

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Judg't on Motion
(Option)

United States of America,
Plaintiff,
vs.
514.12 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma and D. H. Cramer,
et al and Unknown Owners,
Defendants.

Civil No. 51271 LED

Tract No. A-171E

FEB - 1 1968

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 and stipulation 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 Margaret K. Replogle and Dee A. Replogle, executors of the Estate of D. Replogle, deceased, owner of the oil, gas and other minerals and A. W. Swift, owner of a 1/2 interest in an oil and gas lease, 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 \$49.00 and \$12.50, respectively, inclusive of interest, would be awarded as just compensation for the taking of their interests in the estate to be condemned in Tract No. A-171E as such estate and said tract are described in the complaint and declaration of taking heretofore filed in this cause.

The Court finds that plaintiff and L. A. Crancer, owner of a 1/2 interest in the oil and gas lease, defendant herein, has by the stipulation on file herein agreed that the just compensation to be paid by the plaintiff for the taking of his interest in the estate in Tract No. A-171E, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the sum of \$12.50, inclusive of interest.

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; that the contract and agreement is a valid one; and the stipulation is proper and binding upon the parties thereto.

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. A-171E is the sum of \$74.00, inclusive of interest;

(C) The Clerk of the Court is hereby authorized and directed to draw checks in the amounts set forth below made payable to the following payees and to cause payment to be made.

Margaret K. Replogle and Dee A. Replogle, executors of the Estate of D. Replogle, deceased.....	\$49.00
A. W. Swift.....	\$12.50
L. A. Crancer.....	\$12.50
TOTAL	<u>\$74.00</u>

Entered this 10th day of January 1963.

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

Judg't on Motion
(Option)

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

Civil No. 5205

Tract No. 2816-1 & 2

~~2816E~~
FILED

FEB - 1 1963

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 Mabel Logan, widow of Oscar Logan, Osage Allottee No. 644, 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 \$5,825.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in Tracts Nos. 2816-1, 2816-2 and 2816E 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 this tract was owned by Oscar Logan, full-blood Osage Indian, restricted, who died on April 24, 1959 and that this case was filed on June 28, 1961; the Court further finds that the option contract, above referred to was executed by Mabel Logan on March 10, 1960, and further finds that the estate of Oscar Logan, deceased, has been closed and that title to this tract was vested in Mabel Logan. The Court also finds that as executrix of the estate, Mabel Logan applied for distribution of the funds on deposit, which was paid unto the Bureau of Indian Affairs for the account of the Estate of Oscar Logan, deceased, by Court order dated August 14, 1961.

The Court further finds that the above-named defendant was the sole owners of the above-captioned tracts on the date of taking; that she 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 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. 2816-1, 2816-2 and 2816E is the sum of \$5,825.00, inclusive of interest, which sum has heretofore been disbursed by orders of this Court to Bureau of Indian Affairs for the Account of the Estate of Oscar Logan, Osage Allottee No. 644, deceased.

Entered this *36th* day of January 1963.

ALLEN E. BARROW

JUDGE, United States District Court

APPROVED:

W. R. THIXTON, JR.

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

Def. Judgm't
Without Res. of Imps.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,

vs.

117.28 Acres of Land, More or Less,
Situate in Osage and Pawnee Counties,
Oklahoma and James S. Pyle, et al
and Unknown Owners,
Defendants.

Civil No. 5363

Tract No. 3244E

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

JUDGMENT ON STIPULATION

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

The Court finds that plaintiff and Hugh Bunch and Gladys M. Bunch, by their attorney, M. J. Ledbetter, 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. 3244E, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$1,150.00, inclusive of interest. The sum of \$1,000.00, 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. 3244E, is the sum of \$1,150.00, inclusive of interest; and

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$150.00, without interest.

(D) The Clerk of this Court is hereby directed and authorized to draw a check, upon receipt of this deficiency, in the amount of \$1,150.00, made payable to Hugh Bunch and Gladys A. Bunch.

Entered this 30th day of January, 1963.

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 } SS
NORTHERN DISTRICT OF OKLAHOMA }
I HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY OF THE ORIGINAL ON FILE
IN THIS COURT.
NOBLE C. HOOD, CLERK
BY _____
DEPUTY

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

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

Defendants.

Civil No. 4908

Tracts Nos. I-916E-1
I-916E-2
I-916E-3

FILED

FEB 11 1963

J U D G M E N T

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

On this day this cause came on for hearing upon the application of the United States of America, by its attorney, and in accordance with its Complaint in condemnation, for a judgment determining the ownership and the just compensation to be awarded the former owners of Tracts Nos. I-916E-1 thru E-3, which is more particularly described in the Declaration of Taking filed herein;

The Court further finds, upon the evidence presented that the following defendants were the sole record owners of the above-captioned tracts on the date of taking, and are entitled to receive that part of the award as reflected by the respective interest owned by each, which is, to-wit:

Kirby Petroleum Company.....	1/3.....	\$50.00
William H. Grayson, Mae T. Storm, Harriet Louise Grayson.....	1/3.....	\$50.00
Perley H. Roberts & Hazel Roberts..	1/16.....	\$9.38
M. L. Hammond.....	13/48.....	\$40.62
		<u>\$150.00</u>

The Court further finds that the plaintiff and defendant Kirby Petroleum Company have stipulated and agreed that the just compensation payable by the plaintiff for the taking of this defendants undivided 1/3 interest in the above tracts is the total amount of \$50.00, which sum has been heretofore disbursed to Kirby Petroleum Company.

The Court further finds, upon the evidence presented, that the amount of \$150.00, inclusive of interest, is just compensation for the taking of the estate by the plaintiff in Tracts Nos. I-916E-1 thru E-3, as such estate and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause.

The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter

of this action, that 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 and that of the above-named defendants, William H. Grayson, Mae T. Storm, Harriet Louise Grayson, Perley H. Roberts, Hazel Roberts, M. L. Hammond, are in default at this time, having neither appeared or answered in this cause. The Court also finds that the plaintiff is unable to locate said parties defendant, reasonable diligence and inquiry having been made.

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

A. The vesting in the 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 sole record owners of the estates taken in Tracts Nos. I-916 E-1 thru E-3 were Kirby Petroleum Company, William H. Grayson, Mae T. Storm, Harriet Louise Grayson, Perley H. Roberts and Hazel Roberts and M. L. Hammond and as such are entitled to receive that portion of the award applied to their respective interest;

C. The just compensation to be paid by the plaintiff for the taking of Tracts Nos. I-916E-1 thru E-3 is the sum of \$150.00, inclusive of interest;

D. The Clerk of the Court is hereby authorized and directed to retain the funds that remain on deposit, (\$50.00 having been disbursed to Kirby Petroleum Company) which is \$100.00 for these tracts for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owners set forth above, and in event said deposit is not claimed, the Court Clerk is directed, without further order of this Court, to return this amount of the deposit not disbursed, five years from this date, into the United States Treasury.

Entered this 21st day of January 1962.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

W. R. THIXTON, JR.

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

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

Phyllis Ann Hughes, . . . Plaintiff,)
)
vs.)
)
Safeway Stores, Incorporated,)
a Maryland corporation, . . . Defendant.)

No. 5243

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, PHYLLIS ANN HUGHES, and dismisses
the above styled and numbered cause of action with prejudice to the bringing
of a future action.

Dated this 7th day of ~~October, 1962~~
Feb 1963

Plaintiff

Steve Szymanski
Attorney for Plaintiff

Comes now the defendant, by and through its counsel of record, and
consents to the dismissal of the above styled and numbered cause of action with
prejudice to the bringing of any future action.

HUDSON, HUDSON, WHEATON, KYLE & BRETT

By: W. Kyle
Attorneys for Defendant

Pursuant to Rule 23, USDC, it is hereby ordered that the above styled
and numbered cause be dismissed with prejudice.

NOBLE C. HOOD, Clerk

By: Majorie Garrison
Deputy

WPK:el
10-16-62

RECORDED
FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FEB 24 1963

United States of America,)
Plaintiff,)
vs.)
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 No. 5446 ROBERT C. HOOD
U. S. District Court

Tract(s) No(s). 1023

JUDGMENT ON STIPULATION AND ORDER OF DISTRIBUTION

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) rendered herewith for filing herein.

The Court finds that plaintiff and Gertrude Widmer, defendant herein, (has), (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. 1023, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ 10.00, 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 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. 1023 is the sum of \$ 10.00, inclusive of interest; and

(C) The Clerk of this Court is hereby authorized and directed to draw (a) check (s) on the funds in the registry of this Court in the amount hereinafter set forth, payable to the order of the following named payee(s) and to mail the check(s) to said payee(s) at the following address(es):

Gertrude Widmer.....\$10.00
402 College St.
Salisbury, Missouri

Entered this 7th day of February, 1963.

APPROVED:

ALLEN B.
JUDGE, United States District Court

ROBERT P. SANTEE

Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

345.00 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and Harry E. Bagby, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 5115

Tracts Nos.: 4614-6S
and 4614-8S

FILED

FEB 21 1963

J U D G M E N T
(Partial)

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

1.

Now, on this 1st day of February, 1963, 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 an undivided 1/2 interest in the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the Complaint and the Declaration of Taking filed in this Civil Action. The interest covered by this judgment is the interest left outstanding by the judgment entered herein on December 21, 1962.

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to

condemn for public use the estates described in paragraph 2 herein. Pursuant thereto on January 31, 1961, the United States of America filed its Declaration of Taking of such described property and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

On the date of taking in this action, the owner of the interest described in paragraph 2 herein was the defendant whose name is shown in paragraph 11 below. Such named defendant is the only person asserting any interest in the estate described in paragraph 2, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for such described interest.

8.

The owner of an undivided 1/2 interest in the subject tracts and the United States of America have executed and filed herein a Stipulation As To Just Compensation, wherein they have agreed that just compensation for his interest in the estates condemned in subject tracts is in the amount shown as compensation in paragraph 11, 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 tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and an undivided 1/2 interest in such tracts as defined in paragraph 2 herein, to the extent of the estates described and for the uses and purposes described in such Complaint and Declaration of Taking, is condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such undivided 1/2 interest are forever barred from asserting any claim thereto.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the 1/2 interest in subject tracts as described in paragraph 2 herein, was the party whose name appears below in paragraph 11, and the right to just compensation for such interest in the estates taken herein in these tracts is vested in the party so named.

11.

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 above described 1/2 interest in the estates condemned in subject tracts as follows:

TRACT NO. 4614-6S

Owner of an undivided 1/2 interest:

Harry E. Bagby

Award of just compensation for an undivided 1/2 interest, pursuant to stipulation - - - - -	\$400.00	\$400.00
Deposited as estimated compensation for an undivided 1/2 interest - - - - -		<u>\$400.00</u>
Disbursed to owner - - - - -	<u>None</u>	
Balance due to owner - - - - -	\$400.00	

TRACT NO. 4614-8S

Owner of an undivided 1/2 interest:

Harry E. Bagby

Award of just compensation for an undivided 1/2 interest, pursuant to stipulation - - - - -	\$225.00	\$225.00
Deposited as estimated compensation for an undivided 1/2 interest - - - - -		<u>\$225.00</u>
Disbursed to owner - - - - -	<u>None</u>	
Balance due to owner - - - - -	\$225.00	

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Clerk of this Court shall disburse, from the deposit for Tract No. 4614-6S, the sum of \$400.00 and from the deposit for Tract No. 4614-8S the sum of \$225.00, to Harry E. Bagby.

APPROVED:

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

ALLEN E. BARROW
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Judgment

United States of America,

Plaintiff,

vs.

372.72 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Security
Drilling Co., et al, and Unknown Owners,

Defendants.

Civil No. 5198

Tracts Nos. 2933-1, 2,
and 2933E-1 thru E-3

FILED

FEB 11 1963

J U D G M E N T

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

On this day this cause came on for hearing upon the application of the United States of America, by its attorney, and in accordance with its Complaint in condemnation, for a judgment determining the ownership and the just compensation to be awarded the former owners of Tracts Nos. 2933-1, -2, and E-1 thru E-3 which is more particularly described in the Declaration of Taking filed herein;

The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action, that 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, and that of the party-defendants that are record owners, none of the heirs or representatives of the Estate of E. D. Taylor, deceased, owner of an undivided one-half mineral interest, nor their attorneys have appeared or answered, and said defendants are in default at this time. The Court also finds that the plaintiff is unable to locate said party-defendants reasonable diligence and inquiry having been made.

The Court further finds that prior to the institution of the above proceeding the United States of America and the defendant Lela S. Boles, the owner of an undivided one-half interest, 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 \$375.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in Tracts Nos. 2933-1, -2, and E-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, upon the evidence presented that Lela S. Boles, one-half interest, Estate of E. D. Taylor, deceased, one-half interest, were the sole record owners of the above-captioned tracts on the date of taking, and are entitled to receive the entire award therefor.

The Court further finds, upon the evidence presented, that the amount of \$375.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in Tracts Nos. 2933-1,-2, and E-1 thru E-3, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause.

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

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

(B) The sole record owners of the estates taken in Tracts Nos. 2933-1,-2, and E-1 thru E-3 were Lela S. Boles and the Estate of E. D. Taylor, deceased, and as such are entitled to receive that portion of the award applied to his respective interest;

(C) The just compensation to be paid by the plaintiff for the taking of Tracts Nos. 2933-1,-2, and E-1 thru E-3 is the sum of \$375.00, inclusive of interest;

(D) The Clerk of the Court is hereby directed and authorized to draw a check upon the funds in the Registry of this Court in the amount of \$187.50, made payable to Lela S. Boles, and to cause payment to be made.

(E) The Clerk of the Court is hereby authorized and directed to retain the balance of the funds on deposit, \$187.50, which is applied to the interest owned by the E. D. Taylor Estate, for a period of five (5) years from the date of this Judgment, unless said balance of the deposit is properly claimed by the heirs or legal representatives of the E. D. Taylor Estate and in event said balance of the deposit is not claimed, the Clerk of the Court is directed, without further order of this Court, to return said balance of the deposit, five years from this date, into the United States Treasury.

Entered this *1st* day of *February* 196*3*.

ALLEN E. BARRON

APPROVED:

UNITED STATES DISTRICT JUDGE

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Judgment on Motion
(Option)

United States of America,

Plaintiff,

vs.

372.72 Acres of Land, More or Less,
Situat in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Security
Drilling Co., et al, and Unknown
Owners,

Defendants.

Civil No. 5198

Tract No. A-132E
(Subordination of mineral
estate)

FILED ✓

FEB -5 1963

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

AW

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 Security Drilling Company, Otis E. Nidiffer, Bruce Harris, G. B. Suppes, Fred A. Ridley, J. L. Garrett, and Marjorie Fehlman and Mercedes Fehlman 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 \$700.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. A-132E 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 also finds that Sidney Gore purchased the leasehold interest from the above lessees, and had subsequently stipulated with the plaintiff that the just compensation for the taking of the leasehold estate would be the sum of \$650.00 which has been previously paid to him, upon the request of those lessees above who executed the option contract.

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. A-132E is the sum of \$700.00, inclusive of interest, which sum has heretofore been disbursed by orders of this Court.

Entered this 1st day of February 1963.

ALLEN E. DARROW
JUDGE, United States District Court

APPROVED:

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

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

NATIONAL SURETY CORPORATION,
a corporation,

Plaintiff

vs.

EULA M. MCCANEY,

Defendant,

DeSelmis-Bogart & Hall,

Garnishee

No. 5209

FILED

FEB 11 1963

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

ORDER AND REINUNCTION

Now on this 28th day of January, 1963 the above case comes on for hearing and decision before Allen S. Barrow, judge of the United States District Court for the Northern District of Oklahoma, at Tulsa, on the motions of the defendant Eula M. McCaney to discharge the garnishment issued herein, and to restrain and permanently enjoin collection or attempt to make collection of the judgment rendered against defendant in the above styled case, plaintiff being represented by its attorney William J. Threadgill and defendant by her attorney Harlan S. Trower, and the court having heard statements of counsel and the confession by plaintiff of defendant's motions, and being fully advised in the premises, on consideration thereof, finds that the motions of the defendant Eula M. McCaney should be sustained.

It is therefore ORDERED, ADJUDGED AND DECREED by the court that the motion of defendant Eula M. McCaney to discharge the garnishment issued herein on October 25, 1962 and served on DeSelmis-Bogart & Hall, garnishee herein, be and the same is hereby sustained and said garnishee is discharged from said garnishment. It is further ORDERED that the motion of plaintiff National Surety Corporation to require said garnishee to pay to the court clerk monies of the defendant being held pursuant to garnishment summons be and the same is hereby overruled and said monies are ordered released from said garnishment, and the garnishee DeSelmis-Bogart & Hall are authorized and ordered to release and pay said monies, to wit \$53.75, to the defendant Eula M. McCaney.

It is further ORDERED, ADJUDGED AND DECREED by the court that the motion of the defendant Eula M. McCamey to restrain and permanently enjoin the plaintiff from collecting or attempting to collect the judgment rendered against defendant be and the same is hereby sustained, and the plaintiff National Surety Corporation, a corporation, and all persons acting for or on their behalf, are hereby restrained and permanently enjoined from collecting or attempting in any way to make collection of said judgment rendered herein in favor of plaintiff National Surety Corporation, a corporation, and against the defendant Eula M. McCamey, or any part thereof, said judgment being evidenced by journal entry dated January 15, 1962 and filed with the clerk of this court January 29, 1962.

