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That in the event the said property herein set forth, shall be included in a sewer district, hereinafter created, by the said City of Tulsa, either within or without the corporate limits of said City of Tulsa, but within the sanitary jurisdiction of said City of Tulsa, the said part.. of the second part consent.. and agree.. said property shall be assessed and taxed in the same form and manner and upon the same basis as other property in said sewer district is assessed and taxed, and the same shall become a lien against the property herein described and enforced in manner and form by law provided; provided, however, that the actual cost of that part or portion of such sewer constructed, connected and used, as herein provided, which shall be upon the public property of the City of Tulsa, or upon the public highways of the County of Tulsa, within the limits by law provided, at the time such sewer district is created, shall be a credit on said assessment in the sum of Five and No/100 (\$5.00) Dollars to be paid by the said City of Tulsa to the fee owner of such property at the time such assessment is levied and charged against said property.

It is agreed and understood that the said City of Tulsa, by its agents and employees shall have a right-of-way and easement over, into and upon the property herein described for the purpose of constructing, repairing, maintaining, supervising and operating the sewer or sewers herein provided for, and the said second part... do... hereby waive any damage or claim of damage by reason of the construction, operation, repair, maintenance and supervision of such sewer of ^{the} said City of Tulsa, its agents, contractors or employees.

It is agreed and understood that this contract shall be filed of record in the office of the Register of Deeds as against said property for the uses and purposes herein provided.

IN WITNESS WHEREOF, we have hereunto set our hands this 12 day of June

1923;

(Seal of City of Tulsa.)

ATTEST; Roy Garbett, City Auditor,

Approved this 22 day of June, 1923.

J.J. Underwood, City Attorney.

City of Tulsa,

By H. F. Newblock, Mayor.

W. B. Smith.

Part.. of the Second Part.

FILED FOR record in the Office of the Register of Deeds, Tulsa County, Oklahoma, this day of 1923.

STATE OF OKLAHOMA, }
COUNTY OF TULSA, } SS.

Before me, a Notary Public, in and for the above named County and State, on this 12 day of June, 1923, personally appeared W. B. Smith, and to me personally known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Witness my signature and official seal the day and year last above written.

My commission expires Apr. 7, 1927.

(SEAL)

Edna Kelling, Notary Public.

Filed City of Tulsa, June 12, 1923. 2; P.M. Roy Garbett, City Auditor, By T.

Filed for record at Tulsa, Tulsa County, Oklahoma, Sept. 17, 1923, at 4; O'clock P.M. and recorded in book 468, page 350.

By Brady Brown, Deputy.

(SEAL) O.G. Weaver, County Clerk.