

On this 3rd day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1007
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	
OKLAHOMA, containing approximately 64.4 acres		)	
more or less; and George Hogan, Jr., et al.,		)	
	Defendants.	)	

ORDER APPOINTING COMMISSIONERS

NOW, on this 3rd day of January, 1944, the above cause came on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the estate in the lands hereinafter described and the acquisition of said estate in said lands is necessary to provide for the storage of waters to be impounded by the Grand River Dam Project in Oklahoma, and for generating and supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the act of August 1, 1888, 25 Stat. 357 (U.S.C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U.S.C. Title 40, Secs. 258 (a) to 258 (e) ); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809) and Executive Order No. 8944, dated November 19, 1941, the Administrator of the Federal Works Agency is authorized to acquire in the name of the United States of America, said estate in said lands.

That pursuant to and by virtue of said authority, the Administrator of the Federal Works Agency has duly selected for acquisition by the United States for said public purposes, a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal thereof of all obstructions, natural or artificial structures, building fences and other improvements, and to enter upon said lands from time to time in the performance of said acts, upon and over certain lands, situate and lying and being in the County of Delaware, in the Northern District of the State of Oklahoma, within the jurisdiction of this court, and more particularly described by courses and distances as follows, to-wit:

(FOR DESCRIPTION OF TRACTS SEE JOURNAL 6, Page 326)

It further appears that all of those persons claiming any interest in and to said lands adverse to the United States of America, which said persons are defendants in this proceeding, have been duly served with notice of the hearing of the application of the appointment of commissioners by this Court, according to law.

The Court specifically finds that the returns of the Marshals filed herein showing service of notice of the hearing on the application and petition for the appointment of commissioners are true and correct, and service was had as stated in said returns.



W. A. Stokes,  
 William S. R. Stuart,  
 C. E. Smiley,  
 R. E. Pettibon,  
 J. E. Johnson,  
 E. G. Johnson,  
 Garfield, West  
 J. A. Ehart,  
 Rutha May Davis,  
 Rufus L. Logan,  
 Ida Bean,  
 W. E. Myers,  
 John Colyer,

Silas Colyer,  
 C. F. Bowlby,  
 Lydia Bowlby, if living, or if deceased, their known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors, and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of W. T. Hume, deceased; of Allen Lynch, deceased, of Nellie Black, Cherokee Roll No. N. B. 1401, deceased; of Frank Hains, deceased; of Jeff D. Sexton, deceased; of Jennie Sexton, deceased; of Lewis Sexton, deceased; of J. H. Harmon, deceased; of W. R. Badgett, deceased; of Collis Jones, also known as Collis Jones, deceased; of Reida West, deceased; of Amalia Rowe, deceased; of W. M. Cravens, deceased; of Wm. A. Crosby, deceased; of Thos. T. Crosby, deceased; of Sheridan Williams, deceased; of H. J. Young, deceased; of Stella Thomas, deceased; of Jesse Rowe, deceased, and of Parmelia Rowe, deceased;

and that the following defendants are in the military service of the United States to wit:

F. E. Blaine;  
 Jeff D. Sexton, Jr., one and the same person as Dennis Sexton;  
 Jack L. Rorschach

and it further appearing to the Court that an attorney should be appointed to represent and protect the interests of each of said defendants,

It further appearing that the petitioner has complied with all of the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended, and that a judgment confirming the report of commissioners should be entered in this cause.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, that Saul A. Yager, a regular practicing attorney of Tulsa, Oklahoma, be, and he is hereby appointed to represent and protect the interests of each of the following defendants, to-wit:

F. E. Blaine;  
 Jeff D. Sexton, Jr., one and the same person as Dennis Sexton;  
 Jack L. Roschach;  
 Walter V. Smith;  
 Bervie Smith;  
 Smiley & Company, a co-partnership, composed of C. E. Smiley and Frank Smiley and R. C. Pettibon;

William Bean, Cherokee Freedman, Roll No. 1849;

E. I. Pierce,

G. W. Beck, Jr.,

J. W. Dodge,

W. W. Stokes,

William S. R. Stuart,

C. E. Smiley,

R. C. Pettibon,

J. E. Johnson,

E. G. Johnson,

Garfield West,

J. A. Ehart,

Rutha May Davis,

Rufus L. Logan,

Ida Bean,

W. E. Myers,

John Colyer,

Silas Colyer,

C. F. Bowlby,

Lydia Bowlby, if living, or if deceased, their known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of W. T. Hume, deceased; of Allen Lynch, deceased; of Nellie Black, Cherokee Roll No. N. B. 1401, deceased; of Frank Hains, deceased; of Jeff D. Sexton, deceased; of Jennie Sexton, deceased; of Lewis Sexton, deceased; of J. H. Harmon, deceased; of W. R. Badgett, deceased; of Callie Jones, also known as Collis Jones, deceased; of Relda West, deceased; of Amelia Rowe, deceased; of W. M. Cravens, deceased, of Wm. A. Crosby, deceased; of Thos. F. Crosby, deceased; of Sheridan Williams, deceased; of H. J. Young, deceased; of Stella Thomas, deceased; of Jesse Rowe, deceased; and of Permelia Rowe, deceased;

AND it is FURTHER ORDERED AND DIRECTED that a judgment be entered in this cause, confirming the report of commissioners.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 3 1944  
H. P. Warfield, Clerk  
U. S. District Court ME



TRACT NO. 5 (1 FW 6 Rev.)  
Flowage Easement

(Distribution made as per Order dated October 27, 1943)

TRACT NO. 6 (1 FW 6-A Rev.)  
Flowage Easement

M. J. Flanagan -- fee owner -- 18.60  
(Commissioners' award)

TRACT NO. 7 (1 FW 58)  
Flowage Easement

(Pending Jury trial)

TRACT NO. 8 (2 FW 12)  
Flowage Easement

E. M. Stark, one and the same person as  
Elmer M. Stark -- fee owner - 8.00  
(Commissioners' award)

TRACT NO. 9 (2 FW 13)  
Flowage Easement

Fred A. Mayberry,  
Ethel Mayberry Shank -- fee owner - 35.00  
(Commissioners' award)

TRACT NO. 10 (2 FW 13-A)  
Flowage Easement

(Pending jury trial)

TRACT NO. 11 (2 FW 17)  
Flowage Easement

D. W. LeMaster,  
C. W. Wantland -- fee owner -- 20.00  
(Commissioners' award)

TRACT NO. 12 (2 FW 33)  
Flowage Easement

Anna K. Craig - fee owner -- 27.50  
(Commissioners' award)

TRACT NO. 13 (2 FW 35-REV.)  
Flowage Easement

Charles (Chas.) Hastings -- fee owner-- 17.00  
(Commissioners' award)

TRACT NO. 14 (2 FW 37 Rev.)  
Flowage Easement

Kenneth M. Riddle,  
Myrtle Riddle, -- fee owners -- 15.00  
(Commissioners' award)

TRACT NO. 15 (2 FW 39-Rev.)  
 Flowage Easement

Reid Luginbuel -- fee owner -- 9.00  
 (Commissioners' award)

TRACT NO. 16 (2 FW 48)  
 Flowage Easement

James H. White -- fee owner -- 11.40  
 (Commissioners' award)

TRACT NO. 17 (2 FW 49)  
 Flowage Easement

Luberta Martin -- fee owner -- 14.40  
 (Commissioners' award)

TRACT NO. 18 (2 FW 50 Rev.)  
 Flowage Easement

Wm. Blake -- fee owner -- 4.80  
 (Commissioners' award)

TRACT NO. 19 (2 FW 51)  
 Flowage Easement

Luther N. Gregory -- fee owner -- 104.00  
 (Commissioners' award)

TRACT NO. 20 (2 FW 52)  
 Flowage Easement

M. D. Stryker -- fee owner -- 37.00  
 (Commissioners' award)

TRACT NO. 21 (2 FW 53)  
 Flowage Easement

C. D. Armstrong -- fee owner -- 2.40  
 (Commissioners' award)

TRACT NO. 22 (2 FW 54)  
 Flowage Easement

M. D. Stryker -- fee owner -- 4.00  
 (Commissioners' award)

TRACT NO. 23 (2 FW 55)  
 Flowage Easement

Walter V. Smith -- fee owner -- 6.00  
 (Commissioners' award)

TRACT NO. 24 (2 FW 59-A)  
 Flowage Easement

D. P. McLain,  
 R. A. Wilkerson -- fee owners -- 1.00  
 (Commissioners' award)





IN THE DISTRICT COURT OF THE TERRITORY OF OKLAHOMA  
COUNTY OF MAYES

REPORT OF JUNE 1944

OKLAHOMA

JUNE 1944

Beginning at the SE corner of said Lot 3, thence northerly along the east boundary of said Lot 3 a distance of 12.8 feet;  
 thence N 51° 59' W 12.0 feet; thence N 22° 41' W, 57.9 feet;  
 thence N 8° 25' W 7.9 feet to a point on the north boundary of said Lot 7;  
 thence westerly along the north boundary of said Lot 7 a distance of 54.0 feet to the NW corner thereof;  
 thence southeasterly along the southwest boundaries of said Lots 7 and 8 to the point of beginning, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.15

TRACT NO. 2 (1 FW 2)  
Flowage Easement

All that part of Lot 6 of Block 12 as shown on the dedication plat of the Townsite of North Langley dated July 14, 1939, in Sec. 15, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, except that part described as follows, to-wit:

Beginning at the SW corner of said Lot 6, thence easterly along the south boundary of said Lot 6 a distance of 54.0 feet;  
 thence N 8° 25' W 30.8 feet to a point on the north boundary of said Lot 6;  
 thence westerly along the north boundary of said Lot 6 a distance of 75.7 feet to the NW corner of said Lot 6;  
 thence southeasterly along the southwest boundary of said Lot 6 to the point of beginning, containing less than 0.1 acre.  
 The total acreage to be acquired being less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.15

TRACT NO. 3 (1 FW 4)  
Flowage Easement

All that part of the East 14.80 acres of Lot 8 in Sec. 15, including the bed and banks of Grand River adjacent thereto, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and

All that part of Lot 7 in Sec. 15, including the bed and banks of Grand River adjacent thereto, except that portion described as follows, to-wit:

"Beginning at an iron pin set in a concrete monument 526.9 feet north and 333.8 feet west of an iron pin set in a concrete monument at the N. E. Corner of the west 20.0 acres of Lot 8 in said Sec. 15;  
 Thence N 30° 54' W 333.0 feet to an iron pin set in a concrete monument;  
 thence N 59° 06' E 143.7 feet to an iron pin set in a concrete monument;  
 thence N 59° 06' E approximately 60 feet to the 750-foot contour on the Grand Lake;  
 thence southeasterly along said 750-foot contour approximately 333 feet;

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thence S 39° 06' W approximately 30 feet to an iron pin set in a concrete monument;

thence S 39° 06' W 171.0 feet to point of beginning, containing 1.65 acres more or less," lying below Elev. 757 Sea Level Datum, and

All that portion of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  in Sec. 15, lying below Elev. 757 Sea Level Datum, including the bed and banks of the Grand River adjacent thereto,

All in T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$50.00

TRACT NO. 4 (1 FW 5)  
Flowage Easement

All that part of Lot 7, Sec. 15, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, described as follows, to wit:

Beginning at an iron pin set in a concrete monument 527.9 feet north and 333.8 feet west of an iron pin set in a concrete monument at the NE corner of the west 20.0 acres of Lot 8 in said Sec. 15, thence N. 30° 54' W 333.0 feet to an iron pin set in a concrete monument;

thence N 59° 06' E 143.7 feet to an iron pin set in a concrete monument;

thence N 59° 06' E approximately 60 feet to the 750-foot contour on the Grand Lake;

thence southeasterly along said 750-foot contour approximately 333.0 feet;

thence S 59° 06' W approximately 30 feet to an iron pin set in a concrete monument;

thence S 59° 06' W 171.0 feet to point of beginning, lying below Elevation 757 Sea Level Datum, including the bed and banks of Grand River adjacent to said part of Lot 7.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.00

TRACT NO. 5 (1 FW 6 Rev.)  
Flowage Easement

All that part of Lot 3 and all that part of Lot 4, Sec. 15, T 23 N, R 21 E of the Indian Base and Meridian, in Mayes County, Oklahoma, except the following described tract of land, to wit:

"Beginning at the intersection of meander line of the lake and the South line of Lot 4, Section 15, T 23 N, R 21 E,

thence W along South line of said Lot 4, a distance of 286.8 feet;

thence NW on a line parallel to the meander line 150 ft.;

thence NE on a line at right angle to said parallel line 250 ft. to the meander line of the lake;

thence SE along said meander line to point of beginning, containing 1.0 acre."

Lying below Elev. 757 Sea Level Datum including the bed and banks of Grand River adjacent thereto.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$187.40

TRACT NO. 6 (1 FW 6-A-Rev.)  
 Flowage Easement

All that part of Lot 4, Sec. 15, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, described as follows, to wit:

"Beginning at the intersection of meander line of the lake and the South line of Lot 4, Section 15, T 23 N, R 21 E; thence W along South line of said Lot 4, a distance of 296.8 ft.; thence NW on a line parallel to the meander line 150 ft.; thence NE on a line at right angle to said parallel line 250 ft. to the meander line of the lake; thence SE along said meander line to point of beginning, containing 1 acre." lying below Elev. 757 Sea Level Datum including the bed and banks of Grand River adjacent thereto.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$18.60

TRACT NO. 8 (2 FW 12)  
 Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  and all that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 3, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$8.00

TRACT NO. 9 (2 FW 13)  
 Flowage Easement

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  in Sec. 3, except that portion owned by the Grand River Dam Authority, and except the following described tract of land, to wit:

"Beginning at a point 79.8 feet on the North boundary line, East of the Northwest corner of NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of 3-23-21, thence West to the Northwest corner of NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence South 440.5 feet; thence East approximately 123.7 feet to a point on the 750' contour line as established by Holway and Neuffer, Engineers; thence North along same contour line to the point of beginning," lying below Elev. 757 Sea Level Datum, containing approximately 0.4 acre, and

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  in Sec. 3, except that portion owned by the Grand River Dam Authority, and except the following described tract of land, to wit:

Beginning at a point in the North boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 436.4 feet East of the NW corner thereof;  
 thence S 4° 46' E 74.2 feet; thence S 21° 49' E 184.0 feet;  
 thence S 0° 37' E 177.5 feet; thence S 3° 00' E 179.5 feet;  
 thence S 23° 31' E 59.3 feet to a point on the south boundary line of the S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 535.9 feet east of the SW corner thereof;

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thence easterly along the said south boundary a distance of 411.4 feet;  
 thence N 31° 49' W 187.5 feet; thence N 13° 33' W 222.1 feet;  
 thence N 8° 18' W 206.6 feet; thence N 8° 32' E 76.4 feet to a  
 point in the North boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 540.5 feet west  
 of the NE corner thereof;

thence Westerly along said North boundary a distance of  
 351.6 feet to the point of beginning, lying below Elev.  
 757 Sea Level Datum, containing approximately 0.6 acres. All  
 in T 23 N, R 21 E of the Indian Base and Meridian in Mayes  
 County, Oklahoma, the total acreage being approximately 1.0  
 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL  
 EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$25.00

TRACT NO. 11 (2 FW 17)  
 Flowage Easement

All that part of NE $\frac{1}{4}$  SE $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 3, T 23 N, R 21 E of the  
 Indian Base and Meridian in Mayes County, Oklahoma, described  
 as follows, to wit:

"Beginning at a point 79.8 feet on the North boundary line,  
 East of the Northwest corner of NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of 3-23-21, thence  
 West to the Northwest corner of NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence South 440.5  
 feet; thence East approximately 123.7 feet to a point on the  
 750' contour line as established by Holway and Neuffer, Engineers;  
 thence North along same contour line to the point of beginning."  
 lying below Elev. 757 Sea Level Datum, containing approximately  
 0.3 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL  
 EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$20.00

TRACT NO. 12 (2 FW 33)  
 Flowage Easement

All that part of the South 20.0 acres of Lot 1 and all that  
 part of the South 20 feet of Lot 2 in Sec. 2, T 23 N, R 21 E  
 of the Indian Base and Meridian in Mayes County, Oklahoma, lying  
 below 757 Sea Level Datum, except that portion owned by  
 the Grand River Dam Authority, containing approximately 1.1 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL  
 EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$27.50

TRACT NO. 13 (2 FW 35-Rev.)  
 Flowage Easement

All that part of the N $\frac{1}{2}$  S $\frac{1}{2}$  of Lot 2 in Sec. 2, T 23 N, R  
 21 E of the Indian Base and Meridian in Mayes County, Oklahoma,  
 (the same being a portion of Lot 3 and Lot 4 of Block 6, and  
 the portion of the east half of Locust Avenue adjacent to said  
 portion of Lot 3 and 4, in the Townsite of Ketchum, Mayes  
 County, Oklahoma, which townsite was vacated by order of the

District Court of Mayes County, Oklahoma, on March 5, 1930)  
more particularly described as follows, to wit:

TRACT A

Beginning at a point in the east boundary of said N $\frac{1}{2}$  S $\frac{1}{2}$  of Lot 2 and 111.9 feet south of the NE corner thereof;  
thence southerly along the east boundary of said N $\frac{1}{2}$  S $\frac{1}{2}$  of Lot 2 a distance of 47.5 feet;  
thence N-71° 03' W 2.9 feet; thence N 86° 04' W 191.2 feet; thence N 78° 16' W 109.1 feet to a point on the center line of said Locust Avenue; thence N 5° 34' E along said center line a distance of 67.9 feet; thence S 56° 04' E 5.1 feet; thence S 78° 24' E 293.7 feet to the point of beginning containing approximately 0.4 acre.

TRACT B

Beginning at the SE corner of said N $\frac{1}{2}$  S $\frac{1}{2}$  of Lot 2, thence westerly along the south boundary of said N $\frac{1}{2}$  S $\frac{1}{2}$  of Lot 2 a distance of 181.8 feet; thence N 78° 50' E 184.0 feet to a point on the east boundary of said N $\frac{1}{2}$  S $\frac{1}{2}$  of Lot 2, and 294.1 feet south of the NE corner thereof; thence southerly along said east boundary a distance of 35.0 feet to the point of beginning, containing approximately 0.1 acre.

The two tracts containing in all approximately 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$17.00

TRACT NO. 14 (2 FW 37- Rev.)  
Flowage Easement

All that part of the S $\frac{1}{2}$  N $\frac{1}{2}$  of Lot 2, and all that part of the N $\frac{1}{2}$  S $\frac{1}{2}$  of Lot 2 in Sec. 2, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, (the same being a portion of the W $\frac{1}{2}$  of Lot 1, Block 5, in the Townsite of Ketchum, Mayes County, Oklahoma, which townsite was vacated by order of the District Court of Mayes County, Oklahoma, on March 5, 1930), more particularly described, to wit:

Beginning at a point 363.4 feet west and 328.3 feet south of the NE corner of said S $\frac{1}{2}$  N $\frac{1}{2}$  of Lot 2, the same being a point in the east boundary of said West  $\frac{1}{2}$  of Lot 1, Block 5; thence S 5° 34' W along the east boundary of said W $\frac{1}{2}$  of Lot 1, Block 5, a distance of 86.7 feet; thence N 57° 01' W 56.4 feet to a point in the west boundary of said Lot 1, Block 5; thence N 5° 34' E 97.6 feet; thence S 56° 04' E 56.7 feet to the point of beginning, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$15.00

TRACT NO. 15 (2 FW 39-Rev.)  
Flowage Easement

All that part of the N $\frac{1}{2}$  S $\frac{1}{2}$  of Lot 2, and all that part of

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TUESDAY, JANUARY 3, 1944

the S $\frac{1}{2}$  N $\frac{1}{2}$  of Lot 2 in Sec. 1, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma (the same being a portion of Lots 2, 3, 4, 5, and 6 of Block 5, and a portion of the East Half of Myrtle Avenue adjacent to said portion of Lots 5 and 6, in the Townsite of Ketchum, Mayes County, Oklahoma, which townsite was vacated by order of the District Court of Mayes County, Oklahoma, on March 5, 1930), more particularly described as follows, to wit:

Beginning at a point 751.4 feet west and 282.8 feet south of the NE corner of said S $\frac{1}{2}$  N $\frac{1}{2}$  of Lot 2;  
 thence S 85° 55' E 197.5 feet; thence N 81° 58' E 124.1 feet;  
 thence S 56° 04' E 21.2 feet to a point in the east boundary of said Lot 2 in Block 5;  
 thence S 5° 34' W along said east boundary 97.6 feet;  
 thence N. 57° 01' W 65.9 feet; thence S 70° 09' W 262.8 feet; thence N 16° 45' W 173.1 feet; thence S 85° 55' E 21.2 feet to the point of beginning containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$9.00

TRACT NO. 16 (2 FW 48)  
 Flowage Easement

All that part of the NW 10.0 acres of Lot 2 of Sec. 1, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$11.40

TRACT NO. 17 (2 FW 49)  
 Flowage Easement

All that part of the S 20.0 acres of Lot 2 and all that part of the NW 10 acres of Lot 1, and the NE 10 acres of Lot 2 in Sec. 1, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.8 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$14.40

TRACT NO. 18 (2 FW 50-Rev.)  
 Flowage Easement

All that part of the SW 10.0 acres of Lot 1, Sec. 1, T 23 N, R 21 E, of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$4.80



DATE: JANUARY 2, 1964

STATE: OKLAHOMA

JANUARY 2, 1964

TRACT NO. 23 (2 FW 45)  
 Flowage Easement

All that part of the  $SE\frac{1}{4}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 1, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$6.00

TRACT NO. 24 (2 FW 59-A)  
 Flowage Easement

All that part of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 12, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.00

TRACT NO. 25 (2 FW 60)  
 Flowage Easement

All that part of the  $NW\frac{1}{4}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$ , Sec. 12, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.1 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.30

TRACT NO. 26 (2 FW 61)  
 Flowage Easement

All that part of the  $SW\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  in Sec. 12, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$250.00

TRACT NO. 27 (2 FW 63)  
 Flowage Easement

All that part of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  in Sec. 12, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

FILED JANUARY 1944 TERM

MOORE, OKLAHOMA

MONDAY, JANUARY 7, 1944

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$85.00

TRACT NO. 28 (2 FW 64-Rev.)  
Flowage Easement

All that part of Lot 6 and all that part of the North 11.70 acres of Lot 7 and all that part of the NE 1/4 NW 1/4 SW 1/4 and all that part of the SE 1/4 NW 1/4 SW 1/4 of Sec. 12, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$12.00

TRACT NO. 29 (2 FW 66)  
Flowage Easement

All that part of Lot 8 and all that part of NW 1/4 SW 1/4 SE 1/4 less the west 18 rods, and all that part of NE 1/4 SW 1/4 SE 1/4 and all that part of the N 1/4 SE 1/4 SW 1/4 SE 1/4 of Sec. 12, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$8.00

TOTAL..... \$842.10

and that said report and proceedings, as to the above tracts, are in all respects regular and in accordance with the law and orders of this Court.

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending as to the tracts above described, and that said report of commissioners filed herein should be confirmed and approved in every respect, as to the tracts above particularly described.

The Court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners, is final just compensation, in the total amount of \$842.10.

(8) That the United States of America did, on the 2nd day of July, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (1 FW 1)	\$ 1.15
TRACT NO. 2 (1 FW 2)	1.15
TRACT NO. 3 (1 FW 4)	160.00
TRACT NO. 4 (1 FW 5)	1.00
TRACT NO. 5 (1 FW 6-Rev.)	137.40
TRACT NO. 6 (1 FW 6-A-Rev.)	18.60
TRACT NO. 8 (2 FW 12)	8.00
TRACT NO. 9 (2 FW 13)	25.00
TRACT NO. 11 (2 FW 17)	2.40

TRACT NO. 12 (2 FW 37)	23.30
TRACT NO. 17 (2 FW 35-Rev.)	17.00
TRACT NO. 14 (2 FW 37-Rev.)	1.00
TRACT NO. 15 (2 FW 39-Rev.)	9.00
TRACT NO. 16 (2 FW 48)	11.40
TRACT NO. 17 (2 FW 49)	14.40
TRACT NO. 18 (2 FW 50-Rev.)	4.80
TRACT NO. 19 (2 FW 51)	27.00
TRACT NO. 20 (2 FW 52)	37.00
TRACT NO. 21 (2 FW 53)	2.40
TRACT NO. 22 (2 FW 54)	4.00
TRACT NO. 23 (2 FW 55)	4.80
TRACT NO. 24 (2 FW 59-A)	1.00
TRACT NO. 25 (2 FW 60)	1.30
TRACT NO. 26 (2 FW 61)	60.60
TRACT NO. 27 (2 FW 63)	9.90
TRACT NO. 28 (2 FW 64-Rev.)	12.00
TRACT NO. 29 (2 FW 66)	8.00
TOTAL.....	\$ 603.60

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U. S. C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1930, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purport of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein, is final the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to wit:

TRACT NO. 1 (1 FW 1)	\$ 1.15
TRACT NO. 2 (1 FW 2)	1.15
TRACT NO. 3 (1 FW 4)	50.00
TRACT NO. 4 (1 FW 5)	1.00
TRACT NO. 5 (1 FW 6-Rev.)	137.40
TRACT NO. 6 (1 FW 6-A-Rev.)	18.60
TRACT NO. 8 (2 FW 12)	8.00
TRACT NO. 9 (2 FW 13)	25.00
TRACT NO. 11 (2 FW 17)	20.00
TRACT NO. 12 (2 FW 37)	27.50
TRACT NO. 13 (2 FW 35-Rev.)	17.00
TRACT NO. 14 (2 FW 37-Rev.)	15.00
TRACT NO. 15 (2 FW 39-Rev.)	9.00
TRACT NO. 16 (2 FW 48)	11.40
TRACT NO. 17 (2 FW 49)	14.40
TRACT NO. 18 (2 FW 50-Rev.)	4.80
TRACT NO. 19 (2 FW 51)	104.00
TRACT NO. 20 (2 FW 52)	37.00
TRACT NO. 21 (2 FW 53)	2.40
TRACT NO. 22 (2 FW 54)	4.00
TRACT NO. 23 (2 FW 55)	6.00

TUESDAY, JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 3, 1944

TRACT NO. 24 (2 FW 58-A)	1.00
TRACT NO. 25 (2 FW 60)	1.30
TRACT NO. 26 (2 FW 61)	250.00
TRACT NO. 27 (2 FW 63)	55.00
TRACT NO. 28 (2 FW 64-Rev.)	12.00
TRACT NO. 29 (2 FW 66)	8.00
TOTAL.....	\$ 842.10

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said lands to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal thereof of all obstructions, natural or artificial structures, buildings, fences and other improvements, and to enter upon said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 2nd day of July, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$603.60, with the registry of this Court for the estate taken in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinbefore specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein for the taking of said estate in said tracts of land, is vested in the persons lawfully entitled thereto, as the owners of said tracts of land, respectively, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner pay into the registry of this court the sum of \$238.50, said sum being the deficiency between the sum of \$842.10 the just compensation herein fixed by the report of commissioners, and the amount deposited with the Declaration of Taking, as the just compensation for the taking of said tracts of land, in the sum of \$603.60.

This cause is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF OKLAHOMA.

ENDORSED: Filed Jan 3 1944  
H. P. Warfield, Clerk  
U. S. District Court ME .

JANUARY 1944 TERM

OKLAHOMA

FRIDAY, JANUARY 3, 1944

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner, )  
 )  
 -vs- )  
 ) CIVIL NO. 1045  
 )  
 CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, )  
 OKLAHOMA, containing approximately 97.5 acres, )  
 more or less; and John Shannon, et al., )  
 Defendants. )

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 24 (22 FW 420)

NOW, on this 3rd day of January, 1944, there coming on for hearing the application of the defendants, T. O. Harkins and Florence Harkins, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 24 (22 FW 420), and the Court being fully advised in the premises, finds:

That the defendants, T. O. Harkins and Florence Harkins, were the owners of the lands designated as Tract No. 24 (22 FW 420) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the sum of \$90.00 for the taking of a perpetual easement for flowage purposes upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual easement for flowage purposes, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendants, T. O. Harkins and Florence Harkins, agreed to grant and sell to the petitioner a perpetual right, privilege and authority to inundate, submerge and flow said lands for the sum of \$90.00, which was accepted by the petitioner.

The Court further finds that the sum of \$90.00 is just compensation for the injuries and damages sustained by said defendants, T. O. Harkins and Florence Harkins.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendants, with the exception of The Federal Land Bank of Wichita, a corporation, holder of a mortgage on said premises, has any right, title or interest in and to said just compensation, however, said mortgage-defendant has filed a waiver in this cause, waiving any claim to said compensation to be paid for the taking of said flowage easement.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, T. O. Harkins and Florence Harkins, were the owners of the land designated as Tract No. 24 (22 FW 420), when this proceeding was commenced, and that the sum of \$90.00 is the just compensation for the damages sustained by the defendants; that said defendants are the only persons having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited herein as follows, to wit:

TO: T. O. Harkins and Florence Harkins -- owners	
Tract No. 24 (22 FW 420)	\$90.00.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 3 1944  
H. J. Worfield, Clerk  
U. S. District Court ME

DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		)
		) CIVIL NO. 1075
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)
OKLAHOMA, containing approximately 214.70		)
acres, more or less; and Lucy R. Wallace,		)
et al.,	Defendants.	)

ORDER AUTHORIZING PUBLICATION OF NOTICE

NOW, on this 3rd day of January, 1944, it appearing from the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, attorney for the petitioner, and the application of the United States of America, petitioner in the above styled case, that the following named defendants, to wit:

- G. L. Layman,
- Gladys Layman;
- W. J. Marshall;
- Joel B. Mayes, also known as Joel Mayes;
- R. P. Mayes, also known as Ridge P. Mayes;
- Elizabeth Snapp;
- Hazel Stone, also known as Hazel M. Stone;
- Josie Mayes;
- Hattie Mayes;
- F.T. Snapp;
- Dozier Stone;
- Winnie LaTurner;
- J. C. La Turner;
- Joe K. Matthews;
- J. Dewey Mills;
- Edith E. Mills;
- Virginia Bergman;
- Elmer Cousins;
- Faye Cousins;
- Billie Cousins, a minor;
- R. L. Lillard;
- Alice M. Lillard;
- Marjorie C. Frankenberger;
- Helen E. Yeargain, now Sprinson;
- Wm. Boydston;
- Wilda Boydston;
- Sarah Louise Sprague;
- Elizabeth Duncan;
- Ethel J. Bourdon;
- Wm. R. Bourdon;
- Geo. R. Bourdon;
- Henry C. Bourdon;
- Jeanette Cox;
- Hazel B. Walter;
- Carl H. Jensen, Administrator of the Estate of George A. Ralph, deceased;
- Carolyn V. Ralph;
- Kathleen E. Blake;

Alice Thomson;  
 Beatrice Orr;  
 Cora Melton Sullivan;  
 Ethel Melton Vandervoort;  
 Louise Melton Crawford;  
 Richard R. Feller;  
 W. L. Ward;  
 Otis B. Ward;  
 David E. Shortel;  
 Norman B. Blake;  
 O. E. Wetzel;  
 Abe Paul;  
 Anna H. Paul;  
 Ethel E. Wetzel;  
 Margaret Marshall;  
 The Cornerstone Bank of Southwest City, Missouri, a corporation;  
 The State Life Insurance Company, a corporation;  
 The Federal Lane Bank of Wichita, a corporation;  
 G. E. Harp, Cora C. Harp, F. B. Banks, Jose Lewis, Frank Chestnut,  
 same as Frank Chestnut, A. L. Gregory, A. V. Oliver, A. M. Bradley,  
 Wm. Brennan, Sarah L. Vaughan, J. E. Vaughan, William T. Melton,  
 Otto V. Melton, The Northeastern Oklahoma Mining and Developing  
 Company, and Light Oil and Mineral Association, if living or in  
 existence, or if deceased, and not in existence, their known and  
 unknown heirs, executors, administrators, trustees, devisees, legatees,  
 creditors, successors and assigns, immediate and remote, and their spouses,  
 if any; and the known and unknown heirs, executors, administrators,  
 trustees, devisees, legatees, creditors and assigns, immediate and re-  
 mote and their spouses, if any, of J. C. Holland, Sr., deceased; of  
 M. E. Holland, deceased; of Ray E. Carey, Cherokee Citizen, Roll No.  
 216, deceased; of William F. Cousins, deceased; of George A. Ralph,  
 deceased; of Louisa B. Melton, Cherokee Citizen, Roll No. 7095,  
 deceased; of Otis B. Ward, deceased;

are non-residents of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is therefore necessary that the above named defendants, and any and all other persons, firms, corporations, or legal entities, claiming any interest whatever in the real estate herein described and involved, be served by publication.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that notice should be given the aforesaid defendants, and each of them, by publication, notifying them of the institution of this condemnation proceeding; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that said notice be published in THE GROVE SUN, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks, notifying said defendants, and each of them, of the institution of the condemnation proceedings, and further that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, on or before February 28, 1944, the petitioner, United States of America, will, on February 28, 1944, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court of the Northern District of Oklahoma, for an order appointing from the regular jury list three (3) disinterested freeholders of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof, or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement upon and over the lands involved herein, and that said defendants, and each of them, may be present if they so desire.

ROYCE H. SAVAGE  
 JUDGE

RECORDED: Filed Jan 2 1944

H. P. Warfield, Clerk

U. S. District Court

TERMINAL JANUARY 1944 TERM

OKLAHOMA, OKLAHOMA

MONDAY, JANUARY 3, 1944

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, STATE OF OKLAHOMA, Plaintiff, )  
 )  
 ) CIVIL NO. 1117  
 )  
 vs. )  
 )  
 RAY AND EDWARDS CONSTRUCTION COMPANY, a partnership composed of James R. Ray and Allen H. Edwards, Defendant. )

J U D G M E N T

This cause coming on to be heard on the merits, and having been heard and considered, and the Court being of the opinion that the injunctive relief sought by the plaintiff should and ought to be denied,

IT IS THEREFORE ORDERED ADJUDGED AND DECREED, that the plaintiff be and it is denied all injunctive relief sought by this suit, and that the plaintiff be and it is taxed with the costs of the suit.

GIVEN this 3rd day of Jan., 1944.

ROYCE W. SAVAGE  
District Judge

ENDORSED: Filed Jan 3 1944  
H. P. Warfield Clerk  
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner, )  
 )  
 -vs- )  
 ) CIVIL NO. 1129  
 )  
 CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 100.20 acres, more or less; and A. G. Nicks, et al., Defendants. )

J U D G M E N T ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 3rd day of January, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

IN SENATE JANUARY 3, 1944  
 NORTHWEST DISTRICT OF OKLAHOMA

TUESDAY, JANUARY 3, 1944

TULSA, OKLAHOMA

MONDAY, JANUARY 3, 1944

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition, and also, under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient of identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$3,148.00, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, On this 3rd day of January, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (30 - FW-924)  
 Flowage Easement

All that part of Lot 7, less the NW one-quarter acre thereof, in Sec. 18, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.5 acres.

TRACT NO. 2 (30 - FW-925)  
 Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 18, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.1 acres.

TRACT NO. 3 (30 - FW-997)  
Flowage Easement

All that part of Lot 4, and all that part of Lot 5 in Sec. 24, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.6 acres.

TRACT NO. 4 (30 - FW-998)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 24, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.2 acres.

TRACT NO. 5 (30 - FW-999)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of Lot 7 in Sec. 24, T 25 N, R 23 E of the Indian Base and Meridian Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.0 acres.

TRACT NO. 6 (30 - FW-1000)  
Flowage Easement

All that part of Lot 3, and all that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of Lot 8, in Sec. 24, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.8 acres.

