

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

PETER C. WALTER, et al,)
)
 Plaintiffs,)
)
 vs.)
)
 ST. LOUIS-SAN FRANCISCO RAILWAY)
 COMPANY, a corporation,)
)
 Defendant.)

No. 5082

FILED

OCT 19 1961

WILEY C. HOOD
U.S. District Court

J U D G M E N T

Now, on this 18th day of October, 1961, being a regular judicial day of this Court, this cause, having been tried to the Court on July 26, 1961, and continued to this date, came on for decision, the parties and counsel appearing at the time of trial and on this date as follows: The plaintiffs appearing by their attorney, John A. Ladner, Jr., of the firm of Ladner, Livingston & Ladner, and the defendant appearing by its attorney, Grey Satterfield, of the firm of Franklin & Harmon. And the Court having considered the Stipulation of Facts and the evidence and Briefs submitted by the parties, and being fully advised in the premises, and the Court having filed its Findings of Fact and Conclusions of Law and order for judgment,

IT IS HEREBY ORDERED AND ADJUDGED that the plaintiffs are the owners in fee simple of the following described real property:

A tract of land that contains 2.87 acres in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, T-19N, R-12-E, Tulsa County, Oklahoma, said tract being described as follows, to-wit: BEGINNING at the Northeast corner of Lot 1, Block 9, of Suburban Addition, Tulsa County, Oklahoma; thence East for 289.22' to a point that is 25' South of the North line of said Section 33 and 100' Northwesterly of, as measured along a line perpendicular to, the center line of the St. Louis and San Francisco Railway Right-of-Way; thence Southwesterly for 824.79', along a line that is parallel to said railway right-of-way center line, to a point on the West line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, said point being 100' Northwesterly of, as measured along a line perpendicular to, the center line of said right-of-way of the St. Louis and San Francisco Railway; thence North for 278.04' along the West line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the Southwest corner of Lot 2 of Block 9 of Suburban Addition; thence Northeasterly along the Southeasterly boundary lines of Lots 1 and 2 of Block 9 of Suburban Addition, for 423.70' to the Point of Beginning,

and that title thereto is hereby quieted in the plaintiffs, and that the

defendant, its successors and assigns, are enjoined and forever barred from asserting any right, title or interest therein, and that the plaintiffs do have and recover immediate possession of the above described real property; and further, that the plaintiffs have and recover from the defendant their costs herein.

IT IS FURTHER ORDERED AND ADJUDGED that in the event appeal is taken from this judgment, the defendant shall file bond for costs, and shall file a supersedeas bond, with sufficient surety, in the amount of \$1,000, pursuant to the Federal Rules of Civil Procedure, No. 73.

15/ Royce H. Savage
DISTRICT JUDGE

0012
AM
NOBLE C. HOOVER
Clerk, U. S. District Court

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

BROWN-ALLEN CHEMICALS, INC.,
a corporation,

Plaintiff

vs.

ROGER S. WHEELER and
JOHN F. Y. STAMBAUGH,

Defendants.

Civil Action File
No. 4549

J U D G E M E N T

This cause came on regularly for trial on the 18th day of January, 1960, before the Honorable W. H. Wallace, now deceased, upon special assignment by the undersigned Chief Judge of this Court, with Mr. C. H. Rosenstein and Mr. Louis Levy, of Rosenstein, Mesirov & Pist, Attorneys at Law, Tulsa, Oklahoma, appearing as attorneys for plaintiff, and Mr. Richard H. Wills, Sr. and Mr. Richard H. Wills, Jr. of Wills & Wills, Attorneys at Law, Tulsa, Oklahoma, appearing as attorneys for each of the defendants.

The cause was tried before the Court sitting without a jury on oral testimony, depositions and documentary evidence. At the conclusion of the trial, the cause was submitted to the Court for consideration and decision.

At the request of the Court, briefs were submitted by the respective parties, accompanied by suggested Findings of Fact and Conclusions of Law. Thereafter, prior to making any findings or decision in said cause, and on June 24, 1960, the Honorable W. H. Wallace died.

On August 31, 1960, pursuant to a Stipulation for Adjournment signed by the attorneys of record for all parties, the undersigned, Chief Judge of this Court, referred this cause to a

2.

Special Master, Mr. David A. Kline, Jr., with directions and instructions as appears more fully in said Order on file herein.

On October 17, 1961 the Special Master's Report was filed setting forth the Special Master's Findings of Fact and Conclusions of Law relative to each and all of the issues, both of fact and law. On the 11th day of January, 1961, the Court heard the argument of counsel for the respective parties on plaintiff's Motion to Confirm the Special Master's Report and the objections of defendants to the Special Master's Report and at that time the court indicated to counsel for the respective parties that the Report of the Special Master should be confirmed in all respects except that portion of Conclusion of Law No. 12 which would have required the defendant, Wheeler, pursuant to the terms of the Merger Agreement, to transfer to Standard Magnesium Corporation, all lands, buildings and machinery leased by Standard Magnesium Corporation from Wheeler in exchange for all indebtedness due from Wheeler to Standard Magnesium Corporation, which indebtedness shall not exceed \$110,000.00.

The court at the request of counsel for the respective parties took the entry of judgment under advisement pending further review of the Conclusions of law and facts involved herein.

NOW on this 27th day of October, 1961 this cause comes on for further hearing and the entry of judgment. All parties appear by their respective attorneys of record.

The court having further considered the matter remains of the opinion that the Special Master's Report should be confirmed in all respects except as to that portion of Conclusion of Law No. 12 which had the effect of requiring the defendant, Wheeler, to transfer certain lands, buildings and machinery to Standard Magnesium Corporation for the consideration recited in the Agreement of Merger.

It is, THEREFORE BY THE COURT ORDERED that plaintiffs Motion to Confirm the Special Master's Report be sustained

3.

except as to that portion of Conclusion No. 12 which had the effect of requiring the defendant, Wheeler, to transfer to Standard Magnesium Corporation certain lands, buildings and machinery leased by Standard Magnesium Corporation from Wheeler; that to this extent the objections of defendants to the Special Master's Report are sustained; that said objections otherwise are overruled and denied, and, except as modified hereby, the plaintiffs Motion to Confirm the Special Master's Report be and the same hereby is sustained. The court does hereby adopt such Special Master's Report, as above modified, as the Findings of Fact and Conclusions of Law of the court herein and the court finds that judgment should be entered herein in accordance with the said Special Master's Report as hereby modified.

It is FURTHER ORDERED AND DECREED that specific performance of the Merger Agreement dated February 14, 1958, identified herein as Plaintiff's Exhibit 1, is hereby granted, effective as of March 18, 1958, the effective date thereof as found and determined by the report of the Special Master and as fixed by the Merger Agreement, except as to that portion of said Merger Agreement, being a part of paragraph 6 (c) of the Merger Agreement, which required the defendant, Wheeler, to transfer to Standard Magnesium Corporation certain lands, buildings and machinery. Pursuant to said Merger Agreement it is ordered and decreed that the defendants shall forthwith deliver to plaintiff the certificates representing all of the issued and outstanding shares of the capital stock of Standard Magnesium Corporation, which certificates shall be in transferable form with the requisite Federal and State transfer stamps attached thereto or accompanied by funds sufficient for the purchase of such stamps. The defendants shall forthwith comply with any and all other requirements imposed upon them by the terms of said Merger Agreement, dated February 14, 1958, except the provision thereof requiring the conveyance of certain lands, buildings and machinery, from the

4.

defendant, Wheeler, to Standard Magnesium Corporation, effective in all respects as of March 18, 1958, the effective date of the Merger as provided by said Merger Agreement and as determined by the Findings of Fact and Conclusions of Law of the Special Master.

The court finds that the defendant, Roger M. Wheeler, has made to the plaintiff the accounting which he was required to make pursuant to Conclusion of Law No. 12 of the Special Master's Report; that this accounting shows that the business of Standard Magnesium Corporation has been conducted in the normal and customary manner; that there have been no abnormal transactions or unusual withdrawals or disposition of assets; and it is ordered and decreed that no further accounting shall be required herein of said defendant, Roger M. Wheeler.

It is FURTHER ORDERED AND DECREED that the parties to the aforesaid Merger Agreement of February 14, 1958, carry out all of the terms and provisions thereof as in said Agreement provided, except as specifically modified hereby, and the Court DECREEs that the merger provided by the terms and provisions of said Merger Agreement shall relate back to and shall be effective in all respects as of the effective date thereof hereinabove set forth.

It is further ordered that all costs of this action be and the same hereby are adjudged against the defendant, Roger M. Wheeler.

ENTERED this 27th day of October, 1961.

51 Royce W. Savage
United States District Judge

APPROVED:

[Signature]
For Rosenstein, Mesirov & Pist,
Attorneys for plaintiff

[Signature]
[Signature]
Attorneys for Defendants.

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Def. Jdgm't
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UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
127.72 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Walter Holmes, et al,
and Unknown Owners,
Defendants.

Civil No. 5093

Tract(s) No(s). I-967

PAV
WALTER C. HOOVER
U.S. District Court

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulation(s) entered into by the plaintiff and the defendant(s) therein named, which stipulation(s) (is)(are) tendered herewith for filing herein.

The Court finds that plaintiff and **Clayton Greenwood, Town of Mannford, and T. E. Mann, by Curtis P. Harris, his attorney**, defendant(s) herein, have, by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in Tract(x) No(x) **I-967**, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ **21,950.00**, inclusive of interest. The sum of \$ **18,475.00** was deposited into the registry of this Court as estimated just compensation for said tract(x) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(x).

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(A) The vesting in plaintiff of title to the estate(x) set forth in the Complaint and Declaration of Taking in and to the land(x) hereinabove referred to, as said tract(x) (is)(are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(x) No(x) **I-967**, is the sum of \$ **20,930.00**, inclusive of interest, and the reservation by the above-named defendant(s) of the right to remove on or before **December 31, 1961**, (the) ~~land~~ improvement(s) located thereon, having a (total) salvage value of \$ **1,020.00**; and

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$ **2,455.00**, without interest.

Jurisdiction of this cause is retained for the entry of further and appropriate orders and decrees.

Entered this 27 day of October 1961.

APPROVED:
JOHN M. INEL, U. S. Attorney

W. Royce H. Savage
JUDGE, United States District Court

By: W. C. Chatterton
W. C. CHATTERTON Attorney

FILED

OCT 19 1961

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

NOBLE C. HOOD
Clerk, U. S. District Court

WILLIAM K. MYERS,
Plaintiff,
vs.
FORD MOTOR COMPANY,
Defendant.

NO. 5142

FINAL JUDGMENT UPON LESS THAN ALL
OF CLAIMS UNDER RULE 54(b)

AN ORDER having been entered herein on the 19th
day of September, 1961, directing that judgment be
entered for the defendant, Ford Motor Company, dismissing
the complaint filed against it by the plaintiff, William K.
Myers, on the merits, and reserving the issue of the
plaintiff's liability to the defendant on the defendant's
counterclaim, it is hereby

ORDERED, that plaintiff recover nothing against
the defendant on the complaint and that the complaint filed
herein by the plaintiff be and is hereby dismissed this
27 day of October, 1961.

15 R. N. S.
Court Clerk

FILED

OCT 30 1957

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

NOBLE C. HOOD
Clerk, U. S. District Court

WILLIAM K. MYERS,

Plaintiff,

vs.

FORD MOTOR COMPANY,

Defendant.

NO. 5142

ORDER AND FINAL JUDGMENT UPON
LESS THAN ALL OF CLAIMS

The separate issue of defendant's liability to plaintiff, presented by the complaint and defendant's answer and affirmative defense, having been submitted to the court upon the stipulation of facts filed herein and the Court on the 19th day of September having made its finding, conclusion and decision that plaintiff had breached the provisions of the Ford Sales Agreement and that defendant had the right to terminate the said Agreement in the manner in which it did without liability to plaintiff,

And the Court at the same time having reserved the issue of whether defendant, in addition to its right to terminate the Agreement for plaintiff's breach thereof, might also have damages from plaintiff therefor as demanded in defendant's counterclaim,

And it being expressly determined under Rule 54(b) of the Federal Rules of Civil Procedure that there is no just reason for delay and that it should be expressly directed that judgment be entered upon the issue decided by the Court, it is

ORDERED, ADJUDGED AND DECREED:

1. That defendant had the right to terminate the Ford Sales Agreement between the parties dated April 1, 1957, in the manner in which it did so, because of plaintiff's breach thereof, and that defendant is not liable to plaintiff therefor, and that

plaintiff's complaint be and the same is hereby dismissed on the merits.

2. That the issue of whether defendant, in addition to its right to terminate the Agreement, may also have damages on account of plaintiff's breach thereof, as demanded in its counterclaim, is reserved.

3. That there is no just reason for delay in entering final judgment in favor of defendant upon the issue of defendant's liability to plaintiff, and the Clerk is hereby expressly directed to make entry of this final judgment in favor of defendant and against plaintiff upon such issue.

DATED Oct. 27, 1961.

(S) R. H. George
United States District Judge

OK.
(S) Dan A. Rogers

OK.
(S) Horace B. Hallinan

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
) Plaintiff,)
)
 vs.)
)
 458.26 Acres of Land, More or Less,)
 Situate in Rogers and Nowata)
 Counties, Oklahoma, and Thomas D.)
 Bard, Jr., et al, and Unknown)
 Owners,)
)
) Defendants.)

Civil Action No. 4754

Tracts Nos. C-334E-1 and
C-334E-2

FILED

NOV 2 1961

NOBLE C. HOOD
Clerk, U. S. District Court

J U D G M E N T

1.

On July 11, 1961, this cause, as to the captioned tracts, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney, for the Northern District of Oklahoma. The defendants, Elizabeth P. Bard and Thomas D. Bard, Jr., appeared in person. The defendant, State of Oklahoma, ex rel Commissioners of the Land Office, did not appear. After hearing the evidence and being fully advised in the premises, the Court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such tracts and estates are described in the Declaration of Taking filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on August 10, 1959, the

United States of America filed its Declaration of Taking of certain estates in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subject tracts, a certain sum of money, none of which has been disbursed as shown in Paragraph 10.

6.

Just compensation for the estates condemned herein in subject tracts is \$350.00.

7.

A deficiency exists between the amount deposited as estimated compensation and the amount fixed herein as the award of just compensation for subject tracts, and a sum of money sufficient to cover such deficiency should be deposited by the Government. Such deficiency is set out in Paragraph 10 below.

8.

The defendants named in Paragraph 10 as owners of subject tracts are the only defendants asserting any interest in the estates condemned in the subject tracts, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estates, as of the date of taking, and as such, are entitled to receive the award of just compensation.

9.

It Is Therefore ORDERED, ADJUDGED, AND DECREED, that the United States of America has the right, power and authority to condemn for public use, the tracts enumerated in Paragraph 2, as such tracts are described in the Declaration of Taking filed herein, and such tracts, to the extent of the estates described and for the uses and purposes indicated in such Declaration of Taking, are condemned and title thereto is vested in the United States of America, as of August 10, 1959, and all defendants herein and all other persons interested in the described estates in such tracts are forever barred from asserting any claim thereto.

