

land upon the death of the said Herman Langen and his said wife. Motion carried.

Motion was made by W L North, that the following Resolution as presented by Dan W. Patton, County Engineer, be and the same is hereby adopted. Motion to adopt was duly seconded by J S Shaver.

R E S O L U T I O N.

WHEREAS, the existing public highway grade crossing on the right of way tracks and premises of the Missouri-Kansas-Texas Railroad Company, between Sections 15 and 22, in Township 19 North, Range 13 East, Tulsa County Oklahoma, is considered to be more or less of a dangerous crossing, and

WHEREAS, it appears that it would be to the best interest of all concerned for said crossing to be closed, vacated and abandoned, and that a public highway undergrade crossing be constructed on the section line between Sections 15 and 16, Township 19 North, Range 13 East, across the right of way and premises of the Missouri-Kansas-Texas Railroad Company, under its bridge known as "Bridge 2282.8" all in accordance with plat or plan thereof, hereto attached, and made a part of this resolution, and

WHEREAS, the Missouri-Kansas-Texas Railroad company consents to the closing of said existing grade crossing and the construction of said undergrade crossing, as above stated, and in accordance with said plat or plan, and in accordance with the further details hereinafter set out in this resolution and a proper order to be secured from the Corporation Commission of Oklahoma.

NOW, THEREFORE, the premises considered and after investigation it being found necessary that the same shall be done.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA:

Section 1. That the public highway grade crossing now existing over the right of way tracks and premises of the Missouri-Kansas Texas Railroad Company between Sections 15 and 22, in Township 19 North, Range 13 East, Tulsa County, Oklahoma, be and the same is hereby closed, vacated and abandoned, and that a public highway undergrade crossing be constructed on the section line between Sections 15 and 16, Township 19 North, Range 13 East, across the right of way and premises of the Missouri Kansas Texas Railroad Company under its bridge known as "Bridge 2282.8" all in accordance with plat or plan thereof attached hereto and made a part of this resolution and which plat or plan is hereby adopted the said highway to be constructed under said railway bridge and across said railway right of way, to be located and of width and length more particularly in detail as follows:

30 foot width graded roadway located as per
approved plat.

Said closing of said present grade crossing to be effective upon said new highway undergrade crossing being completed and opened for travel for the general public it being understood and agreed between the County and the Railroad Company that the railroad will at its own sole cost and expense, do the necessary work to change the channel of the stream under the said bridge and construct retaining wall to support the said highway grade, and the County, at its own sole cost and expense, shall do all work on re-arrangement of the two existing highways, including grading and drainage for the new location of the highway across the right of way and under the bridge of the railroad company, in accordance with the said plat and plan attached hereto and hereby adopted; it being further understood and agreed that the Railroad company waives any claim it may have for damages by reason of the construction of the said highway undergrade crossing and that the County agrees to indemnify, protect and hold harmless the railroad company against all claims for damages by reason of the closing of said existing grade crossing as aforesaid.

Section 2. The Chairman of the Board of County Commissioners of Tulsa County Oklahoma, is hereby authorized and directed to file a proper petition with the Corporation Commission of Oklahoma, with a certified copy of this resolution, and to act with the railroad company in securing proper order from the Corporation Commission, closing, vacating and abandoning the present grade crossing, as above described and for the construction of the new undergrade crossing as above described.

Passed and approved this 2nd. day of February, 1925.

THE BOARD OF COUNTY COMMISSIONERS OF TULSA
COUNTY, OKLAHOMA.

(SEAL)

By: Ed W. Hedgecock, Chairman.

ATTEST: O G Weaver, County Clerk.
By: Nelle R. Smith, Deputy.

Motion was made by W L North, seconded by J S Shaver, that the claim of E I Saddler, filed in the amount of \$25.00, and numbered 98403, be and the same is hereby allowed in the amount of \$10.00. Motion carried.

Motion was made by W L North, seconded by J S Shaver, that the claim of James D. Marklund, numbered 98409, be and the same is hereby disallowed. Motion carried.

Upon motion of W L North, seconded by J S Shaver, the meeting is hereby ordered adjourned to meet Tuesday, February 3rd. 1925, at the hour of 9 o'clock A.M.