

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

360.48 Acres of Land, More or Less,
Situate in Creek, Osage, and Pawnee
Counties, Oklahoma, and Eli Post oak,
et al, and Unknown Owners,

Defendants.

Civil No. 4916

Tract No. 2551

FILED

SEP 12 1962

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

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulation entered into by and between the plaintiff and the defendants named therein, which stipulation is tendered herewith for filing herein.

The court finds that plaintiff and Lela Ouida Cunningham, John Austin Cunningham and Virginia Trimble, defendants herein, have by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate in Tract No. 2551, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$3,450.00, inclusive of interest, which amount was deposited into the Registry of this Court as estimated just compensation for said tract 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 wither 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. The court further finds that the above-named defendants were the sole owners of the captioned tract on the date of taking, and they are entitled to the entire award therefor,

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

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

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. 2551, is the sum of \$3,450.00, inclusive of interest, which sum has heretofore been disbursed by Order of this Court.

Entered this 12 day of Sept, 1962.

ALLEN E. BARROW

Judge, United States District Court

APPROVED:

W. R. THIXTON, JR.

W. R. THIXTON, JR.
Assistant U. S. Attorney

FILED

SEP 12 1962

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

United States of America,)
)
Plaintiff,)
)
vs.)
)
780.51 Acres of Land, More or Less,)
Situate in Tulsa, Creek and Pawnee)
Counties, Oklahoma, and Carl H. Abel,)
Jr., et al, and Unknown Owners,)
)
Defendants.)

Civil No. 4927
Tracts Nos. 2516 and
2516E-1 and E-2

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulation entered into by and between the plaintiff and the defendants therein named, which stipulations are tendered herewith for filing herein.

The court finds that plaintiff and C. W. and Edith Armstead, Margaret Newton and Frank and Esther I. Armstead, defendants herein, have by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate in Tracts Nos. 2516 and 2516E-1 and E-2, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$40.00, inclusive of interest, which amount was deposited into the Registry of this Court as estimated just compensation for said tracts 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 tracts. The court further finds that the above-named defendants were the sole owners of the captioned tracts on the date of taking, and they are entitled to the entire award therefor.

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

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

(B) The just compensation to be paid by the plaintiff for the taking of Tracts Nos. 2516 and 2516E-1 and E-2 is the sum of \$40.00, inclusive of interest, which sum has heretofore been disbursed by Order of this Court.

Entered this 12 day of Sept, 1962.

ALLEN E. BARROW

Judge, United States District Court

APPROVED:

W. R. THIXTON, JR.

W. R. THIXTON, JR.
Assistant U. S. Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SEP 12 1962

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

United States of America,

Plaintiff,

vs.

Civil No. 4957

479.40 Acres of Land, More or Less,
Situate in Creek, Osage and Pawnee
Counties, Oklahoma, and Janet
Cunningham, et al, and Unknown
Owners,

Tracts Nos. 2402 and
2402E-1 thru E-3

(Surface and subordination
of minerals)

Defendants.

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the options granted by the defendants and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

The court finds that prior to the institution of the above proceeding the United States of America and the defendants, Soncha Hoffman, D. L. Hoffman, E. R. Hoffman, Adelia Coute, D. E. Bellis, individually and as guardian of William D. Bellis, a minor, Dexter R. Bellis and Soncha G. Bellis, entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendants and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$4,275.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in Tracts Nos. 2402 and 2402E-1 thru E-3, as such estates and said tracts are described in the Complaint and Declaration of Taking heretofore filed in this cause.

The court further finds that the above-named defendants were the sole owners of the above-captioned tracts on the date of taking; that they are entitled to the entire award therefor; and that the contract and agreement is a valid one.

The court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tracts and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

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

(B) The just compensation to be paid by the plaintiff for the taking of Tracts Nos. 2402, 2402E-1 thru E-3 is the sum of \$4,275.00, inclusive of interest, which sum has heretofore been disbursed by orders of this court.

Entered this _____ day of _____, 1962.

ALLEN E. BARROW

Judge, United States District Court

APPROVED:

W. R. THIXTON, JR.

W. R. THIXTON, JR.
Assistant U. S. Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SEP 12 1962

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

United States of America,)
)
Plaintiff,)
)
vs.)
)
529.99 Acres of Land, More or)
Less, Situate in Creek, Osage)
and Pawnee Counties, Oklahoma,)
and J. O. Stith, et al, and)
Unknown Owners,)
)
Defendants.)

Civil No. 5021
Tracts Nos. 2901 and
2901E

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulation entered into by and between the plaintiff and the defendants therein named, which stipulation is tendered herewith for filing herein.

The court finds that plaintiff and Edith Gaddis and W. C. Gaddis, her husband, defendants herein, have, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate in Tracts Nos. 2901 and 2901E, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$4,000.00, inclusive of interest, which amount was deposited into the Registry of this court as estimated just compensation for said tracts 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 tracts. The court further finds that the above-named defendants were the sole owners of the captioned tracts on the date of taking, and they are entitled to the entire award therefor.

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

- (A) The vesting in plaintiff of title to the estate set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said tracts are described therein, is hereby confirmed;
- (B) The just compensation to be paid by the plaintiff for the taking of Tracts Nos. 2901 and 2901E, is the sum of \$4,000.00, inclusive of interest, which sum has heretofore been disbursed by Order of this Court.

Entered this 12 day of Sept, 1962.

ALLEN E. BARROW

Judge, United States District Court

APPROVED:
W. R. THIXTON, JR.

W. R. THIXTON, JR.
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 Rogers and Nowata Counties,
Oklahoma, and Henard O. Andrews,
et al, and Unknown Owners,
Defendants.

Civil Action No. 4697

Tract No. E-571E

FILED

SEP 13 1962

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

J U D G M E N T

1.

On August 15, 1962, 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 Fred Daugherty, 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, Odus Rushing, appeared by his attorney, Charles Pope. All other 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. E-571E, 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 May 29, 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 10.

6.

The decrease in market value of the farm unit of which Tract E-571E is a part, caused by the taking of the described estate in such tract, is in the amount of \$750.00, 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 sufficiently 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

May 29, 1959, 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 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 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. E-571E

Owners:

Odus Rushing - - - - - 1/2

Mrs. Perry Morrison - - - - - 1/2

Subject to a mortgage to Phoenix Federal Savings
and Loan Assn.

Subject to a coal and asphalt mining lease owned
by W. A. Delaney, Sr.

Alice M. Delaney

J. R. Todd

Award of just compensation pursuant to Court trial - - - - -	\$750.00	\$750.00
Deposited as estimated compensation - - - -	<u>\$300.00</u>	
Deposit deficiency - - - - -	<u>\$450.00</u>	
Disbursed to owners - - - - -		None
Balance due to owners - - - - -		<u>\$750.00</u>

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America, shall pay into the Registry of the Court for the benefit of the named owners the deposit deficiency in the amount of \$450.00, together with interest thereon at the rate of 6% per annum from May 29, 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. After deposit of such deficiency, and upon application by the owners, an appropriate order of distribution will be entered by the Court.

Fred Daugherty

UNITED STATES DISTRICT JUDGE

APPROVED:

Robert A. Marlow

ROBERT A. MARLOW
Assistant U. S. Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SEP 13 1962

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

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 576.95 Acres of Land, More or Less,)
 Situate in Creek and Pawnee Counties,)
 Oklahoma, and Clyde Foster, et al,)
 and Unknown Owners,)
)
 Defendants.)

Civil No. 4585
Tract No. B-211

AMENDMENT TO JUDGMENT

On this day this cause comes on for consideration on the motion of plaintiff for an amendment to the judgment heretofore entered on August 17, 1962.

The court finds that through inadvertence the judgment in this cause failed to recite and include a stipulation for exclusion of property entered into between plaintiff and defendant owners and filed in this cause on April 23, 1959, wherein the defendant owners agreed to deposit the sum of \$300.00 for the exclusion of improvements, and wherein it was stipulated and agreed that the total just compensation of \$5,750.00 would be reduced by this amount, namely \$300.00.

The court further finds that the defendant owners, pursuant to the terms of said stipulation did so redeposit the sum of \$300.00 into the Registry of the court and that said sum remains on deposit as of this day, subject to being refunded to the taking agency, and that the total just compensation to be paid by the plaintiff for the taking of Tract No. B-211 is \$5,450.00 instead of \$5,750.00, due to the stipulation for exclusion of property and the \$300.00 consideration thereupon.

The court also finds that the judgment hereinabove referred to is true and correct in all particulars except for the necessity of reference to the stipulation for exclusion of property and the concurring adjustment of the total amount distributed to said owners.

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

(A) That the above findings be incorporated into the judgment referred to, in more particular that the just compensation paid to the defendant owners for the taking of Tract No. B-211 be and is \$5,450.00, inclusive of interest, which sum has heretofore been disbursed by order of this court;

(B) The stipulation for exclusion of property, wherein it was agreed that the total award be reduced by the sum of \$300.00 is hereby confirmed, the defendant owners having redeposited that amount;

(C) There remains on deposit in the Registry of the Court the sum of \$300.00, and the Clerk of the Court is directed and authorized to draw a check in that amount, \$300.00, made payable to the United States Treasury, and to forward said check to the taking agency, the Corps of Engineers, U.S. Army.

Entered this 13 day of September, 1962.

ALLEN E. BARROW

Judge, United States District Court

APPROVED:
W. R. THIXTON, JR.

W. R. Thixton, Jr.
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

351.76 Acres of Land, More or Less,
Situating in Nowata County, Oklahoma, and
School District No. 40, Nowata County,
Oklahoma, et al, and Unknown Owners,

Defendants.

Civil Action No. 4703

Tract No. R-1853

FILED

SEP 19 1962

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

J U D G M E N T

1.

On August 16, 1962, 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 Fred Daugherty, 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. R-1853, as such tract and estate are described in the Declaration of Taking and the Complaint, as amended, 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 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 tract, as such tract is particularly described in such Complaint. Pursuant thereto, on June 9, 1959, the United States of America filed its Declaration of Taking of a

certain estate in such described land, and on February 28, 1961 filed an amendment to such Declaration of Taking, and title to such property should be vested in the United States of America, as of the dates of filing such instruments.

5.

Simultaneously with filing herein the Declaration of Taking and the amendment thereto, there was deposited in the Registry of this Court, as estimated compensation for the taking of subject tracts, a certain sum of money, none of which has been disbursed, as shown in paragraph 9.

6.

Fair market value of the estate condemned herein in subject tract is \$2,250.00, and such sum should be adopted as the award of just compensation for such taking.

7.

The defendant named in paragraph 9 as owner of subject tract is the only defendant asserting any interest in the estate condemned in the subject tract, all other defendants having either disclaimed or defaulted; the named defendant was the owner of such estate, as of the date of taking, and as such, is 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, Tract No. R-1853, as such tract is described in the Declaration of Taking and the Complaint filed herein, and such tract, to the extent of the estate described and for the uses and purposes indicated in such Declaration of Taking as amended, is condemned and title thereto is vested in the United States of America, as of the dates of such Declaration of Taking and amendment thereto, and all defendants herein and all other persons interested in the described estate in such tract are forever barred from asserting any claim thereto.

9.

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, and the sum of \$2,250.00 hereby is adopted as the award of just compensation for the estate herein taken in subject tract, as shown in the schedule as follows:

TRACT NO. R-1853

Owner: Bertha Coldren

Award of just compensation	- - - - -	\$2,250.00	\$2,250.00
Deposited as estimated compensation	- - - - -	<u>\$2,250.00</u>	
Disbursed to owner	- - - - -		None
Balance due to owner	- - - - -		<u>\$2,250.00</u>

10.

It is further ORDERED, that the Clerk of this Court shall disburse the deposit for subject tract in the amount of \$2,250.00 to Bertha Coldren.

Fred Daugherty

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.

853.35 Acres of Land, More or Less,
Situat e in Nowata County, Oklahoma,
and Maynard Stanart, et al, and
Unknown Owners,

Defendants.

Civil Action No. 4711

Tracts Nos. R-1845 and
T-2067

FILED

SEP 18 1962

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

J U D G M E N T

1.

On August 16, 1962, 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 Fred Daugherty, 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 estates condemned in Tracts Nos. R-1845 and T-2067, as such tracts and estates are described in the Declaration of Taking and the Complaint 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 18, 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 tracts, a certain sum of money, part of which has been disbursed as shown in paragraph 13.

6.

Mr. E. P. Montgomery, the owner of an undivided $\frac{2}{3}$ interest in the estate taken in Tract No. R-1845 and the United States of America have executed a contract of Option for the Purchase of Land, as alleged in the Complaint, wherein they have agreed that just compensation for the entire estate condemned in such tract is the sum of \$400.00, and such option should be approved, insofar as it applies to an undivided $\frac{2}{3}$ interest in such tract. Therefore, the sum of \$266.67 should be adopted as the award of just compensation for Mr. E. P. Montgomery's interest in this tract.

7.

The fair market value of the entire estate taken in Tract No. R-1845, as of the date of taking, was \$400.00. Therefore, the sum of \$133.33 should be adopted as the award of just compensation for the $\frac{1}{3}$ interest not covered by the Option Contract described in paragraph 6 above.

8.

The fair market value of the estate taken in Tract No. T-2067, as of the date of taking, was \$700.00, and such sum should be adopted as the award of just compensation for such tract.

9.

The defendants named in paragraph 13 as owners of the 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 for such estates.

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 indicated 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 June 18, 1959, 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 defendants whose names appear in paragraph 13 below; the right to just compensation for the estates taken in these tracts is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Contract of Option for the Purchase of Land, mentioned in paragraph 6 above, hereby is confirmed, insofar as it applies to the undivided $2/3$ interest in Tract R-1845, owned by E. P. Montgomery, and the sum of \$266.67 is adopted as the award of just compensation for such $2/3$ interest in the estate condemned in such tract, as shown in paragraph 13.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the sum of \$133.33 hereby is adopted as the award of just compensation for the $1/3$ interest in Tract R-1845, not covered by the option contract described in paragraph 6; and the sum of \$700.00 is adopted as the award of just compensation for the estate taken in Tract T-2067, as shown in the schedule as follows, to-wit:

TRACT NO. R-1845

Owners:

E. P. Montgomery	2/3
George B. Conrad	1/21
Mary Choate	5/84
Mad (Riddle) (Reddle) Bengé	5/84
Edward L. Thomas, Sr.	1/63
Thelma Thomas now Brock	11/2016
Leonard Thomas	11/2016
Edward L. Thomas, Jr.	11/2016
Sadie Thomas now Bolen	11/2016
Anna Bell Thomas now Chambers	11/2016
Jacqueline Thomas now Hall	11/2016
John Thomas	11/2016
Onis Thomas	11/2016
Cassie Bengé now Wilson	5/252
Marie Bengé now McCarty	5/252
Betsy Bengé now Tilley	5/252
Emma A. Rider now Conrad	1/63
Medley J. Conrad	2/441
Ralph D. Conrad	2/441
Gladys Conrad Kincade	2/441
Louise Conrad	2/441
Eugene T. Conrad	2/441
Edith Conrad Ryan	2/441
Thomas Conrad	2/441

Award of just compensation,

For 2/3 interest of E. P. Montgomery, pursuant to Option Contract	\$266.67	\$266.67
For 1/3 interest, pursuant to Court trial	<u>\$133.33</u>	\$133.33
Total award	\$400.00	
Deposited as estimated compensation	<u>\$400.00</u>	

Disbursed:

To owner of 2/3 interest	<u>\$266.67</u>	
To owners of 1/3 interest:		
Disbursed	\$133.33	
Redeposited because of death of one owner, Edward L. Thomas, Sr.	<u>6.34</u>	
Net disbursed	<u>\$126.99</u>	\$126.99
Balance due to owners		<u>\$6.34</u>

TRACT NO. T-2067

Owners:

Levi Hogner - - - - -	1/6	
Skake Hogner - - - - -	1/6	
Flora Hogner, now Fourkiller - - - - -	1/6	
Mary Hogner, now Fourkiller - - - - -	1/6	
Tressie Hogner, now Hokit - - - - -	1/6	
Aggie Hogner, now Hummingbird - - - - -	1/6	
Award of just compensation pursuant to Court trial - - - - -	\$700.00	\$700.00
Deposited as estimated compensation - - - - -	<u>\$700.00</u>	
Disbursed to owners - - - - -		<u>\$700.00</u>

14.