TRACT NO. 7 (30 - FW-1001)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 24, T 25 N, R 23 E, and all that part of Lot 2 in Sec. 19, T 25 N, R 24 E, all situated in the Seneca Survey, in Delaware County, Oklahoma, and described with reference to the Indian Base and Meridian, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.6 acre.

TRACT NO. 8 (30 - FW-1002)  
Flowage Easement

All that part of Lot 1, and all that part of Lot 2, in Sec. 24m T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the south boundary of said Lot 2, 385.3 feet west of the SE corner thereof,

thence N 25° 49.5' W 1.4 feet; thence N. 12° 50' W 149.4 feet;  
thence N 66° 13.5' E 123.4 feet; thence S 86° 07.5' E 166.2 feet;  
thence N 69° 12.5' E 300.6 feet; thence S 79° 14' E 192.7 feet;  
thence S 67° 02' E 179.0 feet; thence N 83° 14' E 248.0 feet;  
thence N 88° 36' E 212.3 feet; thence S 37° 23' E 217.0 feet;  
thence N 51° 39' E 77.0 feet; thence S 60° 53' E 162.7 feet;  
thence N 78° 45' E 23.8 feet to a point in the east boundary  
of said Lot 1;

thence southerly along said east boundary a distance of 7.0  
feet to the SE corner of said Lot 1;

thence westerly along the south boundary of said Lot 1 and Lot  
2 a distance of 1696.2 feet to the point of beginning, lying  
below Elev. 758 Sea Level Datum, containing approximately 1.9 acres.

TRACT NO. 9 (30 - FW-1004)  
Flowage Easement

All that part of Lot 1 in Sec. 19, T 25 N, R 24 E of the Indian  
Base and Meridian, Seneca Survey, in Delaware County, Oklahoma,  
lying below Elev. 758 Sea Level Datum, containing approximately  
0.8 acre.

TRACT NO. 10 (30 - FW-1005)  
Flowage Easement

All that part of Lot 1, and all that part of Lot 2, Sec. 24,  
T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in  
Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the east boundary of said Lot 1, 114.8  
feet north of the SE corner thereof,

thence N 87° 38' E 25.3 feet; thence N 60° 05.5' W 58.5 feet;  
thence N 25° 55' W 93.1 feet; thence N 23° 25' W. 134.7 feet;  
thence S 74° 06' W 70.0 feet; thence S 88° 15' W 49.9 feet;  
thence N 79° 13' W 239.9 feet; thence S 74° 30' W 158.8 feet;  
thence N 67° 37.5' W 156.4 feet; thence N 46° 23.5' W 86.6 feet;  
thence N 14° 33' W 129.5 feet; thence S 65° 07.8 feet W. 51.2 feet;  
thence N 88° 04.5' W 117.8 feet; thence N 87° 09' W 153.0 feet;  
thence S 73° 01.5' W 100.9 feet; thence S 70° 57' W 79.5 feet;  
thence N 50° 39' E 90.8 feet; thence N 55° 28' E 311.0 feet;  
thence N 45° 44' E 432.1 feet; thence N 57° 29' E 169.2 feet;  
thence S 63° 19' E 93.2 feet; thence S 75° 22' E 151.8 feet;  
thence S 74° 55' E 102.2 feet; thence N 11° 57' E 66.8 feet;  
thence N 67° 21' E 111.2 feet; thence N 10° 31' W 42.6 feet;  
thence N 13° 20' E 44.8 feet; thence S 76° 41' W 160.3 feet;  
thence N 76° 43' W 109.3 feet; thence N 36° 58' W 128.3 feet;  
thence N 42° 17' W 10.0 feet to a point in the north boundary  
of said Lot 1;

thence easterly along said north boundary a distance of 551.5  
feet to the northeast corner of said Lot 1;  
thence southerly along the east boundary of said Lot 1 a distance  
of 1213.8 feet to the point of beginning,

lying below Elev. 758 Sea Level Datum, containing approximately  
1.5 acres.

TRACT NO. 11 (30 - FW-1006)  
Flowage Easement

All that part of Lot 1 in Sec. 13, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 12 (30 - FW-1007)  
Flowage Easement

All that part of the  $W\frac{1}{2}$   $NE\frac{1}{4}$   $SW\frac{1}{4}$ , and all that part of Lot 3, and all that part of Lot 4 in Sec. 18, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.5 acres.

TRACT NO. 13 (30 - FW-1008)  
Flowage Easement

All that part of the  $E\frac{1}{2}$   $NE\frac{1}{4}$   $SW\frac{1}{4}$ , and all that part of the  $SE\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 18, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.9 acres.

TRACT NO. 14 (30 - FW-1009)  
Flowage Easement

All that part of the  $SW\frac{1}{4}$   $NE\frac{1}{4}$ , and all that part of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}$   $SE\frac{1}{4}$  of Sec. 18, and all that part of the  $N\frac{1}{2}$   $NE\frac{1}{4}$  of Sec. 19, all in T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.2 acre.

TRACT NO. 15 (30 - FW-1010)  
Flowage Easement

All that part of Lot 2, and all that part of the  $E\frac{1}{2}$   $NW\frac{1}{4}$  of Sec. 18, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.9 acres.

TRACT NO. 16 (30 - FW-1011)  
Flowage Easement

All that part of the  $NW\frac{1}{4}$   $NE\frac{1}{4}$ , of Sec. 18, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

TRACT NO. 17 (30 - FW-1014)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 18, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority,

TRACT NO. 18 (30 - FW-1015)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 18, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 19 (30 - FW-1016)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 17, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

TRACT NO. 20 (30 - FW-1017)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  and all that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 17, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.2 acres.

TRACT NO. 21 (30 - FW-1018)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 17, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.2 acres.

TRACT NO. 22 (30 - FW-1019)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 17, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 23 (30 - FW-1020)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 17, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.2 acres.

TRACT NO. 24 (30 - FW-1021)  
Flowage Easement

All thatpart of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 17, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.7 acres.

TRACT NO. 25 (30 - FW-1028)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 17, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum containing approximately 3.6 acres.

TRACT NO. 26 (30 - FW-926)  
Flowage Easement

All that part of theeast 22.30 acres of Lot 10 in Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acre.

TRACT NO. 27 (31 - FW-927)  
Flowage Easement

All thatpart of the west 20.8 acres of Lot 10, and all that part of the east 20.0 acres of Lot 9, and all that part of the south 20.0 acres of Lot 6, all that part of Lot 8, all that part of Lot 7 in Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.6 acres.

TRACT NO. 28 (31 - FW-930)  
Flowage Easement

All that part of Lots 1 to 7 inclusive, and all that part of Lot 10 in Block 1 in the original Townsite of Lakeport, situated in the North 17.9 acres of Lot 6 in Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 29 (31 - FW-931)  
Flowage Easement

All that part of Lot 4 in Block A in the Townsite of the First Addition to Lakeport, situated in Lot 5 in Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 3, 1944

TRACT NO. 30 (31 - FW-932)  
Flowage Easement

All thatpart of Lot 3 in Block A in the Townsite of the First Addition to Lakeport, situated in Lot 5 of Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 31 (31 - FW-933)  
Flowage Easement

All that part of Lot 2 in Block A in the Townsite of the First Addition to Lakeport, situated in Lot 5 in Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 32 (31 - FW-934)  
Flowage Easement

All that part of Lot 1 in Block A in the Townsite of the First Addition to Lakeport, situated in Lot 5 in Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 33 (31 - FW-935)  
Flowage Easement

All that part of Lot 5 in Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of Lot 5, thence southerly along the west boundary of said Lot 5 a distance of 656.3 feet;  
thence S 56° 56' E 498.9 feet; thence N 6° 30' W 100 feet;  
thence N 70° 50' W 77.0 feet; thence N 47° 42' W 116.0 feet;  
thence N 58° 26' W 279.8 feet; thence S 76° 50' E 178.0 feet;  
thence S 69° 40' E 273.4 feet; thence S 82° 50' E 101.3 feet;  
thence N 30° 35' W 129.1 feet; thence N 27° 15' W 218.7 feet;  
thence N 23° 50' W 205.8 feet; thence N 22° 26' W 253.0 feet;  
thence N 22° 28' W 3.4 feet to a point in the north boundary of Lot 5;  
thence westerly along said north boundary a distance of 201.1 feet to the point of beginning, lying below Elev. 758 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 34 (31- FW-1012)  
Flowage Easement

All that part of the E $\frac{1}{2}$  SW $\frac{1}{4}$  of Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.0 acre.

TRACT NO. 35 (31 - FW-1013)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and all that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 36 (31 - FW-1022)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 8, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 3.7 acres.

TRACT NO. 37 (31 - FW-1023)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  less the north 744 feet thereof, in Sec. 8, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.6 acres.

TRACT NO. 38 (31 - FW-1150 Rev.)  
Flowage Easement

All that part of the E $\frac{1}{2}$  NW $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  in Sec. 8, T 25 N, R 24 E, Seneca Survey, in Delaware County, Oklahoma, and all that part of the S $\frac{1}{2}$  S $\frac{1}{2}$  SE $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  in Sec. 6, T 25 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.3 acres.

TRACT NO. 39 (31 - FW-1151)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 8, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 40 (31 - FW-1152)  
Flowage Easement

All that part of the W $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 8, T 25 N, R 24 E of the Indian Base and Meridian in Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre.

TRACT NO. 41 (31 - FW-1153)  
 Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 8, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.9 acres.

TRACT NO. 42 (31 - FW-1154)  
 Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 8, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 1.9 acres.

TRACT NO. 43 (31 - FW-1155)  
 Flowage Easement

All that part of the E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.1 acres.

TRACT NO. 44 (31 - FW-1156)  
 Flowage Easement

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.3 acres.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America, be, and it is hereby vested with a perpetual easement upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 10th day of January, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
 JUDGE OF THE UNITED STATES DISTRICT  
 COURT, NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Jan 3 1944  
 H. P. Warfield, Clerk  
 U. S. District Court ME

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 Court adjourned to January 4, 1944

On this 4th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

J. W. CRANOR,	Plaintiff,	)	
		)	
vs.		)	
		)	
James Bryant McCartlin,		)	
age 20, John George McCarlin,		)	
age 18, Glen Roy McCartlin, age		)	No. 922 Civil
16, Sadie Benbo Edwards, William		)	
McCartlin, Nona Johnson, State		)	
of Oklahoma, and Albert McCartlin,		)	
if living, and if deceased, his heirs,		)	
executors, administrators, devisees,		)	
trustees, and assigns, immediate and		)	
remote,	Defendants.	)	

FINAL DECREE IN PARTITION

Now on this 4th day of Jan., 1944, this action comes on to be heard upon the election of J. W. Cranor to take the property at the appraised value, the said J. W. Cranor appearing by his attorney, Chas. W. Pennel, and the defendants appearing by Whit Y. Mauzy, United States District Attorney and it appearing to the Court that on the 29th day of November, 1943, this Court approved the Report of the Commissioners and their appraisal of the premises hereinafter described at \$800.00, and each of said parties were given twenty days in which to elect to take the property at the appraised value, and J. W. Cranor on November 29, 1943 filed herein his election to take said property at the appraised price and has paid into the Office of the Clerk of this Court said sum of \$800.00, and none of the other parties have so elected to take said property at the appraised value.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that said election of J. W. Cranor to take said property at the appraised value is hereby approved and John P. Logan, United States Marshall for the Northern District of Oklahoma be and he is hereby ordered and directed to make, execute, and deliver a deed duly conveying said real estate and premises and all improvements thereon and appurtenances thereunto belonging and described as the

East Half of the West Half of the Southeast  
Quarter; and the Southeast Quarter of the Southeast  
Quarter of Section 11, Township 25, Range 13 East,  
Washington County, Oklahoma,

to the plaintiff, J. W. Cranor.

It is further ordered, adjudged and decreed by the Court that Chas. W. Pennel be and he is hereby allowed the sum of \$125.00 attorney fees, the same to be taxed as a part of the costs herein, and the Clerk of the Court is hereby ordered to distribute the residue, after paying all the costs herein, including the costs in the District Court of Washington County, Oklahoma, as follows:

To J. W. Cranor, 2/5 and  
To Superintendent of Five Civilized Tribes for the  
use and benefit of the following defendants who are  
Restricted Indians of the Cherokee Tribe,  
Sadie Benbo Edwards, 1/5  
Albert McCartlin, 1/5  
Glen Roy McCartlin 1/15  
James Bryant McCartlin 1/15  
John George McCartlin, 1/15

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 4 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

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Court adjourned to January 5, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA WEDNESDAY, JANUARY 5, 1944

On this 5th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES OF AMERICA,	Plaintiff,	)	
		)	
-vs-		)	No. 693 - Civil
		)	
BOARD OF COUNTY COMMISSIONERS OF PAWNEE COUNTY, ET AL.,	Defendants.	)	

Now on this 5th day of January, A. D. 1944, It is ordered by the Court that the Clerk file and spread of record the Mandate in the above styled cause, as follows:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT  
OF THE UNITED STATES FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between the United States of America, plaintiff, and Board of County Commissioners of Pawnee County, Oklahoma, John Maltzberger, County Treasurer, and Amos Tiger, Tax Assessor, of Pawnee County, State of Oklahoma, defendants, No. 693 Civil, the judgment

of the said district court in this cause, entered on January 12, 1943, was in the following words, viz:

\* \* \* \* \*

It is hereby ordered, adjudged and decreed that the Southwest Quarter of the Northwest Quarter of Section 2, and the East Half of Southeast Quarter of Northeast Quarter of Section 2, Township 21 North, Range 4 East, situated in Pawnee County, State of Oklahoma, is held in trust by the United States of America for Wilson Fremont Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1941, 1943 and succeeding years so long as so held by the United States of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

It is hereby ordered, adjudged and decreed that the Southwest Quarter of Northeast Quarter of Section 14, Township 22 North, Range 5 East, situated in Pawnee County, State of Oklahoma, is held in trust by the United States of America for Phyllis Sadie Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1941, 1942 and succeeding years so long as so held by the United State of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

It is hereby ordered, adjudged and decreed that the East Half of Southwest Quarter of Section 15, Township 21 North, Range 4 East situated in Pawnee County, State of Oklahoma, is held in trust by the United States of America for Regina Margaret Moore, Pawnee Indian, and that such real estate is non-taxable for the years 1941, 1942 and succeeding years so long as so held by the United States of America or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

It is hereby ordered, adjudged and decreed that the South Half of Southwest Quarter of Section 20, Township 21 North, Range 5 East, situated in Pawnee County, State of Oklahoma, is held in trust by the United States of America for Phyllis Sadie Moore, Pawnee Indian, and

that such real estate is non-taxable for the years 1941, 1942 and succeeding years so long as so held by the United State of America, or until Congress otherwise directs, and that the taxing officials of Pawnee County are ordered, directed and adjudged to strike and cancel said real estate from the assessment rolls of said County, and the taxing officials of said County are hereby enjoined and restrained from proceeding to levy and collect any ad valorem taxes against said real estate for such years, or succeeding years so long as the status of said real estate remains as above described.

Therefore, it is Ordered, Adjudged and Decreed that said plaintiff have and recover judgment as prayed for in its complaint, except that said property is held to be taxable for the year 1940, and that said plaintiff is entitled to payment of its costs incurred herein.

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Board of County Commissioners of Pawnee County, State of Oklahoma, John Maltzberger, County Treasurer and Amos Teter, Tax Assessor, of Pawnee County, State of Oklahoma, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and forty-three the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of the record from said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby modified in accordance with the views expressed in the opinion of the court and as so modified is affirmed.

-- November 26, 1943.

You, therefore, are hereby commanded that such further proceedings be had in said cause, in conformity with the opinion and judgment of this court, as according to right and justice and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable Harlan F. Stone, Chief Justice of the United States, the 3rd day of January in the year of our Lord one thousand nine hundred and forty-four.

ROBERT B. CARTWRIGHT  
Clerk of the United States Circuit Court  
of Appeals, Tenth Circuit

ENDORSED: Filed Jan 5 1944  
H. P. Warfield, Clerk  
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, JANUARY 5, 1944

UNITED STATES OF AMERICA,	Plaintiff,	)
		)
-vs-		) No. 693 Civil
		)
BOARD OF COUNTY COMMISSIONERS OF PAWNEE		)
COUNTY, OKLAHOMA, et al.,	Defendants.	)

Now on this 5th day of January, A. D. 1944, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above styled and numbered cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF  
THE UNITED STATES FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States of America, plaintiff, and Board of County Commissioners of Pawnee County, Oklahoma, John Maltzberger, County Treasurer, and Amos Teter, Tax Assessor, of Pawnee County, State of Oklahoma, defendants, No. 693, Civil, the judgment of the said district court in this cause, entered on January 12, 1943, was in the following words viz:

\* \* \* \* \*

(See Journal 5, Page 933, for Order included herein)

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of a cross-appeal by United States of America, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the September Term in the year of our Lord one thousand nine hundred and forty-three, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of the record from said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby modified in accordance with the views expressed in the opinion of the court and as so modified is affirmed.

-- November 26, 1943.

You, therefore, are hereby commanded that such further proceedings be had in said cause, in conformity with the opinion and judgment of this court as according to right and justice, and the laws of the United States, ought to be had, the said cross-appeal notwithstanding.

WITNESS, the Honorable Harlan F. Stone, Chief Justice of the United States, the 3rd day of January, in the year of our Lord one thousand nine hundred and forty-four.

ROBERT B. CARTWRIGHT  
Clerk of the United States Circuit Court of Appeals  
Tenth Circuit

ENDORSED: Filed Jan 5 1944  
H. P. Warfield, Clerk  
U. S. District Court H

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TRACT NO. 4 (1 FW 57-A)  
Flowage Easement

(Pending Jury trial)

TRACT NO. 5 (1 FW 57-B)  
Flowage Easement

(Pending jury trial)

TRACT NO. 6 (2 FW 12 (part) Revised  
14, 15, 16)  
Flowage Easement

E. M. Stark,  
C. S. Shively,  
William H. Taylor,  
Frank R. Traylor -- fee owners -- 14.00  
(Commissioners' award)

TRACT NO. 7 (2 FW 34)  
Flowage Easement

D. T. Witt -- fee owner -- 11.00  
(Commissioners' award)

TRACT NO. 8 (2 FW 36-Rev.)  
Flowage Easement

(Distribution made under Order dated September 27, 1943)

TRACT NO. 9 (2 FW 42)  
Flowage Easement

Lewyn Smith,  
Inez Smith -- fee owners -- 56.00  
(Commissioners' award)

TRACT NO. 10 (2 FW 43-A)  
Flowage Easement

J. F. Harris-- fee owner -- 65.00  
(Commissioners' award)

TRACT NO. 11 (2 FW 44)  
Flowage Easement

(Distribution made by Order of November 26, 1943)

TRACT NO. 12 (2 FW 45)  
Flowage Easement

W. O. Nichols -- fee owner -- 1.90  
(Commissioners' award)

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY

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TRACT NO. 13 (2 FW 46)	
Flowage Easement	
Phabe A. Hood-- fee owner -- (Commissioners' award)	9.00
TRACT NO. 14 (2 FW 47)	
Flowage Easement	
Pearl Barlow -- fee owner -- (Commissioners' award)	6.00
TRACT NO. 15 (2 FW 59)	
Flowage Easement	
(Pending Jury trial)	
TRACT NO. 16 (2 FW 62)	
Flowage Easement	
Frederick E. Blaine, Edith M. Blaine -- fee owners -- (Commissioners' award)	118.40
TRACT NO. 17 (2 FW 65- Rev.)	
Flowage Easement	
C. D. Armstrong -- fee owner -- (Commissioners' award)	1.70
TRACT NO. 18 (2 FW 65-A)	
Flowage Easement	
W. T. Gooldy, W. H. McCollough, R. A. Wilkerson -- fee owners -- (Commissioners' award)	20.00
TOTAL	\$1125.90

IT IS FURTHER ORDERED that this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 5 1944  
H. P. Warfield, Clerk  
U. S. District Court LN



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

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and it further appearing to the Court that an attorney should be appointed to represent and protect the interests of each of said defendants,

It further appearing that the petitioner has complied with all of the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as approved October 17, 1940, as amended, and that a judgment confirming the report of commissioners should be entered in this cause.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Saul A. Yager, a regular practicing attorney of Tulsa, Oklahoma, be, and he is hereby appointed to represent and protect the interests of each of the following defendants, to wit:

Jeff D. Sexton, Jr., one and the same person as Dennis Sexton;  
Frederick E. Blaine;  
Georgia Cibak;  
Florence Sparr;  
Gilbert E. Scott;  
J. B. Biles;  
Samuel P. Richard, one and the same person as Samuel P. Richard;  
W. P. Jones,  
Rhoda Jones,  
E. G. Johnson,  
T. E. Johnson;  
C. D. Stark;  
Orpha Stark;  
Mrs. J. B. Hallum;  
Martha Smith;  
Blunt Martin, also known as General Blunt Martin;  
J. A. Ehart, if living, or in existence, or if deceased, and not in existence, their known and unknown heirs, executors, administrators, devisees, legatees, trustees, successors, creditors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors, and assigns, immediate and remote, and their spouses, if any, of Cassie A. Ward, Cherokee Roll No. 31075, deceased; of James Hopkins, deceased; of Jeff D. Sexton, deceased; of Jennie Sexton, deceased; of Lewis Sexton, deceased; of Robert M. Haines, Cherokee Roll No. 1569, deceased; of Catherine Yost, Cherokee Roll No. 8651, deceased; of Felix Martin, deceased; of Thura Thomas, deceased; and of Jesse Rowe, Sr., deceased;

and it is FURTHER ORDERED AND DIRECTED that a judgment be entered in this cause, confirming the report of commissioners.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 5 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1046
CERTAIN PARCELS OF LAND IN MAYES COUNTY,		)	
OKLAHOMA, containing approximately 9.9		)	
acres, more or less; and Carey Caldwell,		)	
et al.,	Defendants.	)	

J U D G M E N T

NOW, on this 5th day of January, 1944, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioners report heretofore filed in this proceeding, as to the real estate hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, and petition for condemnation, report of commissioners, and all other matters herein, and finds that:

(1) Each and all of the allegations of said petition for condemnation are true, and the United States of America is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

(2) The said petition for condemnation was filed at the request of the Administrator of the Federal Works Agency, the person duly authorized by law to acquire the estate in the land described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding

(3) In said petition for condemnation, a statement of the authority under which, and the public use for which the estate in said lands were taken, was set forth.

(4) A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands were taken for said public use is set out therein.

(5) Due, proper and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as required by law and order of this Court.

The Court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

(6) The Court finds that the commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified on the 1st day of October, 1943, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 6th day of October, 1943, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to-wit:

TRACT NO. 1 (1 FW 3)  
Flowage Easement

All that part of the west 20 acres of Lot 8 of Sec. 15, T 23 N, R 21 E, described as follows, to-wit:

"Beginning at a point in the north boundary of said west 20 acres of said Lot 8 and 191.6 feet east of the Northwest corner thereof; thence easterly along said north boundary line a distance of 184 feet; thence S 59° 45' E 24 feet; thence S 50° 50' E 15 feet; thence S 35° 15' E 12 feet; thence S 10° 05' W 11 feet; thence S 64° 15' W 43 feet; thence S 39° 45' W 9 feet; thence S 9° 20' W 17 feet; thence S 10° 25' E 14 feet; thence S 30° 35' E 25 feet; thence S 39° 30' E 50 feet; thence S 54° 50' E 23 feet; thence S 0° 10' E 100 feet; thence N 41° 00' W 364 feet to the point of beginning, less Lots 6, 7 and 8 of Block 12 as shown on the plat of North Langley filed July 17, 1939 in the office of the County Clerk of Mayes County, Oklahoma", except that part described as follows:

Beginning at a point in the north boundary of the west 20.0 acres of Lot 8, Sec. 15, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, and 191.6 feet east of the NW corner thereof; thence easterly along the north boundary of said Lot 8 a distance of 147.6 feet; thence S 8° 25' E a distance of 53.4 feet to a point on the south boundary of Lot 5 a Block 12, as shown on the plat of North Langley filed July 17, 1939, in the office of the County Clerk of Mayes County, Oklahoma; thence westerly along the south boundary of said Lot 5 a distance of 75.7 feet to the SE corner thereof; thence southeasterly along the southwest boundaries of said Lots 6, 7 and 8 to the most southerly corner of said Lot 8; thence S 0° 10' E 38.2 feet; thence N 41° 00' W to the point of beginning, containing approximately 0.3 acre.

The total acreage to be acquired being 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$50.00

TRACT NO. 2 (1 FW 56- Revised)  
Flowage Easement

All that part of the following described tract of land situated in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 13, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, to wit:

Beginning at a point 156 feet west of the SE corner of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 13, T 23 N, R 21 E, thence 25 feet north; thence 70 feet east to a point on the southwesterly produced NW boundary line of Block 5, of the Townsite of Disney, Oklahoma;  
thence northeasterly 144.5 feet to the SW corner of Block 5;

thence 425 feet to the northeasterly along the NW boundary of Blocks 5 and 6 to the NW corner of Block 6;  
thence N 58° 30' W 490 feet to the NE corner of Block 23 of the Townsite of Disney, Oklahoma;  
thence south along the east boundary of said Block 23, 75 feet; thence S 18° 26' W 316.4 feet to the SE corner of Block 23 of the Townsite of Disney, Oklahoma;  
thence S 18° 26' W 180.5 feet to the north boundary line of the property owned by the Grand River Dam Authority;  
thence NE along the line of the property owned by the Grand River Dam Authority N 58° 56' E 104.8 feet;  
thence S 7° 59' E 70.9 feet; thence S 39° 35' W 99.6 feet; thence S 76° 16' W 109.7 feet; thence S 27° 25' W 51.2 feet to a point on the south boundary line of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said section;  
thence easterly along the south boundary line of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 13, 240.9 feet to the point of beginning lying below Elevation 757 Sea Level Datum containing approximately 0.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$25.00

TRACT NO. 6 (2 FW 12 (part) Revised,  
14, 15, 16)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 3, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$14.00

TRACT NO. 7 (2 FW 34)  
Flowage Easement

All that part of the south 10.0 acres of Lot 2 in Sec. 2, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the north boundary of said south 10.0 acres of Lot 2, 292 feet west of the NE corner thereof; thence S 78° 03' W 86.9 feet; thence S 50° 05' W 344.2 feet; thence N 86° 52' E 347.5 feet; thence N 0° 31' W 221.8 feet to the point of beginning, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.1 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$11.00

TRACT NO. 8 (2 FW 36-Rev.)  
Flowage Easement

All that part of the S $\frac{1}{2}$  N $\frac{1}{2}$  of Lot 2, and all that part of

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the  $N\frac{1}{2}$   $S\frac{1}{2}$  of Lot 2 in Sec. 2, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, (the same being a portion of the  $E\frac{1}{2}$  of Lot 1, Block 5, and the portion of the west half of Locust Avenue adjacent to said portion of Lot 1, in the Townsite of Ketchum, Mayes County, Oklahoma, which townsite was vacated by order of the District Court of Mayes County, Oklahoma, on March 5, 1930), more particularly described as follows, to-wit:

Beginning at a point 363.4 feet west and 328.3 feet south of the NE corner of said  $S\frac{1}{2}$   $N\frac{1}{2}$  of Lot 2; said point being in the west boundary of said  $E\frac{1}{2}$  of Lot 1, Block 5, in the Townsite of Ketchum; thence S  $56^{\circ} 04'$  E 90.7 feet; thence S  $5^{\circ} 34'$  W 67.9 feet; thence N  $75^{\circ} 16'$  W 76.15 feet; thence N  $57^{\circ} 01'$  W 5.4 feet; to a point in the west boundary of said  $E\frac{1}{2}$  of Lot 1, Block 5, in the aforesaid townsite of Ketchum, Oklahoma; thence N  $5^{\circ} 34'$  E 86.7 feet to the point of beginning, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$248.00

TRACT NO. 9 ( 2 FW 42)  
Flowage Easement

All that part of the  $S\frac{1}{2}$   $N\frac{1}{2}$  NW 10.0 acres of Lot 2 of Sec. 2, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$66.00

TRACT NO. 10 (2 FW 43-A)  
Flowage Easement

All that part of the  $N\frac{1}{2}$  NE 10.0 acres of Lot 2, in Sec. 2, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$65.00

TRACT NO. 11 (2 FW 44)  
Flowage Easement

All that part of the Northwest 10.0 acres of Lot 1, Sec. 2, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, described as follows, to wit:

"Beginning 110 feet west of the Northeast corner of said NW 10 acres of Lot 1, thence westerly along the North boundary of Lot 1, 550 feet to the Northwest corner thereof;

thence Southerly along the west boundary thereof 392.9 feet or 267.1 feet North of the Southwest corner thereof; thence South 64 degrees 38' East 126 feet; thence South 72 degrees 57' E 143.5 feet; thence South 71 degrees 18' East 311 feet; thence South 78 degrees 22' East 5.8 feet; thence North 591.3 feet to the point of beginning, containing 6.48 acres, more or less."

lying below Elev. 757 Sea Level Datum, containing approximately 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$500.00

TRACT NO. 12 (2 FW 45)  
Flowage Easement

All that part of the Northwest 10 acres of Lot 1, Sec. 2, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, particularly described as follows, to-wit:

"Beginning at the Northeast corner of Northwest 10 acres of Lot 1, thence southerly along the East boundary of said Northwest 10 acres of Lot 1, 613.9 feet; thence North 78 degrees 22' West 112.3 feet; thence North 591.3 feet to a point in the North boundary of Lot 1, thence Easterly along North boundary of Lot 1 a distance of 110 feet to the point of beginning containing 1.52 acres."

lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.80

TRACT NO. 13 (2 FW 46)  
Flowage Easement

All that part of the NE 10.0 acres of Lot 1, of Sec. 2, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority, has the right of flowage, containing approximately 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$9.00

TRACT NO. 14 (2 FW 47)  
Flowage Easement

All that part of the NW 10.0 acres of Lot 4, of Sec. 1, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$6.00

TRACT NO. 16 (2 FW 62)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, T. 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.9 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$118.40

TRACT NO. 17 (2 FW 65-Revised)  
Flowage Easement

All that part of the SE 10.0 acres of Lot 7, Sec. 12, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, particularly described as follows, to wit:

"Beginning at a point 135 feet west of the SE corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  (the equivalent of the SE 10.0 acres of Lot 7) Sec. 12, T 23 N, R 21 E; thence north 660 feet to a point on the north boundary line of said 10.0 acre tract; thence west 200 feet; thence south 660 feet; thence east 200 feet to the point of beginning,"

lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.70

TRACT NO. 18 (2 FW 65-A)  
Flowage Easement

All that part of the east 135 feet of the SE 10.0 acres of Lot 7, in Sec. 12, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.4 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$20.00

TOTAL \$1125.90

and that said report and proceedings, as to the above tracts, are in all respects regular and in accordance with the law and orders of this Court,

(7) More than sixty (60) days have elapsed since the filing of the Report of Commissioners, herein, and no written exceptions thereto, nor demands for jury trial are pending as to the above described tracts, and that said report of commissioners filed herein should be confirmed, and approved in every respect, as to the tracts above particularly described.

The Court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners, is final just compensation, in the total amount of \$1125.90.

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(8) That the United States of America did, on the 16th day of July, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, the following sums, to wit:

TRACT NO. 1 (1 FW 3)	\$1.15
TRACT NO. 2 (1 FW 56-Revised)	6.00
TRACT NO. 6 (2 FW 12 (part) Revised, 14, 15, 16)	11.90
TRACT NO. 7 (2 FW 34)	11.00
TRACT NO. 8 (2 FW 36-Rev.)	248.00
TRACT NO. 9 (2 FW 42)	56.00
TRACT NO. 10 (2 FW 43-A)	18.70
TRACT NO. 11 (2 FW 44)	609.00
TRACT NO. 12 (2 FW 45)	1.80
TRACT NO. 13 (2 FW 46)	9.00
TRACT NO. 14 (2 FW 47)	6.00
TRACT NO. 16 (2 FW 62)	118.40
TRACT NO. 17 (2 FW 65-Revised)	1.00
TRACT NO. 18 (2 FW 65-A)	3.60
<b>TOTAL,</b>	<b>\$1101.55</b>
<u>LESS</u> refund received on Tract 11 (2 FW 44)	
	<u>109.00</u>
Balance remaining on deposit	<b>\$992.55</b>

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U.S. C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purport of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to wit:

TRACT NO. 1 (1 FW 3)	\$ 50.00
TRACT NO. 2 (1 FW 56- Revised)	25.00
TRACT NO. 6 (2 FW 12 (part) Revised, 14, 15, 16)	14.00
TRACT NO. 7 (2 FW 34)	11.00
TRACT NO. 8 (2 FW 35-Rev.)	248.00
TRACT NO. 9 (2 FW 42)	56.00
TRACT NO. 10 (2 FW 43-A)	65.00
TRACT NO. 11 (2 FW 44)	500.00
TRACT NO. 12 (2 FW 45)	1.80
TRACT NO. 13 (2 FW 46)	9.00
TRACT NO. 14 (2 FW 47)	6.00
TRACT NO. 16 (2 FW 62)	118.40
TRACT NO. 17 (2 FW 65- Revised)	1.70
TRACT NO. 18 (2 FW 65-A)	20.00
<b>TOTAL</b>	<b>\$125.90</b>



FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition, and also, under the Authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$12,499.18, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, On this 5th day of January, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (33 - FW-1026)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 16, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TRACT NO. 2 (33 - FW-1027)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  less the south 20 feet thereof in Sec. 16, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.9 acres.

TRACT NO. 3 (33 - FW-1029 Rev.)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 16, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.7 acres.

TRACT NO. 4 (33 - FW-1030)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 16, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre.

TRACT NO. 5 (33 - FW-1031)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 16, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.6 acres.

TRACT NO. 6 (33 - FW-1032)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 16, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 15.5 acres.

TRACT NO. 7 (33 - FW-1033)  
Flowage Easement

All that part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 16, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 1.0 acre.

TRACT NO. 8 (33 - FW-1034)  
Flowage Easement

All that part of the N $\frac{1}{2}$  N $\frac{1}{2}$  SW $\frac{1}{4}$  of Sec. 15, T 24N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.4 acres.

TRACT NO. 9 (33 - FW-1035)  
Flowage Easement

All that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$ , and all that part of the

SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 15, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 8.7 acres.

TRACT NO. 10 (33 - FW-1036 Rev)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  W $\frac{1}{2}$  SW $\frac{1}{4}$  of Sec. 14, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.6 acres.

TRACT NO. 11 (33 - FW-1037)  
Flowage Easement

All that part of the W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the E $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 14, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acre.

TRACT NO. 12 (33 - FW-1038)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 14, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre.

TRACT NO. 13 (33 - FW-1039)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 14, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 14 (33 - FW-1040)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 14, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, which includes all that portion of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  which was platted and dedicated as the Townsite of Cayuga Resort, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.4 acres.

TRACT NO. 15 (33 - FW-1041)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 14, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 16 (33 - FW-1042-Rev.)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  and all that part of the W $\frac{1}{2}$  W $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 23, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.3 acres.

TRACT NO. 17 (33 - FW-1043)  
Flowage Easement

All that part of the E $\frac{1}{2}$  W $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 23, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 18 (33 - FW-1044)  
Flowage Easement

All that part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  in Sec. 14, and all that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  and SE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  in Sec. 23, all in T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.6 acres.

TRACT NO. 19 (33 - FW-1045)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 23, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acre.

TRACT NO. 20 (35 - FW-1046)  
Flowage Easement

All that part of the E $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  particularly described as follows, to-wit:

Beginning at the NE corner of said E $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence westerly along the north boundary of said E $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  to the NW corner thereof;  
thence southerly along the west boundary of said E $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  and to the SW corner thereof;  
thence easterly along the south boundary of said E $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 167.1 feet;  
thence N 13° 08' E 163.1 feet; thence N 20° 53' E 353.7 feet to a point in the east boundary of said E $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  489.6 feet north of the SE corner thereof;  
thence northerly along said east boundary a distance of 174.2 feet to the point of beginning, lying below Elev. 758 Sea Level Datum,

and all that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , lying below 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, all in Sec. 24, T 25 N, R 24 E of the Indian Base and

Meridian, Seneca Survey, in Delaware County, Oklahoma, containing approximately 2.3 acres.

