

December 6th, 1943

ACKNOWLEDGEMENT

STATE OF MISSOURI)
) SS.
CITY OF ST. LOUIS)

Before me, a notary public, in and for said City and State, on this 29th day of December, 1943, personally appeared Geo. T. Atkins, to me known to be the identical person who subscribed the name of the Missouri-Kansas-Texas Railroad Company thereto, to the foregoing instrument as its Executive Vice President, and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

(Signed) C. W. Holm

Notary Public, State of Missouri,
City of St. Louis.

My Commission expires Mar 29 1944

(SEAL)

RESOLUTION SETTING ASIDE \$3500 OF FUNDS
BELONGING TO TULSA COUNTY DRAINAGE DISTRICT
NO. 12, FOR A SPECIFIC PURPOSE

WHEREAS, by the terms of the Contract heretofore entered into, on September 13th, 1943, between TULSA COUNTY DRAINAGE DISTRICT NO. 12, of Tulsa County, Oklahoma, First Party, and SOUTHWESTERN BELL TELEPHONE COMPANY, of Oklahoma, second Party, it was provided, on the third page thereof, in Section 4, as follows:

"Second Party will pay the cost of the making and completion of said changes, relocations and rearrangement of its plant aforesaid, up to the maximum sum of \$3,500.00 of the total reasonable cost thereof, and First Party will and does assume and agree to pay to Second Party immediately following the completion of the making of such changes, relocations and re-arrangement of Second Party's plant, all of the amount of the total reasonable cost in excess of said \$3,500.00; it being expressly agreed and understood that such total cost to First Party will not in any event, exceed \$7,000.00; that is to say, that the total costs of such necessary changes, relocations, or re-arrangements, as stated and contemplated herein, and as shown by the maps attached, are now estimated to cost approximately \$7,000.00, but may actually cost more or less, however, in any event, the total maximum charge to First Party, is not to exceed \$7,000.00; and whether it be more or less, shall be credited by Second Party, in the sum of \$3,500.00, which amount Second Party agrees to pay toward the cost of such project to said district. Before Second Party shall be required to commence the work making such changes, re-locations and re-arrangement of Second Party's plant, the minimum sum of \$3,500.00 will be set aside absolutely by First Party in escrow, to be and remain available for use in payment of any amount becoming due hereunder to Second Party."

And,

Whereas, the funds necessary to enable said First Party to pay and satisfy its obligation as provided under the provisions of said Contract are now available for such purpose, in the hands of the County Treasurer of Tulsa County, Oklahoma.

Now, therefore, in order to comply with this provision of said Section 4 of said Contract, to-wit:

"Before second party shall be required to commence the work of making such changes, relocations and re-arrangement of Second Party's plant, the minimum sum of \$3,500.00 will be set aside absolutely by First Party in escrow, to be and remain available for use in payment of any amount becoming due hereunder to Second Party."

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Tulsa County, Oklahoma, acting as Agent and as Commissioners for said Tulsa County Drainage District No. 12, that the sum of \$3,500.00 (Thirty-five Hundred Dollars) of the funds now in the custody of the County Treasurer of Tulsa County, Oklahoma, belonging to said Drainage District, be and the same is, hereby set aside in the hands of the County Treasurer of Tulsa County, Oklahoma, as the escrow Agent of both parties to said Contract for the specific purpose, and not other, of paying and satisfying the obligation of First party under the terms of said Section of said Agreement, when same is definitely ascertained and due.

Thereupon, on motion made by Commissioner Greer seconded by Commissioner Kinkaid, that said Resolution be adopted, and a roll call and vote ordered and had thereon, same was declared by the Chairman of said Board, unanimously adopted, on this 6th day of December, 1943, at a regular meeting of said Board.

ATTEST: (SEAL)

(Signed) J. B. GRAY

Chairman

(Signed) ANDY STOKES
County Clerk, Tulsa County Oklahoma.