

Concerns with Relocation Permit No. 15240, SH-51, Tulsa

Application for a new relocation permit on SH-51 (Broken Arrow Expressway) in Tulsa, was received by the OAC Branch on 10/30/19. ([See attachment 1](#)). Letter from the sign company requested to use relocation rights for Reg. No. 3000. ([See attachment 2](#)) However, since they wanted to install a digital sign at the new site and 3000 was not approved for this type of technology the sign company requested to use Reg. No. 13693 instead. However once the inspector discovered it was not located within an incorporated municipality and therefore could not be “relocated” into a municipality per statute, it was ultimately decided to utilize Reg. No. 14307 ([See attachment 3](#)) and a new relocation permit was issued, Reg. No. 15240, on 1/23/20.

Sign to be relocated 14370:

- Approval letter for new Reg. No. 15240 states it is relocating Reg. No. 14370, which was located on I-44 in Catoosa. ([See attachment 4](#))
- No. 14370 was issued as a relocation permit for the taking of No. 11020 in 2012. No. 14370 was approved at approximately 85 ft. west of 11020 on the remainder property. ([See attachments 5 & 6 for sign information and photos.](#))
- No. 14370 was removed by Lamar in February of 2019 to allow proper spacing for a new sign. (Reg. No. 15150)
- There are no records of “rights to pursue a relocation permit” specifically issued for Reg. No. 14370, nor is there any documentation in the file confirming a cost savings in issuing a relocation permit as opposed to outright acquisition. However, in the Entry of Judgment (EJ) found on OSCN, there is mention of 3 relocation permits, with two being allowed back on the remaining property. Those two have already been utilized on the remainder property leaving one available for use. ([Attachment 7](#) is a copy of EJ which was issued in 2018. Sign nos. do not appear to have been captured in the settlement process, however hand written notes on the front page of the EJ were found in the file referencing 11020, 11021 and 11022.)
- There is a hand written statement at the bottom of the 2011 Agreement for Relocation in the new relocation file stating that 14370 was never built. ([See second page of attachment 3.](#)) However, there are photos in the file of a sign with registration tag no. 14370 attached to the pole. ([Attachment 5](#)) To complicate matters further there were ongoing legal issues due to additional r/w being needed on the project and conflicts with previous legal cases still hanging unresolved, so it is possible the tag for 14370 was attached to 11020. If this is the case then 14370 should be cancelled and Reg. No. 11020 could be reinstated to corroborate the settlement agreement. However, if it was built then statements referencing never built, should be removed from the file. To relocate an “unbuilt sign” from one city to another could be problematic.

New Relocation Sign Site (15240)

- New relocation sign would be moving from Catoosa to Tulsa. (Although permissible by statute if no other locations in the City of Catoosa are available, this could be a point of contention for Tulsa.)
- New relocation is 10 ft. taller than the sign it is relocating: 14370 was 60' height above ground (HAGL) and 11020 was 50'. Sign owner claims they need the additional height due to elevation of highway.
- Existing grandfathered sign at new relocation site located approximately 140 ft. from approved site. (Statute requires 500 ft. distance.) The final approval should not be rendered until existing structure has been removed; deadline to remove existing structure should have been issued with a conditional approval to the sign company. (See attachment 8)
- New relocation sign will be digital, current grandfathered sign cannot use digital technology nor could it be upgraded by the City of Tulsa due to proximity to a residential area.
- New relocation sign has been approved to 70 ft. HAGL; existing grandfathered sign is 49 ft. HAGL. The optics of this difference along with the LED usage might be considered objectionable by Tulsa and nearby residents. Again, within the scope of the statutes, but we should be sure documentation is in proper order.

I do believe the issues can be addressed providing a more careful determination. However with the recent events with Hefner Parkway sign location, and media attention it garnered we should take into account that the City of Tulsa has already voiced their concerns to the Department in 2016 about relocation permits usurping their local control. The two issues they specifically cited were led/digital usage and HAGL. Although the Department does not typically regulate HAGL we are taxed with adhering to comparable sign structures when considering relocation permits. Although at the time we were in conflict with Tulsa we felt the LED/digital aspects were not really negotiable if the sign being relocated had that technology intact, we acquiesced to Tulsa that we would take into consideration the HAGL when making relocation permit decisions moving forward. A guideline was added to the OAC Procedure for processing Relocation Permits. (See attachment 9)

Considering current negotiations with Lamar to resolve the remnant issues over the Hefner Parkway relocation, I don't think it would be in the Department's best interest to revoke the permit in Tulsa. Instead we should clarify the use of 14307 if it was built, or if not, then we should simply cancel 14307 and reinstate 11020 to be used at the new site. A deadline to remove the existing grandfathered structure needs to be issued as soon as possible and the classification for the new relocation permit should be changed to "suspense" until existing structure is removed. This will avoid any public concern should they view the area on our ODOT Map and Data Portal and see the two registered sign sites being located in such close proximity to each other. (140 ft.)