It Is Further ORDERED that the Court retains jurisdiction of Tract R-1845 for the entry of an appropriate order of distribution of the remaining \$6.34 when the heirs of Edward L. Thomas, Sr. have been determined.

Fred Daugherty

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.

592.70 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and L. A. Terrell, et al, and
Unknown Owners,

Defendants.

Civil Action No. 4792

Tract No. N-1423

FILED

SEP 18 1962

J U D G M E N T

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

1.

On August 16, 1962, 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 Fred Daugherty, 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. N-1423, 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 October 21, 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, a part of which has been disbursed as shown in paragraph 11.

6.

Fair market value of the estate condemned herein in Tract No. N-1423 as of the date of taking, was \$16,750.00, and such sum should be adopted as the award of just compensation for such tract.

7.

The defendant named in paragraph 11 as owner of subject tract is the only defendant asserting any interest in the estate condemned in the 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.

8.

A Stipulation for Exclusion of Property, executed by the owner of subject tract and the United States of America, has been filed herein on February 25, 1960, excluding from the taking in this case certain improvements situated on subject tract and agreeing to the reduction of the total compensation by the salvage value of such improvements as shown in paragraph 11 below, and such 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 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, with the exception of the property excluded in paragraph 10 herein, is condemned and title thereto is vested in the United States of America as of October 21, 1959, 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 the Stipulation for Exclusion of Property, referred to in paragraph 8 above, is confirmed; the improvements covered by such Stipulation are excluded from the taking herein, and title thereto remains vested in the defendant owner, and the award of just compensation shall be reduced by the salvage value of such improvements.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the estate condemned herein in the 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, and the sum of \$16,750.00 hereby is adopted as the award of just compensation for the estate herein taken in subject tract, as shown in the schedule as follows, to-wit:

TRACT NO. N-1423

Owner:

Ida M. Couch

Deposited as estimated compensation	- - - - -	\$16,750.00	
Award of just compensation	- - - - -	\$16,750.00	
Less salvage value of improvements reserved	- - - - -	<u>820.00</u>	
Net Award	- - - - -	\$15,930.00	\$15,930.00
Disbursed to owner	- - - - -	<u>\$15,930.00</u>	
Deposit surplus	- - - - -		<u>\$820.00</u>

12.

It Is Further ORDERED that the Clerk of this Court forthwith shall disburse the surplus in the deposit for the subject tract, in the amount of \$820.00 to the United States Army Corps of Engineers.

Fred Daugherty

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.

53.93 Acres of Land, More or Less,
Situatē in Nowata County, Oklahoma,
and Charles W. Mason, et al, and
Unknown Others,

Defendants.

Civil Action No. 4799

All Tracts

FILED

SEP 12 1962

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

J U D G M E N T

1.

On August 14, 1962, this cause came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Fred Daugherty, 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, Leslie J. Coffman, appeared in person. The defendants, heirs of the estate of Jessie W. Campbell, deceased, and Julian W. Glass, Jr., Trustee, under the will of J. Wood Glass, deceased, appeared by their attorney, Glenn H. Chappell. No other persons appeared. 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 to the estates condemned in all tracts included in this civil action, as such tracts and estates are described in the Declaration of Taking and the Complaint, 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 tracts, as such tracts

are particularly described in such Complaint. Pursuant thereto, on November 6, 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 13.

6.

The defendants named in paragraph 13 as owners of the subject tracts are the only defendants asserting any interest in the estate 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 for such estates.

7.

The decrease in market value of the various units of ownership described under Units "A", "B", "C" and "D" of paragraph 13 herein, is in the amounts set out in such paragraph, and the sums shown should be adopted as the awards of just compensation for the estates taken in the respective ownerships.

8.

The owners of the estates taken in the area described under Units "E" and "F" of paragraph 13 and the United States of America have executed and filed in this action a Stipulation as to Just Compensation, wherein they have agreed upon the amount of just compensation for the estate taken in such described area, and the owners have agreed how such compensation should be divided among the owners, all as shown in such paragraph 13, and such stipulation and agreement should be approved.

9.

The awards fixed by this Judgment will create a surplus in the deposit for the subject tracts, as shown in paragraph 13. Such surplus should be disbursed to the Plaintiff.

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 described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates indicated 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 November 6, 1959, 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 defendants whose names appear in paragraph 13; the right to just compensation for the estates taken 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 and the agreement as to division of such compensation described in paragraph 8 above, hereby is confirmed, and the amount fixed in such stipulation is adopted as the award of just compensation for the interest of the stipulating defendants, all as shown in paragraph 13 below.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the awards of just compensation for the estates taken in the units of ownership described as Units "A", "B", "C" and "D" of the following schedule, are the sums shown following the designation "Award of just compensation" as follows, to-wit:

OWNERS:

Unit A:

All of the subject tracts included in an area described as Indian Meridian, T.26 N., R.16 E., Section 7, NE $\frac{1}{4}$ SE $\frac{1}{4}$, which includes

approximately

- 0.23 acre (all) of U-2151E-5
- 2.52 acres (all) of U-2151E-6
- 8.15 acres (part) of U-2151E-9 and
- 1.64 acres (all) of U-2151E-11

is owned by:

- Estate of J. L. Coffman, deceased ----- 1/8
- Charlie N. Coffman - - - - - 1/8
- C. L. McMahon, Inc. - - - - - 3/8
- Leslie J. Coffman - - - - - 3/8

subject to an oil and gas lease owned by Fred Summers, Inc.

Unit B:

All of the subject tracts included in an area described as Indian Meridian, T. 26 N., R. 16 E., Section 6, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, which includes approximately

- 0.72 acre (part) of U-2151E-3
- 0.87 acre (part) of U-2151E-4
- 3.90 acres (part) of U-2151E-7 and
- 3.87 acres (part) of U-2151E-8

is owned by:

- Bertha Burns Clausing - - - - - 1/3
- Helen C. Clausing - - - - - 2/3

Unit C:

All of the subject tracts included in an area described as, Indian Meridian, T. 26 N., R. 16 E., Section 7, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, which includes approximately

- 0.53 acre (part) of U-2151E-3
- 0.13 acre (part) of U-2151E-4
- 0.15 acre (part) of U-2151E-7 and
- 4.02 acres (part) of U-2151E-8

is owned by:

- Jessie W. Campbell and
- First National Bank of Coffeyville,
Kansas, Trustee under the will of
Herbert L. Campbell, deceased, - - - 1/2
- J. D. Powell - - - - - 1/2

Unit D:

All of the subject tracts included in an area described as,
Indian Meridian, T. 26 N., R. 16 E., Section 6, $S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$ and $NW\frac{1}{4}SE\frac{1}{4}$
and $W\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$ and $SW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$ which includes approximately

0.17 acre (part) of U-2151E-7

0.08 acre (part) of U-2151E-8

is owned by:

Julian W. Glass, Jr., Trustee under

the will of J. Wood Glass,

deceased, for Eva Payne Glass,

himself, and Ernest Frances

Bradfield.

Unit E:

All of the subject tracts included in an area described as,
Indian Meridian, T. 26 N., R. 16 E., Section 7, $E\frac{1}{2}NE\frac{1}{4}$, and $E\frac{1}{2}W\frac{1}{2}NE\frac{1}{4}$,
and $SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$ which includes approximately

1.05 acres (part) of U-2151E-3

1.32 acres (part) of U-2151E-4

7.75 acres (part) of U-2151E-7

3.59 acres (part) of U-2151E-8

9.82 acres (part) of U-2151E-9

0.16 acre (part) of U-2151E-10

is owned by:

Charles W. Mason,

subject to an oil and gas lease owned by M. M. Travis.

Unit F:

All of the subject tracts included in an area described as,
Indian Meridian, T. 26 N., R. 16 E., Section 6, $N\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ and $SE\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$,
which includes approximately

2.03 acres (part) of U-2151E-9

1.23 acres (part) of U-2151E-10

is owned by:

Charles W. Mason.

DEPOSIT, AWARDS AND DISTRIBUTION

Deposited as estimated compensation

for all tracts in this civil action - - - - - \$2,220.00

Unit A:

Award of just compensation for
Unit A, pursuant to Court trial - - \$400.00 \$400.00

(Allocated:

To lessors \$200.00

To lessee \$200.00)

Disbursed to owners of Unit A - - - - None

Balance due to owners of Unit A - - - \$400.00

Unit B:

Award of just compensation for
Unit B, pursuant to Court trial - - \$100.00 \$100.00

Disbursed to owners of Unit B - - - - None

Balance due to owners of Unit B - - - \$100.00

Unit C:

Award of just compensation for
Unit C, pursuant to Court trial - - \$100.00 \$100.00

Disbursed to owners of Unit C - - - - None

Balance due to owners of Unit C - - - \$100.00

Unit D:

Award of just compensation for
Unit D, pursuant to Court trial - - - \$25.00 \$25.00

Disbursed to owners of Unit C - - - - None

Balance due to owners of Unit C - - - \$25.00

Units E and F combined:

Award of just compensation for
Units E and F combined,
pursuant to stipulation - - - - \$1,350.00 \$1,350.00

(Allocated by agreement:

To Charles W. Mason \$550.00

To M. M. Travis 800.00)

Disbursed to owners of
Units E and F - - - - - \$1,350.00

Balance due to owners of
Units E and F - - - - - None

Total of awards for all tracts - - - - - \$1,975.00 \$1,975.00
Deposit surplus - - - - - \$ 245.00

14.

It Is Further ORDERED, ADJUDGED AND DECREED, that the Clerk of
this Court disburse from the funds on deposit in this case certain sums
as follows:

To the Estate of J. L. Coffman, deceased, Charlie
N. Coffman, C. L. McMahon, Inc., and Leslie
J. Coffman, jointly - - - - - \$200.00
To Fred Summers, Inc. - - - - - \$200.00
To Jessie W. Campbell and First National Bank of
Coffeyville, Kansas, Trustee under the will
of Herbert L. Campbell, deceased - - - - - \$50.00
To Julian W. Glass, Jr., Trustee under the will
of J. Wood Glass, deceased - - - - - \$ 25.00
To United States Army Corps of Engineers - - - - - \$245.00

Having been advised that no addresses presently are known for
Bertha Burns Clausing, Helen C. Clausing and J. D. Powell, the Court
further orders that the awards due to these three defendants remain on
deposit, and the Court retains jurisdiction of their interest in this case
for the entry of an appropriate order of distribution.

Fred Daugherty

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.

467.65 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Joe Bobb Carpenter, et al, and
Unknown Owners,

Defendants.

Civil Action No. 4808

Tracts Nos.: P-1619

P-1623

R-1881

R-1883

S-1903

S-1903E

FILED

J U D G M E N T

SEP 19 1962

1.

On August 14, 1962, this cause, as to the captioned ^{NOBLE C. HODD} tracts, _{Clark, U. S. District Court} came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Fred Daugherty, 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. Charles A. Steele, attorney, appeared for the defendants, H. M. McMillan, Georgie S. Fell, John W. Nichols, trustee, and the heirs of the estate of H. B. Fell, deceased. Mr. H. C. Ivester, attorney, appeared for the defendants Eloise W. Dugger, and Mattie K. Santrock. No other defendants appeared. 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 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 November 24, 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 subject tracts, certain sums of money, part of which has been disbursed as shown in Paragraph 13.

6.

Fair market value, as of the date of taking, of Tracts P-1619, P-1623, and R-1883 is as follows:

P-1619 -----	\$750.00
P-1623 -----	\$1,700.00
R-1883 -----	\$12,000.00

The decrease in market value of the farm unit from which Tracts S-1903 and S-1903E were taken is \$6,550.00. Such sums should be adopted as the awards of just compensation for the estates taken in the respective tracts.

7.

The owners of Tract No. R-1881, and the United States of America have executed and filed herein, a Stipulation as to Just Compensation wherein they have agreed upon the amount of just compensation for such tract, and such stipulation should be approved.

8.

The awards fixed by this judgment will create a deficiency in the deposit for certain tracts and will create a surplus in the deposit for one tract, as shown in paragraph 13. Such surplus should be applied toward satisfaction of the deficiencies, and a sum of money sufficient to cover the balance of the deficiencies should be deposited by the government.

9.

The defendants named in paragraph 13 as owners of subject tracts are the only defendants asserting any interest in the estates condemned in 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.

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 the Declaration of Taking, is condemned and title thereto is vested in the United States of America as of November 24, 1959, 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 in paragraph 13 below; the right to receive the just compensation for the estates taken 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 7 above, hereby is confirmed and the sum of \$400.00 is adopted as the award of just compensation for the estate taken in such tract, as shown in paragraph 13.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the awards of just compensation for the estates taken in Tracts P-1619, P-1623, R-1883, S-1903 and S-1903E are the sums shown following the designation, "Award of just compensation", as follows, to-wit:

TRACT NO. P-1619

Owners:

George R. Bridgman - - - - - 5/28
Janice B. Bell - - - - - 13/28
John K. Bridgman - - - - - 5/28
The Ohio National Bank of Columbus, Ohio,
Trustee for Dorothy M. Bell, now Vaughn - 5/28

Award of just compensation pursuant to
Court trial - - - - - \$750.00 \$750.00
Deposited as estimated compensation - - - - 550.00
Deposit deficiency - - - - - \$200.00
Disbursed to owners - - - - - None
Balance due to owners - - - - - \$750.00

TRACT NO. P-1623

Owners:

George R. Bridgman - - - - - 5/28
Janice B. Bell - - - - - 13/28
John K. Bridgman - - - - - 5/28
The Ohio National Bank of Columbus, Ohio,
Trustee for Dorothy M. Bell, now Vaughn - 5/28

Deposited as estimated compensation - - - - \$1,750.00
Award of just compensation pursuant to
Court trial - - - - - 1,700.00 \$1,700.00
Disbursed to owners - - - - - None
Balance due to owners - - - - - \$1,700.00
Deposit surplus - - - - - \$50.00

TRACT NO. R-1881

Owners:

H. M. McMillan - - - - - 1/2
Georgie S. Fell - - - - - 28% of 1/2
John W. Nichols, Trustee - - - - - 37% of 1/2
Heirs of H. B. Fell, deceased,
(Elizabeth Fell Owen is executrix) - 35% of 1/2

Award of just compensation pursuant to
stipulation - - - - - \$400.00 \$400.00
Deposited as estimated compensation - - - - 400.00
Disbursed to owners - - - - - None
Balance due to owners - - - - - \$400.00

TRACT NO. R-1883

Owners:

P. P. Ballentine - - - - -	1/2	
Eloise W. Dugger, subject to a life estate in Mattie K. Santrock - - - - -	1/2	
Award of just compensation pursuant to Court trial - - - - -	\$12,000.00	\$12,000.00
Deposited as estimated compensation - - - - -	<u>10,500.00</u>	
Deposit deficiency - - - - -	<u>-\$ 1,500.00</u>	
Disbursed to owners - - - - -		<u>10,500.00</u>
Balance due to owners - - - - -		<u>\$1,500.00</u>

TRACTS NOS. S-1903 and S-1903E

Owners:

Eloise Dugger, subject to a life estate in Mattie K. Santrock		
Award of just compensation pursuant to Court trial - - - - -	\$6,550.00	\$6,550.00
Deposited as estimated compensation - - - - -	<u>6,450.00</u>	
Deposit deficiency - - - - -	<u>\$ 100.00</u>	
Disbursed to owners - - - - -		<u>\$6,450.00</u>
Balance due to owners - - - - -		<u>\$ 100.00</u>

14.

It is further ordered that the Clerk of this Court shall transfer the surplus of \$50.00 in the deposit for Tract No. P-1623 to the deposit for Tract No. P-1619 to be used toward satisfaction of the deficiency in the deposit for that tract.

The United States of America shall pay into the Registry of this Court the remaining deposit deficiency for the subject tracts in the amount of \$1,750.00, together with interest thereon at the rate of 6% per annum, from November 24, 1959 to the date such deposit be made, and such sum shall be allocated and placed in the deposits for the respective tracts as required to satisfy the deposit deficiencies for such tracts as shown in paragraph 13.

When such deficiency deposit has been made the Clerk of this Court shall disburse from the deposits for Tracts Nos. P-1619, P-1623,

R-1883, S-1903 and S-1903E the amount, including interest, due to each owner according to the interest owned by each, as shown in paragraph 13.

The Clerk of this Court forthwith shall disburse from the deposit for Tract No. R-1881, certain sums as follows:

To H. M. McMillan - - - - -	\$200.00
To Georgie S. Fell - - - - -	56.00
To John W. Nichols, Trustee - - -	74.00
To Elizabeth Fell Owen, Executrix of the estate of H. B. Fell, deceased - -	70.00

Fred Daugherty

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.

315.17 Acres of Land, More or Less,
Situatē in Rogers County, Oklahoma,
and Clyde Harlan, et al, and
Unknown Owners,

Defendants.

Civil Action No. 4811

Tracts Nos.: F-632E-1
F-632E-2
F-632E-3
F-645E-1) minerals
F-645E-2) only
F-645E-3)
G-747-1
G-747-2
G-747E

J U D G M E N T

FILED

1.

SEP 13 1962

On August 16, 1962, this cause, as to the captioned tract, came on for trial, and the parties having waived a jury, the case was tried before the Honorable Fred Daugherty, 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. Mr. Charles Miller, attorney, appeared for the United States Department of Interior. After hearing the evidence and being fully advised in the premises, the Court finds:

NOBLE C. HOOD
Clerk U.S. District Court

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the entire estates condemned in Tracts Nos. F-632E-1, F-632E-2, F-632E-3, G-747-1, G-747-2 and G-747E, but applies to the mineral estate only condemned in Tracts F-645E-1, F-645E-2 and F-645E-3, as such tracts and estates are described in the Declaration of Taking and the Complaint 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 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 December 8, 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 subject tracts, certain sums of money, part of which has been disbursed as shown in paragraph 11.

6.

The decrease in market value of the farm units from which the subject tracts were taken; caused by this action, is in the amounts shown in the schedule in paragraph 11 below; and the sums therein set forth should be adopted as the awards of just compensation for the respective units of ownership in the subject tracts.

7.

The awards fixed by this Judgment will create a deficiency in the deposits for some of the subject tracts but will cause a surplus in the deposit for other tracts, as set forth in paragraph 11. Such surplus should be used, insofar as necessary, to satisfy the deficiencies and the balance should be refunded to the United States.

8.

The defendants named in paragraph 11 as owners of subject tracts are the only defendants asserting any interest in the estates condemned in 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 for such estates.

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 indicated 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.

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 defendants whose names appear in paragraph 11 below, the right to just compensation for the estates taken in these tracts is vested in the parties so named.

11.

It is Further ORDERED, ADJUDGED AND DECREED that the sums hereby adopted as the awards of just compensation for the estates condemned herein in subject tracts, are the sums which follow the designation, "Award of just compensation", as shown in the schedule as follows, to-wit:

TRACTS NOS. F-632E-1, F-632E-2, AND F-632E-3

Owners:

Unit A:

Ben Walkingstick owns an undivided $1/6$ interest in approximately 20 acres of Tract F-632E-1, to-wit: all that part of Tract F-632E-1 which is contained within an area described as, Indian Meridian, T. 24 N., R. 15 E., Section 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Unit B:

Della McCarty, now Harshbarger, owns approximately $4-1/6$ acres of Tract No. F-632E-1, and $5/6$ acre of Tract F-632E-3, to-wit: all that part of Tracts F-632E-1 and F-632E-3, which is contained within an area described as, Indian Meridian, T. 24 N., R. 15 E., Section 14, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Unit C:

The balance of Tracts F-632E-1, F-632E-2, and F-632E-3, not included in the areas described under Units A and B above, is owned as follows:

Helen E. Dawson owns a life estate

William E. Dawson
Francis K (Buck) Dawson
John T. Dawson and
W. C. Dawson, own the remainder interest.

Deposited as estimated compensation for all three tracts - - - - -		\$10,740.00
Awards of just compensation:		
For Unit A - - - - -	\$ 50.00	
For Unit B - - - - -	60.00	
For Unit C - - - - -	<u>9,425.00</u>	
Total awards for all of the three tracts - - - - -	\$9,535.00	9,535.00
Disbursed to owners - - - - -	<u>None</u>	
Balance due to owners - - - - -	<u>\$9,535.00</u>	
Deposit surplus - - - - -		<u>\$1,205.00</u>

TRACTS NOS. F-645E-1, F-645E-2 AND F-645E-3

Owners of mineral interest:		
A. G. West - - - - -	3/4	
Prospect Company - - - - -	1/4	
Award of just compensation		
For mineral interest only - - - - -	\$100.00	
Allocated:		
To A. G. West - - - - -	\$75.00	
To Prospect Company - - - - -		\$25.00
Deposited as estimated compensation for mineral interest only - - - - -	\$32.00	
Disbursed to owners:		
To A. G. West - - - - -	None	
To Prospect Company - - - - -		<u>\$8.00</u>
Balance due to owners:		
To A. G. West - - - - -	\$75.00	
To Prospect Company - - - - -		<u>\$17.00</u>
Deposit Deficiency as to mineral interest only - - - - -	\$68.00	

TRACTS NOS. G-747-1, G-747-2, AND G-747E

Owners:

Ima Jean Peckham	- - - - -	3/16	
Iva Staton	- - - - -	1/8	
Frank B. Weinheimer	- - - - -	1/4	
Mildred K. Staton	- - - - -	1/8	
Lloyd A. Staton and Irma H. Staton	- - - - -	5/16	
Award of just compensation	- - - - -	\$598.00	\$598.00
Deposited as estimated compensation	- - -	\$538.00	

Disbursed to owners:

To Lloyd A. Staton only	- - - - -	\$168.13
Balance due to owners	- - - - -	<u>\$429.87</u>
Deposit Deficiency	- - - - -	<u>\$60.00</u>

12.

It Is Further ORDERED that the Clerk of this Court shall transfer from the surplus in the deposit for Tracts F-632E-1, F-632E-2, and F-632E-3 certain sums as follows:

To the deposit for Tracts F-645E-1 thru F-645E-3
the sum of \$68.00

To the deposit for Tracts G-747-1, G-747-2, and G-747E,
the sum of \$60.00

When such transfers have been made the Clerk of this Court shall disburse from the deposits for the subject tracts certain sums as follows:

Tracts Nos. F-632E-1, F-632E-2 and F-632E-3:

To Ben Walkingstick	- - - - -	\$50.00
To Helen E. Dawson, William E. Dawson, Francis K. (Buck) Dawson, John T. Dawson and W. C. Dawson, jointly, the sum of	- - - - -	\$9,425.00
To United States Army Corps of Engineers	- - - - -	\$1,077.00

Tracts Nos. F-645E-1, F-645E-2, and F-645E-3:

To A. G. West	- - - - -	\$75.00
To Prospect Company	- - - - -	\$17.00

Tracts Nos. F-647-1, F-647-2 and F-647E:

To Ima Jean Peckham - - - - -	\$112.13
To Iva Staton - - - - -	\$74.75
To Frank B. Weinheimer - - - - -	\$149.50
To Mildred K. Staton - - - - -	\$74.75
To Lloyd A. Staton and Irmã H. Staton - - - - -	\$18.74

The Court, being advised that at present no address is available for Della McCarty Harshbarger, further ORDERS that her award of \$60.00 shall not be disbursed at this time, and the Court retains jurisdiction of Tracts Nos. F-632E-1, F-632E-2 and F-632E-3 for the entry of an appropriate order of distribution when such owner has been found.

Fred Daugherty

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.

289.34 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and J. T. Phillips, et al, and
Unknown Owners,

Defendants.

Civil Action No. 4818

Tracts Nos.: L-1288
L-1291
L-1293

FILED

SEP 19 1962

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

J U D G M E N T

1.

On August 16, 1962, 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 Fred Daugherty, 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. 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 estates condemned in Tracts Nos. L-1288, L-1291 and L-1293, as such tracts and estates are described in the Complaint and 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 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 December 17, 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 subject tracts, a certain sum of money, part of which has been disbursed as shown in paragraph 13.

6.

The owners of Tract L-1288 and the United States of America have executed and filed herein, Stipulations as to just compensation wherein they have agreed upon the amount of just compensation for each owner's interest in such tract. Such Stipulations should be approved and the sums therein fixed should be adopted as the awards of just compensation for each respective owner's interest in this tract.

7.

Fair market value, as of the date of taking, of the estates taken in Tracts L-1291, and L-1293 was as follows:

L-1291	- - - - -	\$265.00
L-1293	- - - - -	\$532.00

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

8.

The awards fixed by this Judgment will create a surplus in the deposit for Tract No. L-1291 but will create a deficiency in the deposit for Tract No. L-1293, as shown in paragraph 13 below. The surplus should be used, insofar as is necessary, to satisfy such deficiency and the balance of the surplus should be refunded to the United States.

9.

The defendants named in paragraph 13 as owners of subject tracts are the only defendants asserting any interest in the estates condemned in 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.

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 indicated, 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 December 17, 1959, 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 in the schedule in paragraph 13; the right to receive the just compensation for the estates taken 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 6 above, are hereby confirmed; the sums therein fixed are adopted as the awards of just compensation for each owner's interest in Tract No. L-1288, all as shown in paragraph 13.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the sums adopted as the awards of just compensation for the estates taken in Tracts Nos. L-1291 and L-1293 are the sums shown following the designation "Award of just compensation" in the schedule which follows, to-wit:

TRACT NO. L-1288

Owners:

F. M. Van Winkle and
Fannie Van Winkle - - - - - 5/12

Lola M. Holland, a/k/a
Lela M. Holland, a/k/a
L. M. Holland, being one and the same person, - - 1/4

Heirs of the estate of D. W. Woodford,
deceased, who are:

Pauline Woodford Couch and
John H. Woodford - - - - - 1/3

Awards of just compensation
pursuant to stipulations:

For Van Winkle 5/12 interest - \$562.50
For Holland 1/4 interest - - - - - \$337.50
For Couch & Woodford 1/3 interest - - - - - \$450.00
Total award for this tract - - - - - \$1,350.00
Deposited as estimated compensation - - - - - \$1,350.00

Disbursed:

To Van Winkles - - - - - None
To Holland - - - - - \$300.00
To Couch & Woodford - - - - - None

Balance due to owners:

To Van Winkles - - - - - \$562.50
To Holland - - - - - \$37.50
To Couch & Woodford - - - - - \$450.00

TRACT NO. L-1291

Owners:

W. R. Bowman - - - - - 1/2
P. O. Denham - - - - - 1/12
D. L. Donnelly - - - - - 1/4
Otis Garrett - - - - - 1/6

Deposited as estimated compensation - - - - - \$375.00
Award of just compensation - - - - - ~~\$265.00~~ \$265.00
Disbursed to owners - - - - - None
Balance due to owners - - - - - \$265.00
Deposit surplus - - - - - \$110.00

TRACT NO. L-1293

Owners:

W. R. Bowman - - - - - 1/2
P. O. Denham - - - - - 1/12
D. L. Donnelly - - - - - 1/4
Otis Garrett - - - - - 1/6

Award of just compensation - - - - -	\$532.00	\$532.00
Deposited as estimated compensation - - - - -		\$525.00
Disbursed to owners - - - - -		
Balance due to owners - - - - -	\$532.00	
Deposit deficiency - - - - -		<u>\$7.00</u>

14.

It is further ORDERED that the Clerk of this Court shall transfer from the deposit for Tract No. L-1291 the sum of \$7.00 to Tract No. L-1293.

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

Tract No. L-1288:

To F. M. Van Winkle and Fannie Van Winkle, jointly - - - - -	\$562.50
To Lola M. Holland - - - - -	\$37.50
To Pauline Woodford Couch and John H. Woodford, jointly - - - - -	\$450.00

Tract No. L-1291:

To Otis Garrett - - - - -	\$44.17
To United States Army Corps of Engineers - - - - -	\$103.00

Tract No. L-1293:

To Otis Garrett - - - - -	\$88.67
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The Court, being advised that no addresses are available for W. R. Bowman, P. O. Denham, and D. L. Donnelly, further ORDERS that such defendants' shares of the award of just compensation for Tracts L-1291 and L-1293, shall not be disbursed at this time. The Court retains jurisdiction of such tracts for the entry of an appropriate order of distribution when such defendants are found.

Fred Daugherty

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.

389.50 Acres, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and American Climax
Petroleum Corporation, et al, and
Unknown Owners,

Defendants.

Civil Action No. 4822

Tracts Nos.: K-1128
P-1614
P-1616

FILED

SEP 13 1962

J U D G M E N T

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

1.

On August 15, 1962, 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 Fred Daugherty, 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 appeared not. 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 Tracts Nos. K-1128, P-1614 and P-1616, as such tracts and estates are described in the Complaint and 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 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

December 22, 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 subject tracts, certain sums of money, part of which has been disbursed, as shown in paragraph 13.

6.

Three of the defendant owners of Tract No. K-1128, to-wit Mose Parris, Lola Agnes Parris Betterton, and Richard Eugene Parris, together with the United States have executed and filed herein Stipulations as to Just Compensation wherein they have agreed upon the amount of just compensation for the interest, in Tract K-1128, owned by each such defendant. The combined interest in this tract so settled by stipulation is 18/21.

The owners of Tracts Nos. P-1614 and P-1616 together with the United States have executed and filed herein, Stipulations as to Just Compensation wherein they have agreed upon the amount of just compensation for these two tracts.

The stipulations described above should be approved and the amounts therein fixed adopted as the awards of just compensation for the interests of the stipulating defendants.

7.

Fair market value of the estate taken in Tract K-1128 is \$1,750.00. Therefore, the sum of \$250.01 should be adopted as the award of just compensation for the 3/21 interest in Tract No. K-1128, owned by Harold Briggs, Virginia R. Parris, and Charlene Parris and not covered by the stipulation referred to in paragraph 6. Such sum should be divided as equally as possible between the three owners of such outstanding interest.

