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

| CITY OF BROKEN ARROW, an |) |
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| Oklahoma Municipal Corporation, |) |
| Plaintiff, |) |
| vs. |) Case No |
| THE HEIRS, AND UNKNOWN |) |
| HEIRS, PERSONAL REPRESENTATIVES, |) |
| DEVISEES, TRUSTEES, SUCCESSORS, |) |
| AND ASSIGNS OF IRA N. JONES, |) |
| DECEASED; |) |
| OKLAHOMA TAX COMMISSION, |) |
| Defendants. |) |

PETITION

COMES NOW the Plaintiff and for its cause of action against the Defendants, and each of them, alleges and states as follows:

1. That this action is brought pursuant to 12 O.S. §1141 for the purposes of quieting title to the hereinafter real estate, and whenever in this Petition reference is made to the book and page number and recording of the instrument, the same has reference to the recording of such instrument in the Office of the County Clerk of Tulsa County, Oklahoma, unless otherwise specifically set out.

2. The Plaintiff is the owner of the legal, equitable title in fee simple to, and in the possession of the following described real estate and premises situated in Tulsa County, State of

Oklahoma, and which contains no building improvements thereon, to-wit:

A parcel of land lying in Lot 3 and Lot 4, Block 76, Broken Arrow Old Town, an addition to the City of Broken Arrow, Tulsa County, Oklahoma. Bearings based on State Plane Coordinates and evidence found in the field.

Description: 1A

Lots 3 & 4 less the West 50 feet of Lot 3, Block 76, Broken Arrow Old Town, containing 9828 square feet or 0.2256 acres, more or less.

3. The Defendants, the Heirs and Unknown Heirs, Personal Representatives, Devisees, Trustees, Successors and Assigns of Ira N. Jones, Deceased, appear by the records of the County Clerk of Tulsa County, Oklahoma, to be claiming some right, title, or interest in or to the property by virtue of a Warranty Deed filed of record August 15, 1936, in Book 1199, at Page 58, records of Tulsa County, Oklahoma.

4. Upon information and belief, Ira N. Jones died on or about March 2, 1995.

5. The claims of the Defendants are adverse to the Plaintiff and the nature and extent of which claims known to the Plaintiff being herein set forth; that in truth and in fact, the Defendants have absolutely no right, title, interest, estate, equity or lien in and to the real estate involved or improvements located thereon, or minerals thereunder in this action or any part or parcel thereof in the pretended, or recorded instruments appearing to be claims to an interest therein are wholly without merit or basis either in fact or in law or in equity, and such claims constitute clouds on the title to said real estate which present the plaintiff from enjoying the full and complete fee simple title ownership and possession of said real estate and Plaintiff is entitled to have said claims adjudged and decreed to be null and void and the instruments evidencing the same cancelled at record and held for naught.

6. The Plaintiff owns the absolute, indefeasible fee simple record title to the abovedescribed property by virtue of the following instrument: General Warranty Deed as shown in the abstract from City of Broken Arrow to Eva R. Jones, a single person, dated September 10, 2013, filed on October 4, 2013, with Document No. 2013100354. A copy of same is attached hereto and is marked Exhibit "A."

WHEREAS, premises considered, the Plaintiff prays for a judgment against the Defendants, and each of them, for quieting and confirming the legal, equitable title and in fee simple to and in possession of the real estate involved in this action and the Plaintiff, in

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adjudging the Defendants, and each of them, to have no right, title, interest, estate, equity or lien therein or thereto, and forever barring and excluding them therefrom enjoining them and all persons claiming by, through or under them, or either of them, from ascertaining any claim or interest in said real estate adverse to the fee simple title of Plaintiff; and as an incident to the quieting of the title to said real estate, Plaintiff prays that the instruments described in the Petition and clouding the title in and to said real estate be removed as clouds on the title of said real estate; and for such other and further relief as the Court deems equitable.

Respectfully Submitted,

BETH ANNE WILKENING CITY ATTORNEY

By: _____

Beth Anne Wilkening OBA #15138 Trevor A. Dennis, OBA #19794 City of Broken Arrow P. O. Box 610 220 South 1st Street Broken Arrow, Oklahoma 74012 (918) 259-8422 (918) 259-8218 Facsimile

VERIFICATION

Having read the foregoing document in my capacity as City Manager for the Plaintiff, City of Broken Arrow, Oklahoma, I hereby swear that the statements are true and correct to the best of my knowledge.

STATE OF OKLAHOMA

Michael L. Spurgeon, City Manager

COUNTY OF TULSA

SUBSCRIBED and sworn to before me this _____ day of March, 2016.

)) SS:

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NOTARY PUBLIC

MY COMMISSION EXPIRES: