

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

CLIFFORD EUGENE McBRIDE,

Plaintiff,

vs.

MISSOURI-KANSAS-TEXAS RAILROAD
COMPANY,

Defendant.

Civil Action

No. 5595

FILED

FEB 3 1964

JOURNAL ENTRY OF JUDGMENT

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

It appearing to the Court from the evidence introduced that Plaintiff should have judgment against Defendant for the sum of \$12,000.00,

IT IS ORDERED AND ADJUDGED that Plaintiff, Clifford Eugene McBride, have, and he is hereby granted, judgment against Missouri-Kansas-Texas Railroad Company upon the above styled action for the sum of \$12,000.00.

Dated this 31st day of January, 1964.

United States District Judge

Okay:

Harold L. Walker
Attorney for Plaintiff

Harvey P. Turnbull
Attorney for Defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

Civil No. 5597

26 one-gallon Cans, 5 five-gallon
Cans, and 110 one-half pint Cans,
More or Less, Article labeled in
part "X-33 Water Repellent Clear
Formulated From Dupont Tyzor
Organic Titanate Danger -- Wilming-
ton Chemical Corporation, Chicago 10,
Illinois",

Claimant.

FILED

FEB - 3 1964

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

DE C R E E

This matter comes on for hearing this 31st day of January,
1964, the libelant appearing by Sam E. Taylor, Assistant United States At-
torney, Northern District of Oklahoma, and the claimant, Ralph Hanover, hav-
ing heretofore filed his answer herein, appears not.

The court being fully advised herein, having examined the files and
pleadings, finds that the claimant, Ralph Hanover, has heretofore admitted
the allegations contained in libelant's amended libel of information; admits
and asserts ownership of the articles heretofore seized by the United States
Marshal for the Northern District of Oklahoma pursuant to alias monitions
issued herein on January 28, 1964, and January 30, 1964, and said claimant
having further agreed and consented that said articles are subject to con-
demnation and forfeiture as prayed for in the libelant's amended libel of
information.

The court thereupon finds that the articles seized by the United
States Marshal for the Northern District of Oklahoma pursuant to the alias
monitions by this court in this case and presently held by him are subject
to and should be condemned and forfeited.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the articles
seized and held by the United States Marshal for the Northern District of
Oklahoma in this cause, as aforesaid, be and they are hereby ordered for-
feited and condemned.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States Marshal for the Northern District of Oklahoma do and he is hereby ordered to deliver the articles seized herein to the Fire Chief for the City of Tulsa, Tulsa County, Oklahoma, by him to be destroyed in a safe and prudent manner.

W. C. Miller
UNITED STATES DISTRICT JUDGE

APPROVED:

Sam E. Taylor

Sam E. Taylor
Assistant U. S. Attorney

Ralph Hanover

Ralph Hanover, Claimant

G. L. Sartain

G. L. Sartain
Fire Chief, City of Tulsa

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

THE UNITED STATES OF AMERICA)
for the use of HOOVER EQUIPMENT)
COMPANY, a corporation,)
)
Plaintiff,)
)
)
vs.)
)
)
DEEP FORK CONSTRUCTION COMPANY,)
a corporation, and the AETNA CASUALTY)
AND SURETY COMPANY, a corporation,)
)
Defendants.)

No. 5488 - Civil

FILED

FEB - 5 1964

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

M O T I O N

The use plaintiff, Hoover Equipment Company, a corporation, moves
this Honorable Court to dismiss the above styled cause.

MATHEWS, BUCK & CAIN

By: *James Mathews*
Attorneys for Use Plaintiff,
Hoover Equipment Company

*UP, Matthew, Buck, Cain & Johnson
by Robert T. Edwards*

O R D E R

On this 21 day of January, 1964, comes on for hearing the motion of
the use plaintiff to dismiss the cause of action pending herein. The Court being
fully advised in the premises, finds that such motion should be sustained.

IT IS THEREFORE ORDERED that the above styled cause, #~~5488~~-Civil,
5488
be and it is hereby dismissed.

Leed Daugherty
District Judge

Pursuant to Rule 28, U.S.D.C., IT IS HEREBY ORDERED that the plaintiff's Complaint, Counts 1 through 12 thereof, in the above styled and numbered cause be dismissed with prejudice.

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

By M. M. Ewing
Deputy

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

202.45 Acres of Land, More or Less,
Situate in Pawnee and Creek Counties,
Oklahoma, and Carl S. Carnes, et al.,
and Unknown Owners,

Defendants.

Civil No. 5818

Tract No. 189-3M

FILED
IN OPEN COURT

FEB 11 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. 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 having compensable interest in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$16,099.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$19,390.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Carl S. Carnes, Jewell Mae Carnes and Carl Mitchell, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$19,390.00, inclusive of interest, for their interests.

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tract is the sum of \$19,390.00, inclusive of interest, of which amount the following sums have been disbursed:

Carl S. and Jewell Mae Carnes	\$ 9,338.00
Carl W. Mitchell	<u>6,761.00</u>
	\$16,099.00;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$3,291.00, without interest. Upon receipt of the last mentioned deficiency, 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 hereinafter set forth, payable to the order of the following named payees:

Carl W. Mitchell	\$1,489.00
Carl S. and Jewell Mae Carnes	<u>1,802.00</u>
	\$3,291.00

Entered this 11th day of February, 1964.

ALLEN E. CARRON
UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE
ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

Civil No. 100

vs.
E. J. ...
Ray E. ...
George ... and Byrthe E.
Graham,

Defendants.

FILED

FEB 14 1944

ORDER CONFIRMING SALE.

THOMAS ...
Clerk, U.S. District Court

On this 14 day of Feb., 1944 there

came on to the Court, the Motion of the Plaintiff, United States of
America, to confirm the sale of the real property hereinabove described
made by the United States Marshal for the Northern District of Oklahoma
on November 5, 1943, pursuant to an Order of Sale issued herein on
September 14, 1943, by the Court Clerk for the United States District
Court for the Northern District of Oklahoma, said property being described
as follows:

Block 4, Block 4, in Nancy Lee Addition to the
city of Miami, Ottawa County, State of Oklahoma,
according to the recorded plat thereof.

And the Court having examined the proceedings of the United States Marshal
under and pursuant to the Order of Sale and no one appearing in objection
thereto and no exceptions having been filed, finds that due and legal
notice of the sale was given by publication once a week for the last
four (4) weeks prior to the date of sale in the Miami News-Record, a
newspaper published and of general circulation in Ottawa County, State
of Oklahoma, as shown by the proof of publication on file herein and
that on the date fixed therein, November 5, 1943, the above-described
real property was sold to the Federal Housing Administration, it being
the highest bidder therefore.

And the Court further finds that the sale was in all respects made
in conformity with the law and such order made and provided and that the
sale was in all respects legal.

IT IS BY COURT ORDERED, ADJUDGED and DECREED, that the said Federal Housing Administration's title and all proceedings under the same, shall hereinafter be and the same shall hereby approved and confirmed.

IT IS FURTHER ORDERED, ADJUDGED and DECREED, that Doyle W. Ferguson, United States Marshal for the Northern District of Oklahoma, here and execute to the purchaser, Federal Housing Administration, the good and sufficient deed for such premises so sold.

IT IS FURTHER ORDERED that the said Federal Housing Administration, the purchaser of said premises, lands and tenements at said sale, as aforesaid, be immediately let into possession of said premises, and each and every part thereof; and the Clerk of this Court is ordered to issue a writ of assistance to the Sheriff of this County, directing him to place the said Federal Housing Administration, purchaser of said premises, in full possession thereof; and the said defendants, and each of them, and every person who has come into possession of said premises, or any part thereof, under said defendants, or either of them, since the commencement of this action, shall upon presentation of such writ of assistance, immediately deliver possession thereof to the said purchaser and that the refusal of said defendants, or either of them or any one in possession of said premises or any part thereof, under them or either of them, as aforesaid, to deliver immediate possession of said premises to the said purchaser, shall constitute contempt of this Court.

UNITED STATES DISTRICT JUDGE

APPROVED:

SAM E. HARRIS
Assistant U. S. Attorney

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

BUFFALO INSURANCE COMPANY,)
a corporation,)

Plaintiff,)

-vs-)

JAMES P. GOEPPINGER, RUTH C.)
GOEPPINGER, ROEHM A. WEST, JR.,)
and DORIS D. WEST,)

Defendants.)

Civil No. 5408

FILED

FEB 14 1964

W. W. H. HODD
U.S. District Court

JUDGMENT OF DISMISSAL WITH PREJUDICE

WHEREAS, all parties to this action have filed a Stipulation in this case reciting that they have settled all of their claims and causes of action and stipulating that this Court shall dismiss this action with prejudice, and the Court after having considered the Stipulation finds that the claims heretofore asserted herein by the parties one against the other are now moot and that this action should be dismissed with prejudice.

NOW, THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED by the Court that this action be and the same is hereby and by these presents dismissed with prejudice.

Done and dated this 17 day of February, 1964.

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

United States of America,
Plaintiff,
vs.
Wita M. Day,
Defendant.

Civil No. 5508
1964
1964

ORDER CONFIRMING MARSHAL'S SALE

U.S. DISTRICT COURT
DISTRICT OF OKLAHOMA

Now, on this 14 day of Feb, 1964, there comes on for hearing; the Motion of the plaintiff herein to confirm the sale of real property made by the United States Marshal for the Northern District of Oklahoma, on December 9, 1963, pursuant to an Order of Sale issued by the Court Clerk of the United States District Court for the Northern District of Oklahoma on October 31, 1963, said real property being described as follows:

Lot 9, Block 6, in Nancy Lee Addition to the City of Miami, Ottawa County, State of Oklahoma, according to the amended plat thereof.

And the Court having examined the files herein and the proceedings of the United States Marshal pursuant to the Order of Sale, and no one appearing in objection thereto, and no exception having been filed, finds that pursuant to said order of Sale, the United States Marshal did have the said real property appraised according to law and did give due and legal notice of the sale by publication in the Miami News Record, a newspaper of general circulation in Ottawa County, State of Oklahoma, wherein said real property is located, and that on the day fixed for said sale, December 9, 1963, the above described real property was sold to the Federal Housing Administration for a sum in excess of two-thirds the appraised value thereof, and such bid being the highest and best bid therefor.

The Court further finds that the sale was made, in all respects, in conformity with the law in such case made and provided, and that the sale was legal in all respects.

IT IS HEREBY ORDERED, ADVICE BEING GIVEN BY THE COURT
that this purchase sale and all proceedings had pursuant to the order
of Sale issued herein be and the same are hereby approved and confirmed.

IT IS FURTHER ORDERED that Doyle W. Foreman, United States
Marshal for the Southern District of Oklahoma, make and execute a good
and sufficient deed for such real property to the Federal Housing
Administration.

UNITED STATES DISTRICT JUDGE

APPROVED:

BAR B. TAYLOR
Assistant U. S. Attorney

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

GRAND RIVER DAM AUTHORITY,
a public corporation,

Plaintiff,

vs.

6 TRACTS OF LAND CONSISTING OF
424.4 ACRES, MINNIE M. MARTIN,
et al.,

Defendants.

No. 5774 Civil

FILED

FEB 14 1964

W. C. DUGG
U.S. District Court

ORDER

This matter came on for consideration of the Court upon the Exceptions to the Report of the Commissioners filed herein, said Exceptions being made by Delmas E. Martin, Minnie M. Martin, D. E. Martin and Bill Martin, Jennie C. Martin, John D. Martin, and Fannie Mae Martin.

The Court having carefully considered the Exceptions filed by the above-named defendants and the Briefs of the respective parties, is of the opinion that the Exceptions made by the above-named defendants should be overruled.

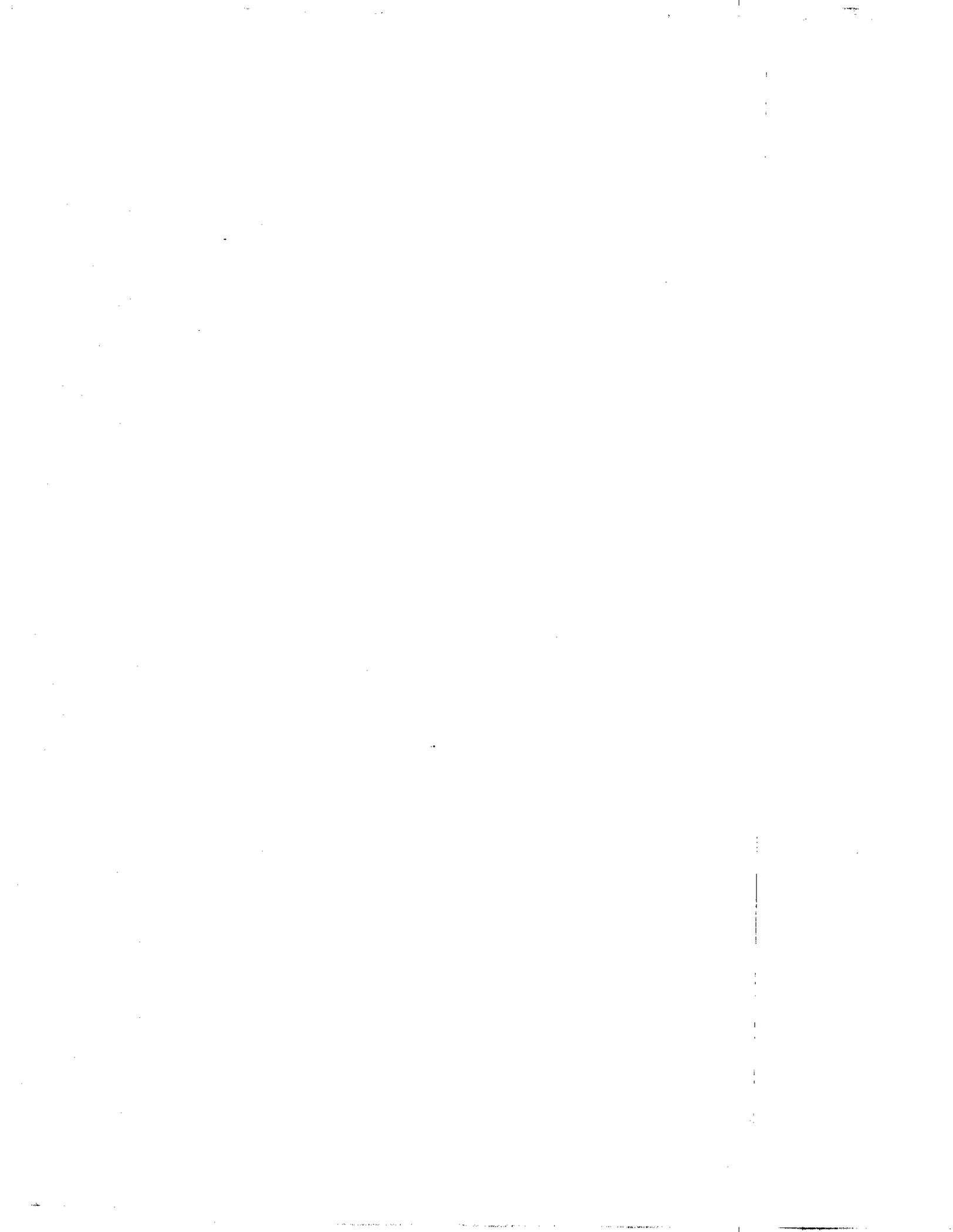
IT IS THEREFORE THE ORDER OF THE COURT that the Exceptions to the Report of the Commissioners filed herein be and the same are hereby overruled.

DATED this 14th day of February, 1964.

W. C. Dugg

UNITED STATES DISTRICT JUDGE





F., Jr./mc
2/12/64

FILED

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

FEB 17 1964
JESSE C. HOOD
U.S. District Court

FORT SILL ASSOCIATES, a Joint Venture, ::
composed of INDUSTRIAL HOMES, INC., ::
an Oklahoma Corporation, VITCO, INC., ::
a Utah Corporation; R. G. HUGHES, an ::
individual, BURL JOHNSON, an individual, ::
and V. O. STRINGFELLOW, an individual; ::
and SEABOARD SURETY COMPANY, a ::
Corporation, ::

Plaintiffs, ::

No. 5349-C

vs. ::

AMERICAN CASUALTY COMPANY OF ::
Reading, Pennsylvania, A Pennsylvania ::
Corporation, ::

Defendant. ::

MOTION AND ORDER OF DISMISSAL

The plaintiffs herein, Fort Sill Associates, a Joint Venture composed of Industrial Homes, Inc., an Oklahoma Corporation, Vitco, Inc., a Utah Corporation, R. G. Hughes, an individual, Burl Johnson, an individual, and V. O. Stringfellow, an individual; and Seaboard Surety Company, a corporation, respectfully move the Court to dismiss, and do hereby dismiss, with prejudice, their action against the above named defendant, for the reason that the action was settled by the parties after trial but before judgment.

WHEELER & WHEELER

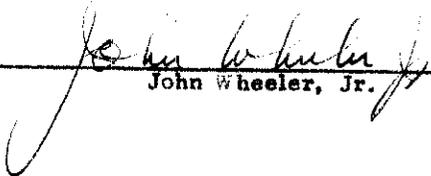
By: John Wheeler
Attorneys for Plaintiffs

The Court, upon proper motion, hereby Orders that the captioned case be dismissed with prejudice as to the named defendant.

Done this 17 February, 1964

Jesse C. Hood
UNITED STATES DISTRICT JUDGE

I hereby certify that on the 11 day of February, 1964, I mailed a true and correct copy of the above and foregoing Motion and Order of Dismissal to the attorneys for defendant, Clyde J. Watts of Looney, Watts, Looney, Nichols & Johnson, Lawyer's Building, 219 Couch Drive, Oklahoma City, Oklahoma, with proper postage affixed thereto.



John Wheeler, Jr.

IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA
DISTRICT OF OKLAHOMA

Plaintiffs,
vs.
Defendants.)
ROBERTSON, d/b/a EDITH...
EDITH, JAMES BRATTNER, WILLIAM...
and ST. PAUL FIRE AND MARINE INSURANCE CO.,
a foreign insurance corporation,
Defendants.)

ROBERTSON, d/b/a EDITH...
EDITH, JAMES BRATTNER, WILLIAM...
and ST. PAUL FIRE AND MARINE INSURANCE CO.,
a foreign insurance corporation,
Defendants.)

No. 7...

FILED ✓

FEB 17 1964

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

DS

No. 7...

ORDER GRANTING PLAINTIFFS' MOTION

The motion of plaintiff to amend these suits to
the District Court of Tulsa County, Oklahoma, coming on for
hearing this 14th day of February, 1964, pursuant to notice
to counsel, and the Court having considered the briefs filed
herein by both plaintiff and defendants, and being fully
advised, in on consideration finds that the said motion to
repeal as to each case should be sustained, for the following
reasons:

That the Court has no jurisdiction of these cases
since the petition for removal was totally defective in that
said petition for removal was filed by defendant ST. PAUL FIRE
AND MARINE INSURANCE COMPANY only, and was not joined in by
the other said defendants herein, and further that petition
for removal did not contain any allegation as to why said
defendants did not join in said removal petition.

... ..
... ..
... ..
... ..
... ..

[Handwritten signature]
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... ..

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

HENRY A. HUGHES, JR.,
Complainant,
-vs-
SIVARCO OIL COMPANY, Successor to
SIVARCO, INC., a Nevada Corporation, et al,
Defendants.

NO. 5805

FILED

FEB 17 1961

NORRIS L. MOORE
U.S. District Court

ORDER DISMISSING ACTION, ALLOWING RECEIVERS AND ATTORNEY
FEES AND PROVIDING FOR PRIORITY OF V.J. DEVINE

On this 14th day of February, 1961, having given due consideration to the evidence and the argument of counsel in connection with the motion of Claybrook Drilling Company for Summary Judgment, or in the alternative to Dismiss this action, and the motion of American Supply Company, Velox, a Division of Halliburton Company, and W. E. Bill Whaley to Dismiss, the Court finds that the motion of Claybrook Drilling Company should be considered as its motion to dismiss.

The Court finds from the arguments and evidences produced in the case that there is a case pending in the State Court of Osage County, Oklahoma to foreclose and decide the interest on mortgages and lien interest on the properties in question, which Court has jurisdiction of this subject matter, and the parties, and the Court further finds that this Court is without jurisdiction and the Complaint herein should be dismissed at the cost of Complainant.

On the 17th day of October, 1960, upon a showing that the oil and gas leases involved in this action were in danger of being cancelled by reason of the non-operation of the said leases, and it appeared to the Court to be necessary to appoint a receiver for their conservation and preservation, G. F. Behlen was appointed as such receiver, which said appointment the Court finds was necessary and proper at the time. The Court further finds that the appointment of such receiver should now be vacated.

A. F. Behlen qualified and has acted as such receiver until this date, and Cecil W. Kote has acted as attorney for the receiver, and they should be permitted to apply for compensation for their services and the Court should consider such applications on February 12, 1964.

On the 24th day of October, 1963, upon the application of the receiver, on file herein, the Court entered an order authorizing the receiver to enter into a contract for the sale of a portion of the oil in place from the leasehold estates involved herein for the purpose of obtaining money with which to effect repairs and conserve the said leasehold estates. On the 26th day of October, 1963, the receiver entered into a contract with V. J. Devine of Dell City, Oklahoma, for the sale of 2,700 barrels of oil in place as the same are produced from 50% of the production from the working interest in the leases involved herein, which said contract was approved by the Court on the 29th day of October, 1963, and was filed on said date in this action and reference is thereto made.

The Court finds that the sale of such oil in place was necessary for the protection and conservation of the leases herein involved and that the said contract referred to should be adjudged as a necessary and justified expense for the preservation of the oil and gas leases and should further be adjudged as a valid claim prior to all other claims to the 2,700 barrels of oil sold in place as the same are produced from 50% of the production from the working interest in the leases and as provided for in said contract.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. The complaint is hereby dismissed at the cost of the complainant.

2. The appointment of A. F. Behlen as receiver herein is hereby vacated.

3. The appointment of the receiver was necessary for the conservation and preservation of the leasehold estates involved in this action, and the contract entered into on the 26th day of October, 1963, and approved by

this Court and filed herein on the 29th day of October, 1963, between A. F. Behlan, the receiver, and V. J. Devine, of Bell City, Oklahoma, is hereby adjudged and decreed valid and binding and the claim of V. J. Devine thereunder is hereby adjudged prior to all other claims to 2,700 barrels of oil in place as the same are produced from 10% of the production from the working interest in the following described leases, to-wit:

The East Half (E1/2) of Section Twelve (12) lying Southeast of the Arkansas River; and

The North Half (N1/2) of Section Thirteen (13), all in Township Twenty-six (26) North, Range Four (4) East; and

The Northwest Quarter (NW 1/4) of Section Seven (7), Township Twenty-six (26) North, Range Five (5) East; situated in Osage County, State of Oklahoma

and the following described property situated in Creek County, State of Oklahoma, to-wit:

The South Half (S 1/2) of the Southeast Quarter (SE 1/4) of Section Thirty-four (34), Township Fifteen (15) North, Range Ten (10) East.

4. The receiver and his attorney are permitted to file applications for their compensation which will be heard by the Court on February 19, 1964.

19/ Allen E. Burrow
Judge of the United States District Court
for the Northern District of Oklahoma

ph

FILED

FEB 27 1964

ROBERTSON, JAMES EARL
Plaintiff

-vs-

LEWIS & CLARK, INCORPORATED
Defendant

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

Civil Actions
No. 5874 and 5875

ORDER PERMITTING DISMISSAL OF THIS SUIT

On the 26th day of February 1964 the parties appeared in
this Court for a hearing, after argument and consideration of
the pleadings, facts, and authorities, it is the order of this
Court that Plaintiff's Motion for Order Permitting Dismissal
of this Cause be sustained without terms or conditions.

Allen E. Barrow
ALLEN BARROW, United States District
Court for the Northern District of
Oklahoma Judge.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

1,083.63 Acres of Land, More or Less,
Situete in Nowata County, Oklahoma,
and Edith M. Hayden, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4861

Tracts Nos. V-2261E
X-2428E
X-2432E

FILED

FEB 18 1964

J U D G M E N T

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

1.

NOW, on this 17th day of February, 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on November 19, 1963, and the Court after having examined the files in this action and being advised by counsel for the plaintiff, finds that:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts of land. Pursuant thereto, on February 26, 1960, the United States of America filed its Declaration of Taking of certain estates in such tracts of land, and title to such property should be vested in the United States of America, as of the date of filing such Declaration of Taking.

6.

On the filing of the Declaration of Taking, there were deposited in the Registry of this Court as estimated compensation for the taking of the described estates in subject tracts, certain sums of money, and none of these deposits has been disbursed as set out in paragraph 11 below.

7.

The Report of Commissioners filed herein on November 19, 1963, hereby is accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 11 below.

8.

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

9.

The defendants named in paragraph 11 as owners of subject tracts are the only defendants asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; as of the date of taking the named defendants were the owners of the estates taken in the subject tracts and, as such, are entitled to receive the just compensation therefor.

10.

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

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that the right to receive just compensation for the estates taken herein in subject tracts is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of November 19, 1963, hereby is confirmed and the sum

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

TRACTS NOS. V-2261E, X-2428E
AND X-2432E, COMBINED

Owners:

Luther Mayfield and
Lizzie Mayfield, his wife

Award of just compensation for
all three tracts combined - - - - - \$7,000.00 \$7,000.00

Deposited as estimated compensation:

For Tract V-2261E - - - - - \$1,700.00
For Tract X-2428E - - - - - 50.00
For Tract X-2432E - - - - - 600.00

Total deposit - - - - - \$2,350.00

Disbursed to owners - - - - - None

Balance due to owners - - - - - \$7,000.00 _____

Deposit deficiency - - - - - \$4,650.00

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject tracts as shown in paragraph 11, together with interest on such deficiencies at the rate of 6% per annum from February 26, 1960, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for Tract No. V-2261E in this civil action. Upon receipt of such sum, the Clerk of this Court shall disburse from the deposits for the subject tracts, the entire amount of the deposits together with the accrued interest to Luther Mayfield and Lizzie Mayfield, jointly.

W. Allen E. Sawyer
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.

290.00 Acres of Land, More or Less,
Situate in Nowata & Rogers Counties,
Oklahoma, and Heirs of Mayme Levine,
deceased, et al, and Unknown Owners,

Defendants.)

CIVIL ACTION NO. 4887

Tracts Nos.: N-1419
P-1609
P-1617

FILED

FEB 10 1964

J U D G M E N T

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

1.

NOW, on this 17 day of Feb, 1964, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on the Reports of Commissioners filed herein on November 14, November 19, and December 23, 1963, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tracts of land. Pursuant thereto, on March 11, 1960, the United States of America filed its Declaration of Taking of the estates described in paragraph 2 herein, and title to such property should be vested in the United States of America.

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of subject tracts certain sums of money and part of these deposits has been disbursed, as set out in paragraph 13 below.

7.

The Reports of Commissioners filed herein on November 14, 1963, November 19, 1963 and December 23, 1963, are hereby accepted and adopted as a finding of fact as to all interests covered by such report. The specific interests included in such reports and the amounts of just compensation as to such interests, as fixed by the Commission, are set out in paragraph 13 below.

The owners of Tract P-1609 have executed and filed herein on January 7, 1964 a stipulation wherein they agree on the manner in which the award should be distributed and such agreement should be approved.

At the trial of the issue of just compensation for Tract P-1617 the owners of such tract stipulated that the final award should be divided as follows: The lessee interest would receive the value of the equipment and the balance of the award would be split 50% to the lessor and 50% to the lessee. This agreement by the parties should be approved.

8.

Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 13 below.

9.

The owner of the lessor interest in Tract No. N-1419 and the United States of America have executed and filed herein a Stipulation As To Just Compensation, wherein they have agreed that just compensation for such lessor interest in the estate taken in such tract is in the amount of \$4,950.00 and such stipulation should be approved.

10.

The defendants named in paragraph 13 as owners of subject tracts are the only defendants asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; the named defendants

are the owners of the respective interests in such estates as designated and, as such, are entitled to receive the just compensation therefor.

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 subject tracts, described in the Complaint and the Declaration of Taking filed herein, and such property, to the extent of the estate described, and for the uses and purposes indicated in the Declaration of Taking filed herein, is condemned, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulation As To Just Compensation referred to in paragraph 9 above, hereby is confirmed, and the sum therein fixed is adopted as the award of just compensation for the lessor interest in the estate taken in such tract, as shown in paragraph 13 below.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, title to the estates taken herein in subject tracts was vested in the defendants who are named as owners in the schedules which follow below in this paragraph; the right to receive the just compensation for the estates taken herein is vested in the parties so named, and they are entitled to share in the awards in proportion to the fractional interest or the amount set opposite their respective names. The Reports of Commissioners of November 14, November 19, and December 23, 1963, hereby are confirmed and the sums therein fixed are adopted as just compensation for subject tracts, as shown by the following schedule.

The stipulations as to distribution of the awards for Tracts P-1609 and P-1617, mentioned in paragraph 7 above, hereby are confirmed and such awards are distributed according to the owners' agreements, as set out in the following schedule:

TRACT NO. N-1419

AWARD OF JUST COMPENSATION:

For lessor interest pursuant to stipulation - - - - -	\$4,950.00
For 15/16 of 7/8 working interest under oil and gas lease - - - - -	\$7,750.00
For 1/16 of 7/8 overriding royalty interest under oil and gas lease - - - - -	<u>\$650.00</u>
Total award for all interests - - - - -	\$13,350.00

OWNERSHIP, DISTRIBUTION OF AWARDS AND DISBURSALS:

1. 1/8 Lessor interest:

<u>Owner</u>	<u>Award</u>	<u>Disbursed</u>	<u>Balance Due</u>
Herbert F. Couch, Jr. - - - -	\$4,950.00	\$4,950.00	None

2. 7/8 Working interest: (subject to 1/16 ORR)

<u>Owners</u>	<u>Interest</u>	<u>Share of Award</u>	<u>Disbursed</u>	<u>Over Payment</u>	<u>Balance Due</u>
The National Bank and Trust Co. of Paris, Ky., legal representative of the estate of Eugene Hyden, deceased	1/6	\$1,377.78	None	--	\$1,377.78
Dr. H. S. Grubbs - - -	1/12	\$688.89	None	--	\$688.89
Mrs. Sam Milner - - -	1/24	\$344.44	None	--	\$344.44
Mrs. Armenta S. Hart, legal representative of the estate of J. C. Hart, deceased	1/8	\$1,033.34	None	--	\$1,033.34
Homer Wilson - - - -	1/24	\$344.44	None	--	\$344.44
Dr. William H. Cox - -	1/24	\$344.44	None	--	\$344.44
D. M. Wilson - - - -	1/8	\$1,033.34	None	--	\$1,033.34
John Roche - - - - -	1/12	\$688.89	None	--	\$688.89
Sam Belt - - - - -	1/24	\$344.44	None	--	\$344.44
Ethel A. Vawter - - -	3/16	\$1,550.00	\$2,000.00	\$450.00	---

3. 1/16 of 7/8 Overriding royalty interest:

<u>Owner</u>	<u>Award</u>	<u>Disbursed</u>	<u>Over Payment</u>
V. C. Couch - - - - -	\$650.00	\$1,100.00	\$450.00

TRACT NO. N-1419 (Cont'd)

DEPOSIT SUMMARY:

Deposited as estimated compensation - - - - -	\$14,050.00	\$14,050.00
Total Award - - - - -	<u>\$13,350.00</u>	
Overdeposit - - - - -	\$700.00	
Total disbursed - - - - -		<u>\$8,050.00</u>
Present balance on hand - - - - -		\$6,000.00
Total balance due to owners - - - - -		<u>\$6,200.00</u>
Present deposit deficiency - - - - -		\$200.00
Total refund due from owners - - - - -	\$900.00	

TRACT NO. P-1617

AWARD OF JUST COMPENSATION:

For lessor interest - - - - -	\$450.00	
For lessee interest, including \$1,475.00 for equipment - - - - -	<u>\$1,925.00</u>	
Total award for all interests - - - - -		\$2,375.00

OWNERSHIP, DISTRIBUTION OF AWARDS AND DISBURSALS:

1. Lessor interest:

<u>Owners</u>	<u>Interest</u>	<u>Share of Award</u>	<u>Disbursed</u>	<u>Over-Payment</u>
Clara M. Wilkinson - - - -	7/15	\$210.00	\$653.33	\$443.33
John F. Wilkinson - - - -	2/15	\$60.00	\$186.67	\$126.67
Lucille Vincent - - - - -	2/15	\$60.00	\$186.67	\$126.67
Maude Ann Blecha - - - - -	2/15	\$60.00	\$186.67	\$126.67
Roy W. Wilkinsor - - - - -	2/15	\$60.00	\$186.67	\$126.67

2. Lessee interest:

<u>Owners</u>	<u>Interest</u>	<u>Share of Award</u>	<u>Disbursed</u>	<u>Balance Due</u>
Ethel A. Vawter - - - - -	3/5	\$1,155.00	\$750.00	\$405.00
Emma Pooler - - - - -	3/20	\$288.75	\$187.50	\$101.25
O. F. Stephen - - - - -	1/20	\$96.25	None	\$96.25
Matthew P. Szerencse - - -	1/20	\$96.25	None	\$96.25
M. G. Whitman - - - - -	1/20	\$96.25	None	\$96.25
Maurice Ames - - - - -	1/20	\$96.25	\$62.50	\$33.75
D. Elliott Stoddard and Hazel H. Stoddard - - - -	1/20	\$96.25	None	\$96.25

TRACT NO. P-1617 (Cont'd)

DEPOSIT SUMMARY:

Deposited as estimated compensation - - - - -	\$2,650.00	\$2,650.00
Total award - - - - -	<u>\$2,375.00</u>	
Overdeposit - - - - -	\$275.00	
Total disbursed - - - - -		<u>\$2,400.01</u>
Present balance on hand - - - - -		\$249.99
Total balance due to owners - - - - -		<u>\$925.00</u>
Present deposit deficiency - - - - -		\$675.01
Total refund due from owners - - - - -	\$950.01	

TRACT NO. P-1609

OWNERS:

Lessor interest:

Olan W. Frauenberger and
Ruth Frauenberger - - - - - 1/2
Ferman Van Winkle - - - - - 1/2

Oil and gas lessee interest:

Alton L. White

Award of just compensation pursuant to Commissioners' report - - - - -	\$16,000.00	\$16,000.00
Deposited as estimated compensation - - - - -		\$8,475.00
Disbursed to owners - - - - -	<u>\$8,475.00</u>	
Balance due to owners - - - - -	\$7,525.00	

Pursuant to stipulation, balance
due to be distributed as follows:

To Rucker, Tabor, Shepard and Palmer - - - - -	\$2,508.33	
To Ferman Van Winkle - - - - -	\$836.11	
To Olan W. Frauenberger and Ruth Frauenberger, jointly - - - - -	\$836.11	
To Alton White - - - - -	\$3,344.45	

Deposit deficiency - - - - -		\$7,525.00
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It Is Further ORDERED, ADJUDGED AND DECREED that the balance due to Ethel A. Vawter from the award for Tract P-1617, in the amount of \$405.00,

shall be offset against the \$450.00 overpayment made to such defendant for Tract No. N-1419 and the Plaintiff, United States of America, shall have judgment against the said Ethel A. Vawter for the balance of the overpayment in the amount of \$45.00. In payment of this judgment the said defendant shall deposit the sum of \$45.00 with the Clerk of this Court, and such sum shall be credited to the deposit for Tract No. N-1419.

15.

It Is Further ORDERED, ADJUDGED AND DECREED that the Plaintiff, United States of America, shall have judgment against V. C. Couch for the overpayment in the amount of \$450.00 made to him from the deposit for Tract No. N-1419. In payment of this judgment the said defendant shall deposit the sum of \$450.00 with the Clerk of this Court, and such sum shall be credited to the deposit for Tract No. N-1419.

16.

It Is Further ORDERED, ADJUDGED AND DECREED that the Plaintiff, United States of America, shall have judgment against each of the owners of the lessor interest in Tract No. P-1617 for the overpayments made to them from the deposit for such tract, as follows:

Clara M. Wilkinson - - - - -	\$443.33
John F. Wilkinson - - - - -	\$126.67
Lucille Vincent - - - - -	\$126.67
Maude Ann Blecha - - - - -	\$126.67
Roy W. Wilkinson - - - - -	\$126.67

In payment of these judgments each of the named defendants shall deposit with the Clerk of this Court the sum shown opposite his or her name, and such sums shall be credited to the deposit for Tract No. N-1419.

17.

It Is Further ORDERED, ADJUDGED AND DECREED that the Plaintiff, United States of America, shall pay into the Registry of this Court the present net deposit deficiency for the three subject tracts combined, in the total amount of \$7,995.01, together with interest at the rate of 6% per annum on the sum of \$7,525.00 (deficiency for Tract No. P-1609) from March 11, 1960, until the date of such deficiency deposit. The Clerk shall credit this payment to the deposits for the respective tracts as follows:

N-1419 - - - - -	\$200.00
P-1609 - - - - -	\$7,525.00 plus all accrued interest
P-1617 - - - - -	\$270.01

It Is Further ORDERED that when the deposit required by paragraph 17 has been made, the Clerk of this Court then shall make certain disbursals as follows:

1. From the deposit for Tract No. N-1419 the balance due to each of the owners of the working interest as shown in the schedule in paragraph 13 above.

2. From the deposit for Tract No. P-1609:

To Rucker, Tabor, Shepard and Palmer the sum of \$2,508.33 plus $1/3$ of the accrued interest on the deposit deficiency for this tract.

To Ferman Van Winkle the sum of \$836.11 plus $1/9$ of the accrued interest on the deposit deficiency for this tract.

To Olan W. Frauenberger and Ruth Frauenberger, jointly, the sum of \$836.11 plus $1/9$ of the accrued interest on the deposit deficiency for this tract.

To Alton White the sum of \$3,344.45 plus $4/9$ of the accrued interest on the deposit deficiency for this tract.

3. From the deposit for Tract No. P-1617 the balance due to each of the owners of the lessee interest as shown in the schedule in paragraph 13 above, except that no payment shall be made to the defendant, Ethel A. Vawter.

19.

It Is Further ORDERED that when the refunds required of the defendants in paragraphs 14, 15, and 16 herein have been made the Clerk of this Court shall make certain disbursals as follows:

From the deposit for Tract No. N-1419 the sum of \$495.00

From the deposit for Tract No. P-1617 the sum of \$950.01

to the Treasurer of the United States of America.

Walter E. Barnes
 UNITED STATES DISTRICT JUDGE

APPROVED:

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
) Plaintiff,)
 vs.)
)
 240.38 Acres of Land, More or Less,)
 Situate in Creek and Pawnee Counties,)
 Oklahoma, and Juanita Coonrod Hinton,)
 et al, and Unknown Owners,)
)
) Defendants.)

Civil No. 5071
Tracts Nos. 3208, E-1
Thru E-4
FILED
FEB 16 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 5th day of December 1963.

2. 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 having compensable interests in the subject tracts, that upon the date the Declaration of Taking and the Complaint were filed, title to the estates taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 5th day of December 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above captioned tracts on the date of taking and are entitled to receive the award thereof.

6. 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 the above tracts is the sum of \$16,250.00, inclusive of interest, as determined by the Report of Commissioners of December 5, 1963, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACTS NOS. 3208, 3208E-1 Thru E-4

Owner: Andrew Branch

Award of just compensation - - - - -	\$ 16,250.00
Deposited as estimated compensation - - - - -	12,900.00
Disbursed to owner - - - - -	12,465.00 *
Balance due to owner - - - - -	3,350.00
Deposit deficiency - - - - -	2,915.00

* Improvements retained by owner at a salvage value of \$435.00. Value of improvements retained (\$435.00) plus amount disbursed (\$12,465.00) equal amount originally deposited.

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$2,915.00, 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:

Andrew Branch - - - - - \$3,350.00

Entered this 11 day of February 1964.

/s/ Allen E. Barrow
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee
ROBERT P. SANTEE
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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, et al, and Unknown Owners,)
)
 Defendants.)

Civil No. 5352
Tracts Nos. 2408E-1
Thru E-3
FILED
DEC 19 1964

J U D G M E N T

Noble C. Hood
Clerk, U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 5th day of December 1963.

2. 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed, title to the estates taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 5th day of December 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above-captioned tracts on the date of taking and are entitled to receive the award thereof.

6. 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 the above tracts is the sum of \$1,600.00, inclusive of interest, as determined by the Report of Commissioners of December 5, 1963, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACTS NOS. 2408E-1, E-2 and E-3

Owners: Inman B. and Doris B. Raborn

Award of Just Compensation - - - - -	\$1,600.00
Deposited as Estimated Compensation - - - - -	1,150.00
Disbursed to Owner - - - - -	1,150.00
Balance due to Owner - - - - -	450.00
Deposit Deficiency - - - - -	450.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$450.00, 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 payees:

Inman C. and Doris B. Raborn - - - - - \$ 450.00

Entered this day of February 1964.

/s/ Allen E. Barrow
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

alj

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

Plaintiff,

Civil No. 5352

Tract Nos. 3333 and
E-1 thru E-24

FILED

FEB 16 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts.
2. 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.
3. The Court finds, upon the evidence presented that the below-listed defendant was the sole owner of the above-captioned tracts on the date of taking and is entitled to receive the award therefor.
4. The Court finds the amount of \$36,500.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$27,500.00 was deposited into the Registry of this Court as estimated just compensation for said tracts upon the filing of the Declaration of Taking herein.
5. The Court finds that plaintiff and Jettie S. Mullins, defendant herein, have by the stipulation agreed that the just compensation to be paid

by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$36,500.00, inclusive of interest.

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 the above tracts is the sum of \$36,500.00, inclusive of interest, of which amount \$27,500.00 has previously been disbursed to defendant;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$9,000.00, 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:

Jettie S. Mullins \$9,000.00

Entered this 28th day of February, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

United States District Court

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 5394

E. C. OTTINGER,

Plaintiff,

vs.

R. H. SIEGFRIED,

Defendant

JUDGMENT

This action came on for trial before the Court and a jury, Honorable Luther Bohanon, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict,

It is Ordered and Adjudged that the plaintiff take nothing, that the action be dismissed on its merits, and that the defendant, R. H. Siegfried, recover of the plaintiff, E. C. Ottinger, his costs of action.

Dated at Tulsa, Oklahoma, this 18th day of February, 1964.

Approved and ordered entered:

(s) Luther Bohanon
Judge

NOBLE C. HOOD

Clerk of Court
By Ben B. Ballenger
Deputy

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
753.01 Acres of Land, More or Less,)
Situatē in Pawnee and Osage Counties,)
Oklahoma, and Jacob Fein, et al, and)
Unknown Owners,)
Defendants.)

Civil No. 5419

Tract No. 3727B

FILED

FEB 16 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract, based on the Report of Commissioners filed herein on the 5th day of December 1963.

2. 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 having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed, title to the estate taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 5th day of December 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tract and the amount fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above-captioned tract on the date of taking and are entitled to receive the award thereof.

6. 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 the above tract is the sum of \$2,875.00, inclusive of interest, as determined by the Report of Commissioners of December 5, 1963, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tract, as shown by the following schedule:

TRACT NO. 3727E

Owners: Leola C. & Elzie Smith

Award of Just Compensation - - - - -	\$ 2,875.00
Deposited as estimated compensation - - - - -	2,000.00
Disbursed to owner - - - - -	---
Balance due to owner - - - - -	2,875.00
Deposit deficiency - - - - -	875.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$875.00, 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 payees:

Leola C. and Elzie Smith - - - - - \$2,875.00

Entered this day of February 1964.

/s/ Allen E. Barrow
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee
ROBERT P. SANTEE
Assistant United States Attorney

alj

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

Plaintiff,

Defendants.

Civil No. 5427

Tract No. 4234

FILED

FEB 16 1961

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. 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 having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$600.00, inclusive of interest, is just compensation for the taking of the estate by the plaintiff in the above tract, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$423.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and J. M. Katz, Julie S. Weil and Robert L. Rosier, individually and as Executors of the Estate of Glen H. Rosier, deceased, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$600.00, inclusive of interest, for their interests.

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 the above tract is the sum of \$600.00, inclusive of interest;

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$177.00, without interest. Upon receipt of the last mentioned deficiency, 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 hereinafter set forth, payable to the order of the following-named payees:

J. M. Katz - - - - -	\$ 50.00
Julie S. Weil & Robert L. Rosier, Individually and as Executors of Estate of Glen H. Rosier, Deceased - - - - -	\$ 550.00
	<hr/>
	\$ 600.00

Dated this day of February 1964.

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE
Assistant United States Attorney

alj

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
635.95 Acres of Land, More or Less,)
Situate in Pawnee, Osage, & Creek)
Counties, Oklahoma, and Effie Freeman)
Rogers, et al, and Unknown Owners,)
Defendants.)

Civil No. 5505
Tract No. 3343E-1

FILED

FEB 16 1964

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

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract, based on the Report of Commissioners filed herein on the 5th day of December, 1963.

2. 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 having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 5th day of December, 1963, is hereby accepted and adopted as a finding of fact as to the tract covered by such report. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 5 below.

4. The Court finds upon the evidence presented that the defendants listed below in paragraph 5 were the sole owners of the above-captioned tract on the date of taking and are entitled to receive the award thereof.

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

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

(t) The just compensation to be paid by the plaintiff for the taking of the above tract is the sum of \$500.00, inclusive of interest, as determined by the Report of Commissioners of December 5, 1963, which report is hereby confirmed and the sum therein fixed and adopted as just compensation for subject tract, as shown by the following schedule:

TRACT NO. 3343E-1

Owner:	Alexander and Jane Mitchell	
Award of Just Compensation:		\$500.00
Deposited as estimated compensation:		500.00
Disbursed to Owner:		-0-
Balance due to Owner:		500.00
Deposit Deficiency:		-0-

6. 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:

Alexander and Jane Mitchell	
Route 1, Hominy, Oklahoma	\$500.00

Entered this 13th day of February, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ 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.

635.95 Acres of Land, More or Less,
Situating in Pawnee, Osage and Creek
Counties, Oklahoma, and Effie Freeman
Rogers, et al, and Unknown Owners,

Defendants.

Civil No. 5505

Civil Nos. 3602, 3602E
E-2 thru E-6

FILED

FEB 13 1964

J U D G M E N T

NOBLE C. HOOD

Clerk, U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 30th day of December 1963.

2. 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed, title to the estates taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 30th day of December 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above captioned tracts on the date of taking and are entitled to receive the award thereof.

6. 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 the above tracts is the sum of \$3,700.00, inclusive of interest, as determined by the Report of Commissioners of December 30, 1963, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACTS NOS. 3602, 3602E, E-2 Thru E-6

Owners: Jack W. and Juanita Lemmons

Award of just compensation - - - - -	\$ 3,700.00
Deposited as estimated compensation - - - - -	2,335.00
Disbursed to owners - - - - -	2,335.00
Balance due to Owners - - - - -	1,365.00
Deposit deficiency - - - - -	1,365.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,365.00, 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 payees:

Jack W. & Juanita Lemmons and
Ponca City Production Credit Association - - - - \$ 1,365.00

Entered this 17 day of February 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

alj

4. The Report of Commissioners filed herein on the 10th day of December, 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 7 below.

5. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 7 below.

6. The Court finds upon the evidence presented that the defendants listed below in paragraph 7 were the sole owners of the above-captioned tracts on the date of taking and are entitled to receive the award thereof.

7. 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 the above tracts is the sum of \$1,550.00, inclusive of interest, as determined by the Report of Commissioners of December 10, 1963, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

Tract Nos. 3819E-1 & E-2

Owner: Nelson E. F. Brensing and Opal Maudie Brensing

Award of Just Compensation: \$1,550.00

Deposited as estimated compensation: \$500.00

Disbursed to Owner: \$500.00

Balance due to Owner: \$1,050.00

Deposit Deficiency: \$1,050.00

8. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,050.00, 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 payees:

Nelson E. F. and Opal Maudie Brensing \$1,050.00

Entered this 17 day of February, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

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

THOMAS GARY PITTMAN, a minor)
by and through his mother and next)
friend, MILDRED E. PHILLIPS,)
)
Plaintiff)
)
-vs-)
ESTATE OF)
EDWARD OWEN, Deceased)
)
Defendant)

NO. 3704, Civil

JOURNAL ENTRY OF JUDGMENT

This cause came on for hearing this 5 day of February, 1964, plaintiff appearing by her attorney Mr. Donald Church and the defendant appearing by his attorneys, Rucker, Tabor, Shepherd & Palmer and Mr. Robert L. Shepherd, and both parties announcing ready for trial and a jury being waived, evidence was introduced, and the Court being fully advised on consideration finds that plaintiff has sustained the allegation of her petition and is entitled to judgment accordingly.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff have and recover of said defendant the sum of Fifteen Hundred (\$1,500.00) Dollars and for her costs herein expended.

(s) Luther Bohannon
JUDGE

Approved as to form:

William M. Northcutt
Attorney for Plaintiff

Robert L. Shepherd
Attorney for Defendant

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

LESLIE BEAVIS,)
)
 Plaintiff,)
)
 vs.)
)
 J. B. DeWELDE,)
)
 Defendant.)

NO. 5803

FILED

FEB 18 1964

WYBLE C. WOOD
Clerk, U. S. District Court

ORDER

NOW, on this 17th day of February, 1964, there came on for hearing pursuant to regular assignment the above captioned matter for disposition. The plaintiff appeared by and through his attorneys, Harvey C. Carpenter of L. O. Todd and Harvey C. Carpenter, 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 orally are requesting the Court that the above captioned matter be dismissed with prejudice.

The Court specifically finds that the 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, at the cost of the defendant.

18/ Allen E. Burrow
Judge

L. O. TODD and
HARVEY CARPENTER,
Harvey C. Carpenter
by Attorney for the Plaintiff
Alfred B. Knight
Attorney for the Defendant

Alfred B. Knight.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

202.45 Acres of Land, More or Less,
Situate in Pawnee and Creek Counties,
Oklahoma, and Carl S. Carnes, et al,
and Unknown Owners,

Defendants.

Civil No. 5818

Tract No. 189-3M

FILED

FEB 13 1964

AMENDED JUDGMENT

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, to amend a final Judgment determining the ownership and the just compensation awarded, which judgment was entered February 11, 1964, by substituting entirely therefor this amended judgment, to wit:

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 having compensable interest in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed, title to the estate taken, as set out therein, became vested in the United States of America.

The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

The Court finds the amount of \$19,390.00, inclusive of interest, is just compensation for the taking of the estate by the plaintiff in the above tract, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$16,099.00 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 finds that plaintiff and Carl S. Carnes, Jewel Mae Carnes and Carl Mitchell, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$19,390.00, inclusive of interest, for their interests.

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 the above tract is the sum of \$19,390.00, inclusive of interest, of which amount the following sums have been disbursed:

Carl S. and Jewell Mae Carnes - - - - -	\$ 9,338.00
Carl W. Mitchell - - - - -	<u>6,761.00</u>
	\$16,099.00;

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$3,291.00, without interest. Upon receipt of the last mentioned deficiency, 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 hereinafter set forth, payable to the order of the following named payees:

Carl W. Mitchell - - - - -	\$ 1,489.00
Carl S. and Jewell Mae Carnes - - - - -	<u>1,802.00</u>
	\$ 3,291.00

Entered this 17th day of February 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

alj

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

Civil No. 4806

Tracts Nos. G-713E-1,
E-2 & E-3

FILED ✓

J U D G M E N T

2010-11-11

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts.

NOTED
Clerk, U. S. District Court

2. 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed, title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below defendants were the sole owners of the above-captioned tracts on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$11,795.50, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$983.00 was deposited into the Registry of this Court as estimated just compensation for said tracts upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Curt Brown, Harold Love and John and Grace McLemore, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estates taken in the above tracts is the sum of \$11,000.00, inclusive of interest, for their respective interests.

6. The Court finds that prior to the institution of the above proceeding the United States of America and John W. and Stella Fieldcamp entered

into a contract, 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 \$708.00, inclusive of interest, for their interests, would be awarded as just compensation for the taking of the estates to be condemned in the above tracts; that the contract and agreement is a valid one.

7. The Court finds that defendants Richard H. Godfrey and Jon Carson have failed to appear or answer nor have their attorneys appeared or answered in their behalf, and that said parties defendant are in default at this time.

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 the above tracts is the sum of \$11,795.50, inclusive of interest, of which amount \$708.00 has previously been disbursed to John W. and Stella Fieldcamp;

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$10,812.50, 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 payees:

Curt Brown, Harold Love and
John and Grace McLemore - - - - - \$ 11,000.00

D. The Clerk of the Court is hereby authorized and directed to retain the amounts set out below 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 below, 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:

Richard H. Godfrey & Jon Carson - - - - - \$ 75.00
Robert Ackerly - - - - - 6.25
John D. Conner - - - - - 6.25
\$ 87.50

Entered this 16 day of February 1964.

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney
alj

/s/ Allen E. Barrow

United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff

vs.

427.05 Acres of Land, More or Less,
Situate in Creek, Pawnee and Osage
Counties, Oklahoma, and Glenn A.
Milam, et al, and Unknown Owners,

Defendants.

Civil No. 5844

Tract No 4404E

FILED

FEB 19 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. 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 having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed, title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$800.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$400.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Ivan and Virginia Semler, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$800.00, inclusive of interest.

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.

E. The just compensation to be paid by the plaintiff for the taking of the above tract is the sum of \$800.00, inclusive of interest.

C. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$400.00, 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 payees:

Ivan and Virginia Semler &
Citizens Bank of Drumright - - - - - \$400.00

Entered this 19 day of February 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

United States District Court

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 5812

EVELYN CONNER,

vs.
PEPSI-COLA BOTTLING CO.
OF TULSA, OKLA., INC., a
corporation,

JUDGMENT

This action came on for trial before the Court and a jury, Honorable Allen E. Barrow
, United States District Judge, presiding, and the issues having been duly tried and
the jury having duly rendered its verdict,

It is Ordered and Adjudged that the plaintiff take nothing, that the
action be dismissed on it's merits, and that the defendant,
Pepsi-Cola Bottling Co. of Tulsa, Oklahoma, recover of the plaintiff,
Evelyn Conner, its costs of action.

Dated at Tulsa, Oklahoma , this 19th day
of February , 19 64

Approved and ordered entered:

Allen E. Barrow
Judge

(3) Noble C. Hood
NOBLE C. HOOD
Clerk of Court

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

GOLDEN NUGGET, INC., a Nevada Corporation,

Plaintiff,

vs.

PAUL C. EDWARDS,

Defendant.

Civil No. 5829

FILED

FEB 19 1964

JOURNAL ENTRY OF JUDGMENT

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

Now, on this 19th day of February, 1964, the above cause

came on for trial before the Court; plaintiff appeared by its attorneys, Ungerman, Grabel, Ungerman & Leiter, and defendant appeared by his attorney, C. A. Whitebook; both parties announced ready for trial, and the Court, having heard the testimony of witnesses duly sworn and examined, and being fully advised in the premises, finds the issues for the plaintiff and against the defendant. The Court finds that the allegations of plaintiff's Complaint are true and that the plaintiff is entitled to judgment as prayed for in its Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff have and recover judgment against the defendant in the sum of \$24,557.18, with interest on the principal sum of \$24,400.00 at the rate of 6 per cent per annum from November 12, 1963, an attorney's fee of \$500.00, and the costs of the action.

IT IS FURTHER ORDERED BY THE COURT that execution on said judgment be and the same is hereby stayed for a period of 60 days from the date of this judgment.

Dated this 19th day of February, 1964.

151 William P. Ungerman
United States District Judge

APPROVED;

Ungerman, Grabel, Ungerman & Leiter

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN
& LEITER
SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

By: *William P. Ungerman*
Attorneys for Plaintiff

151 C. A. Whitebook
C. A. Whitebook
Attorney for defendant

151 Paul C. Edwards
Paul C. Edwards
Defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

190.00 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Mindego Oil Company, et al. and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4847

Tract No. 4731-2 (lessor
interest)

FILED

FEB 20 1964

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

J U D G M E N T
(Partial)

1.

NOW, on this 20th day of February, 1964, 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 lessor interest in the estate condemned in Tract No. 4731-2, 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 filed 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 February 5, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the lessor interest in th subject tract, 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 lessor interest in the estate taken in subject tract were the defendants whose names are shown in paragraph 11 below. Such named defendants are the only persons asserting any interest in the lessor 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 lessor interest in the estate taken in this tract.

8.

The owners of the lessor interest in the 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 lessor interest in the estate condemned in subject tract is in the amount shown as compensation in paragraph 11 below, and such stipulation should be approved.

9.

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

10.

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

11.

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

TRACT NO. 4731-2

Owners of lessor interest:

R. A. Britt and Angie Britt

Award of just compensation pursuant to stipulation - - - - -	\$3,350.00	\$3,350.00
Deposited as estimated compensation for lessor interest - - - - -		<u>\$3,350.00</u>
Disbursed to owners of lessor interest - - - - -	<u>None</u>	
Balance due to owners - - - - -	\$3,350.00	

12.

It Is Further ORDERED that the Clerk of this Court disburse from the deposit for the subject, jointly, to R. A. Britt and Angie Britt, the sum of \$3,350.00.

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

FEB 20 1964

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

United States of America,

Plaintiff,

CIVIL ACTION NO. 4847

vs.

Tract Nos.: 4732-A }
4732-B }
4732-H } (Leasehold
4732-B } Interest
4732-C } (Only
4732-3 }
4732-3e }

190.00 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Mineral Oil Company, et al, and
Various Estates,

Defendants.

J U D G M E N T

(Partial)

1.

NOW, on this 20th day of February, 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of judgment on the Report of Commissioners, filed herein on October 11, 1963, and the Court, after having examined the files in this action and being advised by counsel for the plaintiff, finds that:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts of land. Pursuant thereto, on February 5, 1960, the United States of America filed its Declaration of Taking of such tracts of land, and title to the estates taken in such tracts should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the leasehold interest in the described estates in subject tracts, a certain sum of money, all of which has been disbursed, as set out in paragraph 11 below.

7.

The Report of Commissioners, filed herein on October 11, 1963, hereby is accepted and adopted as a finding of fact as to all tracts covered by such Report. The amount of just compensation as to the leasehold interest in the estates taken in subject tracts, as fixed by the Commission, is set out in paragraph 11 below.

8.

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

9.

The defendant named in paragraph 11 as owner of the leasehold interest in the estates taken in subject tracts is the only defendant asserting any interest in such leasehold interest, all other defendants having either disclaimed or defaulted. The named defendant is the owner of the leasehold interest in the estates condemned herein in the subject tracts, and as such, is entitled to receive the award of just compensation.

10.

It is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the subject tracts described in paragraph 3 herein, and such property, to the extent of the leasehold interest in the estates described in the Declaration of Taking filed herein, is condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are barred forever from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that the right to just compensation for the leasehold interest in the estates taken herein in subject tracts is vested in the defendant whose name appears below in this paragraph. The Report of Commissioners of October 11, 1963, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the leasehold interest in the subject tracts, as shown by the following schedule:

TRACTS NOS. 4731-2, 4731-F, 4731-H,
4732-B, 4732-C, 4732-3 and 4732-3a

Owners of leasehold interest:

George E. Dolezal and
George E. Dolezal, trustee for Fred J. Keller, Raymond L. Keller, R. M. DiCosia, Albert R. Hock, Nathan Schwartz, W. D. Heller, Mindego Oil Company, John T. Allmond, and W. F. Horsting, Jr.

Award of just compensation for leasehold interest pursuant to Commissioners' Report - - -	\$45,000.00	\$45,000.00
Deposited as estimated compensation for leasehold interest - - - - -		\$39,763.00
Disbursed to owner - - - - -	\$39,763.00	
Balance due to owner - - - - -	\$ 5,237.00	
Deposit deficiency - - - - -		\$5,237.00

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owner the deposit deficiency for subject tracts, as shown in paragraph 11, together with interest on such deficiency at the rate of six percent (6%) per annum from February 5, 1960, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for Tract No. 4731-2 in this civil action. The Clerk of this Court then shall disburse from said deposit for Tract No. 4731-2 in this civil action the total amount of the said deficiency deposit together with the accrued interest thereon, to George E. Dolezal and George E. Dolezal, trustee.

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.

190.00 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Mindego Oil Company, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4847

Tracts Nos.:

4731-F (Lessor Interest)
4731-H (Lessor Interest)
4732-C (Lessor Interest)

FILED

FEB 20 1964

FILED
COURT CLERK

J U D G M E N T

(Partial)

1.

NOW, on this 20th day of February, 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on the Report of Commissioners filed herein on December 23, 1963, and the Court, after having examined the files in this action and being advised by counsel for the plaintiff, finds that:

2.

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

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts of land. Pursuant thereto, on February 5, 1960, the United States of America filed its Declaration of Taking of certain estates in such tracts of land, and title to such property should be vested in the United States of America, as of the date of filing such Declaration of Taking.

6.

On the filing of the Declaration of Taking, there were deposited in the Registry of this Court as estimated compensation for the taking of the described estates in subject tracts, certain sums of money, and none of these deposits has been disbursed as set out in paragraph 11 below.

7.

The Report of Commissioners filed herein on December 23, 1963, hereby is accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the lessor interest in the estates taken in the subject tracts as fixed by the Commission is set out in paragraph 11 below.

8.

A certain deficiency exists between the amount deposited as estimated compensation for the lessor interest in Tract No. 4732-C and the amount fixed by the Commission and the Court as just compensation for such interest, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in paragraph 11 below. The awards for Tracts Nos. 4731-F and 4731-H will create a surplus in the deposits for such tracts and such surplus should be used to help satisfy the deficiency described above.

9.

The defendants named in paragraph 11 as owners of subject tracts are the only defendants asserting any interest in the lessor interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; as of the date of taking the named defendants were the owners of the lessor interest in the estates taken in subject tracts and, as such, are entitled to receive the just compensation therefor.

10.

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

It Is Further ORDERED, ADJUDGED AND DECREED that the right to receive just compensation for the lessor interest in the estates taken herein in subject tracts is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of December 23, 1963, hereby is confirmed, and the sums therein fixed are adopted as just compensation for such lessor interest in the estates taken in the subject tracts, as shown by the following schedule:

TRACT NO. 4731-F

Owner of the lessor interest
in the estate taken:

Orland C. Parish

Deposited as estimated compensation for lessor interest - - - - -		\$585.00
Award of just compensation for lessor interest - - - - -	\$540.00	\$540.00
Disbursed to owner of lessor interest - - - - -	<u>None</u>	
Balance due to lessor - - - - -	\$540.00	_____
Deposit surplus - - - - -		\$45.00

TRACT NO. 4731-H

Owners of the lessor interest
in the estate taken:

Heirs of the estate of A. W. Goal, deceased

Deposited as estimated compensation for lessor interest - - - - -		\$2,338.00
Award of just compensation for lessor interest - - - - -	\$2,150.00	\$2,150.00
Disbursed to the owners of lessor interest - - - - -	<u>None</u>	
Balance due to lessors - - - - -	\$2,150.00	_____
Deposit surplus - - - - -		\$188.00

TRACT NO. 4732-C

Owners of the lessor interest
in the estate taken:

June H. Collins - - - - - 7/8
H. M. McMillan - - - - - 1/16
W. L. Mullen - - - - - 1/16

Award of just compensation for lessor interest - - - - -	\$3,000.00	\$3,000.00
Deposited as estimated compensation for lessor interest - - - - -		\$2,338.00
Disbursed to owners of lessor interest - - - - -	<u>None</u>	
Balance due to lessors - - - - -	\$3,000.00	
Deposit deficiency - - - - -		\$662.00

12.

It Is Further ORDERED that the Clerk of this Court shall transfer the sum of \$45.00 from the deposit for Tract No. 4731-F and the sum of \$188.00 from the deposit for Tract No. 4731-H to the deposit for Tract No. 4732-C in this civil action.

13.

It Is Further ORDERED that the Plaintiff, United States of America, shall pay into the Registry of this Court the sum of \$429.00 together with interest on the sum of \$662.00 (deposit deficiency for Tract No. 4732-C), *at the rate of 6% per annum* from February 5, 1960 to the date of deposit of such deficiency, and such sum shall be placed in the deposit for Tract No. 4732-C in the subject civil action.

Upon receipt of such payment the Clerk of this Court then shall disburse the entire amount of the deposit for said Tract No. 4732-C as follows:

7/8 to June H. Collins
1/16 to H. M. McMillan
1/16 to W. L. Mullen

14.

It Is Further ORDERED that the Clerk of this Court, forthwith, shall disburse from the deposit for Tract No. 4731-F,

To Orland O. Parish - - - - \$540.00

15.

It Is Further ORDERED that since the heirs of A. W. Goal, deceased, have not been determined, the award for the lessor interest in Tract No. 4731-H shall not be disbursed at the present time, but an appropriate order of

distribution will be entered after such determination of heirs. In the event the award for the lessor interest in this tract has not been distributed for a period of five (5) years after the entry of this judgment, then the Clerk of this Court shall refund the undistributed balance to the Treasury of the United States pursuant to the terms of 28 U.S.C. Section 2042.

ALLEN E. BARROW
UNITED STATES DISTRICT JUDGE

APPROVED:

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

United States District Court

FEB 20 1964

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

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

CIVIL ACTION FILE NO. 5712

Robert L. Pyle, Plaintiff,
vs.
Billy Joe Claborn and Myron B. Baker,
doing business as Baker Produce,
Defendants

JUDGMENT

This action came on for trial before the Court and a jury, Honorable Luther Bohanon, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict, in favor of the plaintiff,

It is Ordered and Adjudged that the plaintiff Robert L. Pyle, recover of the defendants, Billy Joe Claborn and Myron B. Baker, doing business as Baker Produce, the sum of Two Thousand Five Hundred (\$2,500.00) Dollars, with interest thereon at the rate of 6% per annum from the date hereof until paid, and his cost of action.

Dated at Tulsa, Oklahoma
of February 20th, 1964.

, this 20th day

Approved and ordered entered:

Luther Bohanon
Judge

NOBLE C. HOOD
Clerk of Court
By *Bennett Ballinger*
Deputy

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

FANNIE M. SHELTON,

Plaintiff,

vs.

No. 5864

HOWELL GRAIN & INSURANCE,
LEROY H. BYERS and CHARLES E.
DANIEL, Administrator of the
Estate of Arch Frank Shelton,
Deceased,

Defendants.

FILED

APR 10 1964

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

ORDER REMANDING SUIT TO STATE COURT

The motion of plaintiff to remand this suit to the Superior Court in and for Creek County, State of Oklahoma, Drumright Division, coming on for hearing this _____ day of _____ 1964, pursuant to regular setting, and the court having heard the argument of counsel, and being fully advised, upon consideration finds that the said motion should be sustained.

IT IS THEREFORE ORDERED that the motion of the plaintiff to remand this case to the Superior Court in and for Creek County, State of Oklahoma, Drumright Division, be, and the same is hereby granted, and this cause be and the same is hereby remanded to the Superior Court in and for Creek County, State of Oklahoma, Drumright Division, for further proceedings.

Judge of the District Court of the
United States for the Northern
District of Oklahoma

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

BRYON L. JOHNSON,)
)
 Plaintiff,)
)
 vs.)
)
 J. W. MAHAFFY d/b/a)
 CHEROKEE AMUSEMENT)
 COMPANY and LEONARD REED,)
)
 Defendants.)

NO. 5705 - CIVIL

FILED

FEB 25 1964

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

O R D E R

NOW, on this 24th day of February, 1964, there came on for hearing pursuant to regular assignment, the abovecaptioned matter for disposition. The plaintiff appeared by and through his attorney, Donald Church, and the defendants appeared by and through their 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 herein 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 ADJUDGED, ORDERED AND DECREED that the above captioned matter be dismissed with prejudice, at the cost of the defendants.

APPROVAL BY:

JUDGE

DONALD CHURCH

Attorney for the Plaintiff.

ALFRED B. KNIGHT

Attorney for the Defendants.

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

BOBBY JOE McCLAIN,

Plaintiff,

vs.

NO. 5706 - Civil

J. W. MAHAFFEY d/b/a
CHEROKEE AMUSEMENT
COMPANY and LEONARD REED,

Defendants.

FILED

FEB 24 1964

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

Q E E E E

NOW, on this _____ day of February, 1964, there came on for hearing pursuant to regular assignment, the above captioned matter for disposition. The plaintiff appeared by and through his attorney, Donald Church, and the defendants appeared by and through their 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 are 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, at the cost of the defendants.

APPROVAL BY:

JUDGE

DONALD CHURCH

Attorney for the Plaintiff,

ALFRED B. KNIGHT

Attorney for the Defendants.

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

JOHNNIE LEE JOHNSON,
a Minor, by and through
his father and next friend,
Bryon L. Johnson,

Plaintiff,

vs.

J. W. MAHAFFEY d/b/a
CHEROKEE AMUSEMENT
COMPANY, and LEONARD REED,

Defendants.

NO. 5707 - CIVIL

FILED

FEB 24 1964

ORDER

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

NOW, on this 24th day of February, 1964, there came on for hearing pursuant to regular assignment, the above captioned matter for disposition. The plaintiff appeared by and through his attorney, Donald Church, and the defendants appeared by and through their 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 herein 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, at the cost of the defendants.

APPROVAL BY:

Allen E. [Signature]
JUDGE

DONALD CHURCH

[Signature]
Attorney for the Plaintiff,

ALFRED B. KNIGHT

[Signature]
Attorney for the Defendants.

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

DORIS McCLAIN,
Plaintiff,

vs.

NO. 5708 - CIVIL

J. W. MAHAFFY d/b/a
CHEROKEE AMUSEMENT COMPANY
and LEONARD REED,
Defendants.

FILED
FEB 24 1964

O R D E R

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

NOW, on this 21st day of February, 1964, there came on for hearing pursuant to regular assignment, the abovecaptioned matter for disposition. The plaintiff appeared by and through his attorney, Donald Church, and the defendants appeared by and through their 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 herein 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, at the cost of the defendants.

APPROVAL BY:

DONALD CHURCH

JUDGE

Attorney for the Plaintiff,

ALFRED B. KNIGHT

Attorney for the Defendant.

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)

Plaintiff,)

vs)

1 Tract of Land Consisting of 104.8)
Acres of Land, more or less, in Mayes)
County, Oklahoma, William V. Wheeler,)
et al.,)

Defendants.)

Civil No. 5736

FILED

FEB 24 1964

JUDGMENT ON VERDICT

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

This action came on for trial before the Court and a jury, Honorable Luther Bohanon, District Judge, presiding, and the issues being to determine the just compensation to be paid for the taking of the lands designated and described in this proceedings as Tract 7 MF 16 + File Rev., and the jury having rendered its verdict awarding and fixing just compensation in the amount of \$ 8,850.00.

The Court finds that the verdict of the jury is regular in all respects and that each and all of the allegations of the petition in condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes set forth in said petition; and, that it is necessary and convenient to acquire by condemnation the lands and/or estate therein, as hereinafter described.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of \$ 8,850.00, fixed by jury verdict, is full and just compensation for the taking of the lands and/or estate therein.

The lands or estate taken are as follows, to-wit:

The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in all financial dealings.

The second part of the document provides a detailed overview of the current financial status of the organization. It includes a breakdown of income, expenses, and assets, along with a comparison to the previous period.

The third part of the document outlines the proposed budget for the upcoming year. It details the expected income, expenses, and the resulting surplus or deficit. The budget is designed to ensure the organization's long-term sustainability and growth.

The fourth part of the document discusses the various risks and challenges that the organization may face in the future. It identifies potential areas of concern and proposes strategies to mitigate these risks.

The fifth part of the document provides a summary of the key findings and recommendations. It highlights the areas where the organization is performing well and identifies the areas that need further attention.

The sixth part of the document concludes with a statement of confidence in the organization's future and a call to action for all stakeholders to work together to achieve the organization's goals.

I, the undersigned, hereby certify that the above information is true and correct to the best of my knowledge and belief.

Signature: _____
 Name: _____
 Title: _____

Date: _____

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendants,
William V. Wheeler and Marie Wheeler, husband and wife,
have and recover a judgment against the plaintiff, Grand River Dam
Authority, a public corporation
for and in the sum of \$1,850.00, together with interest at the rate of 6% per annum from the 20th day of September, 19 63, until paid, the same being the difference between the award of the commissioners and the verdict of the jury.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 20th day of September, 19 63, upon the depositing of the commissioners' award with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

By Ben B. Ballinger
Deputy

Dated at Tulsa, Oklahoma
February 20th 19 64.

Approved and ordered entered
this 24th day of February,
19 64.

Luther Bohannon
U. S. District Judge

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

FILED

FEB 25 1964

GRAND RIVER DAM AUTHORITY,)
a public corporation,)

Petitioner,)

vs.)

4 Tracts of Land in Mayes County,)
Oklahoma, J. R. Smith, et al.,)

Defendants.)

RODLE C. HINDS
Clerk, U. S. District Court

Civil No. 5730

ORDER CONFIRMING REPORT OF COMMISSIONERS

NOW, on this the 21st day of February, 1964, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 17th day of September, 1963 ^{as modified by the stipulation} should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 17th day of September, 1963, as modified, is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein.

The lands and/or estate taken are described as follows, to-wit:
The following described land situated in Mayes County, Oklahoma, to-wit:
5 MF 57 + FE (Fee Title to):
All of Lot 6 lying North of Rock Creek and all of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all of Lot 2 and the East 19.76 acres of Lot 3 except those parts described as follows: Beginning at a point in the North boundary of said Lot 2, 330 feet East of the Northwest corner thereof, thence in a Southwesterly direction to a point 825 feet South and 250 feet East of said Northwest corner, thence

The first part of the report deals with the general situation of the country and the position of the various groups. It is a very detailed and interesting study of the social and economic conditions of the country. The second part of the report deals with the political situation and the activities of the various groups. It is a very detailed and interesting study of the political situation and the activities of the various groups. The third part of the report deals with the cultural situation and the activities of the various groups. It is a very detailed and interesting study of the cultural situation and the activities of the various groups. The fourth part of the report deals with the educational situation and the activities of the various groups. It is a very detailed and interesting study of the educational situation and the activities of the various groups. The fifth part of the report deals with the health situation and the activities of the various groups. It is a very detailed and interesting study of the health situation and the activities of the various groups. The sixth part of the report deals with the housing situation and the activities of the various groups. It is a very detailed and interesting study of the housing situation and the activities of the various groups. The seventh part of the report deals with the transportation situation and the activities of the various groups. It is a very detailed and interesting study of the transportation situation and the activities of the various groups. The eighth part of the report deals with the communication situation and the activities of the various groups. It is a very detailed and interesting study of the communication situation and the activities of the various groups. The ninth part of the report deals with the energy situation and the activities of the various groups. It is a very detailed and interesting study of the energy situation and the activities of the various groups. The tenth part of the report deals with the environment situation and the activities of the various groups. It is a very detailed and interesting study of the environment situation and the activities of the various groups. The eleventh part of the report deals with the international situation and the activities of the various groups. It is a very detailed and interesting study of the international situation and the activities of the various groups. The twelfth part of the report deals with the future of the country and the activities of the various groups. It is a very detailed and interesting study of the future of the country and the activities of the various groups.

The report is a very detailed and interesting study of the social and economic conditions of the country. It is a very detailed and interesting study of the political situation and the activities of the various groups. It is a very detailed and interesting study of the cultural situation and the activities of the various groups. It is a very detailed and interesting study of the educational situation and the activities of the various groups. It is a very detailed and interesting study of the health situation and the activities of the various groups. It is a very detailed and interesting study of the housing situation and the activities of the various groups. It is a very detailed and interesting study of the transportation situation and the activities of the various groups. It is a very detailed and interesting study of the communication situation and the activities of the various groups. It is a very detailed and interesting study of the energy situation and the activities of the various groups. It is a very detailed and interesting study of the environment situation and the activities of the various groups. It is a very detailed and interesting study of the international situation and the activities of the various groups. It is a very detailed and interesting study of the future of the country and the activities of the various groups.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 20th day of September, 1963, upon the depositing of the sum of \$ 21,900.00 with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

Dated at Tulsa, Oklahoma

By _____
Deputy

February _____ 1964.

Approved and ordered entered
this _____ day of February,
1964.

U. S. District Judge

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Petitioner,)
)
vs.)
)
Civil No. 5234)
)
N . S. Rogers, et al.,)
)
Defendants.)

ORDER CONFIRMING REPORT OF COMMISSIONERS

NOW, on this the 7th day of February, 1964, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 7th day of November, 1963, as modified by the stipulation should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 7th day of November, 1963, as modified, is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein. The lands and/or estate taken are described as follows, to-wit:



IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 26th day of November, 19 63, upon the depositing of the sum of \$6,380.00 with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

Dated at Tulsa, Oklahoma

By _____ Deputy

February 19 64 .

Approved and ordered entered
this _____ day of February,
19 64 .

U. S. District Judge

FILED

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Petitioner,)
)
vs.)
)
1 Tract of Land, Howard D. Johnson,)
et al.,)
)
Defendants.)

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

Civil No. 5776

ORDER CONFIRMING REPORT OF COMMISSIONERS

NOW, on this the 25th day of February, 19 64, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 27th day of November, 19 63 as modified by stipulation / should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 27th day of November, 19 63, as modified, is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein. The lands and/or estate taken are described as follows, to-wit:



IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 23rd day of December, 19 63, upon the depositing of the sum of \$ 7,000.00 with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

Dated at Tulsa, Oklahoma

By _____ Deputy

February 20 19 64.

Approved and ordered entered
this 20 day of February,
19 64.

U. S. District Judge

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

FILED

FEB 25 1964

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Petitioner,)
)
vs.)
)
One Tract of Land containing)
49.0 acres, more or less, in)
Mayes County, Oklahoma,)
Gary W. Henry, et al.,)
Defendants.)

WOMBLE C. HUGHES
Clerk, U. S. District Court

Civil No. 5787

ORDER CONFIRMING REPORT OF COMMISSIONERS

NOW, on this the 25th day of February, 1964, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 18th day of November, 1963, should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 18th day of November, 1963, is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein. The lands and/or estate taken are described as follows, to-wit:

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 23rd day of December, 19 63, upon the depositing of the sum of \$ 5,250.00 with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

Dated at Tulsa, Oklahoma

By _____ Deputy

February _____ 19 64 .

Approved and ordered entered
this _____ day of February,
19 64 .

U. S. District Judge

TRACT No. 8 MF 57 + FE
(Fee Title to & Perpetual Easement upon)

The following described land situated in Mayes County, Oklahoma,
to-wit:

FEE TITLE TO:

All of Lots 3 and 4 in Section 33; and all of the South 20 acres of Lot 7 and that part of the $S\frac{1}{2}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying West of the following described line: Beginning at a point in the South boundary of said $S\frac{1}{2}$ SW $\frac{1}{4}$ 1155 feet East of the Southwest corner thereof, thence Northerly parallel to the West boundary of said $S\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 330 feet, thence in a Northeasterly direction to a point 1320 feet East and 660 feet South of the Northeast corner of said $S\frac{1}{2}$ SW $\frac{1}{4}$, thence in a Northeasterly direction to a point in the North boundary of said $S\frac{1}{2}$ SW $\frac{1}{4}$ 1155 feet West of said Northeast corner, thence Northerly parallel to the West boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 330 feet, thence in a Northeasterly direction to a point in the North boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ 330 feet East of the Northwest corner thereof including any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land in Section 34, all in T 23 N, R 20 E of the Indian Base and Meridian, containing 73.25 acres.

PERPETUAL EASEMENT UPON:

All of the $S\frac{1}{2}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ except that portion to be taken in fee and described above, in Section 34, T 23 N, R 20 E of the Indian Base and Meridian, containing 47.5 acres.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 23rd day of December, 1963, upon the depositing of the sum of \$ 13,775.00 with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

Dated at Tulsa, Oklahoma

By M. M. Ewing Deputy

February 25 1964.

Approved and ordered entered
this 25 day of February,
1964.

18
U. S. District Judge

United States District Court

FOR THE

Northern District of Oklahoma

CIVIL ACTION FILE NO.

~~5638~~
5848

Opal McClain,

vs.

Charles S. Lakey and Allen Canning
Company, a foreign corporation,

FILED
JUDGMENT

FEB 25 1964

Noble C. Hood
Clerk, U. S. District Court

This action came on for trial before the Court and a jury, Honorable **Allen E. Barrow**

, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict,

It is Ordered and Adjudged that the plaintiff Opal McClain have and recover of and from the defendants Charles S. Lakey and Allen Canning Company, a foreign corporation the sum of One Thousand Seven Hundred Fifty and no/100 (\$1,750.00) Dollars together with interest at the rate of six (6) percent per annum and costs.

Dated at **Tulsa, Oklahoma**, this **25th** day
of **February**, 19**64**.

Noble C. Hood
Clerk of Court

Approved and ordered
entered Feb. 25, 1964.

M. Hanna
Deputy

Allen E. Barrow
U. S. District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

534.00 Acres of Land, More or Less,
Situat in Nowata County, Oklahoma,
and W. G. Phillips, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4859

Tract No. K-1117 (Partial)

J U D G M E N T
(Partial)

1.

NOW, on this 20th day of February, 1964, 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 interests of Harold Boyd and Dorothy E. Boyd, W. A. Estlin and Emma Gray in ~~and to the lesser interests in~~ the estate condemned in Tract No. K-1117 as such estate and tract are described in the Complaint and 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 February 25, 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 this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and a portion of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owners of the interests described in paragraph 2 in the estate taken in subject tract were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in such interests 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 described interests in the estate taken in this tract.

8.

The owners of the interests described in paragraph 2 in the subject tract and the United States of America have executed and filed herein Stipulations As To Just Compensation wherein they have agreed that just compensation for the interests described in paragraph 2 in 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 interests described in paragraph 2 in the estate described and for the uses and purposes described in such Declaration of Taking, is condemned, and title thereto is vested in the United States of

of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such described interests 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 interests described in paragraph 2 in 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 interests described in 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 sums therein fixed are adopted as the award of just compensation for the interests described in paragraph 2 in the estate condemned in subject tract as follows:

TRACT NO. K-1117

Owners (as to 12/24 ~~and 1/12~~ interest only):

Harold Boyd and Dorothy E. Boyd	- - - - -	5/24
W. A. Estlin	- - - - -	5/24
Emma Gray	- - - - -	1/12

Award of just compensation, pursuant to stipulations	- - - - -	\$2,112.48	\$2,112.48
(Allocated among owners as follows:			

Harold Boyd and Dorothy E. Boyd	- - - - -	\$880.21
W. A. Estlin	- - - - -	\$880.20
Emma Gray	- - - - -	\$352.07

Deposited as estimated compensation:

Harold Boyd and Dorothy E. Boyd	- - - - -	\$677.09
W. A. Estlin	- - - - -	\$677.08
Emma Gray	- - - - -	<u>\$270.83</u>
Total deposit	- - - - -	\$1,625.00

Disbursed to owners:

Harold Boyd and Dorothy E. Boyd	- - - - -	\$677.09
W. A. Estlin	- - - - -	\$677.08
Emma Gray	- - - - -	<u>\$270.83</u>
Total disbursed to owners	- - - - -	<u>\$1,625.00</u>

Balance due to owners:

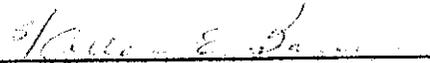
Harold Boyd and Dorothy E. Boyd	- - - - -	\$203.12
W. A. Estlin	- - - - -	\$203.12
Emma Gray	- - - - -	<u>\$81.24</u>
Total balance due to owners	- - - - -	\$487.48

Deposit deficiency	- - - - -	\$487.48
--------------------	-----------	----------

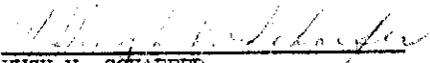
It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the Registry of this Court, in this civil action, to the credit of the subject tract, the deficiency sum of \$487.48.

The Clerk of this Court then shall disburse such sum as follows:

- To Harold Boyd and Dorothy E. Boyd the sum of \$203.12,
- To W. A. Estlin the sum of \$203.12, and
- To Emma Gray the sum of \$81.24.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUGH V. SCHAEFER
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

2,797.00 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and Jessie W. Campbell, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4891

Tracts Nos.: 5624-I (Partial
5730-B (Interest
Only)

J U D G M E N T
(Partial)

1.

NOW, on this 26th day of February, 1964, 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 interest of Harold and Dorothy E. Boyd, W. A. Estlin and Emma Gray in the lessor interest in and to the estate condemned in Tract No. 5730-B and only to the lessor interest of Harold Boyd and Dorothy E. Boyd in and to the estate condemned in Tract No. 5624-I, as such estates and tracts are more particularly described in the Complaint and the Declaration of Taking filed herein.

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estates described in paragraph 2 herein. Pursuant thereto, on March 18, 1960, the United States of America has filed its Declaration of

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 lessor interests in the subject tracts of the persons named in paragraph 2 hereof, a certain sum of money, a portion of which deposit has been disbursed, as set out in paragraph 11 below.

7.

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

8.

The owners of such interests in 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 interests in subject tracts is in the amounts shown as compensation in paragraph 11 below, 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 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 interest described in paragraph 2 herein, 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 interest 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 such interests in subject tracts were the defendants whose names appear below in paragraph 11, and the right to just compensation

for such interests in these tracts 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 such interests in subject tracts, as follows:

TRACT NO. 5730-B

Owners (as to 12/24 of lessor interest only):

W. A. Estlin - - - - - 5/24
Harold Boyd and
Dorothy E. Boyd - - - - - 5/24
Emma M. Gray - - - - - 1/12

Award of just compensation,
pursuant to Stipulations - - - - - \$300.00 \$300.00
(Allocated among owners as follows:

Emma Gray - - - - - \$ 50.00
Harold Boyd and
Dorothy E. Boyd - - - \$125.00
W. A. Estlin - - - - \$125.00

Deposited as estimated compensation:

Emma Gray - - - - - \$25.00
Harold Boyd and
Dorothy E. Boyd - - - - \$62.50
W. A. Estlin - - - - - \$62.50
Total deposit - - - - - \$150.00

Disbursed to Owners:

Emma Gray - - - - - None
Harold Boyd and
Dorothy E. Foyd - - - - \$62.50
W. A. Estlin - - - - - None
Total disbursed - - - - - \$62.50

Balance due to owners:

Emma Gray - - - - - \$50.00
Harold Boyd and
Dorothy E. Foyd - - - - \$62.50
W. A. Estlin - - - - - \$125.00
Total balance due to owners - - - - - \$237.50

Deposit deficiency - - - - - \$150.00

TRACT NO. 5624-I

Owners of 4/20 of lessor interest:

Harold and Dorothy E. Boyd

Award of just compensation,
pursuant to stipulation - - - - - \$40.00 \$40.00

Deposited as estimated compensation - - - - - \$20.00

Disbursed to owners - - - - - \$20.00

Balance due to owners - - - - - \$20.00

Deposit deficiency - - - - - \$20.00

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America deposit in the Registry of this Court, in this civil action, to the credit of the subject tracts the total deposit deficiency in the sum of \$170.00, and such sum shall be allocated and placed in the deposits for the respective tracts as shown in paragraph 11 above.

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

Tract 5730-B, to Emma Gray the sum of \$50.00,

to Harold Boyd and Dorothy E. Boyd
the sum of \$62.50, and

to W. A. Estlin the sum of \$125.00;

Tract 5624-I, to Harold and Dorothy E. Boyd the sum of \$20.00.

/s/ Allen E. Barrow
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hugh V. Schaefer
HUGH V. SCHAEFER
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

503.74 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Hinman Stuart Milam, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4973

Tract No. 6635-16

FILED
FEB 27 1964

WYBLE CLAYTON
Clerk, U. S. District Court

J U D G M E N T

1.

NOW, on this 26th day of February, 1964, 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. 6635-16, 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 July 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 certain estate in subject tract a certain sum of money, and a portion of this deposit has been disbursed, as set out in paragraph 12 below.

7.

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

8.

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

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the Stipulation As To Just Compensation, and the amount of such deficiency should be deposited for the benefit of the 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 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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

493.75 Acres of Land, More or Less,
Situate in Rogers and Nowata Counties,
Oklahoma, and Ivoy Byrd, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 5000

Tract No. 4731-S

FILED

FEB 26 1964

J U D G M E N T
(Partial)

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

1.

NOW, on this 26th day of February, 1964, 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 a portion of the lessor interest in and to the estate condemned in Tract No. 4731-S, as such estate and tract 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 estate described in paragraph 2 herein. Pursuant thereto, on August 19, 1960 the United States of America filed its Declaration of Taking and an Amendment thereto on January 11, 1961, 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 and the Amendment thereto.

6.

On filing of the Declaration of Taking and the Amendment thereto, there was deposited in the Registry of this Court as estimated compensation for the taking of an undivided $1/4$ of $1/8$ royalty interest in a certain estate in subject tract a certain sum of money, and a portion of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owners of an undivided $1/4$ of $1/8$ royalty interest in the estate taken in subject tract, as defined 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 an undivided $1/4$ of $1/8$ royalty 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 an undivided $1/4$ of $1/8$ royalty interest in the estate taken in this tract.

8.

The owners of such undivided $1/4$ of $1/8$ royalty interest in subject tract and the United States of America have executed and filed herein a Stipulation As To Just Compensation, wherein they have agreed that just compensation for the undivided $1/4$ of $1/8$ royalty interest in the estate condemned in subject tract 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 the undivided $1/4$ of $1/8$ royalty interest in the 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 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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

240.38 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Juanita Coonrod Hinton,
et al., and Unknown Owners,

Defendants.

Civil No. 5071

Tracts Nos. 3208, E-1
thru E-4

FILED

FEB 27 1964

RONALD C. LINDRO
Clerk, U. S. District Court

AMENDED JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for an amended judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 5th day of December, 1963, which amended judgment is substituted entirely for the judgment filed February 18, 1964.

2. 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 having compensable interests in the subject tracts, that upon the date the Declaration of Taking and the Complaint were filed, title to the estates taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 5th day of December 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above captioned tracts on the date of taking and are entitled to receive the award thereof.

6. 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 the above tracts is the sum of \$16,250.00, as determined by the Report of Commissioners of December 5, 1963, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACTS NOS. 3208, 3208E-1 thru E-4

Owner: Andrew Branch

Award of just compensation	\$ 16,250.00
Deposited as estimated compensation.	12,900.00
Disbursed to owner	12,465.00 *
Balance due to owner	3,350.00
Deposit deficiency	2,915.00

* Improvements retained by owner at a salvage value of \$435.00. Value of improvements retained (\$435.00) plus amount disbursed (\$12,465.00) equal amount originally deposited.

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$2,915.00, with interest at the rate of 6% per annum from December 2, 1960, until the date of deposit of such deficiency. 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:

Andrew Branch \$3,350.00, plus all accrued interest.

Entered this 25th day of Feb. 1964.

/s/ Allen E. Barrow
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee
ROBERT P. SANTEE
Assistant United States Attorney

ajs

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

Tract No. K-1163 (Partial)

FILED

COURT CLERK
C. S. BAKER

J U D G M E N T
(Partial)

1.

NOW, on this 17th day of February, 1964, 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 entire undivided lessor interest in and to the estate condemned in Tract No. K-1163, 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 January 31, 1961, 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 a portion of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owners of the undivided lessor interest in the estate taken in subject tract were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in the undivided lessor 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 undivided lessor interest in the estate taken in this tract.

8.

The owners of the undivided lessor interest 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 undivided lessor interest in the estate condemned in subject tract is in the amount shown as compensation in paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for the undivided lessor interest in the estate taken in the 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 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 undivided lessor interest in 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 undivided lessor interest in the estate taken herein in this tract is vested in the parties so named.

12.

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

TRACT NO. K-1163

Owners of lessor interest:

Harold Boyd and
Dorothy E. Boyd

Award of just compensation, pursuant to approved stipulation - - -	\$14,116.25	\$14,116.25
Deposited as estimated compensation - - - - -		\$12,275.00
Disbursed to owners - - - - -	<u>\$12,275.00</u>	
Balance due to owners - - - - -	\$ 1,841.25	<u> </u>
Deposit deficiency - - - - -		\$ 1,841.25

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. K-1163, the deficiency sum of \$1,841.25, and the Clerk of this Court then shall disburse such sum, jointly, to Harold Boyd and Dorothy E. Boyd.

William E. Brown
UNITED STATES DISTRICT JUDGE

APPROVED:

Hugh V. Schaefer
HUGH V. SCHAEFER
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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, et al., and Unknown Owners,)
)
 Defendants.)

Civil No. 5352

Tracts Nos. 2408E-1
thru E-3

FILED

FEB 2 1964

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

AMENDED JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for an amended judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 5th day of December, 1963, which amended judgment is substituted entirely for the judgment filed February 18, 1964.

2. 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed, title to the estates taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 5th day of December, 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above-captioned tracts on the date of taking and are entitled to receive the award thereof.

6. 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 the above tracts is the sum of \$1,600.00, as determined by the Report of Commissioners of December 5, 1963, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACTS NOS. 2408E-1, E-2 and E-3

Owners: Inman B. and Doris B. Raborn

Award of Just Compensation	\$1,600.00
Deposited as Estimated Compensation.	1,150.00
Disbursed to Owner	1,150.00
Balance due to Owner	450.00
Deposit Deficiency	450.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$450.00, with interest at the rate of 6% per annum from March 2, 1962, until the date of deposit of such deficiency. 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 payees:

Inman C. and Doris B. Raborn \$ 450.00, plus all accrued interest.

Entered this 25th day of Feb. 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE

a.js

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
753.01 Acres of Land, More or Less,)
Situat in Pawnee and Osage Counties,)
Oklahoma, and Jacob Fein, et al., and)
Unknown Owners,)
Defendants.)

Civil No. 5419

Tract No. 3727E

FILED

FEB 21 1964

AMENDED JUDGMENT

NOBIE C. MOORE
Clerk, U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for an amended judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 5th day of December, 1963, which amended judgment is substituted entirely for the judgment filed February 18, 1964.

2. 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 having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed, title to the estate taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 5th day of December 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tract and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above-captioned tract on the date of taking and are entitled to receive the award thereof.

6. 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 the above tract is the sum of \$2,875.00, as determined by the Report of the Commissioners of December 5, 1963, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tract, as shown by the following schedule:

TRACT NO. 3727E

Owners: Leola C. & Elzie Smith

Award of Just Compensation	\$ 2,875.00
Deposited as estimated compensation.	2,000.00
Disbursed to owner	---
Balance due to owner	2,875.00
Deposit deficiency	875.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$875.00, with interest at the rate of 6% per annum from June 1, 1962, until the date of deposit of such deficiency. 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 payees:

Leola C. and Elzie Smith \$2,875.00, plus all accrued interest.

Entered this 25th day of Feb. 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

ajs

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)

vs.)

152.04 Acres of Land, More or Less,
Situate in Osage and Pawnee Counties,
Oklahoma, and Jacob Fein, et al., and
Unknown Owners,)

Defendant.)

Civil No. 5538

Tract Nos. 3819E-1 & E-2

FILED

FEB 27 1964

AMENDED JUDGMENT

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for an amended judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 10th day of December, 1963, which amended judgment is substituted entirely for the judgment filed February 18, 1964.

2. 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 having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds that the issue of just compensation tried to the Commission was done so on the following legal premise: The imposition of these easement is designed to remove floatable material from the future flood area and to prevent construction in the area which would, in the future, sustain damage by reason of flooding or create floatable debris. It is not anticipated nor was it intended that the imposition of these easements would require removal or prevent construction of fences in the easement area. The acquisition of these easements does not abrogate any rights regarding use of water for irrigation which may have been granted to the individual owner by the State of Oklahoma or other governing bodies. No application for permission to maintain or construct fences or to exercise irrigation rights previously granted will be required by the Government as a result of these acquisitions.

4. The Report of Commissioners filed herein on the 10th day of December, 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 7 below.

5. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 7 below.

6. The Court finds upon the evidence presented that the defendants listed below in paragraph 7 were the sole owners of the above-captioned tracts on the date of taking and are entitled to receive the award thereof.

7. 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 the above tracts is the sum of \$1,550.00, as determined by the Report of Commissioners of December 10, 1963, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACT NOS. 3819E-1 & E-2

Owner: Nelson E. F. Breusing and Opal Maudie Breusing	
Award of Just Compensation:	\$1,550.00
Deposited as estimated compensation	500.00
Disbursed to Owner:	500.00
Balance due to Owner:	1,050.00
Deposit Deficiency:	1,050.00

8. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,050.00, with interest at the rate of 6% per annum from January 8, 1963, until the date of deposit of such deficiency. 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:

Nelson E. F. and Opal Maudie Brensing \$1,050.00, plus
all accrued interest.

Entered this 25th day of February 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

FILED

FEB 26 1964

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

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

GRAND RIVER DAM AUTHORITY,
a public corporation,

)
)
)
Plaintiff,

vs

)
)
)
1 Tract of Land containing 32 Acres
more or less in Hayes County, Oklahoma,
Robert Shocklee, et al.,

Civil No. 3803

)
)
)
Defendants.)

JUDGMENT ON VERDICT

This action came on for trial before the Court and a jury,
Honorable ~~Allen E. Barrow~~, District Judge, presiding, and
the issues being to determine the just compensation to be paid for the
taking of the lands designated and described in this proceedings as
Tract No. 1 (2MF 48 +FE), and the jury having rendered its verdict
awarding and fixing just compensation in the amount of \$ 12,000.00.

The Court finds that the verdict of the jury is regular in all
respects and that each and all of the allegations of the petition in
condemnation are true and that the Grand River Dam Authority is entitled
to acquire property by eminent domain for the uses and purposes set
forth in said petition; and, that it is necessary and convenient to ac-
quire by condemnation the lands and/or estate therein, as hereinafter
described.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of
\$ 12,000.00, fixed by jury verdict, is full and just compensa-
tion for the taking of the lands and/or estate therein.

The lands or estate taken are as follows, to-wit:



IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendants,
Robert Snocklee and Eva Snocklee
have and recover a judgment against Grand River Dam Authority,
a public corporation,
for and in the sum of \$ 1,000.00, together with interest at the rate of 6% per annum from the 7th day of June, 1963, until paid, the same being the difference between the award of the commissioners and the verdict of the jury.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 7th day of June, 1963, upon the depositing of the commissioners' award with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

By M. Hamra
Deputy

Dated at Tulsa, Oklahoma
February 24 1964.

Approved and ordered entered
this 25 day of February
1964.

AEB.
U. S. District Judge

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

VIRGINIA MAE BEESLEY, Administrator of)
the Estate of Eugene H. Beesley, Deceased,)
)
Plaintiffs,)
-vs-)
)
THE ATCHISON, TOPEKA & SANTA FE RAIL-)
WAY COMPANY, a Corporation, et al and)
W. T. CLINE,)
)
Defendants.)

NO. 5720 - Civil

FILED ✓

FEB 26 1964

WILLIAM C. MOORE
CLERK OF DISTRICT COURT

JOURNAL ENTRY OF JUDGMENT

Now on this 26th day of February, 1964, the above entitled cause comes on for trial upon a regular assignment, and the plaintiff, Virginia Mae Beesley appears in person and by her attorney; the defendant The Atchison, Topeka & Santa Fe Railway Company appears by their attorneys, and the defendant, W. T. Cline appears in person and by his attorney.

All parties having announced ready for trial, it is further announced to the Court that an agreement has been reached in settlement of the claim herein and the Court, being fully advised in the premises renders judgment for the plaintiff as follows:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover from the defendants herein the sum of TWENTY THOUSAND DOLLARS (\$20,000.00) as a full and complete satisfaction of all claims arising hereunder.

It is further ordered by this Court that the defendant shall pay all the costs heretofore incurred, and any that will occur in the termination of this matter.

It is the further order of this Court that the defendants are given fifteen (15) days from the date of this Order to pay to the Clerk of the U.S. District Court for the Northern District of Oklahoma the sum of the judgment as set forth herein.

ALLEN E. BARROW
JUDGE

APPROVED AS TO FORM:

Donald S. Cooper -Atty. for defendants
Robert W. Neptune -Atty. for plaintiff
Clarence J. Eder -Atty. for Kathy & Linda Beesley

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

BRUNSWICK CORPORATION,)
)
 Plaintiff,)
)
 v.)
)
 THUNDERBIRD BOWL, INC.,)
)
 Defendant.)

No. 5824

FILED

FEB 26 1964

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

JUDGMENT

Now on this 26 day of ~~January~~ ^{February}, 1964, the above entitled matter comes on for hearing upon the application for judgment filed by the plaintiff and the plaintiff appearing by its attorney of record, Crowe, Thieman & Froeb, by F. Paul Thieman, Jr., and the defendant appearing not but makes default and the Court having heard the evidence, statements of counsel and being otherwise fully advised in the premises finds that judgment should be rendered as prayed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that plaintiff is hereby decreed to be the sole owner and entitled to the permanent possession of the bowling alley equipment described in the Affidavit for Replevin filed in this cause, free of any right, title, claim or interest of the defendant.

IT IS FURTHER ORDERED that Brunswick Corporation and the Seaboard Surety Company, surety on plaintiff's replevin bond be, and they are hereby relieved and discharged of all liability thereon.

IT IS FURTHER ORDERED that plaintiff have and recover judgment against Thunderbird Bowl, Inc. in the amount of \$ 17,704⁴⁵, plus the costs of this action.

Fred Dougherty
United States District Judge

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

GRAND RIVER DAM AUTHORITY,
a public corporation,

Plaintiff,

vs.

A Strip of Land 100 Feet in
Width in Rogers County, Oklahoma,
Jack Herndon, et al.,

Defendants.

CIVIL NO. 5885

FILED

RECORDED

FILED
1964 FEB 25

D I S M I S S A L

COMES NOW the plaintiff, the Grand River Dam Authority, a public corporation, pursuant to Rule 71 A, i (1) of the Rules of Civil Procedure and hereby dismisses this cause of action for the reason that the plaintiff has acquired the necessary rights-of-way by agreement with the defendants.

DATED this 25th day of February, 1964.

Q. B. Boydston
Q. B. Boydston
Attorney for Plaintiff

ORDER OF DISMISSAL

IT IS ORDERED that the above styled and numbered cause beand it is dismissed at cost of plaintiff.

W. M. S. Barron
U. S. District Judge.

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

J. H. Keasler,

Plaintiff,

vs.

M. H. BEDRI, PAUL FITE,
and MARJORIE E. FITE,

Defendants.

No. 5543 - CIVIL

ORDER OF DISMISSAL

NOW on this 13 day of February, 1964, it appearing that the Plaintiff and Defendant, Bedri, have filed Stipulation for Dismissal with Prejudice of Plaintiff's cause of action against Bedri and Bedri's cause of action against Keasler, it is hereby stipulated that Plaintiff's cause of action and Complaint against Bedri be and the same is hereby dismissed with prejudice and that the Defendant Bedri's Counter-Claim and Cross-Complaint against the Plaintiff Keasler be and the same is hereby dismissed with prejudice, all at the costs of the Plaintiff.

JUDGE OF THE UNITED STATES DISTRICT COURT

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Petitioner,)
)
vs.)
)
)
1 Tract of Land, J. E. Arms, et al.,)
)
Defendants.)

Civil No. 5767

FILED

FEB 27 1964

ORDER CONFIRMING REPORT OF COMMISSIONERS
RODIE C. TERRY
Clerk, U. S. District Court

NOW, on this the 26th day of February, 19 64, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 7th day of November, 19 63, should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 7th day of November, 19 63, is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein. The lands and/or estate taken are described as follows, to-wit:



IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 26th day of November, 19 63, upon the depositing of the sum of \$ 13,550.00 with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

Dated at Tulsa, Oklahoma

By M. M. Ewing
Deputy

February 26 1964.

Approved and ordered entered
this 26 day of February,
1964.

W. Luther Johnson
U. S. District Judge

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Petitioner,)
)
vs.)
)
3 Tracts of Land, Tom Carroll,)
et al.,)
)
Defendants.)

Civil No. 5789

FILED

FEB 27 1964

ORDER CONFIRMING REPORT OF COMMISSIONERS

NOW, on this the 26th day of February, 1964, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 18th day of November, 1963, **as modified by stipulation** should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 18th day of November, 1963, **as modified** is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein. The lands and/or estate taken are described as follows, to-wit:

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(Page No. 1 of 1)

Faint, illegible text, possibly bleed-through from the reverse side of the page.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 23rd day of December, 1963, upon the depositing of the sum of \$ 5,225.00 with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

Dated at Tulsa, Oklahoma

By M. M. Ewing Deputy

February 26 1964.

Approved and ordered entered
this 26 day of February,
1964.

W. R. Sullivan
U. S. District Judge

1.
\$10,000.00

... ..
... ..
... .. 9th

William C. Brown
Title

APPROVED:

[Signature]
Accounting Department

[Signature]
Accounting Department

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,	)	CIVIL ACTION NO. 4857
)	
Plaintiff,	)	Tracts Nos. 5719-B - Lessor & ORRI
	)	5719-A - ORRI
vs.	)	5718-D - ORRI
	)	5718-7A } - ORRI
989.66 Acres of Land, More or Less,	)	5718-7 } - ORRI
Situate in Nowata County, Oklahoma,	)	5627-1S } - Lessor
and H. T. Stanart, et al, and	)	5627-2S } - Lessor
Unknown Owners,	)	5622-7A } - Interest
	)	5622-7B } Only
Defendants.	)	5623-5 } - Lessor Interest
	)	5626-1 - Lessor Interest

FILED

J U D G M E N T

(Partial)

FEB 23 1964

1.

NOW, on this 28th day of February 1964, this ~~matter comes on for~~ ^{NOBLE C. HOOD}

disposition on application of the plaintiff, United States of America, for entry of Judgment on the Reports of Commissioners, filed herein on December 23, 1963 and February 5, 1964, and the Court, after having examined the files in this action and being advised by counsel for the plaintiff, finds that:

2.

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

3.

This Judgment applies only to certain interests 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, as amended, filed herein. Such interests are:

- a. The 1/8 lessor interest, and 1/8 of 8/8 overriding royalty interest in Tract No. 5719-B,
- b. The 1/8 of 8/8 overriding royalty interest in Tract No. 5719-A,
- c. The 1/16 of 8/8 overriding royalty interest in Tract No. 5718-D,
- d. The 1/16 of 8/8 overriding royalty interest in Tracts Nos. 5718-7A and 5718-7,
- e. The 1/8 lessor interest in Tracts Nos. 5627-1S, 5627-2S, 5622-7A, 5622-7B and 5623-5,
- f. The 1/8 lessor interest in Tract No. 5626-1.

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts of land. Pursuant thereto, on February 19, 1960, the United States of America filed its Declaration of Taking of the estates described in paragraph 3, and on April 26, 1961, filed an Amendment thereto, and title to such property should be vested in the United States of America, as of the dates of filing such instruments.

6.

Simultaneously with the filing of the Declaration of Taking and the Amendment thereto, there was deposited in the Registry of this Court, as estimated compensation for the taking of subject property, certain sums of money, and part of these deposits has been disbursed, as set out in paragraph 11 below

7.

The Reports of Commissioners filed herein on December 23, 1963 and February 5, 1964, are hereby accepted and adopted as a finding of fact as to all tracts covered by such reports. The amount of just compensation as to subject tracts, as fixed by the Commission, is set out in paragraph 11 below.

8.

This Judgment will result in an overpayment to the owners of certain tracts as shown in paragraph 11 below. Such owners should refund to the Registry of this Court the amounts of such overpayments and the surplus in the deposits for the subject tracts thus created should be refunded to the plaintiff.

9.

The defendants named in paragraph 11 as owners of subject tracts are the only defendants asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted. The named defendants are the owners of the respective interests in such estates as designated, and as such, are entitled to distribution of just compensation therefor.

10.

It Is Therefore ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the subject tracts, described in the Declaration of Taking, as amended, filed herein, and such property, to the extent of the interests described in paragraph 3 herein, is condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking and Amendment thereto, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that the right to just compensation for the taking of the interests described in paragraph 3 herein is vested in the defendants whose names appear below in this paragraph. The Reports of Commissioners of December 23, 1963 and February 5, 1964, are hereby confirmed, and the sums therein fixed are adopted as just compensation for the subject property, as shown by the following schedule:

TRACTS NOS. 5719-B, 5719-A, 5718-D, 5718-7A and 5718-7 (Combined)

(The following schedule applies to the subject interests in all of these tracts as such interests are described in paragraph 3 herein.)

Deposited as estimated compensation:

Tract No. 5719-B - - - - -	\$ 1,651.00
Tract No. 5719-A - - - - -	5,481.00
Tract No. 5718-D - - - - -	760.00
Tracts Nos. 5718-7A and 5718-7 - - - - -	1,568.00
	<hr/>
Total deposit - - - - -	\$ 9,460.00

Award of just compensation:

Tract No. 5719-B - - - - -	\$ 1,145.00
Tract No. 5719-A - - - - -	4,950.00
Tract No. 5718-D - - - - -	695.00
Tracts Nos. 5718-7A and 5718-7 - - - - -	600.00
	<hr/>
Total award - - - - -	\$ 7,390.00

Overdeposit - - - - - \$ 2,070.00

Ownership, distribution of awards and disbursals:

	Interest	Share of Award	Disbursed	Overpayment
James Thorton	9/48	\$ 1,385.62	\$ 1,773.75	\$ 388.13
James P. Coyle	25/48	3,848.96	4,927.10	1,078.14
Helen Coyle	2/48	307.92	394.15	86.23
Teresa Higgins	6/48	923.75	1,182.50	258.75
Dorothy Higgins	6/48	923.75	1,182.50	258.75
Totals		\$ 7,390.00	\$ 9,460.00	\$ 2,070.00

TRACTS NOS. 5627-1S, 5627-2S, 5622-7A, 5622-7B and 5623-5, (Combined)

(The following schedule applies to the 1/8 lessor interest only in all of these tracts.)

