



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.: 9214890278018900030362

*Sign Registration No.: III58
Sign File No. 80027-01
SH-11, Tulsa 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 south side of SH-11, approximately 3 mile east of US-75 in Tulsa 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

R-11158

Affidavit of Lease Expiration

Date: February 3, 2022

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

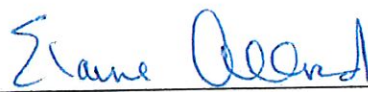
1. I am the Vice President of Fine Outdoor Advertising Inc., owner of certain real property located in the City of Tulsa, Tulsa County, State of Oklahoma, and legally described on Exhibit "A" attached hereto and incorporated herein by this reference.
2. The previous Lease Agreement with Lamar as successor/assignee 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).

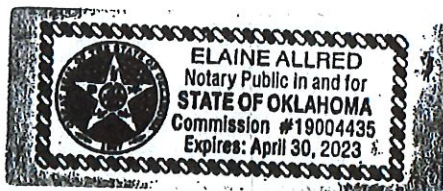
**Fine Outdoor Advertising Inc.,
an Oklahoma corporation**

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 1753
R-11158

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 #1753 dated October 10, 2000 between Michael Fine, as landlord and Eller Media Company, as tenant (collectively as amended and assigned, the "Lease") for the leased premises located at 5757 E. Apache Street N., Tulsa, Oklahoma (the "Premises").

NOTICE OF TERMINATION

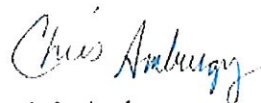
Dear Pat:

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
Natalie J. Marra

Telephone
(918) 747-8900

Toll Free
(866) 547-8900

Facsimile
(918) 747-2665

Of Counsel
Donald L. Dettich, *Retired*
Jerry M. Snider
Katherine Saunders, PLC
Joshua M. Tietsort
Kenneth E. Crump Jr.

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 #1753 dated October 10, 2000 between Michael Fine, as landlord and Eller Media Company, as tenant (collectively as amended and assigned, the "Lease") for the leased premises located at 5757 E. Apache Street N., Tulsa, 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.

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



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

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

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4 SW/4 SE/4) OF SECTION TWENTY-TWO (22), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT 660 FEET NORTH, AND 60.53 FEET EAST OF THE SOUTHWEST CORNER OF SAID SW/4 SW/4 SE/4; THENCE WEST 60.53 FEET; THENCE SOUTH 620 FEET TO POINT ON THE NORTH RIGHT-OF-WAY LINE OF APACHE STREET; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID APACHE STREET A DISTANCE OF 639.55 FEET; THENCE NORTH 01°10'39" WEST A DISTANCE OF 122.12 FEET; THENCE NORTH 51°57'41" WEST A DISTANCE OF 246.80 FEET; THENCE NORTH 33°57'41" EAST A DISTANCE OF 19.36 FEET; THENCE NORTH 58°06'25" WEST A DISTANCE OF 100.03 FEET; THENCE NORTH 50°30'36" WEST A DISTANCE OF 416.23 FEET TO THE POINT OF BEGINNING,

SUBJECT TO THAT PART DEEDED TO THE CITY OF TULSA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION 22; THENCE NORTH 01°20'40" WEST, ALONG THE WEST LINE OF THE SE/4 OF SAID SECTION 22, A DISTANCE OF 40.00 FEET TO A POINT ON THE EXISTING NORTHERLY RIGHT-OF-WAY OF EAST APACHE STREET, AND THE POINT OF BEGINNING;

THENCE NORTH 01°20'40" WEST, AND CONTINUING ALONG THE WEST LINE OF THE SE/4 OF SAID SECTION 22, A DISTANCE OF 60.00 FEET; THENCE NORTH 88°48'55" EAST A DISTANCE OF 114.61; THENCE SOUTH 84°40'16" EAST A DISTANCE OF 528.91 FEET TO A POINT ON THE EXISTING NORTHERLY RIGHT-OF-WAY OF EAST APACHE STREET; THENCE SOUTH 88°48'55" WEST, AND ALONG THE EXISTING NORTHERLY RIGHT-OF-WAY OF EAST APACHE STREET, A DISTANCE OF 639.94 FEET TO THE POINT OF BEGINNING.

Commonly known as: 5757 E. Apache Street North, Tulsa, Tulsa 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 17⁰⁴~~40~~ 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

--

Elaine Allred

Whistler Billboards

direct 918-392-5208

elaine@whistlerworks.com

