

September 6th, 1938.

Motion by Commissioner Gray, seconded by Commissioner Miller, that the following Resolution be adopted. Upon roll call, the following vote was taken: Miller, Yes; Gray, Yes. Motion carried.

# R E S O L U T I O N

WHEREAS, on the 6th day of September, 1938, there was filed the petition of W. O. Buck, Receiver, in the certain action now pending in the District Court of the United States for the Northern District of Oklahoma styled Elizabeth Daniel Wallace, et al., v. Richard T. Daniel, Jr. et al, No. 1244 Equity, against the undersigned board of County Commissioners of Tulsa County, Oklahoma, and Joe T. Parkinson, County Treasurer of Tulsa County, Oklahoma, as respondents; and

WHEREAS, the said petition charges the intentional assessment of the following described real estate in the City of Tulsa, Oklahoma, to-wit:

The West One Hundred (100) Feet of Lot Five (5) and the South Twenty-Five (25) Feet of Lot Six (6), both in Block One Hundred Six (106), Original Townsite of the City of Tulsa, Oklahoma, together with the improvements thereon,

at a figure in excess of the fair cash value of the said property, estimated at the price it would bring at fair voluntary sale during each of the years 1934, 1935, 1936, 1937 and 1938 in contravention of Section 8 of Article X of the constitution of Oklahoma; and

WHEREAS, it is the opinion of this Board of County Commissioners that said assessments were in excess of the limits provided by said article and section of the constitution of Oklahoma, and this Board is further of the opinion that the fair value of said property for the years above set forth is in the amount of Ninety Thousand Dollars (\$90,000.00); and

WHEREAS, it is the opinion of this Board of County Commissioners that the best interest of Tulsa County will be served by the reduction of the said tax assessments for the years above set forth and the acceptance of taxes for the said years valculated upon the true value of the said property;

NOW, THEREFORE, BE IT RESOLVED, that it is the sense of the Board of County Commissioners of Tulsa County, Oklahoma, that the above described real estate, together with the improvements thereon, did not, during the years 1934, 1935, 1936, 1937 and 1938, have a fair cash value in excess of \$90,000.00.

Signed: John H. Miller  
J. B. Gray

Thereupon resolution submitted by the Board of Directors of Water Improvement District No. 9 of Tulsa County, Oklahoma, authorizing the issuance of Water Improvement District No. 9 of Tulsa County, Oklahoma, bonds was introduced by Mr. Gray who moved its adoption, and said motion was seconded by Mr. Miller. Said motion was then voted upon with the following results: Miller, Aye; Gray, Aye; The Chairman declared said resolution unanimously adopted.

Thereupon it was made to appear to the Board that Craig & Burnham by letter to the Board of Directors of Water Improvement District No. 9 of Tulsa County, Oklahoma, on June 21, 1938, gave final approval of the work and reported full performance of the contract of construction of the public distribution system of Water Improvement District No. 9 of Tulsa County, Oklahoma, by W. B. Carter, constractor, and recommending that the Board accept the work as fully completed and that on June 23, 1938, the said Board of Directors of Water Improvement District No. 9 of Tulsa County, Oklahoma, had by resolution accepted the work and approved the performance of the construction contract by W. B. Carter, the constractor, and it was thereupon moved by Miller, seconded by Gray, that the work be approved and that the performance of the contract by W. B. Carter, the contractor, in the construction of the public distribution system of Water Improvement District No. 9 of Tulsa County, Oklahoma, be accepted and approved as fully performed, and that the acceptance thereof be dated as of June 23, 1938, the date on which same was approved by the Board of Directors of said Water Improvement District. The vote on the motion was: Miller, Aye; Gray, Aye. The Motion was carried.

Thereupon it was moved by Miller and seconded by Gray that the maintenance bond executed by W. B. Carter, the c ontractor, with the United States Fidelity and Guaranty Company, as surety, dated the 15th day of July, 1938, be accepted and approved. Vote on the motion was: Miller, Aye; Gray, Aye. The motion was carried.