It Is Further ORDERED, ADJUDGED AND DECREED, that on the date of taking, the owners of the estates condemned herein in the subject tracts were the defendants whose names appear in the schedule below; the right to just compensation for the estates taken in these tracts is vested in the parties so named, as their respective interests appear therein; and the sum hereby adopted as the award of just compensation for the estates herein taken in subject tracts is the sum following the designation "Award of Just Compensation" in the schedule as follows, to-wit:

TRACTS NOS. C-334E-1 and C-334E-2

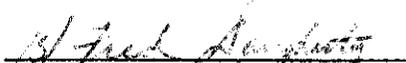
Owners: Elizabeth P. Bard and Thomas D. Bard, Jr. are the owners.

State of Oklahoma Ex Rel Commissioners of the Land Office hold a mortgage.

<u>Award of Just Compensation</u>	\$350.00	\$350.00
<u>Deposited as estimated compensation</u>	250.00	
<u>Deposit deficiency</u>	<u>\$100.00</u>	
<u>Disbursed to owners</u>		<u>none</u>
<u>Balance due to owners</u>		<u>\$350.00</u>

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America, shall pay into the Registry of this Court for the benefit of the named owners the deposit deficiency in the amount of \$100.00, together with interest thereon at the rate of 6% per annum from August 10, 1959, until the date of deposit of such deficiency, and such sum shall be placed in the deposit for the subject tracts in this Civil Action. When such deposit has been made, the Clerk of this Court shall disburse all of the deposit for the subject tracts, jointly,

To Elizabeth P. Bard, Thomas D. Bard, Jr. and The State of Oklahoma, Ex Rel Commissioners of the Land Office.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
413.36 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Emma E. Mortlock, et al,
Defendants.

Civil Action No. 4990
Tract No. T-2001

FILED

NOV 2 1961

NOBLE C. HOOD
Clerk, U. S. District Court

J U D G M E N T

1.

Now, on this 2nd day of November 1961, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. T-2001, as such estate and tract are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in Paragraph 2 herein. Pursuant thereto, on August 11, 1960, the United States of America has filed its declaration of taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the declaration of taking.

6.

On filing of the declaration of taking, there was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and part of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in Paragraph 12 below, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of the subject tract and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in Paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in Paragraph 12 below.

10.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the complaint and declaration of taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such declaration of taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such declaration of taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the defendants whose names appear below in Paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in Paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. T-2001

Owners:

Royalty interest:

Paul W. Grant
Virginia L. Grant Neal
The Estate of Garland Dean Grant, deceased
(Administratrix of this estate is Delores C. Grant)

Working interest:

Charles S. Anderson

Award of just compensation pursuant
to approved stipulation \$4,225.00 \$4,225.00

Deposit of estimated compensation 2,275.00

Deposit Deficiency \$1,950.00

Disbursed to owners:

To Charles S. Anderson \$1,500.00

Balance due to owners \$2,725.00

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in Civil Action No. 4990, to the credit of Tract No. T-2001, the deficiency sum of \$1,950.00, and the Clerk of this Court then shall disburse the deposit for the subject tract as follows:

To Charles S. Anderson \$1,650.00
To Paul W. Grant 358.33
To Virginia L. Grant Neal 358.33
To Delores C. Grant, Administratrix of
the estate of Garland Dean Grant, deceased 358.34

181 Frank S. [Signature]
UNITED STATES DISTRICT JUDGE

APPROVED:

[Signature]
~~Assistant U. S. Attorney~~
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

977.59 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and J. R. Wright, et al,
and Unknown Owners,

Defendants.

Civil No. 4915

Tracts Nos. 2313 and
2313E

NOV 5 1961

J U D G M E N T

NOBLE C. HOOD
Clerk, U. S. District Court

1.

Now on this 3rd day of November, 1961, this matter comes on for

disposition on application of the plaintiff, United States of America, for entry of Judgment on an option contract and on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This Judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the Declaration of Taking filed herein.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the land described in Paragraph 2 herein. Pursuant thereto, on April 20, 1960, the United States of America has filed its Declaration of Taking of such described property and title thereto should be vested in the United States of America, as of the date of filing such instrument.

6.

On filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of certain estates in the subject tracts, a certain sum of money, and a portion of this deposit has been disbursed as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the estates taken in the subject tracts were the defendants whose names are shown in Paragraph 12 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of each of the subject tracts and the United States of America have executed a Contract of Option for the Purchase of Land as alleged in the Complaint, or have executed and filed herein Stipulations as to Just Compensation wherein they have agreed that just compensation for the estates condemned in such tracts is in the amount shown as compensation in Paragraph 12 herein and have agreed upon the distribution of the award among the owners, and such Option and Stipulations should be approved.

9.

A deficiency exists between the amount deposited as estimated just compensation for subject tracts and the amount fixed by the Option and the Stipulations as to Just Compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in Paragraph 12 below.

10.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in the subject tracts were the persons whose names appear below in Paragraph 12, and the right to just compensation for the respective estates taken in these tracts is vested in the parties so named, as their respective interests appear therein.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the contract of Option for the Purchase of Land, and the Stipulations as to Just Compensation mentioned in Paragraph 8 above are hereby confirmed, and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject tracts as follows:

TRACTS NOS. 2313 and 2313E

Owners:

Louie B. Vernon 1/5
Charlotte Vernon 1/5
James Vernon 1/5
Beverly Vernon 1/5
Ronnie Vernon 1/5

Mannford State Bank, and Shell Homes Inc., are the owners of mortgages covering these two tracts, in the approximate amount of - - - \$3,500.00.

Award of Just Compensation:

Pursuant to option and stipulations - - - - \$1,200.00 \$1,200.00
Deposited as Estimated Compensation - - - - - \$ 825.00
Deposit Deficiency - - - - - \$ 375.00

Disbursed:

To Shell Homes Inc. - - - - - \$ 750.00
Balance Due to Owners - - - - - \$ 450.00

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall pay into the Registry of the Court the deficiency sum of \$375.00, and such sum shall be placed in the deposit for the subject tracts in this civil action. Upon receiving this sum, the Clerk of this Court shall disburse from the deposit for subject tracts the sum of \$450.00 to Mannford State Bank.

191 Fred H. ...
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant United States Attorney

FILED

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

NOV 2 1961

Clea Carl Wright,	. . . Plaintiff,	)	NOBLE C. HOOVER
		)	Clerk, U.S. District C
vs.		)	No. 5183 Civil
)	
Safeway Stores, a corporation,)	
and Al Kendricks,	. . . Defendants.)	

ORDER SUSTAINING MOTION TO DISMISS OF DEFENDANT,
AL KENDRICKS

Now on this 27th day of October, 1961, this matter came on for hearing upon the defendant's motion to dismiss the complaint against Al Kendricks. The plaintiff appeared through his counsel, Charles Pope, Roehm West and William Biddle, by William Biddle. The defendants were represented by their counsel, Hudson, Hudson, Wheaton & Kyle, by Thomas R. Brett. Both counsel announced to the court that by agreement of counsel the motion to dismiss the action against Al Kendricks could be sustained. The court agreed upon hearing the announcement of counsel that the order would comply with the agreement of counsel.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion to dismiss the action against the defendant, Al Kendricks, is hereby sustained.

12/ Fred Daugherty

United States District Judge

Copy of the foregoing order was this 30th day of October, 1961, mailed to William W. Biddle, Enterprise Building, Tulsa, Oklahoma, one of counsel for plaintiff.

trb/el
10-27-61

cc-William Biddle

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

Phyllis Ann Hugues, . . . Plaintiff,)
)
vs.)
)
Safeway Stores, Incorporated,)
a Maryland corporation, and)
Jack Gresham, . . . Defendants.)

No. 5243 Civil
FILED

NOV 3 1961

NOBLE C. HOOD
Clerk, U. S. District Court

ORDER OVERRULING MOTION TO REMAND OF PLAINTIFF
AND SUSTAINING MOTION TO DISMISS OF DEFENDANT

Now on this 27th day of October, 1961, the matter of the plaintiff's motion to remand and the defendant's motion to dismiss against the defendant Jack Gresham came on for hearing pursuant to regular setting. The plaintiff appeared and announced ready through her counsel, Stan Symanski, and the defendants appeared and announced ready through their counsel, Hudson, Hudson, Wheaton & Kyle, by Thomas R. Brett. Upon hearing argument of counsel and considering all the premises, the court finds that the plaintiff's motion to remand should be overruled and the defendant's motion to dismiss the action against the defendant Jack Gresham should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff's motion to remand is hereby overruled and the defendant's motion to dismiss the action against the defendant Jack Gresham is hereby sustained.

151 Fred Daugherty
United States District Judge

Copy of the foregoing order was this 30th day of October, 1961, mailed to Stan Symanski, 3239 East 28th Street, Tulsa, Oklahoma, counsel for plaintiff.

trb/el
10-27-61

cc-Stan Symanski

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Luther Johnson
United States District Court

APP 1001:95 TO 1000
UNITED STATES OF AMERICA
L. K. Smith
Assistant U.S. Attorney

APP 1001:
UNITED STATES OF AMERICA
Luther Johnson

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

JOHN W. LEONARD,

Plaintiff,

vs.

OFFICE BUILDING CORPORATION
OF AMERICA, and PRESTON
REYNOLDS, JR.

Defendant

No. 5279

FILED

NOV - 3 1961

NOBLE C. HOOD
Clerk, U. S. District Court

ORDER REMANDING
CAUSE TO STATE COURT

It appearing to the Court that jurisdiction does not lie in the
United States Courts, the above Cause is hereby ordered remanded to
the District Court in and for Tulsa County, State of Oklahoma.

Dated this 8 day of November, 1961.


United States Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 699.00 Acres of Land, More or Less,)
 Situate in Nowata County, Oklahoma,)
 and Simpson-Fell Oil Company, et al,)
 and Unknown Owners,)
)
 Defendants.)

Civil Action No. 4894

FILED

NOV 1 1961

NOBLE C. HOOD
Clerk, U. S. District Court

J U D G M E N T

(Partial)

1.

NOW on this 15 day of June 1961, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This judgment applies only to fractional interests in the various tracts in this case, as such interests are set out in paragraph 12 herein. The tracts named in paragraph 12 and the estates condemned herein in such tracts are particularly described in the Complaint and Declaration of taking / filed in this civil action.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in Paragraph 2 herein. Pursuant thereto on March 23, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of certain estates in the subject tracts, certain sums of money, and part of these deposits has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the interests which are the subject matter of this judgment were the defendants whose names are shown in Paragraph 12 below. Such named defendants are the only persons asserting any claim to the fractional interests described in such paragraph 12, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in the described interests in these tracts.

8.

The owners of the interests which are the subject matter of this judgment and the United States of America have executed and filed herein Stipulations As To Just Compensation, wherein they have agreed that just compensation for the estates condemned in the described interests in subject tracts is in the amounts shown as compensation in Paragraph 12, and such Stipulations should be approved.

9.

This judgment will create a deficiency between the amount deposited as estimated compensation, and the total award of just compensation, for the interests taken in Tracts 5730-F, 5729-B, and 5720-H, but it will create a surplus in the deposit for the interests taken in tracts 5730-E, 5720-9, 5719-16 and 5720-10b, all as set forth in paragraph 12 below. The surplus created should be used, in the amount necessary, to satisfy the deficiency.

10.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the various fractional interests described in Paragraph 2 herein, and such described interests, to the extent of the estates described and for the uses and purposes described in the Declaration of Taking, are condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in the interests which are the subject matter of this judgment were the persons whose names appear below in Paragraph 12, and the right to just compensation for the respective estates taken herein in these interests is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulations As To Just Compensation, mentioned in Paragraph 8 above hereby are confirmed; and the sums therein fixed are adopted as the awards of just compensation for the estates condemned in subject interests as follows:

Tract No. 5730-E

Owners:

Forest Oil Corporation . . . 349/448 of 8/8 of subsurface estate
 Wiser Oil Company 35/448 of 8/8 overriding Royalty interest

Awards and deposits:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Deposited as estimated compensation	\$3,476.00	\$ 322.00	\$3,798.00
Award of just compensation	<u>3,476.00</u>	<u>263.00</u>	<u>3,739.00</u>
Deposit surplus	<u>none</u>	<u>\$ 59.00</u>	<u>\$ 59.00</u>

Distribution of Awards:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation	\$3,476.00	\$ 263.00	\$3,739.00
Disbursed to owners	<u>3,476.00</u>	<u>263.00</u>	<u>3,739.00</u>
Balance due to owners	<u>none</u>	<u>none</u>	

Tracts Nos. 5730-F, 5729-B and 5720-H

Owners:

Forest Oil Corporation 55/64 of 8/8 of subsurface estate.
 Wiser Oil Company 5/64 of 8/8 overriding royalty interest
 Glenn H. Chappell and
 Maude E. Chappell 2/64 of 8/8 royalty interest

Awards and deposits:

	<u>Forest</u>	<u>Wiser</u>	<u>Chappell</u>	<u>Total</u>
Award of just compensation	\$15,247.00	\$ 888.00	\$ 300.00	\$16,435.00
Deposited as estimated compensation	<u>14,773.00</u>	<u>296.00</u>	<u>118.50</u>	<u>15,187.50</u>
Deposit deficiency	<u>\$ 474.00</u>	<u>\$ 592.00</u>	<u>\$ 181.50</u>	<u>\$ 1,247.50</u>

Distribution of Awards:

	<u>Forest</u>	<u>Wiser</u>	<u>Chappell</u>	<u>Total</u>
Award of just compensation	\$15,247.00	\$ 888.00	\$ 300.00	\$16,435.00
Disbursed to owners	<u>14,773.00</u>	<u>296.00</u>	<u>none</u>	<u>15,069.00</u>
Balance due to owners	<u>\$ 474.00</u>	<u>\$ 592.00</u>	<u>\$ 300.00</u>	<u>\$ 1,366.00</u>

Tract No. 5720-9

Owner: Forest Oil Corporation 31/40 of 8/8 of subsurface estate

Deposit of estimated compensation	\$635.00	
Award of just compensation	523.00	\$523.00
<u>Deposit Surplus</u>	<u>\$112.00</u>	
 Disbursed to owner		 <u>523.00</u>
Balance due to owner		<u>none</u>

Tracts Nos. 5719-16d and 5720-10

Owners:

Forest Oil Corporation . . . 51/64 of 8/8 of subsurface estate
Wiser Oil Company 5/64 of 8/8 overriding Royalty interest

Awards and Deposits:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . . .	\$5,477.95	\$1,647.05	\$7,125.00
Deposited as estimated compensation	6,775.00	350.00	7,125.00
Deposit surplus	\$1,297.05		
Deposit deficiency		\$1,297.05	
Total surplus or deficiency			<u>none</u>

Distribution of Awards:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . . .	\$5,477.95	\$1,647.05	\$7,125.00
Disbursed to owners	5,477.95	1,647.05	7,125.00
Balance due to owners	none	none	none

Tracts Nos. 5720-10d and 5729-9a

Owners:

Forest Oil Corporation . . . 51/64 of 8/8 of subsurface estate
Wiser Oil Company 5/64 of 8/8 overriding Royalty interest

