the owner of the property within the jurisdictional boundaries of the City and owner of property located within the boundaries of the proposed BID, and as such satisfies the requirements of the Act to petition the City to create a Business Improvement District as set forth herein.

Owner(s): UTC I, LLC

Signature: Robert I. Corbett

Title: Manager

Parcel No(s):

NCT2 UNPR9 1 3 001

NCT2 UNPS1 C 001

THE UNDERSIGNED CERTIFIES, at the time of the signing of this petition, that the undersigned is the owner of the property within the jurisdictional boundaries of the City and owner of property located within the boundaries of the proposed BID, and as such satisfies the requirements of the Act to petition the City to create a Business Improvement District as set forth herein.

Owner(s): University North Park, LLC

Signature: _____



Title: Manager

Parcel No(s):

NCT2 9 3W 13 023

NCT2 9 3W 14 034

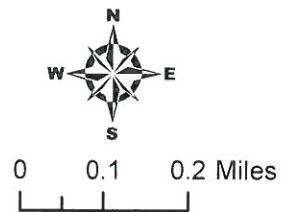
NCT2 9 3W 23 022

EXHIBIT A
Map of Proposed BID Boundaries



University North Park Business Improvement District

May 13, 2014



Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

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EXHIBIT B

Legal Description of Proposed Boundaries

A tract of land lying in the West Half of Section 13, the East Half of Section 14, the East Half of Section 23, and the West Half of Section 24, all in Township 9 North, Range 3 West of the Indian Meridian, Norman, Cleveland County, Oklahoma, and being more particularly described as follows:

Commencing at the Northwest corner of said Section 13, said point also being the Northeast corner of said Section 14;
Thence S00°16'07"E, along the common line between said Sections 13 and 14, a distance of 85.00 feet to a point on the southerly right-of-way line of Tecumseh Road as established by that certain Highway Easement recorded in Book 2475, Page 439, said point also being the Point of Beginning of the herein described parcel;

Thence easterly along said right-of-way S89°49'14"E a distance of 33.00 feet;
Thence N44°57'58"E a distance of 35.22 feet;
Thence S89°49'14"E a distance of 189.54 feet;
Thence S83°18'03"E a distance of 58.87 feet;
Thence S09°09'51"E a distance of 99.71 feet;
Thence S00°38'00"E a distance of 7,763.68 feet to a point on the north line of the Southwest Quarter of Section 24, Township 9 North, Range 3 West of the Indian Meridian;
Thence S89°53'39"W a distance of 355.53 feet to the northeast corner of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, Norman, Cleveland County, Oklahoma;
Thence S00°35'48"E, along the East line of said Southeast Quarter, a distance of 555.00 feet;
Thence S35°55'40"W a distance of 2,440.50 feet;
Thence S44°27'30"W a distance of 100.65 feet to a point on the northerly right-of-way line of Robinson Street as established by that certain Grant of Easement recorded in Book 2756, Page 244;
Thence westerly and northwesterly with the northerly right-of-way line for Robinson Street and the entrance/exit ramp for Interstate 35 (I-35) as established by those certain documents entitled Grant of Easement recorded in Book 2756, Page 244, Highway

Easement recorded in Book 1899, Page 141, and Public Highway Dedication Deed recorded in Book 243, Page 110,
Thence N85°39'45"W a distance of 25.84 feet;
Thence S89°24'39"W a distance of 159.87 feet;
Thence N04°17'48"W a distance of 62.23 feet to a point on a non-tangent curve;
Thence Northwesterly on a curve to the left having a radius of 205.00 feet (said curve subtended by a chord which bears N43°31'58"W a chord distance of 280.53 feet) an arc distance of 308.95 feet;
Thence N86°42'26"W a distance of 296.38 feet;
Thence N88°25'36"W a distance of 111.36 feet to a point on a non-tangent curve;
Thence Northerly on a curve to the right having a radius of 335.00 feet (said curve subtended by a chord which bears N46°08'59"W a chord distance of 287.36 feet) an arc distance of 296.99 feet to a point on the easterly right-of-way line for Interstate Highway 35 (I-35) as established by that certain Public Highway Dedication Deed recorded in Book 243, Page 110;
Thence N00°21'28"W, along said easterly right-of-way line as established by said Public Highway Dedication Deed and the Dedication Deed Public Highway recorded in Book 242, Page 188, a distance of 8,696.40 feet;
Thence N89°16'02"E, along the southerly line of the premises described in that certain Cleveland County District Court Case, Case No. CJ-99-1510BH, recorded in Book RB 3111, Page 680, and said line extended a distance of 1,262.33 feet to the southeast corner of said premises, said point being 1,319.56 feet south of the north line of said Northeast Quarter;
Thence N00°06'18"W, along the easterly line of said premises, a distance of 8.20 feet to a point, said point being 1,311.36 feet south of the north line of said Northeast Quarter;
Thence N89°15'36"E a distance of 1,240.60 feet to a point on the common section line to said Sections 13 and 14;
Thence N00°16'07"W, along said common section line, a distance of 1,226.50 feet to the Point of Beginning;