Allen E. Dawson
District Judge

OK as to form:

William J. Threadgill
William J. Threadgill, attorney for plaintiff

Harlan S. Trower
Harlan S. Trower, attorney for defendant

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

FILED

1963

W. WILLARD WIRTZ, SECRETARY OF :
LABOR, UNITED STATES DEPARTMENT :
OF LABOR, :
 :
Plaintiff :
 :
v. :
 :
TULSA AIRCRAFT REBUILDERS, INC., :
 :
Defendant :

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

CIVIL ACTION
FILE NO. 5481

J U D G M E N T

Now on the 11th day of January 1963, the above entitled and numbered cause came on for hearing on plaintiff's motion for judgment by default, and the parties announced to the Court that an agreement on the merits of the case had been reached, the plaintiff agreed to a denial of said motion and defendant, appearing by counsel, waived answer and any defense herein and agreed to the entry of this judgment without contest. It is, therefore, upon motion of the attorneys for plaintiff, and for cause shown:

ORDERED, ADJUDGED and DECREED that the defendant, its agents, servants, employees and all persons acting or claiming to act in its behalf and interest be, and they hereby are, permanently enjoined and restrained from violating the provisions of Sections 15(a)(1) and 15(a)(2) of the Fair Labor Standards Act of 1938 (Act of June 25, 1938, c. 676, 52 Stat. 1060, U.S.C. Title 29, Sec. 201, et seq.), hereinafter referred to as the Act in any of the following manners:

(1) That defendant shall not, contrary to Section 7 and 15(a)(2) of the Act employ any of its employees engaged in commerce or in the production of goods for commerce, as those terms are defined

by the Act, for a workweek longer than 40 hours unless the employee receives compensation for his employment in excess of 40 hours at a rate not less than one and one-half times the regular rate at which he is employed.

(2) That defendant shall not, contrary to Section 15(a)(1) of the Act, ship, deliver, transport, offer for transportation, or sell in interstate commerce, as defined by the Act, or ship, deliver or sell with knowledge that shipment, delivery, or sale thereof in interstate commerce is intended, any goods in the production of which any employee of the defendant has been employed at rates of pay less than those specified in paragraph (1) of this judgment.

It is further ORDERED, ADJUDGED and DECREED that no cost or disbursement be allowed.

Dated this 25th day of January, 1963.

William E. Barron
United States District Judge

Entry of this judgment
is hereby consented to:

TULSA AIRCRAFT REBUILDERS, INC.

By Bill H. Harris
John D. Harris, President

Roehm West
Roehm West, Attorney for Defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

244.20 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Ruth I. Knee, et al,
and Unknown Owners,

Defendants.

Civil No. 4740

Tract No. F-637

FILED

FEB 12 1963

AMENDMENT TO JUDGMENT ON STIPULATION

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

On this day this cause comes on for consideration on the motion of
the plaintiff for an amendment to the judgment heretofore entered on January 18,
1963.

The Court finds that through inadvertence the judgment in this cause
directed and authorized the Clerk of the Court to draw a check payable to
John T. Smith in the amount of \$1,250.00, where, in fact, the judgment should
have directed and authorized the Clerk of the Court to draw a check in the
amount of \$339.00, made payable to John T. Smith and to cause same to be made.

The Court also finds that John T. Smith was entitled to receive the
total sum of \$1,250.00, and that by order of this Court dated August 13, 1959,
the amount of \$911.00 was disbursed to this defendant, leaving a balance of
\$339.00 to be paid to him at the time judgment was entered.

The Court further finds that judgment hereinabove referred to is
true and correct in all particulars, except for the correction regarding the
amount of the deposit to be disbursed to this defendant.

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED, that the above
findings be incorporated into the judgment referred to, in more particular that
the judgment referred to be amended to correctly disburse the balance of the
funds now on deposit, and to recite that the Clerk of the Court is hereby
authorized and directed to draw a check made payable to John T. Smith in the
amount of \$339.00, and to cause payment to be made.

Executed this // day of February 1963.

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

Default Judgment

United States of America,

Plaintiff,

vs.

354.64 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and C. H. Means, et al,
and Unknown Owners,

Defendants.

Civil No. 4807

Tract No. F-604E

J U D G M E N T

On this day this cause came on for hearing upon the application of the United States of America, by its attorney, and in accordance with its Complaint in condemnation, for a judgment determining the ownership and the just compensation to be awarded the former owner of Tract No. F-604E, which is more particularly described in the Declaration of Taking filed herein;

The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action, that 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, that none of said parties defendant nor their attorneys have appeared or answered, and said parties defendant are in default at this time. The Court also finds that the plaintiff is unable to locate said parties defendant, reasonable diligence and inquiry having been made.

The Court further finds, upon the evidence presented that Nogi V. Means was the owner of a one-fifth (1/5) interest of the above captioned tract on the date of taking, and is entitled to receive a part of the award therefor.

The Court further finds, upon the evidence presented, that the amount of \$400.00, inclusive of interest, is just compensation for the taking of the estate by the plaintiff in Tract No. F-604E, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause.

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

A. The vesting in the 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 record owner of one-fifth (1/5) interest of the estate taken in Tract No. F-604E was Nogi V. Means, and as such is entitled to receive that portion of the award applied to their respective interest;

C. The just compensation to be paid by the plaintiff for the taking of Tract No. F-604E is the sum of \$400.00, inclusive of interest;

D. The Clerk of the Court is hereby authorized and directed to retain one-fifth (1/5) of the funds on deposit for this tract for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owner set forth above, and in event said deposit is not claimed, the Court Clerk is directed, without further order of this Court, to return said deposit, five years from this date, into the United States Treasury.

Entered this *11th* day of February, 1963.

ALLEN E. DARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

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.

354.64 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and C. H. Means, et al,
and Unknown Owners,

Defendants.

Civil No. 4807

Tract No. F-604E

FILED

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NOV 20 1934
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 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, C. H. Means and Margaret Means, 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 \$400.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. F-604E 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 owners of four-fifths (4/5ths) of the above-captioned tract on the date of taking; that the remaining one-fifth (1/5) was owned by Nogi V. Means on the date of taking; that the defendants are entitled to an award of four-fifths (4/5ths) of the amount agreed upon as being just compensation; 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. F-604E, is the sum of \$400.00, inclusive of interest;

(C) The Clerk of this Court is hereby authorized and directed to draw a check on the funds in the registry of this Court in the amount herein-after set forth, payable to the order of the following named payees and to mail the check to said payees at the following address:

C. H. Means and Margaret Means.....\$320.00
Box 744
Oilton, Oklahoma

Entered this 11th day of February, 1963.

ALLEN E. BARRETT

JUDGE, United States District Court

APPROVED:

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.)
354.64 Acres of Land, More or Less,)
Situate in Creek and Pawnee Counties,)
Oklahoma and C. H. Means, et al and)
Unknown Owners,)
Defendants.)

Civil No. 4807

Tract(x) No(x). F-641

JUDGMENT ON STIPULATION AND ORDER OF DISTRIBUTION

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

The Court finds that plaintiff and **L. G. Rogers and Patricia E. Rogers**, defendant(s) 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. F-641, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ **300.00**, 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(s) (were) the sole owner(s) 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. F-641 is the sum of \$ **300.00**, inclusive of interest;
- (C) The Clerk of this Court is hereby authorized and directed to draw (a) check on the funds in the registry of this Court in the amount hereinafter set forth, payable to the order of the following named payee(s) and to mail the check to said payee(s) at the following address:

L. G. Rogers and Patricia E. Rogers.....\$300.00
114 West 8th Street
Topeka, Kansas

Entered this // day of February, 1963.

APPROVED:

ROBERT P. Santee
Attorney

ALLEN E. GALT
JUDGE, United States District Court

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF AMERICA

Judg't on Motion
(Option)

United States of America,

Plaintiff,

vs.

372.74 Acres of Land, More or Less,
Situat in Tulsa, Creek and Pawnee
Counties, Oklahoma and Security
Drilling Company, et al and Unknown
Owners

Defendants.

Civil No. 5198

Tracts Nos. E-518
E-518E-1
E-518E-2

FILED

FEB 12 1963

NOBLE C. HOOD
Clerk, U. S. District

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option and stipulation 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 defendant Pearl B. Jackson Company, a trust estate, owner of an undivided 1/2 interest in the oil, gas and other minerals, lessor's interest 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 \$325.00, inclusive of interest, would be awarded as just compensation for the taking of its interest in the estates to be condemned in Tracts Nos. E-518 and E-518E-1 and E-518E-2 as such estates and said tracts are described in the complaint and declaration of taking heretofore filed in this cause.

The Court finds that plaintiff and Tidewater Oil Company, owner of an undivided 1/2 interest in the oil, gas and other minerals, lessor's interest, defendant herein, has, by the stipulation on file herein, agreed that the just compensation to be paid by the plaintiff for the taking of its interest in the estates in Tracts Nos. E-518 and E-518E-1 and E-518E-2, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the sum of \$325.00, inclusive of interest.

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; that the contract and agreement is a valid one; and that the stipulation is proper and binding on both parties thereto.

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. E-518 and E-518E-1 and E-518E-2 is the sum of \$650.00, inclusive of interest;

(C) The Clerk of the Court is hereby authorized and directed to draw checks in the amounts set forth below, made payable to the respective owners, and to cause payment to be made:

Pearl B. Jackson Company.....	\$325.00
Tidewater Oil Company.....	\$325.00
Total	<u>\$650.00</u>

Entered this 11th day of February 1963.

ALLEN E. CARROLL
JUDGE, United States District Court

APPROVED:

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

United States of America,
Plaintiff,
vs.
54.21 Acres of Land, More or Less,
Situate in Pawnee, Osage and Creek
Counties, Oklahoma and M. B. Scule,
et al and Unknown Owners,
Defendants.

Civil No. 5208

Tract(8) No(8) 3127

FILED

FEB 12 1963

W. R. THIXTON, JR.
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(8) granted by the defendant(8) 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(8) Donald L. Stuart, as Trustee under the Will of Charles F. Stuart, deceased,

entered into a contract and agreement, as evidenced by (an) option(8) for the purchase of land granted by said defendant(8) and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$ 1,800.00 inclusive of interest, would be awarded as just compensation for the taking of the estate(8) to be condemned in Tract(8) No(8) 3127

as such estate(8) and said tract(8) are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant(8) (was)(XXXX) the sole owner(8) of the above-captioned tract(8) on the date of taking; that (he) (XXXX) (is) (XXXX) 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(8) 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(8) set forth in the complaint and declaration of taking in and to the land(8) hereinabove referred to, as said tract(8) (is) (XXXX) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(8) No(8) 3127

is the sum of \$ 1,800.00 , inclusive of interest, which sum has heretofore been disbursed by order(s) of this Court.

Entered this 11th day of February 1963 .

APPROVED:

W. R. THIXTON, JR.

Assistant United States Attorney

JUDGE, United States District Court

United States of America,
Plaintiff,
vs.
54.21 Acres of land, More or Less,
Situate in Pawnee, Osage and Creek
Counties, and M. B. Soule, et al
and Unknown Owners,
Defendants.

Civil No. 5208
Tract(3) No(3) 1033

FILED

FEB 12 1963

JUDGMENT ON MOTION

NOBLE C. HOOD
U.S. District Court

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option(3) granted by the defendant(3) 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(3) **C. R. Colpitt**

entered into a contract and agreement, as evidenced by (an) option(3) for the purchase of land granted by said defendant(3) and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$ **2,300.00** inclusive of interest, would be awarded as just compensation for the taking of the estate(3) to be condemned in Tract(3) No(3) 1033

as such estate(3) and said tract(3) are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant(3) (was)(~~was~~) the sole owner(3) of the above-captioned tract(3) on the date of taking; that (he) (~~she~~) (is) (~~was~~) 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(3) 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(3) set forth in the complaint and declaration of taking in and to the land(3) hereinabove referred to, as said tract(3) (is) (~~was~~) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(3) No(3) 1033

is the sum of \$ **2,300.00** , inclusive of interest, which sum has heretofore been disbursed by order(s) of this Court.

Entered this 11th day of February 196 3 .

APPROVED:

ALLEN E. BARKER
JUDGE, United States District Court

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF AMERICA
W. R. THOMPSON, JR. ss
Assistant United States Attorney

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE ORIGINAL ON FILE IN THIS COURT.
NOBLE C. HOOD, CLERK
BY _____ DEPUTY

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Def. Judg't
Without Res. of Imps.

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.

Civil No. 4967
Tract No. G-746

FILED

FEB 12 1963

NOBLE C. HOOD
Clerk, U. S. District

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 Juanita Coonrod Hinton and Cornelia Coonrod Holmes, individually and as administratrixes of the Estate of Jessa Coonrod, deceased, by their attorney, Curtis P. Harris, defendants herein have, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of their 8/9th undivided interest, in the estate in Tract No. G-746, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the sum of \$1,000.00, inclusive of interest. The Court also finds that plaintiff and J. R. Wright, defendant herein, have by stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of his 1/9 undivided interest in the estate in Tract No. G-746, 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 \$825.00, 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. G-746, is the sum of \$1,125.00, inclusive of interest; and

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

(D) The Clerk of the Court is hereby authorized and directed upon receipt of the deficiency of \$300.00, to draw checks, in the amounts set forth below, made payable to the following defendants, and to cause payment to be made:

Juanita Coonrod Hinton and Cornelia Coonrod Holmes, individually and as administratrixes of the Estate of Jessa Coonrod, deceased.....	\$1,000.00
J. R. Wright.....	\$125.00
	<u>\$1,125.00</u>

Entered this 11th day of February 1963.

/s/ Allen E. Barrow

Judge, United States District Court

APPROVED:

/s/ W. R. Thixton, Jr.

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Def. Judgm't
with res.
of imp.

United States of America,

Plaintiff,

vs.

685.86 Acres of Land, More or Less,
Situat in Osage and Pawnee Counties,
Oklahoma, and Albert Perkins, et al,
and Unknown Owners,

Defendants.

Civil No. 5056

Tract No. 3219

FILED

FEB 13 1951

JUDGMENT ON STIPULATION

NOBLE C. HOFF
Clk., 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 Leonard C. Mueller and Ella Mueller, 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. 3219, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$25,150.00, inclusive of interest. The sum of \$21,350.00, 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. 3219, is the sum of \$25,150.00, inclusive of interest, and the reservation by the above-named defendants of the right to remove on or before January 15, 1951, the improvements located thereon, having a total salvage value of \$935.00; the salvage value to be deducted from the total amount, the net amount payable by the plaintiff being the sum of \$24,215.00.

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$2,865.00, without interest, and upon receipt of this deficiency of \$2,865.00, the Clerk of the Court is hereby directed and authorized to draw a check in the amount of \$3,800.00, made payable to Leonard C. Mueller and Ella Mueller, and to cause payment to be made.

Entered this 11th day of February 1963.

ALLEN E. BASTON

JUDGE, United States District Court

APPROVED:

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Judgment

United States of America,

Plaintiff,

vs.

182.27 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma and James T.
Steil, et al, and Unknown Owners,

Defendants.

Civil No. 5108

Tract No. G-748E

FILED

FEB 12 1963

J U D G M E N T

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

On this day this cause came on for hearing upon the stipulation of the United States of America, by its attorney, and in accordance with its Complaint in condemnation, for a judgment determining the ownership and the just compensation to be awarded the former owners of Tract No. G-748E, which is more particularly described in the Declaration of Taking filed herein;

The Court finds that prior to the institution of the above proceeding the United States of America and the defendant Dean Terril, owner of a one-half (1/2) interest in this tract, 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 \$25.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. G-748E as such estate and said tract are described in the Complaint and Declaration of Taking heretofore filed in this cause.

The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action, that 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, that of said parties defendant, C. G. Tucker and W. T. Kinsley, nor their attorneys have appeared or answered, and said parties defendant are in default at this time. The Court also finds that the plaintiff is unable to locate these parties defendant, reasonable diligence and inquiry having been made.

The Court further finds, upon the evidence presented that C. G. Tucker one-fourth (1/4) interest; W. T. Kinsley, one-fourth (1/4) interest; and Dean Terrill, one-half (1/2) interest and were the sole record owners of the above-captioned tract on the date of taking, and are entitled to receive the entire award therefor.

The Court further finds, upon the evidence presented, that the amount of \$25.00, inclusive of interest, is just compensation for the taking of the estate by the plaintiff in Tract No. G-748E, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause.

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

A. The vesting in the 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 sole record owners of the estate taken in Tract No. G-748E were C. G. Tucker, one-fourth (1/4) interest; W. T. Kinsley, one-fourth (1/4) interest; and Dean Terrill, one-half (1/2) interest and as such are entitled to receive that portion of the award applied to his respective interest;

C. The just compensation to be paid by the plaintiff for the taking of Tract No. G-748E is the sum of \$25.00, inclusive of interest; the sum of \$12.50 having been paid to Dean Terrill; \$12.50 remaining on deposit for the defaulting defendants.

D. The Clerk of the Court is hereby authorized and directed to retain the balance of the funds on deposit for this tract, \$12.50, for a period of five years from the date of this judgment, unless said balance of the deposit is properly claimed by the defendant owners, C. G. Tucker and W. T. Kinsley, and in event said balance of the deposit is not claimed, the Court Clerk is directed, without further order of this Court, to return said amount, five years from this date, into the United States Treasury.

Entered this 11th day of February 1963.

ALPHA 11

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

Jdgm't for Amount
of Deposit

FILED

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

Civil No. 4806

NOTICE OF NO
COURT, U. S. DISTRICT

Tract(s) No(s). G-737

JUDGMENT ON STIPULATION

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

The Court finds that plaintiff and J. Troy Johnson and Edna Johnson by their attorney, Curtis P. Harris, and Maude S. Robbins and John R. Robbins, defendant(s) herein, ~~(was)~~, (have), by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate ~~(was)~~ in Tract ~~(s)~~ No ~~(s)~~. G-737, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ 2,825.00, inclusive of interest, which amount was deposited into the Registry of this Court as estimated just compensation for said tract ~~(s)~~ upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s). The Court further finds that the above-named defendant(s) ~~(was)~~ (were) the sole owner(s) of the captioned tract ~~(s)~~ 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 ~~(s)~~ set forth in the Complaint and Declaration of Taking in and to the land ~~(s)~~ hereinabove referred to, as said tract ~~(s)~~ (is) ~~(was)~~ described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract ~~(s)~~ No ~~(s)~~. G-737 is the sum of \$ 2,825.00, inclusive of interest, which sum has heretofore been disbursed by Order(s) of this Court.

Entered this 17th day of February 1963

ALLEN E. BARROW
JUDGE, United States District Court

APPROVED:

W. R. THIXTON, JR.
W. R. THIXTON, JR. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America,)
Plaintiff,)
vs.)
418.73 Acres of Land, More or Less,)
Situate in Pawnee, Osage and Creek)
Counties, Oklahoma and F. Jerome)
McNulty and Unknown Owners, et al)
Defendants.)

Civil No. 5352

1963

CLERK OF COURT
U.S. DISTRICT COURT

Tract(s) No(s). 4722E, E-2 & E-3

JUDGMENT ON STIPULATION AND ORDER OF DISTRIBUTION

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) rendered herewith for filing herein.

The Court finds that plaintiff and R. E. Smith, 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(s) in Tract(s) No(s). 4722E, E-2 and E-3, 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(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s). The Court further finds that the above-named defendant (was) the sole owner of the captioned tract(s) 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(s) set forth in the Complaint and Declaration of Taking in and to the land(s) hereinabove referred to, as said tract(s) (are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). 4722E, E-2 and E-3 is the sum of \$ 100.00, inclusive of interest;

(C) The Clerk of this Court is hereby authorized and directed to draw (a) check on the funds in the registry of this Court in the amount hereinafter set forth, payable to the order of the following named payee(s) and to mail the check to said payee(s) at the following address:

R. E. Smith.....\$100.00
Bigelow, Kansas

Entered this 13th day of February, 1963.

APPROVED:
ROBERT P. SANTEE
ROBERT P. SANTEE
Attorney

ALLEN E. BARROW
JUDGE, United States District Court

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

W. WILLARD WIRTZ, SECRETARY OF)
LABOR, UNITED STATES DEPARTMENT)
OF LABOR,)
)
Plaintiff)
)
v.)
)
AIRCRAFT COMPANY OF AMERICA, a)
corporation,)
)
Defendant)

CIVIL ACTION
FILE NO. 5456

FILED
MAY 11 1958

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

J U D G M E N T

Plaintiff has filed his answer herein and defendant has appeared by counsel and agreed to the entry of this judgment without contest.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the plaintiff recover from the defendant the sum of \$1,587.52 together with the costs of this action.

Allen E. Hoover
United States District Judge

Agreed:

Windell D. Knox
Windell D. Knox
Attorney for Defendant

Richard L. Collier
Richard L. Collier
Attorney for Plaintiff

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,

Civil No. 4581

vs.

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

Tract No. A-115E-1
(Surface and Minerals)

Defendants.

FILED

FEB 11 1953

PARTIAL JUDGMENT ON STIPULATION

NOBLE C. FOOTE

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 Clifford Ward, owner of an undivided one-half interest in this tract, by his attorney William A. Harrington, defendant herein, has, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of his interest in the estate in Tract No. A-115E-1, 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, 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 owner of an undivided one-half interest in the captioned tract on the date of taking, and that he is entitled to part of the award therefor.

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 tract is described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of this undivided one-half interest in Tract No. A-115E-1, is the sum of \$75.00, inclusive of interest, of said amount the sum of \$50.00 has heretofore been disbursed, leaving a balance of \$25.00 to be paid for his interest. The Clerk of the Court is hereby authorized and directed to draw a check in the amount of \$25.00 made payable to Clifford Ward, and to cause payment to be made.

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

Entered this *10th* day of *February* 1963.

ALLEN E. DARRIN

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

Judgm't for Amount
of Deposit

United States of America,

Plaintiff,

vs.

234.94 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Clifford Ward,
et al, and Unknown Owners,

Defendants.

Civil No. 4836

Tract No. A-115E-2

FILED

FEB 14 1963

PARTIAL 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 and between the plaintiff and the defendant therein named, which stipulation is tendered herewith for filing herein.

The Court finds that plaintiff and Clifford Ward, owner of an undivided one-half interest in this tract, by his attorney, William A. Harrington, defendant herein, has, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of his interest in the estate in Tract No. A-115E-2, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the sum of \$12.50, 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 owner of an undivided one-half interest in the captioned tract on the date of taking, and is entitled to one-half of the award therefor.

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

(A) The vesting in plaintiff of title to the one-half interest in 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 the one-half undivided interest in the Tract No. A-115E-2, is the sum of

\$12.50, inclusive of interest, which sum has heretofore been disbursed by
Orders of this Court.

Entered this 15th day of February 1963.

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,

Civil No. 4854

vs.

600.49 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Clifford
Ward, et al, and Unknown Owners,

Tract No. A-115E-3

FILED

Defendants.

FEB 14 1963

PARTIAL 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 and between the plaintiff and the defendant therein named, which stipulation is tendered herewith for filing herein.

The Court finds that plaintiff and Clifford Ward, owner of an undivided one-half interest in this tract, by his attorney, William A. Harrington, defendant herein, has, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of his interest in the estate in Tract No. A-115E-3, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the sum of \$200.00, 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 owner of an undivided one-half interest in the captioned tract on the date of taking, and is entitled to one-half of the award therefor.

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

(A) The vesting in plaintiff of title to the one-half interest in 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 the one-half undivided interest in the Tract No. A-115E-3, is the sum of

\$100.00, inclusive of interest, which sum has heretofore been disbursed by
Orders of this Court.

Entered this *13th* day of *February* 1963.

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

Def. Judgment
Without Res. of Imps.

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

Tract No. A-115E-4

FILED

FEB 14 1963

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

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 is tendered herewith for filing herein.

The Court finds that plaintiff and Clifford Ward, owner of an undivided 1/2 interest in this tract, by his attorney, William A. Harrington, defendant herein, has, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of his interest in the estate in Tract No. A-115E-4, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the sum of \$300.00, inclusive of interest for his one-half interest. The sum of \$50.00, 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. The Court further finds that the above-named defendant was the owner of an undivided one-half interest in the above-captioned tract, is entitled to receive the sum of \$300.00, as per stipulation, for his interest.

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

(A) The vesting in plaintiff of title to the one-half interest in 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 the one-half undivided interest in Tract No. A-115E-4, is the sum of \$300.00, inclusive of interest; and

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$275.00, without interest.

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

Entered this 12th day of February 1963.

ALLEN E. BARROW
JUDGE, United States District Court

APPROVED:

/s/ 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.

284.43 Acres of Land, More or Less,
Situate in Creek, Osage and Pawnee
Counties, Oklahoma, and Ernest R.
Anthus, et al, and Unknown Owners,

Defendants.

Civil No. 4951

Tract No. E-521

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, Ernest R. Anthus, entered into a contract and agreement, as evidenced by 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 \$175.00, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No. E-521, 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. E-521 is the sum of \$175.00, inclusive of interest, which sum has heretofore been disbursed by order of this court.

Entered this 17 day of Feb, 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

Judgment on Motion
(Option)

United States of America,
Plaintiff,
v.
165.79 Acres of Land, More or Less,
Situate in Tulsa, Pawnee, Osage and
Creek Counties, Oklahoma, & John B.
Anderson, et al, and Unknown Owners,
Defendants.

Civil No. 5402

Tract(s) No(s) 3347E

FILED

FEB 15 1963

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 Jack Drummond, guardian for John Roy Drummond, minor

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 \$ 75.00 , inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in Tract No 3347E

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 3347E

is the sum of \$ 75.00 , inclusive of interest,

(C) The Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following named payee:

Jack Drummond, guardian for John Roy Drummond, minor - - - \$75.00

Entered this // day of February 1963 .

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

Deficiency Judgment
Without Res of Imps

United States of America,)
Plaintiff,)
vs.)
Certain Land in City of Tulsa, County)
of Tulsa, State of Oklahoma, and)
Consumers Oil Stations, Inc., et al,)
and Unknown Owners,)
Defendants.)

Civil No. 5514
~~Tract No. 22~~
Parcel No. 22

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 herewith for filing herein.

The Court finds that the plaintiff and T. W. Wood

, 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 Parcel No. 22 and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ 25,500.00, inclusive of interest. The sum of \$ 21,500.00, 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 Parcel No. 22, is the sum of \$ 25,500.00, inclusive of interest; ~~and the sum of \$21,500.00 has previously been paid to the defendant herein;~~

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$4,000.00, without interest. Upon receipt of the last mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw (a) check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following named payee:

T. W. Wood - - - - - \$4,000.00
705 S. Elwood, Tulsa, Oklahoma

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

Entered this 14 day of February 1963.

ALLEN E. CARRON

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE
ROBERT P. SANTEE
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Deficiency Judgment
Without Res of Imps

United States of America,
vs.
Certain Land in the City of Tulsa,
County of Tulsa, State of Oklahoma,
and Consumers Oil Stations, Inc.,
et al, and Unknown Owners,
Plaintiff,
Defendants.

Civil No. 5514
FILED

~~Tract(s) located~~
Parcel No. 9
FEB 17 1963

NOBLE C. HOOVER
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 herewith for filing herein.

The Court finds that the plaintiff and Edna Warren

, 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 Parcel No. 9 and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ 20,000.00, inclusive of interest. The sum of \$ 18,000.00, 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 Parcel No. 9, is the sum of \$ 20,000.00, inclusive of interest; and the sum of \$18,000.00 has previously been paid to or for the benefit of the defendant herein;

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$ 2,000.00, without interest. Upon receipt of the last mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw (a) check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following named payee:

Edna Warren - - - - - \$2,000.00

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

Entered this 14 day of February 1963.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANDER

ROBERT P. SANDER
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

Civil No. 5395

vs.

Miami Full Gospel Tabernacle,
Henry F. Redman and
Helen Mae Redman,

Defendants.

ORDER DISMISSING ACTION

This cause comes on to be heard on plaintiff's motion for a voluntary dismissal of the action, and it appearing that the defendants have not answered or otherwise plead and that the defendants will not be prejudiced or inconvenienced by such dismissal;

It is ordered that the action be and it is hereby dismissed without prejudice.

Dated this 15th day of February 1963.

(s) Allen E. Barrow
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jdgm't for Amount
of Deposit

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 54.21 Acres of Land, More or Less,)
 Situate in Pawnee, Osage and Creek)
 Counties, Oklahoma and M. B. Soule,)
 et al and Unknown Owners,)
)
 Defendants.)

Civil No. 5208

Tracts Nos. 1022 &
1024

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 Elmer L. Green, Rachel B. Green, Delia M. Green, Pansy O. Green and James M. Green, the heirs of R. S. Green, 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. 1022 and 1024, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$175.00, (\$150.00 for Tract No. 1022 and \$25.00 for Tract No. 1024), 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, and that all party defendants have authorized and directed that the award be paid to James M. Green.

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. 1022 and 1024, is the sum of \$175.00 (\$150.00 for Tract No. 1022, and \$25.00 for Tract No. 1024), inclusive of interest, which sum has heretofore been disbursed by Orders of this Court to James M. Green.

Entered this 6th day of February, 1963.

ALLEN E. BARROW

JUDGE, United States District Court

APPROVED:

W. R. THIXTON, JR.

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

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

TRUSTEES OF IOWA COLLEGE,
Grinnell, Iowa, a corporation,

Plaintiff,

v.

HOME-STATE PRODUCTION COMPANY,
a corporation,

Defendant.

NO. 5308

✓

HWA

J U D G M E N T

On the 27th day of December, 1962, trial of the issues before the Court in this cause was had before the Honorable Luther Bohanon, United States District Judge, without jury; and the Court, after carefully considering the evidence presented, together with the authorities and arguments submitted by counsel, did, on the 11th day of February, 1963, enter its Findings of Fact and Conclusions of Law on the issues tried, and did therein order that judgment for the plaintiff granting reformation be entered in accordance with such findings and conclusions.

NOW, THEREFORE, in accordance with the findings of fact and conclusions of law entered by the Court herein, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the written Contract dated July 21, 1961, by and between the Trustees of Iowa College and Home-State Production Company be, and the same is hereby reformed so as to include in Paragraph II, on Page 2 of such Contract, the following described oil and gas lease:

Oil and gas lease executed by Arthur Lyke and Lydia Lyke, his wife, Lessors, to K. E. Snyder, Lessee, dated March 12, 1956, recorded in Book 20 Oil & Gas at Page 532, records of the Register of Deeds of Greenwood County, Kansas, covering

The NE/4 of NE/4 of Section 13, Township 22 South, Range 10 East, Greenwood County, Kansas,

which oil and gas lease was omitted from such Contract by reason of the mutual mistake of the parties thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff recover from defendant its costs of action.

February 19, 1963.

Walter C. Hand
Clerk of the Court
by Herbert Hunt, Deputy

APPROVED:

MARTIN, LOGAN, MOYERS, MARTIN & CONWAY

By Jack H. Santee
Attorneys for the Plaintiff

Thos. A. Landrith, Jr.
Attorney for the Defendant.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,

vs.

Virlen and Catherine Morgan,
Defendants.

Civil No. 5501

J U D G M E N T

On this 15th day of February 1963, the above-entitled action coming on for hearing, 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 Plaintiff and examined the files, finds that the Defendants were duly served with summons herein, more than 20 days prior to this date and having failed to appear or answer they should be and are adjudged in default.

The Court further finds that all the allegations contained in Plaintiff's Complaint are true and correct; that on March 13, 1959, for a valuable consideration, and in accordance with provisions of the Federal Housing Administration Act, the Defendants executed a written promissory note in the sum of \$1,149.80, to the Fourth National Bank of Tulsa, Oklahoma. That the Defendants defaulted in the payments on this note and in accordance with the provisions of the Federal Housing Administration Act, the note was assigned to the Plaintiff and there is now due and owing on the note the sum of \$651.42, principal, plus interest at the rate of 6% per annum from June 20, 1960.

The Court further finds that the note was given for the purpose of paying for permanent improvements on property located at 7600 Osage Drive, and by reason thereof, Plaintiff is entitled to levy execution upon said

premises for collection of this judgment. The Court further finds that the plaintiff has filed affidavits herein stating that the 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 that the Plaintiff have judgment against the Defendants, Virlen Morgan and Catherine Morgan for the sum of \$651.42, with interest thereon at the rate of 6% per annum, from June 20, 1960, until paid, and for the costs of this action, accrued and accruing, and for further judgment directing the levying of execution upon the aforementioned real property, upon the failure of the said Defendants to satisfy this judgment.

Dated this 15 day of September 1963.

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

D. C. and Beverly Cook,

Defendants.

Civil No. 5502

DOUGLAS
CLERK OF COURT

J U D G M E N T

On this 15th day of January, 1963, the above-entitled action coming on for hearing, the plaintiff appearing by Sam E. Taylor, Assistant United States Attorney for the Northern District of Oklahoma, and the defendants appearing not, and the Court having heard the evidence of plaintiff and examined the file, finds that the defendants were duly served with summons herein more than twenty (20) days prior to this date, and having failed to appear or answer should be and are adjudged in default.

The Court further finds that all allegations of plaintiff's complaint filed herein are true. That on October 21, 1959, for valuable consideration and in accordance with the provisions of the Federal Housing Administration Act, defendants executed a written promissory note in the sum of \$1,125.51 to Peoples State Bank, Tulsa, Oklahoma; thereafter the defendants defaulted in the payments on said note, and in accordance with the provisions of the aforementioned Act, the note was assigned thereafter to plaintiff; that there is now due and owing on said note the sum of \$368.00 principal with interest thereon at the rate of 6% per annum since June 15, 1961.

The Court further finds that plaintiff has filed an affidavit herein stating that the defendants are not in the military or naval service of the United States of America and are not infants nor incompetent persons, which is found to be true.

The Court further finds that the said note was given for the purpose of paying for improvements on property located at 9510 East Newton Place, Tulsa, Oklahoma and by reason thereof, plaintiff is entitled to levy execution upon the said premises for collection of this judgment.

Therefore, It Is Ordered, Adjudged and Decreed that the plaintiff, United States of America, have judgment against the defendants, D. C. Cook and Beverly Cook, for the sum of \$368.00 with interest thereon at the rate of 6% per annum from June 15, 1961, until paid and for the costs of this action accrued and accruing, and for further judgment directing the levying of execution upon the above-described premises.

Allen E. Brown
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Certain Land in the City of Tulsa,
County of Tulsa, State of Oklahoma,
and Consumers Oil Stations, Inc.,
et al and Unknown Owners,

Defendants.

Civil No. 5514

PARCEL NO: 8

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 herewith for filing herein.

The Court finds that the plaintiff and Evelyn Weikel Shaw, 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 Parcel No. 8, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$22,500.00, inclusive of interest. The sum of \$20,000.00, was deposited into the Registry of this Court as estimated just compensation for said parcel 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 parcel.

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 parcel is described therein, is hereby confirmed;

B. The just compensation to be paid by the plaintiff for the taking of Parcel No. 8, is the sum of \$22,500.00, inclusive of interest; the sum of \$20,000.00 has heretofore been paid to this defendant.

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$2,500.00, without interest. Upon receipt of the last mentioned deficiency, the Clerk of this Court is hereby

authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following named payee:

Evelyn Weikel Shaw.....\$2,500.00
2344 South Gary Place
Tulsa, Oklahoma

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

Entered this 15th day of February, 1963.

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANFHE
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

255.71 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and J. O. Scott, et al, and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 4699

Tracts Nos.: O-1538E
and W-2306E

FILED

FEB 27 1963

NOTICE OF FILING
CIVIL ACTION NO. 4699

J U D G M E N T

1.

Now, on this 15th day of February, 1963, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on June 5, 1959, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

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

8.

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

9.

Deficiencies exist between the amounts deposited as estimated compensation for the subject tracts and the amounts fixed by the Stipulations As To Just Compensation, and the amounts of such deficiencies should be deposited for the benefit of the owners. Such deficiencies are set out in paragraph 12 below.

10.

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

11.

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

12.

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

TRACT NO. O-1538E

Owners:

J. O. Scott	- - - - -	1/2
Heirs of V. D. Scott, deceased,		
who are:		
Affey Scott	- - - - -	1/6
Leon Scott	- - - - -	1/6
Virgie Scott Lord	- - - - -	1/6

Award of just compensation		
pursuant to stipulation	- - - - -	\$770.00 \$770.00
Deposited as estimated compensation	- - - - -	\$550.00
Disbursed to owners	- - - - -	<u>\$550.00</u>
Balance due to owners	- - - - -	\$220.00 _____
Deposit deficiency	- - - - -	\$220.00

TRACT NO. W-2306E

Owner:

Bert Reynolds

Award of just compensation		
pursuant to stipulation	- - - - -	\$100.00 \$100.00
Deposited as estimated compensation	- - - - -	\$50.00
Disbursed to owner	- - - - -	<u>None</u>
Balance due to owner	- - - - -	\$100.00 _____
Deposit deficiency	- - - - -	\$ 50.00

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

the total deposit deficiency for subject tracts in the sum of \$270.00, and such sum shall be allocated and placed in the deposits for the respective tracts in the amounts of the deposit deficiencies for such tracts as shown in paragraph 12 above.

From the deposit for Tract No. O-1538E,

to J. O. Scott	- - - - -	\$110.00
to Affey Scott	- - - - -	\$36.67
to Leon Scott	- - - - -	\$36.67
to Virgie Scott Lord	- - - - -	\$36.66

From the deposit for Tract No. W-2306E,

to Bert Reynolds	- - - - -	\$100.00
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ALLEN E. BARROW

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.

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

Defendants.

CIVIL ACTION NO. 4702

Tract No. G-722
(Subsurface Estate Only)

FILED ✓

FEB 18 1963

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

J U D G M E N T

1.

Now, on this 15th day of February, 1963, 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 subsurface estate, including all oil, gas and other minerals, condemned in Tract No. G-722, as such estate and tract are described in the Complaint and 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 June 8, 1959, the United States of America filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of a certain estate in 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 subsurface 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 subsurface 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 subsurface estate taken in this tract.

8.

The owners of the subsurface estate taken in 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 subsurface 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 subsurface 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 subsurface 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 subsurface estate condemned herein in subject tract were the defendants whose names appear below in paragraph 12, and the right to just compensation for the subsurface 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 subsurface estate condemned in subject tract, as follows:

TRACT NO. G-722

Owners of subsurface estate:

C. C. Boyd and
Clara Dell Boyd

Award of just compensation for subsurface estate, pursuant to stipulation - - - - -	\$300.00	\$300.00
Deposited as estimated compensation (Original deposit all used in payment of surface award)		None
Disbursed to owners for subsurface estate - - - - -	None	
Balance due to owners - - - - -	\$300.00	
Deposit deficiency - - - - -		\$300.00
- - - - -	- - - - -	- - - - -

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, to the credit of the subject tract, the deficiency sum of \$300.00. The Clerk of this Court then shall disburse from the deposit for the subject tract, the sum of \$300.00, jointly, to C. C. Boyd and Clara Dell Boyd.

ALLEN E. BARROW
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.

989.66 Acres of Land, More or Less,
Situat in Nowata County, Oklahoma,
and H. T. Stanart, et al, and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 4857

Partial Interests In
All Tracts

FILED

FEB 18 1963

J U D G M E N T
(Partial)

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

1.

NOW on this 15th day of February, 1963, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This Judgment applies only to the interest of N.Y.K. Oil Company, a co-partnership composed of Forrest H. Allen, Harry J. Graves, Harry O. Graves, Kenneth R. Johnson and William B. McEnroe, general partners, in all tracts involved in this Civil Action. The interest of such co-partnership in these tracts was as follows:

<u>Tract Nos.</u>	<u>Interest Owned</u>
5636-H	The oil and gas lessee interest and 1/2 of the lessor interest in the estate taken
5719-B	The oil and gas lessee interest in the estate taken, but subject to an outstanding 1/8 of 8/8 overriding royalty interest
5719-A	The oil and gas lessee interest in the estate taken, but subject to an outstanding 1/8 of 8/8 overriding royalty interest
5718-D	The oil and gas lessee interest in the estate taken, but subject to an outstanding 1/16 of 8/8 overriding royalty interest
5718-7A and 5718-7	The oil and gas lessee interest in the estate taken, but subject to an outstanding 1/16 of 8/8 overriding royalty interest
5635-A	The oil and gas lessee interest and 2/3 of the lessor interest in the estate taken

5635-B	The oil and gas lessee interest and 2/3 of the lessor interest in the estate taken
5627-4S	The oil and gas lessee interest in the estate taken
5627-1S)	
5627-2S)	
5622-7A)- - -	The oil and gas lessee interest in the estate taken
5622-7B)	
5623-5)	
5635-4S	The oil and gas lessee interest in the estate taken
5626-1	The oil and gas lessee interest in the estate taken
5635-3S	The oil and gas lessee interest and 1/2 of the lessor interest in the estate taken
5718-C	The oil and gas lessee interest and 1/2 of the lessor interest in the estate taken

The legal description of the above named tracts and the estate taken in such tracts are as set forth in the Complaint and the Declaration of Taking as amended, filed in this Civil Action.

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto on February 19, 1960, the United States of America filed its Declaration of Taking of such described property, and on April 27, 1961 filed an amendment thereto, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

On the date of taking in this action, the owners of the interests described in paragraph 2 were the defendants whose names are shown in paragraph 11 below. Such named defendants are the only persons asserting any claim to such described interests, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for such described interests.

8.

The owners of the subject tracts and the United States of America have executed and filed herein Stipulations As To Just Compensation, wherein they have agreed that just compensation for their interest in the estates condemned in subject tracts is in the amounts shown as compensation in paragraph 11, and such Stipulations should be approved.

9.

It Is, Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the interests described in paragraph 2 herein, and such interests 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 interests 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 interests described in paragraph 2 were the persons whose names appear below in paragraph 11, and the right to just compensation for such interests is vested in the parties so named.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulations As To Just Compensation, mentioned in paragraph 8 above, hereby are confirmed; and the sums therein fixed are adopted as the awards of just compensation for the interests described in paragraph 2, as follows:

ALL TRACTS IN THIS CIVIL ACTION

Owners, of the interests described in paragraph 2:

N.Y.K. Oil Company, a co-partnership composed of
Forrest H. Allen, Harry J. Graves, Harry O. Graves,
Kenneth R. Johnson, and William B. McEnroe,
general partners.

ALL TRACTS IN THIS CIVIL ACTION (Cont.)

Awards of just compensation and deposits of estimated compensation for the owner's interest in the respective tracts pursuant to stipulations, and disbursals to owners:

<u>Tracts Nos.</u>	<u>Awards</u>	<u>Deposited</u>	<u>Disbursed</u>	<u>Surplus</u>
5636-H	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	
5719-B	5,723.00	5,723.00	5,723.00	
5719-A	61,569.00	61,569.00	61,569.00	
5718-D	44,376.00	44,376.00	44,376.00	
5718-7A and 5718-7	21,607.00	23,007.00	21,607.00	\$1,400.00
5635-A	9,181.67	14,643.67	9,181.67	5,462.00
5635-B	8,069.67	8,069.67	8,069.67	
5627-4S	25.00	25.00	25.00	
5627-1S) 5627-2S) 5622-7A) 5622-7B) 5623-5)	1,050.00	1,050.00	1,050.00	
5635-4S	125.00	125.00	125.00	
5626-1	1,200.00	1,200.00	1,200.00	
5635-3S	775.00	775.00	775.00	
5718-C	<u>7,625.00</u>	<u>7,625.00</u>	<u>7,625.00</u>	
Total - -	\$163,826.34	\$170,688.34	\$163,826.34	\$6,862.00

12.

It Is Further ORDERED that the surplus in the deposits for Tracts Nos. 5718-7A, 5718-7 and 5635-A, as shown in paragraph 11 above, shall remain on deposit until awards are entered for all outstanding interests in the tracts in this case, and in the event deficiencies are created such surplus may be used to satisfy the deficiencies.

ALLEN E. BARROW
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.

55.32 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and Rachel Kell Swimmer,
et al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4939
Tracts Nos.: C-333E-2
and C-333E-3

FILED

FEB 18 1963

J U D G M E N T

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

1.

Now, on this 15th day of February, 1963, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

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

3.

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

5.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on June 3, 1960, the United States of America filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

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

8.

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

9.

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

10.

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

11.

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

12.

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

TRACTS NOS. C-333E-2 AND C-333E-3

Owners:

Jess W. Rader and
Archie E. Rader

Award of just compensation pursuant to stipulation	----- \$600.00	\$600.00
Deposited as estimated compensation	-----	375.00
Disbursed to owners	----- <u>None</u>	
Balance due to owners	----- \$600.00	<u> </u>
Deposit deficiency	-----	\$225.00

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, to the credit of the subject tracts, the deficiency sum of \$225.00, and the Clerk of this Court then shall disburse from the deposit for the subject tracts, the sum of \$600.00, jointly, to Jess W. Rader and Archie E. Rader.

ALLEN E. BARROW

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.

1,316.38 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Tim Sharp, et al, and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 4961

Tracts Nos.: G-702 and
G-703

FILED

FEB 11 1963

J U D G M E N T

1.

NOW, on this 10th day of February, 1963, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on July 8, 1960, the United States of America filed its Declaration of Taking of such described property and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

On the date of taking in this action, the owners of the estates taken in subject tracts as described in paragraph 2 herein were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of an undivided 1/2 interest in the subject tracts and the United States of America have executed and filed herein a Stipulation As To Just Compensation, wherein they have agreed that just compensation for an undivided 1/2 interest in the estates condemned in subject tracts is in the amount shown as compensation in paragraph 12, and such stipulation should be approved.

9.

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

10.

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

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates described in paragraph 2 herein, condemned herein in subject tracts, were the parties whose names appear below in paragraph 12, and the right to just compensation for the estates taken herein in these tracts is vested in the parties so named.

12.

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

TRACTS NOS. G-702 AND G-703

Owners:

United States of America - - - - -	1/2		
(This interest had been acquired by direct purchase from Lewis and Sue Forbes before this case was filed.)			
Commissioners of the Land Office of the State of Oklahoma - - - - -	1/2		
Award of just compensation for 1/2 interest owned by Commissioners - - - - -	\$450.00	\$450.00	
Deposited as estimated compensation - - - - -		\$270.00	
Disbursed to owners - - - - -	None		
Balance due to owners - - - - -	\$450.00		
Deposit deficiency - - - - -		\$180.00	

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, to the credit of subject tracts the total deposit deficiency in the sum of \$180.00. The Clerk of this Court then shall disburse from the deposit for such tracts the sum of \$450.00 to the Commissioners of the Land Office of the State of Oklahoma.

ALLEN E. BARROW
UNITED STATES DISTRICT JUDGE

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
) Plaintiff,)
)
 vs.)
)
 321.86 Acres of Land, More or Less,)
 Situate in Nowata and Rogers Counties,)
 Oklahoma, and L. G. Thomason, et al,)
 and Unknown Owners,)
)
) Defendants.)

CIVIL ACTION NO. 4955
Tract No. V-2253E

FILED

FEB 18 1963

J U D G M E N T

NOTICE TO TAKE
CIVIL ACTION

1.

NOW, on this 15th day of February, 1963, 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. V-2253E, as such estate and tract are described in the Complaint and 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 the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

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

6.

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

7.

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

8.

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

9.

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

10.

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

11.

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

12.

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

TRACT NO. V-2253E

Owner:

Sarah J. Howerton

Award of just compensation pursuant to stipulation	- - - - -	\$300.00	\$300.00
Deposited as estimated compensation	- - - - -		\$200.00
Disbursed to owner	- - - - -	<u>None</u>	
Balance due to owner	- - - - -	\$300.00	<u> </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, to the credit of subject tract, the deficiency sum of \$100.00. The Clerk of this Court then shall disburse from the deposit for subject tract the sum of \$300.00 to Sarah J. Howerton.

ALLEN E. BARROW

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.

164.01 Acres of Land, More or Less,
Situate in Rogers and Nowata Counties,
Oklahoma, and A. L. Bradshaw, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4987

Tract No. M-1339E

FILED

FEB 18 1963

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

J U D G M E N T

1.

NOW, on this 15th day of February, 1963, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. M-1339E, as such estate and tract are described in the Complaint and 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 9, 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 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 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, is hereby confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. M-1339E

Owners:

F. A. Calvert	- - - - -	1/2	
Lydia Pace	- - - - -	1/2	
Award of just compensation	- - - - -	\$75.00	\$75.00
Deposited as estimated compensation	- - - - -		\$50.00
Disbursed to owners	- - - - -	<u>None</u>	
Balance due to owners	- - - - -	\$75.00	<u> </u>
Deposit deficiency	- - - - -		\$ 25.00
- - - - -	- - - - -	- - - - -	- - - - -

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, to the credit of Tract No. M-1339E, the deficiency sum of \$25.00, and the Clerk of this Court then shall disburse from the deposit for the subject tract:

To	F. A. Calvert	- - - - -	\$37.50
To	Lydia Pace	- - - - -	\$37.50

ALLEN E. BARROW
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.

164.01 Acres of Land, More or Less,
Situate in Rogers and Nowata Counties,
Oklahoma, and A. L. Bradshaw, et al,
and Unknown Owners,

Defendants.

4987
CIVIL ACTION NO. 4987

Tracts Nos.: R-1887
R-1887E and
V-2254E

FEB 19 1963

FEB 19 1963

J U D G M E N T

1.

Now, on this 15th day of February, 1963, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on August 9, 1960, the United States of America filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

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

8.

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

9.

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

10.

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

11.

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

were the persons whose names appear below in paragraph 12, and the right to just compensation for the respective estates taken herein in these tracts is vested in the parties so named.

12.

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

TRACTS NOS. R-1887 AND R-1887E

Owners:

The Heirs of Joseph Duncan, deceased, who are:

Nancy Duncan, Cherokee #29625	- - - - -	1/3
Leona Duncan, now Hooper, Cherokee #29045	- - - - -	1/6
Mary Duncan, now Downing, Cherokee NE	- - - - -	1/6
Puna Duncan, now Soap, Cherokee M-1160	- - - - -	1/6
Lacie Scott, Cherokee M-4746	- - - - -	1/18
Betty Jean Scott, Cherokee NE	- - - - -	1/36
Curtis Scott, Cherokee NE	- - - - -	1/36
George Scott, Cherokee NE	- - - - -	1/36
Katie Scott, Cherokee NE	- - - - -	1/36

Award of just compensation pursuant to stipulation	- - - - -	\$1,035.00	\$1,035.00
Deposited as estimated compensation	- - - - -		\$850.00
Disbursed to owners	- - - - -	<u>850.00</u>	
Balance due to owners	- - - - -	\$185.00	<u> </u>
Deposit deficiency	- - - - -		\$185.00

TRACT NO. V-2254E

Owner:

C. C. Harmon

Award of just compensation pursuant to stipulation	- - - - -	\$150.00	\$150.00
Deposited as estimated compensation	- - - - -		<u>\$150.00</u>
Disbursed to owner	- - - - -	<u>None</u>	
Balance due to owner	- - - - -	\$150.00	<u> </u>

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the Registry of this Court in this Civil Action

the total deposit deficiency of \$185.00, and such sum shall be placed in the deposit for Tracts Nos. R-1887 and R-1887E. The Clerk of this Court then shall disburse from the deposit for such tracts the total sum of \$185.00 in separate checks made payable to the Area Director, Bureau of Indian Affairs, Muskogee Area Office, for deposit in the individual Indian accounts, as follows:

Nancy Duncan, Cherokee #29625	- - - - -	\$61.65
Leona Duncan, now Hooper, Cherokee #29045	- - - - -	\$30.84
Mary Duncan, now Downing, Cherokee NE	- - - - -	\$30.84
Puna Duncan, now Soap, Cherokee M-1160	- - - - -	\$30.84
Lacie Scott, Cherokee #M-4746	- - - - -	\$10.27
Betty Jean Scott, Cherokee NE	- - - - -	\$5.14
Curtis Scott, Cherokee NE	- - - - -	\$5.14
George Scott, Cherokee NE	- - - - -	\$5.14
Katie Scott, Cherokee NE	- - - - -	<u>\$5.14</u>
Total	- -	\$185.00

It Is Further ORDERED that the Clerk of this Court forthwith shall disburse from the deposit for Tract No. V-2254E to C. C. Harmon the sum of \$150.00.

ALIEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow

HUBERT A. MARLOW
Assistant U. S. Attorney

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

Florence Springer,)
Plaintiff,)
vs.) No. 5240-Civil
G. L. Townsend,)
Defendant.)

ORDER ON MOTION FOR SUMMARY JUDGMENT

Upon consideration of the defendant's Motion for Summary Judgment filed herein and the briefs submitted in support and opposition thereto, the Court finds that a partial judgment should be entered upon said motion.