Awards and deposits:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . . .	\$5,202.95	\$1,647.05	\$6,850.00
Deposited as estimated compensation	6,480.00	370.00	6,850.00
Deposit surplus	\$1,277.05		
Deposit deficiency		\$1,277.05	
Total surplus or deficiency			<u>none</u>

Distribution of Awards:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . . .	\$5,202.95	\$1,647.05	\$6,850.00
Disbursed to owners	5,202.95	1,647.05	6,850.00
Balance due to owners	none	none	none

Tracts Nos. 5729-2 and 5720-10c

Owners:

Forest Oil Corporation . . . 51/64 of 8/8 of subsurface estate
 Wisser Oil Corporation 5/64 of 8/8 overriding royalty interest

Awards and Deposits:

	<u>Forest</u>	<u>Wisser</u>	<u>Total</u>
Award of just compensation	\$5,092.66	\$1,482.34	\$6,575.00
Deposited as estimated compensation	6,260.00	315.00	6,575.00
Deposit surplus	\$1,167.34		
Deposit deficiency		\$1,167.34	
Total surplus or deficiency			<u>none</u>

Distribution of Awards:

	<u>Forest</u>	<u>Wisser</u>	<u>Total</u>
Award of just compensation	\$5,092.66	\$1,482.34	\$6,575.00
Disbursed to owners	5,092.66	1,482.34	6,575.00
Balance due to owners	<u>none</u>	<u>none</u>	<u>none</u>

Tract No. 5719-16b

Owners:

Forest Oil Corporation . . . 51/64 of 8/8 of subsurface estate
 Wisser Oil Company 5/64 of 8/8 overriding royalty interest

Awards and deposits:

	<u>Forest</u>	<u>Wisser</u>	<u>Total</u>
Award of just compensation	\$ 765.63	\$ 234.37	\$1,000.00
Deposited as estimated compensation	1,000.00	none	\$1,000.00
Deposit surplus	\$ 234.37		
Deposit deficiency		\$ 234.37	
Total surplus or deficiency			<u>none</u>

Distribution of Awards:

	<u>Forest</u>	<u>Wisser</u>	<u>Total</u>
Award of just compensation	\$ 765.63	\$ 234.37	\$1,000.00
Disbursed to owners	765.63	234.37	1,000.00
Balance due to owners	<u>none</u>	<u>none</u>	<u>none</u>

Tracts Nos. 5719-16 and 5720-10b

Owner: Forest Oil Corporation . . 17/24 of 8/8 of subsurface estate

Deposited as estimated compensation	\$6,625.00		
Award of just compensation		3,457.00	\$3,457.00
Deposit surplus		\$3,168.00	
Disbursed to owner			3,457.00
Balance due to owner			<u>none</u>

Tract No. 5720-J

Owner: Forest Oil Corporation . . 3/4 of 8/8 of subsurface estate

Award of just compensation	\$2,436.00	\$2,436.00
Deposited as estimated compensation	2,436.00	
Deposit surplus or deficiency	none	
Disbursed to owner		\$2,436.00
Balance due to owner		<u>none</u>

Tract No. 5720-N

Owners:

Forest Oil Corporation . . .59/64 of 8/8 of subsurface estate
Wiser Oil Company 5/64 of 8/8 overriding royalty interest

Awards and Deposits:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . .	\$29,443.00	\$3,217.00	\$32,660.00
Deposited as estimated compensation	29,443.00	3,217.00	32,660.00
Total surplus or deficiency	<u>none</u>	<u>none</u>	<u>none</u>

Distribution of Awards:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . .	\$29,443.00	\$3,217.00	\$32,660.00
Disbursed to owners	29,443.00	3,217.00	32,660.00
Balance due to owners	<u>none</u>	<u>none</u>	<u>none</u>

Tract No. 5720-11

Owners:

Forest Oil Corporation . . .59/64 of 8/8 of subsurface estate
Wiser Oil Company 5/64 of 8/8 overriding royalty interest

Awards and deposits:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . .	\$ 8,012.00	\$ 713.00	\$8,725.00
Deposited as estimated compensation	7,325.00	1,400.00	8,725.00
Deposit deficiency	\$ 687.00		
Deposit surplus		687.00	
Total surplus or deficiency			<u>none</u>

Distribution of Awards:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . .	\$8,012.00	\$ 713.00	\$8,725.00
Disbursed to owners	8,012.00	713.00	8,725.00
Balance due to owners	<u>none</u>	<u>none</u>	<u>none</u>

Tract No. 5729-C

Owners:

Forest Oil Corporation . . .51/64 of 8/8 of subsurface estate
Wiser Oil Company 5/64 of 8/8 overriding royalty interest

Awards and deposits:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . .	\$7,500.00	\$ 250.00	\$7,750.00
Deposited as estimated compensation	7,500.00	250.00	7,750.00
Total surplus or deficiency	<u>none</u>	<u>none</u>	<u>none</u>

Distribution of Award:

	<u>Forest</u>	<u>Wiser</u>	<u>Total</u>
Award of just compensation . .	\$7,500.00	\$ 250.00	\$7,750.00
Disbursed to owners	7,500.00	250.00	7,750.00
Balance due to owners	<u>none</u>	<u>none</u>	<u>none</u>

It Is Further ORDERED that the Clerk of this Court shall transfer from the surplus in the deposit for Tracts 5719-16 and 5720-10b in this Civil Action, as shown in Paragraph 12 above, the sum of \$1,247.50, to the deposit for tracts 5730-F, 5729-B and 5720-H in this Civil Action.

The Clerk then shall disburse from the deposit herein for tracts 5730-F, 5729-B and 5720-H certain sums as follows:

To Forest Oil Corporation	\$474.00
To Wiser Oil Company	\$592.00
To Glenn H. Chappell and Maude E. Chappell, jointly	300.00

William G. ...

 UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow

 HUBERT A. MARLOW
 First Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

1,172.85 Acres, More or Less,
Situat in Nowata and Rogers
Counties, Oklahoma, and Will
Rogers, Jr., et al,

Defendants.

Civil Action No. 4829

Tract No. T-2002

FILED

NOV 15 1961

J U D G M E N T

NOBLE C. HOOD
Clark, U. S. District Court

1.

NOW on this 16th day of June 1961, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This Judgment applies only to the estates condemned in the tract enumerated in the caption above, as such estates and tract are described in the Declaration of Taking filed in this Civil Action.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in Paragraph 2 herein. Pursuant thereto on January 7, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of certain estates in the subject tract, certain sums of money, and all of these deposits have been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the estates taken in the subject tract were the defendants whose names are shown in Paragraph 12 below, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of the subject tract and the United States of America have executed and filed herein Stipulations As To Just Compensation, wherein they have agreed that just compensation for the estates condemned in subject tract is in the amounts shown as compensation in Paragraph 12, and such Stipulations should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the Stipulations As To Just Compensation, and the amount of such deficiency should be deposited for the benefit of the owners. Such deficiency is set out in Paragraph 12 below.

10.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in the subject tract were the persons whose names appear below in Paragraph 12, and the right to just compensation for the respective estates taken herein in this tract is vested in the persons named.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulations As To Just Compensation, mentioned in Paragraph 8 above, hereby are confirmed; and the sums therein fixed are adopted as the awards of just compensation for the estates condemned in subject tract as follows:

TRACT NO. T-2002

Owners:

Lessor Interest:

Albert S. Clinkscales 1/9
 Louise Clinkscales Burkhalter . . 3/9
 John W. Clinkscales 5/9

Lessee Interest:

Charles S. Anderson

Award of Just Compensation:

For lessor interest	\$1,600.00	\$1,600.00		
For lessee interest			\$1,800.00	\$1,800.00

Deposited as estimated compensation:

For lessor interest	\$1,300.00			
For lessee interest			1,800.00	

Deposit deficiency:

For lessor interest	<u>300.00</u>			
For lessee interest			<u>None</u>	

Disbursed:

To lessor interest		1,300.00		
To lessee interest				1,800.00

Balance due:

To lessor interest		<u>\$ 300.00</u>		
To lessee interest				<u>None</u>

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the Registry of this Court in this Civil Action to the credit of Tract No. T-2002 the total deposit deficiency in the sum of \$300.00, and the Clerk of this Court then shall disburse to Albert S. Clinkscales, Louise Clinkscales Burkhalter, and John W. Clinkscales, jointly the sum of \$300.00.

[Signature]
 UNITED STATES DISTRICT JUDGE

APPROVED:

[Signature]
 HUBERT A. MARLOW
 Assistant U. S. Attorney

in the petition alleged; that the said Raymond T. Wright departed this life on the 6th day of June, 1961; that the plaintiff has paid into this court the sum of \$613.68, the amount due under said policy of insurance and that the defendant, Hallye Wright, is entitled to the proceeds under said policy of insurance, after deduction of court costs, marshall's fees, and a reasonable attorneys' fee to plaintiff's attorneys.

2. That the attorneys for the plaintiff are entitled to an attorneys' fee in the amount of \$100.00, to be paid out of the funds heretofore deposited with the Clerk.

3. That Hallye Wright is entitled to judgment as against Edna Fay Wright.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the Court Clerk pay, out of the proceeds of said policy of insurance heretofore deposited with the Clerk of this court, the sum of \$100.00 to Crowe, Boxley, Dunlevy, Thweatt, Swinford & Johnson, attorneys for plaintiff, for counsel fee of said attorneys in the prosecution of this suit, together with the sum of \$50.00 for court costs and marshall's fees.

IT IS FURTHER ORDERED that the Clerk of this court pay to the defendant, Hallye Wright, the balance of the proceeds of said policy of insurance, after deduction of attorneys' fee of \$100.00, the costs of this action, and marshall's fees.

IT IS FURTHER ORDERED that the insurance upon the life of Raymond T. Wright under policy of Insurance No. 242134, issued by the plaintiff to the deceased, Raymond T. Wright, be and the same is hereby cancelled and held to be of no further force or effect, and the plaintiff is hereby relieved of all further liability because of said insurance on the life of Raymond T. Wright.

IT IS FURTHER ORDERED that the defendant, Edna Fay Wright deliver up and surrender said original Certificate No. 242134, to the Clerk of this court for delivery forthwith to the plaintiff herein.

IT IS FURTHER ORDERED that the defendant, Edna Fay Wright, be and she is hereby perpetually restrained and enjoined from instituting or prosecuting any action in any court against the plaintiff, Great Southern Life Insurance Company, a corporation, upon the insurance affected under said policy of Insurance No. 242134 upon the life of Raymond T. Wright; and the said defendant, Edna Fay Wright, is further restrained and enjoined from asserting or making any claim against said plaintiff at any time in the future because of said insurance on the life of Raymond T. Wright.

/s/ Luther Bohanon
District Judge

O.K.

CROWE, BOXLEY, DUNLEVY, THREATT,
SWINFORD & JOHNSON

By /s/ Henry P. Rheinberger
Attorneys for Plaintiff

/s/ Geo. L. Striplin - Vural L. Gilley
Attorneys for Defendant,
Hallye Wright

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

M. Livingston)
)
) plaintiff,)
)
) v.)
)
) Embry, Crowe, Tolbert, Boxley,)
) & Johnson, et al.)
)
) defendants.)

NO. 5256 FILED

DEC -4 1961

NOBLE C. HOOD
Clerk, U. S. District Court

JOURNAL ENTRY OF JUDGMENT

On the 27th day of October, 1961, there came on for hearing motions to dismiss by defendants in the above entitled cause. The plaintiff appeared in person, and the defendants appeared by their various attorneys of record, and defendant, John J. Coates, Jr., appeared in person.

The Court finds that service of Summons in the cause had been made before said hearing on defendants, A. Stowell, St. John's Hospital, Embry, Crowe, Tolbert, Boxley & Johnson, Raymond Crowe, Richard Hahn and John J. Coates, Jr. Motions to Dismiss had been filed before said hearing by defendants John J. Coates, Jr., St. John's Hospital, Embry, Crowe, Tolbert, Boxley & Johnson, Raymond Crowe and Richard Hahn.

Upon the statement of defendant John J. Coates, Jr., the plaintiff thereupon dismissed the cause as to said defendant, John J. Coates, Jr., in open court. The motions of the other parties were considered, and upon consideration thereof, the briefs filed, and the arguments of counsel and of the parties, the court finds that the cause should be dismissed for the reasons that the matter of jurisdiction in the United States District Court's is and has been, res judicata and previously determined against Federal Jurisdiction, and for the reason that the Court lacks jurisdiction of the subject matter of the action, there being neither diversity of citizenship of the parties, nor any matter within the original jurisdiction of the United States District Courts, arising under federal law. The Court therefor concludes that the cause should be dismissed, upon the consideration of said motions.

It is therefore ORDERED, ADJUDGED AND DECREED that the above entitled cause be, and the same is hereby dismissed at the cost of plaintiff.

Dated this 2 day of December, 1961.

[Signature]
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 O. E. and Ruby Smith,)
)
 Defendants.)

Civil No. 5264

FILED

1961

J U D G M E N T

On this 4th day of December 1961, the above-entitled action coming on for hearing, the plaintiff, appearing by Sam E. Taylor, Assistant United States Attorney for the Northern District of Oklahoma, and the defendants appearing not, and the Court having heard the evidence of plaintiff and having examined the file, finds that defendants were duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer are and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that on June 2, 1955, for a valuable consideration and in accordance with provisions of the Federal Housing Administration Act, defendants executed a written promissory note in the sum of \$1,667.21 to Benson Lumber Company, Skiatook, Oklahoma; that defendants defaulted in the payment of the note, and in accordance with the provisions of the Federal Housing Administration Act, the note was assigned to this plaintiff; that there is now due and owing upon the note the sum of \$218.16, principal, with interest thereon at the rate of six per cent (6%) per annum from February 26, 1958.

The Court further finds that plaintiff has filed herein an affidavit stating that neither defendant is in the military or naval service, and neither is an infant, or an incompetent, which is found to be true.

The Court further finds that the note was given for the purpose of paying for permanent improvements on property located in Avant, Oklahoma, and by reason thereof such property is subject to execution and sale for the collection of the judgment.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendants, O. E. and Ruby Smith, for the sum of \$218.16, with interest thereon from February 26, 1968, at the rate of six per cent (6%) per annum, until paid in full, and for the costs of this action, and for further judgment directing the levying of execution upon the above-described premises.


United States District Judge

ECG:lg
11/15/61

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

WESTERN HILLS OIL, INC., a corporation,)
)
 Plaintiff)
)
 Vs.)
)
 GARLAND ROYD,)
)
 Defendant)

No. 4755 Civil
FILED

ORDER DISMISSING ACTION WITHOUT
PREJUDICE

Upon the joint application of the plaintiff and the defendant herein and FOR GOOD CAUSE SHOWN:

IT IS HEREBY ORDERED BY THIS COURT that the above styled and numbered action be and the same is hereby dismissed without prejudice and at the cost of the plaintiff, *as to all causes of action remaining adjudicated.*
Dated this 30 day of November 1961.

Fred Daugherty
United States District Judge

APPROVED:

WESTERN HILLS OIL, INC.,
a corporation, plaintiff

By *Irvin E. Ungerman*
Trustee in Bankruptcy

C.R. Medbitt
Attorney for defendant

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN,
LEITER &
UNRUH

SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

18821;
11/16/61

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

BARBARA C. LOHL,)
)
 Plaintiff)
)
 vs.)
)
 WESTERN LEAS OIL, INC., a corporation,)
)
 Defendant)

NO. 4137

FILED

NOV 16 1961

ORDER DISMISSING ACTION WITHOUT
PREJUDICE

Upon the joint application of the plaintiff and the defendant herein and FOR GOOD CAUSE SHOULD:

IT IS HEREBY ORDERED BY THIS COURT that the above styled and numbered action be and the same is hereby dismissed without prejudice and at the cost of the plaintiff.

Dated this 30 day of November 1961.

Frank Daugherty
United States District Judge

APPROVED:

Charles B. Nesbitt
Attorney for plaintiff

Irvin E. Ungerman
Trustee in Bankruptcy

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN,
LEITER &
UNRUH

SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

1,663.10 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties
Oklahoma, and Katherine J. Steil, et
al,

Defendants.

Civil Action No. 4643

Tracts Nos. U-2121

U-2121E-1

U-2121E-2

J U D G M E N T

1.

NOW, on this 7th day of December, 1961, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the Declaration of Taking filed in this Civil Action.

3.

The court has jurisdiction of the parties and the subject matter of this action.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in Paragraph 2 herein. Pursuant thereto on February 19, 1959, the United States of America has filed its Declaration of Taking of such described property and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of certain estates in subject tracts a certain sum of money and none of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owner of the estates taken in subject tracts as described in Paragraph 2 herein was the defendant whose name is shown in Paragraph 12 below. Such named defendant is the only person asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for the estates taken in these tracts.

8.

The owner of subject tracts and the United States of America have executed and filed herein a stipulation as to just compensation, wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in Paragraph 12, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tracts and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowner. Such deficiency is set out in Paragraph 12 below.

10.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the estates described in Paragraph 2 herein, condemned herein in subject tracts, was the person whose name appears below in Paragraph 12, and the right to just compensation for the estates taken herein in these tracts is vested in the party so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulation As To Just Compensation, mentioned in Paragraph 8 above, is hereby confirmed; and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject tracts as follows:

TRACTS NOS. U-2121, U-2121E-1 and U-2121E-2

Owner: Irene L. Sams

Award of just compensation pursuant to stipulation	\$8,050.00	\$8,050.00
Deposited as estimated compensation	<u>7,150.00</u>	
Deposit deficiency	<u>\$ 900.00</u>	
Disbursed to owner		<u>none</u>
Balance due to owner		<u>\$8,050.00</u>

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the Registry of this Court in this Civil Action, to the credit of subject tracts the total deposit deficiency in the sum of \$900.00, and the Clerk of this Court shall then disburse from the deposit for such tracts the sum of \$8,050.00 to Irene L. Sams.

Ross Rigley
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

991.51 Acres of Land, More or
Less, Situate in Nowata and
Rogers Counties, Oklahoma, and
Harold O. Andrews, et al, and
Unknown Owners,

Defendants.

Civil Action No. 4697

Tract No. E-538

J U D G M E N T

1.

On April 7, 1961, this cause, as to the captioned tract, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney, for the Northern District of Oklahoma. Defendant appeared by his attorney, Mr. Warren Watkins. After hearing the evidence and being fully advised of the premises, the Court finds:

2.

The court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estate condemned in Tract No. E-538, as such tract and estate are described in the Declaration of Taking and the amendment thereto filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tract, as such tract is particularly described in such Complaint. Pursuant thereto, on May 29, 1959, the United States of America filed its Declaration of Taking of a certain estate in such described land and title to such estate should be vested in the United States of America, as of the date of filing such

5.

Simultaneously with filing herein the Declaration of Taking there was deposited in the Registry of this court, as estimated compensation for the taking of the described estate in subject tract, a certain sum of money, part of which has been disbursed as shown in Paragraph 11. Since the filing of this case many tons of limestone rock have been removed from the subject tract and used by contractors doing work on the Oologah Dam and Reservoir Project. Checks to pay for such stone have been deposited in the registry of this court to the credit of subject tract in the total sum of \$5,970.73. This deposit, in so far as is necessary, should be used to pay the deficiency described in paragraph 7 below.

6.

Fair market value of the estate condemned herein in subject tract is \$2,550.00 and such sum should be adopted as the award of just compensation for such estate.

7.

A deficiency exists between the amount deposited as estimated compensation and the amount fixed herein as the award of just compensation for subject tract. Such deficiency is set out in Paragraph 11 below.

8.

The defendant named in Paragraph 11 as owner of subject tract is the only defendant asserting any interest in the estate condemned in subject tract, all other defendants having either disclaimed or defaulted; the named defendant is the owner of such estate, as of the date of taking, and as such, is entitled to receive the award of just compensation for such estate.

9.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate indicated and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the estate condemned herein in subject tract was the defendant whose name appears in the schedule below; the right to just compensation for the estate taken in this tract is vested in the party so named.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the sum of \$2,550.00 hereby is adopted as the award of just compensation for the estate condemned herein in subject tract, as shown in the schedule as follows, to-wit:

TRACT NO. E-538

Owner: Charles F. Dominy

<u>Award</u> of just compensation . . .	\$2,500.00 ^{2,550.00}		\$2,550.00
<u>Deposited</u> as estimated compensation	1,750.00	\$1,750.00	
Deposited by C. W. Roweth, as payment for limestone removed from subject tract after filing of case		5,970.73	
Total Deposit		<u>\$7,720.73</u>	
<u>Original deposit deficiency</u>	<u>\$ 800.00</u>		
<u>Disbursed</u> to owner		1,716.66	1,716.66
<u>Balance on deposit</u>		<u>\$6,004.07</u>	
<u>Balance due to owner</u>			<u>\$ 833.34</u>

12.

It Is Further ORDERED, ADJUDGED AND DECREED, that the Clerk of this Court shall disburse to Charles F. Dominy, from the balance on deposit for the subject tract the sum of \$833.34 together with interest on \$800.00, (the original deposit deficiency, shown in paragraph 11 above), at the rate of 6% per annum from May 29, 1959 to the date of filing this Judgment.

H. Ross Rigley
UNITED STATES DISTRICT JUDGE

APPROVED:
H. Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

374.10 Acres of Land, More or
Less, Situate in Rogers and
Nowata Counties, Oklahoma, and
Garland G. Boyd, et al, and
Unknown Owners,

Defendants.

Civil Action No. 4702

Tracts Nos. G-762 and
K-1109

J U D G M E N T

1.

Now, on this 27th day of December 1961, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of judgment on an option contract and a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above as such estates and tracts are described in the declaration of taking filed herein.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this ~~cause~~ who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the land described in paragraph 2 herein. Pursuant thereto, on June 8, 1959, the United States of America has filed its declaration of taking of such described property, and title thereto should be vested in the United States of America, as of the date of filing such instrument.

6.

On filing the declaration of taking, there was deposited in the registry of this Court as estimated compensation for the taking of certain estates in subject tracts, certain sums of money, and all of these deposits have been disbursed as set out in paragraph 11 below.

7.

On the date of taking in this action, the owners of the estates taken in subject tracts were the defendants whose names are shown in paragraph 11 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons either having disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of each of the subject tracts and the United States of America have either executed a contract of option for the purchase of land, as alleged in the complaint, or have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estates condemned in such tracts is in the amounts shown as compensation in paragraph 11 herein, and such option and stipulation should be approved.

9.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the complaint and declaration of taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such declaration of taking, are condemned and title thereto is vested in the United States of America, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estates condemned herein in subject tracts were the persons whose names appear below in paragraph 11, and the right to just compensation for the respective estates taken in these tracts is vested in the parties so named as their respective interests appear therein.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation and the contract of option for the purchase of land, mentioned in paragraph 8 above, are hereby confirmed, and the sums therein fixed are adopted as the awards of just compensation for the estates condemned in subject tracts as follows:

TRACT NO. G-762

Owners:

Katherine Stritzke
Katherine Stritzke, Executrix of the estate of Paul Stritzke,
deceased
Joe Stritzke and
George Stritzke

Award of just compensation	\$2,720.00	\$2,720.00
Deposited as estimated compensation.	<u>2,720.00</u>	
Disbursed to owners		<u>2,720.00</u>

TRACT NO. K-1109

Owner:

Bertha Lee Ward

Award of just compensation		
pursuant to option contract	\$5,330.00	\$5,330.00
Deposited as estimated compensation	<u>5,330.00</u>	
Disbursed to owner		<u>5,330.00</u>

151 Ross Ripley
UNITED STATES DISTRICT JUDGE

APPROVED:

151 Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
374.10 Acres of Land, More or
Less, Situate in Rogers and
Nowata County, Oklahoma, and
Garland G. Boyd, et al, and
Unknown Owners,
Defendants.

Civil Action No. 4702
Tracts Nos. K-1104 and
K-1157

J U D G M E N T

1.

NOW, on this 7th day of December, 1961, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on the Report of Commissioners filed herein on April 6, 1961, and the Court after having examined the files in this action and being advised by counsel for the plaintiff finds that:

2.

The Court has jurisdiction of the parties and the subject matter of this action.

3.

This judgment applies only to the tracts enumerated in the caption above, as such tracts are described in the Complaint and Declaration of Taking filed herein.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause, who are interested in subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tracts of land. Pursuant thereto, on June 8, 1959, the United States of America filed its Declaration of Taking of certain estates in such tracts of land, and title to such property should be vested in the United States of America, as of the date of filing such Declaration of Taking.

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estates in subject tracts, certain sums of money and part of these deposits has been disbursed as set out in Paragraph 10 below.

7.

The Report of Commissioners filed herein on April 6, 1961 is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in Paragraph 10 below.

8.

The defendants named in Paragraph 10 as owners of subject tracts are the only defendants asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; the named defendants are the owners of the respective interests in such estates as designated and, as such, are entitled to receive the just compensation therefor.

9.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the subject tracts, described in the Declaration of Taking filed herein, and such property to the extent of the estates indicated and for the uses and purposes described in the Declaration of Taking filed herein, is CONDEMNED, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED AND DECREED that the right to receive just compensation for the respective estates taken herein in subject tracts is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of April 6, 1961 is hereby confirmed and the sums therein fixed are adopted as just compensation for subject tracts as shown by the following schedule:

TRACT NO. K-1104

Owners:

Cordelia Taylor and
Arthur Taylor are owners.

Bill Eaton owns a leasehold interest in one acre only,
fronting on Highway 28.

<u>Award of just compensation:</u>	\$1,850.00	\$1,850.00
<u>Deposited as estimated compensation:</u>	<u>1,850.00</u>	
<u>Disbursed to Cordelia Taylor and Arthur Taylor</u>		<u>\$1,780.00</u>
<u>Balance due to owners</u>		<u>\$ 70.00</u>

TRACT NO. K-1157

Owners:

Cecil Evert Seals
Elmer Ross Seals
Nancy Elmira Lord
Harold Allen Seals
James Harvey Seals
Harvey Levi Seals

<u>Award of just compensation:</u>	\$1,475.00	\$1,475.00
<u>Deposited as estimated compensation:</u>	<u>1,475.00</u>	
<u>Disbursed to owners</u>		<u>1,475.00</u>

11.

It is the further Order of the Court that this case as to
Tract No. K-1104 shall remain open for the entry of an appropriate
order distributing the award of just compensation.

151 Ross Ringley
UNITED STATES DISTRICT JUDGE

APPROVED:

151 Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 198.00 Acres of Land, More or)
 Less, Situate in Nowata County,)
 Oklahoma, and John R. Riley,)
 et al, and Unknown Owners,)
)
 Defendants.)

Civil Action No. 4709
Tract No. T-2068

FILED ✓

DEC 11 1961
AND
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

J U D G M E N T

1.

NOW, on this 7th day of December, 1961, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on the Report of Commissioners filed herein on June 8, 1961, and the Court after having examined the files in this action and being advised by counsel for the plaintiff finds that:

2.

The Court has jurisdiction of the parties and the subject matter of this action.

3.

This Judgment applies only to Tract No. T-2068, as such tract is described in the Complaint and Declaration of Taking, filed herein.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause, who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tract of land. Pursuant thereto, on June 15, 1959, the United States of America filed its Declaration of Taking of such tract of land, and title to such tract should be vested in the United States of America.

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the subject tract a certain sum of money, and all of this deposit has been disbursed as set out in Paragraph 11 below.

7.

The Report of Commissioners filed herein on June 8, 1961, is hereby accepted and adopted as a finding of fact as to subject tract. The amount of just compensation as to the subject tract as fixed by the Commission is set out in Paragraph 11 below.

8.

A certain deficiency exists between the amount deposited as estimated just compensation for subject tract and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in Paragraph 11 below.

9.

The defendants named in Paragraph 11 as owners of subject tract are the only defendants asserting any interest in the estate condemned herein, all other defendants having either disclaimed or defaulted; the named defendants are the owners of the estate condemned herein and, as such, are entitled to distribution of just compensation therefor.

10.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the subject tract, described in the Declaration of Taking filed herein, and such property, to the extent of the estate indicated and for the uses and purposes described in the Declaration of Taking filed herein, is CONDEMNED, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the right to just compensation for the estate taken herein in subject tract is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of June 8, 1961, is hereby confirmed and the sum

therein fixed is adopted as just compensation for subject tract as shown by the following schedule:

TRACT NO. T-2068

Owners:

Samuel Randall and Faye Randall

Award of just compensation	\$450.00	\$450.00
Deposited as estimated compensation. . .	<u>400.00</u>	
Deposit deficiency	<u>\$ 50.00</u>	
Disbursed to owners		<u>400.00</u>
Balance due to owners		<u>\$ 50.00</u>

12.

It is further ORDERED, ADJUDGED AND DECREED, that the United States of America shall pay into the Registry of this Court for the benefit of the landowners the deposit deficiency for the subject tract in the amount of \$50.00, together with interest on such deficiency at the rate of 6% per annum from June 15, 1959, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this Civil Action. Upon receipt of such sum, the Clerk of this Court shall disburse the entire deposit for the subject tract, jointly, to Samuel Randall and Faye Randall.

15/ Ross Rigley
UNITED STATES DISTRICT JUDGE

APPROVED:

15/ Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,)
)
vs.)
)
853.35 Acres of Land, More or)
Less, Situate in Nowata County,)
Oklahoma, and Maynard Stanart, et)
al, and Unknown Owners,)
)
Defendants.)

Civil No. 4711
Tract No. K-1149

J U D G M E N T

1.

NOW, on this 7th day of December, 1961, this matter comes on for disposition on application of the plaintiff, United States of America for entry of Judgment on the Report of Commissioners filed herein on June 8, 1961, and the Court after having examined the files in this action and being advised by counsel for the plaintiff finds that:

2.

The Court has jurisdiction of the parties and the subject matter of this action.

3.

This Judgment applies only to Tract No. K-1149, as such tract is described in the Complaint and Declaration of Taking, filed herein.

