

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)

ORDER NUNC PRO TUNC

The above matter coming on to be heard before the Board of County Commissioners of Tulsa County, Oklahoma, on this 2nd day of December, 1946, in lawful session, all members being present, and there being presented in open hearing the application of the Sunset Gardens Company for an order nunc pro tunc herein correcting the order of erroneous assessment, Certificate No. 37,092, filed in this matter on March 22, 1938, said Board of County Commissioners finds:

That on March 7, 1938, there was 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 schedules attached to each of said applications; that thereafter said applications regularly came on in a single case numbered 37,092 for hearing before the Board of County Commissioners in lawful session on March 22, 1938, and after hearing evidence on said applications said Board entered its order approving the same, finding the allegations of erroneous assessments as shown therein correct, and ordering the assessments corrected as per said applications and order; 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 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 as to 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 to 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; and that said proceedings were in all things regular and said showing was made and found, and said mistake should be corrected.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the order of this Board made and entered herein on March 22, 1938, be and the same is hereby corrected, as of this 2nd day of December, 1946, to show that on said first date the Sunset Gardens Company proved by its evidence presented, and this Board of County Commissioners found, that said company had 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 for the purpose of correcting the said erroneous assessments for the years 1931 and 1932 as in the above said applications and order shown, and that this Board had jurisdiction to proceed and to enter its said order of erroneous assessment.

Signed - J. B. GRAY
Chairman, Board of County Commissioners.

Upon roll call, all members voting in the affirmative, motion was by the chairman declared carried.

Motion made by Commissioner Greer, seconded by Commissioner Bailey, that recommendation of County Engineer, Geo. Straughan, for a change in design of bridge plans for "Shell Creek Bridge and Approaches", be and the same is hereby ^{approved} ~~accepted~~.

Upon roll call, all members voting in the affirmative, motion was by the chairman declared carried.

November 2, 1946,

Hon. Board of County Commissioners,
Tulsa County, Oklahoma.

RE: Shell Creek Bridge and Approaches.

Gentlemen:

On November 21, 1946, a Contract for the Construction of a Bridge over Shell Creek near Wekiwa, was awarded to the Standard Paving Company, in the total amount of \$49,681.71, as shown by the Unit Bid prices.

I have been advised by the Standard Paving Company, that due to the unsettled condition of the manufacturers of structural steel, that they will be unable to get the material required for this