

WHEREAS, On the 4th. day of January, A D 1926, the Board of County Commissioners of Tulsa County, Oklahoma, at their regular meeting, received and accepted the report of the Board of Appraisers in Water Improvement District No.5, Tulsa County, Oklahoma, and ordered said report filed; and

WHEREAS, said Board of County Commissioners on said date passed and adopted a resolution fixing the 25th. day of January, A D 1926, at ten o'clock A.M., as the time of hearing complaints or objections against said appraisalment and apportionment of costs, and ordered that notice of said hearing be given for two weeks in the Tulsa Tribune; and

WHEREAS, On the 25th. day of January, A D 1926, after said notice of publication of said hearing was given by publication in the Tulsa Tribune in the issues of January 14th. and 21st. 1926, a hearing on said assessments and apportionment of costs was had before the County Commissioners of Tulsa County, Oklahoma, as by law provided, and

WHEREAS, on the 25th. day of January, A D 1926, a resolution was passed by the Board of County Commissioners of said county declaring the hearing on assessments closed and levying and assessing the several tracts, lots and parcels of land in Water Improvement District No.5, in the amounts as stated in the report of the Board of Appraisers which said report was by said resolution reviewed and confirmed in its entirety, and which said resolution further provided that the first of the installments on said assessments should be due and payable on or before the 1st. day of September, 1926, and a succeeding annual installment on or before the 1st. day of September in each succeeding year until all the twenty installments on each assessment had become due, which said last mentioned resolution was published, together with the assessment roll, in the Tulsa Tribune under date of February 6th. 1926; and

WHEREAS, by reason of a suit filed to test the validity of the proceedings had for the organization of said Water Improvement District No.5, entitled E E Lowry vs Water Improvement District No.5, et al., was not in final adjudication in the Supreme Court of the State of Oklahoma until after the first installment on said assessment had become due and payable, and it is now deemed advisable and proper that the said assessing resolution be vacated, annulled and held for naught and that a new hearing be had on said assessment, and a new assessing assessment roll prepared; and

WHEREAS, H L Cannady Company, the Contractor, has agreed to said vacation of the assessment roll and rescission of said resolutions hereinabove mentioned in consideration of a new assessing resolution.

NOW, THEREFORE, BE IT RESOLVED, By the Board of County Commissioners of Tulsa County, Oklahoma, that the Resolution of the Board of County Commissioners of Tulsa County Oklahoma, under date of January 4th. 1926, fixing and assigning the 25th day of January A D 1926 as the day of hearing on the assessments as returned by the Board of Appraisers in Water Improvement District No.5, Tulsa County, Oklahoma, be and the same is hereby abrogated, vacated, set aside and held for naught.

BE IT FURTHER RESOLVED, By the Board of County Commissioners of Tulsa County Oklahoma, that the proceedings taken before this Board on the 25th. day of January A D 1926, with reference to the confirmation and approval of the Appraiser's Report in Water Improvement District No.5, and with reference to the levying of assessments in accordance with the findings in said Appraisers' report against the various lots, parcels and tracts of land within Water Improvement District No.5, which said resolution was published in the Tulsa Tribune in the issue of February 6th. 1926, be and the same is hereby rescinded, vacated set aside and held for naught, with the same force and effect as if said hearing on said assessments had never been had and as if the resolution levying said assessments had never been passed.