8.

The awards fixed by this judgment will create a surplus in the deposit for Tract No. P-1614, as shown in paragraph 13 below and such surplus should be refunded to the United States.

9.

The defendants named in paragraph 13 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.

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 enumerated in the caption above, as such tracts are described in the Complaint and 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 December 22, 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.

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 in paragraph 13 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.

12.

It Is Further ORDERED, ADJUDGED AND DECREED, that the Stipulations as to Just Compensation described in paragraph 6 are confirmed and the amounts therein fixed are adopted as the awards of just compensation for the interests of the stipulating defendants, as shown in paragraph 13.

13.

It Is Further ORDERED, ADJUDGED AND DECREED, that the sum of \$250.01 hereby is adopted as the award of just compensation for the 3/21 interest in Tract No K-1128 not covered by the stipulations as to just compensation, as shown in the schedule which follows, to-wit:

TRACT NO. K-1128

Owners:

Mose Parris - - - - - 14/21
Lola Agnes Parris Betterton - - - - - 2/21
Harold Briggs - - - - - 1/21
Richard Eugene Parris - - - - - 2/21
Virginia R. Parris - - - - - 1/21
Charlene Parris - - - - - 1/21

Award of just compensation

For 18/21 interest, pursuant
to stipulations - - - - - \$1,499.99 \$1,499.99
For 3/21 interest, pursuant
to Court trial - - - - - 250.01 \$250.01
Total award - - - - - \$1,750.00
Deposited as estimated compensation \$1,750.00

Disbursed:

To owners of 18/21 interest settled
by stipulation:
To Mose Parris - - - - - \$1,166.66
To Lola Parris Betterton - - - - 166.66
To Richard Eugene Parris - - - - 166.67
Total disbursed for interest settled \$1,499.99 \$1,499.99
To owners of 3/21 interest
tried to Court:
To Harold Briggs - - - - - 83.34 \$83.34
Balance due to Virginia R. Parris
and Charlene Parris - - - - - \$166.67

TRACT NO. P-1614

Owner:

Lewis P. Kell

Award of just compensation pursuant
to stipulation - - - - - \$5,075.00 \$5,075.00
Deposited as estimated compensation - - - 5,075.00
Disbursed to owner - - - - - None
Balance due to owner - - - - - \$5,075.00

TRACT NO. P-1616

Owners:

Heirs of the estate of Willella Dale, deceased, who are:

Marcus Dale)	
Deloris Rozzell and)	----- 1/2
Carlisle Ethel Dale)	

William A. Estlin ----- 1/4

Harold Boyd ----- 1/8

Dorothy Boyd ----- 1/8

Deposited as estimated compensation ----- \$2,800.00

Award of just compensation		
pursuant to stipulation	----- 1,800.00	\$1,800.00

Disbursed to owners:

To Harold Boyd ----- \$200.00

To Dorothy Boyd ----- \$200.00

Total disbursed	----- \$400.00	<u>400.00</u>
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Balance due to owners	-----	<u>\$1,400.00</u>
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Deposit surplus ----- \$1,000.00

14.

It Is Further ORDERED that the Clerk of this Court shall forthwith disburse from the deposits for the subject tracts certain sums as follows:

Tract No. K-1128:

To Virginia R. Parris	-----	\$83.34
To Charlene Parris	-----	83.33

Tract No. P-1614:

To Lewis P. Kell ----- \$5,075.00

Tract No. P-1616:

To Marcus Dale, Deloris Rozzell and		
Carlisle Ethel Dale, jointly	-----	\$900.00
To William A. Estlin	-----	\$450.00
To Harold Boyd	-----	\$25.00
To Dorothy Boyd	-----	\$25.00
To United States Army,		
Corps of Engineers	-----	\$1,000.00

Fred Daugherty

 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.

158.63 Acres of Land, More or Less,
Situate in Rogers and Nowata Counties,
Oklahoma, and Clarence McSpadden, et
al, and Unknown Owners,

Defendants.

Civil Action No. 4839

Tracts Nos: E-542
E-542E
F-638E
N-1452E

FILED

J U D G M E N T

SEP 10 1962

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

1.

On August 15, 1962, 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 Fred Daugherty, 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. Mr. Charles Miller, attorney, appeared for the Office of Solicitor, United States Department of Interior. No other defendants appeared. 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 Tracts Nos. E-542, E-542E, F-638E and N-1452E, as such tracts and estates are described in the Declaration of Taking and the Complaint 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 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 January 27, 1960, 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 subject tracts, certain sums of money, part of which has been disbursed as shown in paragraph 11.

6.

The decrease in fair market values of the farm units from which the subject tracts were condemned, caused by the taking in this case, is as follows:

Tracts Nos. E-542 and E-542E - - - - -	\$950.00
Tract No. F-638E - - - - -	\$585.00
Tract No. N-1452E - - - - -	\$375.00

and such sums should be adopted as the awards of just compensation for the estates taken in the subject tracts.

7.

The awards fixed by this Judgment will create a surplus in the deposit for Tract No. N-1452E, as shown in paragraph 11 below, and such surplus should be refunded to the United States.

8.

The defendants named in paragraph 11 as owners of subject tracts are the only defendants asserting any interest in the estates condemned in 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 for such estates.

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 indicated 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.

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 defendants whose names appear in paragraph 11 below; the right to just compensation for the estates taken in these tracts is vested in the parties so named.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the sums hereby adopted as the awards of just compensation for the estates condemned herein in subject tracts, are the sums following the designation, "Award of just compensation", as shown in the schedule which follows, to-wit:

TRACTS NOS. E-542 and E-542E

Owners:

Witt-Bar Oil Corporation	- - - - -	1/3	
Chas. F. Dominy	- - - - -	1/3	
J. C. Fairbank	- - - - -	1/3	
Award of just compensation	- - - - -	\$950.00	\$950.00
Deposited as estimated compensation	- - - - -	<u>\$950.00</u>	
Disbursed to owners	- - - - -		None
Balance due to owners	- - - - -		<u>\$950.00</u>

TRACT NO. F-638E

Owners:

Jane Walkingstick Watt	- - - - -	1/3
Edna Walkingstick Tuell	- - - - -	1/6
Mary Walkingstick Bailey	- - - - -	1/6
Ben Walkingstick	- - - - -	1/6
Webster Bean a/k/a Webster Crittenden	- - - - -	1/18
Malinda Williams Hummingbird	- - - - -	2/54
Sadie Mae Crittenden Torbey	- - - - -	2/54
Nathan Crittenden	- - - - -	2/54

Award of just compensation - - - - -	\$585.00	\$585.00
Deposited as estimated compensation - - - - -	<u>\$585.00</u>	
Disbursed to owners - - - - -		<u>\$585.00</u>

TRACT NO. N-1452E

Owner:

Alma Fay Rienhardt Brown

Deposited as estimated compensation - - - - -	\$425.00	
Award of just compensation - - - - -	<u>\$375.00</u>	\$375.00
Disbursed to owner - - - - -		None
Balance due to owner - - - - -		<u>\$375.00</u>
Deposit surplus - - - - -	<u>\$50.00</u>	

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Clerk of this Court forthwith shall disburse from the deposits for the subject tracts certain sums as follows:

Tracts Nos. E-542 and E-542E:

To Witt-Bar Oil Corporation - - - - -	\$316.67
To Chas. F. Dominy - - - - -	\$316.67
To J. C. Fairbank - - - - -	\$316.66

Tract No. N-1452E:

To United States Army, Corps of Engineers - - - - -	\$50.00
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Fred Daugherty

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.

653.25 Acres of Land, More or Less,
Situatē in Nowata County, Oklahoma,
and Charles Edward Bratcher, et al,
and Unknown Owners,

Defendants.)

Civil Action No. 4975

Tract No. K-1173

FILED

SEP 13 1962

J U D G M E N T

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

1.

Now, on this 13th day of September, this
matter comes on for disposition on application of plaintiff, United States
of America, for entry of judgment on a stipulation agreeing upon just com-
pensation, 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. K-1173, 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 July 29, 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 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 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 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, to-wit:

TRACT NO. K-1173

Owners:

Charles E. Bratcher	- - - - -	1/7
Nettie Bratcher	- - - - -	1/7
Olena Bratcher	- - - - -	1/7
Earnest Bratcher	- - - - -	3/14
Myrtle Bratcher Lawton	- - - - -	3/14
Betty Alice Van Horn	- - - - -	1/14
Joan Frances Ross	- - - - -	1/14

Award of just compensation pursuant to stipulation	- - - - -	\$4,000.00	\$4,000.00
Deposited as estimated compensation	- - - - -	\$2,875.00	
Disbursed to owners	- - - - -		<u>\$2,875.00</u>
Balance due to owners	- - - - -		\$1,125.00
Deposit deficiency	- - - - -	\$1,125.00	

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 No. 4975 to the credit of Tract No. K-1173, the deficiency sum of \$1,125.00.

The Clerk of this Court then shall disburse from such deposit sums as follows:

Charles E. Bratcher	- - - - -	\$160.71
Nettie Bratcher	- - - - -	\$160.71
Olena Bratcher	- - - - -	\$160.71
Earnest Bratcher	- - - - -	\$241.08
Myrtle Bratcher Lawton	- - - - -	\$241.07
Betty Alice Van Horn	- - - - -	\$ 80.36
Joan Frances Ross	- - - - -	\$ 80.36

15/ Allen E. Barron
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.
493.75 Acres of Land, More or Less,
Situate in Rogers and Nowata Counties,
Oklahoma, and Ivoy Byrd, et al, and
Unknown Owners,
Defendants.

Civil Action No. 5000
Tract No. T-2005

FILED

SEP 13 1962

J U D G M E N T

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

1.
Now, on this 13th day of September, 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-2005, 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 19, 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 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 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 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, 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, to-wit:

TRACT NO. T-2005

Owners:

Clarence Miller	- - - - -	1/2
E. P. Miller	- - - - -	1/4
A. W. Miller	- - - - -	1/4

Award of just compensation pursuant to stipulation	- - - - -	\$425.00	\$425.00
Deposited as estimated compensation	- - - - -	\$325.00	
Disbursed to owners	- - - - -		<u>None</u>
Balance due to owners	- - - - -		<u>\$425.00</u>
Deposit deficiency	- - - - -	\$100.00	

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 No. 5000, to the credit of Tract No. T-2005, the deficiency sum of \$100.00. The Clerk of this Court then shall disburse from such deposit certain sums as follows:

To Clarence Miller	- - - - -	\$212.50
To E. P. Miller	- - - - -	\$106.25
To A. W. Miller	- - - - -	\$106.25

W. Allen E. Barrow
UNITED STATES DISTRICT JUDGE

APPROVED:

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

FILED

SEP 13 1962

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

768.22 Acres of Land, More or Less,
Situate in Osage and Pawnee Counties,
Oklahoma, and Floyd Hazelrigg, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 5446

Tract No. 1016

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendants and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

The Court finds that prior to the institution of the above proceeding the United States of America and the defendants, Fred Amen and Verba I. Amen, entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendants and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$200.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. 1016, as such estate and said tract are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendants were the sole owners of the above-captioned tract on the date of taking; that they are entitled to the entire award therefor; and that the contract and agreement is a valid one.

The Court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tract and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

(A) The vesting in plaintiff of title to the estate set forth in the complaint and declaration of taking in and to the land hereinabove referred to, as said tract is described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. 1016 is the sum of \$200.00, inclusive of interest.

(C) The Clerk of the Court is authorized and directed to draw a check on the funds in the Registry of the Court in the amount of \$200.00, made payable to the above owners, and to cause payment to be made.

Entered this 13 day of Sept 1962.

APPROVED:
W. R. THIXTON, JR.

ALLEN E. BARROW
JUDGE, United States District Court

W. R. THIXTON, JR.
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America, on behalf
of the Small Business Administration
and Internal Revenue Service,

Plaintiff,

vs.

Joe F. Rakes, d/b/a Joe Rakes
Construction Company, and
Margaret L. Rakes, his wife;
Mutual Benefit Life Insurance
Company, a Corporation; Home
Federal Savings and Loan Assoc-
iation of Tulsa, a Corporation;
International Paper Company, a
Corporation; Aetna Life Insurance
Company, a Corporation, and Lloyd
Jerald Morris,

Defendants.

Civil No. 5384

FILED

In Open Court
SEP 11 1962

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

J U D G M E N T

Now on this 14th day of September 1962, the above entitled matter coming on for hearing, the plaintiff United States of America appearing by Sam E. Taylor, Assistant United States Attorney for the Northern District of Oklahoma, and it appearing that this is a suit based upon a note and for foreclosure of a real estate mortgage and chattel mortgage securing said note, and it further appearing that the real estate and chattels described in said mortgages are located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma; and

It further appearing that due and legal personal service of summons has been made on the defendants, Joe F. Rakes, d/b/a Joe Rakes Construction Company, and Margaret L. Rakes, on the 23rd day of April 1962, requiring each of them to answer the complaint filed herein not more than twenty (20) days after date of service of summons, and it further appearing that said defendants have failed to file an answer herein; and

It further appearing that the defendants, Home Federal Savings and Loan Association of Tulsa, International Paper Company and Aetna Life Insurance Company, have heretofore filed their answers disclaiming any interest in the property covered by plaintiff's real estate and chattel mortgages; and

It appearing that due and legal personal service of summons has been made on the defendant, Lloyd Jerald Morris, on the 13th day of April 1962, in

this state requiring him to answer the complaint filed herein not more than twenty (20) days after date of service of summons, and it appearing that said defendant has failed to file an answer herein;

It further appearing that the judgment rendered on August 14, 1961, in Case No. 101862, in the District Court in and for Tulsa County, State of Oklahoma, in favor of the defendant, Mutual Benefit Life Insurance Company, and against the defendant, Joe Rakes Construction Company, is a judgment in rem and a lien only upon the property involved therein;

The Court being fully advised finds that the defendant, Mutual Benefit Life Insurance Company, does not have a lien upon the real or personal property heretofore described in plaintiff's complaint filed herein;

The Court further finds that the allegations and averments in the complaint of plaintiff filed herein are true and that there is due and owing from the defendants, Joe F. Rakes, d/b/a Joe Rakes Construction Company, and Margaret L. Rakes, to the plaintiff, United States of America the following amounts:

1. The sum of \$19,397.07 as principal with interest thereon at the rate of seven (7%) per cent per annum on ten (10%) thereof and interest at the rate of five and one-half (5½) per cent per annum on the remaining ninety (90%) per cent thereof from July 12, 1961, until paid.
2. The sum of \$181.42 as unpaid withholding tax and Federal Insurance (FICA) for the first quarter of 1961, with interest at the rate of six (6%) per cent per annum from April 30, 1961, until paid.

The Court further finds that plaintiff has a first and prior lien upon the real property described in the complaint filed herein by virtue of the mortgages given as security for the payment of the indebtedness, interest and costs, which real property is described as follows:

Lot Six (6) in Block One (1) of Sloan Addition, also known as "Resurvey of Sloan Addition" to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

The Court further finds that plaintiff has a first and prior lien upon the personal property described in the complaint filed herein by virtue of the chattel mortgages given as security for the payment of the indebtedness, interest and costs, which personal property is described as follows:

- 1 Fletcher-Terry Glass Cutter, 4' x 4'; Serial No. D11796
- 1 Cut-Off Saw, Southeastern Tool & Die
- 1 Custom, Reeder Mfg., Precast Stone Die
- All Misc. Hand and Electrical Tools
- All Tables and Racks

1 Layout Table
1 Layout Table
1 Bending Table
1 Invert Table
1 H D Board
1 H D Board
1 Atlen Bench Dye Press
1 B & D Drill and Screw Machine
1 End Layout Table
1 End Layout Table
1 Valance Table
4 Legal Size Steel Filing Cabinets and
1 Chair

The Court further finds that plaintiff has a second lien, subordinate only to plaintiff's first lien, upon the above described real and personal property by virtue of certain Federal Tax Liens heretofore filed in the Office of the Tulsa County Clerk, Tulsa, Oklahoma, as number OC 5409 in the sum of \$182.83.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that plaintiff's cause of action against the defendant, Mutual Benefit Life Insurance Company, is hereby dismissed, the Mutual Benefit Life Insurance Company having no lien or claim upon the real or personal property involved herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, United States of America, do have and recover from the defendant, Joe F. Rakes, d/b/a Joe Rakes Construction Company, and Margaret L. Rakes, his wife, a judgment in rem for the sum of \$19,397.07 principal, with interest thereon at the rate of 7% per annum on ten (10%) per cent of the outstanding balance and five and one-half (5½%) per cent per annum on the remaining ninety (90%) of the outstanding balance from July 12, 1961, plus the sum of \$181.42 with interest thereon at the rate of six (6%) per cent per annum from April 20, 1961, until paid, together with cost of this action accrued and accruing.

It further appearing to the Court that the plaintiff elects under the terms of its mortgage to have the real property, hereinabove described, sold with appraisalment, such election is hereby approved, and said real property will be sold with appraisalment.

IT IS THEREFORE FURTHER ORDERED, ADJUDGED AND DECREED that upon failure of the defendant, Joe F. Rakes, d/b/a Joe Rakes Construction Company, and Margaret L. Rakes, his wife, to satisfy the judgment of plaintiff, an order of sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, according to law, with appraisalment the real property hereinabove described and to advertise and sell, according to law, the personal property hereinabove described, and to apply the proceeds thereof as follows:

1. In payment of the costs of the sale and of this action.
2. In payment of any unpaid local and state taxes.
3. In payment to plaintiff the sum of \$19,397.07 principal ~~with~~ interest thereon at the rate of seven (7%) per cent per annum on ten (10%) of said principal and at the rate of five and one-half (5½%) per cent per annum on the remaining ninety (90%) per cent of said principal from July 12, 1961, until paid.
4. In payment to plaintiff the sum of \$181.42 as unpaid withholding tax and Federal Insurance (FICA) for the first quarter of 1961, with interest at the rate of six (6%) per cent per annum from April 30, 1961, until paid.
5. The residue, if any, to be paid to the Clerk of this Court to await the further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that from and after the sale of the real and personal property under and by virtue of this judgment and decree, the defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of and from any and every lien upon, right, title, interest, estate or equity of, in or to the real and personal property described herein.

Dated this 14th day of September 1962.

(s) Allen E. Barrow
UNITED STATES DISTRICT JUDGE

UNITED STATES OF AMERICA

(s) Sam E. Taylor
SAM E. TAYLOR
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
Ted McCoy Starks
and Edna Starks,
Defendants.

Civil No. 5401

FILED

SEP 14 1962

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

J U D G M E N T

On this 14th day of September 1962, 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 defendant appearing not, and the Court having heard the evidence of the plaintiff and examined the file, finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that the Defendants are indebted to plaintiff in the sum of \$1,355.92, with interest thereon at the rate of 6% per annum from March 2, 1960, until paid, together with costs of this action accrued and accruing.

The Court further finds that plaintiff has filed herein an affidavit stating that defendants are not in the military or naval service of the United States, and are not infants or incompetents, which is found to be true.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendants, Ted McCoy Starks and Edna Starks, for the sum of \$1,355.92, with interest thereon at the rate of 6% per annum from March 2, 1960, until paid, together with costs of this action accrued and accruing.


UNITED STATES DISTRICT JUDGE

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

MISSOURI-KANSAS-TEXAS RAILROAD COMPANY,

Plaintiff

vs.

ELMAR TANK LINE, CO.,

Defendant

No. 5424

FILED

SEP 14 1962

ORDER OF DISMISSAL

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

Now on this 14th day of September, 1962, the above matter coming on to be heard on Disposition Docket and the Court being orally advised by counsel for Plaintiff that the matter had been settled between Plaintiff and Defendant and upon request of counsel for Plaintiff that such cause be dismissed,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the Complaint of Plaintiff herein be and the same is hereby dismissed with prejudice.

Allen E. Barrow
Allen E. Barrow, Judge

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

United States of America,
Plaintiff,
vs.
Joe O. McKinney
and May McKinney,
Defendants.

Civil No. 5435

FILED
FILED IN OPEN
SEP 14 1962 COURT

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

J U D G M E N T

On this 14th day of September 1962, 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 defendant appearing not, and the Court having heard the evidence of the plaintiff and examined the file, finds that defendant was duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer is and should be adjudged in default.

The Court further finds that all allegations of plaintiff's complaint are true; that Defendant is indebted to plaintiff in the sum of \$3,256.38 principal, plus accrued interest in the sum of \$893.90, together with interest on the above stated principal at the rate of five per cent (5%) per annum from June 20, 1962, until paid, together with the costs of this action accrued and accruing.

The Court ~~thereby~~ finds that plaintiff has filed herein an affidavit stating that defendant is not in the military or naval service of the United States, and is not an infant or an incompetent, which is found to be true.

THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED by the Court that this plaintiff have judgment against the defendants, Joe O. McKinney and May McKinney, for the sum of \$3,256.38 principal and accrued interest in the sum of \$893.90 plus interest on said principal at the rate of five per cent (5%) per annum from June 20, 1961 until paid, together with the costs of this action, accrued and accruing.

Allen E. Barron
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

796.08 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Forrest Adair, et al,
and Unknown Owners,

Defendants.

Civil No. 4806

Tract No. G-716

FILED

SEP 17 1962

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

ORDER FOR DISMISSAL

On this 14th day of September, 1962, there came on for hearing the motion of the plaintiff for an order dismissing its complaint insofar as said complaint extends to and covers Tract No. G-716 as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause.

After being advised by counsel for the plaintiff, the Court finds that title to the property described and condemned in Tract No. G-716 was in, and vested in the plaintiff, the United States, prior to the time of filing of the Complaint and Declaration of Taking on file herein, and that said Complaint and Declaration of Taking did erroneously condemn that property and estate described as Tract No. G-716.

The Court also finds that the estimated just compensation heretofore deposited in this case as applied to Tract No. G-716 is \$125.00, and that said amount should be refunded and returned to the Treasurer of the United States.

IT IS, THEREFORE, ORDERED that the Complaint in this cause is dismissed insofar as said complaint extends to and covers the estate and property described in Tract No. G-716, and that the Court Clerk refund and return the amount of estimated just compensation on deposit, \$125.00, as applied to Tract No. G-716, to the Treasurer of the United States.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

W. R. THIXTON, JR.

W. R. THIXTON, JR.
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

387.90 Acres of Land, More or Less,
Situate in Creek County, Oklahoma,
and John L. Collins, et al, and
Unknown Owners,

Defendants.

Civil No. 4908

Tracts Nos. I-933 and
I-933E

FILED

SEP 17 1962

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

ORDER FOR DISMISSAL

On this 15th day of *Sept*, 1962, there came on for hearing the motion of the plaintiff for an order dismissing its complaint insofar as said complaint extends to and covers Tracts Nos. I-933 and I-933E as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause.

After being advised by counsel for the plaintiff, the Court finds that title to the property described and condemned in Tracts Nos. I-933 and I-933E was in, and vested in the plaintiff, the United States, prior to the time of filing of the Complaint and Declaration of Taking on file herein, and that said Complaint and Declaration of Taking did erroneously condemn that property and estate described as Tracts Nos. I-933 and I-933E.

The Court also finds that the estimated just compensation heretofore deposited in this case as applied to Tracts Nos. I-933 and I-933E is \$265.00 (I-933 - \$240.00, I-933E - \$25.00), and that said amount should be refunded and returned to the Treasurer of the United States.

IT IS, THEREFORE, ORDERED that the Complaint in this cause is dismissed insofar as said complaint extends to and covers the estate and property described in Tracts I-933 and I-933E, and that the Court Clerk refund and return the amount of estimated just compensation on deposit, \$265.00 (240.00 - I-933, \$25.00 - I-933E), as applied to Tracts Nos. I-933 and I-933E, to The Treasurer of the United States.

ALLEN C. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

W. R. THIXTON, JR.

W. R. THIXTON, JR.
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

387.90 Acres of Land, More or Less,
Situate in Creek County, Oklahoma,
and John L. Collins, et al, and
Unknown Owners,

Defendants.

Civil No. 4908

Tracts Nos. I-957E-1 and
I-957E-2

FILED

SEP 17 1962

ORDER FOR DISMISSAL

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

On this 14th day of *Sept*, 1962, there came on for hearing the motion of the plaintiff for an order dismissing its complaint insofar as said complaint extends to and covers Tracts Nos. I-957E-1 and I-957E-2 as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause.

After being advised by counsel for the plaintiff, the Court finds that title to the property described and condemned in Tracts Nos. I-957E-1 and I-957E-2 was in, and vested in the plaintiff, the United States, prior to the time of filing of the Complaint and Declaration of Taking on file herein, and that said Complaint and Declaration of Taking did erroneously condemn that property and estate described as Tracts Nos. I-957E-1 and I-957E-2.

The Court also finds that the estimated just compensation heretofore deposited in this case as applied to Tracts Nos. I-957E-1 and I-957E-2 is \$180.00 (I-957E-1 - \$35.00, I-957E-2 - \$145.00), and that said amount should be refunded and returned to the Treasurer of the United States.

IT IS, THEREFORE, ORDERED that the Complaint in this cause is dismissed insofar as said Complaint extends to and covers the estate and property described in Tracts I-957E-1 and I-957E-2, and that the Court Clerk refund and return the amount of estimated just compensation on deposit, \$180.00 (I-957E-1 - \$35.00, I-957E-2 - \$145.00), as applied to Tracts Nos. I-957E-1 and I-957E-2, to the Corps of Engineers, U. S. Army, check made payable to the Treasurer of the United States.

ALLEN E. BARROW
UNITED STATES DISTRICT JUDGE

APPROVED:

W. R. THIXTON, JR.

W. R. THIXTON, JR.
Assistant United States Attorney

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

ALLSTATE INSURANCE COMPANY,
An Illinois Corporation,

Plaintiff,

vs.

TRADERS & GENERAL INSURANCE
COMPANY, A Texas Corporation,
et al,

Defendants.)

FILED

SEP 17 1962

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

NO. 5370-Civil

O R D E R

Upon motion of the parties hereto,

IT IS ORDERED, ADJUDGED AND DECLINED by the Court
that the above styled and numbered cause of action is
hereby dismissed for the reason that the legal questions
involved are now moot.

Dated at Tulsa, Oklahoma, this 7 day of Sep-
tember, 1962.

Fred Caugherty
FRED S. CAUGHERTY
U. S. DISTRICT JUDGE

CC: Mr. William E. Jones
National Bank of Tulsa Building
Tulsa 3, Oklahoma

Covington & Gibbon
Pythian Building
Tulsa 3, Oklahoma

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

47.26 Acres of Land, More or Less,
Situatē in Nowata County, Oklahoma,
and Julian W. Glass, Jr., et al,
and Unknown Owners,

Defendants.

Civil Action No. 4640

Tracts Nos.: U-2154E-4
U-2154E-5
U-2154E-6
U-2154E-7

FILED

SEP 18 1962

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

J U D G M E N T

1.

On August 2, 1962, this cause, as to the captioned tracts, came on for pre-trial conference before the Honorable Luther Bohanan, 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 tracts 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 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 February 16, 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 described estates in subject tracts, a certain sum of money, none of which has been disbursed as shown in paragraph 9.

6.

At the pre-trial conference the Court heard the testimony of W. R. Bass, staff mineral appraiser for the U. S. Corps of Engineers. The Court then found that the decrease in market value of the unit of ownership from which the subject tracts were taken, caused by this action, was \$525.00, and such sum should be adopted as the award of just compensation for the taking of the described estates in the subject 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 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 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 indicated 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 February 16, 1959, and all defendants herein and all other persons interested in such estates 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 interests appear therein; and the sum of \$525.00 hereby is adopted as the award of just compensation for the estates herein taken in subject tracts, all as follows, to-wit:

TRACTS NOS. U-2154E-4 THROUGH U-2154E-7, INCL.

Owners:

Lessor interest: Mary E. Moreland, nee Johnson

Lessee interest: Hamco Oil and Drilling, Inc.

Award of just compensation - - - - - \$525.00 \$525.00

(Allocated:

Lessor - - - - - \$200.00

Lessee - - - - - -\$325.00)

Deposited as estimated compensation - - - - \$525.00

Disbursed to owners - - - - - None

Balance due to owners - - - - - \$525.00

10.

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

To Mary E. Moreland - - - - - \$200.00

To Hamco Oil and Drilling, Inc. - - - - - \$325.00

Luther Bohanan

UNITED STATES DISTRICT JUDGE

APPROVED:

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

SEP 13 1962

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,
and Unknown Owners,

Defendants.

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

Civil Action No. 4643

Tracts Nos.: F-639E-1)
F-639E-2) $\frac{1}{2}$ minerals
F-639E-3)
O-1507E-1
O-1507E-2
O-1549E-1
O-1549E-2
S-1958
S-1991E
U-2155E-1
U-2155E-2

J U D G M E N T

1.

On August 2, 1962, this cause, as to captioned tracts, came on for pre-trial before the Honorable Luther Bohanan, 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 owners, R. R. Faulkner, Dora L. Faulkner, Jack C. Faulkner, and Maryetta Faulkner, Administratrix, appeared by their attorney, Glenn H. Chappell. The other defendants did not appear. After examining the files and being fully advised in the premises, the Court finds:

2.

This Judgment applies to an undivided $\frac{1}{2}$ interest in the oil, gas and other minerals only, taken in Tracts F-639E-1, F-639E-2 and F-639E-3, but applies to the entire estates taken in each of the other tracts listed in the caption above, as such tracts and estates are particularly described in the Complaint and Declaration of Taking, as amended, filed herein.

3.

The Court has jurisdiction of the parties and the subject matter in 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 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 February 19, 1959, the United States of America filed its Declaration of Taking of certain estates in such described land, and on June 26, 1961 filed an amendment to such Declaration of Taking, and title to such property should be vested in the United States of America, as of the dates of filing such instruments.

6.

Simultaneously with filing herein the Declaration of Taking and the amendment thereto, there was deposited in the Registry of this Court, as estimated compensation for the taking of subject tracts, certain sums of money, part of which has been disbursed as shown in paragraph 14.

7.

The owners of an undivided 2/3 interest in Tracts Nos. O-1507E-1, O-1507E-2, O-1549E-1, and O-1549E-2, the owners of an undivided 3/4 interest in Tract No. S-1958, and the owners of Tracts Nos. U-2155E-1 and U-2155E-2 together with the United States of America have executed and filed herein, Stipulations as to Just Compensation whereby they have agreed upon the amount of just compensation for the estates taken in such tracts. These stipulations should be approved insofar as they apply to the interests in these tracts as set out above.

8.

At the pre-trial conference the Court heard the testimony of W. R. Bass, and Norman Kauble, U. S. Army Corps of Engineers staff appraisers. The Court then found that the decrease in market value of certain units of ownership involved in this case was as follows:

1/2 interest in the oil, gas and other minerals under Tracts F-639E-1, F-639E-2 and F-639E-3 - - - - -	decreased - -	\$25.00
1/3 interest in Tracts O-1507E-1, O-1507E-2, O-1549E-1 and O-1549E-2 - - - - -	decreased - -	\$158.33
Entire interest in Tract No. S-1991E -	decreased - -	\$275.00

The Court further found that the fair market value of an undivided 1/4 interest in the estate taken in Tract S-1958, as of the date of taking, was \$250.00.

The sums set forth above in this paragraph should be adopted as the awards of just compensation for the respective interests in the estates taken in the subject tracts.

9.

The awards fixed by this Judgment will create a surplus in the deposit for Tract No. S-1991E, but will create a deficiency in the deposit for Tract Nos. U-2155E-1 and U-2155E-2 as shown in paragraph 14. The surplus should be applied toward satisfaction of the deficiency and a sum of money sufficient to cover the balance of the deficiency should be deposited by the plaintiff.

10.

The defendants named in paragraph 14 as owners of subject tracts are the only defendants asserting any claim to the interests in such tracts covered by this Judgment, 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, with the exception that Jane Walkingstick Watt, is a restricted Indian and the United States Department of Interior, Bureau of Indian Affairs, should receive her award for deposit in her money account.

11.

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 interests described in the tracts named in paragraph 2 herein; as such tracts are particularly described in the Complaint and Declaration of Taking, as amended, filed herein; and such interests in these tracts, to the extent of the estates described, and for the uses and purposes described in the Declaration of Taking, as amended, are condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and the amendment thereto, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates described in paragraph 2 were the

defendants whose names appear in the schedule in paragraph 14 below; the right to receive the just compensation for such estates taken in these tracts is vested in the parties so named.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulations as to Just Compensation mentioned in paragraph 7 above, hereby are confirmed and the sums therein fixed are adopted as the awards of just compensation for the interests owned by the stipulating defendants, all as shown in paragraph 14.

14.

It Is Further ORDERED, ADJUDGED AND DECREED that the sums hereby adopted as the awards of just compensation for the estates condemned in the interests described in paragraph 8, are the sums as shown in the schedule as follows, to-wit:

TRACTS NOS. F-639E-1, F-639E-2 AND F-639E-3

Owner of an undivided 1/2 of the oil, gas and other minerals:

Jane Walkingstick Watt (restricted Indian)

Award of just compensation for such interest pursuant to Court trial - - - - -	\$25.00	\$25.00
Deposited as estimated compensation for such interest - - - - -	<u>\$25.00</u>	
Disbursed to owner - - - - -		<u>None</u>
Balance due to owner - - - - -		\$25.00

TRACTS NOS. O-1507E-1, O-1507E-2, O-1549E-1, AND O-1549E-2

Owners:

Luella Secondine - - - - - 2/3
Mary E. Bobo - - - - - 1/3

This interest is subject to an attorney's lien for \$75.00 in favor of L. C. Colter.

Awards of just compensation:

For Luella Secondine 2/3 interest, pursuant to stipulation - - - - -	\$316.67	
For Mary E. Bobo 1/3 interest, pursuant to Court trial - - - - -	\$158.33	
Total Award for all 4 tracts - - - - -		\$475.00
Deposited as estimated compensation for all 4 tracts - - - - -		<u>\$475.00</u>

Disbursed to owners:

To Luella Secondine \$316.67
 To Mary E. Bobo and
 L. C. Colter - - - - - None

Balance due to owners of
 1/3 interest - - - - - \$158.33

TRACT NO. S-1958

Owners:

Irene Olson - - - - - 1/2
 William H. Pomeroy - - - - - 1/8
 Norine Pomeroy - - - - - 1/8
 Heirs of the estate of H. C. Pouder,
 deceased, who are:
 Lottie Pouder Schneider and
 King Pouder Kirchner - - - - - 1/4

Awards of just compensation:

For Irene Olson 1/2
 interest, pursuant
 to stipulation - - - - - \$500.00
 For William H. Pomeroy 1/8
 interest, pursuant to
 stipulation - - - - - \$125.00
 For Norine Pomeroy 1/8
 interest, pursuant to
 stipulation - - - - - \$125.00
 For H. C. Pouder 1/4
 interest, pursuant to
 Court trial - - - - - \$250.00

Total award - - - - - \$1000.00

Deposited as estimated compensation - - - - - \$1000.00

Disbursed to owners:

To Irene Olson - - - - - \$500.00
 To William H. Pomeroy - - - - - \$125.00
 To Norine Pomeroy - - - - - \$125.00
 To Heirs of H. C. Pouder - - - - - None

Balance due to owners - - - - - \$250.00

TRACT NO. S-1991E

Owners:

Mrs. Jean Smith Pirtle - - - - - 1/2
Roberta Lee Smith - - - - - 1/2

Deposited as estimated compensation - - - - - \$300.00

Award of just compensation
pursuant to Court trial - - - - - \$275.00 \$275.00

Disbursed to owners - - - - - \$250.00

Balance due to owners - - - - - \$ 25.00

Deposit surplus - - - - - \$ 25.00

TRACTS NOS. U-2155E-1 AND U-2155E-2

Owners:

R. R. Faulkner, Sr.
Dora L. Faulkner
Jack C. Faulkner

Award of just compensation
pursuant to stipulation - - - - - \$500.00 \$500.00

Deposited as estimated compensation - - - - - \$330.00

Disbursed to owners - - - - - None

Balance due to owners - - - - - \$500.00

Deposit deficiency - - - - - -\$170.00

15.

It Is Further ORDERED that the Clerk of this Court transfer from the deposit for Tract No. S-1991E the sum of \$25.00 to the deposit for Tracts Nos. U-2155E-1 and U-2155E-2 in partial satisfaction of the deficiency in the deposit for the latter tracts. The plaintiff shall deposit in the Registry of this Court, for Tracts U-2155E-1 and U-2155E-2, the sum of \$145.00.

When such transfer and deficiency deposit have been made, the Clerk of this Court shall disburse from the deposit for Tracts Nos. U-2155E-1 and U-2155E-2:

To R. R. Faulkner, Dora L. Faulkner, and
Jack C. Faulkner, jointly, the sum of - - \$500.00

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

Tracts F-639E-1, F-639E-2 and F-639E-3

To Bureau of Indian Affairs, United States Department
of Interior, for Deposit into the money account of
Jane Walkingstick Watt - - - - - \$25.00

Tracts Nos. O-1507E-1, O-1507E-2, O-1549E-1 and O-1549E-2

To Mary E. Bobo and L. C. Colter, jointly - - - - - \$75.00
To Mary E. Bobo - - - - - \$83.33

Tract No. S-1958

To Lottie Pouder Schneider - - - - - \$125.00
To King Pouder Kirchner - - - - - \$125.00

Tract No. S-1991E

To Mrs. Jean Smith Pirtle - - - - - \$12.50
To Roberta Lee Smith - - - - - \$12.50

Luther Bohanan

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.

437.26 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Tollie T. Downing, et al, and
Unknown Owners,

Defendants.

Civil Action No. 4862

Tract No. X-2464E

FILED

SEP 18 1962

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

J U D G M E N T

1.

On August 2, 1962, this cause as to the captioned tract, came on for pre-trial conference before the Honorable Luther Bohanan, 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, with the exception of Allen Barksdale and Ray Willis, appeared by their attorney, Glenn H. Chappell. Allen Barksdale and Ray Willis 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. X-2464E, as such tract and estate are described in the Complaint and 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

February 29, 1960, 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 9.

6.

At the pre-trial conference the Court heard the testimony of Norman Kauble, staff appraiser for the United States Army Corps of Engineers. The Court then found that the decrease in fair market value of the subject farm unit, caused by this action, was in the amount of \$50.00. Such sum should be adopted as the award of just compensation for the estate taken in the subject tract.

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 February 29, 1960, 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, as their interests appear therein; and the sum of \$50.00 hereby is adopted as the award of just compensation for the estate herein taken in subject tract; all as follows, to-wit:

TRACT NO. X-2464E

Owners:

Willie Mae Barksdale	- - - - -	1/56
Allen Barksdale	- - - - -	1/56
Eunice Morgan Samuel	- - - - -	1/7
Ruby J. Morgan	- - - - -	1/7
Lulu Morgan Wooden	- - - - -	1/7
Henry Morgan	- - - - -	1/7
Willie Mae Fisher	- - - - -	1/7
Myrlee Foster Chandler	- - - - -	1/28
Maybelle Foster Pettie	- - - - -	1/28
Clarence Downing	- - - - -	1/28
George Earl Morgan	- - - - -	1/28
Joe Anner Morgan	- - - - -	1/28
Harlene Riley	- - - - -	1/28
Maude Ester Johnson	- - - - -	1/28

Award of just compensation pursuant to Court trial	- - - - -	\$50.00	\$50.00
Deposited as estimated compensation	- - - - -	<u>50.00</u>	
Disbursed to owners	- - - - -		<u>None</u>
Balance due to owners	- - - - -		<u>\$50.00</u>

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

To: Willie Mae Barksdale	- - - - -	\$.89
Allen Barksdale	- - - - -	.89
Eunice Morgan Samuel	- - - - -	7.14
Ruby J. Morgan	- - - - -	7.14
Lulu Morgan Wooden	- - - - -	7.14
Henry Morgan	- - - - -	7.14
Willie Mae Fisher	- - - - -	7.14
Myrlee Foster Chandler	- - - - -	1.78
Maybelle Foster Pettie	- - - - -	1.79
Clarence Downing	- - - - -	1.79
George Earl Morgan	- - - - -	1.79
Joe Anner Morgan	- - - - -	1.79
Harlene Riley	- - - - -	1.79
Maude Esther Johnson	- - - - -	1.79

APPROVED:

151 Luther Bohannon
 UNITED STATES DISTRICT JUDGE

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America,
Plaintiff,

vs.

33.22 Acres of Land, More or Less,
Situate in Tulsa County, Oklahoma,
and Thomas L. Bartley, et al, and
Unknown Owners.

Defendants.

Civil No. 4581 SEP 24 1962

Tract No. A-150E-1 NOBLE C. HOOD
Clerk, U. S. District Court
(Surface and Mineral Subordination)

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulations entered into by and between the plaintiff and the defendants therein named, which stipulations are tendered herewith for filing herein.

The Court finds that plaintiff and A. W. Swift and Anna Lee Cartwright, aka Anna Lee Camp, nee Ernest, defendants herein, have, by the stipulations above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate in Tract No. A-150E-1, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$400.00, inclusive of interest, which amount was deposited into the Registry of this Court as estimated just compensation for said tract 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. The Court further finds that the above-named defendants were the sole owners of the captioned tract on the date of taking, and they are entitled to the entire award therefor.

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

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

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. A-150E-1 is the sum of \$400.00, inclusive of interest, which sum has heretofore been disbursed by Order of this Court.

Entered this 24 day of Sept 1962.

ALLEN E. BARROW

APPROVED:

JUDGE, United States District Court

W. R. THIXTON, JR.

Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

3.57 Acres of Land, More or Less,
Situate in Creek County, Oklahoma,
and Robert R. Austin, et al, and
Unknown Owners,

Defendants.

Civil No. 4732

Tract No. 1639

FILED

SEP 24 1962

JUDGMENT ON STIPULATION

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

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

The Court finds that plaintiff and Glen R. Stroup and Mary Ann Stroup, defendants herein, have, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate in Tract No. 1639, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$2,800.00, inclusive of interest. The sum of \$2,500.00, was deposited into the Registry of this Court as estimated just compensation for said tract 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.

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

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

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. 1639, is the sum of \$2,800.00, inclusive of interest, and the reservation by the above-named defendants of the right to remove on or before December 31, 1959, the buildings and improvements located thereon, having a total salvage value of \$200.00, and the total sum of \$2,800.00 is reduced by \$200.00 as per stipulation for exclusion of property on file herein; and

(C) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$100.00, without interest, and the Clerk of the Court is directed and authorized to draw a check on the Funds in the Registry of the Court in the amount of \$100.00, payable to Glen R. Stroup and Mary Ann Stroup, and to cause payment to be made.

Entered this 24th day of Sept, 1962.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

W. R. THIXTON, JR.

W. R. THIXTON, JR.
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

21.69 Acres of Land, More or Less,
Situat in Pawnee County, Oklahoma,
and Frank J. Weinond, et al, and
Unknown Owners.

Defendants.

Civil No. 4837

Tract No. 1567

FILED

SEP 24 1962

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

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendants and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

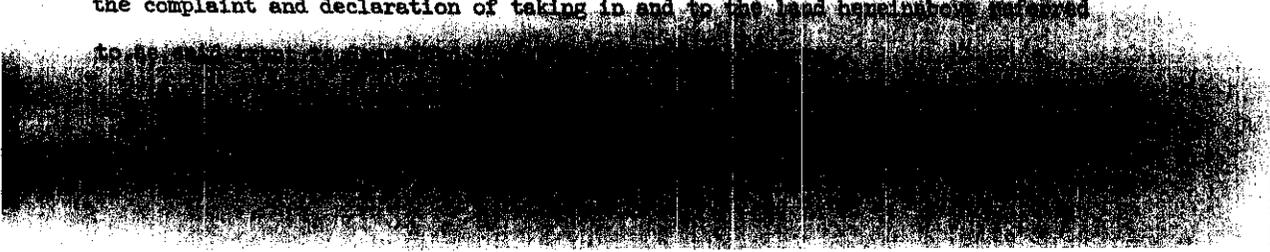
The Court finds that prior to the institution of the above proceeding the United States of America and the defendants, Clark D. Bryson and W. E. Lovener entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendants and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$55.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in Tract No. 1567 as such estates and said tract is described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendants were the sole owners of the above-captioned tract on the date of taking; that they are entitled to the entire award therefor; and that the contract and agreement is a valid one.

The Court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tract and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

(A) The vesting in plaintiff of title to the estates set forth in the complaint and declaration of taking in and to the land hereinbefore referred to is hereby ordered.



(C) The Clerk of the Court is authorized and directed to draw a check upon the funds in the registry of this Court in the amount of \$55.00, made payable to the above owners, and cause payment to be made.

Entered this 24 day of Sept 1962.

APPROVED:

W. R. THIXTON, JR.

Attorney

ALLEN E. BARROW

JUDGE, United States District Court

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 284.43 Acres of Land, More or Less,)
 Situate in Creek, Osage and Pawnee)
 Counties, Oklahoma, and Ernest R.)
 Anthis, et al, and Unknown Owners,)
)
 Defendants.)

Civil No. 4951

Tract No. 3049

FILED

SEP 24 1962

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

JUDGMENT ON STIPULATION

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

The Court finds that plaintiff and Charles R. Gray, defendant herein, have, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate in Tract No. 3049, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$2,300.00, inclusive of interest. The sum of \$1,960.00, was deposited into the registry of this Court as estimated just compensation for said tract 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.

IT IS THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

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

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. 3049, is the sum of \$2,300.00, inclusive of interest; and

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$340.00, without interest. Upon receipt of the amount of this deficiency, the Clerk of the Court is hereby authorized and directed to draw a check on the funds in the registry of this Court in the amount of \$340.00, made payable to Charles R. Gray and cause payment to be made.

Entered this 21 day of Sept 1962.

