

WHEREAS, The City of Tulsa, a municipal corporation in Tulsa County, Oklahoma did under date of January 10th. 1922, enter into a written contract with Tibbets & Pleasant, Inc., a corporation as Principal and the Southern Surety Company a corporation as Surety, for the construction of a hard surface roadway or paved street on North Peoria Avenue from the South line of Latimer Street on the North to the North Line of Admiral Boulevard on the South, a part of which street or roadway lies within the incorporated limits of the City of Tulsa, and a part of which is outside said City Limits and which portion of said North Peoria Avenue, by a resolution heretofore adopted by the Mayor and Board of Commissioners, has been designated and is now generally known as Street Improvement District No. 365, and for convenience will hereafter be referred to as such, and

Whereas, the said County Commissioners have found and do hereby certify that a State Highway within said County of Tulsa has been completed with hard surface roadways from Skiatook, Oklahoma, to the limits of said City of Tulsa, that is to 5th Latimer Street on Peoria Avenue mentioned in said Street Improvement District No. 365 and also finds and certifies that a hard surface roadway has been completed from Jenks Oklahoma, connecting with the paved streets of Tulsa up to Admiral Boulevard of the South limits of said Paving District No. 365, and that said City of Tulsa maintains a system of street paving, but that the paved portion of North Peoria Avenue within said Street Improvement District No. 365 does not reach or connect with the hard surface roadway heretofore constructed by the County of Tulsa in that said portion of North Peoria Avenue has not been paved and the said County Commissioners also find that the unpaved portion of North Peoria is less than a distance of two miles, to-wit: about one-half mile from the end of the Skiatook hard surface roadway to Admiral Boulevard and said County Commissioners do further find and certify that the City of Tulsa is unable to extend its paving to connect with the hard surface state highways above mentioned by reason of the value of abutting real estate liable to assessment for such paving being inadequate to sustain the costs thereof and said County Commissioners do in addition find and certify that it will be for the best interest of the citizens and residents of such County that said hard surface highway from Skiatook, Oklahoma on the North and Jenks, Oklahoma, on the South be connected with the paving in said City of Tulsa by a hard surface road in that such connecting link or paving is badly needed and will be of material use and benefit for the public generally in the City and County of Tulsa, but by reason of the cost of such paving and the low value of the abutting property liable to assessment therefor, such property is inadequate in value to sustain the cost of such paving, and for such reasons this Board of County Commissioners have determined under the provisions of the Act of the Legislature of 1921, being Chapter 42 or Senate Bill No. 268, approved April 1, 1921, to extend into the City limits of said City of Tulsa, the hard surface roadway from Skiatook, Oklahoma in accordance with the provisions herein set out and to pay out of the funds of said County appropriated therefor, a portion of the cost of such extension as herein provided, which shall be borne by the County as herein set forth, and

WHEREAS, a contract was heretofore let by the Board of County Commissioners of the County of Tulsa, for the purpose of paving that portion of North Peoria Avenue a width of eighteen feet, hereinabove described unto Joseph T. Lantry, but for various and sundry reasons said contract has never been performed and at the time of entering into said contract with the said Joseph T. Lantry an appropriation was made from the County Funds of said County with which to pay the cost of construction, and

WHEREAS, the County Commissioners have determined as a matter of fact and justice and on account of the value of the property affected that said County Commissioners should at this time expend on the construction of said hard surface roadway or paved street a sum equal to the amount that such eighteen foot roadway would have cost had Joseph T. Lantry constructed the same and have also determined to pay the costs of construction of such hard surface roadway where the abutting property is not within the City limits of said City, and for such reason any portion thereof cannot be assessed against the abutting property, and

WHEREAS, it has been made to appear to said Board of County Commissioners that the City of Tulsa after advertisement and call for bids, and after competitive bids were had, did, acting in conjunction with this Board, let the aforementioned contract to Tibbets and Pleasant and the Southern Surety Company under date of January 10th. 1922, and that it is for the best interest for all parties concerned that said contract be performed and the County of Tulsa pay its proper part of such construction in accordance with this resolution and in accordance with an adjudication of such matters in a judgment of the District Court of Tulsa County made on the 5th day of August, 1922, in a cause pending in said Court entitled Elva A. Bowyer, et al vs City of Tulsa, et al, Cause No. 18808.

NOW, THEREFORE, Be it resolved, by the Board of County Commissioners of the County of Tulsa, Oklahoma:

Section 1: That said Board does hereby make the findings of fact in relation to the paving of North Peoria Avenue as set forth in the preamble hereof, and said facts and certificates are hereby made a part of this resolution.

Section 2: Said Board of County Commissioners does hereby determine and agree to pay the cost of construction of the paving on North Peoria Avenue embraced in said Street Improvement District No. 365, which would be described under the aforesaid contract of Tibbets & Pleasant against the following described tracts of land, to-wit:

A tract of land described as follows:  
East of the east line of Peoria Avenue;  
South of the South line of Frisco Railway  
right of way; West of a line 257.8 feet  
east of and parallel to the East line of  
Peoria Avenue, and North of the Easterly  
production of the North line of Block 3,  
Berry Addition.

A tract of land described as follows: West  
of the West line of Peoria Avenue; North  
of the North line of King Street; East of  
a line 135 feet west of and parallel to the  
West line of Peoria Avenue and South of the