

said Tulsa County and party in the said Wagoner County, as and to the extent set forth in said petition, and as and to the extent that said petition is herein below granted, which petition is joined in by the owner through whose land the proposed new part of said road goes, who, in said petition, shows that he has arranged donation of, and that he and his wife have executed, and tender with said petition, grant conveying to the said Wagoner County, in which County such proposed new part of said road is located, the required easement and right of way covering the proposed new part of said road, and waive damages, and accept and waive notice of, and enter their appearance in, said proceeding in each of said counties, and waive the right further to participate therein in either of said counties, and which petition is also joined in by The Seneca Coal & Coke Company, an Oklahoma corporation, who therein agrees that it either has graded, built and constructed, or insofar as not heretofore done will (if said petition be granted by the Boards of County Commissioners of both of said Counties) grade, build and construct, at its own expense and without expense to either of said Counties, on and along said proposed new location of said road, a road (with any necessary bridges and culverts) comparable to the road heretofore existing over the portions of said road in such petition sought to be vacated and hereinbelow vacated, which grant or easement and right of way is hereby accepted by the said Board of County Commissioners of Tulsa County for and on behalf of the said Tulsa County, and which agreement and proposal of said The Seneca Coal & Coke Company is hereby accepted by the said Board of County Commissioners of Tulsa County for and on behalf of said Tulsa County; and it appearing and the said Board of County Commissioners of Tulsa County (hereinbelow referred to as the Board of County Commissioners unless otherwise expressly stated) determining that said petition is in all respects sufficient, and that due legal notice to the public for twenty days by advertisement in the official county paper of said Counties has been given, setting forth the facts and the date, time and place when hearing of said petition would be held and the petition acted upon by the Board of County Commissioners of each of said Counties, and that the action taken and evidenced by this resolution is within the lawful power of this Board of County Commissioners, and is not unnecessary or impractical, but that public necessity exists therefor, and that such action may be accomplished without cost or expense to either of said counties for land or otherwise:

IT IS HEREBY RESOLVED by the Board of County Commissioners of the County of Tulsa, State of Oklahoma, sitting in regular (regular or special as the case may be) session, that the said petition beand hereby is granted, and that the public road below described be vacated, altered, changed, laid out, opened, relocated and re-established as a public highway, as and to the extent below set forth:

- (1) That, for the purpose of altering, changing, laying out, opening, relocating and re-establishing, as and to the extent below set forth, the public road of which the land below vacated as public road constitutes a part now located on the county lines of and between the said Tulsa County and the said Wagoner County, that part of such public road represented by the next hereinbelow set forth description, location and terminals, and the lots or parcels of land next hereinbelow set forth and described, be and the same are hereby vacated as parts of said public road, the parts of said public road so vacated, and the description, location and terminals of the parts of such public road so vacated, and the lots or parcels of land so vacated, as parts of such public road, being as follows:

Beginning at a point in the center of the present County lines road at the Northwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty (30), Township Eighteen (18) North, Range Fifteen (15) East, Wagoner County, Oklahoma, and at the Northeast Corner of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-five (25), Township Eighteen (18) North, Range Fourteen (14) East, Tulsa County, Oklahoma, thence South wish present road for a distance of 1580 feet

; and

- (2) That the said public road, of which the above described and vacated lots or parcels of land constitute a part, is hereby altered, changed, laid out, opened, relocated and re-established, so and to the extent that, instead and in lieu of said public road extending through, across, along, over or under the above described and vacated lots or parcels of land, the said road shall extend through, across, along, over and under the following described lots or parcels of land, located in the said Wagoner County, from and between the below set forth terminal boundaries, that is, that the description, location, width and terminals of such new parts of said public road shall be as follows, to-wit:

A road 75 feet in width, being 37.5 feet on each side of the center line, thereof, such center line being described as follows: beginning at a point in the center line of present county lines road in the North line of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty (30), Township Eighteen (18) North, Range Fifteen (15) East, Wagoner County, Oklahoma, said point being 680 feet East of the Northwest corner of said Section Thirty (30); thence on a curve to the right having a radius of 200 feet for a distance of 257 feet; thence South 26 degrees no minutes West for 1760 feet to a point in center line of present road, said point being 1720 feet south of the Northwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty (30), Township Eighteen (18) North, Range Fifteen (15) East, Wagoner County, Oklahoma.