TRACT NO. 21 (35 - FW-1047)

Flowage Easement

All that part of the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 24, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.5 acre.

TRACT NO. 22 (35 - FW-1048)

Flowage Easement

All that part of the  $E\frac{1}{2}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 24, particularly described as follows, to-wit:

"Beginning at the SE corner of  $SW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ , thence running south 284 feet to the 750 foot contour; thence following 750 foot contour in a southwesterly direction to a point in the south boundary line of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$  a distance of approximately 146 feet from the SE corner thereof; thence east to the point of beginning".

lying below Elev. 757 Sea Level Datum, and all that part of the  $E\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ , and all that part of the  $SE\frac{1}{4}$   $NW\frac{1}{4}$  lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, all in Sec. 24, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, containing approximately 3.8 acres.

TRACT NO. 23 (35 - FW-1049)

Flowage Easement

All that part of the  $NE\frac{1}{4}$   $SW\frac{1}{4}$ , and all that part of the  $E\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 24, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.8 acres.

TRACT NO. 24 (35 - FW-1050)

Flowage Easement

All that part of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 24, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.7 acres.

TRACT NO. 25 (35 - FW-1051)

Flowage Easement

All that part of Lot 2 in Sec. 24, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.8 acres.

## TRACT NO. 26 (35 - FW-1053)

## Flowage Easement

All that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 24, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to wit:

Beginning at a point on the east boundary of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  318 feet south of the NE corner thereof;  
thence southerly along said east boundary a distance of 1010.1 feet to the SE corner of said NW $\frac{1}{4}$  NW $\frac{1}{4}$ ;  
thence westerly along the south boundary of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 552.6 feet;  
thence N 42° 18' W 80.9 feet; thence N 28° 12' W 222.8 feet;  
thence N 24° 40' W 380.9 feet; thence N 15° 29' W 281.0 feet;  
thence easterly along the south boundary of the Cayuga Bridge Road to the point of beginning, lying below Elev. 758 Sea Level Datum, containing approximately 0.6 acre.

## TRACT NO. 27 (35 - FW-1053 A)

## Flowage Easement

All that part of the S $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 13, and all that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 24, all in T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to wit:

"Beginning at a point 100 feet west and 20 feet north of SE corner of said S $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 13; thence north 479.5 feet to the 750' contour line; thence along the 750' contour line S 84° 47' W 189.0 feet; thence S 81° 39' W 618.0 feet; thence S 87° 55' W 313.9 feet; thence S 17° 35' E 398.0 feet to point on south boundary of S $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 13; thence S 17° 35' E 141.9 feet; thence S 22° 20' E 190.3 feet; thence S 55° 51' E 134.9 feet; thence S 46° 35' W 97.7 feet along south boundary of the Cayuga Bridge Road in an easterly direction to a point on the east boundary of NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 24, T 25 N, R 24 E, being 318 feet south of the NE corner of the last described; thence 338 feet to a point 20 feet north of the SE corner of S $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 13; thence west 100 feet to point of beginning," lying below Elev. 758 Sea Level Datum, containing 0.2 acre.

## TRACT NO. 28 (35 - FW-1053-B)

## Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 13, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to -wit:

"Beginning at a point 20 feet north of SE corner of SW $\frac{1}{4}$  SW $\frac{1}{4}$ , thence west 100 feet; thence north to the 750' contour line; thence in an easterly direction along the 750' contour to east line of SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence south to point of beginning",

lying below Elev. 758 Sea Level Datum.

TRACT NO. 29 (35 - FW-1054)

Flowage Easement

All that part of the  $N\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 13, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.6 acres.

TRACT NO. 30 (35 - FW-1055)

Flowage Easement

All that part of  $S\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 13, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

TRACT NO. 31 (35 - FW-1056)

Flowage Easement

All that part of the  $N\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 13, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing less than 0.1 acre.

TRACT NO. 32 (35 - FW-1057)

Flowage Easement

All that part of the  $N\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 13, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TRACT NO. 33 (35 - FW-1058)

Flowage Easement

All that part of the  $E\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 13, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 13.2 acres.

TRACT NO. 34 (35 - FW-1061)

Flowage Easement

All that part of the  $W\frac{1}{2}$  NW $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 18, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

TRACT NO. 35 (35 - FW-1062)

Flowage Easement

All that part of the  $S\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}$  SW $\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 18,

and all that part of the  $N\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 19, all in T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 95.0 acres.

TRACT NO. 36 (35 - FW-1063)  
Flowage Easement

All that part of the  $NW\frac{1}{4}$   $NE\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 19, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

TRACT NO. 37 (35 - FW-1064)  
Flowage Easement

All that part of the  $SW\frac{1}{4}$   $NW\frac{1}{4}$ , and all that part of the  $NW\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 20, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.9 acres.

TRACT NO. 38 (35 - FW-1065)  
Flowage Easement

All that part of the  $S\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$ , and all that part of the  $NE\frac{1}{4}$   $SW\frac{1}{4}$ , and all that part of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 20, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 21.5 acres.

TRACT NO. 39 (35 - FW-1066)  
Flowage Easement

All that part of the  $SE\frac{1}{4}$   $NW\frac{1}{4}$ , and all that part of the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 20, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 25.0 acres.

TRACT NO. 40 (35 - FW-1070-A)  
Flowage Easement

All that part of the  $S\frac{1}{2}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 17, and all that part of the  $N\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 20, all in T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 8.5 acres.

TRACT NO. 41 (35 - FW-1071 Rev)  
Flowage Easement

All that part of the  $N\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 20, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 13.2 acres.

TRACT NO. 42 (35 - FW-1077)  
Flowage Easement

All that part of the  $N\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 17, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 8.8 acres.

TRACT NO. 43 (35 - FW-1078)  
Flowage Easement

All that part of the  $N\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 17, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.3 acres.

TRACT NO. 44 (35 - FW-1080)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 17, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 13.0 acres.

TRACT NO. 45 (35 - FW-1081)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 17, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said SE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence westerly along the north boundary thereof a distance of 768.5 feet; thence S 23° 46' E 93.6 feet; thence S 31° 55' E 422.0 feet;

thence S 42° 43' E 318.0 feet; thence S 50° 47' E 368.0 feet to a point in the east boundary of said SE $\frac{1}{4}$  SW $\frac{1}{4}$ ;

thence northerly along said east boundary 913.7 feet to the point of beginning, lying below Elev. 758 Sea Level Datum, containing approximately 3.1 acres.

TRACT NO. 46 (35 - FW-1082)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 17, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to wit:

Beginning at the NW corner of said NE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence southerly along the west boundary thereof a distance of 842.2 feet;  
 thence S 72° 26' E 143.3 feet; thence S 56° 11' E 406.8 feet;  
 thence S 23° 46' E 236.8 feet to a point in the south boundary of said NE $\frac{1}{4}$  SW $\frac{1}{4}$ ;  
 thence easterly along the south boundary of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 768.5 feet to the SE corner of said NE $\frac{1}{4}$  SW $\frac{1}{4}$ ;  
 thence northerly along the east boundary of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the NE corner thereof;  
 thence westerly along the north boundary of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the point of beginning, lying below Elev. 758 sea level datum, containing approximately 0.9 acre.

TRACT NO. 47 (35 - FW-1083)  
 Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  in Sec. 17, particularly described as follows, to-wit:  
 Beginning at the NW corner of said NW $\frac{1}{4}$  SW $\frac{1}{4}$ , thence southerly along the west boundary thereof a distance of 634.5 feet;  
 thence S 87° 27' E 311.8 feet; thence S 86° 27' E 531.3 feet;  
 thence S 72° 26' E 515.9 feet to a point in the east boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  490.0 feet north of the SE corner thereof;  
 thence northerly along said east boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 842.2 feet to the NE corner thereof;  
 thence westerly along the north boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  to the point of beginning,  
 and all that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the E $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  in Section 18, all in T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.9 acres.

TRACT NO. 48 (35 - FW-1085)  
 Flowage Easement

All of the W $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 18, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 8.3 acres.

TRACT NO. 49 (35 - FW-1096)  
 Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 13, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TRACT NO. 50 (35 - FW-1097)  
Flowage Easement

All that part of the  $N\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 13, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

TRACT NO. 51 (35 - FW-1098)  
Flowage Easement

All that part of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 13, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 4.8 acres.

TRACT NO. 52 (35X-FW-1052)  
Flowage Easement

All that part of the east 10.30 acres of Lot 3 in Sec. 30, T 25 N, R 25 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 1.2 acres.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and it is hereby vested with a perpetual easement upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest therein to the lands described hereinabove, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 12th day of January, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Jan 5 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

-----  
Court adjourned to January 6, 1944

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

THURSDAY, JANUARY 6, 1944

On this 6th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

The City of Sand Springs, a Municipal Corporation, ex rel Leonard Versluis, Complainant and Relator,  
vs.  
Sand Springs Townsite Company, et al., Defendants.

CIVIL ACTION NUMBER  
355

ORDER SUSTAINING MOTION TO DISMISS BILL OF REVIEW

On this 6th day of January, 1944, comes on to be heard the motion of the complainant, the City of Sand Springs, Oklahoma, on the relation of Leonard Versluis, to dismiss the bill of review filed herein by the defendant, F. G. Stricker; and the court having heard said motion and the arguments of counsel and being sufficiently advised in the premises,

It is therefore by the court, ORDERED, that the bill of review filed by said defendant be and the same hereby is dismissed; to which ruling and order of the court exceptions are allowed.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 10 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

The City of Sand Springs, a municipal Corporation, ex rel Leonard Versluis, Complainant and Relator,  
vs.  
Sand Springs Townsite Company, et al., Defendants.

CIVIL ACTION NUMBER  
355

ORDER SUSTAINING MOTION TO DISMISS BILL OF REVIEW

On this 6th day of January, 1944, comes on to be heard the motion of the complainant, the City of Sand Springs, Oklahoma, on the relation of Leonard Versluis, to dismiss the bill of review filed herein by the defendants, Sand Springs Townsite Company, George Petros, Mary Phillips,

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, JANUARY 6, 1944

Trustees of the Church of God, Julia R. Schieffolbusch, Sadie A. Willis, Rachael Donnell, Laura A. Tingley, Mary Ellen O'Bryan, Ollen A. Gills, and L. B. Norris, and the amended and supplemental complaint and motion of the defendant, A. H. Burgess; and the court having heard said motion and the arguments of counsel and being sufficiently advised in the premises, finds that the motion should be sustained.

It is therefore by the court, ORDERED, that the bill of review filed by said defendants, Sand Springs Townsite Company, George Petros, Mary Phillips, Trustees of the Church of God, Julia R. Schieffolbusch, Sadie A. Willis, Rachael Donnell, Laura A. Tingley, Mary Ellen O'Bryan, Ollen A. Gills, and L. B. Norris, and the amended and supplemental complaint and motion of the defendant, A. H. Burgess, be and the same hereby is dismissed; without prejudice to any rights of the said A. H. Burgess; to which ruling and order of the court exceptions are allowed.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 10 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

PRENTISS M. BROWN, Administrator of )  
Office of Price Administration, Plaintiff, )  
 ) CIVIL NO. 972  
vs. )  
 )  
Floyd Shrum, an individual, Defendant. )

PERMANENT INJUNCTION

Now, on this 12th day of April, 1943, this cause came on for trial upon application of the plaintiff for permanent injunction pursuant to due and legal notice, at which time the plaintiff appearing by and through his counsel, Joe N. Shidler and A. M. Covington, and the defendant appeared in person and was represented by his attorney of record, Ernest R. Brown, at which time the parties announced ready for trial, after which the evidence in behalf of all parties concerned and heard by the Court and, the Court being well and sufficiently advised in the premises, finds:

The defendant has violated the terms and conditions of the Emergency Price Control Act of 1942, and Maximum Rent Regulation No. 47, and by reason thereof permanent injunction should issue

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees and all persons in active concert or participation with him be, and he or they are, hereby enjoined permanently from directly or indirectly violating any of the provisions of Maximum Rent Regulation No. 47, and are further enjoined permanently from directly or indirectly bringing, maintaining or prosecuting any action or taking any other steps or measures to evict the tenant in said premises in violation of said Maximum Rent Regulation No. 47, or offering to do any of the above, It is further ordered that the defendant be required to pay the costs of this action.

The Court further finds that defendant has heretofore served notice to vacate the premises involved herein, which sets forth as a ground for removal one of the six grounds for removal permitted by Section 1388.116 (a) of Maximum Rent Regulation No. 47 and the Court specifically sets forth herein that this order is not intended to prevent the defendant from attempting an eviction of

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, January 6, 1944

the tenant upon this or any of the six grounds set out in Section 1388.116 (a) of the Maximum Rent Regulation No. 47 so long as the defendant complies with all other legal requirements pertaining to such eviction.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Jan 6 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

JACKSON MATERIALS COMPANY, a corporation, Plaintiff, )  
vs ) No. 1097 Civil  
THE MASSMAN CONSTRUCTION COMPANY, a corporation, et al., Defendants. )

AMENDMENT TO MOTION TO DISMISS

Upon application of the defendant, The Massman Construction Company, and the Eighteen Surety Company Defendants, said defendant, The Massman Construction Company and the Eighteen Surety Company Defendants, and each of them, are hereby permitted to amend motion to dismiss heretofore filed herein, as follows:

A. Motion to dismiss the ninth cause of action because said ninth cause of action fails to state a claim against these defendants upon which relief can be granted.

B. Because this cause of action is a suit upon a statutory bond which the defendant General Contractor was required to give under the provisions of Sections one and two, Title 61, Oklahoma Statutes Annotated. That it is provided in Section 2 thereof "that no action shall be brought on said bond after six months from the completion of said public improvements or public buildings"; that said public improvement, the Grand River Dam and Power House, was completed more than six months prior to the filing of this suit, to-wit: on or about October 4, 1940.

Said defendants move that the ninth cause of action be dismissed for the reason that the right of action set forth therein did not accrue within six months next before the commencement of this action.

C. Because the right of action set forth in this court did not accrue within three years next before the commencement of this action. Sec. 95, Sub-Division "Second", Title 12, Oklahoma Statutes Annotated.

DONE in open Court this 6th day of January, 1944.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jan 6 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

JACKSON MATERIALS COMPANY, a corporation,	Plaintiff,	)	
		)	
vs.		)	No.1097 Civil
		)	
THE MASSMAN CONSTRUCTION COMPANY, a corporation,	Defendant.	)	

ORDER SUSTAINING MOTION OF DEFENDANT, MASSMAN  
CONSTRUCTION COMPANY, TO DISMISS AS TO THIRD CAUSE  
OF ACTION, AND OVERRULING MOTION TO DISMISS AS TO ALL  
OTHER CAUSES OF ACTION, AND OVERRULING MOTION TO STRIKE,  
AND OVERRULING MOTION TO MAKE MORE DEFINITE AND CERTAIN

The above matter comes on for hearing pursuant to regular assignment this 6th day of January, 1944. The plaintiff is present by its attorney of record, H. L. Smith. The defendant Massman Construction Company is present by its attorneys of record, Roy W. Grimm and Richard L. Wheatley.

Upon hearing, the Court finds that the action of defendant Massman Construction Company to dismiss the third cause of action contained in Plaintiff's complaint, should be, and the same hereby is sustained, to all of which plaintiff excepts, and exceptions allowed.

The Court further finds that the motion of defendant Massman Construction Company to dismiss the first, second, fourth, fifth, sixth, seventh, eighth and ninth causes of action contained in plaintiff's complaint, should be overruled.

The Court further finds that the motion of defendant Massman Construction Company to strike directed at the first cause of action contained in plaintiff's complaint, should be overruled.

The Court further finds that the motion of defendant Massman Construction Company to make more definite and certain as to the first, second, third, fourth, fifth, sixth, seventh, eighth and ninth causes of action, should be overruled.

WHEREFORE, IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED that the motion of defendant Massman Construction Company to dismiss plaintiff's first, second, fourth, fifth, sixth, seventh, eighth and ninth causes of action, be and the same is hereby overruled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT, that the motion of defendant Massman Construction Company to strike directed at the first cause of action, be and the same hereby is overruled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court, that the motion of defendant Massman Construction Company to make more definite and certain as to the first, second, third, fourth, fifth, sixth, seventh, eighth and ninth causes of action, be and the same hereby is overruled, to all of which plaintiff excepts, and exception allowed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT, that plaintiff shall have 10 days in which to amend its third cause of action, and the defendant Massman Construction Company shall have thirty days after the filing of said amended third cause of action in which to file answer.

Jan. 8, 1944.

ENDORSED: Filed Jan 6 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

ROYCE H. SAVAGE  
U. S. DISTRICT JUDGE

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, JANUARY 6, 1944

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

JACKSON MATERIALS COMPANY, a corporation, Plaintiff, )  
 vs ) No. 1097 Civil  
 MASSMAN CONSTRUCTION COMPANY, a corporation, et al., Defendants. )

ORDER SUSTAINING MOTION OF DEFENDANT SURETY COMPANY DEFENDANTS TO DISMISS

Now, on this 6th day of January, 1944, the above matter comes on for hearing, Plaintiff is present by its attorney of record, H. L. Smith; and the defendants, Eighteen Surety Company, Defendants and the Massman Construction Company are present by their attorneys of record, Roy W. Crimm and Richard L. Wheatley. A hearing is had.

The Court finds that insofar as the Eighteen Surety Company Defendants are concerned; that this suit is a suit upon a statutory bond; that under and by virtue of the terms and provisions of Sections one and two, Title 61, Okla. Statutes Annotated, said action must be brought on said bond within six months after completion of said public improvement; that this action was not begun until after the expiration of more than six months after completion of said project. That said motion should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT, that the motion of the Eighteen Surety Company Defendants to dismiss as to them and each of them, is hereby sustained, to all of which plaintiff excepts and exceptions are allowed.

Jan. 8, 1944

ROYCE H. SAVAGE  
U. S. DISTRICT JUDGE

ENDORSED: Filed Jan 8 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Cinda Monahwee, et al., Plaintiffs, )  
 vs, ) No. 1111 - Civil  
 Sinclair Prairie Oil Company, a corporation, et al., Defendants. )

O R D E R

For good cause shown, defendants are allowed an extension of fifteen (15) days from the time heretofore granted to prepare and file brief upon the Motion to Remand this cause.

Dated this 6th day of January, 1944.

ROYCE H. SAVAGE, Judge

ENDORSED: Filed Jan 6 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

Court adjourned to January 10, 1944





it was necessary that the Court appoint an attorney as provided in said Act, and the court did appoint R. P. Colley, a regular practicing attorney at Tulsa, Oklahoma, to represent said defendants, and it further appearing that the said R. P. Colley, did appear and plead for certain defendants on December 3, 1943, and that this Court has not fixed and determined the compensation to be paid said attorney for his services, and the Court being fully advised in the premises, finds that the sum of \$15.00 is a reasonable fee for the services rendered by said attorney in this proceeding.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that R. P. Colley be, and he is hereby allowed the sum of \$15.00 as a fee for his services as an attorney for certain defendants in this case, who are in or may be in the military service of the United States of America, and

IT IS FURTHER ORDERED that the petitioner pay to the said R. P. Colley an attorney fee in the sum of \$15.00.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 10 1944  
H. P. Warfield, Clerk  
U. S. District Court H

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IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,                      Petitioner,                      )

-vs-

CERTAIN PARCELS OF LAND IN DELAWARE  
COUNTY, OKLAHOMA, containing approximately  
36.1 acres, more or less; and Maude E.  
Gayman, et al.,                                      Defendants.                      )

CIVIL NO. 1037

ORDER APPOINTING COMMISSIONERS

NOW, on this 10th day of January, 1944, the above cause came on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the estate in the lands hereinafter described and the acquisition of said estate in said lands is necessary to provide for the storage of waters to be impounded by the Grand River Dam Project in Oklahoma, and for generating and supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U.S.C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U.S.C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, the Administrator of the Federal Works Agency is authorized to acquire in the name of the United States of America, said estate in said lands.

That pursuant to and by virtue of said authority, the Administrator of the Federal Works Agency has duly selected for acquisition by the United States for said public purposes, a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences and other improvements, and to enter upon said lands from time to time in the performance of said acts,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 10, 1944

upon and over certain lands, situate and lying and being in the County of Delaware, in the Northern District of Oklahoma, within the jurisdiction of this court, and more particularly described by courses and distances, as follows, to-wit:

(FOR DESCRIPTION OF TRACTS SEE Journal 6, Page 448)

It further appears that all of those persons claiming any interest in and to said lands adverse to the United States of America, which said persons are defendants in this proceeding, have been duly served with notice of the hearing of the application for the appointment of commissioners of this Court, according to law.

The Court specifically finds that the returns of the Marshals filed herein showing service of notice of the hearing on the application and petition for the appointment of commissioners are true and correct, and service was had as stated in said returns.

The Court further specifically finds that publication service was had according to law and the rules made and provided in such cases, and the affidavit of the publisher as filed herein is hereby accepted and approved by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that W. L. Mayes of Mayes County, Oklahoma, C. V. Hamilton of Ottawa County, Oklahoma, and T. G. Grant of Tulsa County, Oklahoma, each a disinterested freeholder in the Northern District of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular jury list of names of this Court, and are appointed as commissioners to inspect said tracts of land as hereinabove described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation by the petitioner of a perpetual easement upon and over said lands to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences and other improvements, and to enter upon said lands from time to time in the performance of said acts.

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma be, and he is hereby directed to summons forthwith each of said commissioners, and that said commissioners report at the United States Post Office, in the City of Vinita, Oklahoma, on the 18th day of January, 1944, at 9:30 A.M., for the purpose of taking the oath of office and the performance of their duties.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 10 1944  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to January 11, 1944

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, JANUARY 11, 1944

On this 11th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner, )
- vs - )
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, ) CIVIL NO. 1043
OKLAHOMA, containing approximately 87.20 acres, )
more or less; and Rome Williams, et al., )
Defendants. )

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION IN CONDEMNATION

NOW, on this 11th day of January, 1944, there coming on for hearing the application of the petitioner, United States of America, for leave to file an amendment to its petition herein, and the court being fully advised in the premises, finds that said application should be granted and the petitioner granted leave to file an amendment to its petition herein by substituting the correct description of the land taken under Tract No. 21 (10 FW 694) in lieu of the description contained in the original petition under said tract, and making additional parties defendant;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America, be, and it is hereby granted leave and permission of this Court to file an amendment to its petition herein, by substituting the correct description of the land taken under Tract No. 21 (10 FW 694) in lieu of the description in the original petition under said tract, and making additional parties defendant.

ROYCE H. SAVAGE
J U D G E :

ENDORSED: Filed Jan 11 1944
H. P. Warfield, Clerk
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,                      Petitioner,

vs

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 37.20 acres, more or less; and Rome Williams, et al.,                      Defendant.

CIVIL NO. 1043

JUDGMENT ON AMENDMENT NO. I TO DECLARATION OF TAKING AND MODIFYING JUDGMENT ON DECLARATION OF TAKING ENTERED ON JULY 12, 1943, AS TO TRACT NO. 21 (10 FW 694)

This cause coming on to be heard on the motion of the petitioner, United States of America, to enter a judgment upon Amendment No. I to the Declaration of Taking filed in the above entitled cause on the 11th day of January, 1944, and for an order modifying judgment on the original Declaration of Taking entered on July 12, 1943, as to Tract No. 21 (10 FW 694), and upon consideration thereof, and of the condemnation petition as amended and supplemented filed herein, and said Amendment No. I to the Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to acquire property by eminent domain, for the purposes as set out and prayed in said petition, as amended and supplemented;

SECOND: That a petition in condemnation was filed at the request of the Administrator of the Federal Works Agency, and amendment thereto was filed at the request of the Secretary of the Interior, the authorities empowered by law to acquire the lands described in said petition and amendment thereto, and also under the authority of the Attorney General of the United States.

THIRD: That said petition and amendment thereto, and amendment No. I to the Declaration of Taking, state the authority under which, and the public use for which said lands were taken, and the Administrator of the Federal Works Agency, and the Secretary of the Interior are, the persons duly authorized and empowered by law to acquire such land as is described in the petition, as amended and supplemented, for the construction of public works, and in connection with the Grand River Dam Project, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Amendment No. I to the Declaration of Taking.

FIFTH: That said Amendment No. I to the Declaration of Taking contains a statement of the estate or interest in said land taken for said public use.

SIXTH: That a plan map showing the land taken is incorporated in said Amendment No. I to the Declaration of Taking.

SEVENTH: That a statement is contained in said Amendment No. I to the Declaration of Taking for a sum of money estimated by said acquiring authority to be just compensation for the estate taken in said land, in the amount of \$14.30, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon and at the time of the filing of the original Declaration of Taking.

EIGHTH: That a statement is contained in said Amendment No. I to the Declaration of Taking that the amount of the ultimate award of compensation for the taking of said estate in said property, in the opinion of the Secretary of Interior, will be within any limits prescribed by Congress as to the price to be paid therefor.

NINTH: That the judgment on the original Declaration of Taking entered in this cause on July 12, 1943, should be supplemented, amended and modified by substituting under Tract No. 21 (10 FW 694), the following description, to-wit:

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 14; and all that part of Lot 7, and all that part of the North 300 feet of Lot 8, of Sec. 13, all in T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below elevation 757 sea level datum, except that portion owned by the Grand River Dam Authority, and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.6 acres.

in lieu of the description set forth in said judgment on the original Declaration of Taking.

IT IS THEREFORE, on this 11th day of January, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, to cut and clear all timber therefrom, and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences and other improvements, and to enter upon, from time to time, in the performance of said acts for use in connection with the Grand River Dam Project, upon and over the lands situated, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 21 (10 FW 694)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 14, and all that part of Lot 7, and all that part of the North 300 feet of Lot 8, of Sec. 13, all in T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elevation 757 Sea Level datum, except that portion owned by the Grand River Dam Authority, and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.6 acres.

be, and the same is hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the estate taken in said property, upon the filing of Amendment No. 1 to the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law, and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and it is hereby vested with a perpetual easement upon and over the land hereinabove described, for the uses and purposes therein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the judgment on the original Declaration of Taking entered in this cause on July 12, 1943, be, and the same is hereby supplemented amended and modified by substituting this judgment and decree in lieu thereof as to Tract No. 21 (10 FW 694).

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners, and those in possession or having any right, title or interest in and to the land hereinabove described, surrender and deliver up possession of said land to the United States of America, for the purpose of exercising all of the rights and privileges herein acquired, on or before the 18th day of January, 1944, and that this cause be held open for such other and further orders, judgments and decrees as may be necessary



cause shown, it is hereby ordered by the Court that the defendant have and it is hereby granted an extension of time of twenty days from January 12, 1944, or until February 1, 1944, in which to file answer to Plaintiff's petition.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Jan 11 1944  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to January 12, 1944

On this 12th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

Annie Watashe, et al.,	Plaintiffs,	)	
vs		)	
Theodore Crosby, et al.,	Defendants.	)	No. 617 Civil
United States of America,	Intervenor.	)	

ORDER APPROVING COMMISSIONERS REPORT, AND DIRECTING COURT CLERK  
TO ISSUE ORDER OF SALE AND APPOINTING JOHN P.  
LOGAN, U. S. MARSEAL TO MAKE SALE

Now upon this 12th day of January, 1944, this matter coming on for hearing on the motion of plaintiffs for an order of the court approving report of commissioners heretofore appointed to view and appraise the following land located in Creek County, State of Oklahoma, to wit:

The West Half of the Northwest quarter of Section  
17, Township 18 North, Range 11 East, containing  
80 acres, more or less,

and the plaintiffs appearing by their attorney, L. J. Burt, and the United States of America appearing by Whit Y. Mauzy, United States Attorney, in and for the Northern District of Oklahoma, and the court being fully advised in the premises finds that commissioners have made their report in writing and the



IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

Susanna Biggs Sapulpa, et al., Plaintiffs, )  
vs )  
William G. Bruner, et al., Defendants. ) No. 1008 Civil  
United States of America, Intervener. )

ORDER APPROVING COMMISSIONERS' REPORT, PLAINTIFF'S  
ELECTION TO TAKE, AND DIRECTING THE UNITED  
STATES MARSHAL TO ISSUE DEED

Now, on this the 12 day of January, 1944, coming on for hearing the Motion of S.W. Brown, one of the plaintiffs in the above action, for an Order approving the commissioners' report made pursuant to decree of this Court, made and entered on the 18th day of October, 1943, which said report of the commissioners was duly filed on the 1st day of November, 1943, and also for an order approving the election of the said plaintiff to take the land involved in this action at the appraised price of \$480.00.

The said plaintiff, S. W. Brown, appearing by his attorney, John S. Severson, the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, who also appeared for the restricted Indians, parties to this action, and the Court having heard said motion and having inspected the report of the commissioners and the election of the plaintiff S. W. Brown to take said land at the appraised price and being fully advised in the premises, finds:

That the report of said commissioners should be approved and confirmed and made firm and effectual forever, and that the commissioners, C. C. Weber and Elmer Vick, should each be allowed the sum of \$10.00 as their commissioners' fees, and the further sum of \$1.20 each as their expenses.

The Court further finds that the plaintiff, S. W. Brown, a successor in interest to Marshall Kelly, one of the heirs of the deceased, Lewis Bruner, has filed his election to take the land involved, described as follows, to-wit:

The South 20 Acres of Lot 4, and the North 10.56 acres of Lot 3, of Section 2, and the East 10.22 acres of Lot 1 of Section 3, all in Township 18 North, Range 10 East, Creek County, Oklahoma,

at the appraised price, to-wit: \$480.00, and has presented his certified check in that sum, payable to H. P. Warfield, Clerk of the United States District Court for the Northern District of Oklahoma, and has asked that the Honorable Jno. P. Logan, United States Marshal for the Northern District of Oklahoma, be directed by this Court to make, execute and deliver to him a Marshal's Deed to the land above described.

The Court further finds that there are no exceptions or objections filed to said election to take, and that a reasonable time has elapsed since the filing of the commissioners' report for other interested persons to file similar elections and that no election has been filed.

It is therefore ordered, adjudged and decreed by the Court that the commissioners' report filed herein, on November 1, 1943, be and the same is approved and confirmed and made firm and effectual forever, and the Clerk of this Court is directed to pay commissioners the said sums herein before set forth out of the proceeds of this sale.

It is further ordered, adjudged and decreed by the Court that the election of said S. W. Brown, one of the plaintiffs herein, be in all things approved and confirmed as filed, and that the Court Clerk be directed to remit to him his proportionate one-eighth portion of the money involved herein, after his proportionate part of the Court costs, Marshal's fees and Attorney's fees have been deducted therefrom.

It is further ordered, adjudged and decreed by the Court that a fee of \$50.00 be allowed John S. Severson for services rendered in the bringing and maintaining of this action, said sum to be taxed as costs.

It is further ordered, adjudged and decreed by the Court that the costs of the Clerk of this Court in the sum of \$76.56 together with the costs incurred in the District Court of Creek County, Oklahoma, in the sum of \$49.45, in all the total sum of \$176.01 shall be paid by the Clerk of this Court before distribution is made; that thereafter the sum of \$38.00 be remitted to S. W. Brown, the same being his one-eighth portion thereof, and that thereafter the sum of \$265.99, the remaining sum on hand be remitted to the Superintendent of the Five Civilized Tribes, Muskogee, Oklahoma, for the use and benefit of the other parties to said action, to-wit:

Susanna Biggs Sapulpa,	1/8
Amos Tiger,	1/12
Sarah Call,	1/8
William G. Bruner	1/2
Dacey Tiger, now Stake	1/24

It is further ordered, adjudged and decreed by the Court that the Honorable John P. Logan, United States Marshal for the Northern District of Oklahoma, be and he is hereby directed to make, execute and deliver to the said S. W. Brown a proper deed to the premises herein described, and that he file a report of his doings with the Clerk of this Court, said report to set out his fees incident to the execution of said deed.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Jan 12 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

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Court adjourned to January 13, 1944

REGULAR JANUARY 1944 TERM TULSA, OKLAHOMA THURSDAY, JANUARY 13, 1944

On this 13th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
 OKLAHOMA

Martha Standingwater, Plaintiff, )  
 VS. )  
 Lucy Roberts, et al., Defendants. ) No. 1000 Civil  
 UNITED STATES OF AMERICA, Intervener. )

ORDER APPROVING SALE BY UNITED STATES MARSHAL

Now, on this the 13th day of January, 1944, coming on for hearing the motion of plaintiff for an Order Approving the Sale of Real estate, made in the above action on the 10th day of January, 1944, return and report of said sale being filed in this court on the 11th day of January, 1944; the plaintiff appearing by his attorney, Ernest R. Brown, the United States of America appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, said United States District Attorney also appearing in behalf of the restricted Indians, parties to this action as well as for the United States, and the Court having heard said motion, and being fully advised finds that pursuant to the decree and orders of this Court, heretofore made, the Honorable John P. Logan, United States Marshal for the Northern District of Oklahoma, did on the 10th day of January, 1944, sell the real estate involved in the above action after advertising the same in all particulars required by law, for the sum of \$1900.00, the same being the highest and best price that could be obtained, and that said sum is within the appraisal as fixed by the commissioners appointed by this court, which was the sum of \$1500.00; that said sale was made in all particulars in accordance with the orders of this court, and the Statutes both State and Federal in like cases made and provided; and that said report of sale should in all things be confirmed and approved and made firm and effectual forever and that distribution of said funds should be made by the United States Marshal.

IT IS THEREFORE ORDERED AND ADJUDGED by the Court that the said United States Marshal's sale of the land described in this action as follows, to-wit:

The West Half of the Northwest Quarter of the Southwest Quarter and the Northeast Quarter of the Northwest Quarter of the Southwest Quarter, and the South Half of the Northeast quarter of the Southwest Quarter, and the Northeast Quarter of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Northwest Quarter, of the Southeast Quarter of Section Twenty-five (25) Township Twenty One (21) North, Range Twenty (20) East of the Indian Base and Meridian, Mayes County, Oklahoma,

being the real estate involved herein, be, and the same is in all things approved and confirmed, and made firm and effectual forever, and that the purchasers at said sale, namely: B. J. King and Hattie King his wife, as joint tenants, and not tenants in common, survivor to take all, are hereby subrogated to the rights of all parties to this action for the protection of their title.

IT IS FURTHER ordered, adjudged and decreed by the court that said United States Marshal make, execute, and deliver up to said purchasers, a proper deed conveying the said land to them in accordance with this order, and the orders of this court heretofore made in this action.

