



OKLAHOMA DEPARTMENT OF TRANSPORTATION

Outdoor Advertising Control

200 N.E. 21st Street
Oklahoma City, OK 73105-3204
(405) 521-3005

February 9, 2022

Lamar Central Outdoor
Attn: Pat Selcer
7777 E 38th St
Tulsa OK 74145

Certified Mail No.: 9214890278018900030324

*Sign Registration No.: 15151
Sign File No. 80005-03
I-44, Rogers County*

Dear Mr. Selcer:

Pursuant to OAC Title 730:35-5-6 (h), you are hereby advised that a legal document, alleging that you do not have a valid land use agreement on the property where the above-mentioned sign is located has been received. A copy of the affidavit has been enclosed for your review. The sign is located on the north side of I-44, approximately 1.4 miles west of SH-167 in Rogers County.

If you have documentation or information that would prove contrary to these allegations, please submit it to this office within ten (10) days in receipt of this letter.

If we have not received any correspondence at the end of ten (10) days, we will assume you agree with the information we have received and the permit will be cancelled. If this is the case, then we respectfully request that you remove the sign within ninety (90) days of receiving this letter.

If you have any questions regarding this matter, please do not hesitate to call. (405) 521-3005

Respectfully,


for

Barbara Hoppes
Transportation Manager
Outdoor Advertising Control Branch

Enclosures

cc: Michael B. Fine
Fine Outdoor Advertising
2010 North Memorial
Tulsa OK 74115

"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."

AN EQUAL OPPORTUNITY EMPLOYER

R-15151


Affidavit of Lease Expiration

Date: February 3, 2022

I, David Reese, Vice President of Fine Outdoor Advertising Inc., upon oath state:

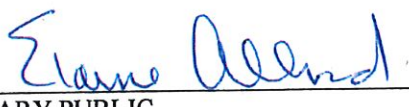
1. I am the Vice President of Fine Outdoor Advertising Inc., owner of certain real property located in the City of Tulsa, Tulsa County, State of Oklahoma, and legally described on Exhibit "A" attached hereto and incorporated herein by this reference.
2. The previous Lease Agreement with Lamar as successor/assignee of Eller Media Company for the purpose of maintaining an outdoor advertising structure on the above property, expired by its stated terms on October 10, 2020 (see attached Exhibit "B" – Expired Lease Agreement).
3. Notice was provided to Lamar on July 6, 2020 advising of landowner's termination of the Lease effective October 9, 2020. A copy is attached hereto as Exhibit "C" and incorporated herein by this reference.
4. Notice was provided to Lamar on September 22, 2021 advising of landowner's demand to vacate the land based on the termination of the Lease (see attached Exhibit "D" – Notice to Quit).

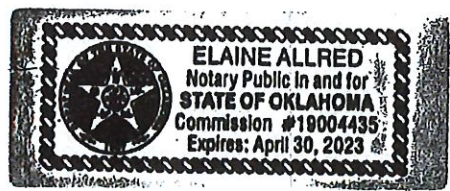
**Fine Outdoor Advertising Inc.,
an Oklahoma corporation**

By: 
 Name: David Reese
 Its: Vice President

Subscribed and sworn to before me this 5th day of February, 2022 by David Reese, Vice President of Fine Outdoor Advertising Inc., an Oklahoma corporation.

[SEAL]


 NOTARY PUBLIC



FINE OUTDOOR ADVERTISING, INC.

July 6, 2020

Lease 1754
R-15151

VIA U.S. CERTIFIED MAIL
Return Receipt Requested
AND HAND DELIVERY

Lamar Advertising Company
Attn: Pat Selcer, General Manager
7777 East 38th Street
Tulsa, Oklahoma 74145

Re: That certain Outdoor Advertising Lease Agreement #1754/3305 dated October 10, 2000 between Fine Outdoor Advertising, Inc., as landlord and Eller Media Company, as tenant, as amended by that certain addendum dated October 10, 2000 (collectively and as assigned, the "Lease") for the leased premises located at 16902 E. Brady, Catoosa, Oklahoma (the "Premises").

NOTICE OF TERMINATION

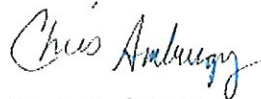
Dear Pat:

Please reference the Lease. Pursuant to Paragraph 4 of the Lease, the landowner, Fine Outdoor Advertising, Inc. hereby terminates the Lease. Please remove your sign structure and repair the surface of the Premises at your earliest convenience after October 9, 2020.

Thank you for your time and attention to this matter.

Sincerely yours,

FINE OUTDOOR ADVERTISING, INC.