ALLEN E. BARROW

APPROVED:

JUDGE, United States District Court

W. R. THIXTON, JR.

Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

479.40 Acres of Land, More or Less,
Situate in Creek, Osage and Pawnee
Counties, Oklahoma, and Janet Cunning-
ham, et al, and Unknown Owners,

Defendants.

Civil No. 4957

Tract No. 1730

FILED

SEP 24 1962

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

JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulations entered into by the defendants therein named and the plaintiff, which stipulations are tendered herewith for filing herein.

The court finds that plaintiff and Byron D. Parks and Tiny Parks, his wife, and Lucille Robinson and Harold Robinson, her husband, defendants herein, have, by the stipulations above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estates in Tract No. 1730, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$150.00, inclusive of interest. The sum of \$100.00 was deposited into the registry of this court as estimated just compensation for said tract 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.

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

- (A) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said tract is described therein, is hereby confirmed;
- (B) The just compensation to be paid by the plaintiff for the taking of Tract No. 1730 is the sum of \$150.00, inclusive of interest; and
- (C) The plaintiff shall forthwith deposit into the registry of this court the deficiency in the amount of \$50.00, without interest.

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

Entered this ^{24th} day of September, 1962.

ALLEN E. BARROW

Judge, United States District Court

APPROVED:

W. R. THIXTON, JR.

W. R. Thixton, Jr.,
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
1,033.72 Acres of Land, More or Less,)
Situatue in Tulsa, Creek, and Pawnee)
Counties, Oklahoma, and Pearl B. Jackson)
Co , et al., and Unknown Owners,)
Defendants.)

Civil No. 4982

FILED

SEP 24 1962

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

Tracts Nos. G-736, G-736E-1 & E-2

JUDGMENT ON STIPULATION

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

The Court finds that plaintiff and Mary Elizabeth Cornelius, Helen F. Clement, James R. Fleming and Ruth F. Ives, defendants herein have, by the stipulation above referred to, agreed that the just compenssation to be paid by the plaintiff for the taking of the estates in Tracts Nos. G-736, G-736E-1 and E-2, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$3,205.00, inclusive of interest. The sum of \$2,905.00 was deposited into the registry of this Court as estimated just compensation for said tracts 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 Rulsa of Civil Procedure, on all parties defendant having compen-sable interests in the subject tracts.

IT IS THEREFORE, BUT THE COURT ORDERED AND ADJUDGED:

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

(B) The just compensation to be paid by the plaintiff for the taking of Tracts Nos. G-736, G-736E-1 and E-2 is the sum of \$3,205.00, inclusive of interest.

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$300.00, without interest, and the

Clerk is hereby authorized and directed to draw a check on the funds in the registry of this Court in the amount of \$300.00, when such amount is received by the Clerk from the Plaintiff, payable to the order of the following named payees and to mail the check to said payees at the following address:

Mary Elizabeth Cornelius)	C/o Curtis P. Harris
Helen F. Clement)	Attorney
James R. Fleming)	Oklahoma City, Oklahoma
Ruth F. Ives)	

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

Entered this 24 day of Sept 1962.

APPROVED:

ALLEN E. BARROW

JUDGE, United States District Court

ROBERT P. SANTEE

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff

vs.

332.71 Acres of Land, More or Less,
Situates in Creek and Osage Counties,
Oklahoma, and Thomas E. Mann, et al,
and Unknown Owners.

Defendants.

Civil No. 5018

Tract No. 2847

FILED

SEP 24 1962

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

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendant and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

The Court finds that prior to the institution of the above proceeding the United States of America and the defendant, Ed Parks, Administrator of the Estate of R. E. Yarbrough, deceased, entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendant and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$5,600.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. 2847, as such estate and said tract are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant was the sole owner of the above-captioned tract on the date of taking; that he is entitled to the entire award therefor; and that the contract and agreement is a valid one.

The Court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tract and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

(A) The vesting in plaintiff of title to the estate set forth in the complaint and declaration of taking in and to the land hereinabove referred to, as said tract is described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. 2847 is the sum of \$5,600.00, inclusive of interest, which sum has heretofore been disbursed by order of this Court.

Entered this 24 day of Sept 1962.

APPROVED:

W. R. THIXTON, JR.

Assistant U. S. Attorney

ALLEN E. BARROW

JUDGE, United States District Court

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

332.71 Acres of Land, More or Less,
Situate in Creek and Osage Counties,
Oklahoma, and Thomas E. Mann, et al,
and Unknown Owners,

Defendants.

Civil No. 5018

Tract No 2706E

FILED

SEP 24 1962

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

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendant and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

The Court finds that prior to the institution of the above proceeding the United States of America and the defendant Ed Parks, Administrator of the Estate of R. E. Yarbrough, deceased, entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendant and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$200.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. 2706E, as such estate and said tract are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant was the sole owner of the above-captioned tract on the date of taking, that he is entitled to the entire award therefor, and that the contract and agreement is a valid one.

The Court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tract and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

(A) The vesting of plaintiff of title to the estate set forth in the complaint and declaration of taking in and to the land hereinabove referred to, as said tract is described therein, is hereby confirmed.

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. 2706E, is the sum of \$200.00, inclusive of interest, which sum has heretofore been disbursed by order of this Court.

Entered this 24 day of Sept 1962

APPROVED:

W. R. THIXON, JR.

Assistant U. S. Attorney

ALLEN E. BARROW

JUDGE, United States District Court

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

332.71 Acres of Land, More or Less,
Situate in Creek and Osage Counties,
Oklahoma, and Thomas E. Mann, Et Al,
and Unknown Owners.

Defendants.

Civil No. 5018

Tract No. 2844

FILED

SEP 24 1962

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

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendant and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

The Court finds that prior to the institution of the above proceeding the United States of America and the defendant Ed Parks, Administrator of the Estate of R. E. Yarbrough, deceased, entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendant and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$3,000.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. 2844, as such estate and said tract are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant was the sole owner of the above-captioned tract on the date of taking; that he is entitled to the entire award therefor; and that the contract and agreement is a valid one.

The Court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tract and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

(A) The vesting in plaintiff of title to the estate set forth in the complaint and declaration of taking in and to the land hereinabove referred to, as said tract is described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. 2844 is the sum of \$3,000.00, inclusive of interest, which sum has heretofore been disbursed by order of this Court.

Entered this 24 day of Sept 1962.

APPROVED:

W. R. THIXTON, JR.

Assistant U. S. Attorney

ALLEN E. BARROW

JUDGE, United States District Court

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

332.71 Acres of Land, More or Less,
Situate in Creek and Osage Counties,
Oklahoma, and Thomas E. Mann, et al,
and Unknown Owners,

Defendants.

Civil No. 5018

Tracts Nos. 2846 and 2846E

FILED

SEP 24 1962

JUDGMENT ON MOTION

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

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendants and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

The Court finds that prior to the institution of the above proceeding the United States of America and the defendants Ed Parks, Administrator of the Estate of R. E. Yarbrough, deceased, and Theodore R. Yarbrough, each owners of an undivided 1/2 interest as tenants in common in the above tract, entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendants and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$22,100.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tracts Nos. 2846 and 2846E, as such estate and said tracts are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendants were the sole owners of the above-captioned tracts on the date of taking; that they are entitled to the entire award therefor; and that the contract and agreement is a valid one.

The Court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tracts and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

(A) The vesting in plaintiff of title to the estate set forth in the complaint and declaration of taking in and to the lands hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tracts Nos. 2846 and 2846E is the sum of \$22,100.00 (\$22,075.00 applied to Tract No. 2846 and \$25.00 applied to Tract No. 2846E), inclusive of interest, which sum has heretofore been disbursed by order of this Court.

(C) The Clerk of the Court is hereby directed and authorized to refund the balance of the original deposit, (\$22,850.00 for Tract No. 2846), which is the amount of \$775.00 to the Corps of Engineers, United States Army, by drawing a check in the amount of \$775.00, made payable to the United States Treasury, and forwarding said check to the taking agency, Corps of Engineers, United States Army.

Entered this 24 day of Sept 1962.

ALLEN E. BARROW

APPROVED:

W. R. THIXTON, JR.

JUDGE, United States District Court

Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 24 1962

United States of America,)
)
 Plaintiff)
)
 vs.)
)
 641.99 Acres of Land, More or Less,)
 Situate in Osage, Creek, and Pawnee)
 Counties, Oklahoma, and Helen R.)
 Breedon, et al, and Unknown Owners.)
)
 Defendants.)

Civil No. 5320

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

Tracts Nos. 4208 and 4208E-1,
E-2, E-3, E-4

JUDGMENT ON STIPULATION

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

The Court finds that plaintiff and Eloise Boudinot, individually, and as guardian of Michelle Boudinot, a minor, and as Executrix of the Estate of Mitchell Boudinot, H.B. #224, Creek, Restricted Indian, deceased, defendants herein, have, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estates in Tracts Nos. 4208 and 4208E-1 through E-4, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$7,025.00, inclusive of interest. The sum of \$6,895.00 was deposited into the registry of this Court as estimated just compensation for said tracts 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 tracts.

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

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

(B) The just compensation to be paid by the plaintiff for the taking of Tracts Nos. 4208 and 4208E-1 through E-4, is the sum of \$7,025.00, inclusive of interest, and the reservation by the above-named defendants of the right to remove on or before December 31, 1962, the improvements located thereon, having a total salvage value of \$130.00, which is deducted from the amount of the just compensation, leaving a net amount of \$6,895.00, which sum has heretofore been disbursed to the owners by order of this Court.

Entered this 24th day of Sept 1962.

ALLEN E. BARROW

APPROVED:

JUDGE, United States District Court

W. R. THIXTON, JR.

Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 5338

Don B. Eversole, Alice O. Eversole,
Ray L. McQuarie, Omega B. McQuarie,
Clarence J. Cummings and Edythe E.
Cummings,

Defendants.

FILED ✓

SEP 21 1962

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

J U D G M E N T

Now on this 24th day of September, 1962, the above cause comes on for hearing pursuant to regular assignment, the plaintiff, the United States of America, appearing by L. E. Smith, Assistant United States Attorney for the Northern District of Oklahoma, and the defendants, Ray L. McQuarie, Omega B. McQuarie, Clarence J. Cummings and Edythe E. Cummings, appearing not in person or by attorney; the defendants, Don B. Eversole and Alice O. Eversole, appearing by and through their attorney, Charles C. Chestnut, the court finds that this is a suit on a promissory note and for foreclosure of a mortgage on real estate securing the note, which real estate is located in the County of Ottawa, State of Oklahoma, within the Northern Judicial District of Oklahoma.

The court finds that due and legal personal service of summons has been made upon the defendants, Don B. Eversole and Alice O. Eversole, Clarence J. Cummings and Edythe E. Cummings, requiring that they answer the complaint filed herein not more than twenty (20) days after the date of service of summons, and the court finds that these defendants have failed and neglected to answer or otherwise plead to the complaint, and these defendants, and each of them, are therefore adjudged in default, and the court being fully advised finds that all of the allegations and averments in the complaint of plaintiff are true.

The court finds that personal service of summons has not been made upon Ray L. McQuarie and Omega B. McQuarie, the original makers of the note and mortgage herein sued upon. The court finds that for this reason no personal judgment can be made against Ray L. McQuarie and Omega B. McQuarie.

The court finds that the defendants, Ray L. McQuarie and Omega B. McQuarie, on August 13, 1954, for a valuable consideration, made, executed and delivered to Norman P. Mason, Federal Housing Commissioner, his successors and assigns, their certain mortgage note in the principal sum of \$5,650.00 with interest thereon at the rate of four and one-half per cent ($4\frac{1}{2}\%$) per annum; that on or about August 13, 1954, as part of the same transaction and for the purpose of securing the payment of the mortgage note, the defendants, Ray L. McQuarie and Omega B. McQuarie, made, executed and delivered to Norman P. Mason, Federal Housing Commissioner, his successors and assigns, a certain written mortgage covering the following described real estate, to-wit:

Lot Fifteen (15), Block Four (4), in Nancy Lee Addition to the City of Miami, Ottawa County, State of Oklahoma, according to the amended plat thereof.

The mortgage was duly recorded on September 1, 1954, in Book 248, at page 36, of the records of Ottawa County, Oklahoma, after the required mortgage tax was paid.

The court finds that on or about April 26, 1957, Ray L. McQuarie and Omega B. McQuarie, husband and wife, conveyed the above described property by warranty deed to Don B. Eversole, "subject to an FHA loan to the Federal Housing Commissioner." This warranty deed was filed January 22, 1958, and is recorded in Book 264, at page 301, of the records of Ottawa County, Oklahoma.

The court finds that on or about November 21, 1961, Don B. Eversole and Alice O. Eversole, husband and wife, conveyed the above described property by warranty deed to Clarence J. Cummings and Edythe E. Cummings, husband and wife, as joint tenants, "subject to a mortgage held by the FHA which parties of the second part assume and agree to pay." This warranty deed was filed November 21, 1961, and is recorded in Book 481, at page 438, of the records of Ottawa County, Oklahoma.

On or about December 5, 1961, Clarence J. Cummings and Edythe E. Cummings, husband and wife, conveyed the above described property to Don B. Eversole and Alice O. Eversole, husband and wife, as joint tenants. The court finds that the conveyance described in this paragraph was made in such manner as to fail to constitute valid, legal delivery as required by the laws of the State of Oklahoma, and the United States, and that this deed was conveyed to Don B. Eversole and Alice O. Eversole without the knowledge or consent of

such parties.

The court finds that the mortgage note heretofore described became in default on May 1, 1959, by reason of the failure and neglect of the defendants, Ray L. McQuarie and Omega B. McQuarie, to pay the installment due on May 1, 1959, and all subsequent installments. There is now due and owing on the above described note an unpaid balance of \$5,639.23 with interest at the rate of 59¢ per day from and after November 1, 1961, to date of judgment herein, together with interest on the judgment at the rate of six per cent (6%) per annum from the date judgment is entered herein until paid, together with the costs of this action, accrued and accruing.

The court finds and adjudges that the United States of America has a first and prior lien upon the real estate and premises described in the complaint and hereinabove described, by virtue of the mortgage held as security for the payment of such indebtedness, interest and costs.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United States of America have and recover judgment of foreclosure against the above described property and against any interest whatsoever that any of the above described defendants may have or have had in the property for the sum of \$5,639.23 with interest at the rate of 59¢ per day from and after November 1, 1961, to date of judgment herein and with interest at the rate of six per cent (6%) per annum from the date judgment is entered herein, together with abstract and title expenses of \$20.50, and attorney's fees in the amount of \$476.00, and all costs of this action, both accrued and accruing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that if this judgment remains unpaid after the expiration of six (6) months from the date of this judgment an order of sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, according to law, without appraisement, the lands and tenements described in the mortgage, to-wit:

Lot Fifteen (15), Block Four (4), Nancy Lee Addition
to the City of Miami, Ottawa County, State of Oklahoma,
according to the amended plat thereof,

and apply the proceeds as follows:

1. In payment of the costs of the sale and of this action.
2. In payment of any unpaid taxes due.
3. In payment to the plaintiff of the sum of its judgment herein.

4. The residue, if any, to be paid to the Clerk of this court to await the further order of the court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that from and after the sale of the real estate under and by virtue of this judgment and decree, the defendants and each of them, and all persons claiming under them or any of them, since the filing of the complaint herein be and they are forever barred and foreclosed of and from any and every lien upon, right, title, interest, estate or equity of, in or to such real estate or any part thereof.