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OKLAHOMA DEPARTMENT OF TRANSPORTATION
APPLICATION FOR SIGN REGISTRATION & PERMIT
(See back of form for instructions)

i.c. Staked location photo

FOR OFFICIAL USE ONLY		
DATE	2571	15240
BY	BY	BY
FEE AMOUNT	7694	80595-03
APPLICATION NO.		SIGN FILE NO.

U 1 3 0 2019

Part I - SIGN OWNER INFORMATION

101 Applicant's Name: Lamar Central Bank Address: 7777 E 38th St

103 City: TULSA State: OK Zip Code: 74115

106 Telephone No.: 918.668.1955 Fax No.: 918.668.0254 Email Address: lelia-amb@lamar.com

Part II - LOCATION OF SIGN SITE

201 Located on Hwy.: S/164 Side of Hwy.: S County Name: TULSA City Name: TULSA

205 Nearest Intersecting Hwy.: 75 Direction from Intersection: E 207 Distance from Intersection: 2 miles 208 Distance from Flight-of-Way: 2 Feet

209 GPS Coordinates: Latitude: 36.137249° Longitude: -95.948913°

Part III - LAND OWNER INFORMATION (No. Assigned: 17396)

301 Land Owner's Name: Compro, LLC / NW Allen Address: 4835 S. PEORIA, SUITE 200

303 City: TULSA State: OK Zip Code: 74105

306 Telephone No.: 918.747-8100 307 Have you enclosed proof of land use consent? YES NO

Part IV - PHYSICAL DESCRIPTION OF SIGN

401 DIMENSIONS: Height of Facing: 20 ft. Width of Facing: 30 ft. Overall Height Above Ground: 20 ft.

402 TYPE OF SIGN: Single Side-by-Side Stacked V-Type Back-to-Back Tri-Vision (Rotating Slats)

403 NO. OF PANELS: 2 404 WILL SIGN BE ILLUMINATED? YES NO If yes, will it be an LED display? YES NO

Part V - ZONING AND COMMERCIAL/ INDUSTRIAL QUALIFICATIONS (One of these options is required for Class A Permit. However if applying for a Class C (Informational) Permit, this section does not apply.)

ZONED AREA ONLY

501 - Is proposed location zoned? YES NO (If answer is no, then go directly to Item 505.)

502 - What is the zoning designation? CA

503 - Who is the zoning authority? INCCG - TULSA

504 - If the area is zoned, a Zoning Confirmation from must be completed and attached. (Form OAC Z-504 or its equivalent.)

UNZONED AREA ONLY

505 - Is proposed location within 600 ft. of a conforming business? (Refer to OAC §730:35-5-12[a][2]) YES NO

506 - What is the name of the business?

507 - Please attach a diagram depicting the layout of the business and the proposed sign site.

Part VI - ACKNOWLEDGMENT

Have you read all of the statutes and regulations pertaining to outdoor advertising signs? YES 51-72-80 Div 8

REMARKS: Rights for a RELO from Reg No. 13693 - B-Lopes - Also Cancelling R-12246

STATE OF: OKLAHOMA
County of: TULSA
LORINDA ELIZABETH being of lawful age and first duly sworn upon oath deposes and states the following:

I, on behalf of myself (or) as authorized representation of the organization listed above as Applicant, so attest that I have read the foregoing information and that the facts set forth herein are true and correct to the best of my knowledge and belief.

Signature of Applicant or Representative: LORINDA ELIZABETH
NOTARY PUBLIC: WJ Korst
Subscribed and sworn to me this 25 day of October, 2019
My commission expires: 1/25/2020



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OAC OCT 30 2019



10/25/2019

ODOT
Outdoor Advertising Control
200 N.E. 21st Street, RM 2 A-3
Oklahoma City, OK 73105-3204

RE: Billboard application at Cempro / HW Allen Co
2740 E 21st Street Tulsa, OK

Dear ODOT,

Lamar is applying for a 70' tall sign to accommodate the view from the raised topography of the highway at the BA XWY and 21st overpass. We are using RELO permit #3000 in the settled case # CJ-2008-3242 (Harar).