Chris Amburgy

Eller Detrich
A Professional Corporation

Philip J. Eller
Kevin H. Wylie
R. Louis Reynolds
Daniel C. Cupps
Andrew A. Shank
Heidi L. Shadid
Shanann Pinkham Passley
Mac D. Finlayson
Steven P. Flowers
Sloane Ryan Lile
Nathalie M. Cornett
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Of Counsel

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Joshua M. Tietsort
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Telephone
(918) 747-8900

Toll Free
(866) 547-8900

Facsimile
(918) 747-2665

Writer's E-Mail:
ashank@ellerdetrich.com

September 22, 2021

**VIA HAND DELIVERY
AND CERTIFIED MAIL (Return Receipt Requested)**

Lamar Advertising Company
Attn: Pat Selcer, General Manager
7777 East 38th Street
Tulsa, Oklahoma 74145

Re: That certain Outdoor Advertising Lease Agreement #1754/3305 dated October 10, 2000 between Fine Outdoor Advertising, Inc., as landlord and Eller Media Company, as tenant, as amended by that certain addendum dated October 10, 2000 (collectively and as assigned, the "Lease") for the leased premises located at 16902 E. Brady, Catoosa, Oklahoma (the "Premises").

NOTICE TO QUIT

Dear Mr. Selcer:

This law firm represent Fine Outdoor Advertising, Inc. (the "Landowner"). The purpose of this letter is to notify you of Lamar's failure to remove the outdoor advertising structure including fixture connections, panels, signs, copy and any equipment and accessories (collectively, the "Structure") on the Premises in violation of the terms of the Lease. Pursuant to Section 5 of the Lease, the Structure must be removed within one hundred twenty days (120) of the termination of the Lease. The Lease was terminated on October 9, 2020. Accordingly, the deadline to remove the Structure was February 6, 2021. The Structure remains on the Premises unlawfully.



www.EllerDetrich.com

2727 East 21st Street, Suite 200, Tulsa Oklahoma 74114-3533

Lamar Advertising Company
Attn: Pat Selcer, General Manager
September 22, 2021
Page 2

If the Structure is not removed within thirty (30) days from the date of this letter, the Landowner will pursue legal action to remove the Structure from the Premises and recover from Lamar all costs and expenses associated therewith including, but not limited to, attorney's fees. We urge your prompt attention to this matter. We are giving you an opportunity to resolve this matter without any further cost or expense by complying with the timeframe set forth above. We certainly hope that will be the case.

The Landowner expressly reserves all rights to recover (i) rent from Lamar for the period that Lamar has held over on the Premises after the expiration of the Lease until the Structure is removed from the Premises, and (ii) any damage to the Premises resulting from the removal of the Structure from the Premises.

Sincerely,

ELLER & DETRICH
A Professional Corporation



Andrew A. Shank

Exhibit "A"

Legal Description

THE WEST 2,116 FEET OF THE S1/2 OF S1/2 OF SE1/2 OF SECTION 35, TOWNSHIP 20 NORTH, RANGE 14 EAST, ROGERS COUNTY, STATE OF OKLAHOM, LESS AND EXCEPT THAT PORTION TAKEN FROM HIGHWAY PURPOSES DESCRIBED IN BOOK 309, PAGE 616, AND SUBJECT TO A RIGHT-OF-WAY EASEMENT OVER THE NORTH 25 FEET OF THE EAST 1456 FEET THEREOF AND THE NW1/4 OF SW1/4 OF SE1/4 OF SAID SECTION 35, TOWNSHIP 20 NORTH, RANGE 14 EAST, ALL ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

Commonly known as: 16902 E. Brady, Catoosa, Rogers County, Oklahoma

Barbara Hoppes

From: Elaine Allred <elaine@whistlerworks.com>
Sent: Tuesday, February 8, 2022 12:55 PM
To: Barbara Hoppes
Subject: [EXTERNAL] Affidavit of No Lease locations
Attachments: image002.jpg

Barbara:

These are the current ODOT permit registration numbers matched with the addresses that are on our docs.

Current ODOT Permits:

11545 174⁰⁴ N Memorial Dr
11908 13000 Block BA
11158 5757 E Apache St
12032 I-44 @ 145th E Ave
11025 12540 E Skelly Dr
10903 12262 E Skelly Dr

15151 16902 E Brady West
15150 E Brady Center
11029 17102 E Brady East

I'll need to clarify with the landowner which leases apply to which of the three Brady parcel locations.

Sorry about the confusion. These documents were initially part of larger permit packages that provided more detailed location information.

Elaine
918.852.1399
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Elaine Allred

Whistler Billboards

direct 918-392-5208

elaine@whistlerworks.com

