

December 2, 1946.

Please take notice that the Sunset Gardens Company, the applicant in the above-numbered certificate of erroneous assessment proceeding before the Board of County Commissioners of Tulsa County, Oklahoma, has this day filed with said Board its application for an order nunc pro tunc, as shown by the true copy of said order attached to this notice and made a part hereof, and that said application will be presented and evidence given thereon before said Board in lawful session at its offices in the offices of the County Clerk in the Courthouse of Tulsa County, Oklahoma, on the 2nd day of December, 1946, at 10 o'clock, A.M.

DOERNER, RINEHART & STUART
BY E.J.DOERNER

JACK LANGFORD

Attorneys for Applicant

STATE OF OKLAHOMA)
)
COUNTY OF TULSA) SS.

Received the above notice with application for order nunc pro tunc attached on this 2nd day of December 1946, at 9:00 O'clock, A.M. and served the same upon the following person within named at the time following, to-wit: Honorable Andy Stokes, at 10:10 O'clock A.M. on the 2nd day of December, 1946, by delivering to said person in said county personally a true copy of the within notice with application attached,

E. J. Doerner

Subscribed and sworn to before me this 2nd day of December, 1946.

CAMERON CLINE, COURT CLERK
By Alta Mae Welch
Deputy Court Clerk.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY
STATE OF OKLAHOMA.

IN RE SUNSET GARDENS COMPANY)
- CERTIFICATE OF ERRONEOUS) Certificate No.37,092
ASSESSMENT)

APPLICATION FOR ORDER NUNC PRO TUNC

Comes now the said Sunset Gardens Company, a corporation, and shows this Board of County Commissioners that heretofore, on March 7, 1938, there were filed with it by the owner, Sunset Gardens Company, applications in affidavit form, one for the tax year 1931 and one for the tax year 1932, requesting orders of erroneous assessment, respectively, covering the properties and erroneous assessments thereof as set out in the schedule attached to each of said applications, and that thereafter said applications regularly came on in a single case numbered 37,092 for hearing before this Board of County Commissioners in lawful session on March 22, 1938, and after hearing evidence on said applications the said Board entered its order approving the same, finding the allegations of erroneous assessments as therein shown correct and ordering the assessments corrected as per said order; and that certificate of error was issued under the said order by the County Clerk on April 11, 1938.

That at the time of said hearing before the Board of County Commissioners on March 22, 1938, the applicant, Sunset Gardens Company, presented evidence showing lawful good cause within the meaning of that term as used in Session Laws 1916, Chapter 19, for not having appeared before the County Board of Equalization during the years of original assessment of said respective properties for the purpose of correcting such erroneous assessments, and based upon such evidence this Board of County Commissioners at said time found and held that good cause in accordance with law and said statute had been shown for applicant's not having so appeared before the County Board of Equalization and that this Board of County Commissioners was authorized and had jurisdiction to proceed and enter its order of erroneous assessment with reference to the said properties and taxes for the years 1931 and 1932.

That, however, the files and records of this said Board of County Commissioners are silent with reference to the said showing and finding of good cause and although said showing and finding were in fact made on March 22, 1938, by clerical error and mistake the same were not entered of record in the minutes and order of this Board or otherwise.

WHEREFORE, applicant asks that an order nunc pro tunc be entered herein, correcting said order of March 22, 1938, to show that good cause for its not having appeared before the Board of Equalization was shown by the evidence before this Board and found by it to have been established on said March 22, 1938.

DOERNER, RINEHART & STUART,

BY E. J. DOERNER

JACK LANGFORD
Attorneys for Applicant.