

WARRANTY DEED

Know All Men by These Presents:

That J. J. Culbertson Jr., and Bonnie Culbertson, his wife

Oklahoma City,

Oklahoma County

State of Oklahoma parties of the first part, in consideration of

the sum of One DOLLARS,

in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto The Public

of Oklahoma County, State of Oklahoma part Y of the

second part, the following described real property and premises situated in Oklahoma

County, State of Oklahoma, to-wit: An unplatted tract or parcel of ground in the Southwest Quarter of Section Twenty Six (26) Township Twelve (12) North of Range Three (3) West of the Indian Meridian, described as follows: Beginning at the northwest corner of the Southwest Quarter of Section 26, thence East and along the north line of said Southwest Quarter 335.8 feet to the West line of Stonewall Ave; thence south and along the west line of Stonewall Ave, a distance of 25 feet, thence west and parallel to the north line of said Southwest Quarter to the West line of Said Section 26; thence north along said Section line a distance of 25 feet to point or place of Beginning, said tract or parcel of land being for street purposes.

together with all improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

To Have and to Hold said described premises unto the said party of the second part heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, and judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this 18th day of July 1927.

J. J. Culbertson Jr. & Bonnie Culbertson
By *J. J. Culbertson attesting*
in fact.

Part of M.E.L. Tr. of Culbertson & Stonewall Ave

State of Oklahoma, ss. _____

Before me, _____, a Notary Public in and for said County

and State, on this _____ day of _____, 1927, personally

appeared _____, Attorney in Fact for J. J. Culbertson, Jr. and

_____ to me known to be _____, Bonnie Culbertson,

the identical person— who executed the within and foregoing in-

strument, and acknowledged to me that _____ executed

the same as his free and voluntary act and deed for _____ and

and as the free and voluntary act and deed of said J. J. Culbertson, Jr. and Bonnie

Culbertson, for the uses and purposes therein set forth.

Witness my hand and official seal the day and year above set forth.

R. D. Taylor
Notary Public.

My commission expires _____ January 17, 1931.

25592 R

Warranty Deed

FROM

J. J. Culbertson, Jr. et ux

16TH ST

TO

The Public.

7-18-27

6-12-34

State of Oklahoma

Oklahoma County

This instrument was filed for record

on the _____ day of _____

1927, at _____ o'clock

minutes _____, and recorded in

Book 335 _____ of Deed

Records at Page 467

Register of Deeds.

Deputy.

RECORDED

Western Bank and Office Supply Co., Okla. City

Deed #6
Abstract #120

CJ 74-625

THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR

TO: Arne Loven
Finance Director

FROM: Jerry R. Fent
Assistant Municipal Counselor

DATE: May 6, 1975

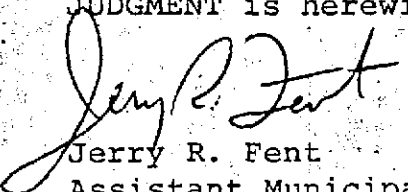
RE: State of Oklahoma vs. City of Oklahoma City, et al.
Case Styled CJ-74-625

Attached herewith is a check in the amount of \$17,750.00 as full and final settlement for the City's Park land that was taken by the State in the above styled case. The State had condemned Block (B) of CULBERTSON HEIGHTS ADDITION for expansion of its health facilities.

The Council authorized said settlement on November 26, 1974. On April 30, 1975, the State deposited the balance of this money into court.

It is my opinion that since the money is proceeds from a park land sale, this check should be deposited into an appropriate City Park land acquisition account.

The City Clerk is directed to delete said property from the City ownership records. A certified copy of the JOURNAL ENTRY JUDGMENT is herewith attached for the City Clerk's records.


Jerry R. Fent
Assistant Municipal Counselor

JRF:kcm

Attachments

cc: H. D. McMahan, City Manager, E Ray, Long, City Clerk,
Bill Abney, City Auditor, and R. R. "Pat" Murphy, Parks and
Recreation Director

PLEASE CASH AT ONCE
DEPOSITORY VOUCHER
DISTRICT COURT CIVIL

OKLAHOMA COUNTY, OKLAHOMA

Office of the Court Clerk to the
COUNTY TREASURER AS OFFICIAL DEPOSITORY
Oklahoma City, Oklahoma

No. 38758

PAY TO THE
ORDER OF

DATE	CASE NUMBER	AMOUNT
MAY 5 75	625	\$17,750.00

THE CITY OF OKLAHOMA CITY

STYLE STATE OF OKLA. EX REL VS. CITY OF OKLA. CITY, ET AL

PURPOSE CJ 74 PAYMENT PER J.E.