AND

A tract of land lying in the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, Norman, Cleveland County, Oklahoma, and being more particularly described as follows:

Commencing at the Northeast corner of Section 14, Township 9 North, Range 3 West of the Indian Meridian, Norman, Cleveland County, Oklahoma;

Thence S00°16'07"E, along the East line of said Section 14, a distance of 85.00 feet to a point on the southerly right-of-way line of Tecumseh Road as established by that certain Highway Easement recorded in Book 2475, Page 439;

Thence easterly along said right-of-way S89°49'14"E a distance of 33.00 feet;

Thence N44°57'58"E a distance of 35.22 feet;

Thence S89°49'14"E a distance of 189.54 feet;

Thence S83°18'03"E a distance of 58.87 feet;

Thence S09°09'51"E a distance of 99.71 feet;

Thence S00°38'00"E a distance of 7,763.68 feet to a point on the north line of the Southwest Quarter of Section 24, Township 9 North, Range 3 West of the Indian Meridian;

Thence S89°53'39"W a distance of 355.53 feet to the northeast corner of the Southeast Quarter of Section 23, Township 9 North, Range 3 West of the Indian Meridian, Norman, Cleveland County, Oklahoma;

Thence S00°35'48"E, along the East line of said Southeast Quarter, a distance of 555.00 feet to the Point of Beginning of the herein described parcel;

Thence S00°35'48"E, along said East line, a distance of 2,039.33 feet to a point on the northerly right-of-way line for Robinson Street as established by that certain Highway Easement recorded in Book 1901, Page 324, said point being 50.00 feet N00°35'48"W of the Southeast corner of said Southeast Quarter of Section 23;

Thence S89°24'39"W, along said right-of-way line, said line being 50 feet north of and parallel with the south line of said Section 23, a distance of 1,444.47 feet to a point, said point being on the northerly right-of-way line of Robinson Street as established by that certain Grant of Easement recorded in Book 2756, Page 244;

Thence N85°39'45"W, along said right-of-way line, a distance of 79.56 feet;

Thence N44°27'30"E a distance of 100.65 feet;

Thence N35°55'40"E a distance of 2,440.50 feet to the Point of Beginning, said tract containing 585.6681 acres, more or less.

