

February 28, 1944

MONDAY FEBRUARY 28, 1944

Pursuant to recess heretofore taken, the Board of County Commissioners reconvened at the hour of 2:00 o'clock P. M., with all members present: J. B. Gray, Chairman, Curtis Greer and Robt. L. Kinkaid, Members. Andy Stokes, County Clerk.

J. B. Gray, Chairman presiding, the following business was transacted.

✓ Motion made by Commissioner Greer, seconded by Commissioner Gray, to adopt and approve the following Resolution and Contract. Upon roll call, all members voting in the affirmative, motion was by the Chairman declared carried.

RESOLUTION AUTHORIZING AND APPROVING
CONTRACT BETWEEN TULSA CO. DRAINAGE
DIST. NO. 12 OF TULSA CO. OKLA. AND
J. M. KURN AND FRANK A. THOMPSON
TRUSTEES, ST. LOUIS-SAN FRANCISCO RY. CO.

On this day, February 28th, 1944, Conn Linn, Atty, for Tulsa Co. Drainage Dist. No. 12, appeared and presented to this Board for consideration and approval, a certain contract and agreement reached on February 25th, 1944, between Tulsa County Drainage Dist. No. 12, as first party, and J. M. Kurn and Frank A. Thompson, Trustees, St. Louis-San Francisco Ry. Co., second party, by the terms and conditions of which first party agreed to contribute \$2450.00 toward the expenses of building and completing a necessary eleven panel railroad bridge across Spring Creed in said Drainage District estimated by U. S. District Engineers to cost approximately \$8600.00; and the Board having read and considered said contract, and being full advised in the premises finds and holds that said contract be and the same is hereby approved, ratified, confirmed and executed by the Chairman for said Board.

Thereupon, it was moved by Comr. Greer and seconded by Comr. Gray that this Resolution be and the same is hereby adopted; and a roll call and vote thereon being had, the Chairman declared said Resolution unanimously adopted.

(Signed) J. B. Gray Chairman
Tulsa Co. Drainage Dist. No. 12

Attest.

(Signed) Andy Stokes
County Clerk

A G R E E M E N T

THIS AGREEMENT made and entered into by and between the Drainage District No. 12 of the County of Tulsa, State of Oklahoma, acting by and through its legally appointed, qualified and acting appraisers thereof, first party, and J. M. Kurn and Frank A. Thompson, Trustees, St. Louis-San Francisco Railway Company, Debtor, second parties, WITNESSETH, THAT;

WHEREAS, in the carrying on of the work contemplated by the formation of said drainage district, and work to be performed by the Engineers of the United States War Department, it is deemed and become necessary to change and straighten the location of Spring Creek within said district, and thereby it will become necessary for the second parties to change the location of an eleven panel bridge now existing and situated crossing Spring Creek, and for the second parties to erect a new bridge across the same of eleven panels at the new location:

AND WHEREAS, the District desires an easement across the right of way of second parties at the point of the new location of Spring Creek, as straightened and laid out;

NOW, THEREFORE, in consideration of mutual covenants, it is hereby agreed:

1.

First Party hereby agrees that as soon as Second Parties completes its new bridge across Spring Creek as relocated and as provided hereinafter First Party shall pay to the Second parties the sum of \$2,450.00 out of the funds levied or provided for damages to various parties in said district caused by the erection of the various levies and other work to be carried on therein, said money to be paid upon verified claim filed