4.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause, who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tract of land. Pursuant thereto, on June 18, 1959, the United States of America filed its Declaration of Taking of such tract of land, and title to such tract should be vested in the United States of America, as of the date of filing such instrument.

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the subject tract a certain sum of money and all of this deposit has been disbursed as set out in Paragraph 11 below.

7.

The Report of Commissioners filed herein on June 8, 1961, is hereby accepted and adopted as a finding of fact as to subject tract. The amount of just compensation as to the subject tract as fixed by the Commission is set out in Paragraph 11 below.

8.

A certain deficiency exists between the amount deposited as estimated just compensation for subject tract and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in Paragraph 11 below.

9.

The defendant named in Paragraph 11 as owner of subject tract is the only defendant asserting any interest in the estate condemned herein, all other defendants having either disclaimed or defaulted; the named defendant is the owner of the estate condemned herein and, as such, is entitled to distribution of just compensation therefor.

10.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the subject tract, described in the Complaint and Declaration of Taking filed herein, and such property, to the extent of the estate indicated and for the uses and purposes described in the Declaration of Taking, is CONDEMNED, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are barred forever from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the right to just compensation for the estate taken herein in subject tract is vested in the defendant whose name appears below in this paragraph; the Report of Commissioners of June 8, 1961, hereby is confirmed and the sum therein fixed is adopted as just compensation for subject tract as shown by the following schedule:

Owner: H. T. Stanart

<u>Award of just compensation</u>	<u>\$6,600.00</u>	<u>\$6,600.00</u>
<u>Deposited as estimated compensation</u>	<u>5,600.00</u>	
<u>Deposit deficiency</u>	<u>\$1,000.00</u>	
<u>Disbursed to owner</u>		<u>5,600.00</u>
<u>Balance due to owner</u>		<u>\$1,000.00</u>

12.

It Is Further ORDERED, ADJUDGED AND DECREED, that the United States of America shall pay into the Registry of this Court for the benefit of the landowner the deposit deficiency for the subject tract, in the amount of \$1,000.00, together with interest on such deficiency at the rate of 6% per annum from June 18, 1959 until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this Civil Action. The Clerk of this Court then shall disburse the entire deposit for subject tract to H. T. Stanart.

W. Ross Rigney
UNITED STATES DISTRICT JUDGE

APPROVED:
151 *Hubert A. Marlow*
HUBERT A. MARLOW
Assistant U. S. Attorney

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UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)	
)	
Plaintiff,	)	Civil Action No. 4715
)	
vs.	)	Tracts Nos. S-1918
	)	S-1967
313.88 Acres of Land, More or	)	S-1967E
Less, Situate in Nowata County,	)	T-2038
Oklahoma, and June H. Collins,	)	T-2059E
et al, and Unknown Owners,	)	T-2063E
	)	T-2072E
Defendants.)	

J U D G M E N T

1.

NOW on this 7th day of December, 1961, this matter comes on for disposition on application of the plaintiff, United States of America for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This Judgment applies only to the estate condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the Declaration of Taking filed in this Civil Action.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in Paragraph 2 herein. Pursuant thereto on June 23, 1959, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of certain estates in the subject tracts, certain sums of money, and part of these deposits has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the estates taken in the subject tracts were the defendants whose names are shown in Paragraph 12 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of the subject tracts and the United States of America have executed and filed herein Stipulations As To Just Compensation, wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amounts shown as compensation in Paragraph 12, and such Stipulations should be approved.

9.

Deficiencies exist between the amounts deposited as estimated compensation for Tracts Nos. T-2038, T-2059E, T-2063E and T-2072E and the amounts fixed by the Stipulations As To Just Compensation, and the amounts of such deficiencies should be deposited for the benefit of the owners. Such deficiencies are set out in Paragraph 12 below.

10.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in the subject tracts were the persons whose names appear below in Paragraph 12, and the right to just compensation for the respective estates taken herein in these tracts is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulations As To Just Compensation, mentioned in Paragraph 8 above, hereby are confirmed; and the sums therein fixed are adopted as the awards of just compensation for the estates condemned in subject tracts as follows:

TRACT NO. S-1918

Owners:

Sydney M. Wily	1/4
Robert F. Wily	1/4
Howard M. Nichols.	1/4
Ruby Helen Barnes.	1/8
H. A. Hunter and Naydeen Hunter	1/8

Award of just compensation pursuant to stipulation	\$2,700.00	\$2,700.00
Deposited as estimated compensation	<u>2,700.00</u>	
Disbursed to owners		<u>2,700.00</u>

TRACTS NOS. S-1967 and S-1967E

Owners:

Heirs of the estate of Lester Fuzzell, deceased, who are:

Lloyd Yvonne Spurgeon
 Lester Junior Fuzzell
 Elmer Wayne Fuzzell
 Floyd Allen Fuzzell
 Norman Lee Fuzzell
 Bobby Loraine Fuzzell
 Dale Edward Fuzzell
 Inza M. Fuzzell

Award of just compensation pursuant to stipulation	\$ 250.00	\$ 250.00
Deposited as estimated compensation	<u>250.00</u>	
Disbursed to owners		<u>250.00</u>

TRACT NO. T-2038

Owner: Jewel V. Poorman

Award of just compensation pursuant to stipulation	\$6,000.00	\$6,000.00
Deposited as estimated compensation	<u>5,250.00</u>	
Deposit deficiency	<u>\$ 750.00</u>	
Disbursed to owner		<u>5,250.00</u>
Balance due to owner		<u>\$ 750.00</u>

TRACT NO. T-2059E

Owner: Jim Harmon (by purchase from heirs of Florence H. Dawson, deceased)

Award of just compensation pursuant to stipulation	\$400.00	\$400.00
Deposited as estimated compensation	<u>330.00</u>	
Deposit deficiency	<u>\$ 70.00</u>	
Disbursed to owner		<u>none</u>
Balance due to owner		<u>\$400.00</u>

TRACT NO. T-2063E

Owners:

Certain heirs of the estate of Bert Lawrence, also known as Bert Laurance, deceased, who are:

- Josephine Lawrence
- Joyce Ellen Lawrence
- William H. (Bill) Lawrence

Award of just compensation pursuant to stipulations:

For interest of Josephine Lawrence and Joyce Ellen Lawrence	\$850.00	
For interest of William H. (Bill) Lawrence	\$226.66	
Total Award		<u>\$1,076.66</u>
Deposited as estimated compensation	\$920.00	920.00
Disbursed:		
To Josephine Lawrence and Joyce Ellen Lawrence	850.00	\$850.00
To William H. (Bill) Lawrence	none	
Balance due:		
To Josephine and Joyce Lawrence	<u>none</u>	
To William H. (Bill) Lawrence	\$226.66	
Balance on hand	<u>70.00</u>	<u>70.00</u>
Deposit deficiency	<u>\$156.66</u>	<u>\$ 156.66</u>

TRACT NO. T-2072E

Owners:

David L. Porter and Mary L. Porter

Award of just compensation	\$600.00	\$600.00
Deposited as estimated compensation. . .	<u>300.00</u>	
Deposit deficiency	<u>\$300.00</u>	
Disbursed to owner		<u>300.00</u>
Balance due to owners		<u>\$300.00</u>

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the registry of this Court the total deposit deficiency for the subject tracts in the sum of \$1,276.66 and such sum shall be allocated and placed in the deposits for the tracts as follows:

Tract No. T-2038	\$750.00
Tract No. T-2059E	70.00
Tract No. T-2063E	300.00

The Clerk of this Court then shall disburse from the deposits in this case certain sums as follows:

From the deposit for Tract T-2038, to Jewel V. Poorman, the sum of	\$750.00
From the deposit for Tract T-2059E to Jim Harmon, the sum of	400.00
From the deposit for Tract T-2063E to William H. (Bill) Lawrence, the sum of	226.66
From the deposit for Tract T-2072E, to David L. Porter and Mary L. Porter, jointly, the sum of	300.00

Ross Rigley
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)	
	)	Civil Action No. 4715
Plaintiff,)	
	)	Tracts Nos. S-1901
vs.	)	S-1901E
	)	S-1923
313.88 Acres of Land, More or	)	T-2049E
Less, Situate in Nowata County,	)	U-2165E
Oklahoma, and June H. Collins,	)	U-2171E
et al., and Unknown Owners,)	
)	
Defendants.)	

J U D G M E N T

1.

On July 20, 1961, this cause, as to the captioned tracts, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney, for the Northern District of Oklahoma. The defendants, John W. Nichols trustee appeared by his attorney, C. A. Steele. The heirs of Bird Mockicin, Edward Stand, and Thomas Gritts, Jr. appeared by their attorney, James O. Worrell. After hearing the evidence and being fully advised in the premises, the Court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such tracts and estates are described in the Declaration of Taking filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on June 23, 1959, the United States of America filed its Declaration of Taking of

certain estates in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subject tracts, certain sums of money, part of which has been disbursed as shown in Paragraph 9.

6.

The fair market value of the estates condemned herein in subject tracts is as follows:

Tract S-1901 and S-1901E	\$6,000.00
Tract S-1923	1,950.00
Tract T-2049E	300.00
Tract U-2165E	700.00
Tract U-2171E	300.00

Such sums should be adopted as the awards of just compensation for the respective tracts.

7.

The defendants named in Paragraph 9 as owners of subject tracts are the only defendants asserting any interest in the estates condemned in the subject tracts, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estates, as of the date of taking, and as such, are entitled to receive the awards of just compensation.

8.

It Is Therefore ORDERED, ADJUDGED, AND DECREED, that the United States of America has the right, power and authority to condemn for public use, the tracts enumerated in Paragraph 2, as such tracts are described in the Declaration of Taking filed herein, and such tracts, to the extent of the estates described and for the uses and purposes indicated in such Declaration of Taking are condemned and title thereto is vested in the United States of America, as of June 23, 1959, and all defendants herein and all other persons interested in the described estates in such tracts are forever barred from asserting any claim thereto.

9.

It Is further ORDERED, ADJUDGED AND DECREED, that on the date of taking, the owners of the estates condemned herein in the subject tracts

were the defendants whose names appear in the schedule below; the right to just compensation for the estates taken in these tracts is vested in the parties so named, as their respective interests appear therein; and the sums hereby adopted as the awards of just compensation for the estates herein taken in subject tracts are the sums following the designation "Award of Just Compensation" in the schedule as follows, to-wit:

Tracts Nos. S-1901 and S-1901E

Owners:

June H. Collins	1/4	
H. M. McMillan	1/4	
Heirs of the Estate of H. B. Fell, deceased (Elizabeth Fell Owen is Executrix of this estate)	35% of 1/4	
Georgie S. Fell	28% of 1/4	
John W. Nichols, trustee.	37% of 1/4	
Felix Quinlan	1/4	

Award of just compensation.	\$6,000.00	\$6,000.00
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Deposited as estimated

Compensation:		
Tract S-1901	\$5,975.00	
Tract S-1901E	25.00	
Total		<u>6,000.00</u>

Disbursed:

To June H. Collins:		
From Tract S-1901	\$1,493.75	
From Tract S-1901E	6.25	
Total		\$1,500.00

To H. M. McMillan:		
From Tract S-1901	\$1,493.75	
From Tract S-1901E	6.25	
Total		<u>1,500.00</u>

Total Disbursed		<u>3,000.00</u>
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Balance due to owners		\$3,000.00
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Tract No. S-1923

Owners:

Heirs of the estate of Bird Mockicin, deceased, who are:

Tennie Belle Gibson	1/4	\$ 487.50
Florence Cochran	1/4	487.50
Lylie Mockicin Guess	1/4	487.50

Heirs of the estate of Ollie O'Field, deceased, who are:

Joe O'Field	1/12	\$ 162.50
Ina Lou O'Field	1/24	81.25
Samuel W. O'Field	1/24	81.25
Annie Marie O'Field	1/24	81.25
Mary Ellen O'Field	1/24	81.25

Award of just compensation	\$1,950.00	\$1,950.00
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Deposited as estimated compensation.		<u>1,950.00</u>
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Disbursed to owners:

To each owner the amount shown following his name above.

Total amount disbursed		<u>1,950.00</u>
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UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)	
	)	Civil Action No. 4735
Plaintiff,)	
	)	Tract No. P-1642
vs.)	
)	
506.82 Acres of Land, More or)	
Less, Situate in Nowata County,)	
Oklahoma, and Marcus Dale, et al,)	
and Unknown Owners.)	
)	
Defendants.)	

J U D G M E N T

1.

On July 20, 1961, this cause, as to the captioned tract, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney, for the Northern District of Oklahoma. The defendants did not appear. After hearing the evidence and being fully advised in the premises, the Court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estate condemned in Tract No. P-1642, as such tract and estate are described in the Declaration of Taking filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tract.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tract, as such tract is particularly described in such Complaint. Pursuant thereto, on July 15, 1959, the United States of America filed its Declaration of Taking of certain estates in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subject tract, a certain sum of money, all of which has been disbursed as shown in Paragraph 9.

6.

The fair market value of the estate condemned herein in Tract No. P-1642 is \$4,550.00, and such sum should be adopted as the award of just compensation.

7.

The defendants named in Paragraph 9 as owners of subject tract are the only defendants asserting any interest in the estate condemned in the subject tract, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estate, as of the date of taking, and as such, are entitled to receive the award of just compensation.

8.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate indicated and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America as of July 15, 1959, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

9.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject tract were the defendants whose names appear in the schedule below; the right to just compensation for the estate taken in this tract is vested in the parties so named, and the sum hereby adopted as the award of just compensation for the estate herein taken in subject tract is the sum following the designation "Award of Just Compensation" in the schedule as follows, to-wit:

TRACT NO. P-1642

Owners:

Hazel Parrish 1/2
Lee Farrish 19/56
Thelma B. Moscon 1/112
Bertha E. Hall 1/112
Fred S. Parrish 1/112
Jo Ann Parrish 1/112
Bessie Pace 1/32
Winnie McChesney 1/32
Henry D. Reinhardt 1/32
Lavange Ward 1/32

Award of just compensation \$4,550.00 \$4,550.00
Deposited as estimated compensation 4,550.00
Disbursed to owners 4,550.00

W. Ross Ripley
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)	
)	
Plaintiff,	)	Civil Action No. 4735
)	
vs.	)	Tract No. P-1632
)	
506.82 Acres of Land, More or)	
Less, Situate in Nowata County,)	
Oklahoma, and Marcus Dale, et al)	
and Unknown Owners.)	
)	
Defendants.)	

J U D G M E N T

1.

On July 11, 1961, this cause as to the captioned tract, came on for pre-trial conference before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. The defendant owners of the captioned tract did not appear. After being advised by counsel for Plaintiff, and having examined the files in the case the Court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estate condemned in Tract No. P-1632, as such tract and estate are described in the Declaration of Taking filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tract.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tract, as such tract is particularly described in such Complaint. Pursuant thereto, on July 15, 1959, the United States of America filed its Declaration of Taking of certain estates in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subject tract, a certain sum of money, none of which has been disbursed as shown in Paragraph 12.

6.