We would like to cancel and remove permit # 12246 (existing structure) and replace it with the Harar Relo Permit #3000 for a new proposed location on the property. *Not approved for LED use. p11*

Please call me with any questions you may have.

Sincerely,

L. EUSTANOS

Real Estate Manager
Lamar-Tulsa

*see email from Lorinda requesting the
use of RELO for R-13693, (Oakhurst - Unincorporated
p11)
Email dated 1/16/20 requesting to use
Relo rights from 14370.*

7777 East 38th Street - Tulsa, Oklahoma 74145
Phone: 918-665-1755 / Fax: 918-665-0284

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Barbara Hoppes

From: Lorinda Elizando <lelizando@lamar.com>
Sent: Thursday, January 16, 2020 12:04 PM
To: Barbara Hoppes; Derek Vinson; Thomas Davis
Subject: [External] Cempro app

Hi Barbara,

Thanks for your prompt attention you've shown on this! Per Robert Blackwell, Chief of ROW, please use registration number 11020 (aka 14370) from the Fine acquisitions, to be used as a relo on the Cempro application previously submitted.

Thank you!!

Lorinda Elizando
Sent from my awesome iPhone

Reg. Nos. (11020 & 11029)
used for 14370

11029
No rights to
relo offered.
Moved back under
same permit.

JO. IECE	21898(05)RW
PROJECT	IMY-044-2(485)238RW
COUNTY	Tulsa
PARCEL	1,1.1,1.2 (T)

AGREEMENT FOR RELOCATION OF OUTDOOR ADVERTISEMENT

The Oklahoma Department of Transportation (ODOT), and Lamar Central Outdoor, Inc., tenant of property described as SE 1/4, Section 35, Township 20N, Range 14E, Tulsa County, State of Oklahoma Have agreed on an Agreement for the relocation of two outdoor advertisement signs known as Parcel 1, 1.1, 1.2, (T) for a sum of \$149,000.00. No improvements, damages (relocate two outdoor advertising signs including all concrete & footings), and any and all damages. Said property is needed for use of the I-44 Road Widening Project.

Oklahoma Department of Transportation and Lamar Central Outdoor, Inc. agree that:

Lamar Central Outdoor, Inc. will execute one Tenant Release

The signed instruments will be submitted to the ODOT for preparation of 1 State Warrant totaling \$149,000.00 issued to Lamar Central Outdoor, Inc.

BUYER will mail Warrant to the following address:

Lamar Central Outdoor, Inc.
c/o Pat Selcer
7777 E. 38th Street
Tulsa, OK 74145
Telephone (888) 768 - 7845

Lori A. Vernon 10-27-11
Agent: Lori A. Vernon Date

Patrick J. Selcer
Patrick J. Selcer, General Manager Date
10-27-11

1/15/20 2:30 Robert Blackwell R/W Chief

JP 21898 (04) Parcel 1 2011 1st Project
JP 20315 (05) Parcel 23 2016 2nd Project

more R/W was acquired by a 2nd project where 14370 CLAR was approved.
Sign was not built because S.O. was informed that more R/W would be
Acquired in future project - JP20315 (05) in 2016 straighten out R/W, taking more,
a RELO for 14370 was offered. S.O. will be using RELO for TWF 7694,
on CEMPRO Property (Tulsa Co., SH 64 2.0 miles East of US-75)

ORIGINAL

B. Hopper
1-16-20

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WINDOW1

Sign owner Land Owner Adjudication Sign Face hst Comments

Sign

SFN 8057503 Twf No 7694 Reg 15240 Adj code CLAR Sign Owner 2571 Land Owner 17396 Land Owner Red Flag

Hwy S51 Cnty 72 Seg 80 Side S D/U D XHwy 1444 Miles 2 Dir E Dist From Row 2

Address City TULSA Digital Aerial Page Aerial Page

Legal Land Desc NW NE Section 17 Township 19 Range 13 Range Dir E Latitude 36.132763

S/O Name LAMAR CENTRAL OUTDOOR, LLC L/O Name CEMPRO, LLC/H W ALLEN CO Longitude -95.948911

Height 20 Width 30 Total HT 70 S-Type V2 Panels # 2 Illum Y TRI VISION N Led Display Y

Zoning CH Authority INCOG-TULSA Bus-600ft Name Permit Canceled Removal

Reg 01/23/2020 Permit Expires 03/31/2022 Erected Field Inv

Comment

Documents Photos Save And Print Permit Save And Print Certificate CHANGE SFN # Save And Print Permit

Created 01/17/2020 00:00:00 Created By UROW063



OKLAHOMA DEPARTMENT OF TRANSPORTATION

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

January 23, 2020

Lamar Central Outdoor, LLC
Attn: Patrick Selcer
7777 E 38th St
Tulsa OK 74145

*Re: Approval of Relocation Sign Permit
New Sign Registration No.: 15240
(Relocation for Registration No. 14370)
Sign File No.: 80575-03
SH-51, Tulsa County*

Dear Mr. Selcer:

This letter is to advise you the Oklahoma Department of Transportation has approved the enclosed application for registration and permitting due to the site meeting state and federal outdoor advertising regulations. As you are aware, this particular permit has been issued in accordance with Title 69 O.S. §1275 (3) (d). This law provides for lesser spacing requirements for legally erected outdoor advertising signs which are to be relocated because of property being acquired by the State through eminent domain. Subsection 1273 (w) of the same title, defines a relocation permit as follows:

"A permit issued pursuant to the provisions of subparagraph (d) of paragraph (3) of Section 1275 of this title. A relocation permit shall have precedence over any municipal or county restriction that interferes with the intended purpose of providing a method and opportunity to minimize the cost of acquiring legally erected outdoor advertising signs by the Department."

The property upon which Sign Registration No. 14370 was located was purchased to accommodate highway project (J/P# 20315(05)), parcel 23. Rights to the relocation permit were granted per Agreed Journal Entry of Judgment Case No. CJ-2016-307.

We remind you that the existing sign (12246) on the property must be removed before the new sign can be built. We are in receipt of the survey dated December 11, 2018, therefore, the permit, registration and tag have been enclosed.

Your cooperation and assistance in our Billboard Relocation Program are much appreciated. If you have any questions please contact the Outdoor Advertising Control Branch at (405)521-3005.

Respectfully,

Robert Blackwell
Chief of Right of Way
Right of Way Division

RB/bh Enclosures:

"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



PERMIT
FOR
HIGHWAY OUTDOOR ADVERTISING SIGN

Classification: CLAR (See below for description.)

Print Date: 01/23/2020

Expires: 03/31/2022

REGISTRATION NO.: 15240	SIGN FILE NO.: 80575-03
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OWNER OF RECORD

LAMAR CENTRAL OUTDOOR, LLC
7777 E 38TH ST
TULSA, OK 74145

Owner No.: 2571

DESCRIPTION OF SIGN LOCATION:

On the S side of S51 in TULSA County
2.00 miles E of Highway I444

Legal Description of Permitted Site:

Highway Control Section: S51-72-80

NW NW NE S17 T19N R13E

PERMIT CLASSIFICATION DESCRIPTION:

CLAR : A Class "A" Substandard Permit for a sign location that meets all current requirements except for spacing between registered signs. (Spacing is based on pre-November 1, 2001 standards.) This permit is granted only for the purpose of providing a relocation site for a sign acquired under eminent domain, or at the surrender of four permits along a realigned roadway, and in accordance with Title 69 O.S. §1275(d) & (e). This permit further has precedence over any municipal or county restriction that interferes with the intended purpose of providing a method and opportunity to minimize the cost of acquiring legally erected outdoor advertising signs by the Department. [Ref.: Title 69 O.S. §1273 (w)]

ISSUANCE STATEMENT

Pursuant to the Highway Advertising Control Act of 1968, 69 O.S. §1271 et. seq., as amended and the regulations promulgated by the Oklahoma Transportation Commission, this permit is issued as effective for the existence of an outdoor advertising sign at the location identified above. The issuance of this permit is to accommodate the relocation of a legally erected outdoor advertising sign purchased under eminent domain in accordance with Title 69 O.S. §1275 3 (d) & (e). This permit further has precedence over any municipal or county restriction that interferes with the intended purpose of providing a method and opportunity to minimize the cost of acquiring legally erected outdoor advertising signs by the Department. [Cite 69 O.S. 1273(w)]

