

Comes now the Leavell Coal Company and respectfully represents to this Honorable Board of County Commissioners that it is an Oklahoma Corporation actively engaged in the mining of coal in Tulsa County, Oklahoma, north and west of the Town of Dawson, in said County and State; that it is mining coal by the process known as stripping, which consists in removing the top soil by means of a large steam shovel and thus uncover the coal, which, in the locality of its mines, lies very close to the natural surface of the ground.

That the Leavell Coal Company is the owner of mining leases on either side of the section line between Sections 21 and 22, and between Sections 28 and 27, all in Township 20 North, Range 13 East.

That at the present time your petitioner, the Leavell Coal Company, has a strip-pit running from its tipple in the Southeast Quarter (SE $\frac{1}{4}$) of said Section 28, in a northeasterly direction through the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 27 and the West Half (W $\frac{1}{2}$) of the West Half (W $\frac{1}{2}$) of said Section 22; that in the process of stripping the land for coal as above wet out is in gradually working west with its steam shovel and will soon reach the west line of said Sections 22 and 27; that there is a public roadway between Sections 21 and 22, on the north and Sections 28 and 27 on the South, but no public roadway between Sections 27 and 28;

That in order to effectively remove the coal from under the lands covered by the leases owned by your petitioner it will be necessary for it to cross the section lines between Sections 21 and 28, and between Sections 22 and 27, at a point where said roadways lie between the leases held by your petitioner as above described;

That by crossing said roadways your Petitioner will be able to save and produce a large quantity of coal for the mutual benefit of itself and the owners of said property, and for the great benefit of the public generally, provided, it is able to temporarily suspend traffic over said roadways.

That if your Petitioner can obtain the consent of this Board of County Commissioners to temporarily suspend the traffic over said roadways it will be willing to, and hereby does agree to maintain under the supervision of the County Engineer and of this Honorable Board of Commissioners a suitable roadway for the use of the public;

That your Petitioner has interviewed the various property owners who own property adjacent to the road which your Petitioner is seeking to temporarily block and has obtained the unanimous consent and request of said property owners to allow your petitioner to block said roadway and temporarily suspend traffic thereover; that it be permitted to continue to cross and re-cross the section line between Sections 21 and 22 on the North and Sections 27 and 28 on the south in said Township and Range; that said owners have each signed a written request for the blocking of said roadways according to the prayer of this Petition, which request in writing is hereto attached, marked Exhibit "A", and made a part of this Petition;

WHEREFORE, Your Petitioner respectfully prays that it be permitted to suspend traffic on the section road between said Sections 21 and 22, provided, that it shall furnish a suitable detour and temporary roadway during the time such public road may be blocked; that it be permitted to remove the coal from under said roadway for the benefit of the adjacent property owners; and that this Honorable Board of Commissioners make such regulations and limitations upon the privileges which may be granted hereunder as will protect the rights of the public under the circumstances and conditions above outlined; that it be permitted to continue to cross and re-cross the section line between Sections 21 and 22 on the North and Sections 27 and 28 on the South in said Township and Range.

ATTEST: Benjamin C. Conner,
Its Secretary (CORP SEAL)

LEAVELL COAL COMPANY
By Cyrus S. Avery, Its Vice President.

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

Cyrus S. Avery being first duly sworn, on oath states that the facts stated in the foregoing petition are true as he verily believes.

Cyrus S. Avery.

Subscribed and sworn to before me this 21 day of May, 1923.

(SEAL) Dolly Boatright, Notary Public.

My commission expires:
Dec. 28, 1925.

IN THE MATTER OF THE APPLICATION
OF LEAVELL COAL COMPANY FOR PER-
MISSION TO CROSS PUBLIC HIGHWAYS.

REQUEST OF ADJACENT PROPERTY OWNERS FOR
GRANTING THE PETITION OF THE LEAVELL COAL
COMPANY.

The undersigned, being the owners of property adjacent to the roadways described in the foregoing petition as set forth opposite their respective signatures, hereby respectfully join in the request of said Leavell Coal Company and respectfully request the County Commissioners of said County to grant the prayer of the Petition. In signing this request the parties respectfully represent that they are each the owners of lands abutting upon said roadways, as the same is set opposite their respective signatures.

Rachel E. Brady

Owner of Northwest Quarter (NW $\frac{1}{4}$) of Northwest Quarter of Section 22, South Half (S $\frac{1}{2}$) of Southeast Quarter (SE $\frac{1}{4}$) of Northeast Quarter (NE $\frac{1}{4}$) and Northeast Quarter (NE $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of Northeast Quarter (NE $\frac{1}{4}$) of Section 28, Township 20 North, Range 13 East.

Harry T. Brady.

Owner of North Half (N $\frac{1}{2}$) of North Half (N $\frac{1}{2}$) of Southwest Quarter (SW $\frac{1}{4}$) of Northwest Quarter (NW $\frac{1}{4}$) of Section 22, said township and range.