Al Allen G. Barrow
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 25 1962

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

United States of America,

Plaintiff,

vs.

492.84 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Curt D. Edgerton, et al,
and Unknown Owners,

Defendants.

Civil No. 4963

Tracts Nos. 2531 and 2531E-1

Subordination of Minerals

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendants and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

The Court finds that prior to the institution of the above proceeding the United States of America and the defendants Jerry Cunningham and Dortha D. Cunningham, his wife entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendants and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$300.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in Tracts Nos. 2531 and 2531E-1, as such estates and said tracts are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendants were the sole owners of the above-captioned tracts on the date of taking, that they are entitled to the entire award therefor; and that the contract and agreement is a valid one.

The Court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tracts and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

(A) The vesting in plaintiff of title to the estates set forth in the Complaint and declaration of taking in and to the land hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tracts Nos. 2531 and 2531E-1 is the sum of \$300.00, inclusive of interest, and the Clerk of the Court is hereby authorized and directed to draw a check on the funds in the registry of this Court in the amount of \$300.00 made payable to the above owners, and cause payment to be made.

Entered this 24 day of Sept 1962.

APPROVED:

ALLEN E. BARROW

JUDGE, United States District Court

W. R. THIXTON, JR.

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SEP 25 1962

United States of America,
Plaintiff,
vs.
1,699.52 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Lillie S.
Mathews, et al, and Unknown Owners,
Defendants.

NOBLE C. HOOD
Clerk, U. S. District Court
Civil No. 4967
Tract No. D-423
Subordination of Minerals

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendants and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein.

The Court finds that prior to the institution of the above proceeding the United States of America and the defendants Ralph Hencha aka Ralph Heneha, N.B. #1019, Creek fullblood, lessor, and H. E. Ledbetter and Sunray Mid-Continent Oil Company, entered into a contract and agreement, as evidenced by an option for the purchase of land granted by said defendants and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$2,872.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. D-423, as such estate and said tract are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendants were the sole owners of the above-captioned tract on the date of taking; that they are entitled to the entire award therefor, and that the contract and agreement is a valid one.

The Court further finds that service of process has been perfected, either personally or by publication of notice, on all parties defendant having compensable interests in the subject tract and that a copy of a motion for judgment has been served on all parties making an appearance and demanding notice of all proceedings.

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

(A) The vesting in plaintiff of title to the estate set forth in the complaint and declaration of taking in and to the land hereinabove referred to, as said tract is described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. D-423 is the sum of \$2,872.00, inclusive of interest, which sum has heretofore been disbursed by order of this Court.

Entered this 24 day of Sept 1962.

APPROVED:

ALLEN E. BARROW

JUDGE, United States District Court

W. R. THIXTON, JR.

Assistant U. S. Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SEP 25 1962

United States of America,

Plaintiff,

vs.

368.84 Acres of Land, More or Less,
Situate in Creek and Tulsa Counties,
Oklahoma, and Joe Wilson, et al,
and Unknown Owners.

Defendants.

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

Civil No. 4791

Tract No. A-145E-2

PARTIAL JUDGMENT ON STIPULATION

On this day this cause comes on for consideration on the stipulation entered into by the defendant therein named and the plaintiff, which stipulation has heretofore been entered herein.

The Court finds that plaintiff and A. W. Swift, defendant herein, have by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of his undivided 1/2 interest in the estate in Tract No. A-145E-2, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the sum of \$125.00, inclusive of interest. The sum of \$60.00 was deposited as estimated compensation, \$30.00 of said sum being this defendant's 1/2 interest in the estate taken in said tract, deposited into the registry of this Court as estimated just compensation for the taking of said defendant's 1/2 interest in said tract 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.

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

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

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. A-145E-2, is the sum of \$125.00, inclusive of interest; and

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$95.00, without interest. Upon receipt of this deficiency, the Clerk of the Court is authorized and directed to draw a check in the amount of \$95.00 made payable to A. W. Swift and cause payment to be made.

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

Entered this 24 day of Sept 1962.

APPROVED:

ALLEN E. BARROW

JUDGE, United States District Court

W. R. THIXTON, JR.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

165.79 Acres of Land, More or Less,
Situate in Tulsa, Pawnee, Osage and
Creek Counties, Oklahoma, and John B.
Anderson, et al, and Unknown Owners,

Defendants.

Civil No. 5402

Tract No. 3763E

FILED

SEP 24 1962

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

JUDGMENT ON STIPULATION

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

The Court finds that plaintiff and Thomas H. Dodge, Superintendent of the Osage Agency, Pawhuska, Oklahoma, representative of the estate of Dominic Daniels, Osage Allottee No. 310, deceased, (restricted), defendant herein, has, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate in Tract No. 3763E, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$100.00, inclusive of interest, which amount was deposited into the Registry of this Court as estimated just compensation for said tract 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. The Court further finds that the above-named defendant was the sole owner of the captioned tract on the date of taking, and he is entitled to the entire award therefor.

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

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

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. 3763E is the sum of \$100.00, inclusive of interest.

(C) The Clerk of the Court is authorized and directed to draw a check on the funds in the Registry of the Court in the amount of \$100.00, made payable to Thomas H. Dodge, Superintendent of the Osage Agency, for the use and benefit of the Estate of Dominic Daniels, Osage Allottee No. 310, deceased, (restricted), and to cause payment to be made.

Entered this 24 day of Sept, 1962.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

W. R. THIXTON, JR.
W. R. THIXTON, JR.
As istant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

Civil No. 5451

10 Cases, more or less, each containing 12 16 ounce jars, of an article labeled in part: (jar) "Crispy One Pint Sweet Mixed Pickles *** Mfg. By Garland Foods Co., Garland, Texas"; (case) "1 Doz. 16 Oz. Jars Pickles 023362";

12 Cases, more or less, each containing 12 22-ounce jars, of an article labeled in part: (jar) "Crispy One Pint 6 Fluid Ounces Sweet Pickles *** Mfg. By Garland Foods Co., Garland, Texas"; (case) "1 Doz. 22 Oz. Barrels Pickles 66162";

23 Cases, more or less, each containing 24 8-ounce jars, of an article labeled in part: (jar) "Sweet-Midgets Crispy Brand 8 Fluid Ounces Sweet Pickles *** Mfg. By Garland Foods Co., Garland, Texas" (cases coded "29562"),

Respondent.

FILED

SEP 26 1962

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

DECREE OF CONFESSION

On August 9, 1962, a libel of information against the above described articles was filed on behalf of the United States of America. The libel alleged that the articles proceeded against were foods which were introduced into interstate commerce in violation of the Federal Food, Drug, and Cosmetic Act and were adulterated (21 U.S.C. 334(a), 342(a)(3)) in that they consisted in part of a filthy substance by reason of the presence therein of insects and insect parts, and, with regard to all of the above stated articles, except 12 cases of 12 22-ounce jars, they contained hair fragments;

It appears that process was duly issued herein and returned according to law; that notice of the seizure of the above described articles was given according to law; and that no person or persons have appeared or interposed a claim before the return day named in said process, except that Craddock Food Manufacturing Company, Garland, Texas, have represented to the United States Attorney by letter dated August 24, 1962, that they, as manufacturers of the above stated

articles, do not wish to contest the action and request that the articles be destroyed.

NOW, THEREFORE, on motion of L. E. Smith, Assistant United States Attorney for the Northern District of Oklahoma, it is ORDERED, ADJUDGED AND DECREED that the defaults of all persons be and the same are entered herein, and that the appearance and announcement by Craddock Food Manufacturing Company be entered and noticed.

The court being fully advised in the premises, it is further ORDERED, ADJUDGED AND DECREED that the articles so seized are adulterated within the meaning of said Act, 21 U.S.C. 342(a)(3), in that the articles are contaminated with insects and insect parts, and with regard to all of the above stated articles, except 12 cases of 12 22-ounce jars, contained rodent hair fragments, and are condemned as forfeited to the United States, and the United States Marshal in and for the Northern District of Oklahoma shall forthwith destroy the same and make return of his action to this court.

Dated this 24th day of September, 1962.

Allen E. Barrow
UNITED STATES DISTRICT JUDGE

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

The United States of America,
Plaintiff,

vs.

Charles-Warren Company, a corporation
of Ohio,
Defendant.

No. C-5336

FILED

SEP 27 1962

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

J U D G M E N T

Now on this 14th day of September, 1962, the above-entitled matter coming on for hearing, the plaintiff, United States of America, appearing by Sam E. Taylor, Assistant United States Attorney, for the Northern District of Oklahoma, and the Defendant, Charles-Warren Company, a corporation, appearing by Harold C. Charney, Attorney, and it appearing that this is a suit based upon a note and for foreclosure of a real estate and a chattel mortgage securing said note, and it further appearing that the real estate and chattel described in said mortgages are located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma; and

It further appearing that the defendants, Ernie Fields and Bernice Fields have heretofore filed therein answers disclosing any interest in the property described and covered by plaintiff's real estate and chattel mortgages; and

It further appearing that the Defendant, First Bancredit Corporation has heretofore filed a Certificate of release of real estate mortgage, which release describes the property covered by plaintiff's real estate mortgage; and

It further appearing that due and legal personal service of summons has been made upon the Defendant, First ^{BANCREDIT} Bancfield Credit Corporation on February 2, 1962, in this state requiring it to answer the complaint filed herein not more than twenty (20) days after date of service of summons, and it appearing that said defendant has failed to file an answer herein.

The Court being fully advised finds that the allegations and averments in the complaint of plaintiff filed herein are true and that there is due and owing to the plaintiff from the Defendant, Charles-Warren Company, a corporation, the following amounts:

- (1) The sum of \$63,925.80 as principal, with interest thereon at the rate of four and one-fourth ($4\frac{1}{4}\%$) per cent per annum from November 4, 1961, until paid.

The Court further finds that the Defendants, Ernie Fields and Bernice Fields, and First Bancredit Corporation do not have a lien upon either the real or personal property described in plaintiff's complaint; and that the Defendant, First Bancredit Corporation is in default, not having heretofore filed and answer in this cause.

The Court further finds that plaintiff has a first and prior lien upon the following described real property:

All of Lots Two (2) and Three (3), and the East Sixty feet (60') of lot Four (4), in Block One (1), T. Dickson Addition to the City of Tulsa, Tulsa, County, Oklahoma, less the following described land heretofore deeded to the City of Tulsa for street purposes: A strip of land, being 50 feet in width, situated in Lots 2 and 3, Block 1, T. Dickson Addition to the City of Tulsa, Oklahoma; the center line of said 50 foot strip of land being more particularly described as follows: Beginning at a point on the north line of Reading Street, said point being 885.9 feet east of the center line of Peoria Avenue, and also being 60 feet (60') east of the southwest corner of Lot 3; thence northeasterly along a straight line to a point on the north line of Lot 2, said Block 1, said point being the center line of Rockford Avenue, and also being 58.3 feet west of the northeast corner of said Lot 2, Block 1, T. Dickson Addition, containing approximately 0.410 acres, more or less; and less a strip of land commencing at the northeast corner of said Lot 1; thence South along the East line of said lot a distance of 16 feet to a point; thence West along a line parrallel to and 16 feet South of the North line of said Lots 1 and 2, a distance of 152.14 feet to a point on the Easterly line of Rockford Avenue; thence northeasterly along said Easterly line of Rockford Avenue to a point on the North line of said Lot 2, said point being 33.3 feet west of the Northeast corner of said lot; thence East along the North line of said Lots 2 and 1, a distance of 147 feet to the place of beginning.

by virtue of the real estate mortgage given as security for the payment of the indebtedness, interest and costs.

The Court further finds that plaintiff has a first and prior lien upon the following described personal property:

4 Kenmore Washing Machines (Ringer Type)
2 Shovels
1 Drag Chain
1 Wheelbarrow
2 Rakes
1 Hoe
2 Crescent Wrenches
2 Pipe Wrenches
1 Screw Driver
1 Hammer
1 Drop Cord
1 Grass cycle
100 ft. Garden Hose

by virtue of the chattel mortgage give as security for the payment of the indebtedness, interest and costs.

It is Therefore Ordered, Adjudged and Decreed by the Court that the plaintiff, United States of America, have and recover from the Defendant, Charles-Warren Company, a corporation of ~~Ohio~~, judgment in the sum of \$63,925.80 principal, with interest thereon at the rate of four and one-fourth ($4\frac{1}{4}$) per cent per annum, from November 4, 1961, until paid, together with the costs of this action, accrued and accruing.

It Further appearing that the real estate mortgage contains the words, "Mortgagor hereby waives all benefits of the stay, valuation, or appraisement and exemption laws of the State of Oklahoma;"

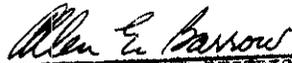
It is therefore Ordered, Adjudged and Decreed by the Court that in case the Defendant, Charles-Warren Company, fails for six (6) months from the date of entry of this Judgment to pay the plaintiff the aforesaid sums and the costs of this action, an order of sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell according to law, without appraisement, the lands, tenements and personal property heretofore described and to apply the proceeds arising from the sale as follows:

1. In payment of the costs of the sale and this action.
2. In payment of any unpaid taxes due.
3. In payment to plaintiff the sum of \$63,925.80 principal, together with interest thereon at the rate of four and one-fourth ($4\frac{1}{4}$) per cent per annum from November 4, 1961.
4. The residue, if any, to the Clerk of this Court to await the further order of the Court.

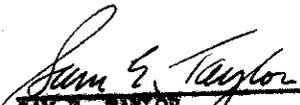
If the amount derived from said sale is insufficient to satisfy the Judgment, interest and costs, execution shall issue against the Defendant, Charles-Warren Company, for the remainder unpaid.

It is Further Ordered, Adjudged and Decreed by this Court that from and after the sale of the real and personal property under and by virtue of this Judgment and decree, the Defendants and each of them and all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of and from any and every lien upon, right, title, interest, estate or equity in or to the real and personal property described herein.

Dated this 27th day of September, 1962.


UNITED STATES DISTRICT JUDGE

UNITED STATES OF AMERICA


SAM E. TAYLOR
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Def. Jdgm't
with res.
of imp.

United States of America,

Plaintiff,

vs.

234.10 Acres of Land, More or Less,
Situate in Tulsa and Pawnee Counties,
Oklahoma, and Joe Wilson, et al, and
Unknown Owners,

Defendants.

Civil No. 4897

FILED

SEP 28 1962

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

Tract No. A-162

JUDGMENT ON STIPULATION

On the 7th day of June 1961, this cause having come on for consideration on the stipulation entered into by the plaintiff and the defendants therein named, which stipulation is tendered herewith for filing herein.

The Court finds that plaintiff and Joseph E. Studebaker and Sedako Studebaker, his wife, and Margaret V. Walls and Jessie Walls, her husband, and Mrs. Emma B. Freeze Comstock, surviving widow of Ben Comstock, deceased, defendants herein, have, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate in Tract No. A-162, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$1,225.00, inclusive of interest. The sum of \$1,225.00, was deposited into the registry of this Court as estimated just compensation for said tract 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.

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

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

(B) The just compensation to be paid by the plaintiff for the taking of Tract No. A-162, is the sum of \$1,225.00, inclusive of interest, and the reservation by the above-named defendants of the right to remove on or before July 1, 1961, all buildings and improvements located thereon, having a total salvage value of \$50.00.

Entered this 28 day of September 1962.

APPROVED:

W. R. THIXTON, JR.

Attorney

ALLEN E. BARROW

JUDGE, United States District Court