

August 30th, 1943.

file is a public necessity and altogether practical and feasible and when completed according to plans will afford dependable protection to life, health and property which is constantly jeopardized in this reach of said river; that the proposed connected system of enlarged levees and all necessary culverts, drains, ditches, bridges, flood-gates, pumping stations, diversion channels and other necessary appurtenances and incidental work proposed by said petition and amendment and as outlined by said viewers report are also necessary for sanitary and agricultural purposes and will be conducive to public health and of general public benefit to the lands within such area and District and that therefore the prayer of said petition, as amended, should be by this Board granted and sustained; that the Drainage and Improvement District as prayed for in petition and amendment and as described in the Viewers report of August 2nd, should be finally and permanently created and established, under the provisions of The Oklahoma State Drainage Act and designated and named ; Tulsa County Drainage District No. 12.

The Board further finds from the evidence that the viewers heretofore selected and appointed by a Judge of the District Court of said County and ratified by this Board were competent and qualified as required by law; that before entering upon the discharge of their duties as such they took, subscribed and filed in the office of the County Clerk, the oath required by law and made and filed their written verified report herein on August 2nd, 1943, aided and assisted therein by the County Engineer, George O. Straughan, and consulting engineers, Wood & Craig, specially appointed for such purpose, and after mature consideration and many actual views of the lands, lines, sections, townships and range lines of said proposed Drainage and Improvement District, as well as the general topography of said area, recommended that the establishment of said Drainage District and causing to be completed and made therein the proposed improvements was a public necessity; that the same was practical and feasible and would promote public health, increase property values that the annual savings and anticipated benefits from flood loss by reason of such proposed improvements, would greatly exceed the costs thereof, that the total estimated costs to assessable property owners of said District for their pro rata share of said project, would not exceed \$212,364.14 to be proportionately assessed against the real property of said District and paid over a period of not exceeding ten years which District is amply able to bear, without burden to anyone, that they further reported a schedule of lots and lands benefited with names of owners and descriptions thereto with amounts to be assessed against each for such benefits which appears fair and just together with description of boundary lines of said District and character of improvements to be made thereon; that at the proper stage of this proceeding any balance of necessary funds required to complete such project as planned be made available by issue and sale of bonds as provided by law; that said board further finds from the evidence and consideration of said viewers report that in locating, fixing and establishing the lines, corners, distances and meander lines of said Drainage and Improvement boundaries, the said viewers followed and complied with the provisions of the Oklahoma State Drainage Act as set forth in Chapter 3, Title 82 of 1941 Edition of Oklahoma Compiled Statutes, under which authority said District is created and established; that said Viewers report embodies a full and complete detailed statement of their proceedings herein as such viewers and should be in the opinion of this Board in all respects ratified and confirmed.

That thereupon the Board proceeds to consider the matter of protests or objections to the creation and establishment of such District as prayed for in the petition and amendment as well as protests to the confirmation of said viewers report as filed and finds and holds that less than one per cent of the resident land owners and also less than one per cent of the total acreage owners of the land embraced in said District filed written protests against such proposed improvement; that the only protests and objections filed and the reason therefor are as follows:

1. R. D. Downing of No. 411 S. 65th W. Ave., Tulsa, Oklahoma, as owner of N $\frac{1}{2}$ Lot 24, Partridge Addition. Written protest.
2. H. D. Mabrey of No. 403 S. 65th W. Ave., Tulsa, Oklahoma, as owner of Lot 23, Partridge Sub-division, Written protest.
3. Florence Garrett of No. 3932 W. 8th St., Tulsa, Oklahoma, as owner of W. 185 Ft. Lot 1, Block 2, Home Garden Addition. Written protest.
4. Sid Bynum as owner of E. 65ft. of Lot 23, Partridge Addition. Oral protest.
5. W. A. McLaughlin as owner of Lot 4, Partridge Addition. Oral Protest.
6. Tulsa Sand Company, Tulsa, Oklahoma. Oral complaint.
7. Smith Sand Company, Tulsa, Oklahoma. Oral complaint.
8. Stella Rothhammer as owner of E. 120 Ft. of Lots 24-25-26-27 and 28 of Rothhammer Re-subdivision of Block 27, West Tulsa, Oklahoma. Oral complaint.
9. M.K. & T. Ry. Muskogee & Tulsa Attorneys, written application to correct error in land description.
10. St. Louis-San Francisco Ry. Co. assessment in viewers report modified and corrected and protest withdrawn,
11. Mid-Continent Petroleum Corp. Tulsa, Okla. easement and right-of-way accepted, approved and confirmed by terms of Resolution adopted and filed.
12. Texas Refining Co. by Hon. Jno. R. Ramsey, counsel, moved the Board that Texas Refining Company be accorded same rights and privileges extended Mid-Continent Petroleum Corporation insofar as applicable - to which said Board assented.