✓ Reg. No. 12246



Staked location for 15240

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WINDOW1

Sign | Sign owner | Land Owner | Adjudication | Sign Face hist | Comments

Sign

SFN 8070301 Twf No 6690 Reg 14370 Adj code CLAR Sign Owner 2571 Land Owner 4717 Land Owner Red Flag N

Hwy 144 Cnty 66 Seg 36 Side N D/U D XHwy S66 Miles 1.9 Dir W Dist From Row 2

Address City CATOOSA Digital Aerial Page 2 Aerial Page 2

Legal Land Desc SE SW SE Section 35 Township 20 Range Dir N E Range 14 Latitude 36.16278

S/O Name LAMAR CENTRAL OUTDOOR, LLC L/O Name FINE OUTDOOR Longitude -95.78447

Height 14 Width 48 Total HT 60 S-Type V2 Panels # 2 illum Y TRIVISION Y Led Display Y

Zoning CH (COM. HIGH INT) Authority CATOOSA Bus- 600ft Name

Reg 05/04/2012 Permit Expires 06/30/2020 Erected 06/15/2017 Field Inv 06/06/2014 Permit Canceled Removal 02/13/2019

Comment

Documents | Photos | Save And Print Certificate | Save And Print Permit | CHANGE SFN # | Created | Created By

Issued as a relocation for Sign Reg. No. 11020 in 2012. Removed in 2 of 2019 when a new relocation permit was issued to relocate 11021 which was located approx 500 ft. west. (New relocation no. is 15150)

Comments	Comment	created by
SFN 8070301 01/16/2020 11:54:08	The rights to a RELO for this site (165' west of 11020) was obtained from 11020 JP21898(04) 2011, however sign was never built because SO was informed that more RW in a future project would be needed possibly right where this CLAR was approved. JP 20315(05) 2016 straighten the RW and offered SO a RELO. SO will not be building at this site but instead using the rights to a RELO for TWF 7694 on CEMPRO property (Tulsa Co. SH-64 2 miles East of US-75) (R-15240)	UROW037
02/20/2019 10:25:32	Final scan and upload has been completed. File has been destroyed.	UROW063
02/02/2017 08:55:35	LED upgrade approved.	UROW037
03/16/2016 14:47:06	Tag mailed 3/16/2016.	UROW036
02/10/2016 10:14:13	Replacement Tag ordered 2/10/2016 file in the tag holding area.	UROW036





Removed same time Reg. No. 15150
was being applied for.

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WINDOW1

Sign | Sign owner | Land Owner | Adjudication | Sign Face hist | Comments

Sign

SFN 80000001 Twf No 2309 Reg 11020 Adj code SUSP Sign Owner 2571 Land Owner 10415 Land Owner Red Flag N

Hwy 144 Cnty 66 Seg 36 Side N D/U D Miles 1.2 Dir W Dist From Row 10

Address City CATOOSA Digital Aerial Page 2 Aerial Page 2

Legal Land Desc SW SE SE Township 20 Range 14 Range Dir E Latitude 36.16290759

S/O Name LAMAR CENTRAL OUTDOOR, LLC L/O Name MICHAEL B. FINE Longitude -95.7839165

Height 14 Width 48 Total HT 50 S-Type V2 Panels # 2 Illum Y TRI VISION N Led Display N

Zoning Authority CITY OF CATOOSA (C4) Bus- 600ft N Name

Reg 06/25/1996 Permit Expires 06/30/2016 Erected 07/30/1996 Field Inv 06/06/2014 Permit Canceled Removal 06/15/2017

Comment

Documents | Photos | Save And Print Certificate | Save And Print Permit | CHANGE SFN # | Created 03/08/2008 11:16:38 | Created By RWP

Rights to pursue a "relocation permit" issued during highway project in 2011/2012. Confirmed removed in 2017 according to file records. (Had been allowed to remain in place until property was needed for project/constr.)



90000 01

REG# 11020

JUL 14 2009

Reg 11020

7/14/09



Removal confirmation photo
in file.

Comments		Comment	created by
SFN 8000001	06/28/2017 13:38:27	Confirmed removal 6/15/2017	UROW063
	01/20/2016 14:22:48	Relocation of this sign is required due to a highway widening project. CLAR No. 14370 was issued May 4, 2012 to provide a relocation site for this sign.	UROW031
	06/06/2014 11:40:09	COLLECTED 05/19/14	UROW052
	04/30/2012 09:29:24	4-27-2012, received photo of correct tag on structure.	UROW039
	09/29/2009 15:09:25	WRONG TAG - #11022 PAINTED TAG 95' TO ROAD SURVEYED 7-14-09	UROW003

JUL 02 2018

IN THE DISTRICT COURT OF ROGERS COUNTY
STATE OF OKLAHOMA

KIM HENRY COURT CLERK

DEPUTY

STATE OF OKLAHOMA, ex rel.)
 Department of Transportation,)
)
 Plaintiff,)
)
 v.)
)
 FINE OUTDOOR ADVERTISING, INC.;)
 LAMAR CENTRAL OUTDOOR; and ROGERS)
 COUNTY BOARD OF COMMISSIONERS;)
)
 Defendants.)

Case No. CJ-2016-307
Hon. Sheila A. Condren

**AGREED JOURNAL ENTRY OF JUDGMENT
AS TO LAMAR CENTRAL OUTDOOR**

This action comes on for entry of an Agreed Journal Entry of Judgment as to Lamar Central Outdoor by the District Court. Plaintiff State of Oklahoma, ex rel. Department of Transportation (the "Department") appeared by and through its attorney, Kelly F. Monaghan of Holloway•Monaghan•King. Defendant Lamar Central Outdoor (referred to as "Lamar") appeared by and through its attorney, William H. Hickman of Hickman Law Group. The Court finds as follows:

1. The Department and Lamar have stipulated and agreed that Lamar's recovery of just compensation for any and all property interest and leasehold interest of Lamar acquired by the Department, including the three (3) outdoor advertising signs, leasehold interests and sign permits; and including any and all moving, relocation, reestablishment and refitting costs and expenses, damages, rights, title, interest, claims or causes of action, known or unknown ("Property Interests") and including the cost for Lamar to cause the power line for the outdoor advertising

signs to be relocated underground, and including all attorney fees, engineering fees, appraisal fees and all other fees, costs and expenses is in the amount of Two Hundred Seventy-Five Thousand Dollars (\$275,000.00) and that Lamar shall be entitled to three (3) relocation permits pursuant to the provisions of 69 O.S. Section 1275(3).

2. Pursuant to the terms of the agreement between Lamar and Fine, Lamar will relocate two (2) of the outdoor advertising signs on the remainder property of Fine using two of the relocation permits provided for herein..

3. On December 20, 2016, the Commissioners filed their Report of Commissioners assessing just compensation due Defendants in the amount of \$138,000.00. The Department deposited with the Clerk of this Court the total amount of just compensation assessed by the Commissioners. The commissioners' award has not been disbursed.

4. Service of process has been perfected, as provided by law, on all Defendants having compensable interests in the subject property, and on Defendants having lien and/or mortgage claims or claims of title against the subject property.

5. This Agreed Journal Entry of Judgment is only as to Lamar. An Agreed Final Journal Entry of Judgment as to Fine Outdoor Advertising, Inc. was previously entered by this Court on September 18, 2017.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED the just compensation to which Lamar is entitled for any and all property interests and leasehold interests of Lamar acquired by the Department, including the three (3) outdoor advertising signs, leasehold interests and sign permits located on real property acquired by the Department in this litigation, as described in Exhibit "A" attached hereto, including any and all moving, relocation,

reestablishment and refitting costs and expenses, damages, rights, title, interest, claims or causes of action, known or unknown, and including the cost for Lamar to cause the power line for the outdoor advertising signs to be relocated underground, and including all attorney fees, engineering fees, appraisal fees and all other fees, costs and expenses is hereby fixed at Two Hundred Seventy-Five Thousand Dollars (\$275,000.00) the payment of which shall be as follows:

(a) the Court Clerk is hereby ordered to pay to Lamar the amount of One Hundred Thirty-Eight Thousand Dollars (\$138,000.00) currently on deposit with the Court Clerk without any deduction for poundage; and (b) the Department shall pay to Lamar the sum of One Hundred Thirty-Seven Thousand Dollars (\$137,000.00) within thirty (30) days of the entry of this Judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lamar shall be entitled to three (3) relocation permit in accordance with the provisions of 69 O.S. Section 1275(3).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to the terms of the agreement between Lamar and Fine, Lamar has the right to relocate the two (2) of the outdoor advertising signs on the remainder property of Fine using two of the relocation permits provided for herein.


(Reg. Nos. 15150 &
15151 issued 2/2019)

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lamar shall complete the removal of the three (3) outdoor advertising signs from the property described in the Petition within thirty (30) days of the receipt of the payment in full of this Judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED ODOT and Lamar shall bear their respective attorney's fees and costs incurred herein.