Owners: Bud Clark and Maggie Clark

Deposited as estimated compensation - - - - -	\$ 2,900.00	\$ 2,900.00
Disbursed to owners - - - - -	2,900.00	
Award of just compensation - - - - -	2,500.00	2,500.00
Overpayment to owners - - - - -	\$ 400.00	
Overdeposit - - - - -		\$ 400.00

TRACT NO. 5626-1

(The following schedule applies to the 1/8 lessor interest only in this tract.)

Owner: Lydia Swanson

Award of just compensation - - - - -	\$ 3,000.00	\$ 3,000.00
Deposited as estimated compensation - - - - -		3,000.00
Disbursed to owner - - - - -	None	
Balance due to owner - - - - -	\$ 3,000.00	

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the plaintiff, United States of America, shall have judgment against each of the owners of the subject interests in Tracts Nos. 5719-B, 5719-A, 5718-D, 5718-7A and 5718-7 for the overpayments made to them from the deposits for such tracts, as follows:

James Thornton - - - - -	\$ 388.13
James P. Coyle - - - - -	1,078.14
Helen Coyle - - - - -	86.23
Teresa Higgins - - - - -	258.75
Dorothy Higgins - - - - -	258.75

In payment of these judgments, each of the named defendants shall deposit with the Clerk of this Court the sum shown opposite his or her name, and such sums shall be credited to the deposit for Tract No. 5719-B.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that the plaintiff, United States of America, shall have judgment against the owners of the subject interest in Tracts Nos. 5627-1S, 5627-2S, 5622-7A, 5622-7B and 5623-5 for the overpayment made to them from the deposit for such tracts, as follows:

Bud Clark and Maggie Clark - - - - - \$ 400.00

In payment of this judgment, the named defendants shall deposit with the Clerk of this Court the sum of \$400.00 and such sum shall be credited to the deposit for the five above-named tracts.

14.

It Is Further ORDERED that, when the refunds required of the defendants in paragraphs 12 and 13 herein have been made, the Clerk of this Court shall make certain disbursements, as follows:

From the deposit for Tract No. 5719-B, the sum of \$2,070.00,
 From the deposit for Tract No. 5627-1S, et seq, the
 sum of \$400.00,

to the Treasurer of the United States of America.

15.

It Is Further ORDERED that the Clerk of this Court, forthwith, shall disburse from the deposit for Tract No. 5626-1, to Lydia Swanson, the sum of \$3,000.00.

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/s/ Hubert A. Marlow

HUBERT A. MARLOW
 Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

261.61 Acres of Land, More or Less,
Situat in Nowata County, Oklahoma,
and Earnest Brannan, et al, and
Unknown Owners,

Defendants.

Civil No. 4873

Tract No. U-2109E

FILED

FEB 23 1964

J U D G M E N T

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

1.

NOW, on this 27th day of February 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on November 14, 1963, and the Court after having examined the files in this action and being advised by counsel for the plaintiff, finds that:

2.

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

3.

This judgment applies only to the estate condemned in Tract No. U-2109E, as such estate and tract are described in the Complaint and Declaration of Taking, filed herein.

4.

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

5.

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

6.

On filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the subject tract a certain sum of money, and part of this deposit has been disbursed as set out in paragraph 10 below.

7.

The Report of Commissioners filed herein on November 14, 1963, is hereby accepted and adopted as a finding of fact as to subject tract. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 10 below.

8.

The defendants named in paragraph 10 as owners of subject tract are the only defendants asserting any interest in the estate condemned herein, all other defendants having either disclaimed or defaulted; the named defendants are the owners of the respective interests in the estate condemned herein as shown in such paragraph 10 and, as such, are entitled to distribution of just compensation therefor.

9.

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

10.

It Is Further ORDERED, ADJUDGED, AND DECREED that the right to receive the just compensation for their respective interests in the estate taken herein in subject tract is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of November 14, 1963, is hereby confirmed and the sum therein fixed is adopted as just compensation for subject tract as shown by the following schedule:

TRACT NO. U-2109E

Owners:

Willie Mae Parker - - - - - 5/9
Horace G. Teague - - - - - 4/9
Elmer Howell - - - - - Agricultural lease

Award of just compensation
pursuant to Commissioners' report - - - - - \$ 500.00

Allocation of award, deposit and distribution:

As to Willie Mae Parker 5/9 interest:

Deposited as estimated compensation	- - -	\$ 316.67	
Disbursed to owner	- - -	\$ 316.67	
Award for 5/9 interest	- - -	\$ <u>244.44</u>	\$ <u>244.44</u>
Overpayment	- - -	\$ 72.23	_____
Original overdeposit	- - -	\$ 72.23	
Balance on hand	- - -		None

As to Horace G. Teague 4/9 interest:

Deposited as estimated compensation	- - -	\$ 253.33	
Award for 4/9 interest	- - -	\$ 195.56	\$ 195.56
Disbursed to owner	- - -	<u>None</u>	_____
Balance due to owner	- - -	\$ 195.56	_____
Deposit surplus	- - -	\$ 57.77	
Balance on hand	- - -		\$ 253.33

As to Elmer Howell leasehold interest:

Award for agricultural lease	- - -	\$ 60.00	\$ 60.00
Deposited as estimated compensation	- - -		None
Disbursed to owner	- - -	<u>None</u>	_____
Balance due to owner	- - -	\$ 60.00	_____
Deposit deficiency	- - -	\$ 60.00	
Balance on hand	- - -		None

Total balance due to owners - - - - - \$ 255.56

Total balance on hand - - - - - \$ 253.33

Net deposit deficiency - - - - - \$ 2.23

11.

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for the subject tract, to Horace G. Teague, the sum of \$195.56.

12.

It Is Further ORDERED that the United States of America shall deposit in the Registry of this Court to the credit of the subject tract the net deposit deficiency as shown in paragraph 10 in the amount of \$2.23. When such deposit has been made, the Clerk of this Court shall disburse from the deposit for the subject tract, to Elmer Howell, the sum of \$60.00.

13.

It Is Further ORDERED that the United States of America has judgment against Willie Mae Parker for the overpayment to her in the amount of \$72.23, and said Willie Mae Parker is ordered to pay such sum into the Registry of this Court. When such sum be paid, it shall be deposited to the credit of the subject tract. The Clerk of this Court then shall disburse from the deposit for the subject tract the sum of \$72.23 to Treasurer of the United States of America.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

491.42 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and Ralph Dawson, et al,
and Unknown Owners,

Defendants.

Civil No. 4884

Tracts Nos. K-1178 (Partial)
L-1206 (entire)
L-1241 (Partial)
L-1243 (Partial)

J U D G M E N T

(Partial)

1.
NOW, on this 28th day of February 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on the Report of Commissioners filed herein on November 14, 1963, and the Court after having examined the files in this action and being advised by counsel for the plaintiff finds that:

2.

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

3.

This Judgment applies only to the estates taken in the subsurface estate in the tracts enumerated in the caption above, as such tracts and estates are described in the Complaint and Declaration of Taking filed herein. (Note: The subsurface estate was the only interest condemned in this civil action in Tract No. 1206.)

4.

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

5.

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

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estates in subject tracts, certain sums of money and none of these deposits has been disbursed as set out in paragraph 10 below.

7.

The Report of Commissioners filed herein on November 14, 1963, is hereby accepted and adopted as a finding of fact as to the subject property. The amount of just compensation as to the subject property as fixed by the Commission is set out in paragraph 10 below.

8.

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

9.

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

10.

It Is Further ORDERED, ADJUDGED AND DECREED that the right to receive just compensation for the subsurface estates taken herein in subject tracts is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of November 14, 1963, is hereby confirmed and the sums therein fixed are adopted as just compensation for the subsurface estate taken in subject tracts as shown by the following schedule:

TRACT NO. K-1178

Owner of subsurface estate: P. W. Fusselman

Deposited as estimated compensation for subsurface estate - - - - -			\$ 3,000.00
Award of just compensation for subsurface estate - - - - -	\$ 250.00	\$	250.00
Disbursed to owner for subsurface estate - - - -	<u>None</u>		
Balance due to owner - - - - -	\$ 250.00		<u> </u>
Deposit surplus - - - - -			\$ 2,750.00

TRACT NO. L-1206

Owners of subsurface estate:

P. W. Fusselman and
K. V. Fusselman

Deposited as estimated compensation for subsurface estate - - - - -			\$ 1,300.00
Award of just compensation for subsurface estate - - - - -	\$1,000.00	\$	1,000.00
Disbursed to owners of subsurface estate - - - -	<u>None</u>		
Balance due to owners - - - - -	\$1,000.00		<u> </u>
Deposit surplus - - - - -			\$ 300.00

TRACT NO. L-1241

Owner of subsurface estate: P. W. Fusselman

Deposited as estimated compensation for subsurface estate - - - - -			\$ 2,725.00
Award of just compensation for subsurface estate - - - - -	\$ 400.00	\$	400.00
Disbursed to owner for subsurface estate - - - -	<u>None</u>		
Balance due to owner for subsurface estate - - -	\$ 400.00		<u> </u>
Deposit surplus - - - - -			\$ 2,325.00

TRACT NO. L-1243

Owner of subsurface estate: P. W. Fusselman

Deposited as estimated compensation for subsurface estate - - - - -			\$ 500.00
Award of just compensation for subsurface estate - - - - -	\$ 150.00		150.00
Disbursed to owner for subsurface estate - - - -	\$ <u>None</u>		
Balance due to owner for subsurface estate - - -	\$ 150.00		<u> </u>
Deposit surplus - - - - -			\$ 350.00

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

- 1. From the deposit for Tract No. K-1178:
 - TO P. W. Fusselman - - - - - \$ 250.00
 - TO Treasurer of the United States of America - - \$ 2,750.00
- 2. From the deposit for Tract No. L-1206:
 - TO P. W. Fusselman and K. V. Fusselman,
jointly - - - - - \$ 1,000.00
 - TO Treasurer of the United States of America - - \$ 300.00
- 3. From the deposit for Tract No. L-1241:
 - TO P. W. Fusselman - - - - - \$ 400.00
 - TO Treasurer of the United States of America - - \$ 2,325.00
- 4. From the deposit for Tract No. L-1243:
 - TO P. W. Fusselman - - - - - \$ 150.00
 - TO Treasurer of the United States of America - - \$ 350.00

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
370.80 Acres of Land, More or Less,
Situat in Nowata and Rogers Counties,
Oklahoma, and G. M. Williams, et al,
and Unknown Owners,
Defendants.

Civil No. 4885

Tracts Nos. L-1208 &
L-1208E

FILED

FEB 20 1964

J U D G M E N T

1.

ROBERT C. FORD
CLERK, U. S. DISTRICT COURT

NOW, on this 20 day of February 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on the Report of Commissioners filed herein on November 14, 1963, and the Court after having examined the files in this action and being advised by counsel for the plaintiff finds that:

2.

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

3.

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

4.

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

5.

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

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of

the subject tracts certain sums of money and part of these deposits have been disbursed as set out in paragraph 13 below.

7.

The Report of Commissioners filed herein on November 14, 1963, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 13 below.

8.

A deficiency exists between the amount deposited as estimated just compensation for subject tracts and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. Such deficiency is set out in paragraph 13 below.

9.

The defendants named in paragraph 13 as owners of subject tracts are the only defendants asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; the named defendants are the owners of the estates condemned in the subject tracts and, as such, are entitled to receive the just compensation therefor.

10.

A Stipulation for Exclusion of Property, executed by the owners and the United States of America, was filed herein on September 9, 1960, whereby certain improvements situated on the subject tracts were excluded from the taking in this case and it was agreed that the award of compensation for such tracts would be reduced by the salvage value of such improvements, and such stipulation should be approved.

11.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power and authority to condemn for public use the subject tracts, described in the Declaration of Taking and the Complaint filed herein, and such property (with the exception of the improvements excluded by paragraph 12), to the extent of the estates indicated, and for the uses and purposes described in the Declaration of Taking filed herein, is condemned, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulation for Exclusion of Property referred to in paragraph 10 hereby is confirmed and title to such improvements remains vested in the owners.

13.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, title to the estates taken herein in subject tracts was vested in the defendants whose names appear below in this paragraph; the right to receive the just compensation for the estates taken herein is vested in the parties so named; the Report of Commissioners of November 14, 1963, hereby is confirmed and the sums therein fixed are adopted as just compensation for subject tracts as shown by the following schedule:

TRACTS NOS. L-1208 & L-1208E

Owners:

Ray Martin and Myrtle Martin

Award of just compensation pursuant to Commissioners' Report - - - - -	\$ 22,500.00	
Less salvage value of improvements reserved - - - - -	\$ <u>405.00</u>	
Net award - - - - -	\$ 22,095.00	\$ 22,095.00
Deposited as estimated compensation - - - - -		\$ 16,825.00
Disbursed to owners:		
Disbursed to owners - - - - -	\$16,825.00	
Redeposited by owners for improvements reserved - - - - -	\$ <u>405.00</u>	
Net disbursal - - - - -	\$ <u>16,420.00</u>	
Balance due to owners - - - - -	\$ 5,675.00	
Deposit deficiency - - - - -		\$ 5,270.00

14.

It Is Further ORDERED, ADJUDGED AND DECREED, that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject tracts as shown in paragraph 13, together with interest on such deficiency at the rate of 6% per annum from March 9, 1960 until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tracts in this civil action. Upon

receipt of such sum, the Clerk of this Court shall disburse from the deposit for the subject tract, to Ray Martin and Myrtle Martin the sum of \$5,675.00 plus all accrued interest on the deposit deficiency for the subject tracts.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

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

FILED

FEB 11 1964

NOBLE C. MOORE
CLERK, U. S. District Court

GRAND RIVER DAM AUTHORITY,
a public corporation,

Plaintiff,

vs

1 Tract of Land, Strickland
Armstrong, et al.,

Defendants.

Civil No. 5638

JUDGMENT ON VERDICT

This action came on for trial before the Court and a jury,
Honorable Allen E. Barrow, District Judge, presiding, and
the issues being to determine the just compensation to be paid for the
taking of the lands designated and described in this proceedings as
5 MF 59 + FE, 8 MF 55 + FE, 5 MF 66, FE Rev.,
Tract 6 MF 44 FE, 5 MF 63 FE, and 5 MF 17, and the jury having rendered its verdict
awarding and fixing just compensation in the amount of \$ 27,250.00.

The Court finds that the verdict of the jury is regular in all
respects and that each and all of the allegations of the petition in
condemnation are true and that the Grand River Dam Authority is entitled
to acquire property by eminent domain for the uses and purposes set
forth in said petition; and, that it is necessary and convenient to ac-
quire by condemnation the lands and/or estate therein, as hereinafter
described.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of
\$ 27,250.00, fixed by jury verdict, is full and just compensa-
tion for the taking of the lands and/or estate therein.

The lands or estate taken are as follows, to-wit:

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Grand River Dam Authority, a Public Corporation

have and recover a judgment against Strickland Armstrong and Mary Richard Armstrong

for and in the sum of \$ 2,070.00, together with interest at the rate of 6% per annum from the 28th day of February, 1964, until paid, the same being the difference between the award of the commissioners and the verdict of the jury.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 21st day of June, 1963, upon the depositing of the commissioners' award with the registry of this Court for the lands and estates taken in and to the above described land.

NOBLE C. HOOD

By *[Signature]*
Deputy

Dated at Tulsa, Oklahoma

Feby. 28 1964

Approved and ordered entered
this 28th day of Feby.,
1964.

U. S. District Judge