

August 30th, 1943.

MONDAY, AUGUST 30th, 1943.

Pursuant to recess heretofore taken, the Board of County Commissioners reconvened at the hour of 10:00 o'clock A.M., with all members present: J. B. Gray, Chairman; Curtis Greer and Robt. L. Kinkaid, members. Andy Stokes, County Clerk.

J. B. Gray, Chairman presiding, the following business was transacted.

Motion by Commissioner Greer, seconded by Commissioner Kinkaid, 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 AND ORDER GRANTING PRAYER
OF PETITION CREATING DRAINAGE AND
IMPROVEMENT DISTRICT; AUTHORIZING
IMPROVEMENTS; OVER-RULING PROTESTS AND
CONFIRMING VIEWERS REPORT; LEVING ASSESS-
MENT AND CONFIRMING PROCEEDINGS.

Now on this 30th day of August, 1943, at the hour of 10 o'clock A.M., same being a regular session of said Board meeting with all members of said Board, and the County Clerk of said County, being present, there comes on for hearing before said Board, at its regular meeting place, at the County Court House of said County, pursuant to publication notice, the petition as amended of Jesse Tabor, F. M. McFall, J. C. Woolsey, Roy Scott, W. C. Goodell and others, filed herein with the County Clerk of Tulsa County on January 9th, 1943, praying for the creation and establishment of a Drainage and Improvement District, described in said petition to control flood waters of the Arkansas River and its tributaries and prevent injury and damage to public health, public utilities and property values within and adjacent to the areas of Tulsa, West Tulsa and Sand Springs, on both sides of said river; and also comes on for hearing before said Board at the same time and place, pursuant to publication notice, the written verified report of the viewers, appointed by a Judge of the District Court of said County, pursuant to law, and filed herein on August 2nd, 1943.

Thereupon comes Conn Linn, Attorney of record for said Board and said Drainage District, and introduced in evidence in support of the petition as amended, and viewers report, proof of publication of the notice of this hearing on this day with copies of said viewers verified report attached and also put in evidence all orders, resolutions, pleadings, papers and files herein, including all relevant portions of the printed letters and U. S. Army Engineers report of surveys of flood conditions on Arkansas River as set forth in House Document No. 157 of First Session of the 77th U.S. Congress; and also all maps, profiles and drawings prepared by consulting engineers Wood & Craig and filed with and as part of said Viewers report.

And it now appearing to the satisfaction of this Board that said notice was given by four weekly publications thereof in the Sand Springs Leader, a newspaper printed and of general circulation as required by law in Tulsa County, Oklahoma, on each Thursday the 5th, 12th, 19th and 26th days, respectively of August, 1943; and that said Board thereupon examined and considered said notice, and being fully advised in the premises, finds and holds that due and legal notice of this hearing on this day, upon the petition as amended, and the report of said viewers, has been given as provided by law and the order of this Board and that this Board now has full and complete jurisdiction to hear and determine the allegations and prayer of said petition and amendment and all facts, issues and questions arising or presented under said petition as amended, as well as jurisdiction to hear and determine any and all written protests or objections filed thereto by parties whose lands are affected, as required by law, as to the location or boundary lines of said proposed district or the assessments levied against same for the purposes as set forth in said viewers report.

That, thereupon, said Board directed its attention to a consideration of said petition as amended and said report of viewers herein as filed on August 2nd, and upon their merits and after having heard the oral and record evidence produced in support of the allegations and prayer of said petition and amendment and said viewers report and having examined and considered the allegations, contents and recommendations set forth in both of said documents in connection with all other pleadings, resolutions, orders, papers and proceedings herein as well as the maps, plats and drawings filed therewith as part thereof, offered in evidence in support thereof, and being fully and sufficiently advised in the premises, finds and holds that the material allegations and facts set forth in the petition and amendment thereto are true, that a serious flood problem and menace to public health and general welfare, as alleged, does now and has for a long while existed along both banks of the Arkansas River in the area of Tulsa, West-Tulsa and Sand Springs sections of said County involving serious damage to residential and industrial properties and agricultural lands in said area which is densely populated; that the annual flood damage under present conditions are extensive and that existing levees can be raised, strengthened and connected by new levees at an estimated cost less than the anticipated benefits; that the creation and establishment of the proposed Drainage and Improvement District and completion of the proposed improvements as prayed for in the petition and amendment and reported and recommended by the viewers in their report on