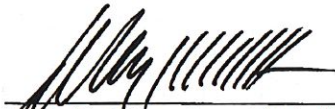
IT IS FURTHER ORDERED, ADJUDGED AND DECREED this Judgment has been approved by Lamar, and the Department, and the party submitting it to the Court shall mail a file stamped copy of the Judgment to all parties.

Dated: 7-2, 2018.

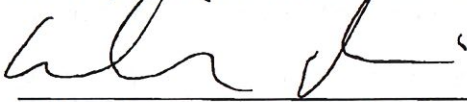


Sheila A. Condren, Judge of the District Court

APPROVED:



Kelly F. Monaghan, OBA #11681
Holloway•Monaghan•King
4111 South Darlington, Suite 900
Tulsa, Oklahoma 74135
(918) 627-6202
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kmonaghan@hmkoklaw.com
Attorneys for Plaintiff State of Oklahoma, ex rel. Department of Transportation



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hickman@hickmanlawgroup.com
Attorneys for Defendant Lamar Central Outdoor

20315(05)
Parcel 23
Page 1 of 2
April 13, 2016
JE 6-15-17

Parcel 23

A strip, piece or parcel of land lying in part of the S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35, T 20N, R 14E, in Rogers County, Oklahoma. Said parcel of land being described by meets and bounds as follows:

Beginning at a point on the West line of said S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, a distance of 92.76 feet N01°06'25"W of the SW corner of said S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, thence N01°06'25"W along said West line a distance of 35.00 feet, thence N88°46'32"E a distance of 1,021.85 feet, thence N80°04'49"E a distance of 429.94 feet, thence N88°46'32"E a distance of 75.00 feet to a point on the present North right-of-way line of Interstate Highway No. 44, thence S74°44'22"W along said right-of-way line a distance of 412.31 feet, thence S88°46'32"W along said right-of-way line a distance of 1,121.92 feet to point of beginning.

Containing 1.19 acres (51,954 S.F.), more or less.

All bearings contained in this description are based on the Oklahoma State Plane Coordinate System and are not astronomical bearings.

Controlled access is as previously purchased on Project Number FAP-IN-591(21) and recorded in Case No. 14397 of the Court Clerk's records of Rogers County, Oklahoma.

NOTE!! EXISTING STANDARD FENCING IN THE TAKE AREA IS NOT TO BE CONSIDERED AS AN ITEM OF DAMAGE BECAUSE NEW ODOT STANDARD REPLACEMENT FENCING WILL BE INSTALLED BY THE STATE DURING CONSTRUCTION AT NO COST TO THE LAND OWNER. SPECIALTY FENCING SHALL BE CONSIDERED AS AN ITEM OF DAMAGE TO BE PAID BY THE STATE.

20315(05)
Parcel 23
Page 2 of 2
April 13, 2016
JE 6-18-17

Parcel 23.1

A perpetual utility easement is granted for the sole purpose of enabling the State of Oklahoma, its officers, agents, employees, contractors, permittees and assigns to go upon, survey, locate, construct, reconstruct, build and maintain utility facilities and all necessary or convenient appurtenances thereto, and includes the right of ingress and egress by the State of Oklahoma, its officers, agents, employees, contractors, permittees and assigns.

A strip, piece or parcel of land lying in part of the S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35, T 20N, R 14E, in Rogers County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at a point on the West line of said S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, a distance of 127.76 feet N01°06'25"W of the SW corner of said S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, thence N01°06'25"W along said West line a distance of 10.00 feet, thence N88°46'32"E a distance of 1,021.83 feet, thence N79°56'02"E a distance of 455.41 feet, thence N88°46'32"E a distance of 50.00 feet, thence S01°13'28"E a distance of 15.00 feet to a point on the permanent North right-of-way line of Interstate Highway No. 44, thence S88°46'32"W along said right-of-way line a distance of 75.00 feet, thence S80°04'49"W along said right-of-way line a distance of 429.94 feet, thence S88°46'32"W along said right-of-way line a distance of 1,021.85 feet to point of beginning.

Containing 0.36 acres (15,781 S.F.), more or less.

All bearings contained in this description are based on the Oklahoma State Plane Coordinate System and are not astronomical bearings.

