

Motion made by Commissioner Couch, seconded by Commissioner Bailey, and un-animously carried, that the following resolution be, and the same is hereby adopted:

RESOLUTION

WHEREAS, heretofore, on the 30th day of August 1950, this Board pursuant to petition and public demand, and to meet a public need, did, by resolution, establish, open and lay out a public road

100 feet in width located in Section 7, 8 and 18, Township 19 North, Range 12 East, Tulsa County, Oklahoma, beginning approximately .75 of a mile West of the Northeast corner of Section 17, Township 19 North, Range 12 East, in Tulsa County; thence West $1\frac{1}{2}$ miles along the South side of the Arkansas River, completing the highway from 21st Street to U. S. 64 Highway at the Sand Springs bridge, and more particularly set out therein,

and did authorize the acquisition of the necessary rights-of-way therefor, by purchase or by condemnation; and

WHEREAS, prior thereto, and in November, 1949, at the instance and request of interested citizens and public bodies, this Board did informally consider the advisability of said public road, and the individual members of the Board did personally view the proposed route and adjacent territory, directing the County Engineer to make surveys and estimates of cost; and

WHEREAS, on the 13th day of February, 1950, this Board by resolution, authorized and directed the County Engineer and County Attorney to do all things necessary prerequisite and preliminary to the opening, laying out and constructing of the public road above referred to; and

WHEREAS, on the 13th day of March, 1950, this Board did approve plans for said proposed public road as submitted by the County Engineer; and

WHEREAS, the opening, laying out and construction of said proposed public road is deemed to be part and parcel of a comprehensive program for the road system of that portion of the County;

and

WHEREAS, this Board has this day, by resolution, authorized and directed the institution of condemnation proceedings for the acquisition of necessary rights-of-way; and

WHEREAS, it is deemed necessary that accumulated revenues, and in particular the balance of 1945 County Road Bond funds now on hand, of approximately \$32,000.00, be reserved, held, and kept intact for the payment of condemnation award as made by appraisers or jury, and for the construction of said road; and

WHEREAS, the question of the ability of the County to pay any such award or judgment from present revenues will arise in connection with pending and future litigation involving said road; and

WHEREAS, the expenditure of any portion of said 1945 County Road Bond funds might endanger the County's legal position with respect to acquisition of necessary rights-of-way, and it is deemed necessary to firmly encumber said 1945 County Road Bond funds for said purposes insofar as this Board may legally do;

NOW, THEREFORE, BE IT RESOLVED that the balance of 1945 county Road Bond funds now on hand in the approximate amount of \$32,000.00, be reserved, held, earmarked, and kept intact during pendency of proceedings involving the public road hereinabove referred to, insofar as this Board may legally so do, for use, insofar as may be necessary, in the payment of rights-of-way, whether by purchase or by condemnation, and in the building, laying out and construction of the public road hereinabove referred to,