

December 13th, 1943

RESOLUTION AUTHORIZING EXECUTION AND APPROVAL
OF CONTRACT WITH THE OKLAHOMA NATURAL GAS
COMPANY, A CORPORATION

On this date, December 13, 1943, at an adjourned meeting of the Board of Commissioners in and for Tulsa County, Oklahoma, acting as ex-officio Commissioners for Tulsa County Drainage District No. 12, all members of said Board and the County Clerk being present, comes Conn Linn, Attorney for said Board and Drainage District and presents for execution and approval by said Board of such Commissioners for said Drainage District, a written Contract between TULSA COUNTY DRAINAGE DISTRICT NO. 12, of Tulsa County, First Party, and OKLAHOMA NATURAL GAS COMPANY, a corporation, Second Party, in regard to making certain alterations and changes of the pipe lines of Second Party as now located within and adjacent to said Drainage District, and re-locating same, so as not to interfere with, or in any manner hamper or obstruct the proper construction of certain levees, drains, ditches and other improvements along such rights-of-way as are now being constructed in said District by the joint efforts of said First Party in cooperation with the United States of America, to control flood waters of the Arkansas River in that area, and said contract being fully examined and considered by said Board, and it now appearing to said Board that same should be executed and approved;

IT IS THEREFORE RESOLVED, by said Board that the said Contract be, and the same is now hereby on the part of said Board, executed and also approved. Thereupon, upon motion by Commissioner Greer, seconded by Commissioner Kinkaid and a vote and roll call being had thereon, the Chairman declared said resolution unanimously adopted and thereupon said Board duly executed same.

(SEAL)

(Signed) J. B. GRAY Chairman
TULSA COUNTY DRAINAGE DISTRICT NO 12

ATTEST:

Andy Stokes (Signed)
County Clerk

CONTRACT

THIS AGREEMENT made and entered into this 6th day of December, 1943, by and between Tulsa County Drainage District No. 12, hereinafter referred to as "First Party", and Oklahoma Natural Gas Company, a corporation, hereinafter referred to as "Second Party."

WHEREAS, Second Party owns and operates certain pipe lines which occupy portions of land to be utilized in building the levee above mentioned; and

WHEREAS, First Party has requested Second Party to remove and reconstruct portions of its pipe lines at First Party's expense, and Second Party has acceded to First Party's request.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the premises, and of the mutual promises and agreements hereinafter set forth, Second Party agrees, when notified by First Party, to proceed immediately to remove certain portions of their pipe lines and/or equipment from their present locations, and reconstruct them on new locations as required to permit the construction of the levees, levee ditches and other appurtenances thereto.

First Party agrees to reimburse Second Party for the actual cost to it of labor, material, and additional easements, if any, in doing the work above described, plus an additional fifteen per cent (15%) of such cost for overhead and incidental expenses; and agrees to remit promptly to Second Party when billed.

First Party hereby grants unto Second Party easements for the relocation of the above referred to pipe lines on the right-of-way owned by the First Party.

EXECUTED THIS 13th Day of December 1943

ATTEST:

Andy Stokes (Signed)
Secretary

SEAL

TULSA COUNTY DRAINAGE DISTRICT NO. 12

BY J. B. Gray (Signed)
Chairman
(First Party)

ATTEST:

Ruth Canaday (Signed)
Asst. Secretary

SEAL

OKLAHOMA NATURAL GAS COMPANY

BY Frank B. Long (Signed)
Vice President
(Second Party)