REGISTERED NO.

50913

WHEN PROPERLY ENDORSED PAYABLE THROUGH
THE LIBERTY NATIONAL BANK & TRUST COMPANY
OKLAHOMA CITY, OKLAHOMA 39-19
JACK BLACKWELL, County Treasurer 1030

DAN GRAY, Court Clerk

BY

Deputy

Deputy

1030 0019 002 010 91

IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.
DEC 30 1974
DAN GRAY, Court Clerk
By _____

STATE OF OKLAHOMA, ex rel. THE
DEPARTMENT OF INSTITUTIONS, SOCIAL
AND REHABILITATIVE SERVICES, a
public body corporate,

Plaintiff,

-vs-

CITY OF OKLAHOMA CITY, a municipal
corporation, J. J. CULBERTSON,
EMILY CULBERTSON, J. J. CULBERTSON,
II, EMILY POTTER, MRS. EUGENE
WHITTINGTON, J. J. CULBERTSON, III,
ADA CULBERTSON, A. B. POTTER, JR.,
VIRGINIA POTTER, FLORENCE SUTTON,
WILLIAM J. SUTTON, R. B. HARRINGTON,
EMILY HARRINGTON, EUGENE WHITTINGTON,
JR., and RICHARD C. WHITTINGTON, if
living, or if dead, their unknown
heirs, executors, trustees, or
assigns,

Defendants.

NO. CJ-74-625

JOURNAL ENTRY OF JUDGMENT

NOW, on this 30th day of December, 1974, there came
on for hearing the Exceptions to the Commissioners' Report and
the Demands for Jury Trial filed by all defendants in this cause,
all parties being present by their respective attorneys of
record, whereupon the following proceedings were had:

1. All defendants withdrew their Exceptions to the
Commissioners' Report in open court.

2. All parties defendant directed the Court's attention
to the fact that this action was maintained by the plaintiff
for the purpose of acquiring fee simple title, less and except
all oil, gas and other related minerals, in and to certain real

property situated within the City of Oklahoma City, described as follows:

All of Block "B" of Culbertson Heights Addition to the City of Oklahoma City, Oklahoma County, State of Oklahoma, according to the Plat recorded in Book 19, Page 110, in the Office of the County Clerk of Oklahoma County, Oklahoma.

That said lands were described in one certain Warranty Deed executed by J. J. Culbertson, et ux. in favor of the defendant, City of Oklahoma City, dated June 16, 1919 and recorded June 14, 1921 in Book 245, Page 475, for use as a park, bearing the name of "Culbertson Park" with certain other rights as to future use and maintenance of said lands by the defendant, City of Oklahoma City, and containing a reversionary right to the grantors or their heirs in the event of any failure on the part of the defendant, City of Oklahoma City, to so use such property. That the remaining parties defendant, other than the defendant, City of Oklahoma City, are the only heirs of said grantors and do claim herein that the reversion so specified in said deed has occurred by virtue of which they assert equitable title to all of the compensation to be paid for such property but the defendant, City of Oklahoma City, expressly denies said claim and likewise asserts title to all of the compensation to be paid for the taking of such lands.

3. All defendants thereupon withdrew their respective Demands for Jury Trial in said cause and the Court proceeded to hear argument of counsel and upon consideration thereof and examination of the files FINDS that the reasonable value of said

lands taken by the plaintiff is \$35,500.00. The Court further FINDS that title in and to said lands, less and except the mineral interest thereunder, is vested in the plaintiff, State of Oklahoma, ex rel. The Department of Institutions, Social and Rehabilitative Services, a public body corporate, free and clear of all claims of any defendant.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court:

1. That judgment be, and the same hereby is, rendered herein for the defendants and against the plaintiff in the sum of \$35,500.00, together with all costs herein.

2. The Clerk of this Court is hereby instructed to pay and disburse said sums as follows: One-half (1/2) thereof to the defendant, City of Oklahoma City, and the remaining one-half (1/2) thereof to the remaining defendants, J. J. Culbertson, III, A. B. Potter, Jr. Florence Sutton, Mrs. Eugene Whittington, Eugene Whittington, Jr., and Richard C. Whittington by check payable to their attorney of record, R. C. Jopling, Jr.

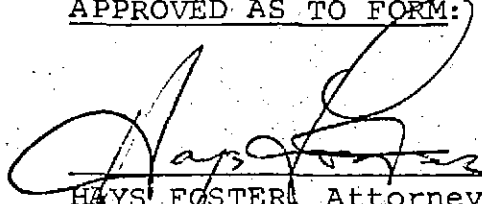
This judgment does not prejudice any of the rights of any of the co-defendants as to any reverter question with reference to any other tracts of land in the area, and does not admit or deny any claim of reversion thereto and may not be used as evidence in any litigation hereafter instituted with regard to other tracts in the area.

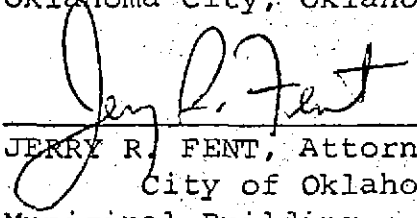
3. Title in and to said lands, less and except all mineral interest thereunder, be, and the same hereby is, vested in the plaintiff, State of Oklahoma, ex rel. The Department of Institutions, Social and Rehabilitative Services, a public

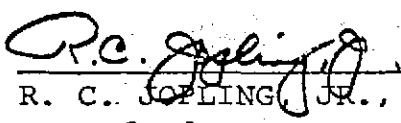
body corporate, free and clear of all claims thereto of any
of the defendants.

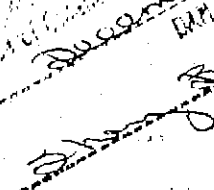

JUDGE OF THE DISTRICT COURT OF
OKLAHOMA COUNTY, STATE
OF OKLAHOMA

APPROVED AS TO FORM:


HAYS FOSTER, Attorney for Plaintiff
Sequoyah Building
P. O. Box 25352
Oklahoma City, Oklahoma 73125


JERRY R. FENT, Attorney for Defendant,
City of Oklahoma City
Municipal Building
200 North Walker
Oklahoma City, Oklahoma 73102


R. C. JOPLING, JR., Attorney for all
Defendants, except City of Oklahoma City
1520 First National Center
Oklahoma City, Oklahoma 73102

I, JUDGE FLOYD L. MARTIN, of Oklahoma County,
State of Oklahoma, do hereby certify that the foregoing is a true,
correct and correct copy of the instrument herewith
filed for record in the District Court
of Oklahoma County, Oklahoma, this 22
day of December, 1964.
BY  Clerk, District Court
Oklahoma County, Oklahoma

WARRANTY DEED RECORD No. 245

Deed # 67A

P 92

all of Blk "B" Dated 12-30-24 JC-78-625

WARRANTY DEED

J. J. Culbertson, TO C. CITY OF OKLAHOMA CITY.
STATE OF OKLAHOMA, Oklahoma County, ss. SEAL

This instrument was filed for record June 14th, 1921, at 9:25 o'clock A. M., and
Recorded in Book 245, Page 478, Fee \$1.50, Tom Bodine, County Clerk.

KNOW ALL MEN BY THESE PRESENTS, That J. J. Culbertson and Emily Culbertson, his wife,
do hereby grant and donate to the City of Oklahoma City, a municipal corporation Block A
and B of Culbertson Heights Addition to the City of Oklahoma, in Oklahoma County, State
of Oklahoma, as shown by the recorded plat thereof.

The donation of said blocks is upon each of the following express conditions subsequent:

1. That the blocks so donated are donated to and shall be used perpetually, under
the administration of the appropriate department of said city, for park purposes only.
2. That said parks shall always bear the name "Culbertson Park", and shall always be
so designated on maps and plats of the city and in any official reference to the same.
3. That, the city beautify and improve and at all times maintain and keep up the
said parks in accordance with other similar parks in Oklahoma City.