IT IS FURTHER ordered, adjudged, and decreed by the court that said United States Marshal deduct out of the funds in his hands the sum of \$18.00, being the cost of publishing the notice of sale herein, and that he pay to the Clerk of this Court the sum of \$90.93 costs incurred herein; that he pay to the Court Clerk of Mayes County, Oklahoma, the sum of \$57.85, being the cost incurred prior to the removal to this court; that he pay to Ernest R. Brown, the sum of \$150.00, as reasonable attorney's fee in this action; that distribution of the balance remaining in his hands to be made to the

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

THURSDAY, JANUARY 13, 1944

Treasurer of the United States and sent to F. W. Sunderwirth, Disbursing Agent for the Five Civilized Tribes, at Muskogee, Oklahoma, for the use and benefit of the plaintiff and the defendants herein named, distribution to be made by said Disbursing Agent among the parties to this action as follows, to-wit:

- To the plaintiff, Martha Standingwater, 1/4,
- To the defendant, Lucy Roberts, 1/4,
- To the defendant, Lou Ellen Bolin, 1/4,
- To the defendant, Joe Grass, 1/4,

and that said United States Marshal file a report of said disbursements with the Clerk of this Court.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Jan 13 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

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IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	CIVIL NO. 1024
		)	
CERTAIN PARCELS OF LAND IN CRAIG COUNTY,		)	
OKLAHOMA, containing approximately 55.7		)	
acres, more or less; and Gordon W. Gaddis,		)	
et al.,	Defendants.	)	

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 13 day of January, 1944, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estate taken and involved in this proceeding as hereinafter described and designated;

And the Court being fully advised in the premises finds that the hereinafter named persons, firms, corporations and political subdivisions of the State are the owners of and/or have some right, title or interest in and to the lands involved herein and that no person, firm, corporation or political subdivision of the State have any right, title or interest in and to said lands other than those hereafter named, and that the owners and those having any right, title or interest in and to said lands as hereafter named and set forth are the only persons, firms, and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the following named persons, firms and corporations are the owners of and/or have some right, title or interest in and to the lands involved herein as hereinafter designated, and that they are the only persons having any right, title or interest in and to the funds that are now on deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto as the owners or those having any right, title or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds to said persons, firms, and corporations as hereinafter set forth - as follows, to wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, JANUARY 13, 1944

TRACT NO. 19 (45 FW 115-116-117)  
Flowage Easement

Clarence W. Brannon, Vera Brannon -- fee owners of a part of said tract	\$12.50
George A. McCumber, also known as George McCumber, and G. A. McCumber -- fee owner of a part of said tract	5.00
Harold Leo Brady -- fee owner of a part of said tract	200.50

TRACT NO. 21 (45 FW 119)  
Flowage Easement

John Schenk -- fee owner --	40.00
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IT IS FURTHER ORDERED that this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 13 1944  
H. P. Warfield, Clerk  
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

DOWELL, INCL, A Corporation,	Plaintiff,	)	
-vs-		)	
JOHN M. WHEELER, TRUSTEE and JOHN M. WHEELER;		)	No. 1116 - Civil
REIDA PUMP COMPANY, a Corporation; R. B.		)	
THOMPSON, JR.; GULF OIL CORPORATION, a cor-		)	
poration; NATIONAL SUPPLY COMPANY, a corporation;		)	
T. C. IGLEHART; T. C. IGLEHART, INC., a cor-		)	
poration; and C. L. JENKINS,	Defendants.	)	

ORDER EXTENDING TIME TO ANSWER

NOW, on this 13 day of Jan., 1944, for a good cause shown, IT IS ORDERED that the defendant, The National Supply Company, have until the 10 day of Feb., 1944, in which to plead or answer herein.

ROYCE H. SAVAGE

ENDORSED: Filed Jan 13 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

Court adjourned to January 14, 1944

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

FRIDAY, JANUARY 14, 1944

On this 14th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

CHESTER BOWLES, Administrator, Office of Price Administration,	Plaintiff,	)	
		)	
vs		)	CIVIL NO. 1108
		)	
GEORGE ABDO, an individual, d/b/a Abdo Food Market,	Defendant,	)	

J U D G M E N T

The complaint of the Administrator was filed herein on November 15, 1943, and a copy of same, together with summons was served on defendant, who duly filed his answer. The cause was set for hearing for preliminary injunction on December 8, 1943, at which time both parties appeared and announced ready for trial upon the motion for preliminary injunction. Upon the pleadings, investigator's affidavit, and sworn testimony of witnesses, and being fully advised in the premises, and on consideration thereof, the Court found that plaintiff had fully sustained the burden of proof and that a preliminary injunction as prayed for should issue.

The matter was thereupon set for hearing upon the merits for a permanent injunction for the 15th day of December, 1943, at which time it was stipulated by plaintiff and defendant that the hearing for a preliminary injunction held on December 8, 1943 be considered a final hearing in the cause for all purposes, and that the Court make and enter its findings of fact, conclusions of law, and final judgment based upon the evidence heretofore presented to the Court upon the hearing held on December 8, 1943.

And it appearing to the Court, as more particularly set forth in the Findings of Fact and Conclusions of Law heretofore made by the Court in this cause, that the Court has jurisdiction over the subject matter of this action and over the parties, plaintiff and defendant, and it further appearing that plaintiff, Price Administrator, is entitled to a judgment of permanent injunction against defendant as a matter of law, it is by the Court;

ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees, attorneys, and representatives, and all persons in active concert or participation with any of them, be, and they are hereby, permanently enjoined and restrained from, directly or indirectly;

1. Doing any act or practice in violation of Ration Order No. 13, as amended, Ration Order 16, as amended, and supplements to these Orders, Maximum Price Regulation No. 148, as amended, Maximum Price Regulation No. 169, as amended, and Tulsa Order G-5 under General Order No. 51, of the Office of Price Administration.

2. Offering, soliciting, attempting or agreeing to do any of the foregoing.

3. Defendant is required to pay the costs of this action.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

FRIDAY, JANUARY 14, 1944

4. Jurisdiction of this cause is retained by the Court for the purpose of enabling any of the parties to this decree to apply to the Court at any time for such further orders and directions as may be necessary or appropriate for the construction or carrying out of this decree, for the modification thereof and enforcement or compliance therewith and for the punishment of violations thereof.

DATED this 14th day of January, 1944.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed Jan 14 1944  
H. P. Warfield, Clerk  
U. S. District Court H

Court adjourned to January 15, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, JANUARY 15, 1944

On this 15th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

NOAH SEWELL, Plaintiff, )  
vs ) No. 1099 Civil  
H. L. PAYNE, County Treasurer of Creek )  
County, et al., Defendants. )

O R D E R

NOW, on this 15th day of January, 1944, this matter coming on before the court on the application of the United States of America for additional time to plead in this cause of action, and for good cause shown,

IT IS THE ORDER OF THE COURT that the United States of America be, and it hereby is granted thirty (30) days additional time from January 15, 1944, in which to file its complaint in intervention in this cause of action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jan 15 1944  
H. P. Warfield, Clerk  
U. S. District Court AC

Court adjourned to January 17, 1944

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

MONDAY, JANUARY 17, 1944

On this 17th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES WITHIN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

LESTER O. WELCH,	Plaintiff,	)	
		)	
vs		)	No. 501 - Civil
		)	
OSCAR (VANN) CHUWALOOKY, et al.,	Defendants.	)	
		)	
UNITED STATES OF AMERICA,	Intervener.	)	

ORDER OF COURT

Now on this the 17 day of January, 1944, there coming on for hearing on the motion of plaintiff, directing the Court's attention to motion heretofore filed herein and order made therein, and further directing the Court's attention to the fact that said procedure is improper and asking that this Court vacate and set aside and hold for naught the order heretofore entered herein on the 29th day of July, 1943; and the Court being well and sufficiently advised of the premises, finds, that said order should be made.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said order heretofore made herein be, and the same is hereby vacated, set aside and held for naught.

ROYCE H. SAVAGE  
District Judge

ENDORSED: Filed Jan 17 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner, )  
vs )  
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, ) CIVIL NO. 1073  
OKLAHOMA, containing approximately 70.2 )  
acres, more or less; and C. J. Nicholson, )  
et al., defendants. )

ORDER APPOINTING COMMISSIONERS

NOW, on this 17th day of January, 1944, the above cause come on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the estate in the lands hereinafter described and the acquisition of said estate in said land is necessary to provide for the storage of waters to be impounded by the Grand River Dam Project in Oklahoma, and for generating and supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U.S.C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U.S.C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, the Administrator of the Federal Works Agency is authorized to acquire in the name of the United States of America, said estate, in said lands.

That pursuant to and virtue of said authority, the Administrator of the Federal Works Agency has duly selected for acquisition by the United States for said public purposes, a perpetual easement to inundate, submerge and flow; and to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences, and other improvements, and to enter upon said lands from time to time in the performance of said acts, upon and over certain lands, situate and lying and being in the County of Ottawa, in the Northern District of the State of Oklahoma, within the jurisdiction of this court, and more particularly described, by courses and distances, as follows, to-wit:

(for description of Tracts See Journal 6 - Page 662)

It further appears that all of those persons claiming any interest in and to said lands adverse to the United States of America, which said persons are defendants in this proceeding, have been duly served with notice of the hearing of the application for the appointment of commissioners by this Court, according to law.

The Court specifically finds that the returns of the Marshals filed herein showing service of notice of the hearing on the application and petition for the appointment of commissioners are true and correct, and service was had as stated in said returns.

The Court further finds that publication service was had according to law and the law made and provided in such cases, and the affidavit of the publisher as filed herein is hereby accepted and approved by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that W. L. Mayes of Mayes County, Oklahoma, T. G. Grant of Tulsa, Oklahoma, Oklahoma, and C. V. Hamilton of Ottawa County,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

MONDAY, JANUARY 17, 1944

each a disinterested freeholder in the Northern District of Oklahoma, and not interested in any like question, be, and they are hereby selected by the Judge of this Court from the regular jury list of names of this Court, and are appointed as commissioners to inspect said tracts of land as hereinabove described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation by the petitioner, of a perpetual easement upon and over said lands to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences and other improvements, and to enter upon said lands from time to time in the performance of said acts.

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma, be, and he is hereby directed to summons forthwith each of said commissioners, and that said commissioners report at the United States Post Office, in the City of Vinita, Oklahoma, on the 18th day of January, 1944, at 9:30 A.M., for the purpose of taking the oath of office, and the performance of their duties.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 17 1944  
H. P. Warfield, Clerk  
U. S. District Court H

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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

Metropolitan Life Insurance Company, a corporation, )  
Plaintiff, )  
vs ) NO. 1113 CIVIL  
Marie F. Beall and Eloise F. Dale, )  
Defendants. )

O R D E R

On this 17 day of January, 1944, for good cause shown, the defendant, Marie F. Beall is granted leave to file an amendment to her answer filed herein January 12, 1944.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 17 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

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right of flowage, if any, held by the United States of America, and/or the Grand River Dam Authority, a public corporation, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project, in, upon and over the lands, situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (6 - FW-CR-622 Rev.)  
Perpetual Easement for Road Purposes

All that part of the  $W\frac{1}{2}$   $SW\frac{1}{4}$  of Sec. 17, T 24 N, R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the north boundary of said  $W\frac{1}{2}$   $SW\frac{1}{4}$  790.8 feet east of the NW corner thereof; thence S  $16^{\circ}$   $33'$  E. 533.8 feet; thence to the left on a curve of 359.3 feet radius a distance of 188.1 feet; thence S.  $46^{\circ}$   $39'$  E. 74.4 feet to a point 718.2 feet south and 784.7 feet east of the northwest corner of said  $W\frac{1}{2}$   $SW\frac{1}{4}$ , less that part owned by the Grand River Dam Authority, containing 1.4 acres, more or less.

TRACT NO. 2 (15-FW-CR-257)  
Perpetual Easement for Road Purposes

All that part of the  $NE\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$ , and all that part of the  $SW\frac{1}{4}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 7, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point 490.2 feet south and 78.7 feet west of the northeast corner of said  $NE\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$ , thence S  $28^{\circ}$   $15'$  E 300.0 feet; thence S.  $45^{\circ}$   $27'$  E. 250.0 feet; thence S.  $36^{\circ}$   $05'$  E 250.0 feet; thence S.  $43^{\circ}$   $31'$  E. 200.0 feet; thence S.  $60^{\circ}$   $03'$  E 120.7 feet to a point in the south boundary of said  $SW\frac{1}{4}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  0.7 feet west of the southeast corner thereof, less that portion owned by the Grand River Dam Authority, containing approximately 1.6 acres.

TRACT NO. 3 (15 - FW-CR-260)  
Perpetual Easement for Road Purposes

All that part of the  $E\frac{1}{2}$   $NE\frac{1}{4}$   $SE\frac{1}{4}$ , and all that part of the  $E\frac{1}{2}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Sec. 18, T 23 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point in said  $E\frac{1}{2}$   $SE\frac{1}{4}$   $SE\frac{1}{4}$  333.0 feet west and 1302.5 feet north of the southeast corner thereof; thence N.  $12^{\circ}$   $55'$  W. 400.0 feet; thence N.  $15^{\circ}$   $38'$  W. 350.0 feet to a point in said  $E\frac{1}{2}$   $NE\frac{1}{4}$   $SE\frac{1}{4}$  609.2 feet south and 101.5 feet east of the NW corner thereof; less that part owned by the Grand River Dam Authority, containing 1.4 acres, more or less.

TRACT NO. 4 (15 - FW-CR-262)  
Perpetual Easement for Road Purposes

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, and all that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 18, and all that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 17, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point in the west boundary of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 18, 0.4 feet south of the northwest corner thereof, thence S. 60° 03' E 178.5 feet; thence S. 70° 52' E. 546.0 feet to a point in said NW $\frac{1}{4}$  NW $\frac{1}{4}$  246.9 feet south and 12.7 feet east of the northwest corner thereof, less that part owned by the Grand River Dam Authority, containing 1.20 acres, more or less.

TRACT NO. 5 (15 - FW-CR-263)  
Perpetual Easement for Road Purposes

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point in the west boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  614.1 feet south of the northwest corner thereof, thence S. 28° 15' E. 53.8 feet to a point in the south boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  25.9 feet east of the southwest corner thereof, containing 0.1 acre, more or less.

TRACT NO. 6 (15 - FW-CR-264)  
Perpetual Easement for Road Purposes

All that part of the N $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point 170.7 feet west and 153.0 feet north of the SE corner of said SE $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence N. 2° 18' W. 355.7 feet; thence N. 16° 22' E. 228.3 feet to a point 120.6 feet west and 727.5 feet north of said SE corner, containing 1.1 acres, more or less.

TRACT NO. 7 (15 - FW-CR-266)  
Perpetual Easement for Road Purposes

All that part of the W $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 7, T 23 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

MONDAY, JANUARY 17, 1944

Beginning at a point 205.3 feet north and 83.8 feet east of the SW corner of said  $W\frac{1}{2} SE\frac{1}{2} NE\frac{1}{4}$ , thence S.  $87^{\circ} 15'$  E. 40.0 feet; thence N.  $2^{\circ} 45'$  W. 100.0 feet; thence S.  $87^{\circ} 15'$  E. 46.9 feet; thence N.  $2^{\circ} 45'$  W. 44.0 feet; thence N.  $11^{\circ} 13'$  W. 46.9 feet; thence N.  $78^{\circ} 47'$  E. 140.8 feet; thence N.  $11^{\circ} 13'$  W. 80.0 feet; thence S.  $78^{\circ} 47'$  W. 140.8 feet; thence on a curve to the left of radius 126.9 feet a distance of 168.4 feet; thence S.  $2^{\circ} 45'$  W. 144.0 feet; thence S.  $87^{\circ} 15'$  E. 40.0 feet to the point of beginning, containing 0.8 acre, more or less.

TRACT NO. 8 (18 - FW-CR-719)  
Perpetual Easement for Road Purposes

The east 40.0 feet of the south 308.8 feet of the N. 26.83 acres of Lot 1 in Sec. 6, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, containing 0.3 acre, more or less.

TRACT NO. 9 (18 - FW-CR-720)  
Perpetual Easement for Road Purposes

The West 40.0 feet of the south 308.8 feet of the NW 13.43 acres of Lot 4, Sec. 5, T 24 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, containing 0.3 acre, more or less.

TRACT NO. 10 (18 - FW-CR-721)  
Perpetual Easement for Road Purposes

The West 40.0 feet of the South 20.0 acres of Lot 4 in Sec. 5, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, containing 0.6 acre, more or less.

TRACT NO. 11 (18 - FW-CR-722)  
Perpetual Easement for Road Purposes

The West 40.0 feet of the north 206.9 feet of the  $NW\frac{1}{4} SW\frac{1}{4} NW\frac{1}{4}$  of Sec. 5, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, containing 0.2 acre, more or less.

TRACT NO. 12 (18 - FW-CR-723)  
Perpetual Easement for Road Purposes

The east 40.0 feet of the south 20 acres of Lot 1, and the east 40.0 feet of the north 206.9 feet of the  $S\frac{1}{2} NE\frac{1}{4}$  of Sec. 6, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, containing 0.8 acre, more or less.

TRACT NO. 13 (18 - FW-CR-734)  
Perpetual Easement for Road Purposes

The east 40.0 feet of the north 86.0 feet of the  $S\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$  of Sec. 8, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing less than 0.1 acre.

TRACT NO. 14 (18 - FW-CR-736)  
Perpetual Easement for Road Purposes

The east 40.0 feet of the south 214.0 feet of the N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 8, T 24 N, R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, less that portion owned by the Grand River Dam Authority, containing less than 0.1 acre.

TRACT NO. 15 (18 - FW-CR-737)  
Perpetual Easement for Road Purposes

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 9, T 24 N, R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the west boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  115.2 feet south of the northwest corner thereof, thence east 40.0 feet; thence southerly parallel to said west boundary 50.0 feet; thence east 150.0 feet; thence southerly parallel to said west boundary 200.0 feet; thence west 160.0 feet; thence southerly parallel to said west boundary 50.0 feet; thence west 40.0 feet to a point in said west boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence northerly along said west boundary 300.0 feet to the point of beginning, except that portion owned by the Grand River Dam Authority, containing 1.0 acre, more or less.

TRACT NO. 16 (25 - FW-CR-588)  
Perpetual Easement for Road Purposes

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the north boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  252.7 feet east of the NW corner thereof, the said point being on the property line of the Grand River Dam Authority, thence S. 59° 37' W. 28.2 feet; thence easterly parallel to said north boundary 97.0 feet; thence north 15.0 feet to a point in said north boundary, thence westerly along said boundary 72.8 feet to the point of beginning, containing less than 0.1 acre.

TRACT NO. 17 (25 - FW-CR-592)  
Perpetual Easement for Road Purposes

All that part of a tract of land situated in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 22, T 25 N, R 23 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, described as follows, to-wit:

"Beginning 37.1 feet East of the Northwest corner of NW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , thence West 136.1 feet to the East right-of-way line of U. S. Highway #59; thence South 208 feet along said right-of-way line; thence East 325 feet; thence North 195 feet to the Grand River Dam property line; thence Westerly 175 feet more or less and Northerly 110 feet more or less along the Grand River Dam property line to point of beginning, containing 1 acre more or less."

The area to be acquired being more particularly described as follows:

Beginning at a point in the north boundary, of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  37.1 feet east of the NW corner thereof, said point being on the line of the Grand River Dam Authority, property, thence westerly along said north boundary 11.6 feet; thence south 15.0 feet; thence easterly parallel to said north boundary 16.9 feet to a point in the Grand River Dam Authority property line; thence N. 23° 12' W. 13.9 feet; thence N. 7° 32' W. 2.3 feet to the point of beginning, containing less than 0.1 acre.

TRACT NO. 18 (26 - FW-CR-916)  
Perpetual Easement for Road Purposes

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 12, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the property line of the Grand River Dam Authority in the south boundary of said SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 140.6 feet west of the SE corner of said SW $\frac{1}{4}$  SW $\frac{1}{4}$ , thence along said Grand River Dam Authority property line N. 70° 17' W. 258.7 feet; thence N. 18° 11' W. 386.8 feet; thence S. 86° 15' W. 42.1 feet; thence on a new line N. 56° 59' E. 98.0 feet; thence S. 33° 01' E. 282.9 feet; thence on a curve to the left of radius 136.0 feet a distance of 132.3 feet; thence N. 89° 59' E. 196.4 feet, to a point in the east boundary of said SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence southerly along said east boundary a distance of 208.2 feet to the SE corner of said SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence westerly along the south boundary of said SW $\frac{1}{4}$  SW $\frac{1}{4}$  to the point of beginning, containing 2.3 acre, more or less.

TRACT NO. 19 (27 - FW-CR-455)  
Perpetual Easement for Road Purposes

All that part of the S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 20, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the south boundary of said S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  704.1 feet east of the SW corner thereof, thence north 75.0 feet; thence easterly parallel to said south boundary 400.0 feet; thence south 75.0 feet to a point in said south boundary; thence westerly along said south boundary to the point of beginning, containing 0.7 acre, more or less.

TRACT NO. 20 (27Y-FW-CR-458)  
Perpetual Easement for Road Purposes

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 29, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the north boundary of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  1120.0 feet west of the NE corner thereof; thence S. 0° 17' E. 85.0 feet; thence N. 84° 00' E. 452.2 feet; thence N. 0° 17' W. 40.0 feet to a point in said north boundary; thence westerly along said north boundary 450.0 feet to the point

of beginning, containing 0.6 acres, more or less.

TRACT NO. 21 (28 - FW-CR-478)  
Perpetual Easement for Road Purposes

All that part of the  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 8, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence westerly along the south boundary of said  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 593.8 feet to a point 68.4 feet east of the SW corner thereof; thence N. 22° 13' E. 304.3 feet; thence N. 4° 30' W. 1.9 feet to a point 50.0 feet south of the north boundary of said  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence easterly parallel to said north boundary a distance of 472.8 feet to a point in the east boundary of said  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  50.0 feet south of the NE corner thereof; thence southerly along said east boundary a distance of 281.0 feet to the point of beginning.

The land to be acquired being particularly described as follows:

A strip of land 80.0 feet in width in the center line of which is described as follows:

Beginning at a point 432.4 feet west and 87.3 feet north of the Southeast corner of the above described tract, thence N. 22° 52' W. 0.00 feet; thence on a curve to the right of radius 361.9 feet a distance of 195.9 feet to a point in the north boundary of said aforementioned tract 457.0 feet west of the Northeast corner thereof, containing 0.4 acre, more or less.

TRACT NO. 22 (28 - FW-CR-479)  
Perpetual Easement for Road Purposes

All that part of the  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 8, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence southerly along the said boundary of said  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 50.0 feet; thence westerly parallel to the north boundary of said  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 472.8 feet; thence N. 4° 30' W. 50.2 feet to a point in the north boundary of said  $N\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  185.7 feet east of the NW corner thereof, thence easterly along said north boundary a distance of 476.5 feet to the point of beginning.

The tract to be acquired being particularly described as follows:

A strip of land 80.0 feet in width the center line of which is described as follows:

Beginning at a point in the south boundary of the above described tract 457.0 feet west of the SE corner thereof, thence N. 16° 14' E. 0.00 feet; thence on a curve to the right of radius 361.9 feet a distance of 53.1 feet to a point in the north boundary of said aforementioned tract

445.1 feet west of the NE corner thereof, containing less than 0.1 acre.

TRACT NO. 23 (28 - FW-CR-480)  
Perpetual Easement for Road Purposes

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 8, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma particularly described as follows, to-wit:

Two tracts of land 80.0 feet in width the center line of which are described as follows:

Tract A

Beginning at a point in the south boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  445.1 feet west of the SE corner thereof, thence N. 16° 14' E. 0.00 feet; thence on a curve to the right of radius 361.9 feet, a distance of 2.5 feet; thence N. 16° 38' E 129.5 feet to a point 124.6 feet north and 406.6 feet west of said southeast corner.

Tract B

Beginning at a point on the center line of Tract A 0.5 feet north and 443.7 feet west of the SE corner of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence N. 54° 08' E. 250.5 feet to a point 147.3 feet north and 240.7 feet west of said SE corner.

Tract C

Beginning at a point on the center line of Tract B 147.3 feet north and 240.7 feet west of the SE corner of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence N. 54° 08' E. 200.0 feet; thence S. 35° 52' E. 50.0 feet; thence S. 54° 08' W. 200.0 feet; thence N. 35° 52' W. 50.0 feet to the point of beginning.

The three tracts containing 0.8 acres, more or less.

TRACT NO. 24 (33 - FW-CR-1044)  
Perpetual Easement for Road Purposes

All that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 23, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at a point in the north boundary of said N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  674.3 feet west of the NE corner thereof, thence N. 89° 26' E. 0.00 feet; thence on a curve to the right of radius 146.2 feet a distance of 192.1 feet; thence S. 13° 41' E. 134.1 feet; thence S. 2° 21' E. 1001.9 feet; thence on a curve to the left of radius 287.9 feet a distance of 77.7 feet to a point in the south boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  447.9 feet west of the SE corner thereof, containing 2.30 acres, more or less.

TRACT NO. 25 (33 - FW-CR-1045)  
Perpetual Easement for Road Purposes

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 23, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, to Delaware County, Oklahoma, particularly described as follows:

A strip of land 80 feet in width the center line of which is described as follows:

Beginning at the point in the north boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  447.9 feet west of the NE corner thereof, thence S. 17° 43' E. 0.00 feet; thence on a curve to the left of radius 287.9 feet a distance of 230.6 feet; thence S. 64° 01' E. 328.6 feet; thence S. 0° 09' E. 10.0 feet to a point in the west boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  312.5 feet south of the NE corner thereof, containing 1.04 acres, more or less.

TRACT NO. 26 (35 - FW-CR-1077)  
Perpetual Easement for Road Purposes

All that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 17, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point 1335.4 feet west and 247.8 feet north of the SE corner of said N $\frac{1}{2}$  SE $\frac{1}{4}$ , thence N. 0° 12' E. 200.0 feet; thence N. 89° 48' W. 75.0 feet; thence S. 0° 12' W, 200.0 feet; thence S. 89° 48' E. 75.0 feet to the point of beginning, containing 0.3 acres, more or less.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America in connection with the completion and full utilization of the Grand River Dam (Pensacola) project and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT ORDERED, ADJUDGED AND DECREED that a perpetual easement for road purposes is vested in the United States of America, subject to any existing rights held by the public, the State of Oklahoma, or any subdivisions thereof, for road purposes, if any; and subject to the right of flowage, if any, held by the United States of America and/or the Grand River Dam Authority, a public corporation, in, upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired, on or before the 17th day of January, 1944, and that this cause be held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT IN  
AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Jan 17 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to January 18, 1944

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, JANUARY 18, 1944

On this 18th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jasper Rogers, Plaintiff, )  
vs ) No: 977  
St. Louis Smelting and Refining )  
Company, a corporation, Defendant. )

O R D E R

Now, on this 18th day of January, 1944, the above entitled cause coming on for hearing upon the stipulation of the parties for dismissal with prejudice, and it appearing from said stipulation that said cause has been fully and finally settled between the parties out of court, and the court being otherwise fully advised in the premises, and pursuant to such stipulation.

IT IS ORDERED, ADJUDGED AND DECREED that said cause be and the same is hereby dismissed with prejudice to a new action at the cost of the defendant without attorneys' fees to either side

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed In Open Court  
Jan 18 1944  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to January 19, 1944

On this 19th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
 Whit Y. Mauzy, United States Attorney  
 John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Alfred A. Drummond,	Plaintiff,	)	
		)	
vs.		)	
		)	
National Livestock Credit Corporation, a New Mexico corporation; the National Commission Company of Oklahoma, an Oklahoma Corporation; A. W. Lohmann; A. W. Lucas; H. H. Mundy; and E. G. Jeffrey,	Defendants.	)	No. 787 - C

O R D E R

Now on this 6th day of January, 1944, comes on for hearing in the above styled and numbered cause, the following Motions filed by defendants, to-wit:

- (a) Defendants' Motion to Quash; To Dismiss For a More Definite Statement; For a Bill of Particulars; And to Strike; Directed At Plaintiff's Amended Petition.
- (b) Motion for a Separate Trial of Issues.
- (c) Motion of Defendants for Production, Inspection, Copying and Photographing Documents Pursuant to Rule No. 34 of Civil Procedure;

both parties appearing by their attorneys of record.

WHEREUPON the court having considered separately the various Motions mentioned in sub-head (A) above, it is ordered that Paragraph three (3) of said Motion is sustained to the extent of striking from plaintiff's amended petition all of that portion of Paragraph "I" of sub-division 11 contained and included within the second parentheses and that otherwise that said Motions to Quash; to Dismiss; For a More Definite Statement; For a Bill of Particulars; and to Strike as Directed at Plaintiff's Amended Petition, be overruled and denied to all of which action of the court, save and except the portion thereof striking the portion of Paragraph "I" of sub-division 11 contained within the second parenthesis of said paragraph, the defendants and each of them except, which exceptions are by the court allowed.

IT IS FURTHER ORDERED BY THE COURT that the Motion set forth in sub-division (B) above, be, and it is hereby overruled and denied to which action of the court the defendants and each of them duly except, which exceptions are by the Court duly allowed.

IT IS FURTHER ORDERED BY THE COURT that the Motion set forth in sub-division (C) above, be stricken from the present assignment and not reset until after the pre-trial hearing shall have been had in this cause.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, JANUARY 19, 1944

IT IS FURTHER ORDERED BY THE COURT that the defendants and each of them have twenty (20) days from the date of this Order within which to file their Answer herein.

ROYCE H. SAVAGE
Judge United States District Court for Northern District of Oklahoma

ENDORSED: Filed Jan 19 1944
H. P. Warfield, Clerk
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT, FOR THE NORTHERN DISTRICT OF OKLAHOMA

FRED E. COOPER, Plaintiff, )
vs ) No. 930 Civil
JUDGE BENDABOUT, Cherokee Roll No. 20199, et al, Defendants. )
UNITED STATES OF AMERICA, Intervenor. )

ORDER APPROVING SERVICE BY PUBLICATION

Now on this the 19 day of January, 1944, this matter came on to be heard upon the application of the plaintiff acting through his attorney of record, John R. Woodard, for an adjudication and an Order as to the completeness, sufficiency and legality of the service heretofore had in this cause, by publication.

It appeared to the Court that process of service by publication was had in two separate instances in this cause; that the second publication was brought about by the fact that the plaintiff had previously come to the conclusion that four additional defendants should be served by publication who were not included in the first service; that by issuing the second service by publication the plaintiff did not abandon the first service of process so had.

The court at said time considered said application and the record and proof in this cause in connection therewith.

Thereupon, the court finds from such examination, consideration, and proofs that the Service by Publication as disclosed by the record in each instance was complete and in all respects in conformity with the requirements of law, but that as to the defendants Steve McLemore, Bill McLemore, George Bush, and Isaac Bush, such process was not properly issued until the second process by publication was completed, but that all such processes have now been completed.

Now, therefore, the Court approves the Service by Publication had in this cause, all in accordance with Title 12, Section 174, of the Oklahoma Statutes, 1941.

It is further ordered that this Order be filed and recorded in this cause.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Jan 19 1944
H. P. Warfield, Clerk
U. S. District Court H



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, JANUARY 19, 1944

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
vs.		)	
		)	CIVIL NO. 1076
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	
OKLAHOMA, containing approximately 124.0		)	
acres, more or less; and Alta Foust, et al.,		)	
	Defendants.	)	

ORDER FIXING TITLE, DETERMINING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO CROP DAMAGES ON TRACT NO. 42 (13 FW 841)

NOW, on this 19th day of January, 1944, there coming on for hearing the application of the defendants, Robert Whiteley and Ralph Webb, for an order fixing title, determining just compensation and making distribution as to crop damages on Tract No. 42 (13 FW 841); and it appearing to the Court that the defendants, Robert Whiteley and Ralph Webb, have entered into their appearances in this cause and waived the issuance, service and return of notice of the time and place for the appointment of commissioners; that the defendant, Ralph Webb, is the owner of the entire fee simple title in and to the lands described and designated as Tract No. 42 (13 FW 841) in this proceeding; that the defendant, Robert Whiteley, was the holder of an agricultural lease on said tract of land during the calendar year of 1943; that said defendant, Robert Whiteley, paid cash rent for said tract of land for said year of 1943, and was the owner of all crops growing or grown, upon said tract of land, including a garden, during the year of 1943; that he was the owner of said growing crops, including a garden, which were damaged by reason of the flooding of said tract of land by the petitioner during the May, 1943, flood; that the petitioner has deposited in the registry of this court the sum of \$150.00 as the estimated just compensation for said damages occasioned to said growing crops and garden; that the land owner, the defendant, Ralph Webb had no right, title or interest in and to said growing crops and garden; that the defendant, Robert Whiteley, has agreed to accept the sum of \$150.00 as full and just compensation by reason of the damages occasioned to said growing crops and garden during the May, 1943, flood, and the land owner, Ralph Webb, has waived any claim to any part of said compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Robert Whiteley, was the owner of all of the growing crops and garden upon the lands designated and described herein as Tract No. 42 (13 FW 841), which were damaged by the flooding of said land by the petitioner during the May, 1943, flood; that the sum of \$150.00 is full and just compensation for said damages occasioned to said growing crops and garden; that the defendant, Robert Whiteley, is the only person having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court pay to the defendant, Robert Whiteley, the sum of \$150.00 out of the estimated just compensation now on deposit in the registry of this court, said payment to be full and just compensation for all damages sustained to the growing crops and garden on Tract No. 42 (13 FW 841), during the year of 1943.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 19 1944  
H. P. Warfield, Clerk  
U. S. District Court LN



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, JANUARY 20, 1944

On this 20th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court
Whit Y. Mauzy, United States Attorney
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

IN THE MATTER OF THE APPOINTMENT OF LAW CLERK.

O R D E R

At Tulsa, in the Northern District of Oklahoma, on the 20th day of January, 1944, comes on for consideration the matter of the appointment of a Law Clerk for the United States District Court for the Northern District of Oklahoma and that Augustus M. Covington of Tulsa, Oklahoma, a member of the Bar of said Court, is a suitable person to serve as Law Clerk within the jurisdiction of said Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Augustus M. Covington of Tulsa, Oklahoma, be appointed Law Clerk for the United States District Court for the Northern District of Oklahoma effective January 27, 1944.

ROYCE H. SAVAGE
JUDGE, U. S. DISTRICT COURT

ENDORSSD: Filed Jan 20 1944
H. P. Warfield, Clerk
U. S. District Court

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )
) SS:
NORTHERN DISTRICT OF OKLAHOMA, )

I, Augustus M. Covington, being appointed Law Clerk for the District Court for the United States for the Northern District of Oklahoma, do solemnly swear that I will truly and faithfully discharge and perform all the duties of my said office, according to the best of my ability and understanding. That I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of which I am about to enter.

SO HELP ME GOD.

AUGUSTUS M. COVINGTON

Subscribed and sworn to before me this 20 day of January, A. D. 1944.

ROYCE H. SAVAGE, U. S. DISTRICT JUDGE

ENDORSED: Filed Jan 20 1944
H. P. Warfield, Clerk
U. S. District Court

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
 OKLAHOMA

ELSIE A. MILLER, PLAINTIFF, )  
 VS ) NO. 530 CIVIL  
 HERBERT FREDERIC MILLER, DEFENDANT. )

ORDER OF DISMISSAL WITH PREJUDICE

On stipulation of the parties hereto, the above cause is hereby dismissed with prejudice at plaintiff's costs.

MADE AND ORDERED ENTERED This 20 day of January 1944.

ROYCE H. SAVAGE  
 J U D G E

ENDORSED: Filed Jan 20 1944  
 H. P. Warfield, Clerk  
 U. S. District Court H

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 IN THE UNITED STATES DISTRICT COURT, FOR THE NORTHERN DISTRICT OF  
 OKLAHOMA

FRED E. COOPER, Plaintiff, )  
 vs ) No. 930 Civil  
 JUDGE BENDABOUT, Cherokee Roll No. )  
 20199, et al, Defendants. )

ORDER APPOINTING GUARDIAN AD LITEM FOR THE UNKNOWN DEFENDANTS WHO  
 ARE MINORS IN THIS CAUSE, OR WHO MAY BE IN THE MILITARY SERVICE,  
 AND FOR THOSE KNOWN TO BE IN THE MILITARY SERVICE, AND FOR DEFENDANTS  
 KNOWN TO BE MINORS.