At the above-mentioned pre-trial conference the Court was advised by Counsel for Plaintiff that in the event of a trial Plaintiff's evidence as to the value of the subject tract would be the sum of \$100.00. The Court thereupon found that the Fair Market Value of such tract, as of the date of taking, was \$100.00 and such sum should be adopted as the award of just compensation for the taking of such tract.

7.

The defendants named in Paragraph 11 as owners of subject tract are the only defendants asserting any interest in the estate condemned in the subject tract, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estate, as of the date of taking, and as such, are entitled to receive the award of just compensation.

8.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate indicated and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America as of July 15, 1959, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

9.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject tract were the defendants whose names appear in the schedule below; the right to just compensation for the estate taken in this tract is vested in the parties so named, as their interests appear therein; and the sum of \$100.00 hereby is adopted as the award of just compensation for the estate herein taken in subject tract, all as follows, to-wit:

Owners:

Trustees of Christian Church		
Award of just compensation	\$100.00	\$100.00
Deposit of estimated compensation.	<u>100.00</u>	
Disbursed to owners		<u>none</u>
Balance due to owners		<u>\$100.00</u>

10.

It Is Further ORDERED, that the Clerk of this Court shall disburse, from the deposit for subject tract, the sum of \$100.00 to Trustees of Christian Church.

Ross Ringley

 UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow

 HUBERT A. MARLOW
 Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
237.28 Acres of Land, More or
Less, Situate in Nowata and
Rogers Counties, Oklahoma, and
P. L. Hayes, et al., and
Unknown Owners,
Defendants.

Civil Action No. 4737

Tracts Nos. J-1018E
0-1509
0-1543E
0-1545E
0-1556E-1
0-1556E-2
0-1556E-3
0-1556E-4

J U D G M E N T

1.

Now on this 7th day of December, 1961, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on option contracts and on stipulations agreeing upon just compensation, and the court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This Judgment applies only to the estates condemned in the Tracts enumerated in the caption above, as such estates and tracts are described in the Declaration of Taking filed herein.

3.

The court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tracts.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the land described in Paragraph 2 herein. Pursuant thereto, on July 17, 1959, the United States of America has filed its Declaration of Taking of such described property and title thereto should be vested in the United States of America, as of the date of filing such instrument.

6.

On filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of certain estates in the subject tracts, certain sums of money, and part of these deposits has been disbursed as set out in Paragraph 15 below.

7.

On the date of taking in this action, the owners of the estates taken in the subject tracts were the defendants whose names are shown in Paragraph 15 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of each of the subject tracts and the United States of America have executed Contracts of Option, as alleged in the Complaint, or have executed and filed herein Stipulations As To Just Compensation wherein they have agreed that just compensation for the estates condemned in such tracts is in the amounts shown as compensation in Paragraph 15 herein and such Options and Stipulations should be approved.

9.

Certain deficiencies exist between the amounts deposited as estimated just compensation for two of the subject tracts and the amounts fixed herein as just compensation for such tracts. A surplus in the deposit for one tract will be created by this judgment. This surplus, insofar as is necessary, should be used to satisfy the above described deficiencies. The deficiencies and the surplus are set out in paragraph 15 below.

10.

A Stipulation for Exclusion of Property, executed by Ica Bell Stanart, John Stanart and the United States of America, was filed herein on July 30, 1959, whereby certain improvements situated on Tract No. 0-1509, were excluded from the taking in this case and it was agreed that the award of compensation for such tract would be reduced by the salvage value of such improvements and such stipulation should be approved.

11.

The Option Contract signed by the owners of Tract No. O-1556E-1 reserved to the owners the right to remove the following identified improvements situated on such tract: Dwelling 28½' x 45', front porch 8' x 21', barn 24' x 40', hog shed 10' x 20', brooder house 8' x 10', hen house 6' x 20', privy 4' x 5', propane tank 500 gallons, and 100 rods of garden and hog lot fence. These improvements therefore should be excluded from the taking in this case and title thereto should be revested in the owners as of the date of taking.

12.

The Declaration of Taking filed herein does not purport to take any interest in the mineral estate under Tract No. O-1556E-1. However, the nature of the estate taken in such tract, considered in connection with the proposed operation of the Oologah Dam and Reservoir Project necessarily results in a damage to the mineral estate under such tract.

Furthermore, the option contract signed by the owners of Tract No. O-1556E-1 included a subordination of the mineral estate in such tract and also included in the agreed amount of compensation the sum of \$100.00 to pay for such subordination.

The terms of this option should be approved and therefore, it should be adjudicated that the estate taken in Tract No. O-1556E-1, in addition to that described in the Declaration of Taking, includes a subordination of the mineral estate in such tract and the value of such subordination is \$100.00.

13.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in Paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and all of such tracts, except Tract No. O-1556E-1 and except the improvements described in paragraph 10, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking are condemned and title thereto is vested in the United States of America.

As to Tract No. O-1556E-1, pursuant to the findings and conclusions in Paragraph 11 and 12, the estate taken (in addition to the estate described in the Declaration of Taking) includes a subordination of the mineral estate in such tract to the estate taken as described in

the Declaration of Taking; but the improvements situated on this tract, identified in Paragraph 11 above, are excluded from the taking in this case and title to such improvements is reverted in the former owners as of July 17, 1959.

The Stipulation for Exclusion of Property described in Paragraph 10 above is confirmed and title to the improvements covered by such stipulation remains vested in the persons who owned such property on the date of filing this action.

14.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in the subject tracts were the persons whose names appear below in Paragraph 15, and the right to just compensation for the respective estates taken in these tracts is vested in the parties so named, as their respective interests appear therein.

15.

The agreements as to compensation contained in the Contracts of Option, signed by the owners of Tracts Nos. O-1556E-1, O-1556E-2, O-1556E-3 and O-1556E-4, are confirmed, and the sums therein recited, which includes compensation in the amount of \$100.00 for the subordination of the mineral estate under Tract O-1556E-1, are adopted as the awards of just compensation for the estates taken herein in such tracts, all as shown in the schedule which follows in this paragraph.

The Stipulations as to just compensation mentioned in Paragraph 8 above hereby are confirmed, and the sums therein fixed are adopted as the awards of just compensation for the estates condemned in subject tracts, as follows:

TRACT NO. J-1018E

Owners:

Gus Livingston is the owner, subject to a mortgage to the First National Bank of Nowata.

<u>Award of just compensation</u>		
pursuant to stipulation	\$25.00	\$25.00
<u>Deposited as estimated</u>		
compensation	25.00	
<u>Deposit deficiency</u>	none	
<u>Disbursed to owners</u>		<u>25.00</u>

TRACT NO. 0-1509

Owners:

John Stanart and Ica Bell Stanart

<u>Deposited</u> as estimated compensation	\$26,200.00	\$26,200.00
<u>Award</u> of just compensation pursuant to stipulation	\$26,700.00	
Less salvage value of improvements reserved	<u>1,615.00</u>	
<u>Net Award</u>	\$25,085.00	25,085.00
<u>Disbursed</u> to owners	<u>\$24,585.00</u>	24,585.00
<u>Balance on deposit</u>	\$ 1,615.00	
<u>Balance due</u> to owners	\$ <u>500.00</u>	
<u>Deposit surplus</u>		<u><u>\$. 1,115.00</u></u>

TRACT NO. 0-1543E

Owners:

Bud Stanart and Maude Stanart

<u>Award</u> of just compensation pursuant to stipulation	\$.675.00	\$675.00
<u>Deposited</u> as estimated compensation	<u>500.00</u>	
<u>Deposit deficiency</u>	<u>\$.175.00</u>	
<u>Disbursed</u> to owners		<u>none</u>
<u>Balance due</u> to owners		<u>\$675.00</u>

TRACT NO. 0-1545E

Owners:

J. O. Scott
Affey Scott
Leon Scott and Virgie Lord Nix

<u>Award</u> of just compensation pursuant to stipulation	\$100.00	\$100.00
<u>Deposited</u> as estimated compensation	<u>100.00</u>	
<u>Deposit deficiency</u>	<u>none</u>	
<u>Disbursed</u> to owners		<u>100.00</u>

TRACTS NOS. O-1556E-1, O-1556E-2, O-1556E-3
and O-1556E-4

Owners:

Heirs of the estate of William Martin, deceased, who are:

Australia Trent, also known as Australia Martin Trent . . .	1/6
Eulah Nugent, also known as Eula Nugent	1/6
Dean Walker, also known as Dean O. Walker	1/30
Lewis Walker, also known as Louis Lee Walker.	1/30
Bernice Walker, also known as Bernice J. McGuire.	1/30
Wheeler Walker, also known as Wheeler L. Adams.	1/30
Billy Martin Walker, also known as Billy William Walker . .	1/30
Gladys Martin	1/2

(Ross Lee Martin was administrator of the estate, probate of which was still pending when this case was filed.)

Awards of just compensation:

For Tract O-1556E-1:	
For surface interest	\$10,215.00
For subordination of mineral estate	100.00
Total	\$10,315.00
For Tract O-1556E-2	\$375.00
For Tracts O-1556E-3 and E-4 . . . . .	. . . . .
Combined	\$50.00
Total Award for all tracts Combined	\$10,740.00

Deposited as estimated compensation:

For Tract O-1556E-1:	
For surface interest only	10,215.00
For Tract O-1556E-2	375.00
For Tracts O-1556E-3 and E-4	50.00

Deposit deficiency:

For Tract O-1556E-1 only	\$ 100.00
--------------------------	-----------

<u>Disbursed to owners for all tracts</u>	\$10,640.00
Balance due to owners	\$ 100.00

It Is Further ORDERED, ADJUDGED, AND DECREED that from the surplus in the deposit for Tract No. O-1509 the Clerk of this Court shall transfer certain sums as follows:

To the deposit for Tract O-1543E	\$175.00
To the deposit for Tract O-1556E-1	\$100.00

The Clerk then shall disburse from the deposits for the subject tracts certain sums as follows:

From the deposit for Tract O-1509, to John Stanart and Ica Bell Stanart, jointly \$500.00.

From the deposit for Tract O-1543E, to Bud Stanart and Maude Stanart, jointly \$675.00.

From the deposit for Tract O-1556E-1:

To Australia Trent \$16.67
To Eulah Nugent 16.66
Dean Walker 3.34
Lewis Walker 3.34
Bernice Walker 3.33
Wheeler Walker 3.33
Billy Martin Walker 3.33
Cladys Martin 50.00

Ross Rigley
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
 Plaintiff,) Civil Action No. 4754
)
 vs.) Tract No. N-1432
)
 458.26 Acres of Land, More or)
 Less, situate in Rogers and)
 Nowata Counties, Oklahoma, and)
 Thomas D. Bard, Jr., et al., and)
 Unknown Owners,)
)
 Defendants.)

J U D G M E N T

1.

On July 20, 1961, this cause, as to the captioned tract, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Royce H. Savage, Judge of the United States District Court for the Northern District of Oklahoma. The plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney, for the Northern District of Oklahoma. The defendant, John W. Nichols, Trustee, appeared by his attorney, C. A. Steele. After hearing the evidence and being fully advised in the premises, the Court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estate condemned in Tract No. N-1432, as such tract and estate are described in the Declaration of Taking filed herein.

3.

Service of process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tract.

4.

The Acts of Congress set out in Paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tract, as such tract is particularly described in such Complaint. Pursuant thereto, on August 10, 1959, the United States of America filed its Declaration of Taking of

certain estates in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subject tract, a certain sum of money, part of which has been disbursed as shown in Paragraph 10.

6.

The fair market value of the estate condemned herein in Tract No. N-1432 is \$9,625.00, and such sum should be adopted as the award of just compensation.

7.

A deficiency exists between the amount deposited as estimated compensation and the amount fixed herein as the award of just compensation for subject tract, and a sum of money sufficient to cover such deficiency should be deposited by the Government. Such deficiency is set out in Paragraph 10 below.

8.

The defendants named in Paragraph 10 as owners of subject tract are the only defendants asserting any interest in the estate condemned in the subject tract, all other defendants having either disclaimed or defaulted; the named defendants are the owners of such estate, as of the date of taking, and as such, are entitled to receive the award of just compensation.

9.

It Is Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate indicated and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America as of August 10, 1959, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject tract were the defendants whose names appear in the schedule below; the right to just compensation for the estate taken in this tract is vested in the parties so named; and the sum hereby adopted as the award of just compensation for the estate herein taken in subject tract is the sum following the designation "Award of Just Compensation" in the schedule as follows, to-wit:

TRACT NO. N-1432

Owners:

H. M. McMillan 50%
 John W. Nichols, Trustee . 18 $\frac{1}{2}$ %
 Georgie S. Fell 14%
 Estate of H. B. Fell,
 deceased
 (Elizabeth Fell Owen is
 executrix) : 17 $\frac{1}{2}$ %

Award of just compensation. \$9,625.00
Deposited as estimated compensation 8,830.00
Deposit deficiency \$ 795.00

Distribution of award:

Award for H. M. McMillan . . .	\$4,812.50		
Award for John W. Nichols, trustee		\$1,780.62	
Award for Georgie S. Fell			\$1,347.50
Award for Estate of H. B. Fell			\$1,684.38
Disbursed to H. M. McMillan	\$4,415.00		
Disbursed to others		<u>None</u>	<u>None</u> <u>None</u>

Balance due to owners:

To H. M. McMillan	<u>\$ 397.50</u>		
To John W. Nichols, trustee		<u>\$1,780.62</u>	
To Georgie S. Fell			<u>\$1,347.50</u>
To Estate of H. B. Fell			<u>\$1,684.38</u>

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America, shall pay into the Registry of this Court for the benefit of the named owners the deposit deficiency in the amount of \$795.00, together with interest thereon at the rate of 6% per annum

from August 10, 1959, until the date of deposit of such deficiency amount, and such sum shall be placed in the deposit for the subject tract in this Civil Action. When such deposit has been made, the Clerk of this Court shall disburse the total deposit for the subject tract, as follows:

To H. M. McMillan, \$397.50, plus 50% of the accrued interest on the deposit deficiency.

To John W. Nichols,
Trustee, \$1,780.62, plus 18 $\frac{1}{2}$ % of the accrued interest on the deposit deficiency.

To Georgie S.
Fell, \$1,347.50, plus 14% of the accrued interest on the deposit deficiency.

To Elizabeth
Fell Owen,
executrix, of
the estate of
H. B. Fell,
deceased \$1,684.38, plus 17 $\frac{1}{2}$ % of the accrued interest on the deposit deficiency.

Ross Ripley
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

321.86 Acres of Land, More or
Less, Situate in Nowata and Rogers
Counties, Oklahoma, and
L. G. Thomason, et al,

Defendants.

Civil Action No. 4811

Tracts Nos. F-601
F-601E
F-603

J U D G M E N T

1.

Now, on this 7th day of December 1961, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on December 9, 1959, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of certain estates in subject tracts, a certain sum of money, and ^{part} ~~222X~~ of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the estates taken in subject tracts were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of the subject tracts and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tracts and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in paragraph 12 below.

