



**OKLAHOMA DEPARTMENT OF TRANSPORTATION**

**Outdoor Advertising Control**

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

February 9, 2022

Lamar Central Outdoor  
Attn: Pat Selcer  
7777 E 38<sup>th</sup> St  
Tulsa OK 74145

*Certified Mail No.: 9214890278018900030355*

*Sign Registration No.: 12032  
Sign File No. 80222-01  
I-44, 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 north side of I-44, approximately .7 mile east of I-244 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-12032


**Affidavit of Lease Expiration**

Date: February 3, 2022

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

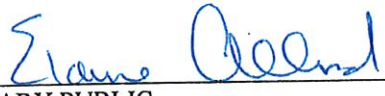
1. I am the Vice President of Fine Outdoor Advertising Inc., owner of certain real property located in the City of Tulsa, Tulsa County, State of Oklahoma, and legally described on Exhibit "A" attached hereto and incorporated herein by this reference.
2. The previous Lease Agreement with Lamar as successor/assignee of Eller Media Company for the purpose of maintaining an outdoor advertising structure on the above property, expired by its stated terms on April 20, 2021 (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).

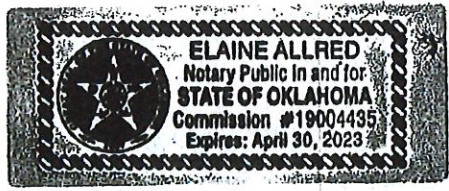
**Fine Outdoor Advertising Inc.,  
an Oklahoma corporation**

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 1792  
R- 12032

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 #38A/1792 dated April 20, 2001 between Michael Fine, as landlord and Eller Media Company, as tenant, as amended by that certain addendum dated October 10, 2000, as further amended by that second addendum dated April 20, 2001 (collectively and as assigned, the "Lease") for the leased premises located at I-44 & N. 145<sup>th</sup> East Avenue, Tulsa, Oklahoma, as more particularly described therein (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

*Of Counsel*  
Donald L. Detrich, *Retired*  
Jerry M. Snider  
Katherine Saunders, PLC  
Joshua M. Tietsort  
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Telephone  
(918) 747-8900

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(866) 547-8900

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(918) 747-2665

Writer's E-Mail:  
[ashank@ellerdetrich.com](mailto: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 #38A/1792 dated April 20, 2001 between Michael Fine, as landlord and Eller Media Company, as tenant, as amended by that certain addendum dated October 10, 2000, as further amended by that second addendum dated April 20, 2001 (collectively and as assigned, the "Lease") for the leased premises located at I-44 & N. 145<sup>th</sup> East Avenue, Tulsa, Oklahoma, as more particularly described therein (the "Premises")

**NOTICE TO QUIT**

Dear Mr. Selcer:

This law firm represents 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](http://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

A TRACT OF LAND THAT IS A PART OF THE SOUTH HALF (S/2) OF SECTION THIRTY-THREE (33), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT ONE (1), BLOCK ONE (1), SAMPSON INDUSTRIAL PARK, AN ADDITION TO THE CITY OF TULSA, ACCORDING TO THE RECORDED PLAT NO. 4823; THENCE SOUTH 1°09'59" EAST FOR A DISTANCE OF 223.50 FEET; THENCE NORTH 88°40'30" EAST FOR A DISTANCE OF 374.02 FEET; THENCE NORTH 48°28'24" EAST FOR A DISTANCE OF 209.10 FEET; THENCE NORTH 60°52'32" EAST FOR A DISTANCE OF 159.53 FEET; THENCE NORTH 49°26'36" EAST FOR A DISTANCE OF 415.07 FEET; THENCE NORTH 88°40'10" EAST FOR A DISTANCE OF 39.53 FEET; THENCE NORTH 49°26'36" EAST FOR A DISTANCE OF 78.97 FEET; THENCE NORTH 1°19'50" WEST FOR A DISTANCE OF 32.27 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 88°40'10" EAST, AND ALONG SAID SOUTH LINE, FOR A DISTANCE OF 161.54 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 1°13'44" EAST FOR A DISTANCE OF 3.53 FEET; THENCE SOUTH 9°00'42" WEST FOR A DISTANCE OF 589.27 FEET; THENCE SOUTH 1°10'03" EAST FOR A DISTANCE OF 273.12 FEET; THENCE SOUTH 88°55'58" WEST FOR A DISTANCE OF 699.97 FEET; THENCE SOUTH 88°47'57" WEST FOR A DISTANCE OF 586.53 FEET; THENCE NORTH 87°36'47" WEST FOR A DISTANCE OF 264.97 FEET; THENCE NORTH 8°39'33" EAST FOR A DISTANCE OF 177.92 FEET; THENCE NORTH 81°20'27" WEST FOR A DISTANCE OF 250.03 FEET; THENCE NORTH 49°36'51" WEST FOR A DISTANCE OF 116.19 FEET; THENCE NORTH 40°23'09" EAST FOR A DISTANCE OF 65.00 FEET; THENCE NORTH 14°45'54" WEST FOR A DISTANCE OF 758.41 FEET; THENCE NORTH 49°46'08" WEST FOR A DISTANCE OF 125.08 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT ONE (1), BLOCK ONE (1), CHURCH ON THE MOVE, A RESUBDIVISION OF TRINITY PARK EAST AND TRINITY PARK SUBDIVISION, AND A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW/4 NE/4) OF SECTION 33, CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 5882; THENCE ALONG SAID SOUTHERLY LINE FOR THE FOLLOWING FOUR (4) COURSES, NORTH 88°39'56" EAST FOR A DISTANCE OF 75.36 FEET; THENCE SOUTH 49°46'08" EAST FOR A DISTANCE OF 84.46 FEET; THENCE SOUTH 14°45'54" EAST FOR A DISTANCE OF 621.91 FEET; THENCE NORTH 88°40'21" EAST FOR A DISTANCE OF 645.07 FEET TO THE POINT OF BEGINNING.

Commonly known as: I-44 & N. 145th East Avenue, Tulsa, Tulsa County, Oklahoma

## Barbara Hoppes

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**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 17<sup>04</sup>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](mailto:elaine@whistlerworks.com)