Now on this the 20 day of January, 1944, this matter came on for hearing upon the application of the plaintiff acting through his attorney of record, John R. Woodard, for the appointment of Guardians ad Litem in this cause for any unknown heirs, devisees, trustees and assigns of Blunt Bendabout, Cherokee Roll No. 20203, James Bendabout, Cherokee Roll No. 18937, Charlie Bendabout, or Charles Bendabout, Cherokee Roll No. 20594, William Swimmer, Cherokee Roll No. 20638, Susie Swimmer, Cherokee Roll No. 20639, and O. W. Matthews, deceased, - and which unknown heirs, devisees, trustees and assigns may be effected by this action, and who may be defendants herein although their identify by name is not known, and in order to comply with the Soldiers and Sailors Civil Relief Act of 1940, and particularly in order that the rights, privileges, and relief of any of such unknown heirs, devisees, trustees and assigns who may be in the military service of the United States may be protected, and,

It particularly appearing to the Court that the defendants George Bush and Isaac Bush are in such military service; and it also appearing to the court that three of the defendants, to-wit, Isaac Bush, Gewan or Lizzie Bush, and Arthur Renfro, Jr., are minors for whom Guardians ad Litem should be appointed in this cause, to protect their rights; and the Court being fully advised, as of the opinion that Eugene Rust, an attorney of the Tulsa County Bar, is a proper person to act as such Guardian ad Litem;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said Eugene Rust be, and he is hereby appointed Guardian Ad Litem for the said George Bush, Isaac Bush, Gevan or Lizzie Bush, and Arthur Kenfro, Jr., and for all the unknown defendants herein who may have an interest in this cause and who may be in the military service of the United States, and said Guardian ad Litem is hereby authorized and directed to take such steps as may be necessary or proper to protect the interests, rights, claims, and demands involved in this action and belonging to said defendants or any of them.

IT IS THE FURTHER ORDER of the Court that for good cause shown, and under the statements and proof submitted to the Court at this time, that no bond shall be required or filed in this cause by the plaintiff to indemnify any of the defendants before any judgment by default or otherwise shall be entered herein against them or any of them, unless and until it shall be otherwise ordered by the Court for good cause shown.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 20 1944  
H. P. Warfield, Clerk  
U. S. District Court H

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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	plaintiff,	)	
		)	
vs		)	
		)	NO. 990 - CIVIL
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, STATE OF OKLAHOMA, et al.,	Defendants,	)	

JOURNAL ENTRY OF JUDGMENT

THIS matter coming on for hearing this 20 day of Jan., 1944, in its regular order and the United States of America appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the defendants and each of them appearing by Sim T. Garman, County Attorney of Osage County, and R. E. Havens, Assistant County Attorney of Osage County, and after the introduction of evidence and after being fully advised in the premises, the court finds:

That Mary A. Lohowa, Osage Allottee No. 862, died on November 7, 1940; that prior to the death of said Osage Allottee, she had as her homestead the following described real estate situated in Osage County, State of Oklahoma, to-wit:

Southwest Quarter of Section Eight (8), Township Twenty-two (22)  
Range Seven (7),

which property was tax exempt during the lifetime of said Mary A. Lohowa; that said property became exempt from taxation in the year 1934. That the placing of said real estate upon the tax rolls of Osage County for the years 1935 to 1940, inclusive, was erroneous and illegal and that said property was not subject to taxation for said years and that the taxes for said years should be stricken and the County Assessor of Osage County and County Treasurer of Osage County should be restrained from placing said property on said tax rolls for said years or selling or offering to sell said property for said taxes.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff have and recover judgment against the defendants, and



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
REGULAR JANUARY 1944 TERM                      TULSA, OKLAHOMA                      THURSDAY, JANUARY 20, 1944

having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Clay A. Babb, land owner, agreed to grant and sell to the petitioner a perpetual right, privilege and authority to inundate, submerge and flow said land for the sum of \$1,000.00, and said tenant, J. M. Frazier, agreed to accept the sum of \$325.00 in settlement of his damages - which was accepted by the petitioner.

The Court further finds that the sum of \$1,000.00 is just compensation for the injuries and damages sustained by the defendant, Clay A. Babb, and \$325.00 is just compensation for the injuries and damages sustained by the defendant, J. M. Frazier.

The Court further finds that no person, firm, corporation, or taxing subdivision thereof of the State, other than said defendants, has any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Clay A. Babb, was the owner of the land designated as Tract No. 4 (25 FW 591) when this proceeding was commenced, and J. M. Frazier, was a tenant thereon, and that sums of \$1,000.00 and \$325.00 are just compensation for the damages sustained by said defendants, respectively; that said defendants are the only person having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds herein deposited as follows, to-wit:

TO: Clay A. Babb - owner - Tract No. 4 (25 FW 591)	\$1,000.00
J. M. Frazier - tenant - tract No. 4 (25 FW 591)	325.00

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 20 1944  
H. P. Warfield, Clerk  
U. S. District Court AC

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Court adjourned to January 22, 1944

REGULAR JANUARY 1944 TERM                      TULSA, OKLAHOMA                      SATURDAY, JANUARY 22, 1944

On this 22nd day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

ASSIGNMENT OF A DISTRICT JUDGE TO HOLD A DISTRICT COURT IN THE NORTHERN DISTRICT OF OKLAHOMA

In my judgment the public interest requires the designation, appointment, and assignment of a District Judge to hold a District Court of the United States in the Northern District of Oklahoma,

I do, therefore, by these presents designate, appoint, and assign Honorable Eugene Rice, a United States District Judge for the Eastern District of Oklahoma, to hold a District Court in the Northern District of Oklahoma, and to act as a District Judge in such Northern District of Oklahoma, and to discharge all the judicial duties of a judge of such District from the 20th day of January, A. D. 1944, until the 31st day of December, A. D. 1944.

Witness my hand this 20th day of January, A.D. 1944.

ORIE L. PHILLIPS  
Senior Circuit Judge

ENDORSED: Filed Jan 22 1944  
H. P. Warfield, Clerk  
U. S. District Court

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Court adjourned to January 24, 1944

On this 24th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage and Hon. F. E. Kennamer, Judges, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Manzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

SOUTH PENN OIL COMPANY,  
a corporation et al, Plaintiffs, )  
vs ) No. 671 CIVIL  
PHILLIPS PETROLEUM COMPANY,  
a corporation, et al., Defendants. )

O R D E R

Now on this 24th day of January, 1944, for good cause shown, the plaintiffs, herein are hereby granted an extension of 30 days from the 25th day of January, 1944, in which to submit briefs to the Court.

ENDORSED: Filed Jan 24 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

ROYCE H. SAVAGE, District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

J. L. SEIDENBACH, Plaintiff, )  
vs ) NO. 795 CIVIL  
THE UNITED STATES FIDELITY AND )  
GUARANTY COMPANY, Defendant. )

ORDER GRANTING LEAVE TO AMEND

This cause coming on to be heard on the plaintiff's motion for leave to file an amended complaint, and it appearing that justice requires that such leave be given, and the court being fully advised;

IT IS HEREBY ORDERED that plaintiff be given leave to file his amended complaint and that the defendant answer or otherwise move with respect to said amended complaint within 20 days after service thereof.

DATED this 24 day of January, 1944.

ROYCE H. SAVAGE  
United States District Judge

ENDORSED: Filed In Open Court  
Jan 24 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

SCHUTT CONSTRUCTION COMPANY, INC., )  
a corporation, Plaintiff, )  
-vs- ) NO. 934 CIVIL  
GRAND RIVER DAM AUTHORITY, )  
A Public Corporation, Defendant. )

J U D G M E N T

The evidence adduced by the respective parties having been heard and considered as well as the arguments of counsel thereon, and Findings of Fact and Conclusions of Law having been adopted herein,

IT IS ORDERED, ADJUDGED AND DECREED, as follows:

1. That the plaintiff take nothing upon the first, second, third, fourth and fifth causes of action set forth in its complaint and that judgment thereon be, and is hereby rendered for defendant.

2. That as to the sixth cause of action stated in plaintiff's complaint the plaintiff have and recover, and is hereby given judgment for the sum of \$140.97, with interest thereon



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

MONDAY, JANUARY 24, 1944

The Court specifically finds that the returns of the Marshals filed herein showing service of notice of the hearing on the application and petition for the appointment of commissioners are true and correct, and service was had as stated in said returns.

The Court further specifically finds that publication service was had according to law and the law made and provided in such cases, and the affidavit of the publisher as filed herein is hereby accepted and approved by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that W. L. Mayes, of Mayes County, Oklahoma, T.G. Grant of Tulsa County, Oklahoma, and C. V. Hamilton of Ottawa County, Oklahoma, each a disinterested freeholder in the Northern District of Oklahoma, and not interested in any like question be, and they are hereby selected by the Judge of this Court from the regular jury list of names of this Court, and are appointed as commissioners to inspect said tracts of land as hereinabove described and consider the injury and assess the damages said defendants as the owners thereof or having any right, title or interest therein will sustain by reason of the condemnation and appropriation by the petitioner, of a perpetual easement upon and over said lands to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences and other improvements, and to enter upon said lands from time to time in the performance of said acts.

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma, be, and he is hereby directed to summons forthwith each of said commissioners, and that said commissioners report at the United States Post Office, in the City of Vinita, Oklahoma, on the 25th day of January, 1944, at 9:30 A.M., for the purpose of taking the oath of office, and the performance of their duties.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 24, 1944  
H. P. Warfield, Clerk  
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

ALMEDA BEAVER, Plaintiff, )  
vs ) NO. 1059 CIVIL  
WALGREEN DRUG STORES, INC., )  
a corporation, Defendant. )

O R D E R

Now, on this 24 day of January, 1944, this matter coming on upon the application of the defendant for the appointment of a physician to examine the plaintiff in this cause.

IT IS HEREBY ORDERED that Dr. Allen C. Kramer be and is hereby appointed to make said examination and to give his report, at the expense of the defendant.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 24 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 24, 1944

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

Petitioner,

vs

No. 1103 - Civil

8.5 acres of land, more or less,  
situate in Tulsa County, State of  
Oklahoma, and O. L. Avey, et al.,

Respondents.

ORDER APPOINTING COMMISSIONERS

Now on this 24 day of January, 1944, the above cause comes on for hearing upon the petition of the United States of America for an order appointing commissioners in said cause. And it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the lands hereinafter described, and that the acquisition of said lands is necessary to the United States of America for use in connection with the establishment of the Tulsa Aircraft Assembly Plant, Oklahoma, and for such other uses as may be authorized by Congress or by Executive Order under and by reason of the Acts of Congress as set forth in the Petition for Condemnation and Declaration of Taking filed herein.

Petitioner has heretofore instituted proceedings for the taking of said lands herein involved and hereinafter described by eminent domain.

It further appears that it is necessary, convenient and expedient in the furtherance of justice that commissioners be appointed to appraise said real estate at this time without further delay.

Said lands are described as follows:

(FOR DESCRIPTION OF TRACTS SEE JOURNAL 6, - Page 896)

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that T. G. Grant of the City of Tulsa, Tulsa County, Oklahoma; Kenneth Crouch of the City of Tulsa, Tulsa County, Oklahoma; and Morgan Jones of the City of Tulsa, Tulsa County, Oklahoma, disinterested freeholders of said district, and not interested in any like question, be, and they are hereby appointed as commissioners to forthwith inspect said real property hereinabove described, and consider the fair, cash, market value to the respondents in this cause.

Said commissioners are hereby authorized, empowered and directed to forthwith take the oath prescribed by law, and to immediately inspect said property as provided by law, and file their report herein.

ROYCE H. SAVAGE  
JUDGE

ENCORSED: Filed In Open Court  
Jan. 24, 1944.  
H. P. Warfield, Clerk  
U. S. District Court LN



the the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (33 - FW-1099)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and all that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 14, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.9 acres.

TRACT NO. 2 (33 - FW-1114)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  lying north of Elk River in Sec. 15, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

TRACT NO. 3 (33 - FW-1025)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TRACT NO. 4 (33 - FW-1100)  
Flowage Easement

All that part of the W $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 3.4 acres.

TRACT NO. 5 (34 - FW-1101)  
Flowage Easement

All that part of the E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

TRACT NO. 6 (34 - FW-1102)  
Flowage Easement

All that part of the W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.8 acres.

TRACT NO. 7 (34 - FW-1103)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  lying north of the Elk

River of Sec. 11, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma; lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

TRACT NO. 8 (34 - FW-1104)  
Flowage Easement

All that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 11, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.5 acres.

TRACT NO. 9 (34 - FW-1105)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 11, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

TRACT NO. 10 (34 - FW-1106)  
Flowage Easement

All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 11, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.1 acres.

TRACT NO. 11 (34 - FW-1107)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 11, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TRACT NO. 12 (34 - FW-1110)  
Flowage Easement

All that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 11, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre.

TRACT NO. 13 (34 - FW-1111)  
Flowage Easement

All that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 10, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 24, 1944

TRACT NO. 14 (34 FW-1112)  
Flowage Easement

All that part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 10, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 15 (34 - FW-1113)  
Flowage Easement

All that part of the S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 10, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.5 acres.

TRACT NO. 16 (34 - FW-1128)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 10, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 4.9 acres.

TRACT NO. 17 (34 - FW-1130)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.9 acres.

TRACT NO. 18 (34 - FW-1131)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 9, and all that part of the north 30 acres of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 10, all in T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.2 acres.

TRACT NO. 19 (34 - FW-1132)  
Flowage Easement

All that part of the Lots 1 to 8 inclusive in Block B as shown on the dedication plat of the original townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situated in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 20 (34 - FW-1133)  
Flowage Easement

All that part of Lot 9 in Block B, as shown on the dedication

plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situate in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 21 (34 - FW-1134)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and except that portion platted as Guffey's Cabin Site, containing approximately 1.3 acres, together with all that part of the roads, Highways-rights-of-way, streets, avenues, and alleys appurtenant, or adjacent and incident to ownership of said tract lying below Elev. 758 Sea Level Datum, and all that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and all that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 22 (34 - FW-1135)  
Flowage Easement

All that part of Lot 37 in Block A as shown on the dedication plat of the original Townsite of Guffey's Cabin Site, dated the 29th day of April, 1941, situated in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 23 (34 - FW-1136)  
Flowage Easement

All that part of Lot 36 in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situated in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 24 (34 - FW-1137)  
Flowage Easement

All that part of Lots 25 to 30 inclusive, and all that part of Lots 32 to 35 inclusive, in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situated in the E $\frac{1}{2}$  NW $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lots lying below Elev. 758 Sea Level Datum.

TRACT NO. 25 (34 - FW-1138)  
Flowage Easement

All that part of Lot 31 in Block A, as shown on the dedication plat of the Original Townsite of Guffey's Cabin Site, dated the 29th day of April, 1941, situate in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 26 (34 - FW-1144)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion platted as Guffey's Cabin site, containing approximately 0.7 acre, together with that part of the roads, highways rights-of-ways, streets, avenues, and alleys appurtenant or adjacent and incident to ownership of said tract, lying below Elev. 758 Sea Level Datum.

TRACT NO. 27 (34 - FW-1147-A)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.1 acres.

TRACT NO. 28 (36 - FW-1059)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 12, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 12.4 acres.

TRACT NO. 29 (36 - FW-1060 A Rev.)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , less the NW 1.0 acre thereof, in Sec. 7, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

TRACT NO. 30 (36 - FW-1086)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 15.6 acres.

TRACT NO. 31 (36 - FW-1067)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 14.6 acres.

TRACT NO. 32 (36 - FW-1088)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 7, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 33 (36 - FW-1089)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 7, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 16.5 acres.

TRACT NO. 34 (36 - FW-1090)  
Flowage Easement

All that part of the E $\frac{1}{2}$  NW $\frac{1}{4}$  of Sec. 7, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 16.7 acres.

TRACT NO. 35 (36 - FW-1091)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 7, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.6 acres.

TRACT NO. 36 (36 - FW-1092)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 12, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.4 acres.

TRACT NO. 37 (36 - FW-1093)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 12, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 38 (36 - FW-1094)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 12, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

TRACT NO. 39 (36 - FW-1095)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 12, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TRACT NO. 40 (37 - FW-1067)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  and all that part of Lot 2, and all that part of Lot 3, and all that part of Lot 4, and all that part of the E. 15.0 acres of Lot 5, of Sec. 21, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 53.8 acres.

TRACT NO. 41 (37 - FW-1068)  
Flowage Easement

All that part of the N $\frac{1}{2}$  of West 12.95 acres of Lot 5 in Sec. 21, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acres.

TRACT NO. 42 (37 - FW-1069)  
Flowage Easement

All that part of Lot 1 in Sec. 27, T 25 N, R 25 E of the Indian Base and Meridian, Cherokee Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acre.

TRACT NO. 43 (38 - FW-1072)  
Flowage Easement

All that part of the W $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 16, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.7 acres.

TRACT NO. 44 (38 - FW-1073)  
Flowage Easement

All that part of the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$ , and all that part of the  $E\frac{1}{2}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 16, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 9.2 acres.

TRACT NO. 45 (38 - FW-1074)  
Flowage Easement

All that part of the  $E\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$ , and all that part of Lot 3, in Sec. 16, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 13.0 acres.

TRACT NO. 46 (38 - FW-1075)  
Flowage Easement

All that part of Lot 2 in Sec. 16, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 2.5 acres.

TRACT NO. 47 (38 - FW-1076)  
Flowage Easement

All that part of the  $SW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 16, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.6 acre.

be, and they are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and it hereby vested with a perpetual easement upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 31st day of January, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Jan 24 1944  
H. P. Warfield, Clerk  
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT  
 OF OKLAHOMA

SHERMAN McCORD, a Minor, Plaintiff, )  
 vs )  
 JAMES H. WALLACE, Defendant. )  
 No. 1125 Civil

ORDER RESPECTING AMENDMENT OF SHERIFF'S RETURN  
 OF SERVICE

This matter having heretofore come before the Court on motion to quash service of summons, based upon the statement in the return of service that the same was served on C. C. Childers, Secretary of State, when in fact and in truth F. C. Carter was and is Secretary of State of the State of Oklahoma, and the Court having obtained by Affidavit full information that the return so made was inadvertent and erroneous and that service was in fact had upon F. C. Carter, Secretary of State, as indicated by said affidavit filed herein and accompanied by photostatic copies of the summons so returned to the State Court;

IT IS, On this 24 day of January, 1944, ORDERED that the return of the Sheriff upon the summons issued in this cause in the State Court be and the same is hereby amended to conform to the actual facts, that is, that the affidavit respecting service be treated as a part of the service of summons in this cause and that the said service as so amended being in all respects regular, the motion to quash hereinbefore filed by the defendant is overruled.

IT IS FURTHER ORDERED that the defendant have fifteen (15) days from the date hereof within which to plead or answer.

ROYCE H. SAVAGE  
 United States District Judge

ENDORSED: Filed Jan 24 1944  
 H. P. Warfield, Clerk  
 U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT  
 OF OKLAHOMA

UNITED STATES OF AMERICA, Plaintiff, )  
 vs )  
 CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, )  
 OKLAHOMA, containing approximately 72.80 )  
 acres, more or less; and Wm. C. McAllister, )  
 et al., Defendants. )  
 CIVIL NO. 1135

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled case on the 24th day of January, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

IN THE DISTRICT COURT OF THE UNITED STATES OF AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

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MONDAY, JANUARY 24, 1944

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition, and also, under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior is the person authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money estimated by said acquiring authority to be just compensation for said lands in the amount of \$2,141.55 and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, On this 24th day of January, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situated, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (26 - FW-938)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 1, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 2 (26 - FW-939)  
Flowage Easement

All that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 1, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 3 (26 - FW-940)  
Flowage Easement

All that part of Lot 1, and all that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 1, T 25 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.6 acres.

TRACT NO. 4 (32 - FW-1220)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , of Sec. 36, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.0 acres.

TRACT NO. 5 (40 - FW-1161)  
Flowage Easement

All that part of Lot 3, and all that part of Lot 4 in Sec. 31, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 6 (40 - FW-1162)  
Flowage Easement

All that part of Lot 1, and all that part of Lot 2 in Sec. 31, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 7 (40 - FW-1163)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of Lot 3, and all that part of Lot 2, and all that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of Lot 1 in Sec. 32, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.2 acres.

TRACT NO. 8 (40 - FW-1165)  
Flowage Easement

All that part of Lot 5 in Sec. 29, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre.

TRACT NO. 9 (40 - FW-1167)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of Lot 3 in Sec. 29, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level

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Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TRACT NO. 10 (40 - FW-1221)

Flowage Easement

All that part of Lot 7, and all that part of the  $W\frac{1}{2}$   $NE\frac{1}{2}$   $SW\frac{1}{2}$ , and all that part of Lot 8 in Sec. 31, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.8 acres.

TRACT NO. 11 (40 - FW-1222)

Flowage Easement

All that part of the  $SW\frac{1}{2}$   $SE\frac{1}{2}$   $NW\frac{1}{2}$ , and all that part of the SE 10.0 acres of Lot 6 in Sec. 31, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below 758 Sea Level Datum, containing approximately 0.9 acre.

TRACT NO. 12 (40 - FW-1223)

Flowage Easement

All that part of the  $NE\frac{1}{2}$   $NE\frac{1}{2}$   $SW\frac{1}{2}$  of Sec. 31, T 25 N, R 24 E of the Indian Base and Meridian Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.1 acres.

TRACT NO. 13 (40 - FW-1224)

Flowage Easement

All that part of the  $S\frac{1}{2}$   $SW\frac{1}{2}$   $NE\frac{1}{2}$ , and all that part of the  $NW\frac{1}{2}$   $NW\frac{1}{2}$   $SE\frac{1}{2}$  of Sec. 31, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.4 acres.

TRACT NO. 14 (40 - FW-1225)

Flowage Easement

All that part of the  $NE\frac{1}{2}$   $NW\frac{1}{2}$   $SE\frac{1}{2}$ , and all that part of the  $N\frac{1}{2}$   $NE\frac{1}{2}$   $SE\frac{1}{2}$  of Sec. 31, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.3 acres.

TRACT NO. 15 (40 - FW-1226)

Flowage Easement

All that part of the  $S\frac{1}{2}$   $SE\frac{1}{2}$   $NE\frac{1}{2}$  of Sec. 31, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.6 acres.

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TRACT NO. 16 (40 - FW-1227)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.3 acres.

TRACT NO. 17 (40 - FW-1228)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.1 acres.

TRACTNO. 18 ( 40 - FW-1229)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 1.3 acres.

TRACT NO. 19 (40 - FW-1231)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.3 acres.

TRACT NO. 20 (40 - FW-1232)  
Flowage Easement

All that part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 32, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.9 acres.

TRACT NO. 21 (40 - FW-1233)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 29, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 3.0 acres.

TRACT NO. 22 (40 - FW-1234)  
Flowage Easement

All that part of the N $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 29, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT  
OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

MONDAY, JANUARY 25, 1944

Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.4 acres.

TRACT NO. 23 (40 - FW-1235)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and all that part of the SE 10.0 acres of Lot 8, in Sec. 29, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.6 acres.

TRACT NO. 24 (40 - FW-1236)  
Flowage Easement

All that part of the N. 15.60 acres of Lot 8, and all that part of the SW 10.0 acres of Lot 8, and all that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the N $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of Lot 6, and all that part of Lot 7 in Sec. 29, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 4.6 acres.

be and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding, and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and it is hereby vested with a perpetual easement upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 31st day of January, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Jan 24 1944  
H. P. Warfield, Clerk  
U. S. District Court H

On this 26th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
 Whit Y. Mauzy, United States Attorney  
 John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
-vs-		)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	CIVIL NO. 1007
OKLAHOMA, containing approximately 64.4 acres,		)	
more or less; and George Hogan, et al.,		)	
	Defendants.	)	

ORDER ALLOWING COMMISSIONER'S FEES

NOW, on this 26 day of January, 1944, it appearing to this Court that on January 3, 1944, upon application of the petitioner, United States of America, W. L. Mayes, T. G. Grant and C. V. Hamilton were selected and appointed as commissioners to inspect the real pr perty involved in this acti and appraise and assess the damages sustained by the owners thereof and those having any right, title or interest therein; and

It further appearing that said commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said commissioners are entitled to receive compensation for said services; and that said commissioners have not received paymen for same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said Commissioners be and th are hereby allowed the following fees, to-wit:

W. L. Mayes, commissioner's fee - January 18, 1944; January 19, 1944; January 20, 1944 to 12:00 Noon - 2½ days at \$26.00	\$65.00
T. G. Grant, commissioner's fee - January 18, 1944; January 19, 1944; January 20, 1944 to 12:00 Noon - 2½ days at \$26.00 per day	65.00
C. V. Hamilton, commissioner's fee - January 18, 1944; January 19, 1944; January 20, 1944 to 12:00 Noon - 2½ days at \$26.00 per day	65.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as hereinabove allowed to said Commissioners.

ROYCE H. SAVAGE  
 J U D G E

ENDORSED: Filed Jan 26 1944  
 H. P. Warfield, Clerk  
 U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner, )
- vs- ) CIVIL NO. 1037
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, )
OKLAHOMA, containing approximately 36.1 acres, )
more or less; and Maude E. Gayman, et al., )
Defendants. )

ORDER ALLOWING COMMISSIONERS' FEES

NOW, on this 26 day of January, 1944, it appearing to this Court that on January 10, 1944, upon application of the petitioner, United States of America, W. L. Mayes, T. G. Grant and C. V. Hamilton were selected and appointed as commissioners to inspect the real property involved in this action, and appraise and assess the damages sustained by the owners thereof and those having any right, title or interest therein; and

It further appearing that said commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said commissioners are entitled to receive compensation for said services; and that said commissioners have not received payment for same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said Commissioners be and they are hereby allowed the following fees, to-wit:

- W. L. Mayes, commissioner's fee - Beginning at 12:00 Noon on January 20, 1944; and January 21, 1944 - 1 1/2 days at \$26.00 per day \$39.00
T. G. Grant, commissioner's fee - Beginning at 12:00 Noon on January 20, 1944; and January 21, 1944 - 1 1/2 days at \$26.00 per day \$39.00
C. V. Hamilton, commissioner's fee - Beginning at 12:00 Noon on January 20, 1944; and January 21, 1944 - 1 1/2 days at \$26.00 per day \$39.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as hereinabove allowed to said Commissioners.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Jan 26 1944
H. P. Warfield, Clerk
U. S. District Court LN



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

WEDNESDAY, JANUARY 26, 1944

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1073
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,		)	
OKLAHOMA, containing approximately 70.2		)	
acres, more or less; and C. J. Micholson,		)	
et al.,	Defendants.	)	

ORDER ALLOWING COMMISSIONER'S FEES

NOW, on this 26 day of January, 1944, it appearing to this Court that on January 17, 1944, upon application of the petitioner, United States of America, W. L. Mayes, T. G. Grant and C. V. Hamilton were selected and appointed as commissioners to inspect the real property involved in this action, and appraise and assess the damages sustained by the owners thereof and those having any right, title or interest therein; and

It further appearing that said commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said commissioners are entitled to receive compensation for said services; and that said commissioners have not received payment for same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said Commissioners be and they are hereby allowed the following fees, to-wit:

W. L. Mayes, commissioner's fees - January 22, 1944 - 1 day	
at \$26.00 per day	\$26.00
T. G. Grant, commissioner's fees - January 22, 1944 - one day	
at \$26.00 per day	\$26.00
C. V. Hamilton, commissioner's fees - January 22, 1944 - one day at \$26.00 per day	\$26.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as hereinabove allowed to said Commissioners.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 26 1944  
H. P. Warfield, Clerk  
U. S. District Court LN



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

WEDNESDAY, JANUARY 26, 1944

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	CIVIL NO. 1115
OKLAHOMA, containing approximately 192.43		)	
acres, more or less, and Vann S. Chandler,		)	
et al.,	Defendants.	)	

ORDER EXTENDING TIME TO SURRENDER AND DELIVER UP POSSESSION  
OF TRACT NO. 1 (6 FW 189-A)

Now, on this the 18th day of January, 1944, the defendant, Vann S. Chandler, former owner of the lands designated and described in the above proceeding as Tract No. 1 (6 FW 189-A), appearing in open court by his attorney, Frank Nesbitt, and represents to this Court that he would suffer unnecessary damage and inconvenience in surrendering and delivering up possession of said lands and improvements located thereon on or before January 19, 1944. The petitioner appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Q. B. Boydston, Assistant Chief Counsel for the Southwestern Power Administration, of counsel - and it appearing to the Court that the petitioner filed a Declaration of Taking in this cause on November 19, 1943, depositing therewith the sum of \$4980.00 as the estimated just compensation for the taking of the entire fee simple title to said tract of land, together with all improvements located thereon; that this Court entered a judgment on said Declaration of Taking, vesting in the petitioner the entire fee simple title to said tract of land, together with all improvements thereon, and further ordered that the owners and all persons in possession of said Tract No. 1 (6 FW 189-A) surrender and deliver up possession of the same on or before January 19, 1944.

It further appearing to the Court that the former owner, Vann S. Chandler, has a considerable amount of personal property located on said tract of land, consisting of farm equipment, livestock, feed, etc., which require considerable time to remove from said premises; that said defendant can remove said personal property and surrender and deliver up possession of said tract of land on or before March 16, 1944; and it further appearing to the Court that the petitioner will not be delayed in completing and utilizing the Grand River Dam Project by the granting of an extension of time for the said defendant to surrender and deliver up possession of said tract of land, together with the improvements located thereon.

It further appearing that if any loss or damage is sustained to the land, buildings and improvements located thereon on or before said March 16, 1944, or until possession of said premises has been surrendered, the same shall be at the risk of the defendant, Vann S. Chandler.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the judgment on the Declaration of Taking entered in this cause on November 19, 1943, be, and it is hereby modified as to Tract No. 1 (6 FW 189-A), in that the time in which the defendant, Vann S. Chandler, shall surrender and deliver up possession of said tract of land, together with all improvements located thereon, is extended from January 19, 1944, to March 16, 1944.

IT IS FURTHER ORDERED that any loss or damage to said tract of land, buildings or improvements located thereon, shall be at the risk of the defendant, Vann S. Chandler, until possession of the same has been surrendered to the petitioner, United States of America.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 26 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT  
 OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1124
CERTAIN PARCELS OF LAND IN DELAWARE		)	
COUNTY, OKLAHOMA, containing approximately		)	
55.89 acres, more or less, and Zelda Gray,		)	
et al.,	Defendants.	)	

ORDER EXTENDING TIME TO SURRENDER AND DELIVER UP  
 POSSESSION OF TRACT NO. 4 (28 FW 568-A)

NOW, on this the 18th day of January, 1944, the defendant, Joe Buchanan, former owner of the lands designated and described in the above proceeding as Tract No. 4 (28 Fw 568-A) appearing in open court by his attorney, Frank Nesbitt, and represents to this Court that he would suffer unnecessary damage and inconvenience in surrendering and delivering up possession of said lands and improvements located thereon on or before December 20, 1943. The petitioner appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and Q. B. Boydston, Assistant Chief Counsel for the Southwestern Power Administration, of counsel - and it appearing to the Court that the petitioner filed a Declaration of Taking in this cause on December 13, 1943, depositing there-with the sum of \$1520.00 as the estimated just compensation for the taking of the entire fee simple title to said tract of land, together with all improvements located thereon; that this Court entered a judgment on said Declaration of Taking, vesting in the petitioner the entire fee simple title to said tract of land, together with all improvements thereon, and further ordered that the owners and all persons in possession of said Tract No. 4 (28 FW 568-A) surrender and deliver up possession of the same on or before December 20, 1943.

It further appearing to the Court that the former owner, Joe Buchanan, has a considerable amount of personal property located on said tract of land, consisting of farm equipment, livestock, feed, etc., which require considerable time to remove said premises; that said defendant can remove said personal property and surrender and deliver up possession of said tract of land on or before March 16, 1944; and it further appearing to the Court that the petitioner will not be delayed in completing and utilizing the Grand River Dam Project by the granting of an extension of time for the said defendant to surrender and deliver up possession of tract of land, together with the improvements located thereon.

It further appearing that if any loss or damage is sustained to the land, buildings and improvements located thereon on or before said March 16, 1944, or until possession of said premises has been surrendered, the same shall be at the risk of the defendant, Joe Buchanan.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the judgment on the Declaration of Taking entered in this cause on December 13, 1943, be, and it is hereby modified as to Tract No. 4 (28 FW 568-A), in that the time in which the defendant, Joe Buchanan, shall surrender and deliver up possession of said tract of land, together with all improvements located thereon, is extended from December 20, 1943, to March 16, 1944.

IT IS FURTHER ORDERED that any loss or damage to said tract of land, buildings or improvements located thereon, shall be at the risk of the defendant, Joe Buchanan, until possession of the same has been surrendered to the petitioner, United States of America.

ENDORSED: Filed Jan 26 1944  
 H. P. Warfield, Clerk  
 U. S. District Court LN

ROYCE H. SAVAGE  
 J U D G E

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

SAURDAY, JANUARY 29, 1944

On this 29th day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

In the matter of the Appointment of United States Commissioners, Tulsa, Oklahoma.

O R D E R

The Court being sufficiently advised in the premises does hereby appoint Louis O. Fink of Pawhuska, Oklahoma, United States Commissioner in and for the Northern District of Oklahoma with headquarters at Pawhuska, Oklahoma, for the discharge of duties of said office as provided by law.

IT IS ORDERED by the Court that said Louis O. Fink be, and he is hereby appointed United States Commissioner for the Northern District of Oklahoma, with headquarters at Pawhuska, Oklahoma, for the term of Four (4) Years, commencing the 1st day of February, A. D. 1944, or until the further order of the Court.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Jan 29 1944  
H. P. Warfield, Clerk  
U. S. District Court

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA OF THE STATE OF OKLAHOMA

In the Matter of the Appointment of Official Court Reporter for said District:

BE IT REMEMBERED, that in keeping with the provisions of Public Law 222 of the United States of America, and under and by virtue of the authority thereof, in order to expedite and facilitate the business of this Court, and for the public good, the Court having found that Laurence E. Lindsay possesses the qualifications necessary for the satisfactory performance of the duties of Official Court Reporter;

The said Laurence E. Lindsay is hereby designated and appointed Official Court Reporter for the District Court of the United States for the Northern District of the State of Oklahoma.

Dated at Tulsa, Oklahoma, this 29 day of January, A. D., 1944.

ENDORSED: Filed Jan 29 1944  
H. P. Warfield, Clerk  
U. S. District Court

ROYCE H. SAVAGE  
United States District Judge



IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

MARY M. ELLIS and T. J. ELLIS, Plaintiffs, )  
vs ) No. 1104 - C.  
OKLAHOMA POWER AND WATER CO., a )  
corporation, Defendants. )

ORDER ALLOWING TIME TO ANSWER

Now on this 27th day of January, 1944 for good cause shown by the defendant in the above case,

IT IS ORDERED that said defendant be and it is hereby granted to and including February 1st, 1944 within which to file answer or plead herein.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed 1- 29-44.  
H. P. Warfield, Clerk  
U. S. District Court LN

-----  
Court adjourned to January 31, 1944

On this 31st day of January, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Royce H. Savage, Judges, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS

Now on this 31st day of January, A. D. 1944, it is ordered by the Court that Order Appointing Louis O. Fink, United States Commissioner, be and it is hereby vacated. (R.H.S.J)

-----  
ELMER RAY, Plaintiff, )  
-vs- ) No. 773 - Civil  
JIM JOSEPH, Defendant. )

Now on this 31st day of January, A. D. 1944, it is ordered by the Court that Mandate of record be filed and spread of record as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

(SEAL)

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE  
UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Elmer Ray, plaintiff, and Jim Joseph defendant, No. 773, Civil, the judgment of the said district court in said cause, entered on November 13, 1942, was in the following words, viz:

\* \* \* \* \*

"It is therefore ordered, adjudged and decreed by the court, that the said plaintiff, Elmer Ray, have and recover of the said defendant, Jim Joseph, the sum of \$784.02, together with and additional equal amount, to-wit, the sum of \$784.02, as liquidated damages, with interest at the rate of six (6%) per annum, from the 31st day of March, 1942, until paid; that said plaintiff is also granted judgment against defendant in the sum of \$350.00 as a reasonable attorney's fee, and all costs of this action, for all of which let execution issue; to which judgment the defendant then and there duly excepted."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Jim Joseph agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and forty-three, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of the record from said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Elmer Ray, appellee, have and recover of and from Jim Joseph, appellant, his costs herein.