10.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estates condemned herein in subject tracts were the defendants whose names appear below in paragraph 12, and the right to just compensation for the respective estates taken herein in these tracts is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject tracts as follows:

Tracts Nos. F-601, F-601E and F-603

Owners:

Clyte Harlan and Mabel Harlan

Award of just compensation pursuant to stipulation	\$20,000.00	\$20,000.00
Deposited as estimated compensation	<u>17,400.00</u>	
Deposit deficiency	<u>\$ 2,600.00</u>	
Disbursed to owners		<u>17,080.00</u>
Balance due to owners.		<u>\$ 2,920.00</u>

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action, to the credit of the subject tracts, the deficiency sum of \$2,600.00, and the Clerk of this Court then shall disburse from the deposit for subject tracts, to Clyte Harlan and Mabel Harlan, jointly, the sum of \$2,920.00.

Rosa Rigley
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,) Civil Action No. 4822
)
vs.) Tract No. 5706-A
)
389.50 Acres, More or Less,)
Situates in Nowata and Rogers)
Counties, Oklahoma, and American)
Climax Petroleum Corporation)
et al,)
)
Defendants.)

FILED
DEC 22 1961
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
MMS

J U D G M E N T

1.

NOW, on this 7th day of December 1961, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on stipulations agreeing upon just compensation, and the court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. 5706-A as such estate and tract are described in the Declaration of Taking filed in this action.

3.

The court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in Paragraph 2 herein. Pursuant thereto, on December 22, 1959, the United States of America filed its declaration of taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in subject tract a certain sum of money, and none of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in Paragraph 12 below. Such named defendants are the only persons asserting any interest in such estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of subject tract and the United States of America have executed and filed herein stipulations as to just compensation where in they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in Paragraph 12 below, and such stipulations should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the stipulations as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in Paragraph 12 below.

10.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the complaint and declaration of taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such declaration of taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the defendants whose names appear below in Paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulations as to just compensation, mentioned in Paragraph 8 above, hereby are confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 5706-A

Owners:

Lessor interest: Ruth A. Whitehill and Howard J. Whitehill
Lessee interest: Blackwell Zinc Company, Inc.,
(successor in interest to American Climax Petroleum Corporation).

Award of just compensation:

For lessor interest	\$500.00	\$500.00		
For lessee interest			\$11,580.00	\$11,580.00

Deposited as estimated compensation:

For lessor interest	125.00			
For lessee interest			<u>11,130.00</u>	

Deposit deficiency:

As to lessor interest . . .	<u>\$375.00</u>			
As to lessee interest . . .			<u>\$ 450.00</u>	

Disbursed to owners:

none none

Balance due to owners:

To lessor	<u>\$500.00</u>			
To lessee				<u>\$11,580.00</u>

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this court, in this civil action to the credit of Tract No. 5706-A, the total deposit deficiency in the amount of \$325.00, and the Clerk of this Court then shall disburse the deposit for subject tract as follows:

To: Ruth A. Whitehill and Howard J. Whitehill,
jointly, the sum of :500.00
To: Blackwell Zinc Company, Inc., the sum of . \$11,580.00

15/ Ross Rigley
UNITED STATES DISTRICT JUDGE

APPROVED:

69 Robert A. Marlow
ROBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

608.34 Acres of Land, More or
Less, Situate in Nowata and
Rogers Counties, Oklahoma,
and Jennie M. Faulkner, et al,

Defendants.

Civil Action No. 4871

Tract No. M-1324

J U D G M E N T

1.

Now, on this 7th day of December 1961, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. M-1324, as such estate and tract are described in the Declaration of Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on March 2, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and all of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owner of the estate taken in subject tract was the defendant whose name is shown in paragraph 12 below. Such named defendant is the only person asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for the estate taken in this tract.

8.

The owner of the subject tract and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowner. Such deficiency is set out in paragraph 12 below.

10.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned, and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owner of the estate condemned herein in subject tract was the defendant whose name appears below in paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the party so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. M-1324

Owner: John B. McComic

Award of just compensation pursuant to stipulation	\$10,400.00	\$10,400.00
Deposited as estimated compensation	<u>8,875.00</u>	
Deposit deficiency	<u>\$ 1,525.00</u>	
Disbursed to owner		\$ 8,875.00
Balance due to owner		<u>\$ 1,525.00</u>

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action to the credit of subject tract, the deficiency sum of \$1,525.00, and the Clerk of this Court then shall disburse from the deposit for subject tract the sum of \$1,525.00 to John B. McComic.

19 Ross Ripley
UNITED STATES DISTRICT JUDGE

APPROVED:

19 Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)	
)	
Plaintiff,	)	Civil Action No. 4955
)	
vs.	)	Tracts Nos. J-1037
	)	J-1037E-1 and
321.86 Acres of Land, More or	)	J-1037E-2
Less, Situate in Nowata and Rogers)	
Counties, Oklahoma, and)	
L. G. Thomason, et al,)	
)	
Defendants.)	

J U D G M E N T

1.

Now, on this 7th day of December 1961, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on June 28, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of certain estates in subject tracts, a certain sum of money, and all of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the estates taken in subject tracts were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of the subject tracts and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tracts and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in paragraph 12 below.

10.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estates condemned herein in subject tracts were the defendants whose names appear below in paragraph 12, and the right to just compensation for the respective estates taken herein in these tracts is vested in the parties so named:

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject tracts as follows:

Tracts Nos. J-1037, J-1037E-1 and J-1037E-2

Owners:

Elmer Paul Arning and
Marie Arning

Award of just compensation pursuant to stipulation	\$10,000.00	\$10,000.00
Deposited as estimated compensation	<u>8,850.00</u>	
Deposit deficiency	<u>\$ 1,150.00</u>	
Disbursed to owners		<u>8,850.00</u>
Balance due to owners		<u>\$ 1,150.00</u>

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action, to the credit of the subject tracts, the deficiency sum of \$1,150.00, and the Clerk of this Court then shall disburse from the deposit for subject tracts, to Elmer Paul Arning and Marie Arning, jointly, the sum of \$1,150.00.

Ross Rigley
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)	
)	
Plaintiff,	)	Civil Action No. 4990
)	
vs.	)	Tract No. 5601-1
)	
413.36 Acres of Land, More or)	
Less, Situate in Nowata County,)	
Oklahoma, and Emma E. Mortlock,)	
et al,)	
)	
Defendants.)	
)	

J U D G M E N T

1.

Now, on this 7th day of December, 1961, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the overriding royalty interest in the estate condemned in Tract No. 5601-1, as such estate and tract are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in Paragraph 2 herein. Pursuant thereto, on August 11, 1960, the United States of America has filed its declaration of taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the declaration of taking.

6.

On filing of the declaration of taking, there was deposited in the registry of this Court, as estimated compensation for the taking of the overriding royalty interest in the subject tract a certain sum of money, and none of this deposit has been disbursed, as set out in Paragraph 12 below.

7.

On the date of taking in this action, the owners of the overriding royalty interest in the estate taken in subject tract were the defendants whose names are shown in Paragraph 12 below. Such named defendants are the only persons asserting any interest in the above described interest taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for such interest in the estate taken in this tract.

8.

The owners of the overriding royalty interest in the estate taken in subject tract and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for such described interest in the estate condemned in subject tract is in the amount shown as compensation in Paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in Paragraph 12 below.

10.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the complaint and declaration of taking filed herein; and such tract, to the extent of the overriding royalty interest in the estate described and for the uses and purposes described in such declaration of taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such declaration of taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

2

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the overriding royalty interest in subject tract were the defendants whose names appear below in Paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in Paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 5601-1

Owners: of the overriding royalty interest

Howard J. Whitehill
Phyllis W. Minister
Julian W. Funke
Helen W. Kenyon

Award of just compensation pursuant to stipulation	\$746.00	\$746.00
Deposited as estimated compensation	<u>496.38</u>	
Deposit deficiency	<u>\$249.62</u>	
Disbursed to owners		<u>none</u>
Balance due to owners		<u>\$746.00</u>

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action to the credit of Tract No. 5601-1, the deficiency sum of \$249.62 and the Clerk of this Court then shall disburse to the owners named in paragraph 12, jointly, the sum of \$746.00.

15/ Ross Ripley
UNITED STATES DISTRICT JUDGE

APPROVED:

15/ Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 1.36 Acres, More or Less, Situate)
 in Mayes County, Oklahoma, and)
 Elizabeth Hammons, et al, and)
 Unknown Owners,)
)
 Defendants.)

Civil Action No. 4998

Tracts Nos. 1968E and
1969E

FILED ✓

DEC 1961

HOWIE G. WOOD
Clerk, U. S. District Court

J U D G M E N T

1.

Now, on this 7th day of December 1961, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the declaration of taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on August 17, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the registry of this Court, as estimated compensation for the taking of certain estates in subject tracts, a certain sum of money, and all of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owners of the estates taken in subject tracts were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any ~~interest~~ interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of the subject tracts and the United States of America have executed and filed herein a stipulation as to just compensation wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tracts and the amount fixed by the stipulation as to just compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in paragraph 12 below.

10.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estates condemned herein in subject tracts were the defendants whose names appear below in paragraph 12, and the right to just compensation for the respective estates taken herein in these tracts is vested in the parties so named.

12.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stipulation as to just compensation, mentioned in paragraph 8 above, is hereby confirmed; and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject tract as follows:

Tracts Nos. 1968E and 1969E

Owners:

Albert M. Brown, also known as A. M. Brown and Delphia Brown, also known as Delphia Brown.

<u>Award of just compensation pursuant to approved stipulation</u>	<u>\$2,400.00</u>	<u>\$2,400.00</u>
<u>Deposited as estimated compensation</u>	<u>1,800.00</u>	
<u>Deposit deficiency</u>	<u>\$ 600.00</u>	
<u>Disbursed to owners</u>		<u>1,800.00</u>
<u>Balance due to owners</u>		<u>\$ 600.00</u>

13.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the registry of this Court, in this Civil Action, to the credit of Tract No. 1969E, the deficiency sum of \$600.00, and the Clerk of this Court then shall disburse to Albert M. Brown and Delphia Brown, jointly, the sum of \$600.00, from the deposit for Tract No. 1969E.

/s/ Ross Rigley
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow
HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)	
)	
Plaintiff,	)	Civil Action No. 5114
)	
vs.	)	Tract No. 4731-C
)	
274.85 Acres of Land, More or Less, Situate in Rogers County, Oklahoma, and McAlester Fuel Company, et al,)	
)	
Defendants.)	

J U D G M E N T

1.

NOW on this 7th day of December 1961, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This Judgment applies only to an undivided 3/4 royalty interest in the estate condemned in **Tract** 4731-C, as such estate and tract are described in the Declaration of Taking, and the Amendment thereto, filed in this Civil Action.

3.

The Court has jurisdiction of the parties and the subject matter of this action.

4.

Service of Process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in the subject tract.

5.

The Acts of Congress set out in Paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estate described in Paragraph 2 herein. Pursuant thereto on January 31, 1961, the United States of America has filed its Declaration of Taking of such described property and on September 5, 1961 has filed an Amendment to such Declaration of Taking, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the estate described in paragraph 2, a certain sum of money, and none of this deposit has been disbursed, as set out in Paragraph 11 below.

7.

On the date of taking in this action, the owners of the estate taken in the subject tract were the defendants whose names are shown in Paragraph 11 below. Such named defendants are the only persons asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of an undivided $3/4$ royalty interest in the subject tract and the United States of America have executed and filed herein Stipulations As To Just Compensation, wherein they have agreed that just compensation for the estate condemned in subject tract is in the amounts shown as compensation in Paragraph 11, and such Stipulations should be approved.

9.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in Paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking as amended, filed herein; and an undivided $3/4$ royalty interest in such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, as amended, is condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking as amended, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject tract were the persons whose names appear below in Paragraph 11, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

2.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulations As To Just Compensation, mentioned in Paragraph 8 above, are hereby confirmed; and the sums therein fixed are adopted as the awards of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 4731-C

Owners:

C. L. McMahon, Incorporated, an undivided 1/2 royalty interest
 A. J. Gill, an undivided 1/4 royalty interest

Award of just compensation pursuant to stipulations:

For McMahon interest	\$1,191.00	
For Gill interest	595.50	
Total Award for both interests.	\$1,786.00	\$1,786.50
Deposited as estimated compensation for both interests	1,786.50	
Deposit deficiency	<u>none</u>	
Disbursed to owners		<u>none</u>
Balance due to owners.		<u>\$1,786.50</u>

It Is Further ORDERED, that the Clerk of this Court shall disburse from the deposit for the subject tract certain sums as follows:

To C. L. McMahon, Incorporated	\$1,191.00
To A. J. Gill	595.50

15/ Ross Rigley
 UNITED STATES DISTRICT JUDGE

APPROVED:

15/ Hubert A. Marlow
 HUBERT A. MARLOW
 Assistant U. S. Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA **FILED**

WASHINGTON NATIONAL INSURANCE COMPANY,
a corporation,

Plaintiff,

vs.

JOE W. WILCOX, et al.,

Defendants.)

DEC 11 1961
AM
NOBLE C. HOOD
Clerk, U. S. District Court
No. 5167

J U D G M E N T

The Clerk is directed to enter the following Judgment in the above entitled cause:

Plaintiff shall have and recover against Joe W. Wilcox and Lollie C. Wilcox the sum of \$11,764.⁷⁶ together with interest at 5¹/₂% per annum from November 30, 1961, and attorney's fees in the amount of \$1,047.95, which Judgment is secured by a first lien under its Mortgage upon the following described real estate in Washington County, Oklahoma, to wit:

Lot 7, Block 4, PENNINGTON HILLS ADDITION to the City of Bartlesville, Washington County, Oklahoma.

Said lien is hereby foreclosed and the property above described ordered sold in the manner set forth in the conclusions of law herein made and filed.

Title of the purchaser is quieted against all of the parties herein and they are enjoined from claiming any right, title, interest or lien in the property herein foreclosed.

Dated this ^{13th}~~12th~~ day of December, 1961.

Boss Bigley

Judge of the United States District Court

FILED

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

DEC 18 1961

United States of America,)
)
) Plaintiff,)
)
 vs.)
)
 265.44 Acres of Land, More or Less,)
 Situated in Creek and Pawnee Counties,)
 Oklahoma, and F. M. Coonrod Estate,)
 et al., and Unknown Owners,)
)
 Defendants.)

NOBLE C. HOOD
Clerk, U. S. District Court

Civil No. 4945

JUDGMENT AS TO TRACTS NOS. 1684, 1678 and 1681

Now on this 18 day of Dec, 1961, there is presented to the Court a motion of Raymond K. Holmes and Cornelia Coonrod Holmes to correct and modify certain judgments and orders of distribution as to the above tracts of land. The Court, being fully advised in the matter, finds that the above tracts of land were owned by Raymond K. Holmes and Cornelia Coonrod Holmes and that they were the sole and only parties entitled to receive just compensation for said tracts in this condemnation proceeding.

The Court further finds that through mistake and error there has been distributed to J. R. Wright sums as follows, to-wit:

Tract No. 1678	\$ 33.33
Tract No. 1681	\$ 33.33
Tract No. 1684	\$111.11

The Court finds that J. R. Wright owned no interest in said tracts of land and was not entitled to receive any sums therefor.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that as to the above tracts of land, the true and lawful owners of said land and the sole and only parties entitled to receive just compensation therefor, was Raymond K. Holmes and Cornelia Coonrod Holmes. All judgments and orders of distribution entered in this proceeding as to the above tracts are corrected and modified accordingly.