The defendant moves for summary judgment on the basis that there are no genuine issues as to a material fact and that he is entitled to judgment as a matter of law. Upon examination of the various contentions of the parties, the Court finds that the defendant is entitled to judgment at this time upon the questions of law as hereinafter indicated; but further the Court finds that there does exist at this time a question of fact as to one issue, as is hereinafter indicated. Pursuant to Rule 56(d) the Court therefore enters a partial judgment in favor of the defendant and directs that a further hearing be had for the purpose of allowing the introduction of evidence as to the one remaining question of fact as hereinafter pointed out.

The facts appearing that are not in dispute are: (a) the proceeding instituted by George Barnett, Jr., before the County Court of Creek County, Oklahoma, was for approval of a conveyance by him of restricted Indian land; (b) the only publication notice published was the one of November 22, 1951; (c) the only notices served or attempted to be served on the Area Director for the Muskogee Area (Successor to the Superintendent of the Five Civilized Tribes) and the United States Probate Attorney were the initial ones, that is, the notices issued under the date of November 20, 1951; (d) that no further or additional notices were issued other than those mentioned

above; (e) that all the above mentioned notices indicated that a hearing for the approval of the deed in question was to be held at 2:00 P. M. at the Creek County Court House in the County Courtroom on December 4, 1951; (f) that the U. S. Probate Attorney participated in the approval hearing on January 8, 1952; (g) that a hearing was held in open court on January 8, 1952, wherein the deed of George Barnett, Jr., to Jeannetta Barnett nee Richard, was approved by Judge S. M. Cunningham, County Judge of Creek County, Oklahoma.

The plaintiff herein has abandoned her contentions as to fraud and failure of consideration in the transaction between herself and the defendant and relies upon the proposition that the conveyance she received from George Barnett, Jr., was void and of no effect. In support of this proposition the plaintiff asserts several contentions, to-wit: (1) No notice whatever was given to the United States Probate Attorney as required by the Act of Congress of August 4, 1947, 61 Stat. 731 (hereinafter referred to as the Act of 1947); (2) The publication notice, as published in the Sapulpa Legal News on November 22, 1951, indicated the approval hearing was to be held on December 4, 1951, and that in fact the hearing was held on January 8, 1952, without any further notice by publication or notice to the Area Director or the United States Probate Attorney, all as required by the Act of 1947; (3) That the order setting the petition of George Barnett, Jr., for approval hearing directed competitive bidding, but that competitive bidding was not had; (4) That the hearing set for December 4, 1951, was postponed without an order of the Court and without further notice to the Area Director or the United States Probate Attorney or further publication notice; (5) That the notice required by the Act of 1947 to be served upon the Area Director did not give 10 days notice, but gave only eight days' notice; further that the Area Director was without authority to accept service of notice of such hearing pursuant to Section 10 of the Act of 1947; and further that there was never any actual notice of hearing for approval of the deed in question had on the Area Director either as to the

hearing set for December 4, 1951, nor the hearing had on January 8, 1952.

The Court finds that there are no genuine issues of material fact as to the plaintiff's contentions numbered (1) through (4) above, and further finds as a matter of law that judgment should be rendered thereon in favor of the defendant.

As to plaintiff's contention (1), the Act of 1947 calls for a written notice of a hearing for the approval of a conveyance of an Indian heir of restricted land to be given to the Probate Attorney of the district wherein the petition is filed. No manner of service is specified other than it should be written notice. Such notice is to be given at least ten days prior to hearing. The obvious purpose of such provision is to give the Probate Attorney an opportunity to appear. The Probate Attorney appears in behalf of the Indian. The Court deems it immaterial if a return is not made of the written notice and that such return is not made a part of the County Court record in a case where the Probate Attorney has in fact made an appearance in the matter and participated in the approval hearing. The purpose of the notice to the Probate Attorney has been fulfilled when he appears and participates. Such was the case in the matter here under scrutiny. The Court finds therefore that a return of written notice is unnecessary and the Act of 1947 has been complied with where the Probate Attorney appears at the hearing.

As to plaintiff's contentions (2) and (4), the objections basically are directed at the fact that no full hearing was held on December 4, 1951, though the notices gotten out designated that date for the hearing, plus the fact that the full approval hearing was held on January 8, 1952, without the issuances of new or further notices. Plaintiff contends the Act of 1947 would require new notices and that of necessity the matter of the approval of the deed in question died a natural death on December 4, 1951, when no full hearing was had. The Act of 1947 does not have any provisions outlining what action should be taken should a full hearing not be had on the date called for in

the notices. The purpose of notice to the Probate Attorney and the Area Director is to allow their participation in the proceedings. As indicated, the Probate Attorney did appear and participate. By Section 10 of the Act of 1947 the participation of the Area Director, for the purpose of exercising the preferential purchase right of the Secretary of the Interior, is optional and such preferential right may be waived. His participation in the proceeding is not mandatory and not essential to its validity. The notice envisioned by Section 10 is to be at least ten days prior to the date of sale or in this case the date set for the hearing for approval. By the very nature of the proceeding herein, it is reasonable to construe the statute to allow and sanction a continuance of the approval hearing. Section 1 (d) specifically provides that the County Court may set the petition for further hearing when deemed necessary. It is inherent in the procedural authority of a tribunal, a judicial body, or an administrative or ministerial body in performance of ministerial or quasi-judicial functions that a matter may be continued for further hearing and disposition without the necessity of getting out a new set of notices as would be required should the hearing be the initial one. The record does not indicate a formal order was entered by the County Court on December 4, 1951, continuing the hearing to January 8, 1952. Though this may be deemed the better or more acceptable procedure, this Court does not deem it fatal to the proceedings herein held on January 8, 1952.

The Act of 1947 is construed as not to require new notices should the petition be continued on the date set in the notice by the County Court for further hearing and disposition. The record indicates the matter was duly continued on December 4, 1951, to January 8, 1952. Therefore, the Court finds that the hearing for approval of the conveyance in question could be continued by the County Court and a final disposition made of the matter at a date later than that related in the initial notices. Further, the Court finds that no new notices were required by the Act of 1947 as a result of the matter being continued.

As to plaintiff's contention (3), the Court construes the Act of 1947 as not requiring that the sale of the restricted land be accomplished by competitive bidding. Section 1(d) is construed as making the sale by competitive bidding optional at the discretion of the County Court. The order of November 20, 1951, setting the petition for hearing, recited that any interested person may appear and submit a bid for purchase of the subject property if they so desired. This order in no way bound the County Court to approval of the conveyance based upon receipt of competitive bids. The County Court did not require competitive bidding, as disclosed by its order of January 8, 1952, and thereby exercised its option as outlined in Section 1(d) of the Act of 1947. This Court finds that the County Court correctly interpreted the Act of 1947 and properly exercised its option in approving the sale without requiring competitive bidding.

As to the remaining contention of the plaintiff, number (5) above, the Court finds that there is a genuine issue as to a material fact, to-wit: Did the Area Director receive written notice at least ten days prior to the day the petition for approval was set for hearing. The notice to the Area Director was returned and is in the record. It evidences conflicting dates of receipt by the Area Director.

This Court having found that no new notice was necessary for the continued hearing date of January 8, 1952, the only remaining question is, did the Area Director receive such notice as is envisioned under the Act of 1947, and if so, was it at least ten days prior to the date the petition was set for hearing.

The plaintiff contends that service of the notice of this hearing must be effectuated in the manner outlined in Section 3 of the Act of April 10, 1926. This Act amended Section 9 of the Act of May 27, 1908. The purpose of Section 3 of the Act of 1926 was to allow the intervention by the United States in suits wherein a party

was claiming title to or an interest in lands allotted to a citizen of the Five Civilized Tribes, or the proceeds, issues, rents and profits derived from same. The purpose further was to allow the removal of such suits from a state court to the United States District Court. This section of the Act of 1926 is remedial in nature to insure a permanence of title. The suits referred to in the Section were those where, primarily, title was in dispute. Prior to the Act of 1926 the United States, not being a party to an action involving restricted Indian lands when adjudicated by the state or federal courts, could re-litigate at their instance to have such prior judgment set aside.

The proceedings with which we are concerned here, the approval of a conveyance of restricted Indian land by an Indian heir, does not fall within the purview of the class of suits outlined in Section 3 of the Act of 1926. Therefore, the Court finds that that section is inapplicable to the service of notice to the Area Director as required in the approval proceedings.

The notice required to be given the Area Director is, as pointed out earlier in this Order, for the purpose of allowing the Secretary of the Interior to exercise a preferential purchase right if he so desired. The preference right is set out in Section 2 of the Act of June 26, 1936, and amended by Section 10 of the Act of August 4, 1947, and it is only pursuant to this section that notice need be given to the Area Director.

A perusal of Section 10 of the Act of 1947 indicates that no special manner of notice is set out therein. The only requirements are that it be written and be served at least ten days prior to the hearing date. Therefore, the Court construes Section 10 to provide that any manner of actual written notice to the Area Director is proper and will be effective under Section 10 of the Act of 1947 if served at least 10 days prior to the date the petition for approval is set for hearing.

As indicated above, the notice to the Area Director indicates two conflicting dates as to when it was received. The Court will receive extrinsic evidence upon the question of the date of actual receipt of the notice by the Area Director at a hearing set for that purpose. Either side may offer such evidence as they may have on this point.

Should the evidence received show that the Area Director had written notice ten days prior to the date the petition for approval was set for hearing, then the notice requirements of the Act of 1947 will have been fulfilled and summary judgment on the remaining contentions of the plaintiff will be rendered in favor of the defendant.

Should the evidence received show that the Area Director did not receive written notice ten days prior to the date the petition for approval was set for hearing, then notice requirements of the Act of 1947 will not have been fulfilled and the proceedings of approval will be deemed void by reason of this defect.

In this regard, the Court points out that the County Court in conducting the proceedings for approval of conveyances of restricted Indian lands acts as an instrumentality of the United States. It carries out a ministerial function. However, Congress by the Act of April 10, 1926, has attempted to stabilize the orders of approval thereafter made. The County Court continues to function in this regard in a ministerial capacity, but the orders of approval have been put on a par with that of a court of general jurisdiction. Congress has the authority to predetermine the legal effect of the approval orders issued. By no means could Congress expand the state jurisdiction of the County Courts of the state of Oklahoma, but the legal effect of their orders issued pursuant to Congressional direction can be predetermined by the Congress. In effectuating that purpose the Act of April 10, 1926, provides that the orders approving such conveyances of such land shall be in open court and "shall be conclusive as to the jurisdiction of such court to approve such deed."

The net effect of this proviso is to put such approval orders on a par with orders of courts of general jurisdiction, thus giving the attributes generally recognized in such acts of courts of general jurisdiction to the orders of approval. Thus, such approval orders are not subject to impeachment except for extrinsic fraud or want of jurisdiction appearing on the judgment roll. Where the judgment roll or record clearly speaks, it is conclusive as to jurisdiction. If it is silent, it is presumed that jurisdiction existed. If it affirmatively shows a lack of jurisdiction, it is also conclusive as to that fact.

The final order of approval entered by the County Court of Creek County on January 8, 1952, contains a recital of jurisdiction. Such a recital, however, is not conclusive if the record in fact shows an affirmative lack of jurisdiction. The record bears out the recital of jurisdiction except that the notice to the Area Director contains two conflicting dates as to when such notice was served on the Area Director. If in fact served on November 23, 1951, as indicated thereon, it would be valid notice since served ten days or more prior to the hearing date. If in fact served on November 26, 1951 as indicated thereon, it would be invalid and defective notice since served less than ten days prior to the hearing date. Thus, this Court will look behind the recital of requisite jurisdictional notice and look to the entire record. As pointed out above, the parties may introduce evidence, if any, to resolve the inconsistency apparent in the record as to when the notice was served on the Area Director. It is so ordered.

Dated, this 4 day of February, 1963.

Fred Daugherty
 Fred Daugherty
 United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
vs.
181.15 Acres of Land, More or Less,
Situate in Osage and Pawnee Counties,
Oklahoma, and Nathan Rosenberg, et al,
and Unknown Owners,
Plaintiff,
Defendants.

Civil No. 5359

Tract No. 2609E

FILED

FEB 18 1963

JUDGMENT ON STIPULATION AND OPTIONS
AND ORDER OF DISTRIBUTION

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

On this day this cause comes on for consideration on the stipulation and options entered into by and between the plaintiff and the defendants therein named.

The Court finds that the plaintiff and Bessie M. Johnson, Mildred M. Adams, Patience M. McNulty, Dale Archer McNulty and Eugene C. Mullendore, defendants herein, have, by the stipulation and options above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate in Tract No. 2609E, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$25.00 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. 2609E is the sum of \$25.00, inclusive of interest. The following sums have been disbursed, to wit:

Bessie M. Johnson	\$1.91	
Mildred M. Adams	1.89	
Eugene C. Mullendore	0.59	\$4.39

The above sums were disbursed in the erroneous belief that the above owners owned those interests as set out in the order of distribution filed August 28, 1962; this judgment modifies and corrects that order of distribution and the entire ownership and their respective total shares are set out as follows:

Bessie M. Johnson	22533/73820	\$7.64
Mildred M. Adams	22281/73820	7.55
Patience M. McNulty	20261/73820	6.87
Dale Archer McNulty	1760/73820	0.58
Eugene C. Mullendore	6985/73820	<u>2.36</u>
		\$25.00

C. The Clerk of this Court is hereby authorized and directed to draw checks on the funds in the Registry of this Court in the amounts herein after set forth, payable to the order of the following named payees:

Bessie M. Johnson	\$5.73	
Mildred M. Adams	5.66	
Patience M. McNulty	6.87	
Dale Archer McNulty	0.58	
Eugene C. Mullendore	<u>1.77</u>	\$20.61

Entered this 15th day of February 1963.

ALLEN L. DARR
UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEL
ROBERT P. SANTEL
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Deficiency Judgment
Without Res of Imps

United States of America,
Plaintiff,
vs.
Certain Land in the City of Tulsa,
County of Tulsa, State of Oklahoma,
and Consumers Oil Stations, Inc.,
et al, and Unknown Owners,
Defendants.

Civil No. 5514

FILED

FEB 11 1963

~~Tract(s) No(s)~~

Parcel No. 20

NOBLE C. HOOD
U. S. District

JUDGMENT ON STIPULATION

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

The Court finds that the plaintiff and **Nell Tingley,**

, defendant(s) herein, have, by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in ~~Tract(s) No(s)~~ Parcel No. 20 and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ **27,000.00**, inclusive of interest. The sum of \$ **24,000.00**, was deposited into the Registry of this Court as estimated just compensation for said tract(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s).

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

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

B. The just compensation to be paid by the plaintiff for the taking of ~~Tract(s) No(s)~~ Parcel No. 20, is the sum of \$ **27,000.00**, inclusive of interest; and

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$ **3,000.00**, without interest. Upon receipt of the last mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw (a) check(s) on the funds in the Registry of this Court in the amount(s) hereinafter set forth, payable to the order of the following named payee(s):

Nell Tingley - - - - - \$27,000.00

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

Entered this 16th day of February 1963.

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SAWTEE
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 10 1963

United States of America,

Plaintiff,

Civil No. 4581

NOBLE C. HOOD
CLERK U. S. District C.

vs.

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

Tract No. A-115E-1
(Surface and Minerals)

Defendants.

FINAL JUDGMENT

On this day this cause came on for hearing upon the application of the United States of America, by its attorney, and in accordance with its Complaint in condemnation, for a default judgment determining the ownership and the just compensation to be awarded the former owners of an undivided one-half interest in Tract No. A-115E-1, which is more particularly described in the Complaint and Declaration of Taking filed herein.

The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action, that 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 and that a partial judgment has been entered pertaining to a one-half interest in the subject tract.

The Court finds, upon the evidence presented that Jean Paul Getty and the successor or successors of him, as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, is the owner of an undivided one-half interest, as record owner, of the above-captioned tract on the date of taking and is entitled to receive that proportionate part of the final award applied to his interest.

The Court further finds, that the law firm of Hecht, Hadfield, Farbach and McAlpin of New York City, New York, attorneys for Jean Paul Getty, et al., has advised the United States Attorney by letter dated February 9, 1960 that this defendant did not desire to contest this proceeding nor appear therein. The Court therefor finds this defendant, Jean Paul Getty, and his successor or successors as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, in default at this time and that Judgment in this proceeding may properly be entered at this time pursuant to the application of the United States of America.

The Court further finds, upon the evidence presented that Clifford Ward and Jean Paul Getty and the successor or successors of him, a Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, were the sole record owners of the above-captioned tract on the date of taking each owning a one-half interest in said tract, and as such are entitled to receive the entire award therefor, and that pursuant to a partial judgment previously entered in this case, the issues of ownership and just compensation of the one-half interest owned by Clifford Ward have been adjudicated.

The Court further finds, upon the evidence presented, that the amount of \$75.00, inclusive of interest, is just compensation for the taking of the one-half interest in the estate by the plaintiff in Tract No. A-115E-1, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause.

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

(A) The vesting in the plaintiff of title to the one-half interest in 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 sole record owner of the one-half interest in the estate taken in Tract No. A-115E-1 is Jean Paul Getty, and the successor or successors of him, as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, and as such is entitled to receive that portion of the award applied to his respective interest;

(C) The just compensation to be paid by the plaintiff for the taking of this one-half interest in Tract No. A-115E-1 is the sum of \$75.00, inclusive of interest;

(D) The Clerk of the Court is directed and authorized to draw a check on the funds in the Registry of this Court in the amount of \$75.00, made payable to Jean Paul Getty, and his successor or successors as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, and cause payment to be made.

Entered this 18th day of February 1963.

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.

234.94 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Clifford
Ward, et al and Unknown Owners,

Defendants.

Civil No. 4836

Tract No. A-115E-2

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FINAL JUDGMENT

On this day this cause came on for hearing upon the application of the United States of America, by its attorney, and in accordance with its Complaint in condemnation, for a default judgment determining the ownership and the just compensation to be awarded the former owners of an undivided one-half interest in Tract No. A-115E-2, which is more particularly described in the Complaint and Declaration of Taking filed herein.

The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action, that 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 and that a partial judgment has been entered pertaining to a one-half interest in the subject tract.

The Court finds, upon the evidence presented that Jean Paul Getty and the successor or successors of him, as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, is the owner of an undivided one-half interest, as record owner, of the above captioned tract on the date of taking and is entitled to receive that proportionate part of the final award applied to his interest.

The Court further finds, that the law firm of Hecht, Hadfield, Farbach and McAlpin of New York City, New York, attorneys for Jean Paul Getty, et al., has advised the United States Attorney by letter dated February 9, 1960 that this defendant did not desire to contest this proceeding nor appear therein. The Court therefore finds this defendant, Jean Paul Getty, and his successor or successors as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, in default at this time

and that Judgment in this proceeding may properly be entered at this time pursuant to the application of the United States of America.

The Court further finds, upon the evidence presented that Clifford Ward and Jean Paul Getty and the successor or successors of him, a Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, were the sole record owners of the above-captioned tract on the date of taking each owning a one-half interest in said tract, and as such are entitled to receive the entire award therefor, and that pursuant to a partial judgment previously entered in this case, the issues of ownership and just compensation of the one-half interest owned by Clifford Ward have been adjudicated.

The Court further finds, upon the evidence presented, that the amount of \$12.50, inclusive of interest, is just compensation for the taking of the one-half interest in the estate by the plaintiff in Tract No. A-115E-2, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause.

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

(A) The vesting in the plaintiff of title to the one-half interest in 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 sole record owner of the one-half interest in the estate taken in Tract No. A-115E-2 is Jean Paul Getty, and the successor or successors of him, as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, and as such is entitled to receive that portion of the award applied to his respective interest;

(C) The just compensation to be paid by the plaintiff for the taking of this one-half interest in Tract No. A-115E-2 is the sum of \$12.50, inclusive of interest;

(D) The Clerk of the Court is directed and authorized to draw a check on the funds in the Registry of this Court in the amount of \$12.50, made payable

to Jean Paul Getty and the successor or successors of him, as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, and cause payment to be made.

Entered this 18th day of February 1963.

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.

600.49 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Clifford
Ward, et al, and Unknown Owners,

Defendants.

Civil No. 4854

Tract No. A-115E-3

FINAL JUDGMENT

On this day this cause came on for hearing upon the application of the United States of America, by its attorney, and in accordance with its Complaint in condemnation, for a default judgment determining the ownership and the just compensation to be awarded the former owners of an undivided one-half interest in Tract No. A-115E-3, which is more particularly described in the Complaint and Declaration of Taking filed herein.

The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action, that 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 and that a partial judgment has been entered pertaining to a one-half interest in the subject tract.

The Court finds, upon the evidence presented that Jean Paul Getty and the successor or successors of him, as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, is the owner of an undivided one-half interest, as record owner, of the above-captioned tract on the date of taking and is entitled to receive that proportionate part of the final award applied to his interest.

The Court further finds, that the law firm of Hecht, Hadfield, Farbach and McAlpin of New York City, New York, attorneys for Jean Paul Getty, et al., has advised the United States Attorney by letter dated February 9, 1960 that this defendant did not desire to contest this proceeding nor appear therein. The Court therefore finds this defendant, Jean Paul Getty, and his successor or successors as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, in default at this time and that Judgment in this proceeding may properly be entered at this time pursuant to the application of the United States of America.

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MOORE
CLERK U.S.D.C.

The Court further finds, upon the evidence presented that Clifford Ward and Jean Paul Getty and the successor or successors of him, a Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, were the sole record owners of the above-captioned tract on the date of taking each owning a one-half interest in said tract, and as such are entitled to receive the entire award therefor, and that pursuant to a partial judgment previously entered in this case, the issues of ownership and just compensation of the one-half interest owned by Clifford Ward have been adjudicated.

The Court further finds, upon the evidence presented, that the amount of \$100.00, inclusive of interest, is just compensation for the taking of the one-half interest in the estate by the plaintiff in Tract No. A-115E-3, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause.

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

(A) The vesting in the plaintiff of title to the one-half interest in 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 sole record owner of the one-half interest in the estate taken in Tract No. A-115E-3 is Jean Paul Getty, and the successor or successors of him, as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, and as such is entitled to receive that portion of the award applied to his respective interest;

(C) The just compensation to be paid by the plaintiff for the taking of this one-half interest in Tract No. A-115E-3 is the sum of \$100.00, inclusive of interest;

(D) The Clerk of the Court is directed and authorized to draw a check on the funds in the Registry of this Court in the amount of \$100.00, made payable to Jean Paul Getty, and his successor or successors as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, and cause payment to be made.

Entered this 10th day of February 1963.

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

FILED
1961 1889
NOTICE TO
Clerk U.S. District Court

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
Tract No. A-115E-4

FINAL JUDGMENT

On this day this cause came on for hearing upon the application of the United States of America, by its attorney, and in accordance with its Complaint in condemnation, for a default judgment determining the ownership and the just compensation to be awarded the former owners of an undivided one-half interest in Tract No. A-115E-4, which is more particularly described in the Complaint and Declaration of Taking filed herein.

The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action, that 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 and that a partial judgment has been entered pertaining to a one-half interest in the subject tract.

The Court finds, upon the evidence presented that Jean Paul Getty and the successor or successors of him, as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, is the owner of an undivided one-half interest, as record owner, of the above-captioned tract on the date of taking and is entitled to receive that proportionate part of the final award applied to his interest.

The Court further finds, that the law firm of Hecht, Hadfield, Farbach and McAlpin of New York City, New York, attorneys for Jean Paul Getty, et al., has advised the United States Attorney by letter dated February 9, 1960 that this defendant did not desire to contest this proceeding nor appear therein. The Court therefore finds this defendant, Jean Paul Getty, and his successor or successors as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, in default at this time and that Judgment in this proceeding may properly be entered at this time pursuant to the application of the United States of America.

The Court further finds, upon the evidence presented that Clifford Ward and Jean Paul Getty, and the successor or successors of him, a Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, were the sole record owners of the above-captioned tract on the date of taking each owning a one-half interest in said tract, and as such are entitled to receive the entire award therefor, and that pursuant to a partial judgment previously entered in this case, the issues of ownership and just compensation of the one-half interest owned by Clifford Ward have been adjudicated.

The Court further finds, upon the evidence presented, that the amount of \$25.00, inclusive of interest, is just compensation for the taking of the one-half interest in the estate by the plaintiff in Tract No. A-115E-4, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause.

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

(A) The vesting in the plaintiff of title to the one-half interest in 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 sole record owner of the one-half interest in the estate taken in Tract No. A-115E-4 is Jean Paul Getty, and the successor or successors of him, as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, and as such is entitled to receive that portion of the award applied to his respective interest;

(C) The just compensation to be paid by the plaintiff for the taking of this one-half interest in Tract No. A-115E-4 is the sum of \$25.00, inclusive of interest;

(D) The Clerk of the Court is directed and authorized to draw a check on the funds in the Registry of this Court in the amount of \$25.00, made payable to Jean Paul Getty, and his successor or successors as Trustee or Trustees of the Trust created and provided for in the Last Will and Testament of Sarah C. Getty, deceased, and cause payment to be made.

Entered this 18th day of February 1963.

ALLEN E. BARROW

APPROVED:

JUDGE, United States District Court

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Judgment on Motion
(Option)

FILED
FEB 19 1963

United States of America,
Plaintiff,
v.

Civil No. 4999 **NOBLE C. HOOD**
U. S. District Court

287.25 Acres of Land, More or Less,
Situate in Creek, Osage and Pawnee
Counties, Oklahoma and Harold V.
Weaver, et al and Unknown Owners,
Defendants.

Tract(s) No(s) I-938-1,-2
and I-938E

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option(s) granted by the defendant(s) 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(s) **Creek Nation, by Turner Bear, Chief Tribal Council,**

entered into a contract and agreement, as evidenced by (an) option(s) for the purchase of land granted by said defendant(s) and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$ 2,200.00..... inclusive of interest, would be awarded as just compensation for the taking of the estate(s) to be condemned in Tract(s) No(s) **I-938-1,-2, & I-938E**

as such estate(s) and said tract(s) are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant(s) (was) ~~was~~ the sole owner(s) of the above-captioned tract(s) on the date of taking; that ~~she~~ ~~it~~ ~~they~~ (is) ~~was~~ entitled to the entire award therefor; and that the contract and agreement is a valid one, **having been approved and ratified by the Area Director, Bureau of Indian Affairs.**

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(s) 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(s) set forth in the complaint and declaration of taking in and to the land(s) hereinabove referred to, as said tract(s) ~~was~~ (are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). **I-938-1,-2 and I-938E**

is the sum of \$ **2,200.00.....**, inclusive of interest, which sum has heretofore been disbursed by order(s) of this Court.

Entered this *18th* day of *February* 196*3*.

APPROVED:
W. R. TELTON, JR.
W. R. TELTON, JR.
Assistant U. S.

ALLEN E. BARRON
JUDGE, United States District Court

Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF AMERICA

Judg't on Motion
(Option)

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

Civil No. 5021

Tract~~(s)~~ No~~(s)~~ 1962

FILED

FEB 19 1963

NOBLE C. MOORE
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~~(s)~~ granted by the defendant~~(s)~~ 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~~(s)~~ J. W. Byron

entered into a contract and agreement, as evidenced by (an) option~~(s)~~ for the purchase of land granted by said defendant~~(s)~~ and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$ 150.00 inclusive of interest, would be awarded as just compensation for the taking of the estate~~(s)~~ to be condemned in Tract~~(s)~~ No~~(s)~~ 1962

as such estate~~(s)~~ and said tract~~(s)~~ are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant~~(s)~~ (was)~~(were)~~ the sole owner~~(s)~~ of the above-captioned tract~~(s)~~ on the date of taking; that (he) ~~(she)~~ (is) ~~(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~~(s)~~ 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~~(s)~~ set forth in the complaint and declaration of taking in and to the land~~(s)~~ hereinabove referred to, as said tract~~(s)~~ (is) ~~(are)~~ described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract~~(s)~~ No~~(s)~~. 1962

is the sum of \$ 150.00 , inclusive of interest, which sum has heretofore been disbursed by order~~(s)~~ of this Court.

Entered this 18th day of February 1963 .

/s/ Allen E. Barrow

APPROVED:

JUDGE, United States District Court

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Judgment on Motion

(Option) FILED

United States of America,
Plaintiff,
v.

514.12 Acres of Land, More or Less
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma and D. H. Cramer,
et al, and Unknown Owners,

Defendants.

FEB 19 1963

Civil No. 5127
NOBLE C. HOOD
Clerk, U. S. District Court

Tract(s) No(s) I-938-1,-2,
and I-938E

JUDGMENT ON MOTION

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option(s) granted by the defendant(s) 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(s) **Creek Nation, by Turner Bear, Chief Tribal Council, and Sunrey Mid-Continent Oil Company**

entered into a contract and agreement, as evidenced by (an) option(s) for the purchase of land granted by said defendant(s) and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$ 850.00..... inclusive of interest, would be awarded as just compensation for the taking of the estate(s) to be condemned in Tract(s) No(s) **I-938-1,-2, and I-938E**

as such estate(s) and said tract(s) are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant(s) ~~(was)~~ (were) the sole owner(s) of the above-captioned tract(s) on the date of taking; that ~~(he)~~ (they) ~~(is)~~ (are) entitled to the entire award therefor; and that the contract and agreement is a valid one, **having been approved and ratified by the Area Director, Bureau of Indian Affairs.**

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(s) 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(s) set forth in the complaint and declaration of taking in and to the land(s) hereinabove referred to, as said tract(s) ~~(is)~~ (are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). **I-938-1,-2 and I-938E**

is the sum of \$ 850.00....., inclusive of interest, which sum has heretofore been disbursed by order(s) of this Court.

Entered this 18th day of February 1963.

APPROVED:
W. R. THIXTON, JR.
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.

330.43 Acres of Land, More or Less,
Situate in Osage and Pawnee Counties,
Oklahoma, and Elzie M. Findley, et al.,
and Unknown Owners,

Defendants.

Civil No. 5172

Tracts Nos. 3208E-3 &
3208E-4

ORDER OF DISMISSAL

On this *19th* day of *February* 1963 there came on
for hearing the application of Plaintiff, the United States of America, for
an order directing dismissal of those portions of a Complaint and Declaration
of Taking filed May 10, 1961 under Civil Action No. 5172 which apply to Tracts
Nos. 3208E-3 and 3208E-4.

After being advised by counsel for plaintiff, the Court finds that
the estates taken in these tracts were previously acquired in Civil Action
No. 5071 filed on December 2, 1960.

The Court further finds that for the reasons given these tracts
should be dismissed from Civil Action No. 5172.

IT IS, THEREFORE, ORDERED THAT those portions of the Complaint and
Declaration of Taking in Civil Action No. 5172 filed May 10, 1961 which pertain
to Tracts Nos. 3208E-3 and 3208E-4 are hereby dismissed and held naught.

ELLEN E. BARNETT

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE

ROBERT P. SANTEE

Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Def. Judgment
Without Res. of Imps

United States of America,

Plaintiff,

Civil No. 4476

vs.

90.00 Acres of Land, More or Less,
Situat in Tulsa County, Oklahoma,
and Jack Quincy Scott, et al, and
Unknown Owners,

Tract No. A-114 L E D

Defendants.

FINAL JUDGMENT

RECEIVED
COURT CLERK
NORTHERN DISTRICT OF OKLAHOMA

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 H. E. Bridges, Don Wilcox, sole heir of Dora Wilcox, deceased, and Dorothy Stone Loeffler a/k/a Dorothy Stone Fox, the owners of 3/4ths of the oil, gas and other minerals, lessor's interest, under that part of this tract described as the N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 8, Township 19 North, Range 10 East, Tulsa County, Oklahoma, have, by the stipulations above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of their respective interest in the estate in Tract No. A-114, as set forth in the Complaint and Declaration of Taking heretofore filed in this cause is as follows:

H. E. Bridges and Don Wilcox (jointly).....1/2 interest.....\$400.00
Dorothy Stone Loeffler.....1/4 interest.....\$200.00

The Court further finds that the other 1/4 interest in the oil, gas and other minerals is owned by Jack Quincy Scott and Geraldine Francis Scott, and that that interest was compensated for and disposed of insofar as these proceedings are concerned with a Partial Judgment filed in this cause on January 18, 1963.

The Court further finds that plaintiff and Lu Mac Petroleum Company, James R. Colpitt, Joel A. Wolfe, A. B. Braun, Theodore D. Sechrest, Hazel Baker Taylor, Inez J. Wolfe and I. H. Van Horn, defendants herein, have, by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of their respective interest in the estate in Tract No. A-114, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause is as follows with the respective interest owned by these parties defendant set forth adjacent to their name, to-wit:

Lu Ma Petroleum Company and		
James R. Colpatt, jointly.....	31/32 of 7/8 lessee interest....	\$293.00
Joel A. Wolfe.....	3/4 of 1/32 ORR.....	1.50
A. B. Braun.....	1/4 of 1/32 ORR.....	.50
Theodore D. Sechrest.....	0.1811023 of 1/8 lessor interest....	19.74
Hazel Baker Taylor.....	0.2283465 of 1/8 lessor interest....	24.89
Inez J. Wolfe.....	0.2283465 of 1/8 lessor interest....	24.89
I. H. Van Horn.....	0.3622047 of 1/8 lessor interest....	39.48
	TOTAL	\$404.00

The Court finds that these above owners owned all the lessee and lessor interests in the oil, gas and other minerals under that part of Tract No. A-114 described as the $S\frac{1}{2} S\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$ of Section 8, Township 19 North, Range 10 East, Tulsa County, Oklahoma, and that there was no oil and gas lease upon the balance of this tract, the $N\frac{1}{2} SE\frac{1}{4}$ of Section 8, Township 19 North, Range 10 East, Tulsa County, Oklahoma.

The Court finds that there was deposited as estimated compensation for the taking of the estate in this tract, the sum of \$15,440.00, of which sum the total amount of \$15,400.00 has previously been disbursed by order of this Court to the owners of the entire surface estate and 1/4 of the oil, gas and other minerals under part of this tract, to-wit, the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 8, Township 19 North, Range 10 East, Tulsa County, Oklahoma, there remaining on deposit the sum of \$40.00. The Court finds that the total amount of just compensation stipulated to, which is included and referred to above, is \$1,004.00 for all of the lessee and lessor interests in the oil, gas and other minerals in Tract No. A-114, except for the 1/4 interest owned by Jack Quincy Scott and Geraldine Francis Scott. The Court further finds that a deficiency deposit in the amount of \$964.00 will be required to pay all the remaining lessees and lessors.

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 also finds that those parties defendant named herein, together with those parties referred to in the Partial Judgment filed January 18, 1963 are all of the owners of the entire surface estate, and the lessee and lessor interests in the oil, gas and other minerals in Tract No. A-114.

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-114, is the sum of \$16,404.00, inclusive of interest, of which sum the amount of \$15,400.00 has been disbursed, leaving \$40.00 on deposit.

(C) The plaintiff shall forthwith deposit into the registry of this Court the deficiency in the amount of \$964.00, without interest, and upon receipt of this deficiency the Clerk of the Court is hereby authorized to draw checks in the following amounts made payable to the following payees and to cause payment to be made:

H. E. Hridges and Don Wilcox.....	\$400.00
Dorothy Stone Loeffler.....	\$200.00
Lu Mac Petroleum Company and James R. Colpitt.....	\$293.00
Joel A. Wolfe.....	\$ 1.50
A. B. Braun.....	\$.50
Theodore D. Sechrest.....	\$ 19.74
Hazel Baker Taylor.....	\$ 24.89
Inez J. Wolfe.....	\$ 24.89
I. H. Van Horn.....	\$ 39.48
TOTAL	\$1,004.00

Entered this *21st* day of *February* 1963.

ALLEN E. BARRON
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.)
)
 458.26 Acres of Land, More or Less,)
 Situate in Rogers and Nowata Counties,)
 Oklahoma, and Thomas D. Bard, Jr.,)
 et al, and Unknown Owners,)
)
 Defendants.)

CIVIL ACTION NO. 4754

Tracts Nos.: G-712
G-724
G-739

(Subsurface Interest
Only)

FILED

FEB 21 1963

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

J U D G M E N T

1.

NOW, on this 20th day of February, 1963, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on August 10, 1959, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in Tracts Nos. G-712 and G-739 should be vested in the

United States of America as of the date of filing the Declaration of Taking.

6.

The United States has acquired the subsurface estate in Tract No. G-724 by direct purchase and a deed to such interest from the owners to the Government has been filed of record. Therefore, condemnation of the subsurface interest in such tract is unnecessary and this action, insofar as it applies to the subsurface estate in Tract No. G-724 should be dismissed.

7.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of certain estates in the subject tracts, certain sums of money, and all of these deposits have been disbursed, as set out in paragraph 14 below.

8.

On the date of taking in this action, the owners of the subsurface estates taken in Tracts Nos. G-712 and G-739 were the defendants whose names are shown in paragraph 14 below. Such named defendants are the only persons asserting any interest in the subsurface estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the subsurface estates taken in these tracts.

9.

The owners of Tracts Nos. G-712 and G-739 and the United States of America have executed and filed herein Stipulations As To Just Compensation, wherein they have agreed that just compensation for the subsurface estates condemned in such tracts is in the amounts shown as compensation in paragraph 14, and such stipulations should be approved.

10.

Deficiencies exist between the amounts deposited as estimated compensation for the subject tracts and the amounts fixed by the Stipulations As To Just Compensation, and the amounts of such deficiencies should be deposited for the benefit of the owners. Such deficiencies are set out in paragraph 14 below.

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 Tracts Nos. G-712 and G-739, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the subsurface estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such subsurface estates are forever barred from asserting any claim thereto.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that for the reasons shown in paragraph 6 above, this action, insofar as it applies to the subsurface estate in Tract No. G-724, hereby is dismissed.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the subsurface estates condemned herein in Tracts Nos. G-712 and G-739 were the persons whose names appear below in paragraph 14, and the right to receive just compensation for the subsurface estates taken herein in these tracts is vested in the parties so named.

14.

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

TRACT NO. G-712

Owners of subsurface estate:

C. C. Boyd and
Clara Dell Boyd

Award of just compensation for subsurface estate, pursuant to stipulation - - - - -	\$300.00	\$300.00
---	----------	----------

Deposited as estimated compensation - - - - -		None
---	--	------

(The original deposit was not allocated between surface and subsurface. It was all applied toward payment of the surface award.)

Disbursed to owners for subsurface estate - - - - -		None
--	--	------

Balance due to owners - - - - -	\$300.00	
---------------------------------	----------	--

Deposit deficiency - - - - -		\$300.00
------------------------------	--	----------

- - - - -

TRACT NO. G-724

Dismissed as to subsurface estate.

Deposit all applied toward payment of surface award.

TRACT NO. G-739

Owners of subsurface estate:

C. C. Boyd and
Clara Dell Boyd

Award of just compensation for subsurface estate, pursuant to stipulation	- - - - - \$37.50	\$37.50
Deposited as estimated compensation	- - - - -	None
(The original deposit was not allocated between surface and subsurface. It was all applied toward payment of the sur- face award.)		
Disbursed to owners for subsurface estate	- - - - -	<u>None</u>
Balance due to owners	- - - - - \$37.50	<u> </u>
Deposit deficiency	- - - - -	\$37.50

15.

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 the total deposit deficiency for subject tracts in the sum of \$337.50, and such sum shall be allocated and placed in the deposits for the respective tracts in the amounts of the deposit deficiencies for such tracts as shown in paragraph 14 above.

The Clerk of this Court then shall disburse from the sums on deposit for Tracts G-712 and G-739 certain sums, as follows:

From the deposit for Tract No. G-712, the sum of \$300.00, and from the deposit for Tract No. G-739 the sum of \$37.50, jointly, to C. C. Boyd and Clara Dell Boyd.

ALLEN E. BARROW

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.

461.42 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Edison A. Jarkey, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4863

Tracts Nos.: D-436 and
D-436E

FILED ✓

FEB 21 1963

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

J U D G M E N T

1.

NOW, on this 21st day of February, 1963, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on February 29, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

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

8.

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

9.

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

10.

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

It Is Further ORDERED that the United States of America shall deposit in the Registry of this Court the deficiency sum of \$152.86, and such sum shall be placed in the deposit for the subject tracts in this Civil Action.

The Clerk of this Court then shall disburse from the deposit for the subject tracts the balances due to the respective owners as shown in paragraph 12 above.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow

HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)	
)	
Plaintiff,)	CIVIL ACTION NO. 4895
)	
vs.)	Tracts Nos. J-1037E-3
)	J-1037E-4
99.21 Acres of Land, More or Less,)	J-1037M-1
Situate in Nowata and Rogers Counties,)	
Oklahoma, and Edith Rose, et al, and)	
Unknown Owners,)	
)	
Defendants.)	

J U D G M E N T

1.

NOW, on this 27th day of February, 1963, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on March 24, 1960, the United States of America filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

FILED
FEB 27 1963
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
AMJ

6.

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

7.

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

8.

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

9.

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

10.

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

11.

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

were the persons whose names appear below in paragraph 12, and the right to just compensation for the respective estates taken herein in these tracts is vested in the parties so named.

12.

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

TRACTS NOS. J-1037E-3, J-1037E-4 AND J-1037M-1

Owners:

- Surface interest -- Elmer Paul Arning
- Lessor interest in oil,
gas and other minerals -- O. H. Arning and Lucy Arning
- Lessee interest in oil,
gas and other minerals -- M. G. Jenson
- Overriding royalty interest -- Elmer Paul Arning and Marie Arning

Award of just compensation
pursuant to stipulations - - - - - \$5,505.00

Allocation of Award, Deposit, Disbursals and Deficiency:

	<u>Surface Interest</u>	<u>Lessor Interest</u>	<u>Lessee Interest</u>	<u>Overriding Royalty</u>	<u>Total</u>
Allocation of Award	\$780.00	\$75.00	\$4,646.88	\$3.12	\$5,505.00
Deposited as Estimated Compensation	--	--	--	--	5,475.00
Disbursed to Owners	None	None	\$4,646.88	None	--
Balance due to Owners	\$780.00	\$75.00	None	\$3.12	-----
Deposit Deficiency	--	--	--	--	\$30.00
- - - - -	-	-	-	-	-

13.

It Is Further ORDERED that the United States of America shall deposit in the Registry of this Court, in this Civil Action, to the credit of the subject tracts, the deficiency sum of \$30.00, and the Clerk of this Court then shall disburse from the deposit for the subject tracts certain

sums as follows:

To Elmer Faul Arning	- - - - -	\$780.00
To O. H. Arning and Lucy Arning, jointly	- - - - -	\$75.00
To Elmer Faul Arning and Marie Arning, jointly	- - - - -	\$3.12

ALLEN E. BARROW

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.

432.94 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and P. L. Hayes, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4900

Tracts Nos.: 5626-11S
5627-9S
5634-2S

J U D G M E N T

1.

NOW, on this 20th day of February, 1963, this matter comes on for disposition on application of plaintiff, United States of America, for entry of Judgment on a stipulation agreeing upon just compensation and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

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

3.

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

4.

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

5.

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

FILED
20 FEB 1963
AM

6.

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

7.

On the date of taking in this action, the owners of the estates taken in subject tracts as described in paragraph 2 herein were the defendants whose names are shown in paragraph 11 below. Such named defendants are the only persons asserting any interest in the estates taken in such tracts, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estates taken in these tracts.

8.

The owners of subject tracts and the United States of America have executed and filed herein a Stipulation As To Just Compensation, wherein they have agreed that just compensation for the estates condemned in subject tracts is in the amount shown as compensation in paragraph 11, 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 tracts named in paragraph 2 herein; as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates described in paragraph 2 herein, condemned herein in subject tracts, were the persons whose names appear below in paragraph 11, and the right to just compensation for the estates taken herein in these tracts is vested in the parties so named.

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

TRACTS NOS. 5626-11S, 5627-9S and 5634-2S

Owners:

James E. Brooks and
Genevieve Brooks

Award of just compensation pursuant to stipulation	- - - - -	\$450.00	\$450.00
Deposited as estimated compensation	- - - - -		<u>\$450.00</u>
Disbursed to owners	- - - - -	<u>None</u>	
Balance due to owners	- - - - -	\$450.00	

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for subject tracts to James B. Brooks and Genevieve Brooks, jointly, the sum of \$450.00.

ALLEN E. BARROW

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.

109.05 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Charles F. Russell, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4922

Tract No. U-2148E-5

FILED ✓

FEB 21 1963

NOTICE OF TAKING
OF LAND U. S. DISTRICT COURT

J U D G M E N T

1.

NOW, on this 21st day of February, 1963, this matter comes on for disposition on application of plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This Judgment applies only to the estate condemned in Tract No. U-2148E-5, as such estate and tract are described in the Complaint and 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 May 10, 1960, the United States of America filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

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

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in paragraph 12 below. 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 subject tract and the United States of America have executed and filed herein Stipulations As To Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 12 below, and such stipulations should be approved.

9.

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

10.

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

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the

defendants whose names appear below in paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

12.

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

TRACT NO. U-2148E-5

Owners:

Lessor interest - Irene L. Sams

Lessee interest:

1. That part of the subject tract, to-wit, approximately .02 acre, which is situated in T. 27 N., R. 16 E., Section 32, was owned by:
LaSalle Petroleum Corporation
2. That part of the subject tract, to-wit, approximately .02 acre, which is situated in T. 26 N., R. 16 E., Section 5, was owned by:
Western Hills Oil, Inc.
(Irvine E. Ungerman was Trustee for such corporation)

Award of just compensation - - - - - \$146.88

Allocation of Award, Deposit, Distribution and Deficiency:

	<u>Irene L. Sams Interest</u>	<u>La Salle Petr. Corp. Interest</u>	<u>Western Hills Oil Inc., Interest</u>	<u>Total</u>
Award of just compensation	\$100.00	\$21.88	\$25.00	\$146.88
Deposited as estimated compensation	--	--	--	\$100.00
Disbursed to owners	None	None	<u>\$25.00</u>	
Balance due to owners	\$100.00	\$21.88	None	_____
Deposit deficiency - - - - -				\$46.88
- - - - -				- - - - -

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the Registry of this Court, in this

Civil Action to the credit of Tract No. U-2148E-5, the deficiency sum of \$46.88, and the Clerk of this Court then shall disburse from the deposit for the subject tract the balances due to the respective owners as shown in paragraph 12 above.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow

HUBERT A. MARLOW
Assistant U. S. Attorney

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN SENATE
JANUARY 21, 1963

George Cause
Defendant

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORDER FOR DEPOSITS

It is ordered that the Clerk of the Court shall cause to be deposited in the Treasury of the United States the sum of \$10,000.00 for the use of the defendant herein.

George Cause
Defendant

John Smith
Attorney for Plaintiff

ORDER

It is hereby ORDERED that the above captioned cause is dismissed with prejudice to the plaintiff's right to prosecute further action.

(s) Fred Laugherty
1963

Done at New York, New York, this 21 day of February, 1963.

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JACK W. HALLMAN,)
 Plaintiff,)

vs.

Civil Action No. 5472

R. C. INGRAM and
BEULAH INGRAM,)
 Defendants.)

FILED

JUDGMENT

This action came on for trial before the court and a jury, the Honorable Allen E. Barrow presiding, and the issues having been duly tried and the jury on February 25, 1963 having rendered a verdict for the plaintiff to recover of the defendant, Beulah Ingram, damages in the amount of Twenty Thousand (\$20,000.00) Dollars,

IT IS ORDERED AND ADJUDGED that the plaintiff, Jack W. Hallman, recover of the defendant, Beulah Ingram, the sum of Twenty Thousand (\$20,000.00) Dollars, with interest thereon at the rate of 6% per annum from the date hereof until paid, and his cost of this action.

Dated at Tulsa, Oklahoma, this 25th day of February, 1963.

NOBLE G. HOOD, CLERK

By *Ben B. Ballenger*
Ben B. Ballenger

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jdgm't for Amt.
of Def.

United States of America,

Plaintiff,

vs.

707.70 Acres of Land, More or Less,
Situate in Creek and Tulsa Counties,
Oklahoma and Fred Brady, et al, and
Unknown Owners,

Defendants.

Civil No. 4775

Tract No. D-426

FILED

FEB 26 1939

NOBLE C. HOBBS
Clk, U. S. District

JUDGMENT ON STIPULATION AND ORDER OF DISTRIBUTION

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 Mrs. T. M. Snell, Jr. a/k/a Doris Holmstrom Snell, Forrest Adsit, Bessie H. Johnson, Mildred M. Adams, Patience McNulty, and Dale Archer McNulty, 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. D-426, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the total sum of \$430.00, 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. D-426, is the sum of \$430.00, inclusive of interest; it is agreed

among the above defendants that the sum of \$430.00 is to be distributed according to the following ownership schedule:

SURFACE

Mrs. T. M. Snell, Jr. (a/k/a Doris Holmstrom Snell).....\$230.00

IMPROVEMENTS

Forrest Adsit.....80,805/147,640.....	\$109.46
Bessie H. Johnson.....22,533/147,640.....	\$30.52
Mildred M. Adams.....22,281/147,640.....	\$30.18
Patience McNulty.....20,261/147,640.....	\$27.45
Dale Archer McNulty.....1,760/147,640.....	\$2.39
	<u>TOTAL</u>
	\$430.00

(C) The Clerk of this Court is hereby authorized and directed to draw checks on the funds in the registry of this Court in the amounts hereinabove set forth, payable to the order of the above-named payees and cause payment to be made.

Entered this 16th day of February, 1963.

ALLEN E. BARROW

JUDGE, United States District Court

APPROVED:

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.

796.08 Acres of land, More or Less,
Situat in Creek and Pawnee Counties,
Oklahoma, and Forrest Adsit, et al,
and Unknown Owners,

Defendants.

Civil No. 4806

Tract No. D-426

FILED

FEB 21 1963

VICTOR O. WOOD
CLERK, U.S. DISTRICT COURT

J U D G M E N T

On this day this cause comes on for consideration on the motion of plaintiff for a judgment on the option granted by the defendant, Forrest Adsit, and accepted by the Corps of Engineers, Department of the Army, on behalf of the United States of America, plaintiff herein, and for judgment upon stipulations entered into by the other defendants therein named and the plaintiff, which stipulations have heretofore been filed in this case.

The Court finds that prior to the institution of the above proceeding the United States of America and the defendant, Forrest Adsit, owner of 80805/147640ths of 7/8WI, lessee interest in the oil, gas and other minerals, 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 \$1,009.22, inclusive of interest, would be awarded as just compensation for the taking of his interest in the estate to be condemned in Tract No. D-426 as such estate and said tract are described in the Complaint and Declaration of Taking heretofore filed in this cause.

The Court also finds that plaintiff and Mrs. T. M. Snell, Jr., Bessie M. Johnson, Mildred M. Adams, Patience M. McNulty and Dale Archer McNulty, minor, by his attorney Curtis P. Harris, defendants herein, have, by the stipulations above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of their respective interests in the estate in Tract No. D-426, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is as follows:

Mrs. T. M. Snell, Jr.-1/8 interest in the oil, gas and other minerals	
lessor's interest.....	\$555.00
Bessie M. Johnson-22533/147640th of 7/8 lessee interest.....	\$281.59
Mildred M. Adams-22281/147640th of 7/8 lessee interest.....	\$278.44
Patience M. McNulty-20261/147640ths and Dale Archer McNulty	
1760/147640ths of 7/8 lessee interest, jointly.....	\$350.00
	\$1,465.03
Amount paid to Forrest Adsit, lessee	\$1,009.22
	\$2,474.25
TOTAL	

and that this total amount is inclusive of interest. The sum of \$2,400.00, was deposited into the Registry of this Court as estimated compensation for said tract upon the filing of the Declaration of Taking herein.

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; that the contract and agreement is a valid one; that the stipulations are lawful and binding upon the parties thereto.

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 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. D-426 is the sum of \$2,474.25, inclusive of interest,

(C) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$74.25, without interest, and upon receipt of the same the Clerk of the Court is hereby authorized and directed to draw a check upon the funds made payable to the following payees, for the total amount of \$350.00, and to cause payment to be made:

Patience M. McNulty and Curtis P. Harris,
guardian ad litem for Dale Archer McNulty.....\$350.00

Entered this *21st* day of *February* 1963.

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

Jdgm't for Amount
of Deposit

United States of America,
vs.
63.09 Acres of Land, More or Less,
Situate in Tulsa, Creek and Pawnee
Counties, Oklahoma and D. W. Franchot
& Co., et al, and Unknown Owners,
Plaintiff,
Defendants.