-- December 24, 1943.

You, therefore, are hereby commanded that such proceedings be had in said cause as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 29th day of January, in the year of our Lord one thousand nine hundred and forty-four.

COSTS OF APPELLEE:  
Clerk \$-- --  
Printing Record \$-- --  
Attorney \$20.00  
\$20.00

ROBERT B. CARTWRIGHT, CLERK  
United States Circuit Court of Appeals, tenth circuit  
By GEORGE A. PEASE,  
Deputy Clerk

ENDORSED: Filed Jan 31 1944  
H. P. Warfield, Clerk  
U. S. District Court H

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 31, 1944

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	CIVIL NO. 1019
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	
OKLAHOMA, containing approximately 88.4 acres		)	
more or less; and Cooweescowee Constitution,		)	
also known as Ross Leaf, Cherokee Citizen,		)	
Roll No. 19466, et al.,	Defendants.	)	

ORDER ALLOWING COMMISSIONERS' FEES

NOW, on this 31st day of January, 1944, it appearing to this Court that on January 24, 1944, upon application of the petitioner, United States of America, W. L. Mayes, T. G. Grant, and C. V. Hamilton, were selected and appointed as commissioners to inspect the real property involved in this action, and appraise and assess the damages sustained by the owners thereof and those having any right, title or interest therein; and

It further appearing that said commissioners did perform their duties as such commissioners and have filed their report with the Clerk of this Court; that said commissioners are entitled to receive compensation for said services; and that said commissioners have not received payment for same.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said Commissioners be and they are hereby allowed the following fees, to-wit:

- W. L. Mayes, commissioner's fees - January 25, 1944; January 26, 1944 -  
2 days at \$26.00 per day \$52.00
- T. G. Grant, commissioner's fees - January 25, 1944; January 26,  
1944 - 2 days at \$26.00 per day \$52.00
- C. V. Hamilton, commissioner's fees - January 25, 1944; January 26,  
1944 - 2 days at \$26.00 per day \$52.00

IT IS FURTHER ORDERED that petitioner, United States of America, cause to be paid the fees as hereinabove allowed to said Commissioners.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 31 1944  
H. P. Warfield, Clerk  
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		)
		)
		) CIVIL NO. 1032
CERTAIN PARCELS OF LAND IN MAYES COUNTY,		)
OKLAHOMA, and Willis Thompson, et al.,		)
	Defendants.	)

ORDER FIXING ATTORNEY FEE

NOW, on this 31st day of January, 1944, it appearing to the Court that the petitioner, United States of America, filed its affidavit as to the military service of the defendants herein in compliance with Section 200 (b) of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended, and it appearing from said affidavit that the petitioner was unable to determine if all of said defendants were not in the military service of the United States, and that it was necessary that the Court appoint an attorney as provided in said Act, and the court did appoint Saul A. Yager, a regular practicing attorney at Tulsa, Oklahoma, to represent said defendants, and it further appearing that the said Saul A. Yager did appear and plead for certain defendants on January 3, 1944, and that this Court has not fixed and determined the compensation to be paid said attorney for his services, and the Court being fully advised in the premises, finds that the sum of \$15.00 is a reasonable fee for the services rendered by said attorney on this proceeding.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Saul A. Yager be, and he is hereby allowed the sum of \$15.00 as a fee for his services as an attorney for certain defendants in this case, who are in or may be in the military service of the United States of America, and

IT IS FURTHER ORDERED that the petitioner pay to the said Saul A. Yager an attorney fee in the sum of \$15.00.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Jan 31 1944  
H. P. Warfield, Clerk  
U. S. District Court H

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		)
		)
		) CIVIL NO. 1043
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)
OKLAHOMA, containing approximately 87.20		)
acres, more or less; and Rome Williams, et al.,		)
	Defendants.	)

ORDER AUTHORIZING PUBLICATION OF NOTICE

NOW, on this 31st day of January, 1944, it appearing from the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, attorney for the petitioner, and the application of the United States of America, petitioner in the above styled cause, that the following named defendants, to-wit:

Wm. Bailey;  
Mrs. Lewis Sexton;  
Dennis Sexton, same as Jeff D. Sexton, Jr.;  
D.R. Ralston;  
Roberta Ralston;  
R. L. Ralston;  
Pauline Ralston;  
Leola Tomlin;  
Tom Wooten, also known as Tom Wootton;  
Essie L. Wooten;  
Merle Anthony;  
Richard A. Sebastian;  
Norma C. Sebastian;  
J. D. Glossin;  
Nellie Glossin;  
J. E. Glass;  
Rosie Glass;  
James B. Darrough;  
Frances S. Darrough;  
Monroe Ralston;  
Richard Bland;  
John Rogers Hastings;  
Bernice Hastings;  
John M. Countryman, Jr.;  
John J. Countryman;  
John M. Countryman;  
Vinnie E. Harrold, now King;  
Ullom King;  
Clarence J. Earl;  
Clara Countryman;  
Jackie Countryman;  
Zimmerhew Neel, nee Countryman;  
Hershall Countryman;  
Frank Countryman;  
Andy Countryman;  
Arthur Countryman;  
Mattie Countryman;  
Vada Countryman;  
Minnie Baxter, nee Countryman;  
Mergie Oliner, nee Countryman;  
Jay Countryman;  
Auburn Countryman;  
Kenneth Countryman;  
Louis Countryman, a minor;  
Louise Countryman, a minor;  
E. L. Spurck;  
Louise C. Spurck;  
Joe Walker;  
John D. Hardy;  
Flozelle Tuteral;  
Orpha Hardy;  
Mamie Hardy;  
C. W. Chapman;  
Isabel Chapman;  
W. E. DeWitt, Jr.;  
Trustees of the Baker University of Baldwin, Kansas, a corporation;

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, JANUARY 31, 1944

25

The Kansas Educational Association of the Methodist Episcopal Church, a corporation;  
The Federal Land Bank of Wichita, a corporation;  
Land Bank Commissioner;  
Federal Farm Mortgage Corporation, a corporation;  
The Federal Land Bank of Wichita, a corporation, agent and attorney-in-fact for Land Bank Commissioner and Federal Farm Mortgage Corporation, a corporation;  
The Shartel Mortgage Company, a corporation;  
Marie H. Davenport, Herbert D. Barry, F.E. Carlstrom, M. F. Steele, D. C. Monroe, Sherman Johnson, Cherokee Roll No. 15566, Theodore B. Gray, Cherokee Roll No. 9922, O. E. Eggleston, H. Lomax, Mary A. M. Drake, Cherokee Roll No. 2342, J. V. Counts, Dallas Hopper, Jim Luckey, F.S. McClain, Henry Hardy, H. G. Smith, R. D. Sheldon, R. E. Overton, Cecil Harvey, J. C. Chastain, an incompetent, B. M. Barton Dana Barton, if living, or if deceased, their known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors or assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, administrators, executors, devisees, legatees, trustees, creditors or assigns, immediate and remote, and their spouses, if any, of Kate Bailey, deceased; of Jeff D. Sexton, Sr., deceased; of Lewis Sexton, deceased; of Thomas J. Monroe, also known as T. J. Monroe, Cherokee Roll No. 452, deceased; of Charles Cornsilk, Cherokee Roll No. 32453, deceased; of R. A. Armstrong, deceased; of Maggie S. Anthony, formerly Couch, Cherokee Roll No. 454, deceased; of Philip Loyd Anthony, deceased; of Elizabeth Landrum, Cherokee Roll No. 9256, deceased; of H. O. Bland, deceased; George Countryman, deceased; of Jackson Countryman, deceased; of J. T. Hardy, deceased; of George Downing, Cherokee Roll No. 2349, deceased;

are non-residents of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is therefore necessary that the above named defendants and any or all other persons, firms, corporations, or legal entities, claiming any interest whatever in the real estate herein described and involved, be served by publication.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that notice should be given the aforesaid defendants, and each of them, by publication, notifying them of the institution of this condemnation proceeding; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that said notice be published in THE GROVE SUN, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks, notifying said defendants, and each of them, of the institution of the condemnation proceedings, and further that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, on or before March 27, 1944, the petitioner, United States of America, will, on March 27, 1944, at the hour of ten o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court of the Northern District of Oklahoma, for an order appointing from the regular jury list three (3) disinterested freeholders of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof; or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement upon and over the lands involved herein, and that said defendants, and each of them, may be present if they so desire.

ENDORSED: Filed Jan 31 1944  
H. P. Warfield, Clerk  
U. S. District Court H

ROYCE H. SAVAGE  
J U D G E







IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	
		)	CIVIL NO. 1133
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	
OKLAHOMA, containing approximately 19.74 acres,		)	
more or less; and Nannie L. White, et al.,		)	
	Defendants.	)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING  
DISTRIBUTION AS TO TRACT NO. 11 (18 FW-CR 822)

NOW, on this 31st day of January, 1944, there coming in for hearing the application of the defendant, Sam Hardesty, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 11 (18 FW-CR 822), and the Court being fully advised in the premises, finds

That the defendant, Sam Hardesty, was the owner of the land designated as Tract No. 11 (18 FW-CR 822) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$47.20 for the taking of a perpetual easement for road purposes upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual easement for road purposes, and decreed that the owner and those having any right, title or interest in and to said land have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Sam Hardesty, in writing, agreed to grant and sell to the petitioner a perpetual easement for road purposes upon and over said tract of land for the sum of \$47.20, which was accepted by the petitioner.

The Court further finds that the sum of \$47.20 is just compensation for the injuries and damages sustained by said defendant, Sam Hardesty.

The Court further finds that no person, firm, corporation or taxing subdivision of the State, other than said defendant, has any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Sam Hardesty, was the owner of the land designated as Tract No. 11 (18 FW-CR 822) when this proceeding was commenced, and that the sum of \$47.20 is just compensation for the damages sustained by said defendant; and the said defendant is the only person, having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract as follows, to-wit:

TO: SAM HARDESTY, Owner  
Tract No. 11 (18 FW-CR 822)

-- \$47.20

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Jan 31 1944  
H. P. Warfield, Clerk  
U. S. District Court H

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Court adjourned to February 1, 1944

On this 1st day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Libelant,	)	
		)	
vs		)	
		)	
One 1942 Oldsmobile Sedan		)	No. 1139 CIVIL
Automobile, Motor No. LA-451,		)	
636; One 1931 Ford Coupe Automobile,		)	
Motor No. A-4,246,826, and approximately		)	
21 gallons of taxpaid whiskey seized		)	
therein; Samuel W. McReynolds, James J.		)	
Marshall, and the Central National Bank of		)	
Carthage, Missouri,	Claimants.	)	

ORDER FOR MONITION

Now on this 31st day of January, 1944, it appearing to the Court that the said 1942 Oldsmobile sedan automobile, Motor No. LA-451,636, and the said 1931 Ford coupe automobile, motor No. A-4,246,826, with approximately twenty-one (21) gallons of intoxicating liquors containing more than four per centum (4%) of alcohol by volume, were seized at points near the front and rear of the Tobe Rennick Bar in the town of Ficher, Ottawa County, State of Oklahoma, Northern Judicial District of Oklahoma and within the jurisdiction of this Court, on December 2, 1943, by John E. Reid, Edgar A. Maloney and W. F. Ellis, Investigators for the Alcohol Tax Unit, Treasury Department of the United States of America, by virtue of authority of their said office, and in accordance with the provisions of law in such case made and provided, while said automobiles were being used by Samuel W. McReynolds and James J. Marshall for importation, bringing, transportation, facilitating, aiding and assisting in the conveyance of such intoxicating liquors from a point in or near Joplin, Missouri, into the State of Oklahoma and to the aforesaid described points of seizure; it further appearing that thereupon said property was appraised at more than the sum of Five Hundred Dollars (\$500.00), whereupon libelant has instituted libel action herein and requests issuance of monition notifying claimants Samuel W. McReynolds, James J. Marshall, and the Central National Bank of Carthage, Missouri, and all other interested persons, unless notice thereof be waived, of the pendency of such libel action.

IT IS, THEREFORE, ORDERED that monition issue as prayed for in said libel and that same be served upon Samuel W. McReynolds, James J. Marshall, and the Central National Bank of Carthage, Missouri, unless notice thereof be waived, and any other person that might claim any interest in said automobile and intoxicating liquors, requiring them to appear in said Court on or before twenty (20) days after personal service thereof, and to show cause, if any they have, why said automobile and intoxicating liquors should not be forfeited to libelant under provisions of Section 224, Title 27, United States Code Annotated, and in accordance with the provisions of the law relating to seizures, forfeitures and disposition of property and proceeds for violation of the Internal Revenue Laws of the United States.

IT IS FURTHER ORDERED that the United States Marshal for the Northern District of Oklahoma be so directed to detain the above described automobiles in his possession until further



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

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TUESDAY, FEBRUARY 1, 1944

\$5,666.85, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of the Secretary of the Interior of the United States of America will be within any limits prescribed by Congress as to the price to be paid therefor.

IT IS THEREFORE, on this 1st day of February, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to erect, operate and maintain a line or lines of poles, h-frame structures, towers or other structures, wires, cables and fixtures for the transmission of electric current upon, over and across said lands, situate, lying and being in the Counties of Craig, Delaware and Ottawa, State of Oklahoma, and more particularly described by courses and distances as follows, to wit:

TRACT NO. 1 (305 - 1.0)  
Perpetual Easement

A strip of land 100 feet in width in the  $E\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 33, T 25 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to wit:

Beginning at a point in said  $E\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 97.9 feet north and 347 feet west of the SE corner thereof, said point being in the East boundary of the existing transmission line right-of-way, thence northeasterly to a point in the east boundary of said  $E\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  434.4 feet from the SE corner thereof.

TRACT NO. 2 (305 - 1.1)  
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 33, Township 25 North, Range 21 East of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 434.4 feet from the Southwest corner thereof, thence northeasterly to a point in the North boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 909.3 feet from the NW corner thereof.

TRACT NO. 3 (305 - 1.2)  
Perpetual Easement

A strip of land 100 feet in width in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 33, Township 25 North, Range 21 East of the Indian Base and Meridian, Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 909.3 feet from the Southwest corner thereof, thence Northeasterly to a point in the East boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 920.0 feet from the Northeast corner thereof.

TRACT NO. 4 (305 - 2.0)  
Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 34, T 25 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  920.0 feet South of the NW corner thereof; thence north-easterly to a point in the North boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  376.2 feet West of the N E corner thereof.

TRACT NO. 5 (305 - 2.2)  
Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 34, T 25 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

TRACT "A"

Beginning at a point in the West boundary of said SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  305.5 feet from the NW corner thereof; thence North-easterly to a point in the North boundary of said SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  316.4 feet from the NW corner thereof.

TRACT "B"

Beginning at a point in the West boundary of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  328.3 feet from the NW corner thereof; thence North-easterly to a point in the North boundary of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  340.0 feet from the NW corner thereof.

TRACT NO. 6 (305 - 3.1)  
Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 27, T 25 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said SW $\frac{1}{4}$  SE $\frac{1}{4}$ , 308.9 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said SW $\frac{1}{4}$  SE $\frac{1}{4}$  272.6 feet from the NE corner thereof.

TRACT NO. 7 (305 - 3.4)  
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  and the S $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 27, T 25 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 263.1 feet from the SW corner thereof; thence Northeasterly to a point in the East boundary of said S $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 217.0 feet from the SE corner thereof.

## TRACT NO. 8 (305 - 5.2)

## Perpetual Easement

A strip of land 100 feet in width in the  $SE\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$ , Sec. 23, T 25 N, R 21 E of the Indian Base and Meridian, in Craig County, Oklahoma, the center line of which is described as follows, to-wit: :

Beginning at a point in the South boundary of said  $SE\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$  16.7 feet West of the SE corner thereof; thence North-easterly to a point in the East boundary of said  $SE\frac{1}{4}$   $SE\frac{1}{4}$   $NE\frac{1}{4}$  16.0 feet North of the SE corner thereof.

## TRACT NO. 9 (305 - 6.0)

## Perpetual Easement

A strip of land 100 feet in width in the  $N\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$ , the  $SW\frac{1}{4}$   $NW\frac{1}{4}$  and the  $S\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$ , Sec. 24, T 25 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit;

Begining at a point in the West boundary of said  $SW\frac{1}{4}$   $NW\frac{1}{4}$  16.0 feet from the SW corner thereof; thence Northeasterly to a point in the East boundary of said  $SW\frac{1}{4}$   $NW\frac{1}{4}$ , 1284.6 feet from the SE corner thereof.

## TRACT NO. 10 (305 - 6.1)

## Perpetual Easement

A strip of land 100 feet in width in the  $NW\frac{1}{4}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$ , and the  $W\frac{1}{2}$   $NE\frac{1}{4}$   $NW\frac{1}{4}$ , Sec. 24, T 25 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said  $NW\frac{1}{4}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$ , 624.6 feet from the SW corner thereof; thence North-easterly to a point in the East boundary of said  $W\frac{1}{2}$   $NE\frac{1}{4}$   $NW\frac{1}{4}$ , 598.4 feet from the SE corner thereof.

## TRACT NO. 11 (305 - 6.3)

## Perpetual Easement

A strip of land 100 feet in width in the  $NW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ , Sec. 24, T 25 N, R 21 E of the Indian Base and Meridian in Craig County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said  $NW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ , 87.8 feet from the NW corner thereof; thence North-easterly to a point in the North boundary of said  $NW\frac{1}{4}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  90.7 feet from the NW corner thereof.

## TRACT NO. 12 (305 - 8.0)

## Perpetual Easement

A strip of land 100 feet in width in the NW 9.5 5 acres of Lot 3, Sec. 18, T 25 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NW 9.55 acres of Lot 3, 198.0 feet from the NW corner thereof, thence Northeasterly to a point in the North boundary of said Lot 3, 207.0 feet from the NW corner thereof.

TRACT NO. 13 (305 - 8.0)  
Perpetual Easement

A strip of land 100 feet in width in the SW 9.57 acres of Lot 2, Sec. 18, T 25 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said Lot 2, 207.0 feet from the SW corner thereof; thence Northeasterly to a point in the East boundary of said SW 9.57 acres of Lot 2, 408.1 feet from the SE corner thereof.

TRACT NO. 14 (305 - 8.2)  
Perpetual Easement

A strip of land 100 feet in width in the East 20.0 acres of Lot 2, and the  $W\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 18, T 25 N, R 22 E of the Indian Base and Meridian, Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said E. 20.0 acres of Lot 2, 408.1 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said  $W\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 293.2 feet from the NW corner thereof.

TRACT NO. 15 (305 - 8.3)  
Perpetual Easement

A strip of land 100 feet in width in the S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 18, T 25 N, R 22 E of the Indian Base and Meridian Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  293.2 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  336.8 feet from the NE corner thereof.

TRACT NO. 16 (305 - 8.4)  
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 18, T 26 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 336.8 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 337.8 feet from the NE corner thereof.

## TRACT NO. 17 (305 - 8.5)

## Perpetual Easement

A strip of land 100 feet in width in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 18, T 25 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 337.8 feet from the NW corner thereof; thence North-easterly to a point in the North boundary of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  353.1 feet from the NW corner thereof.

## TRACT NO. 18 (305 - 9.0)

(305 - 9.1)

## Perpetual Easement

A strip of land 100 feet in width in the S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ , S $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and the NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 7, T 25 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

## Tract 9.0

Beginning at a point in the South boundary of said S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  353.1 feet from the SW corner thereof; thence North-easterly to a point in the North boundary of said S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  297.9 feet from the N E corner thereof.

## Tract 9.1

Beginning at a point in the West boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  293.6 feet from the SW corner thereof; thence North-easterly to a point in the East boundary of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  386.0 feet from the NE corner thereof.

## TRACT NO. 19 (305 - 9.2)

## Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 7, T 25 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , 297.9 feet from the SE corner thereof; thence North-easterly to a point in the East boundary of said NE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  293.6 feet from the SE corner thereof.

## TRACT NO. 20 (305 - 10.1)

## Perpetual Easement

A strip of land 100 feet in width in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 8, Township 25 North, Range 22 East of the Indian Base and Meridian in Delaware County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 386 feet from the NW corner thereof, thence North-easterly to a point in said NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 100 feet East and 289.1 feet South of the NW corner thereof, thence North-easterly to a point in the North boundary of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 331.5 feet from the NW corner thereof.

TRACT NO. 21 (305 - 10.2)  
(305 - 11.1)

Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 8, T 25 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, and a strip of land 100 feet in width in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  and the E $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 5, T 25 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 8, 331.5 feet from the SW corner thereof, thence North-easterly to a point in the East boundary of said E $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 5, 573.5 feet from the Southeast corner thereof, intersecting the section line between said Sections 5 and 8 at a point 200 feet west of the one-quarter corner common to said sections.

TRACT NO. 22 (305 - 11.2)

Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 5, Township 25 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 573.5 feet from the Sw corner thereof, thence Northeasterly to a point in the North boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 721.0 feet from the Northeast corner thereof.

TRACT NO. 23 (305 - 11.3)

Perpetual Easement

A strip of land 100 feet in width in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 5, Township 25 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 721.0 feet from the Southeast corner thereof; thence North-easterly to a point in said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 79 feet West and 800 feet North of the SE corner thereof, thence Northeasterly to a point in the East boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 853.0 feet North of the SE corner thereof.

TRACT NO. 24 (305 - 12.1)

Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 4, Township 25 North, Range 22 East of the Indian Base and

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Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 855.0 feet from the SW corner thereof, thence Northeasterly to a point in the North boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 652.6 feet from the NE corner thereof.

TRACT NO. 25 (305 - 12.2)

Perpetual Easement

A strip of land 100 feet in width in the South 20.0 acres of Lot 4, Section 4, Township 25 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said Lot 4, 652.6 feet from the SE corner thereof, thence Northeasterly to a point in the East boundary of said Lot 4, 453.7 feet from the SE corner thereof.

TRACT NO. 26 (305 - 12.3)

Perpetual Easement

A strip of land 100 feet in width in the SW 10.0 acres of Lot 3, Section 4, Township 25 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said SW 10.0 acres of Lot 3, 453.7 feet from the SW corner thereof, thence Northeasterly to a point in the North boundary of said SW 10.0 acres of Lot 3, 296.8 feet from the NW corner thereof.

TRACT NO. 27 (305 - 12.4)

Perpetual Easement

A strip of land 100 feet in width in the North 20.8 acres of Lot 3, Section 4, Township 25 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said North 20.8 acres of Lot 3, 296.8 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said North 20.8 acres of Lot 3, 36.8 feet from the NE corner thereof.

TRACT NO. 28 (305 - 12.5)

Perpetual Easement

All that part of the NW 10.39 acres of Lot 2, of Section 4, Township 25 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said Lot 2, thence Southerly along the West boundary of said Lot 2, a distance of 35.3 feet, thence Northeasterly to a point in the North boundary of Lot 2, thence Westerly along the North boundary of said Lot 2, a distance of 50.3 feet to the point of beginning.

TRACT NO. 29 (305 - 13.1)

Perpetual Easement

A strip of land 100 feet in width in the  $SE\frac{1}{4}$   $SE\frac{1}{4}$   $SW\frac{1}{4}$  of Section 33, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $SE\frac{1}{4}$   $SE\frac{1}{4}$   $SW\frac{1}{4}$ , 36.8 feet from the SE corner thereof, thence Northeasterly to a point in the East boundary of said  $SE\frac{1}{4}$   $SE\frac{1}{4}$   $SW\frac{1}{4}$ , 25.6 feet from the SE corner thereof.

TRACT NO. 30 (305 - 13.2)

Perpetual Easement

A strip of land 100 feet in width in the  $SW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 33, Township 26 North, Range 22 East of the Indians Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

beginning at a point in the West boundary of said  $SW\frac{1}{4}$   $SE\frac{1}{4}$ , 25.6 feet from the SW corner thereof, thence Northeasterly to a point in the East boundary of said  $SW\frac{1}{4}$   $SE\frac{1}{4}$ , 943.2 feet from the SE corner thereof.

TRACT NO. 31 (305 - 13.3)

Perpetual Easement

A strip of land 100 feet in width in the  $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 33, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said  $SE\frac{1}{4}$   $SE\frac{1}{4}$ , 943.2 feet from the SW corner thereof, thence Northeasterly to a point in the North boundary of said  $SE\frac{1}{4}$   $SE\frac{1}{4}$ , 542.0 feet from the NW corner thereof.

TRACT NO. 32 (305 - 13.4)

Perpetual Easement

A strip of land 100 feet in width in the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 33, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $NE\frac{1}{4}$   $SE\frac{1}{4}$ , 542.0 feet from the SW corner thereof, thence Northeasterly to a point in the East boundary of said  $NE\frac{1}{4}$   $SE\frac{1}{4}$ , 780.0 feet from the NE corner thereof.

TRACT NO. 33 (305 - 14.1)  
Perpetual Easement

A strip of land 100 feet in width in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$  and the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 34, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  780.0 feet from the NW corner thereof, thence Northeasterly to a point in the East boundary of said NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 640.0 feet from the NE corner thereof.

TRACT NO. 34 (305 - 14.2)  
Perpetual Easement

A strip of land 100 feet in width in the W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 34, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 640.0 feet from the NW corner thereof, thence Northeasterly to a point in said W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 615.4 feet South and 35 feet East of the NW corner thereof, thence Northeasterly to a point in the North boundary of said W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 237.0 feet from the NW corner thereof.

TRACT NO. 35 (305 - 15.1)  
Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$  SE $\frac{1}{4}$  of Section 27, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$ , 237.0 feet from the SW corner thereof, thence Northeasterly to a point in the North boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$ , 219.1 feet from the NE corner thereof.

TRACT NO. 36 (305 - 15.2)  
Perpetual Easement

A strip of land 100 feet in width in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 27, T 26 N, R 22 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 27, 219.1 feet from the SE corner thereof, thence Northeasterly to a point in the East boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  670.0 feet from the SE corner thereof.

TRACT NO. 37 (305 - 16.1)  
Perpetual Easement

A strip of land 100 feet in width in the W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, Township 26 North, Range 22 East of the Indian

Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said  $W\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ , 670.0 feet from the SW corner thereof, thence North-easterly to a point in the North boundary of said  $W\frac{1}{2}$   $SW\frac{1}{4}$   $NW\frac{1}{4}$ , 214.8 feet from the NW corner thereof.

TRACT NO. 38 (305 - 16.2)  
Perpetual Easement

A strip of land 100 feet in width in the  $S\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 26, T 26 N, R 22 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $S\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 26, 214.8 feet from the SW corner thereof, thence Northeasterly to a point in the North boundary of said  $S\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$  432.9 feet from the NW corner thereof.

TRACT NO. 39 (305 - 16.3)  
Perpetual Easement

A strip of land 100 feet in width in that part of the  $N\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$ , lying South of the St. L. and S. F. Railway, Section 26, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $N\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$ , 432.9 feet from the SW corner thereof; thence North-easterly to a point in the South right-of-way of the St. L. and S. F. Railway right-of-way, said center line of the 100-foot easement strip if projected would intersect the North boundary of said  $N\frac{1}{2}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  at a point 651 feet east of the NW corner thereof.

TRACT NO. 40 (305 - 17.1)  
Perpetual Easement

A strip of land 100 feet in width in that part of the  $N\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$ , Section 26, and that part of the  $S\frac{1}{2}$   $SW\frac{1}{4}$ , Section 23, lying North of the St. L. and S. F. Railway, all in Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$ , Section 23, 1084.9 feet from the NW corner thereof; thence Southwesterly to a point in the North right-of-way of the St. L. & S. F. Railway right-of-way, intersecting the South boundary of said  $S\frac{1}{2}$   $SW\frac{1}{4}$  at a point 651 feet East of the SW corner thereof.

TRACT NO. 41 (305 - 17.2)  
Perpetual Easement

A strip of land 100 feet in width in the  $E\frac{1}{2}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  and the  $W\frac{1}{2}$   $NE\frac{1}{4}$   $SW\frac{1}{4}$ , of Section 23, Township 26 North, Range 22

East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $E\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 424.9 feet from the SW corner thereof, thence North-easterly to a point in the North boundary of said  $W\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 196.8 feet from the NW corner thereof.

TRACT NO. 42 (305 - 17.3)  
Perpetual Easement

A strip of land 100 feet in width in the  $E\frac{1}{2}$  NW $\frac{1}{4}$  of Section 23, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $E\frac{1}{2}$  NW $\frac{1}{4}$ , 196.8 feet from the SW corner thereof, thence Northeasterly to a point in the North boundary of said  $E\frac{1}{2}$  NW $\frac{1}{4}$ , 260.0 feet from the NE corner thereof.

TRACT NO. 43 (305 - 18.1)  
Perpetual Easement

A strip of land 100 feet in width in the  $E\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $E\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 280.0 feet from the SE corner thereof, thence North-easterly to a point in the East boundary of said  $E\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 530.6 feet from the NE corner thereof.

TRACT NO. 44 (305 - 18.2)  
Perpetual Easement

A strip of land 100 feet in width in the  $W\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said  $W\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , 530.6 feet from the NW corner thereof, thence North-easterly to a point in the North boundary of said  $W\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , 174.8 feet from the NW corner thereof.

TRACT NO. 45 (305 - 18.3)  
Perpetual Easement

A strip of land 100 feet in width in the  $W\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $W\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 174.8 feet from the SW corner thereof, thence North-easterly to a point in the North boundary of said  $W\frac{1}{2}$  NW $\frac{1}{4}$

SE $\frac{1}{4}$ , 609.6 feet from the NW corner thereof.

TRACT NO. 46 (305 - 18.4)  
Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  and the E $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 609.6 feet from the SW corner thereof, thence North-easterly to a point in the North boundary of said E $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 383.2 feet from the NW corner thereof.

TRACT NO. 47 (305 - 18.5)  
(305 - 19.1)  
Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 14, and a strip of land 100 feet in width in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, all in Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said E $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 14, 383.2 feet from the SW corner thereof, thence Northeastly to a point in the North boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 11, 585.6 feet from the NW corner thereof.

TRACT NO. 48 (305 - 19.2)  
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 585.6 feet from the SW corner thereof, thence Northeastly to a point in the North boundary of said SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 89.5 feet from the NE corner thereof.

TRACT NO. 49 (305 - 19.3)  
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 89.5 feet from the SE corner thereof, thence North-easterly to a point in the East boundary of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 278.0 feet from the SE corner thereof.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

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OKMUSA, OKLAHOMA

TUESDAY, FEBRUARY 1, 1944

TRACT NO. 50 (305 - 20.1)  
Perpetual Easement

A strip of land 100 feet in width in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  and the W $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 12, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 278.0 feet from the SW corner thereof, thence North-easterly to a point in the North boundary of said W $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 553.0 feet from the NW corner thereof.

TRACT NO. 51 (305 - 21.1)  
Perpetual Easement

A strip of land 100 feet in width in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  and E $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 1, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said SW $\frac{1}{4}$  SW $\frac{1}{4}$ , 553.0 feet from the SW corner thereof, thence Northeastly to a point in the East boundary of said E $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 240.0 feet from the NE corner thereof.

TRACT NO. 52 (305 - 21.2)  
Perpetual Easement

A strip of land 100 feet in width in the W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and Lot 3 of Section 1, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 78.0 feet from the SW corner thereof, thence North-easterly to a point in the North boundary of said Lot 3, 385.0 feet from the NE corner thereof.

TRACT NO. 53 (305 - 21.3)  
Perpetual Easement

A strip of land 100 feet in width in the W $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 1, Township 26 North, Range 22 East of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the west boundary of said W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 250.0 feet from the NW corner thereof, thence North-easterly to a point in the North boundary of said W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 78.0 feet from the NW corner thereof.

TRACT NO. 54 (305 - 22.1)  
Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 36, T 27 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $E\frac{1}{2} SE\frac{1}{4}$  SW $\frac{1}{4}$  385.0 feet from the SE corner thereof; thence North-easterly to a point in the East boundary of said  $E\frac{1}{2} SE\frac{1}{4} SW\frac{1}{4}$  112.4 feet from the NE corner thereof.

TRACT NO. 55 (305 - 22.2)  
Perpetual Easement

A strip of land 100 feet in width in the  $W\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$ , Sec. 36, T 27 N, R 22 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said  $W\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$  112.4 feet from the NW corner thereof; thence North-easterly to a point in the North boundary of said  $W\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$  35.8 feet from the NW corner thereof.

TRACT NO. 56 (305 - 22.3)  
Perpetual Easement

A strip of land 100 feet in width in the  $NW\frac{1}{4} SE\frac{1}{4}$  and the  $S\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$  of Section 36, Township 27 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $NW\frac{1}{4} SE\frac{1}{4}$ , Section 36, 35.8 feet from the SW corner thereof; thence Northeastly to a point in the North boundary of said  $S\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$  667.1 feet East from the Northwest corner thereof.

TRACT NO. 57 (305 - 22.3 A)  
Perpetual Easement

A strip of land 100 feet in width in the  $N\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$  and the  $E\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$  and the  $W\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$ , Section 36, T 27 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $N\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ , 667.1 feet East from the SW corner thereof, thence Northeastly to a point in the North boundary of said  $E\frac{1}{2} NW\frac{1}{4} NE\frac{1}{4}$  21 feet from the NE corner thereof.

TRACT NO. 58 (305 - 23.1)  
Perpetual Easement

A strip of land 100 feet in width in the  $E\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$ ;  $W\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$  and the  $NE\frac{1}{4} SE\frac{1}{4}$ , Section 25, T 27 N, R 22 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of the  $E\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$ , 21 feet from the Southeast corner thereof; thence Northeastly to a point in the North boundary of said  $NE\frac{1}{4} SE\frac{1}{4}$ , Section 25, 456.6 feet from the NE corner thereof.

TRACT NO. 59 (305 - 23.2)  
Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and the SE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 25, T 27 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  456.6 feet from the SE corner thereof; thence North-easterly to a point in the East boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  42.0 feet from the SE corner thereof.

TRACT NO. 60 (305 - 24.1)  
Perpetual Easement

All that part of the NW 8.22 acres of Lot 2, Sec. 30, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said Lot 2; thence Southerly along the West boundary of said Lot 2a distance of 115.2 feet; thence Northeasterly to a point in the North boundary of said Lot 2, thence Westerly along said North boundary a distance of 38.6 feet to the point of beginning.

TRACT NO. 61 (305 - 24.2)  
Perpetual Easement

A strip of land 100 feet in width in the West 16.33 acres of Lot 1, Sec. 30, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said Lot 1, 42.0 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said Lot 1, 421.0 feet from the NW corner thereof.

TRACT NO. 62 (305 - 25.1)  
Perpetual Easement

A strip of land 100 feet in width in Lot 4, Sec. 19, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said Lot 4, 421.0 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said Lot 4, 344.1 feet from the NE corner thereof.

TRACT NO. 63 (305 - 25.2)  
Perpetual Easement

A strip of land 100 feet in width in the East 20.0 acres of Lot 3, Sec. 19, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said East 20.0 acres of Lot 3, 344.1 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said Lot 3, 268.0 feet from the NE corner thereof.

TRACT NO. 64 (305 - 25.3)  
Perpetual Easement

A strip of land 100 feet in width in the  $W\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 19, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said  $W\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  268.0 feet from the NW corner thereof; thence Northeasterly to a point in the North boundary of said  $W\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  87.7 feet from the NW corner thereof.

TRACT NO. 65 (305 - 25.4)  
Perpetual Easement

A strip of land 100 feet in width in the  $W\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 19, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $W\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  87.7 feet from the SW corner thereof; thence Northeasterly to a point in the North boundary of said NE $\frac{1}{4}$  NW $\frac{1}{4}$  366.6 feet from the NE corner thereof.

