

October 19th, 1936.

Motion by Commissioner Gray, seconded by Commissioner Hopkins, that the following Resolution be and the same is hereby approved. All members voting in the affirmative, motion was by the Chairman declared carried.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF TULSA COUNTY, OKLAHOMA.

R E S O L U T I O N

Now on this 19 day of October, 1936, there coming regularly on for hearing at a regular session of said Board, the matter of disposing of the condemnation suit pending in the District Court of Tulsa County, Oklahoma, bearing the number 62,680 wherein the Board of County Commissioners of Tulsa County, Oklahoma, is plaintiff, and Consolidated Construction Company, a corporation, is defendant, and it appearing to the Board that the defendant has filed to the report of appraisement filed in said cause by the appraisers appointed by said District Court, certain "Exceptions to Report of Appraisers or Commissioners, and Motion to Reject Same" and that the prospect is that prolonged and expensive litigation will be had, injurious to the best interests of Tulsa County, Oklahoma, and its citizens if said litigation is not presently terminated, thereupon Mr. Gray offered the following resolution:

WHEREAS it is and will be to the best interest of Tulsa County, Oklahoma, and its citizens, that all matters and things in controversy in case No. 62,680 in the District Court of Tulsa County, Oklahoma, wherein the Board of County Commissioners of Tulsa County, Oklahoma, is plaintiff, and Consolidated Construction Company, a corporation, is defendant, be compromised and settled on the payment by Tulsa County, Oklahoma, to said Consolidated Construction Company of the sum of \$3639.25 for a right-of-way and rights and easement for highway purposes across the following described land in Tulsa County, Oklahoma:

Beginning at a point 24.75 feet North and 82.20 feet West of the South Quarter corner of Section 13, Township 19 North, Range 12 East, running thence North 89° 48' West along the North right-of-way line of County Highway a distance of 81.70 feet to a point, thence North 11° 21' West a distance of 471.90 feet to a point, thence North 12° 20' West a distance of 332.36 feet to a point, thence North 16° 19' West a distance of 98.36 feet more or less to a point on the South right-of-way line of the Midland Valley Railroad, thence North 73° 41' East along said Midland Valley right-of-way line a distance of 80.0 feet thence South 16° 19' East a distance 101.64 feet to a point, thence South 11° 37' East a distance of 926.01 feet to the point of beginning, containing 1.643 acres more or less, all being located in Tulsa County, Oklahoma,

And that it will be for the best interests of said County for the appraisement heretofore submitted to said District Court, by Commissioners or appraisers appointed by said District Court, to be vacated and set aside;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA, that the County Attorney of said County be and he is hereby authorized and empowered and directed to enter into a stipulation and to agree to a judgment in said cause whereunder Tulsa County, Oklahoma, will pay to Consolidated Construction Company, a corporation, the sum of \$3639.25 for the aforesaid right-of-way, and rights and easements for highway purposes, to be granted Tulsa County, Oklahoma, across the above described land, and that judgment be rendered in favor of said Consolidated Construction Company and against Tulsa County, Oklahoma, for said sum of money and the costs of said case No. 62,680 in the District Court of Tulsa County, Oklahoma, including fees and expenses of the appraisers appointed by said court, and that said County Attorney be and he is further authorized, empowered and instructed to agree that the appraisement filed in said cause on August 28, 1936, by the Commissioners appointed by said District Court, be vacated, set aside and held for naught, and with the understanding that the "Exceptions to Report of Appraisers or Commissioners, and Motion to Reject Same," heretofore filed in said District Court case shall be withdrawn and waived by said Consolidated Construction Company.

Mr. Hopkins seconded the said motion, and on the vote being put the said motion was unanimously carried.