Civil No. 5042

Tract(s) No(s). 1581

FEB 13 1963

JUDGMENT ON STIPULATION

FEB 13 1963

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

The Court finds that plaintiff and Sarah E. Fender, Waneta Costello, Alfred R. Fender, and Nancy Ellen Fender, all being the heirs of W. A. Fender, deceased, by their attorney-in-fact and agent George E. Fender defendant(s) herein, (~~has~~), (have), by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in Tract(s) No(s). 1581, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ 75.00, inclusive of interest, which amount was deposited into the Registry of this Court as estimated just compensation for said tract(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s). The Court further finds that the above-named defendant(s) (~~was~~)(were) the sole owner(s) of the captioned tract(s) 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(s) set forth in the Complaint and Declaration of Taking in and to the land(s) hereinabove referred to, as said tract(s) (is) (~~was~~) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). 1581 is the sum of \$ 75.00, inclusive of interest, which sum has heretofore been disbursed by Order(s) of this Court.

Entered this 20th day of February 1963.

ALLEN E. PARROW

JUDGE, United States District Court

APPROVED:

W. R. THURTON, JR.

W. R. THURTON, JR. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jdgm't for Amount
of Deposit

United States of America,)
)
) Plaintiff,)
 vs.)
)
 21.30 Acres of Land, More or Less,)
 Situate in Pawnee County, Oklahoma)
 and H. B. Hawley, et al, and Unknown)
 Owners,)
)
) Defendants.)

Civil No. 5126

Tract(s) No(s). 1066

FILED

JUDGMENT ON STIPULATION

FEB 26 1963

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

The Court finds that plaintiff and **Charlotte Pringle Thomas**

defendant(s) herein, (has), (~~have~~), by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in Tract(s) No(s). 1066, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ 15.00, inclusive of interest, which amount was deposited into the Registry of this Court as estimated just compensation for said tract(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s). The Court further finds that the above-named defendant(s) (was)(~~were~~) the sole owner(s) of the captioned tract(s) 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(s) set forth in the Complaint and Declaration of Taking in and to the land(s) hereinabove referred to, as said tract(s) (is)(~~are~~) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). 1066 is the sum of \$ 15.00, inclusive of interest, which sum has heretofore been disbursed by Order(s) of this Court.

Entered this 25th day of February 1963

ALLEN E. BARROW

JUDGE, United States District Court

APPROVED:

ROBERT P. SANTEE

ROBERT P. SANTEE

Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF AMERICA

Judg't on Motion
(Option)

United States of America,
Plaintiff,
vs.
54.21 Acres of Land, More or Less,
Situate in Pawnee, Osage and Creek
Counties, Oklahoma, and M. B. Soule,
et al., and Unknown Owners,
Defendants.

Civil No. 5208
Tract(s) No(s) 1009

FILED

FEB 25 1963

JUDGMENT ON MOTION

WILLIAM C. BROWN
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(s) granted by the defendant(s) 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(s) **M. B. Soule**

entered into a contract and agreement, as evidenced by (an) option(s) for the purchase of land granted by said defendant(s) and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$ **10.00** inclusive of interest, would be awarded as just compensation for the taking of the estate(s) to be condemned in Tract(s) No(s) **1009**

as such estate(s) and said tract(s) are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant(s) (was)(were) the sole owner(s) of the above-captioned tract(s) on the date of taking; that (he) (they) (is) (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(s) 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(s) set forth in the complaint and declaration of taking in and to the land(s) hereinabove referred to, as said tract(s) (is) (are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). **1009**

is the sum of \$ **10.00**, inclusive of interest, which sum has heretofore been disbursed by order(s) of this Court.

Entered this 25th day of February 196 3

ALLEN E. BARROW

APPROVED:

JUDGE, United States District Court

ROBERT P. SANTI
ROBERT P. SANTI
Assistant United States Attorney

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

N. O. Robinson, et al. }
Plaintiffs, }
vs. }
Continental Oil Company, }
et al, }
Defendants. }

CIVIL No. 5319

ORDER OF DISMISSAL

This action came on for hearing before the court and a jury, the Honorable Luther Bohannon presiding, on February 25, 1963. At the close of the Plaintiffs' evidence the Defendants' motion to dismiss was heard and sustained. Having sustained Defendants' motion to Dismiss,

IT IS ORDERED, ADJUDGED AND DECREED that this action be and it is hereby dismissed with prejudice.

Dated at Tulsa, Oklahoma, this 26th day of February, 1963.

NOBLE C. HOOD, CLERK

By Henry
Henry

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America,)
Plaintiff,)
vs.)
122.01 Acres of Land, More or Less,)
Situate in Pawnee and Creek Counties,)
Oklahoma and Gene E. Allen, et al,)
and Unknown Owners,)
Defendants.)

Civil No. 5368

Tract(s) No(s). 1076, 1092 and
1146

JUDGMENT ON STIPULATION AND ORDER OF DISTRIBUTION

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) (are) rendered herewith for filing herein.

The Court finds that plaintiff and **Ft. Worth National Bank, executor and Trustee of the Estate of Claude Chilcutt, deceased**, defendant herein, (has), (have), by the stipulation above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in Tract(s) No(s). **1076, 1092 and 1146**, 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 tract(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s). The Court further finds that the above-named defendant (was) (were) the sole owner(s) of the captioned tract(s) 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(s) set forth in the Complaint and Declaration of Taking in and to the land(s) hereinabove referred to, as said tract(s) (is) (are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s). **1076, 1092 and 1146**, is the sum of \$**40.00**, inclusive of interest; ~~399~~

(C) The Clerk of this Court is hereby authorized and directed to draw (a) check (s) on the funds in the registry of this Court in the amount(s) hereinafter set forth, payable to the order of the following named payee(s) and to mail the check(s) to said payee(s) at the following address(es):

Ft. Worth National Bank, Executor and Trustee of the Estate of Claude Chilcutt, deceased.....\$40.00.

Entered this 25th day of February 1963.

ALLEN E. BARKER

APPROVED:

ROBERT P. SANTEE

JUDGE, United States District Court

ROBERT P. SANTEE

Attorney

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Ethel Cox,
Plaintiff,

VS

Woolf Brothers, Inc., a
corporation,
Karl S. Ebenstein and
Freida L. Ebenstein,
individuals; and
W. B. Millison, an individual,
Defendants.

Civil Action No. 5510

FILED

J U D G M E N T

This action came on for trial before the Court and a jury, Honorable Allen E. Barrow presiding, and the issues having been duly tried and the jury on February 26, 1963, having rendered a verdict for the defendant, Woolf Brothers, Inc., a corporation,

IT IS ORDERED AND ADJUDGED that the plaintiff, Ethel Cox, take nothing from the defendant, Woolf Brothers, Inc., a corporation, that the action is dismissed on the merits as to the defendant, Woolf Brothers, Inc., a corporation, and that the defendant, Woolf Brothers, Inc., a corporation, recover of the plaintiff, Ethel Cox, its costs of action.

Dated at Tulsa, Oklahoma, this 26th day of February, 1963.

NOBLE C. HOOD, CLERK

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF AMERICA

Judg't on Motion
(Option)

United States of America,
Plaintiff,
vs.
21.30 Acres of Land, More or Less,
Situate in Pawnee County, Oklahoma,
and H. B. Hawley, et al, and Unknown
Owners,
Defendants.

Civil No. 5126
Tract(s) No(s) 1264

FILED

FEB 27 1963

MOBLE C. BOON
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(s) granted by the defendant(s) 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(s) **Walter S. Holmes**

entered into a contract and agreement, as evidenced by (an) option(s) for the purchase of land granted by said defendant(s) and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$ 20.00 inclusive of interest, would be awarded as just compensation for the taking of the estate(s) to be condemned in Tract(s) No(s) 1264

as such estate(s) and said tract(s) are described in the complaint and declaration of taking heretofore filed in this cause.

The Court further finds that the above-named defendant(s) (was)(were) the sole owner(s) of the above-captioned tract(s) on the date of taking; that (he) (they) (is) (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(s) 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(s) set forth in the complaint and declaration of taking in and to the land(s) hereinabove referred to, as said tract(s) (is) (are) described therein, is hereby confirmed;

(B) The just compensation to be paid by the plaintiff for the taking of Tract(s) No(s) 1264

is the sum of \$ 20.00, inclusive of interest, which sum has heretofore been disbursed by order(s) of this Court.

Entered this 26th day of February 1963 .

ALLEN E. BARROW

APPROVED:

JUDGE, United States District Court

ROBERT P. SANTEE
ROBERT P. SANTEE
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Deficiency Judgment
Without Res of Imps

United States of America,
vs.
Certain Land in the City of Tulsa, County of
Tulsa, State of Oklahoma, and Consumers Oil
Stations, Inc., et al and Unknown Owners,
Defendants.

Plaintiff,

Civil No. 5514 FILED

~~Tract(s) (s)~~

SEP 27 1963

PARCEL NO. 21

NOBLE C. HO
Dist. U.S. Dist.

JUDGMENT ON STIPULATION

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

The Court finds that the plaintiff and H. B. Bullington and Maude A. Bullington

, defendant(s) herein, have, by the stipulation(s) above referred to, agreed that the just compensation to be paid by the plaintiff for the taking of the estate(s) in ~~Tract(s) (s)~~ PARCEL NO. 21, as set forth and described in the Complaint and Declaration of Taking heretofore filed in this cause, is the (total) sum of \$ 19,500.00, inclusive of interest. The sum of \$ 17,500.00, was deposited into the Registry of this Court as estimated just compensation for said tract(s) upon the filing of the Declaration of Taking herein. The Court has jurisdiction of the parties and the subject matter of this action. Service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant having compensable interests in the subject tract(s).

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

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

B. The just compensation to be paid by the plaintiff for the taking of ~~Tract(s) (s)~~ PARCEL NO. 21, is the sum of \$ 19,500.00, inclusive of interest; and

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$ 2,000.00, without interest. Upon receipt of the last mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw (a) check(s) on the funds in the Registry of this Court in the amount(s) hereinafter set forth, payable to the order of the following named payee(s):

H. B. and Maude A. Bullington.....\$19,500.00

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

Entered this 12th day of December 1963.

ALLEN E. BARROW
UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT B. SANTEE

ROBERT B. SANTEE
Assistant United States Attorney

U.S. DISTRICT COURT DISTRICT OF COLUMBIA

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

FILED

FEB 27 1963

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

The undersigned hereby certifies that the within and foregoing is a true and correct copy of the original as the same appears in the files of the undersigned.

Witness my hand and seal this 26th day of February, 1963.

S/ Allen E. Barrow

General R. Preston

U.S. DISTRICT COURT DISTRICT OF COLUMBIA
1000 ... Building
Washington, D.C.

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

HANSEL W. LAUDERBACK,)
)
Plaintiff,)
)
vs.)
)
GELDARDO FERNADEZ,)
)
Defendant.)

N O . 5 5 0 9 - CIVIL

FILED

FEB 28 1963

ORDER

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

NOW, on this 28 day of February, 1963, there came on for hearing pursuant to regular assignment, the above captioned matter for disposition. The plaintiff appeared by and through the plaintiff's attorney, Loyd C. Larkin, and the defendant appeared by and through his attorney, Alfred B. Knight. The Court finds that the parties herein have made, executed and delivered full, final and complete releases for any and all claims arising out of the alleged accident, and both parties in orally requesting the Court that the above captioned matter be dismissed with prejudice.

The Court specifically finds that said settlement is reasonable, and is in the best interest of the plaintiff.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the above captioned matter be dismissed with prejudice.

(s) Fred Laugherty
JUDGE

Loyd C. Larkin
Attorney for the Plaintiff

Alfred B. Knight
Attorney for the Defendant

U. S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Plaintiff: *[Faint text]*
Defendant: *[Faint text]*
Case No. *[Faint text]*
Filed for: *[Faint text]*
By: *[Faint text]*

FILED

FEB 28 1963

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

B

JOURNAL ENTRY FOR DEPOSIT OF MONEY

On this 28th day of February, 1963, the undersigned Clerk of the Court, before this honorable court, has received from the plaintiff, *[Faint name]*, the sum of *[Faint amount]* dollars, which is intended for the use of the court as a deposit fund for the plaintiff's use. The said money was deposited in the court's treasury, and the receipt therefor is being filed with this journal entry. The said money was deposited in the court's treasury, and the receipt therefor is being filed with this journal entry. The said money was deposited in the court's treasury, and the receipt therefor is being filed with this journal entry.

The said money was deposited in the court's treasury, and the receipt therefor is being filed with this journal entry. The said money was deposited in the court's treasury, and the receipt therefor is being filed with this journal entry. The said money was deposited in the court's treasury, and the receipt therefor is being filed with this journal entry.

The said money was deposited in the court's treasury, and the receipt therefor is being filed with this journal entry. The said money was deposited in the court's treasury, and the receipt therefor is being filed with this journal entry. The said money was deposited in the court's treasury, and the receipt therefor is being filed with this journal entry.

for declaratory judgment that said fire loss, and that the relief as
prayed for in said complaint is hereby granted. The court hereby
declares that the fire loss was not covered, considered all of the evidence before
it, and that the Plaintiff, State Farm Fire and Casualty Company, shall be
held liable for the fire loss of the said funds then paid to and as
of the 1st of February, 1967, there was never at any time existing between
said Plaintiff and the defendants, Fred Patton and Effene Patton, a binder
or any agreement relating to an application for fire insurance, nor was
there ever issued to the defendants a policy of fire insurance covering any
property owned by the defendants, Fred Patton and Effene Patton, and the
court further finds that the Plaintiff is not liable under any policy of
fire insurance to the defendants as a result of the destruction of the Patton
dwelling house on January 1, 1967, as evidenced by the loss of February, 1967.

It is further ordered, that the Plaintiff should
be and it is hereby awarded a judgment of and from the defendants, Fred Patton
and Effene Patton, upon default, and that the Plaintiff, State Farm Fire and
Casualty Company, is awarded the declaratory relief as prayed for in its
complaint for declaratory judgment.

It is further ordered, because and although that the Plaintiff, State
Farm Fire and Casualty Company, is not liable to said defendants, upon any
policy, upon any application, or upon any policy of insurance for fire coverage
of the defendants, Fred Patton and Effene Patton, and it is further decreed
and adjudged that said Plaintiff owes no liability to said defendants by
virtue of any binder, application or policy of insurance as a result of the
fire loss suffered by the defendants on the 1st of February, 1967.



CLERK OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

One 1962 Mercury Sedan,
Engine No. 2K42L526340,
its tools and appurtenances,

Respondent.

Civil No. 5545

FILED

FEB 28 1963

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

DECREE

This matter comes on before me, the undersigned Judge, this 28th day of February, 1963, the Court having heretofore taken this case under advisement on the 15th day of February, 1963. On that date the cause was called in open Court for trial and both sides announced ready. The libelant was present and represented by and through Phillips Breckinridge, Assistant United States Attorney. Raymond O. Jones and Lela Jones were personally present and represented by their attorney, Robert D. Scott. Witnesses were duly sworn and both sides presented evidence and rested. The Court now having carefully considered this matter and being fully advised in the premises makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1.

That the captioned vehicle was executively seized by Agents of the Alcohol Tax Unit in Tulsa, Oklahoma, on September 21, 1962.

2.

That the captioned vehicle was judicially seized and notice given by the United States Marshal for the Northern District of Oklahoma as will appear from the files and records in this case.

3.

That the title to the captioned automobile is registered by the State of Oklahoma to Raymond O. Jones, and that during the times in question the vehicle license tag or plate assigned to said automobile was 1962 Oklahoma License No. 35-3951.

4.

That on or about August 17, 1962, Raymond O. Jones and certain other persons arrived from a place unknown at the premises of one Doyle Rush in Oklahoma City, Oklahoma, in the captioned vehicle. At that time they brought with them in said vehicle and unloaded at said premises a quantity of "moonshine" whiskey, the immediate containers of which bore no stamps evidencing the payment of taxes as required by law. That therefore said vehicle was used for the transportation, concealment and removal of nontaxpaid "moonshine" whiskey.

5.

That Lela Jones has an interest in said automobile by reason of having advanced approximately \$1,000.00 of her private and separate funds towards the purchase of said vehicle.

6.

That at all material times herein, Lela Jones, wife of Raymond O. Jones, knew that Raymond O. Jones had a criminal record for violations of the Internal Revenue Laws relating to nontaxpaid spirits and was aware of his reputation for being in the "moonshine" whiskey business

CONCLUSIONS OF LAW

1.

That this Court has jurisdiction of this action.

2.

That the captioned vehicle was used by Raymond O. Jones for the transportation and concealment of property described in 26 U.S.C. 7301(a) and is therefore by reason of the provisions of 26 U.S.C., 7301(e) subject to and should be condemned and forfeited to the United States of America.

3.

That the captioned vehicle was possessed and used by Raymond O. Jones in violating 26 U.S.C., 5205(a)(2), 5601(a)(12), 5604(a)(1), and 7206(4), and therefore by reason of 26 U.S.C., 7302 is subject to and should be condemned and forfeited to the United States of America.

4.

That by reason of her knowledge of the criminal record of Raymond O. Jones concerning violations of the Internal Revenue Laws relating to nontaxpaid spirits and Raymond O. Jones' reputation for dealing in nontaxpaid spirits, Lela Jones was and is not entitled to any relief, and that therefore her request

for a remission or mitigation of this forfeiture should be denied.

5.

That Raymond O. Jones is not entitled to any remission or mitigation of forfeiture.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the 1962 Mercury Sedan, Engine No. 2K42L526340, its tools and appurtenances be and it hereby is condemned and forfeited to the United States of America.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the prayer of Lela and Raymond O. Jones for remission or mitigation of forfeiture be and it hereby is denied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said vehicle be turned over and delivered by the United States Marshal to the Alcohol Tax Unit of the Internal Revenue Service of the Department of the Treasury of the United States for its official use.

Allen G. Barron
UNITED STATES DISTRICT JUDGE