TRACT NO. 66 (305 - 26.1)  
Perpetual Easement

A strip of land 100 feet in width in the E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 18, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  366.6 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  202.8 feet from the NE corner thereof.

TRACT NO. 67 (305 - 26.2)  
Perpetual Easement

A strip of land 100 feet in width in the  $W\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 18, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary, of said  $W\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  202.8 feet from the NW corner thereof; thence Northeasterly to a point in the North boundary of said  $W\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  66.5 feet from the NW corner thereof.

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TRACT NO. 68 (305 - 26.3)

Perpetual Easement

A strip of land 100 feet in width in the  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$ , Sec. 18, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$  66.5 feet from the SW corner thereof; thence North-easterly to a point in the North boundary of said  $W\frac{1}{2}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$  160.3 feet from the NE corner thereof.

TRACT NO. 69 (305 - 26.4)

Perpetual Easement

A strip of land 100 feet in width in the  $W\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ , Sec. 18, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $W\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$  160.3 feet from the SE corner thereof; thence North-easterly to a point in the East boundary of said  $W\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$  488.5 feet from the SE corner thereof.

TRACT NO. 70 (305 - 26.5)

Perpetual Easement

A strip of land 100 feet in width in the  $E\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ , Sec. 18, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said  $E\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$  488.5 feet from the SW corner thereof; thence North-easterly to a point in the North boundary of said  $E\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$  272.9 feet from the NW corner thereof.

TRACT NO. 71 (305 - 26.6)

Perpetual Easement

A strip of land 100 feet in width in the  $E\frac{1}{2}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$ , and the  $W\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$ , Sec. 18, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $E\frac{1}{2}$   $NW\frac{1}{4}$   $NE\frac{1}{4}$  272.9 feet from the SW corner thereof; thence North-easterly to a point in the North boundary of said  $W\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  614.0 feet from the NE corner thereof.

TRACT NO. 72 (305 - 27.1)

Perpetual Easement

A strip of land 100 feet in width in the  $SE\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$ , and the  $E\frac{1}{2}$   $SE\frac{1}{4}$ , Sec. 7, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $E\frac{1}{2} SE\frac{1}{4}$  1274.0 feet from the SE corner thereof; thence Northeasterly to a point in the North boundary of said  $E\frac{1}{2} SE\frac{1}{4}$  403.4 feet from the NE corner thereof.

TRACT NO. 73 (305 - 27.2)  
Perpetual Easement

A strip of land 100 feet in width in the  $SE\frac{1}{4} NE\frac{1}{4}$  of Sec. 7, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $SE\frac{1}{4} NE\frac{1}{4}$  403.4 feet from the SE corner thereof; thence Northeasterly to a point in said  $SE\frac{1}{4} NE\frac{1}{4}$  700 feet South and 199 feet West of the NE corner of said  $SE\frac{1}{4} NE\frac{1}{4}$ ; thence Northeasterly to a point in the East boundary of said  $SE\frac{1}{4} NE\frac{1}{4}$  22.0 feet South of the NE corner thereof.

TRACT NO. 74 (305 - 28.1)  
Perpetual Easement

A strip of land 100 feet in width in the  $E\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$  of Sec. 7, the  $W\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$ , and the  $W\frac{1}{2} SW\frac{1}{4} NW\frac{1}{4}$ , Sec. 8, all in T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said  $W\frac{1}{2} SW\frac{1}{4} NW\frac{1}{4}$ , 22.0 feet from the NW corner thereof; thence Northeasterly to a point in the North boundary of said  $W\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$ , 407.0 feet from the NW corner thereof.

TRACT NO. 75 (305 - 29.1)  
Perpetual Easement

A strip of land 100 feet in width in the  $W\frac{1}{2} SW\frac{1}{4}$ , Section 5, Township 27 North, Range 23 East of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $W\frac{1}{2} SW\frac{1}{4}$ , 407 feet from the Southwest corner thereof; thence Northeasterly to a point in the North boundary of said  $W\frac{1}{2} SW\frac{1}{4}$ , 108.0 feet from the Northeast corner thereof.

TRACT NO. 76 (305 - 29.2)  
Perpetual Easement

A strip of land 100 feet in width in Lots 5 and 6, Section 5, Township 27 North, Range 23 East of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said Lot 5, 108 feet from the SE corner thereof; thence North  $16^{\circ} 52'$  East to a point on the 750' contour as established by Holway and Neuffer, Engrs.

## TRACT NO. 77 (305 - 30.1)

## Perpetual Easement

A strip of land 100 feet in width in the 10.0 acres off the South side of that part of Lot 5 lying east of the K. O. & G. R. R., Section 31, Township 28 North, Range 23 East of the Indian Base and Meridian in Quapaw Survey, Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said 10.0 acres off the South side of that part of Lot 5 lying east of the K. O. & G. R. R., 870.8 feet from the Northeast corner thereof; thence S. 17° 39' West to a point on the 750 contour, said center line of the 100 foot easement strip if projected would intersect the South boundary of said Lot 5 at a point 989 feet West of the Southeast corner thereof.

## TRACT NO. 78 (305 - 30.2)

## Perpetual Easement

A strip of land 100 feet in width in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  and the N. 948.5 feet of Lot 5, Section 31, Township 28 North, Range 23 East of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the North boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 149 feet from the NE corner thereof; thence Southwesterly to a point in the South boundary of said N. 948.5 feet of Lot 5, 870.8 feet from the Southeast corner thereof.

## TRACT NO. 79 (305 - 30.3 Revised)

## Perpetual Easement

A strip of land 100 feet in width in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 31, Township 28 North, Range 23 East of the Indian Base and Meridian in Quapaw Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 468 feet from the SW corner thereof, thence Northeasterly to a point in said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 326.2 feet South and 1152.8 feet west of the Northeast corner thereof; thence Northeasterly to a point in the North boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 267.3 feet West of the Northeast corner thereof, except that portion owned by the Grand River Dam Authority.

## TRACT NO. 80 (305 - 30.4)

## Perpetual Easement

A strip of land 100 feet in width in the S $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 31, Township 28 North, Range 23 East of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the South boundary of said  $S\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ , 149 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said  $S\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ , 468 feet from the Southeast corner thereof.

TRACT NO. 81 (305 - 30.5)  
Perpetual Easement

A strip of land 100 feet in width in that part of the  $NE\frac{1}{4} NE\frac{1}{4}$ , Section 31, Township 28 North, Range 23 East of the Indian Base and Meridian, Quapaw Survey in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said  $NE\frac{1}{4} NE\frac{1}{4}$ , thence North along the East boundary of said  $NE\frac{1}{4} NE\frac{1}{4}$ , a distance of 542 feet; thence West 144.75 feet to a point on the East bank of Tar Creek; thence in a Southwesterly direction along the East bank of Tar Creek, 590 feet to a point on the South line of said  $NE\frac{1}{4} NE\frac{1}{4}$ ; thence N.  $88^{\circ} 45'$  East along the South boundary of said  $NE\frac{1}{4} NE\frac{1}{4}$ , a distance of 350 feet to the point of beginning; the center line of the aforesaid 100-foot strip being described as follows, to-wit:

Beginning at a point in the South boundary of said  $NE\frac{1}{4} NE\frac{1}{4}$ , 267.3 feet from the SE corner thereof; thence Northeasterly to a point in the East boundary of said  $NE\frac{1}{4} NE\frac{1}{4}$ , 98.5 feet from the Southeast corner thereof.

TRACT NO. 82 (305 - 31.1 (Rev.))  
Perpetual Easement

All that part of the  $NW\frac{1}{4} NW\frac{1}{4}$  of Sec. 32, T 28 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, more particularly described as follows, to-wit:

TRACT A:

A strip of land 100 feet in width, the center line of which is described as follows, to-wit:

Beginning at a point in the west boundary of said  $NW\frac{1}{4} NW\frac{1}{4}$  125.3 feet from the SW corner thereof; thence Northeasterly to a point in said  $NW\frac{1}{4} NW\frac{1}{4}$  220.9 feet North and 185 feet East of the SW corner thereof; thence Northerly to a point in the South boundary of said  $NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$  of Said Sec. 32, 185 feet East of the SW corner thereof.

TRACT B:

A strip of land 100 feet in width in said  $NW\frac{1}{4} NW\frac{1}{4}$ , the center line of which is described as follows, to-wit:

Beginning at a point in said  $NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$  295.16 feet East and 258.7 feet North of the SW corner thereof; thence East 208.7 feet to a point in said  $NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$  258.7 feet North and 503.86 feet East of the SW corner thereof.

TRACT C:

A strip of land 100 feet in width in said  $NW\frac{1}{4} NW\frac{1}{4}$ , the center line of which is described as follows, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IS AND FOR THE  
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Beginning at a point in said NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> 250.16 feet North  
and 503.86 feet East of the SW corner thereof; thence East  
to a point in the East boundary of said NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> 410.8 feet  
from the NE corner thereof.

together with the perpetual easement and right to cut down, remove, and trim any trees that may inter-  
fere with or endanger said transmission line or lines or the maintenance or operation thereof; and  
together with the perpetual easement to set the necessary guy and brace poles and anchors and to  
attach all necessary guy wires thereto; and the perpetual right, privilege and authority to erect,  
maintain and operate said line or lines of poles, h-frame structures, towers, or other structures,  
wires, cables and fixtures, upon, over and across any street, alley, highway or other right-of-way now  
or hereafter established and existing, on or across said lands or adjoining the same or adjacent  
thereto, be, and the same is hereby deemed to have been condemned and taken for the use of the United  
States of America, and the right to just compensation for the property taken, upon the filing of the  
Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be  
ascertained and awarded in this proceeding and established by judgment herein pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America  
be, and it is hereby vested with a perpetual easement, upon over, and across the lands hereinabove  
described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and  
those in possession or having any right, title or interest in and to the lands hereinabove described,  
surrender and deliver up possession of said lands to the United States of America for the purpose of  
exercising all of the rights and privileges herein acquired on or before the 1st day of February,  
1944, and this cause is held open for such other and further orders, judgments and decrees as may be  
necessary in the premises.

ROYCE H. SAVAGE  
JUDGE OF UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Feb 1 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

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Court adjourned to February 2, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, FEBRUARY 2, 1944

On this 2nd day of February, A. D. 1944, the District Court of the United  
States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met  
pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were  
had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
 NORTHERN DISTRICT OF OKLAHOMA

ORDER FOR PETIT JURY

On this 2nd day of February, A. D. 1944, it is ordered by the Court that there be publicly drawn by the Marshal for the Northern District of Oklahoma, or one of his deputies, in the presence of the Clerk, or one of his deputies, in accordance with the law and the rules of this Court, the names of Sixty (60) persons, good and lawful men, from said District, duly qualified to serve as Petit Jurors at the Regular January 1944 Term of this Court, to be held at Tulsa, Oklahoma.

IT IS FURTHER ORDERED by the Court that a Writ of Venire Facias be issued out of this Court, in due form as provided by law, commanding the said Marshal to summon said Petit Jurors, drawn as aforesaid, to be and appear before said Court, to be held at Tulsa, Oklahoma, in the Northern District of Oklahoma, on Monday, the 14th day of February, A. D. 1944, at 9:00 o'clock A.M. (WAR TIME) then and there to serve as Petit Jurors of the United States in and for said District at the Regular January 1944 Term of said Court.

ROYCE H. SAVAGE  
 UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 2 1944  
 H. P. Warfield, Clerk  
 U. S. District Court

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,	)	
		)	
-vs-		)	
		)	
Fred G. Drummond, A. W. Lohman,		)	
Allbright Title & Trust Company,		)	
Henry T. Snyder, Joseph A. Miller,		)	No. 670 - Civil
Roman Logan, Mary Logan, S. H.		)	
Robinson, Effie Logan, Hattie Logan,		)	
Leroy Logan, Virginia Logan, Harris		)	
Russell, Fred G. Drummond, Adminis-		)	
trator of the Estate of Mary Logan,		)	
deceased, and Fred G. Drummond,		)	
Executor of the Estate of Roman Logan,		)	
deceased, all if living and their		)	
unknown heirs, administrators, devisees		)	
and assigns, if dead,	Defendants.	)	

ORDER FOR SERVICE OUTSIDE THE STATE

Upon motion of plaintiff for an order to direct defendants Henry T. Snyder, Joseph A. Miller, S. H. Robinson, Effie Logan, and Hattie Logan to appear, plead or answer in accordance with Section 57, of the Judicial Code, it appearing to the court that this is an action to quiet title and remove encumbrances, liens and clouds upon and to real property located in this district described as follows, to-wit:

Southwest Quarter of Northeast Quarter of Section 6,  
 Township 21 North, Range 10 East, Osage County, Oklahoma,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
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and that the above-described defen ants are not inhabitants in this district, or State, and cannot be found therein, but that the said Henry T. Snyder and Joseph A. Miller are inhabitants of the State of Missouri, residing at Kansas City, Missouri, and that the defendant, S. H. Robinson is an inhabitant of the State of Texas, residing at San Antonio, Texas, and that the said Effie Logan and Hattie Logan are residents of the State of Arizona, residing at Phoenix, Arizona, and t at the Marshal of this District has heretofore made a return as to Henry T. Snyder, Joseph A. Miller, S. H. Robinson, with notation t ereon that the defendants were not found, and that it has been ascertained by efforts of the plaintiff herein that the said Effie Logan and Hattie Logan were residents of the State of Arizona and reside at 1023 North 10th Street, Phoenix, Arizona, andthat none of the defendants have voluntarily appeared in this action.

IT IS THEREFORE ORDERED that the said defendants are hereby directed to appear, plead, answer or otherwise move with respect to the complaint herein, on or before the 21st day of March, 1944, or in default thereof the court will proceed with the hearing of the adjudication of this controversy.

2. That a certified copy of this order, and complaint and amended complaint herein, be served on said defendants on or before the 17th day of February, 1944, by the United States Marshal in and for the District wherein they reside or wherever they may be found.

ROYCE H. SAVAGE  
U. S. District Judge

ENDORSED: Filed Feb 2 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA,  
Successor Trustee for MARY FRANCES WALTER,  
Plaintiff,

-vs-

OKLAHOMA HOSPITAL, INC., a corporation; OKLAHOMA  
HOSPITAL CORPORATION, a corporation; OKLAHOMA  
HOSPITAL, a corporation; FRED S. CLINTON and  
JANE H. CLINTON, his wife; EXCHANGE TRUST COMPANY,  
a corporation; HOWARD C. JOHNSON, Bank Commissioner  
of the State of Oklahoma; THE FIRST NATIONAL BANK  
AND TRUST COMPANY OF TULSA, Successor Trustee of  
the Frank H. Reed and Isabelle S. Reed Trust; THE  
FIRST NATIONAL BANK AND TRUST COMPANY; Successor  
Trustee for John Francis Malloy; J. C. DENTON,  
C. H. SWEET and F. M. SOWLE, as Trustees; VIRGINIA  
HAGAN HINTON, Successor Trustee for S. L. Canterbury;  
FEDERAL NATIONAL BANK OF SHAWNEE, OKLAHOMA, a corpora-  
tion, Guardian of the Estate of Charline Naomi Crossland,  
a minor; PHILLIPS UNIVERSITY, a corporation; MOLLIE  
DAVIS, nee JONES; HAROLD T. WRIGHT; FRANK G. COUPER;  
TULSA GENERAL HOSPITAL; FLORENCE M. WILSON; and MAUDE  
C. MARKHAM, Executrix of the Estate of John H. Markman,  
Deceased,  
Defendants.

In Equity No. 1195

ORDER

NOW on this 2nd day of February, 1944, it appearing that the Osteopathic

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
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Hospital Founders Association has executed and delivered to George Lessley, Special Master herein, a check in the sum of Thirty Thousand and NO/100 Dollars (\$30,000.00), representing the remainder of the purchase price for the property sold herein by said Special Master, it is hereby ORDERED that said George Lessley, Special Master, forthwith endorse said check and deliver the same over to Lon R. Stenberg, Receiver herein, to be included by said Receiver with the remaining funds in his hands for distribution, as hereafter directed by this Court.

ROYCE H. SAVAGE  
District Judge

ENDORSED: Filed Feb 2 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Farm and Home Savings and Loan Association of Missouri, a Corporation, )  
 )  
 ) Plaintiff, )

-vs-

Standard Paving Company, a Corporation, ) NO. 1249 EQUITY  
or the Unknown Assigns of Special Tax )  
Bills No's 17877, 17939, 17940, 17981, )  
17982 in Paving District 266 in the City )  
of Tulsa, Oklahoma, and the City of Tulsa, )  
Oklahoma, a Municipal Corporation, )  
 ) Defendants. )

ORDER VACATING JUDGMENT

The above comes on for hearing on this 10th day of December, 1943, on the motion of R. P. Kistler to vacate the judgment of this Court against the Unknown Assigns of Special Tax Bills No's 17877, 17939, 17940, 17981 and 17982 in Paving District No. 266 in the City of Tulsa, Oklahoma heretofore rendered on the 7th day of February, 1938 and the plaintiff appearing by it's attorneys James W. Cosgrove and Boyd Ewing and the said R. P. Kistler appearing by his attorney Quincy J. Jones and the Court having heard the argument of counsel and having read the briefs on both sides, finds that said motion is well taken and should be sustained and as a matter of law the Court finds:

That the purported service by publication in this cause upon the Unknown assigns of said Special Tax Bills and in particular upon R. P. Kistler, was not authorized by law and was wholly void and conferred no jurisdiction upon the Court over the persons of said unknown assigns or of said R. P. Kistler.

Wherefore, it is ORDERED AND ADJUDGED that the said judgment be vacated, set aside and held for naught as against the Unknown Assigns of said Special Tax Bills and particularly as to said R. P. Kistler and that said judgment be also vacated and set aside as to the defendants Standard Paving Company, a corporation and the City of Tulsa, Oklahoma, a Municipal Corporation in so far as such judgment against said defendants affects the rights of said Unknown Assigns of said Special Tax Bills or the rights of said R. P. Kistler and that said judgment be also vacated in so far as may be necessary to allow the said defendants or either of them to bring any and all suits or Special proceedings as may be necessary or provided by law for said defendants or either of them to enforce or protect any rights

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

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of said Unknown Assigns of said Special Tax Bills or of said R. P. Kistler and in order that all parties hereto may proceed to enforce the rights of the Unknown Assigns of said Special Tax Bills and of said R. P. Kistler in particular in and the same manner and to the same effect as if the judgment of February 7th, 1938, had never been made and entered herein.

ROYCE H. SAVAGE  
District Judge

ENDORSED: Filed Feb 2 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

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Court adjourned to February 3<sup>d</sup> 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, FEBRUARY 3, 1944

On this 3rd day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Manzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

WILLIAM McDOWELL, Administrator of the )  
Estate of Sam McDowell, deceased, Plaintiff, )  
vs. ) No. 1102 Civil  
ATHE CORBETTA CONSTRUCTION COMPANY, )  
Incorporated, Defendant. )

DISMISSAL WITH PREJUDICE

For good cause shown, the above case is hereby ordered dismissed with prejudice, at the cost of the defendant.

ROYCE H. SAVAGE  
U. S. District Judge

ENDORSED: Filed Feb 3 1944  
H. P. Warfield, Clerk  
U. S. District Court H

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REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, FEBRUARY 3, 1944

IN THE UNITED STATES DISTRICT COURT WITHIN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Ben Pickup,	Plaintiff,	)
		)
vs		)
		) No. 1141 - Civil
JOHN PICKUP, et al.,	Defendants.	)
		)
United States of America,	Intervener.	)

ORDER APPOINTING GUARDIAN AD LITEM

Now, on this the 3rd day of February, 1944, there coming on for hearing the motion of the Plaintiff above named, asking that an Order be made appointing a Guardian ad litem for the minor defendant, Billie Pickup; and it being shown to the Court that the said minor is more than fourteen years of age; that he has been lawfully served with summons, more than thirty days prior to this date, and that he has failed to designate any person to act in his behalf as guardian ad litem in this action, and that it is necessary that a proper person be appointed as such guardian ad litem;

IT IS, THEREFORE, ordered, adjudged and decreed by the court that the Honorable M. S. Robertson, U. S. Probate Attorney, and as such duly authorized to practice law in this Court, be and he is hereby appointed guardian ad litem for the minor defendant, Billie Pickup.

ROYCE H. SAVAGE  
U. S. District Judge

ENDORSED: Filed Feb 3 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT WITHIN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

Mary Smoke, nee Dreadfulwater,	Plaintiff,	)
		)
vs		)
		) NO. 1142 CIVIL
Goldie Smoke, nee Dreadfulwater, et al.,	Defendants.	)
		)
United States of America,	Intervener.	)

ORDER APPOINTING GUARDIAN AD LITEM

Now, on this 3rd day of February, 1944, there coming on for hearing the Motion of the Plaintiff above named, asking that an Order be made appointing a Guardian ad litem for the minor defendant, Cora Dreadfulwater; and it being shown to the Court that the said minor is more than fourteen years of age; that she has been lawfully served with summons, more than thirty days prior to this date, and that she has failed to designate any person to act in her behalf as guardian ad litem in this action and that it is necessary that a proper person be appointed as such guardian ad litem;

IT IS, THEREFORE, ordered, adjudged and decreed by the Court that the Honorable M. S. Robertson, U. S. Probate Attorney, and as such duly authorized to practice law in this Court, be

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
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and he is hereby appointed guardian ad litem for the minor defendant, Cora Dreadfulwater.

ROYCE H. SAVAGE  
U. S. District Judge

ENDORSED: Filed Feb 3 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT WITHIN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

Ella Mae Canoe, nee Vann,	Plaintiff,	)	
		)	
vs.		)	
		)	NO. 1143 CIVIL
Arch Vann, et al.,	Defendants,	)	
		)	
United States of America,	Intervener.	)	

ORDER APPOINTING GUARDIAN AD LITEM

Now, on this the 3rd day of February, 1944, there coming on for hearing the Motion of the Plaintiff above named, asking that an Order be made appointing a guardian ad litem for the minor defendants, Dorothy Ann Vann, Ruby Jane Vann, George Vann and Sam Vann; and it being shown to the Court that the said minors are less than fourteen years of age; that they have been lawfully served with summons, more than thirty days prior to this date and that it is necessary that a proper person be appointed as such guardian ad litem;

IT IS, THEREFORE, ordered, adjudged and decreed by the Court that the Honorable M. S. Robertson, U. S. Probate Attorney, and as such duly authorized to practice law in this Court, be and he is hereby appointed guardian ad litem for the minor defendants, Dorothy Ann Vann, Ruby Jane Vann, George Vann and Sam Vann.

ROYCE H. SAVAGE  
U. S. District Judge

ENDORSED: Filed Feb 3 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

Court adjourned to February 4, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, FEBRUARY 4, 1944

On this 4th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

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OKLAHOMA

FRIDAY, FEBRUARY 4, 1944

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)	
		)	
-vs-		)	CIVIL NO. 1110
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,		)	
OKLAHOMA, containing approximately 284.8 acres,		)	
more or less; and J. Ben Robinson, et al.,		)	
	Defendants.	)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION  
AND MAKING DISTRIBUTION AS TO TRACT  
NO. 42 (29 FW 975)

NOW on this 4th day of February, 1944, there coming on for hearing the application of the defendant, J. M. Frazier, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 42 (29 FW 975) and the Court being fully advised in the premises, finds:

That the defendant J. M. Frazier, was the owner of the land designated as Tract No. 42 (29 FW 975) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$177.00 for the taking of a perpetual flowage easement upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual flowage easement, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, J. M. Frazier, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$177.00, which was accepted by the petitioner.

The Court further finds that the sum of \$177.00 is just compensation for the injuries and damages sustained by said defendant, J. M. Frazier.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendant have any right, title or interest in and to said just compensation except

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, J. M. Frazier, was, the owner of the land designated as Tract No. 42 (29 FW 975), when this proceeding was commenced, and that the sum of \$177.00 is just compensation for the damages sustained by the defendant, J. M. Frazier, and that said defendant is the only person having any right, title or interest in and to said just compensation, except

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract as follows, to-wit:

TO: J. M. Frazier	Owner	
TRACT NO. 42 (29 FW 975)		\$177.00.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Feb 4 1944  
H. P. Warfield, Clerk  
U. S. District Court H





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3. That said cause and all pleadings and matters filed herein should be remanded to the District Court of Creek County, State of Oklahoma for such other and further proceedings as may be proper in said court.

WHEREFORE, it is hereby ordered and decreed, that this cause and all pleadings and matters filed therein be, and the same is remanded to the District Court of Creek County, State of Oklahoma for such other and further proceedings as may be proper in said court.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Feb 17 1944  
H. P. Warfield, Clerk  
U. S. District Court

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

DELLA MURPHY, Administratrix of the Estate )  
of Mrs. S.W. KLINE SMITH, Deceased, Plaintiff, )  
vs ) No. 1138  
OKLAHOMA NATURAL GAS COMPANY, a )  
Corporation, Defendant. )

JOURNAL ENTRY ON MOTION TO REMAND

THIS CAUSE CAME ON for preliminary hearing on the 4th day of February, 1944. Upon the call of said cause, plaintiff appeared by her attorney of record, Thomas A. Landrith, Jr., and the defendant appeared by its attorney of record, Paul Pinson. Thereupon, the court was informed that defendant had filed a motion for consolidation of causes in the above entitled cause, and that plaintiff had thereafter filed a motion to remand in the above entitled cause, and it appearing to the court and to counsel that defendant's motion to remand should be heard and determined prior to the court's consideration of defendant's motion for consolidation of causes, argument relating to plaintiff's motion to remand was presented to the court and the court being fully advised in the premises, finds:

1. That the cause of action set forth in plaintiff's petition filed in this cause is a complete cause of action, independent of that set forth in plaintiff's petition in cause number 1137;
2. That the pleadings as filed in the above entitled cause disclose that the amount sought to be recovered by plaintiff is insufficient to give this court jurisdiction over said cause; and
3. That said cause and all pleadings and matters filed therein should be remanded to the District Court of Creek County, State of Oklahoma for such other and further proceedings, as may be proper in said court.

WHEREFORE, it is hereby ordered and decreed, that this cause and all pleadings and matters filed therein be, and the same is, remanded to the District Court of Creek County, State of Oklahoma for such further proceedings as may be proper in said court.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Feb 17 1944  
H. P. Warfield, Clerk  
U. S. District Court

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

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TULSA, OKLAHOMA

FRIDAY, FEBRUARY 4, 1944

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

NEW YORK LIFE INSURANCE COMPANY, a  
corporation, Plaintiff,

vs

No. 1148 CIVIL

GRETCHEN D. PAYNE, MARIE A. DUNAWAY, and  
CITIZENS STATE BANK OF GALENA, Galena,  
Kansas, a corporation, Defendants.

TEMPORARY RESTRAINING ORDER AND ORDER AUTHORIZING  
SERVICE OF PROCESS

IT APPEARING TO THE COURT, by verified petition of the plaintiff filed herein and by affidavit of attorney for the plaintiff filed herein, that plaintiff has filed in this court a petition of interpleader requesting the Court to determine the rightful claimants to a fund amounting to the sum of Two Thousand, Eight Hundred Thirty-seven and 48/100 (2,837.48) Dollars which has accrued under Certificate of Deposit No. 22 466, issued by the plaintiff, and that the plaintiff has paid in to the Registry of this Court the aforesaid sum of Two Thousand, Eight Hundred Thirty-seven and 48/100 (2,837.48) Dollars to abide the judgment of the Court herein, and that summons should be issued for the defendant, Gretchen D. Payne, who is a resident of this judicial district, and also for the defendant, Marie A. Dunaway, a citizen and resident of the State of Missouri, who is temporarily located within this judicial district; and it further appearing that the defendant Citizens State Bank of Galena, Galena, Kansas, a corporation, is a citizen and resident of the State of Kansas, having its banking office and principal place of business located at Galena, Kansas, and that summons should be issued for said defendant for service upon it without this judicial district and without the State of Oklahoma, said summons to be served upon said defendant by the United States Marshal for the judicial district wherein said defendant is located or may be found; and,

IT FURTHER APPEARING from the verified petition of the plaintiff that an injunction should be issued against the defendants, and each of them, enjoining and restraining them from instituting or prosecuting any suit in any State Court or in any other Federal Court involving said Certificate of Deposit or to recover any sum claimed to be due thereon.

IT IS THEREFORE ORDERED that the Clerk of this court is authorized and directed to issue a summons for service upon the defendant Marie A. Dunaway, at Miami, Oklahoma, within this judicial district.

IT IS FURTHER ORDERED that the Clerk of this court is authorized and directed to issue a summons directed to the United States Marshal of the judicial district in which Galena, Kansas, is located, commanding him to serve said summons upon the defendant Citizens State Bank of Galena, Galena, Kansas, a corporation, returnable within fifteen (15) days from the date hereof, and that said summons direct said defendant to answer the petition herein within thirty (30) days after service of said summons upon it.

IT IS FURTHER ORDERED that the defendants, Gretchen D. Payne, Marie A. Dunaway, and Citizens State Bank of Galena, Galena, Kansas, a corporation, and each of them, are hereby restrained from instituting or prosecuting any suit of any character in any State Court or in any other Federal Court against the plaintiff, New York Life Insurance Company, a corporation, involving Certificate of Deposit No. 22 466, issued by the New York Life Insurance Company, or to recover any sum claimed to be due on said Certificate of Deposit, and that said restraining order be and the same is hereby made returnable thirty (30) days from this date, on which date said defendants must appear and show cause why a temporary injunction should not be issued.

IT IS FURTHER ORDERED that a copy of this order shall accompany the summons

Issued for said defendants and shall be served upon said defendants by the United States Marshals serving said summons.

DATED at Tulsa, Oklahoma, this 4 day of February, 1944.

ROYCE H. SAVAGE  
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 5 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		)
		) CIVIL NO. 1147
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,		)
OKLAHOMA, containing approximately 77.90		)
acres, more or less; and Susanna Young		)
Wilson Darity, et al.,	Defendants.	)

JUDGMENT ON DECLARATION OF TAKING

THIS CAUSE COMING on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above-entitled cause on the 4th day of February, 1944, and for an order fixing the date when possession of the property here in described is to be surrendered to the United States of America and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition, and also, under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

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SEVENTH: That statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$8,284.30, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS, THEREFORE, on this 4th day of February, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows, to wit:

TRACT NO. 1 (41 - FW-1179)  
 Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 19, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.2 acres.

TRACT NO. 2 (41 - FW-1180)  
 Flowage Easement

All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 19, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.2 acres.

TRACT NO. 3 (41 - FW-1181)  
 Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 18, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.4 acres.

TRACT NO. 4 (41 - FW-1182)  
 Flowage Easement

All that part of Lot 1 in Sec. 19, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.3 acres.

TRACT NO. 5 (41 - FW-1183)  
 Flowage Easement

All that part of Lots 2, 3, 4 and 5 in Sec. 18, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.6 acres.

## TRACT NO. 6 (41 - FW-1184)

## Flowage Easement

All that part of the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 18, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.3 acre.

## TRACT NO. 7 (41 - FW-1185)

## Flowage Easement

All that part of Lot 1 in Sec. 18, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 1.2 acres, together with the bed and banks of Grand River adjacent to said Lot 1.

## TRACT NO. 8 (41- FW-1237)

## Flowage Easement

All that part of Sec. 20, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

## TRACT NO. 9 (41 - FW-1238)

## Flowage Easement

All that part of the north 15.45 acres of Lot 13, and all that part of Lot 12, and all that part of Lot 16, in Sec. 19, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing less than 0.1 acre.

## TRACT NO. 10 (41 - FW-1239)

## Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 19, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.1 acre.

## TRACT NO. 11 (41 - FW-1240)

## Flowage Easement

All that part of the SE 10.0 acres of Lot 13 and in Sec. 19, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 sea level datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing less than 0.1 acre.

## TRACT NO. 12 (41 - FW-1241)

## Flowage Easement

All that part of the SW 10.0 acres of Lot 13 in Sec. 19, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing less than 0.1 acre.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
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TRACT NO. 13 (41 - FW-1242)  
Flowage Easement

All that part of Lot 11 in Sec. 19, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 2.5 acres, together with the bed and banks of the Grand River adjacent to said Lot 11.

TRACT NO. 14 (41 - FW-1243)  
Flowage Easement

All that part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E, except a tract of land particularly described as follows, to-wit:

"From a point 1239 feet East of the Northwest corner of the S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of said Section 13, running thence South 61° 13' East 124.5 feet; thence South 68° 16' East 403.5 feet; thence South 57° 01' East 25.4 feet to a point for the point of beginning; running thence South 57° 01' East 250 feet; thence South 82° 59' West 210 feet; thence North 57° 01' West 250 feet; thence North 32° 59' East 210 feet to the point of beginning, containing 1.2 acres more or less, all located in the S $\frac{1}{2}$  SE $\frac{1}{4}$  13-26-23"

and all that part of the west 18.64 acres of Lot 12, and all that part of the W $\frac{1}{2}$  NE 10.0 acres of Lot 12, and all that part of the SE 10.0 acres of Lot 12 in Sec. 18, T 26 N, R 24 E all described with reference to the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.4 acres.

TRACT NO. 15 (41 - FW-1244)  
Flowage Easement

All that part of the E. 5.0 acres of the NE 10.0 acres of Lot 12 in Sec. 18, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 16 (41 - FW-1245)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and all that part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of Lot 7, and all that part of the E. 20.0 acres of Lot 11, and all that part of the SW 9.24 acres of Lot 11 in Sec. 18, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.4 acres.

TRACT NO. 17 (41 - FW-1246)  
Flowage Easement

All that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , of Sec. 13, except a tract of land particularly described as follows:

"Beginning at a point 295 feet south of the NW corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  13-26-23; thence directly East a distance of 53 feet to a point, thence directly South from said point to the 750' contour line of the Grand River Dam Authority; thence in a South easterly direction along said contour line to the quarter-section line dividing the NE $\frac{1}{4}$  SE $\frac{1}{4}$  and the NW $\frac{1}{4}$  SE $\frac{1}{4}$  in said Section 13; thence directly North along said quarter-section line a distance of 257 feet to the point of beginning, all of the said land being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  13-26-23",

and all that part of the SE $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TRACT NO. 18 (41 - FW-1247)  
Flowage Easement

All that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 24, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 1.0 acre.

TRACT NO. 19 (41 - FW-1248)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 25, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 20 (41 - FW-1249)  
Flowage Easement

All that part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

"From a point 1239 feet East of the Northwest corner of the S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of said Section 13, running thence South 61° 13' East 124.5 feet; thence South 68° 18' East 403.5 feet; thence South 57° 01' East 25.4 feet to a point for the point of beginning; running thence South 57° 01' East 250 feet; thence South 32° 59' West 210 feet; thence North 57° 01' West 250 feet; thence North 32° 59' East 210 feet to the point of beginning, containing 1.2 acres more or less, all located in the S $\frac{1}{2}$  SE $\frac{1}{4}$ , 13-26-23".

TRACT NO. 21 (41 - FW-1250  
(41- FW-1251  
(41 - FW-1252  
(41 - FW-1253 A  
( 41 - FW 1253-B  
(41 - FW-1253 C)

Flowage Easement

All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E of

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
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the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

TRACT NO. 22 (41 - FW-1253)  
Flowage Easement

All that part of the  $E\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$  less a tract of land particularly described as follows, to-wit:

"Beginning at a point which is the intersection of the North line of the  $N\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$  of Section 13, T 26 N, R 23 E, with the line of the 750 foot contour (the edge of the Grand River Lake); thence West a long said North line of said  $N\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$  of said Section 13, 100 feet; thence South to a point on the 750' contour; thence Northeasterly and Northerly along said 750' contour to the point of beginning."

and all that part of the  $E\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$ , all that part of the  $W\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$   $SW\frac{1}{4}$ , and all that part of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$ , and all that part of the  $S\frac{1}{2}$   $NW\frac{1}{4}$   $NW\frac{1}{4}$   $SE\frac{1}{4}$ , all in Section 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.5 acres.