EXHIBIT C

Property Ownership

PARCEL NUMBER	PROPERTY OWNER
NCT2 UNPS1 1 5 001	Target Corp
NCT2 UNPS8 1 1 001	CBH Investments LLC
NCT2 UNPS1 1 7 001	Halle Properties LLC
NCT2 UNRR3 1 1 001	Inland Diversified Norman III LLC
NCT2 UNRR3 1 2 001	Inland Diversified Norman III LLC
NCT2 UNRR3 2 2 001	Inland Diversified Norman III LLC
NCT2 UNPS6 1 2A 001	Inland Diversified Norman III LLC
NCT2 UNPS1 1 6 001	Inland Diversified Norman Univ LLC
NCT2 UNPR1 2 1 001	Inland Diversified Norman Univ LLC
NCT2 UNPS5 1 1 001	Inland Diversified Norman University II
NCT2 UNRR3 2 1 001	Inland Diversified Norman Univ IV
NCT2 UNPS5 1 3 001	International Bank of Commerce
NCT2 UNPS2 1 1 001	JQH-NORMAN DEVELOPMENT LLC
NCT2 UNPS2 1 2 001	JQH-NORMAN DEVELOPMENT, LLC
NCT2 UNPR1 2 2A 001	KBROS LLC
NCT2 UNP52 2 2C 001	LG Norman Campus LLC
NCT2 UNPS1 1 2A 001	MBD LIMITED, CO
NCT2 UNPS1 1 3A 001	MVP INVESTMENTS, LLC
NCT2 UNPR1 2 2B 001	Norman Retail Dst
NCT2 UNPS1 1 1A 001	Sleep Studio Properties LLC
NCT2 UNP52 2 2A 001	UTC AREA SIX LLC
NCT2 UNP52 2 2D 001	UTC AREA SIX LLC
NCT2 UNPS5 2 1 001	Valliance Bank
NCT2 UNPS7 1 1 001	Sooner Hospitality LLC
NCT2 9 3W 23 032	University Town Center LLC
NCT2 UNP10 1 1 001	Sleep Studio Properties LLC
NCT2 UNPR9 1 1 001	University Town Center LLC
NCT2 UNPR9 1 3 001	UTC I, LLC
NCT2 UNPR4 1 1 001	UTC II, LLC
NCT2 UNPR4 1 2 001	UTC II LLC
NCT2 UNPR4 1 3 001	UTC II LLC
NCT2 UNPS5 1 2 001	UTC AREA SIX LLC
NCT2 9 3W 13 021	Norman Economic Dev Coalition Inc
NCT2 UNPS6 1 1A 001	UTC II LLC
NCT2 UNP13 1 1 001	University Hospitality
NCT2 9 3W 13 021	Norman Economic Dev Coalition Inc
NCT2 9 3W 14 033	Norman Economic Dev Coalition Inc
NCT2 9 3W 13 021	Norman Economic Dev Coalition Inc
NCT2 9 3W 14 033	Norman Economic Dev Coalition Inc
NCT2 UNPS6 1 1A 001	University North Park, LLC
NCT2 9 3W 13 021	Norman Economic Dev Coalition Inc
NCT2 9 3W 14 033	Norman Economic Dev Coalition Inc

NCT2 9 3W 13 021	Norman Economic Dev Coalition Inc
NCT2 9 3W 14 033	Norman Economic Dev Coalition Inc
NCT2 UNPS6 1 1A 001	UTC II LLC
NCT2 9 3W 14 033	Norman Economic Dev Coalition Inc
NCT2 9 3W 14 033	Norman Economic Dev Coalition Inc
NCT2 9 3W 14 033	Norman Economic Dev Coalition Inc
NCT2 9 3W 13 021	Norman Economic Dev Coalition Inc
NCT2 UNPS6 1 1A 001	UTC II LLC
NCT2 9 3W 23 022	UNIVERSITY NORTH PARK LLC
NCT2 UNPS1 B 001	INLAND DIVERSIFIED NORMAN UNIVERSITY LLC
NCT2 UNPS1 C 001	UTC I LLC
NCT2 UNPS1 F 001	INLAND DIVERSIFIED NORMAN UNIVERSITY LLC
NCT2 9 3W 24 009	UNIVERSITY TOWN CENTER LLC
NCT2 UNPS6 1 3 001	UTC II LLC
NCT2 UNPS6 1 4 001	UTC II LLC
NCT2 UNPS6 1 5 001	UTC II LLC
NCT2 UNPS6 1 6 001	UTC II LLC
NCT2 UNPS6 1 7 001	UTC II LLC
NCT2 UNPS6 1 8 001	UTC II LLC
NCT2 UNPS6 1 9 001	UTC II LLC
NCT2 UNPS6 1 10 001	UTC II LLC
NCT2 UNRR3 A 001	INLAND DIVERSIFIED NORMAN III LLC
NCT2 9 3W 23 026	UNIVERSITY TOWN CENTER LLC
NCT2 9 3W 13 023	UNIVERSITY NORTH PARK LLC
NCT2 9 3W 14 034	UNIVERSITY NORTH PARK LLC
NCT2 UNPS5 A 001	UTC AREA SIX LLC
NCT2 9 3W 23 034	UNIVERSITY TOWN CENTER LLC
NCT2 UNPS8 A 001	UNIVERSITY TOWN CENTER LLC
NCT2 UNPS8 B 001	UNIVERSITY TOWN CENTER LLC
NCT2 UNPS8 C 001	UNIVERSITY TOWN CENTER LLC
NCT2 UNPS1 A 001	INLAND DIVERSIFIED NORMAN UNIVERSITY LLC