New Relo Permit No. 15240
Near Reg. No. 12246



36.132763, -95.948911

Broken Arrow Expy

Google earth

E 22nd St

E 20th St

S Evanston Ave

E 21st St

S College Ave

S Delaware Ct

51

400 ft





**PROCEDURE STATEMENT
OKLAHOMA DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY & UTILITIES DIVISION**

Subject: Relocation Permit Process	No: Revised: Page:	OAC-PRO 6.117-10 April 1, 2015 1 of 1
----------------------------------------------	-----------------------------------------------	---------------------------------------------

Applies to: Registered signs requiring relocation to accommodate a highway construction project.

Policy -- Refer to Title 69 O.S. 2011 §1273 & 1275(3)(d) and OAC §730:35-5-12(c)(4)&(5)

Oversight: Manager & Supervisor, Outdoor Advertising Control Branch
Actual Site Inspection Procedures: Transportation Specialists

For the purpose of providing a method and opportunity to minimize the cost of acquiring legally erected outdoor advertising signs to be taken when the state purchases land under eminent domain, the Director of the Department of Transportation shall have the option to approve the issuance of permits for outdoor advertising signs visible from interstate and freeway primary facilities which are to be erected less than one-thousand feet from another such sign. Permits issued pursuant to this option shall be only for the purpose of providing a relocation site for a sign being taken by the state, and in no case shall such permits allow an outdoor advertising sign to be erected less than distance provided for in this title from another such sign.

Qualifications of a Relocation Permit

- ▶ Relocation of the sign must be required to accommodate a highway construction project.
- ▶ The sign being replaced must be in good standing with the Outdoor Advertising Control Branch.
- ▶ Proper settlement documentation must be submitted to ensure relocation of the sign provides actual savings to the Department.
- ▶ The proposed relocation site must be comparable to the original location.
- ▶ The square footage of the new sign can't exceed the square footage of the taken sign.
- ▶ New sign must have the same elevation as sign taken, extenuating circumstances can be considered.
- ▶ New site must meet all other regulatory aspects as stipulated in state and federal outdoor advertising control regulations.

Special Allowances for a Relocation Permit

Considering that the sign is being required to be relocated to accommodate a highway construction project special circumstances are allowed. Some of those are as follows:

- ▶ The original sign is not required to be removed prior to acceptance of an application designed to relocate the existing billboard.
- ▶ In most instances, the application fee is waived. An exception to this rule would be if a permit application fee were to be specified in the relocation costs paid to the sign owner.



OKLAHOMA DEPARTMENT OF TRANSPORTATION

Outdoor Advertising Control

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

January 23, 2020

Lamar Central Outdoor, LLC
Attn: Patrick Selcer
7777 E 38th St
Tulsa OK 74145

*Re: Approval of Relocation Sign Permit
New Sign Registration No.: 15240
(Relocation for Registration No. 14370)
Sign File No.: 80575-03
SH-51, Tulsa County*

Dear Mr. Selcer:

This letter is to advise you the Oklahoma Department of Transportation has approved the enclosed application for registration and permitting due to the site meeting state and federal outdoor advertising regulations. As you are aware, this particular permit has been issued in accordance with Title 69 O.S. §1275 (3) (d). This law provides for lesser spacing requirements for legally erected outdoor advertising signs which are to be relocated because of property being acquired by the State through eminent domain. Subsection 1273 (w) of the same title, defines a relocation permit as follows:

"A permit issued pursuant to the provisions of subparagraph (d) of paragraph (3) of Section 1275 of this title. A relocation permit shall have precedence over any municipal or county restriction that interferes with the intended purpose of providing a method and opportunity to minimize the cost of acquiring legally erected outdoor advertising signs by the Department."

The property upon which Sign Registration No. 14370 was located was purchased to accommodate highway project (J/P# 20315(05)), parcel 23. Rights to the relocation permit were granted per Agreed Journal Entry of Judgment Case No. CJ-2016-307. *pertains to 11020, 21 & 22.*

We remind you that the existing sign (12246) on the property must be removed before the new sign can be built. We are in receipt of the survey dated December 11, 2018, therefore, the permit, registration and tag have been enclosed. *is not same location*

Your cooperation and assistance in our Billboard Relocation Program are much appreciated. If you have any questions please contact the Outdoor Advertising Control Branch at (405)521-3005.

Respectfully,

Robert Blackwell
Chief of Right of Way
Right of Way Division

RB/bh Enclosures:

"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



Reg. No. 14370