TRACT NO. 23 (41 - FW-1254)  
Flowage Easement

All that part of the  $W\frac{1}{2}$   $NE\frac{1}{4}$   $SW\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 3.9 acres.

TRACT NO. 24 (41 - FW-1255)  
Flowage Easement

All that part of the  $N\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

"Beginning at a point which is the intersection of the North line of the  $N\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$  of Section 13, Township 26 North, Range 23 East with the line of the 750 foot contour (the edge of the Grand River Lake); thence West along said North line of said  $N\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$  of said Section 13, 100 feet; thence South to a point on the 750' contour; thence Northeasterly and Northerly along said 750' contour to the point of beginning, all in said  $N\frac{1}{2}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$  of said Section, Township and Range"

lying below Elev. 758 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 25 (41 - FW-1256)  
Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

TRACT NO. 26 (41 - FW-1257)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

TRACT NO. 27 (41 - FW-1258)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

TRACT A

Beginning at a point 664 feet East of the NW corner of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  13-26-23; thence South 30° 57' East 197.7 feet; thence South 46° 03' East 344.1 feet; thence North 19° 49' East 437.7 feet to a point in the North boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 171 feet West of the NE corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence West along said North boundary line to the point of beginning"

TRACT B

"Beginning at the NE corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 13; thence West along the North boundary of NW $\frac{1}{4}$  SE $\frac{1}{4}$  147.9 feet; thence South 2° 40' East 522.9 feet; thence South 77° 23' East 130.6 feet to a point in the East boundary line of NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence North along said East boundary line 552.0 feet to the point of beginning",

lying below Elev. 758 Sea Level Datum, containing in all approximately 0.7 acre.

TRACT NO. 28 (41 - FW-1259)  
Flowage Easement

All that part of the N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 13, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, Ottawa County, Oklahoma, particularly described as follows, to-wit:

"Beginning at a point 295 feet South of the NW corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  13-26-23; thence directly East a distance of 53 feet to a point, thence directly South from said point to the 750' contour line of the Grand River Dam Authority; thence in a southwesterly direction along said contour line to the quarter-section line dividing the

NE $\frac{1}{4}$  SE $\frac{1}{4}$  and the NW $\frac{1}{4}$  SE $\frac{1}{4}$  in said Section 17; thence directly North along said quarter-section line a distance of 257 feet to the point of beginning, all of said land being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  13-26-23",

lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 29 (41 - FW-1260)

Flowage Easement

All that part of the E $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the N $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 18, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

TRACT NO. 30 (41 - FW-1261)

Flowage Easement

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 18, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.3 acre.

TRACT NO. 31 (41 - FW-1262)

Flowage Easement

All that part of the NE $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 18, except a tract of land particularly described as follows, to-wit:

"Beginning at a point 186 feet North and 50 feet West of the Southeast corner of NE $\frac{1}{4}$  NE $\frac{1}{4}$  18-26-24; thence West 330 feet; thence North 200 feet; thence East 330 feet; thence South 200 feet to the point of beginning, containing approximately 2 acres more or less,"

and all that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 17, all in T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.2 acres.

TRACT NO. 32 (41 - FW-1263)

Flowage Easement

All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 17, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.3 acres.

TRACT NO. 33 (41 - FW-1264)

Flowage Easement

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and all that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 17, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 1.3 acres.

TRACT NO. 34 (41 - FW-1265)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 17, Y 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.8 acres.

TRACT NO. 35 (41 - FW-1266)  
Flowage Easement

All that part of the N $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 17, Y 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.8 acres.

TRACT NO. 36 (41 - FW-1267)  
Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 17, Y 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.8 acres.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and it is hereby vested with a perpetual easement upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 11th day of February, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Feb 4 1944  
H. P. Warfield, Clerk  
U. S. District Court

Court adjourned to February 7, 1944



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

RECORDED JANUARY 1944 TERM

CLEORA, OKLAHOMA

MONDAY, FEBRUARY 7, 1944

You, therefore, are hereby commanded that such proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 6th day of February, in the year of our Lord one thousand nine hundred and forty-four.

COSTS OF	APPELLEE:
Clerk	\$ 6.25
Printing Record	\$-- --
Attorney,	\$20.00
	<u>\$26.25</u>

ROBERT B. CARTWRIGHT  
Clerk of the United States Circuit Court of Appeals, Tenth Circuit

ENDORSED: Filed Feb 7 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		) CIVIL NO. 1055
		)
CERTAIN PARCELS OF LAND IN THE TOWNSITE		)
OF CLEORA, DELAWARE COUNTY, OKLAHOMA;		)
and R. F. Ulrich, et al.,	Defendants.	)

ORDER FIXING TITLE, DETERMINING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO A PART OF TRACT NO. 4, (6 FW 632)

NOW, on this the 7th day of February, 1944, there coming on for hearing the application of Ad V. Coppedge for an order fixing title, determining just compensation and making distribution as to that part of Tract No. 4 (6 FW 632) described as Lots 9, 10, 11 and 12, Block 4, in the Town of Cleora, Delaware County, Oklahoma, and the Court being fully advised in the premises finds that the petitioner filed condemnation proceedings to acquire the entire fee simple title to Lots 7, 9, 10, 11 and 12, in Block 4, in the Towns of Cleora, Delaware County, Oklahoma, which real estate was designated and described in this proceeding as Tract No. 4 (6 FW 632); that at the time of said proceedings were instituted Ad V. Coppedge was the owner of that part of said tract described as Lots 9, 10, 11 and 12, Block 4, in the Town of Cleora, Delaware County, Oklahoma; and the title to that part of said tract described as Lot 7, Block 4, in the Town of Cleora, Delaware County, Oklahoma, was vested in the heirs of R. A. Armstrong, deceased; that the report of commissioners appointed in this proceeding is now final and the just compensation for the taking of all of said Tract No. 4 is fixed at the sum of \$62.50. And it further appears to the Court that said just compensation should be apportioned as follows, to-wit:

That part of Tract No. 4 (6 FW 632) described as Lot 7, Block 4, in the Town of Cleora, Delaware County, Oklahoma	the sum of	\$12.50
That part of Tract No. 4 (6 FW 632) described as Lots 9, 10, 11 and 12, Block 4, in the Town of Cleora, Delaware County, Oklahoma,	the sum of	\$50.00

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the entire fee simple to that part of Tract No. 4 (6 FW 632) described as Lots 9, 10, 11 and 12, Block 4, in the Town of Cleora, Delaware County, Oklahoma, is vested in Ad V. Coppedge, and that no other person, firm, or corporation has any right, title or interest in and to said real estate, and that the said Ad V. Coppedge is the only



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IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of \$250.00 is full and just compensation for any and all damages sustained to 18 acres of growing corn located on the land described and designated as Tract No. 40 (29 FW 973) during the year of 1943, and occasioned by the May, 1943, flood, and the Clerk of this Court is hereby directed to make distribution of said compensation, as follows, to-wit:

E. H. Beauchamp  
Dona Jones

\$166.66  
83.34

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Feb 10 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff, )  
vs ) No. 1112 - Civil  
Certain Parcels of land in Delaware ) Tract No. 10 (19 FW-773)  
County, Oklahoma et al, Defendants. )

ORDER OF DISBURSEMENT

Now this 7th day of February, 1944, same being a judicial day of said court, this matter comes on for hearing on the application of Roy L. Creason, whose true and correct name is Ray L. Creason, and his wife Naomi Creason, for disbursement of funds.

The applicants appear and said application is presented to and considered by the court, and upon due consideration thereof the court finds:

That notice of hearing on this application for disbursement of funds has been given to all persons in interest; that plaintiff herein has condemned and by virtue of its power of eminent domain has taken a flowage easement on certain lands described in the petition herein as Tract No. 10 (19 FW-773) and is now in possession of all rights under said easement; that the damages caused by the condemnation and appropriation of a flowage easement on said lands as determined by plaintiff, as stated and set forth in its Declaration of Taking and as paid into the office of the Clerk of this Court is the sum of \$918.00.

The court finds that applicants are the owner of said lands but that same is subject to one mortgage to the Shartel Mortgage Company of Neosho, Mo. in the sum of \$742.00 and another mortgage to the Shartel Mortgage Company and David Shartel of Neosho, Mo., in the sum of \$14.00, or a total of \$756.00 and that the lien of said mortgage follows and is a first lien on the fund deposited with the Clerk of aforesaid for damages caused by the taking of said tract of land.

IT IS THEREFORE ORDERED that the Clerk of this Court do forthwith pay to the Shartel Mortgage Company and David E. Shartel, both of Neosho, Mo. the sum of \$756.00 from said fund on deposit with said Clerk, as payment in full of the mortgages held by said persons on said tract of land;

IT IS FURTHER ORDERED that the balance of said fund, which balance is \$162.00 shall



IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

The United States of America, Plaintiff,
vs
Certain Parcels of land in Delaware County, Oklahoma, et al., Defendants.
No. 1115 - Civil
Tract No. 17 (19 FW-773-A)

ORDER OF DISBURSEMENT

Now this 7th day of February, 1944 this matter comes on for hearing on the application of Roy L. Creason, whose true and correct name is Ray L. Creason, and his wife Naomi Creason for disbursement of funds.

The applicants appear and said application is presented to and considered by the court and upon consideration thereof the court finds:

That notice of hearing on said application for disbursement has been duly given to all persons in interest; that plaintiff herein has condemned and taken fee simple title to those lands described herein as Tract No. 17 (19 FW-773-A), and is now in the possession thereof, that the damages caused by the appropriation of said lands as determined by plaintiff, stated in its Declaration of Taking and paid into court is \$200.00; that applicants are the owners of said land, that taxes for 1943 and prior years are fully paid, that no other person has any right, title, interest or lien on said lands or claim against said fund, and that applicants are entitled to said moneys without prejudice to the rights to trial by jury as to the sufficiency of the damages.

IT IS THEREFORE ORDERED that the Clerk of this court do pay to Ray L. Creason, Naomi Creason and Frank Nesbitt, their attorney of record, the sum of \$200.00 so deposited with said Clerk for the taking of the above described tract of land.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 9 1944
H. P. Warfield, Clerk
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, Petitioner,
vs
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 58.89 acres, more or less; and Zelda Gray, et al., Defendants.
CIVIL NO. 1124

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 5 (28 FW 569)

NOW, on this 7th day of February, 1944, therecoming on for hearing the application of the defendants, J. R. Underwood, Sr., and J. R. Underwood, Jr., for an order fixing title, decreeing

IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA FOR THE DISTRICT OF OKLAHOMA

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just compensation and making distribution as to Tract No. 5 (28 FW 569), and the Court being fully advised in the premises, finds:

That the defendants, J. R. Underwood, Sr., and J. R. Underwood, Jr., were the owners of the lands described as Tract No. 5 (28 FW 569) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the sum of \$2,182.50 for the taking of the fee simple title in and to said tract of land. That this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the fee simple title in and to said premises, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking of said land.

The Court further finds that the defendants, J. R. Underwood, Sr., and J. R. Underwood, Jr., agreed to grant and sell to the petitioner the fee simple title in and to said tract of land for the sum of \$2,182.50, which was accepted by the petitioner.

The Court further finds that the sum of \$2,182.50 is just compensation for the injuries and damages sustained by said defendants.

The Court further finds that no person, firm, corporation or taxing subdivision of the State, other than said defendants, have any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, J. R. Underwood, Sr., and J. R. Underwood, Jr., were the owners of the lands designated as Tract No. 5 (28 FW 569) when this proceeding was commenced, and that the sum of \$2,182.50 is just compensation for the taking of the fee simple title in and to said tract of land; that said defendants are the only persons having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds herein deposited, as follows:

TO: J. R. Underwood, Sr.,	partial	
owner of Tract No. 5 (28 FW 569)		\$1,545.00
J. R. Underwood, Jr.,	partial	
owner of Tract No. 5 (28 FW 569)		\$637.50

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Feb 7 1944  
H. P. Warfield, Clerk  
U. S. District Court ME

RECORDED JANUARY 1944 HEREIN

TULSA, OKLAHOMA

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IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA,  
Successor Trustee for MARY FRANCES WALTER,  
Plaintiff,

v.

OKLAHOMA HOSPITAL, INC., a corporation, OKLAHOMA  
HOSPITAL CORPORATION, a corporation; OKLAHOMA  
HOSPITAL, a corporation; FRED S. CLINTON and  
JANE F. CLINTON, his wife; EXCHANGE TRUST COMPANY,  
a corporation; HOWARD C. JOHNSON, Bank Commissioner  
of the State of Oklahoma; THE FIRST NATIONAL BANK  
AND TRUST COMPANY OF TULSA, Successor Trustee of  
the Frank H. Reed and Isabelle S. Reed Trust; THE  
FIRST NATIONAL BANK AND TRUST COMPANY, Successor  
Trustee for John Francis Malloy; J. C. DENTON,  
C. H. SWEET and F. M. SOWLE, as Trustees; VIRGINIA  
HAGAN HINTON, Successor Trustee for S. L. Canterbury;  
FEDERAL NATIONAL BANK OF SHAWNEE, OKLAHOMA, a corporation  
Guardian of the Estate of Charline Naomi Crossland,  
a minor; PHILLIPS UNIVERSITY, a corporation; MOLLIE  
DAVIS, nee JONES; HAROLD T. WRIGHT, FRANK G. COUPER,  
TULSA GENERAL HOSPITAL; FLORENCE M. WILSON; and MAUDE  
G. MARKHAM, Executrix of the Estate of John H.  
Markham, deceased, Defendants.

In Equity No. 1195

ORDER CONFIRMING SPECIAL MASTER'S SALE

NOW on this 7th day of February, 1944, this matter came on for hearing in open court upon the motion of the plaintiff herein to confirm the sale of real estate and property made by George Lessley, Special Master herein, on the 1st day of November, 1943, to the Osteopathic Hospital Founders Association, under and by virtue of a Decree of Foreclosure and Sale rendered in this cause on the 17th day of September, 1937, and the subsequent Decree ordering sale of property entered herein on the 28th day of September, 1943, of the following described real estate and property situated in Tulsa County, State of Oklahoma;

All of Block Four (4) in Riverview Addition to the City of Tulsa, Oklahoma, according to the recorded plat thereof and all of out Lot "E" in Norvell Park Addition (formerly Horsley Hill Addition) to the City of Tulsa, Oklahoma, according to the recorded plat thereof;

said decree of sale finds that the same have been performed in all respects in conformity to law; that due and legal notice of said sale was given for more than thirty (30) days prior to the date of said sale, by publication in the Tulsa World, a newspaper published and of general circulation in the City of Vinita, Tulsa County, Oklahoma, and within this district, as shown by the Proof of Publication on file herein; that the said Osteopathic Hospital Founders Association duly qualified as a bidder by depositing the sum of Five Thousand and No/100 (\$5,000.00) Dollars in the hands of Lon R. Stansbery, Receiver herein, for the benefit of the undersigned Special Master, prior to the date of said sale, and that on the date fixed in said Notice of Sale, to-wit: the 1st day of November, 1943, said property was sold by said Special Master to the said Osteopathic Hospital Founders Association for the sum of Thirty-five Thousand and No/100 (\$35,000.00) Dollars, it being the highest and best bidder therefor and said bid being the highest and best bid made for said property; and no exceptions having been filed nor objections made, the Court is of the opinion that said sale should be in all respects approved and confirmed;

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

MONDAY, FEBRUARY 7, 1944

IT IS HEREFORE ORDERED, ADJUDGED AND DECREED that said sale and said proceedings be, and the same hereby are, approved and confirmed in all things and in all respects, and it is further ORDERED that George Lessley, Special Master herein, make and execute to said purchaser at said sale, Osteopathic Hospital Founders Association, a good and sufficient deed for said lands and tenements so sold;

IT IS FURTHER ORDERED that full and entire possession of said property so sold be delivered over to said purchaser.

DONE in open Court on this the day and year first above set forth.

ROYCE H. SAVAGE  
District Judge

ENDORSED: Filed In Open Court  
Feb 7 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA,  
Successor Trustee for MARY FRANCES WALTER,  
Plaintiff,

vs.

OKLAHOMA HOSPITAL, INC., a corporation; OKLAHOMA HOSPITAL CORPORATION, a corporation; OKLAHOMA HOSPITAL, a corporation; FRED S. CLINTON, and JANE H. CLINTON, his wife; EXCHANGE TRUST COMPANY, a corporation; HOWARD C. JOHNSON, Bank Commissioner of the State of Oklahoma; THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA, Successor Trustee of the Frank H. Reed and Isabelle S. Reed Trust; THE FIRST NATIONAL BANK AND TRUST COMPANY, Successor Trustee for John Francis Malloy; J. C. DENTON, C. H. SWEET and F. H. SOWLE, as Trustees; VIRGINIA HAGAN HINTON, Successor Trustee for S. L. Canterbury; FEDERAL NATIONAL BANK OF SHAWNEE, OKLAHOMA, a corporation, Guardian of the Estate of Charline Naomi Crossland, a minor; PHILLIPS UNIVERSITY, a corporation; MCILIE DAVIS, nee JONES; HAROLD T. WRIGHT; FRANK G. COOPER, TULSA GENERAL HOSPITAL; FLORENCE M. WILSON; and MAUDE C. MARKHAM, Executrix of the Estate of John H. Markham, Deceased,  
Defendants.

In Equity No. 1195

DISCHARGE OF SPECIAL MASTER

NOW on this 7th day of February, 1944, it appearing that George Lessley, Special Master herein, has done and performed all the matters and things required of him by law and the orders of this Court, and that nothing further remains to be done by him as such Special Master,

IT IS ORDERED that said George Lessley be, and he hereby is, discharged and released as Special Master herein and further released and relieved of and from all other or further duties or obligations in any wise connected therewith.

ENDORSED: Filed Feb 7 1944  
H. P. Warfield, Clerk  
U. S. District Court AC

ROYCE H. SAVAGE, District Judge

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA,  
Successor Trustee for MARY FRANCES WALTER,  
Plaintiff,

-vs-

OKLAHOMA HOSPITAL, INC. a corporation; OKLAHOMA HOSPITAL CORPORATION, a corporation; OKLAHOMA HOSPITAL, a corporation; FRED S. CLINTON and JANE P. CLINTON, his wife; EXCHANGE TRUST COMPANY, a corporation; HOWARD C. JOHNSON, Bank Commissioner of the State of Oklahoma; THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA, Successor Trustee of the Frank H. Reed and Isabelle S. Reed Trust; THE FIRST NATIONAL BANK AND TRUST COMPANY, Successor Trustee for John Francis Malloy; J. C. DENTON, C. H. SWEET and F. M. SOWLE, As Trustees; VIRGINIA HAGAN HINTON, Successor Trustee for S. I. Canterbury; FEDERAL NATIONAL BANK OF SHAWNEE, OKLAHOMA, a corporation Guardian of the Estate of Charline Naomi Crossland, a minor; PHILLIPS UNIVERSITY, a corporation; MOLLIE DAVIS, nee JONES; HAROLD T. WRIGHT; FRANK G. COOPER, TULSA GENERAL HOSPITAL, FLORENCE M. WILSON; and MAUDE C. MARKHAM, Executrix of the Estate of John H. Markham, Deceased,  
Defendants.

In Equity No. 1195

ORDER APPROVING RECEIVER'S REPORTS AND DIRECTING DISTRIBUTION

NOW on this 7th day of February, 1944, this matter came on for hearing upon the Final Report of Lon R. Stansbery, Receiver herein, for the fixing of fees and allowances and for distribution of the funds remaining in the hands of said Receiver, and the parties to this action being present by their respective counsel and the Court having examined the Receiver under oath and having duly and fully considered said matter, finds and decrees:

That the final and all preceding reports made and filed by Lon R. Stansbery, as Receiver herein, be, and the same hereby are, approved and that the said Lon R. Stansbery is entitled to an additional allowance of \$2750.00 for the balance of his services herein as such Receiver;

That the firm of Lashley & Rambo have represented the Receiver herein since his appointment and have performed various and diverse services for the benefit of the parties to this action and that they are entitled to and are hereby granted an allowance of \$1750.00 for said services;

That George Lessley has completed his services as Special Master herein and that he is entitled to and is hereby allowed the additional sum of \$100.00 as payment for his services as such Special Master;

That after the payment of the above allowances, there remains in the hands of said receiver the sum of \$33,004.62, which sum said Receiver is authorized and directed to distribute to the following judgment creditors in the respective amounts set out opposite the name of each:

The First National Bank and Trust Company,  
of Tulsa, Successor Trustee for Mary Frances Walter,  
a 95/100ths portion \$4479.20

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OKLAHOMA  
TULSA, OKLAHOMA

REGULAR JANUARY 1944 TERM

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The First National Bank and Trust Company, of Tulsa, Successor Trustee for Frank H. Reed and Isabelle S. Reed Trust, a 25/700ths portion	\$1178.74
The First National Bank and Trust Company, of Tulsa, Successor Trustee for John Francis Malloy, a 50/700ths portion	\$2357.47
Virginia Hagen Hinton, Successor Trustee for S. L. Canterbury, a 25/700ths portion	\$1178.74
Allie N. Crossland, a 220/700ths portion	\$10844.37
Phillips University, a 75/700ths portion	\$3536.21
Maude C. Markham, Executrix of the Estate of John H. Markham, deceased, a 25/700ths portion	\$1178.74
Gordon Denton, Executor of the Estate of Mollie Jones, Deceased, a 175/700ths portion	<u>\$8251.15</u>
Total	\$33,004.62

It is further ordered that said Lon R. Stansbery, Receiver, after making all of the above disbursements, shall make his Return of Receipt therefor to this Court and, upon proper showing made, he shall thereupon be entitled to his discharge as such Receiver.

DONE in Open Court on this the day and year first above set forth.

ROYCE H. SAVAGE  
District Judge

ENDORSED: Filed Feb 7 1944  
H. P. Warfield, Clerk  
U. S. District Court AC

-----  
Court adjourned to March 9, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, FEBRUARY 9, 1944

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On this 9th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Manzy, United States Attorney  
John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,	)
		)
vs.		) No. 534 Civil
		)
H. W. Guntheroth, Mrs. Callie		)
Guntheroth,	Defendants,	)

ORDER OF DISMISSAL

Now on this 9th day of February, 1944, this matter comes regularly on before the Court upon the application of plaintiff for dismissal of this cause at the cost of the plaintiff, and the Court being fully advised in the premises, finds that this order should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that this cause be, and the same is hereby dismissed at the cost of the plaintiff.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Feb 9 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		) CIVIL NO. 1055
		)
CERTAIN PARCELS OF LAND IN THE TOWNSITE		)
OF CLEORA, DELAWARE COUNTY, OKLAHOMA,		)
CERTAIN PERSONAL PROPERTY LOCATED THEREON		)
AND USED IN CONNECTION THEREWITH; and R. F.		)
Olrich, et al.,	Defendants,	)

JUDGMENT ON STIPULATION, ORDER FIXING TITLE AND MAKING DISTRIBUTION  
AS TO TRACT NO. 9 (6 FW 637)

NOW, on this 9th day of February, 1944, it appearing to the Court that the defendants Paul Devin and Gladys Devin, were the owners of the entire fee simple title in and to the lands designated and described as Tract No. 9 (6 FW 637) on July 31, 1943, upon which date, the petitioner, United States of America, filed a Declaration of Taking and deposited the sum of \$640.00 as the estimated just compensation for the taking of the entire fee simple title to said tract, together with all improvements thereon; that the commissioners appointed by the Judge of this Court assessed and awarded damages for the taking of said tract, together with the improvements thereon in the sum of \$750.00; that, thereafter, on December 15, 1943, the petitioner, United States of America, and the defendants, Paul Devin and Gladys Devin, entered into a stipulation to exclude from the taking the building and improvements on said tract and for the reversioning of title to said improvements in said defendant Paul Devin; and further stipulated and agreed that the just compensation as fixed by the report of commissioners in the sum of \$750.00 should be diminished in the sum of \$200.00, fixing the just compensation to be paid for said tract in the sum of \$550.00, and that the defendant, Paul Devin, should remove said buildings and improvements from said tract within ninety (90) days from the date of said stipulation.

IN AND DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TRUISA, OKLAHOMA

WEDNESDAY, FEBRUARY 9, 1944

The Court further finds that the judgment on the Declaration of Taking entered hereon on July 31, 1943, should be modified to conform to the stipulation herein referred to and filed in this cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the stipulation between the petitioner, United States of America, and the Defendants, Paul Devin and Gladys Devin, dated December 15, 1943, and filed in this cause, be, and it is hereby approved, and the judgment on the Declaration of Taking entered in this cause on July 31, 1943, is modified to conform to said stipulation in all respects.

IT IS FURTHER ORDERED that the defendants, Paul Devin and Gladys Devin, were the owners of the fee simple title in and to the tract designated as Tract No. 9 (6 FW 637) on the date of the taking by the petitioner, and that they are the only persons entitled to participate in the compensation paid for said taking.

IT IS FURTHER ORDERED AND DECREED that the sum of \$550.00 is full and just compensation for the entire fee simple title to said tract, with the right of the defendants to remove the buildings and improvements located thereon.

IT IS FURTHER ORDERED that the Clerk of this Court pay to Paul Devin and Gladys Devin, the owners of Tract No. 9 (6 FW 637), the sum of \$550.00.

ROYCE H. SAVAGE  
J U D G E

ENDORSED: Filed Feb 9, 1944  
H. P. Warfield, Clerk  
U. S. District Court

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America, Plaintiff, )  
 )  
-vs- ) No. 1121 CIVIL  
 )  
Mrs. Ethel (Maze) Nave, Defendant. )

JOURNAL ENTRY OF JUDGMENT

Now on this 9th day of February, 1944, this cause came on to be heard in open court before the Honorable Royce H. Savage, Judge presiding, plaintiff appearing by Whit Y. Mauzy, United States Attorney and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, and it being shown to the Court that the above named defendant has been regularly served with summons and a copy of the Complaint in this cause more than twenty (20) days prior to this date, and it appearing that she has failed to answer or otherwise plead herein, and it further appearing that said defendant is not now in the military service of the United States, she is, therefore, by the Court declared to be in default and the Court finds plaintiff entitled to judgment as demanded in its Complaint in this action.

IT IS, THEREFORE, THE ORDER AND JUDGMENT of the Court that the plaintiff have and recover judgment against the defendant, Mrs. Ethel (Maze) Nave for return of one washing machine and personal property of Harris E. Russell, an unallotted restricted Osage Indian under the supervision and guardianship of plaintiff, or in lieu thereof the value of said property in the sum of One Hundred Twenty-five Dollars (\$125.00) and for the costs of this action.  
Let execution issue.

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Feb 9 1944  
H. P. Warfield, Clerk, U. S. District Court



IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

RECEIVED JANUARY 1944 1510M

OKLAHOMA, OKLAHOMA

WEDNESDAY, FEBRUARY 9, 1944

The Court further finds that the sum of \$502.00 and \$472.00 respectively, are just compensation for the injuries and damages sustained by said defendants.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendants, have any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court, that the defendants, A. G. Nicks and Lola E. Nicks, were the owners of the lands designated as Tract No. 14 (25 FW 883) and Tract No. 33 (25 FW 921), when this proceeding was commenced, and that the sum of \$502.00 and \$472.00 respectively, are just compensation for the damages sustained by the said defendants, and that said defendants are the only persons having any right, title or interest in and to said just compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said Tracts as follows, to-wit:

TO: A. G. Nicks and Lola E. Nicks	
Owners	
TRACT NO. 14 (25 FW 883)	\$ 502.00
TRACT NO. 33 (25 FW 921)	472.00

ROYCE H. SAVAGE  
JUDGE

ENDORSED: Filed Feb 9 1944  
H. P. Warfield, Clerk  
U. S. District Court LN

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	Petitioner,	)
		)
-vs-		)
		) CIVIL NO. 1149
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,		)
OKLAHOMA, containing approximately 80.50		)
acres, more or less; and Herbert D. Gamble.		)
et all,	Defendants.	)

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 9th day of February, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of

SENATE JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 9, 1944

the Interior, the authority empowered by law to acquire the lands described in said petition, and also, under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money estimated by said acquiring authority to be just compensation for said lands in the amount of \$1,889.85, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, on this 9th day of February, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows, to-wit:

## TRACT NO. 1 (42 - FW-1215)

## Flowage Easement

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 6, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.6 acres.

## TRACT NO. 2 (42 - FW-1216)

## Flowage Easement

All that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  and of Sec. 6, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.3 acres.

## TRACT NO. 3 (42 - FW-1217)

## Flowage Easement

All that part of Lot 5, and all that part of Lot 6, and all that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 1, T 26 N, R 23 E, and all that part of Lot 4 in Sec. 6, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 18.4 acres.

TRACT NO. 4 (42- FW-1219)  
Flowage Easement

All that part of Lot 1 in Sec. 1, T 26 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 3.9 acres.

TRACT NO. 5 (42 - FW-1274)  
Flowage Easement

All that part of Lot 8, and all that part of Lot 9 in Sec. 8, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

TRACT NO. 6 (42 - FW-1275)  
Flowage Easement

All that part of the east 17.05 acres of Lot 6, and all that part of Lot 7 in Sec. 8, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.1 acres.

TRACT NO. 7 (42 - FW-1276)  
Flowage Easement

All that part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , and all that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of Lot 3, in Sec. 7, and all that part of Lot 16 in Sec. 8, and all that part of the west 20.0 acres of Lot 6 in Sec. 8, all in T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 3.0 acres.

TRACT NO. 8 (42 - FW-1277)  
Flowage Easement

All that part of Lot 5 in Sec. 8, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre.

TRACT NO. 9 (42- FW-1278)  
Flowage Easement

All that part of Lot 15, and all that part of the south 21.70 acres of Lot 13 in Sec. 6, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 10 (42 - FW-1279)  
Flowage Easement

All that part of the north 7.70 acres of Lot 13 in Sec. 6,

T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

TRACT NO. 11 (42 - FW-1280)  
Flowage Easement

All that part of Lot 10, and all that part of the west 20.0 acres of Lot 13, and all that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 1, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TRACT NO. 12 (42 - FW-1280 A)  
Flowage Easement

All that part of the east 11.15 acres of Lot 13 in Sec. 1, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing less than 0.1 acre.

TRACT NO. 13 (42 - FW-1283)  
Flowage Easement

All that part of the E $\frac{1}{2}$  of Lot 11 in Sec. 1, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.2 acres.

TRACT NO. 14 (42 - FW-1283-A)  
Flowage Easement

All that part of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 1, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 15 (42 - FW-1284)  
Flowage Easement

All that part of the W $\frac{1}{2}$  of Lot 11, and all that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 1, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TRACT NO. 16 (42 - FW-1285)  
Flowage Easement

All that part of the W $\frac{1}{2}$  of Lot 13 in Sec. 1, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 3.9 acres.

## TRACT NO. 17 (42 - FW-1168)

## Flowage Easement

All that part of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 20, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.6 acres.

## TRACT NO. 18 (43 - FW-1169)

## Flowage Easement

All that part of the W $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 20, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.4 acre.

## TRACT NO. 19 (43 - FW-1170)

## Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 20, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.5 acres.

## TRACT NO. 20 (43 - FW-1171)

## Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 21, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 12.8 acres.

## TRACT NO. 21 (43 - FW-1172)

## Flowage Easement

All that part of the W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 21, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

## TRACT NO. 22 (43 - FW-1173)

## Flowage Easement

All that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 21, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

## TRACT NO. 23 (43 - FW-1174)

## Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 21, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 24 (43 - FW-1175)  
Flowage Easement

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 20, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 25 (43 - FW-1176)  
Flowage Easement

All that part of the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and all that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 20, and all that part of Lot 4 in Sec. 17, all in T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.3 acres.

TRACT NO. 26 (43 - FW-1177)  
Flowage Easement

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 20, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.3 acres.

TRACT NO. 27 (43 - FW-1178)  
Flowage Easement

All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 20, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 28 (43 - FW-1186)  
Flowage Easement

All that part of Lot 5 in Sec. 17, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 29 (43 - FW-1187-Rev.)  
Flowage Easement

All that part of Lot 5 in Sec. 17, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.9 acre, including the bed and banks of Grand River adjacent to said Lot 5, lying below Elev. 758 Sea Level Datum.

TRACT NO. 30 (43 - FW-1188)  
Flowage Easement

All that part of Lot 3 in Sec. 17, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma,

lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 31 (43 - FW-1189)

Flowage Easement

All that part of Lot 2 in Sec. 17, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 32 (43 - FW-1190-Rev.)

Flowage Easement

All that part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 16, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing 0.1 acre.

TRACT NO. 33 (43 - FW-1191)

Flowage Easement

All that part of Lot 4 in Sec. 16, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 34 (43 - FW-1192)

Flowage Easement

All that part of Lot 2, and all that part of Lot 3 in Sec. 16, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 35 (43 - FW-1193)

Flowage Easement

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 16, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.7 acres.

TRACT NO. 36 (43 - FW-1194)

Flowage Easement

All that part of the W $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 16, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 37 (43 - FW-1195)

Flowage Easement

All that part of the W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 16, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.1 acre.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE DISTRICT  
OF THE DISTRICT OF OKLAHOMA

RECEIVED JANUARY 1944 TIME

OKLAHOMA

WEDNESDAY, FEBRUARY 9, 1944

TRACT NO. 38 (43 - FW-1268)  
Flowage Easement

All that part of the  $W\frac{1}{2} SW\frac{1}{2} NW\frac{1}{4}$ , and all that part of the  $NE\frac{1}{4} SW\frac{1}{2} NW\frac{1}{4}$ , and all that part of the  $NW\frac{1}{4} SE\frac{1}{2} NW\frac{1}{4}$  of Sec. 16, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.7 acres.

TRACT NO. 39 (43 - FW-1269)  
Flowage Easement

All that part of the  $SE\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$  of Sec. 16, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 40 (43 - FW-1270)  
Flowage Easement

All that part of the  $N\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$ , and all that part of the  $SW\frac{1}{2} NE\frac{1}{4} NW\frac{1}{4}$ , of Sec. 16, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.1 acres.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and it is hereby vested with a perpetual easement upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 16th day of February, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE  
JUDGE OF THE UNITED STATES DISTRICT COURT,  
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Feb 9 1944  
H. P. Warfield, Clerk  
U. S. District Court H

Court adjourned to February 10, 1944

RECEIVED JANUARY 16 1944

TULSA, OKLAHOMA

THURSDAY, FEBRUARY 10, 1944

MISCELLANEOUS

On this 10th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, not pursuant to adjournment, Hon. Royce H. Savage, Judge, present and sitting.

H. P. Warfield, Clerk, U. S. District Court  
 Whit Y. Hauxy, United States Attorney  
 John P. Logan, United States Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS

ASSIGNMENT OF A DISTRICT JUDGE TO HOLD A DISTRICT COURT OF THE UNITED STATES IN THE DISTRICT OF KANSAS

In my judgment the public interest requires the designation, appointment, and assignment of a District Judge to hold a District Court of the United States in the District of Kansas.

I do, therefore, by these presents designate, appoint, and assign the Honorable Royce H. Savage, a United States District Judge for the Northern District of Oklahoma, to hold a District Court in the District of Kansas, and to act as a District Judge in such District of Kansas, and to discharge all the judicial duties of a Judge of such District from the 7th day of February, A. D. 1944, until the 31st day of December, A. D. 1944.

Witness my hand this 7th day of February, A. D. 1944.

ORIE L. PHILLIPS  
 Senior Circuit Judge  
 Tenth Judicial Circuit

ENDORSED: Filed Feb 10 1944  
 H. P. Warfield, Clerk  
 U. S. District Court

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 10th day of February, A. D. 1944, it being made satisfactorily to appear that David H. Sanders is duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorney is declared admitted to the Bar of this Court.