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

FILED

DEC 18 1961

CARDWELL MANUFACTURING COMPANY
and JOHN W. MECOM,

Plaintiffs,

v.

W. R. BARRY PUMP COMPANY,
WILLIAM R. BARRY and RICHARD Q.
WINTERS,

Defendants.

NOBLE C. HOOD
Clerk, U. S. District Court

CIVIL ACTION NO. 5119

FINAL JUDGMENT

The parties hereto, having agreed to a settlement of the matters in issue between them, and to the entry of this judgment, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That this court has jurisdiction of the plaintiffs, Cardwell Manufacturing Company and John W. Mecom, and of the defendants, W. R. Barry Pump Company, William R. Barry, and Richard Q. Winters, and of the subject matter in issue.
2. That United States Letters Patent No. 2,842,060, issued July 8, 1958, to John W. Mecom as the assignee of the inventor, William R. Barry, are good and valid in law.
3. That plaintiff John W. Mecom is now, and has been at all times since its date of issuance, the owner of the aforesaid Letters Patent and of all rights thereto and thereunder.
4. That all pumps heretofore manufactured by the W. R. Barry Pump Company in accordance with the so-called "V-60" design, infringe the claims of the said patent No. 2,842,060.
5. That the defendants and each of them, and their respective agents, servants, and employees, and all persons in active concert or participation with them, are hereby perpetually enjoined against infringing, or contributing to the infringement of, any claim of the said patent No. 2,842,060

during the unexpired term thereof, and specifically against the manufacture, use or sale of pumps having therein a crankshaft which is adapted for or capable of separation into two independent sections at or near the longitudinal center thereof, either for purposes of more convenient assembly and disassembly, or for improved operating characteristics; it is to be understood, however, that plaintiffs will assert no claims for damages and/or injunctive relief under the patent in suit against the defendants for any pump having an integral crankshaft, i.e., a crankshaft which is inseparable at or near the longitudinal center thereof.

6. That plaintiffs' claims for damages and/or injunctive relief based on infringing pumps heretofore manufactured by defendants, are waived, and that such pumps, which are expressly represented by defendants to be not more than nine in number, may be used, repaired, and resold by defendants and/or the present owners thereof without liability to plaintiffs.

7. That William R. Barry's right to receive from Cardwell Manufacturing Company or its predecessor, John W. Mecom, a sum equal to $3/4$ of 1 percent of the net selling price of pumps of the type defined by the patent in suit manufactured and sold by Cardwell Manufacturing Company or its predecessor, John W. Mecom, for use in connection with oil and gas well drilling and servicing for a period of ten years commencing January 1, 1957, as set forth in that Agreement of October 5, 1956, by and between John W. Mecom and William R. Barry, have been and hereby are cancelled, the said William R. Barry consenting thereto.

8. That plaintiffs' claims against defendant William R. Barry for breach of contract are hereby dismissed with prejudice.

9. That no accounting is ordered and no damages

are awarded to plaintiff with respect to plaintiffs' claims for patent infringement.

10. That each party hereto shall bear his or its own costs and attorneys' fees, and no costs or attorneys fees are awarded to any party.

Entered this 18th day of December, 1961 at Tulsa, Oklahoma.

14 Luther Bohanon
United States District Judge

Approved on behalf of
both plaintiffs:

Robert A. White
Robert A. White
1600 Esperson Building
Houston, Texas

Approved on behalf of
all defendants:

William S. Dorman
William S. Dorman
National Bank of Tulsa Building
Tulsa, Oklahoma

UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

THE WESTERN and SOUTHERN LIFE
INSURANCE COMPANY, a corporation,

Plaintiff

vs.

GEORGE E. MACONNAH, ET AL.,

Defendants

Civil Action No. 4923

FILED

DEC 11 1961

ORDER CONFIRMING MARSHAL'S SALE

NOBLE C. HOOD
Clerk, U. S. District Court

Now, on this 19th day of December, 1961, comes the Plaintiff, Eva Nita Hopkins, and by her attorney, C. N. Haskell, moves the Court to confirm the sale of real estate made by the United States Marshal for the Northern District of Oklahoma on the 15th day of December, 1961, to Eva Nita Hopkins under a Special Execution and Order of Sale issued out of the office of the Clerk of this Court, dated October 27, 1961, for the following property, to-wit:

North seventeen feet (17') of Lot Three (3) and
South Twenty-five feet (25') of Lot Four (4),
BAYNE ADDITION to the City of Tulsa, Tulsa County,
Oklahoma, according to the recorded plat thereof.

And the Court having carefully examined the proceedings of said Marshal under said Special Execution and Order of Sale, is satisfied that the same have been performed in all respects in conformity to law, that due and legal notice of said sale was given by publication for two successive weeks in the Tulsa Daily Legal News, a newspaper printed in Tulsa County, State of Oklahoma, as shown by proof of said publication on file herein, and that on the day fixed therein, to-wit: the 15th day of December, 1961, said property was sold to Eva Nita Hopkins, she being the highest and best bidder therefor; and the Clerk is accordingly directed to make an entry on the journal of said Court that the Court is satisfied of the legality of said sale; and no exceptions being filed nor objections made,

IT IS ORDERED AND ADJUDGED BY THE COURT that said sale and the proceedings be, and the same are hereby, approved and confirmed;

AND IT IS FURTHER ORDERED that Doyle W. Foreman, United States Marshal for the Northern District of Oklahoma, make and execute to said purchaser at said sale, Eva Nita Hopkins, a good and sufficient deed for the said premises so sold.



Judge

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

R. G. Hughes, an Individual; and Burl Johnson
& Associates, a Joint Venture composed of
Industrial Homes, Inc., a corporation, Bennett
Building Co., Inc., a corporation, Carol Con-
struction Co., Inc., a corporation, and Burl
Johnson, an individual,

Plaintiffs,

vs.

Bill Burnett, d/b/a Bill Burnett Sheetrock
Contractor; Tri-State Insurance Company,
an Oklahoma corporation; U. S. Gypsum Company,
an Illinois corporation; Clinton Lumber Company,
an Oklahoma Corporation; and the United States
of America,

Defendants.

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:: Civil No. 5231
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:: **FILED**
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:: DEC 23 1961
::
:: NOBLE C. HOOD
Clerk, U. S. District Court

JOURNAL ENTRY OF JUDGMENT

This cause coming on for hearing this 18th day of December, 1961, upon motion to dismiss of the United States of America and upon plaintiffs' motion for summary judgment, and the Court having heard statement and argument of counsel and being advised in the premises finds that the motion to dismiss of the United States of America should be overruled, and finds that the motion for summary judgment of plaintiffs should be sustained.

The Court further finds that there is no issue nor controversy between plaintiffs on the one hand and the defendants on the other hand, but that there remains a controversy as between the defendants among themselves.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the motion to dismiss of the United States of America be and the same is hereby overruled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the motion of the plaintiffs for summary judgment be and the same is hereby sustained.

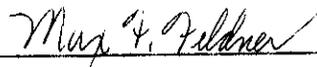
IT IS FURTHER ORDERED that plaintiffs be hence discharged from further liability to the defendants by reason of the sub-contract existing between Burl Johnson & Associates and Bill Burnett, d/b/a Bill Burnett Sheetrock Contractor, and dated the 30th day of August, 1960, together with their costs herein.

IT IS FURTHER ORDERED THAT THIS CAUSE proceed as to the controversy existing between the defendants.


UNITED STATES DISTRICT JUDGE

CERTIFICATE

I hereby certify that I mailed a true and correct copy of the above and foregoing Journal Entry of Judgment to the following: John M. Imel, United States Attorney, 335 Federal Building, Tulsa 3, Oklahoma, attorney for the United States of America; Conner, Winters, Randolph & Ballaine, First National Building, Tulsa, Oklahoma, and James T. Otis of MacLeish, Spray, Price & Underwood, 134 South LaSalle Street, Chicago 3, Illinois, Attorneys for U.S. Gypsum Company; C. Wayne Litchfield of Savage, Gibson, Benefield & Shelton, Liberty Bank Building, Oklahoma City, Oklahoma, attorneys for Tri-State Insurance Company; LeRoy Blackstock, Oil Capital Building, Tulsa, Oklahoma, attorney for Bill Burnett; Meacham, Meacham & Meacham, P.O. Box 686, Clinton, Oklahoma, Attorneys for Clinton Lumber Company, be depositing the same in the United States mails with proper postage affixed thereto, addressed to said attorneys at said addresses. Dated this 19th day of December, 1961.



UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

C. F. Gravel, Jr., and Lorena Marion Nobles, Co-guardians of the person and estate of James Charles Nobles, an Incompetent,
Plaintiffs,
vs.
A. M. Lockett & Company, Limited, of New Orleans, a foreign corporation,
Defendant.

Civil Action
No. 5301

FILED

1961

ORDER REMANDING

NOBLE C. HOOD, CLERK
U.S. DISTRICT COURT

The motion of plaintiffs to remand this suit to the Superior Court in and for Creek County, Drumright Division, came on for hearing before the Court, the Honorable Fred Daugherty presiding, on this 18th day of December, 1961, pursuant to regular setting and notice to parties, and the Court having heard the argument of counsel, and being fully advised, upon consideration entered an order remanding the cause to the Superior Court in and for Creek County, Drumright Division, State of Oklahoma.

IT IS ORDERED AND ADJUDGED that the motion of plaintiffs to remand this cause to the Superior Court in and for Creek County, Drumright Division, be and it is hereby sustained and the cause is remanded to the Superior Court in and for Creek County, Drumright Division, State of Oklahoma, for further proceedings.

Dated at Tulsa, Okla., this 18th day of December, 1961.

NOBLE C. HOOD, CLERK

By *Ben B. Ballenger*
Ben B. Ballenger, Deputy

IN THE UNITED STATES DISTRICT COURT OF THE DISTRICT OF OKLAHOMA
AT THE CITY OF OKLAHOMA

NINETEEN HUNDRED SEVEN C. L. & Oklahoma
Corporation

Via airmail

STRICTLY CONFIDENTIAL, an Oklahoma
Corporation and AMERICAN CASUALTY
COMPANY of Reading, Pennsylvania,
a Pennsylvania Corporation,

Defendants.

NOBLE C. STRICKLAND
Clerk U.S. District Court

ORDER DISMISSING CAUSE NO. 10,117

When comes on regularly for hearing the above captioned
cause No. 10,117, Strickland Company, and the motion to dismiss the same
made by the defendant American Casualty Company upon the grounds that
the complaint therein signed in said filed captioned cause is
and the same being duly read in the presence of the parties, the
cause should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the
cause No. 10,117 and the cause No. 10,118 be and they are hereby
dismissed with prejudice to the same.

*Ok for Strickland to
Raymond B. Thomas*

Def. Judgment
Without Res. of Imps.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
170.01 Acres of Land, More or Less,)
Situate in Tulsa and Osage Counties,)
Oklahoma, and Clyde Jacobs, Jr.,)
et al, and Unknown Owners,)
Defendants.)

Civil No. 5205

Tract(s) No(s). 2637E-1
through E-4

NOV 11 1961
CLERK, U.S. DISTRICT COURT

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulation(s) entered into by the defendant(s) therein named and the plaintiff, which stipulation(s) (are)(is) tendered herewith for filing herein.

The Court finds that plaintiff and **Lloyd E. Childers and Helen L. Childers, his wife**

, defendant(s) herein, have, by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in Tract(s) No(s). **2637E-1, E-2, E-3 and E-4**, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ **4,800.00**, inclusive of interest. The sum of \$ **4,000.00**, was deposited into the registry of this Court as estimated just compensation for said tract(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s).

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(A) The vesting in plaintiff of title to the estate(s) set forth in the Complaint and Declaration of Taking in and to the land(s) hereinabove referred to, as said tract(s) (is)(are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). **2637E-1, E-2, E-3 and E-4**, is the sum of \$ **4,800.00**, inclusive of interest; and

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$ **800.00**, without interest.

Jurisdiction of this cause is retained for the entry of further and appropriate orders and decrees.

Entered this 26 day of Dec, 1961.

APPROVED:

15/ Fred Daugherty
JUDGE, United States District Court

15/ John M. Jemel
Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATE OF ARIZONA for the use of
COY STRICKLAND CO., INC., an Oklahoma Corporation,

Plaintiff,

vs.

STRICKLAND COMPANY, an Oklahoma Corporation,
and AMERICAN CASUALTY COMPANY of Reading,
Pennsylvania, a Pennsylvania Corporation,

Defendants.

No. 1239

FILED

DEC 27 1961

NOBLE C. HOOD
Clerk, U. S. District Court

ORDER DISMISSING CAUSE OF ACTION

Now on this 26 day of December, 1961, there comes on for
advisory disposition before this court a stipulation of the
parties hereto that they have entered into and have settled the
above entitled cause of action, and the court being advised by
counsel for both parties that said cause of action should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the
above entitled cause of action be and the same is hereby
dismissed with prejudice to re-filing.

NOBLE C. HOOD
DISTRICT CLERK

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
NOV 1 1961
NOBLE C. HOOD
Clerk, U. S. District Court

United States of America,
Plaintiff,
vs.
Harvard Apartments, Inc.,
Defendant.

Civil No. 5159

ORDER AMENDING JOURNAL ENTRY

WHEREAS, on June 20, 1961, there was entered and filed in the above-entitled action in the U.S. District Court for the Northern District of Oklahoma, a Journal Entry of Judgment whereby the United States of America, plaintiff, was granted a money judgment against the defendant, Harvard Apartments, Inc., and also a judgment and decree of foreclosure of mortgage on certain real and personal property which real property was described as follows:

Lots 1 and 2 in Harvard Apartments Addition to Tulsa, Oklahoma, situated in the County of Tulsa, State of Oklahoma, according to the recorded plat thereof, being Plat No. 1362, recorded July 25, 1947, in the office of the County Clerk of Tulsa County, Oklahoma,

and whereas the above description is in error in that the mortgage foreclosed by said judgment describes the property as follows:

Blocks 1 and 2 in Harvard Apartments Addition to Tulsa, Oklahoma, situated in the County of Tulsa, State of Oklahoma, according to the recorded plat thereof, being Plat No. 1362, recorded July 25, 1947, in the office of the County Clerk of Tulsa County, Oklahoma.

THEREFORE, IT IS HEREBY ORDERED ADJUDGED, AND DECREED that the Journal Entry of Judgment heretofore entered and filed on June 20, 1961, is amended to describe the real property on which the mortgage is foreclosed as follows:

Blocks 1 and 2 in Harvard Apartments Addition to Tulsa, Oklahoma, situated in the County of Tulsa, State of Oklahoma, according to the recorded plat thereof, being Plat No. 1362, recorded July 25, 1947, in the office of the County Clerk of Tulsa County, Oklahoma.

APPROVED:

Fred Daugherty
United States District Judge

Paul E. Garrison
Attorney for Defendant

Sam E. Taylor
Sam E. Taylor
Assistant U. S. Attorney