

May 3rd, 1943.

Motion by Commissioner Greer, seconded by Commissioner Morley, that the following Resolution be adopted, to-wit: Upon roll call, all members voting in the affirmative, motion was by the Chairman declared carried.

RESOLUTION SEEKING CO-OPERATION OF U. S. GOVERNMENT TO
CONTROL FLOOD WATERS OF ARKANSAS RIVER IN TULSA-WEST
TULSA AND SAND SPRINGS AREA.

WHEREAS, on January 9th, 1943, there was filed in the office of the County Clerk of Tulsa County, Oklahoma, a petition seeking to create a certain described Drainage District in said County under provisions of the Oklahoma State Drainage Act and cause to be made therein certain improvements, which petition was signed by more than five resident citizens of said County to be affected and assessed to pay the cost of said proposed Drainage District and improvements if and when created and assessed for such purpose, and

WHEREAS on said day, January 9th, 1943, same being at a regular meeting of said Board, said petition and the initial cost bond provided for by law which was attached thereto were examined and considered by said Board and both said petition and cost bond were then and there found by said Board to be in due and legal form and that said petition contained all necessary allegations required by law and said bond was duly executed and that the prayer of said petition should be granted and the cost bond approved which was thereupon accordingly done and the District designated and numbered, Tulsa County Drainage District No. 12, and

WHEREAS, said Board thereupon appointed three disinterested, impartial, qualified resident freeholders of said County as viewers to view said premises and report thereon under oath as well as to report on the public necessity and practicability of same, which viewers thereupon appeared and took the oath required by law and later on January 20th, 1943, filed their verified report as such viewers, that thereafter on February 15th, 1943, and at a regular meeting of said Board, after publication notice thereof, in the manner provided by law, a hearing was held thereon and same was confirmed and approved by said Board, and

WHEREAS, on March 15th, 1943, the District Court of Tulsa County, Oklahoma, upon application and notice appointed three disinterested, impartial, qualified resident freeholders as the second set of viewers and appraisers of Tulsa County Drainage District No. 12 to view said premises and under orders of said Board, after taking the oath required by law and aided and assisted by the County Surveyor, County Engineer, or expert Engineers, were ordered and directed to establish the precise location where in their judgment the proposed improvements of said Drainage District will prove most efficient, establish lines, corners and boundaries, make ~~an~~ estimates of costs, determine owners of land affected, damaged or benefitted, and to do and perform all other details as such viewers as specified in Section 306, 307 and 309, Chapter 3, Title 82, of 1941, Oklahoma Statutes and report fully thereon, and

WHEREAS, said viewers are now engaged in the performance of such duties and will make their report as soon as same can be completed with reasonable dispatch, and, that it is avowed purpose and intention of said Board to proceed in the manner provided by law and as expeditiously as same can be done to complete the organization of said Drainage District and co-operate with the U. S. Government in finishing and completing the proposed improvements sought and prayed for in said petition and other pleadings and resolutions filed herein (all of which are made a part hereof) in order that proper assessments may be set up liens established and bonds be issued and sold to provide funds to enable said Drainage District to co-operate in said project and to comply with the requirements imposed by the U. S. Government as the condition on which its aid to said project will be made available as set out and stated in House Document No. 157 of the 1st Session of the 77th Congress.

NOW, THEREFORE, in view of the present urgent need for dependable protection against damage by floods of the Arkansas River in the Tulsa-West Tulsa and Sand Springs area and that the organization of Tulsa County Drainage District No. 12 may proceed to completion without delay, in order to authorize, legalize and establish liens, equalize and levy assessments, issue and sell necessary bonds to provide the requirements of co-operation and aid, on the part of said Drainage District, as herein specified by the U. S. Government, said Board, acting on behalf of said Drainage District, does now hereby

RESOLVE that it is the sense and desire of this Board and Tulsa Drainage District No. 12, to co-operate, aid and assist the United States in the construction of levees, drains, ditches and other necessary improvements, to protect the Tulsa-West Tulsa and Sand Springs area from damage by flood waters of the Arkansas river, and said Drainage District does now hereby guarantee and assure the United States that it will provide and comply with each and all of the requirements made by the United States and quoted from House Document No. 157 of the 1st Session of the 77th Congress, as follows, to-wit:

1. Provide without cost to the United States all lands, easements and rights-of-way when and as required.
2. Hold and save the United States free from claims for damages due to the Construction works.
3. Maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of War.
4. That the State of Oklahoma by appropriate legislation if necessary assure that the construction of bridges or other works which might adversely effect the flood-carrying capacity of the channel at the locality will not be permitted.