The failure or refusal of the said City of Oklahoma City, or of such department of
said city, to conform and to comply with each, every or any of the foregoing express
conditions, with respect to said parks or either of them or any part of either of them,
shall work a reversion, as for each of condition subsequent, of that one or both of
said Block, and all improvements thereon, as to which the breach of either such condition
shall exist, without demand for possession or re-entry, to the grantors or their heirs;
and the title and interest of the public and said City to the said Blocks or either of
them, as the case may be, for parks or any purpose, shall instantly determine and cease.

Dated this 16th day of June, 1919.

J. J. Culbertson,
STATE OF OKLAHOMA,) Emily Culbertson, by John J. Culbertson
Oklahoma County,) ss. Attorney in fact.

Before me, a Notary Public in and for said County and State, on this 10th day of
June 1919, personally appeared John J. Culbertson Jr., attorney in fact for J. J. Culbertson
and Emily Culbertson, and to me known to be the identical person who executed the
aforesaid and foregoing instrument and duly acknowledged to me that he executed the same as
his free and voluntary act and deed and as the free and voluntary act and deed of said
J. J. Culbertson and said Emily Culbertson, his wife, for the uses and purposes and upon
the conditions therein set forth.

WITNESS my hand and seal the day and year last above written.

My commission expires January 17, 1925.

R. L. Taylor, Notary Public.

R. L. Taylor, Notary Public.
Oklahoma County, Okla.

STATE OF OKLAHOMA,)
Oklahoma County,) ss.

WARRANTY DEED REC RD No. 245

The City of Oklahoma City by its Mayor thereto duly empowered and directed by Resolution of the Mayor and Commissioner of said City adopted on the 7 day of June, 1921, hereby accept the within Donation upon each and every of the conditions therein named and stipulated and does hereby undertake to perform each and every of such conditions as to each of the blocks so donated:

Attest:

THE CITY OF OKLAHOMA CITY.

C. F. Simmelbeck, City Clerk:

By J. C. Walton, Mayor:

City of Oklahoma City,
State of Oklahoma,
Official Seal.

BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE CITY OF OKLAHOMA, That the Mayor is directed and empowered to subscribe the name of the City, same to be attested under the Seal of the City by the City Clerk to the acceptance upon the conditions therein named of the donation of Blocks A and B of Culbertson Heights Addition to the City of Oklahoma City Oklahoma County, State of Oklahoma, as shown by the recorded plat thereof, for park purposes, the donation aforesaid being made by an instrument in writing of which a copy is hereto attached. And the acceptance aforesaid is to be upon the form of acceptance appended to the said writing; and

RESOLVED, That the City of Oklahoma City undertake to perform each and every of the conditions expressed and nominated in the said Deed of Donation.

Adopted by the Mayor and Commissioners this 7 day of June, 1921.

Attest: C. F. Simmelbeck, City Clerk:

J. C. Walton, Mayor:

City of Oklahoma City,
State of Oklahoma,
Official Seal.

The undersigned City Clerk of the City of Oklahoma City and as such in charge of the Resolutions, Ordinances and Records of said City, does hereby under the seal of the said City, certify that the within and foregoing is a true and correct copy of a Resolution duly passed at a regular convened meeting of the Mayor and Commissioners of the said city held on the 7 day of June, 1921.

C. F. Simmelbeck, City Clerk:

City of Oklahoma City,
State of Oklahoma,
Official Seal.

STATE OF OKLAHOMA }
OKLAHOMA COUNTY } SS:

I, CECIL PARHAM, the duly elected qualified and acting County Clerk, in and for the County and State aforesaid, do hereby certify that the within and foregoing is a full, true and complete copy of

filed in the office of the County Clerk on the 14 day of June 1921 at 9:25 o'clock A.M. and recorded in book 245 Page 478

Given under my hand and official seal this 20 day of June 1921

CECIL PARHAM, County Clerk

By [Signature] Deputy

4. Seal # 677A

Pub. Collector
6-9-21

all of 5 lb "B" bottles

12-30-74 CJE 74-625

abstract # 120