

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

171.63 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and William S. Bailey, et al.,
and Unknown Owners,

Defendants.

Civil No. 5721

Tract No. 0812 M-1

FILED

MAY 1 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.

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 \$950.00, 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 \$950.00 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 prior to the institution of the above proceeding the United States of America and Elmer J. and Wilda P. Chandley, Eda T. Kelley now Davidson, Lillian Neely heirs: Bert E. Neely, Charles Neely, Tom Neely, Edward Neely, Ruth Wells, Ruby Pruess, Wilma Howard and

Mary Merwin; Ruth Haftorson, William E. Tolle, Eunice Briles, Ray Spess, Bert Casey, and J. A. McCollum 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 \$950.00, inclusive of interest, 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.

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 tract is the sum of \$950.00, inclusive of interest, of which sum the following amounts have previously been disbursed:

Elmer J. & Wilda P. Chandley	\$250.00
Ray Spess	250.00

(c) The Clerk of this Court is hereby authorized and directed to draw checks on the funds in the Registry of this Court in the amounts hereinafter set forth, payable to the order of the following named payees:

Eda T. Kelley, now Davidson	\$50.00
Lillian Neely Heirs:	
Bert E. Neely	6.25
Charles Neely	6.25
Tom Neely	6.25
Edward Neely	6.25
Ruth Wells	6.25
Ruby Pruess	6.25
Wilma Howard	6.25
Mary Merwin	6.25
Ruth Haftorson	50.00
William E. Tolle	50.00
Eunice Briles	50.00
Bert Casey	100.00
J. A. McCollum	100.00

Entered this 28th day of April 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

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

COMPRESSOR SERVICE, INC.,)
a corporation, Plaintiff)
vs)
AETNA INSURANCE COMPANY,)
a corporation, Defendant)

NO. 5892 CIVIL

FILED

MAY 1 1964

ORDER

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

On this 1st day of May, 1964, this matter coming on
to be heard upon the motion of the plaintiff to dismiss the above cause
with prejudice to a future action, and the Court being fully advised in
the premises and finding that the matter has been fully settled and
compromised,

IT IS BY THE COURT ORDERED that the above action be and
the same is hereby dismissed with prejudice to a future action.

Allen E. Barron
Judge of the United States District Court

4.

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

5.

On March 31, 1964, a pre-trial conference in this case was held before the Court. Due notices of such hearing have been given to the parties hereinafter named. The plaintiff, United States of America, appeared at such hearing by Hugh V. Schaefer, Assistant United States Attorney, and none of the defendants, other than those named in paragraph 7 herein, have entered their appearances, nor did they appear at the aforesaid pre-trial hearing, and the same defendants have not made any appearances at any other trial concerning the subject tract. At the above-mentioned pre-trial conference, the Court considered the evidence offered by plaintiff and then found that the fair market value of the subject property, as of the date of taking, was \$9,700.00, and such sum should be adopted as the award of just compensation for the taking of the described estate in the subject property, and such award should be allocated to the various owners as shown in paragraph 9.

6.

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

7.

The Court also finds that Belle Coble, owner of $11/24$ of the lessor interest, John L. Pendleton, owner of $1/24$ of the lessor interest, and Mattie K. Santroch, life tenant, and Eloise W. Dugger, remainderman owner of $1/2$ of the lessor interest, all 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 their lessor interests in the estate condemned in subject tract is in the amount shown as compensation in paragraph 9 below, and such stipulation should be approved.

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 property described in paragraph 2 herein, as such property is particularly described in the Complaint and Declaration of Taking filed herein; and such property, to the extent of the estate indicated and for the uses and purposes described in 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.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject property were the defendants whose names appear in the schedule below; the right to just compensation for the estate taken in this property is vested in the parties so named, as their interests appear therein; and the sum of \$9,700.00 hereby is adopted as the award of just compensation for the estate herein taken in subject property, all as follows, to wit:

TRACT NO. 6625-15

Owners:

Lessor Interest:

Belle Coble - - - - - 11/24
 John F. Pendleton - - - - - 1/24
 Mattie K. Santroch, Life Tenant,
 and Eloise W. Dugger - - - - - 1/2

Lessee Interest:

Hammond Johns - - - - - All

Award of Just Compensation		
(Pursuant to Stipulations and		
Findings of Court) - - - - - \$9,700.00		
		\$9,700.00
Deposited as Estimated Compensation - - - - \$9,700.00		
Disbursed (Pursuant to Stipulation):		
John F. Pendleton - - -	\$ 248.00	
Belle Coble - - - - -	2,727.00	
Mattie K. Santroch and Eloise W. Dugger, jointly - - - - -	2,975.00	
Total - - - - -		<u>\$5,950.00</u>
Balance Due Owners - - - - -		\$3,750.00

IT IS FURTHER ORDERED that the Clerk of this Court shall disburse from the deposit for Tract 6625-15 the sum of \$3,750.00 to Hammond Johns.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hugh V. Schaefer

HUGH V. SCHAEFER
Assistant United States Attorney

4.

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

5.

On March 31, 1964, a pre-trial conference in this case was held before the Court. Due notice of such hearing was given to the parties. The plaintiff, United States of America, appeared at such hearing by Hugh V. Schaefer, Assistant United States Attorney. None of the defendants have previously entered their appearances in this case, nor did they appear at the pre-trial hearing. None of the defendants have made any appearances at any other trial concerning the subject tract.

6.

The Court has considered the evidence offered at the pre-trial hearing and finds that the fair market value of the estate taken in the subject tract as of the date of taking was \$50.00, and such sum should be adopted as the award of just compensation.

7.

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

8.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the property described in paragraph 2 herein, as such property is particularly described in the Complaint and Declaration of Taking filed herein; and such property, to the extent of the estate indicated and for the uses and purposes described in 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.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject property were the defendants whose names appear in the schedule below; the right to just compensation for the estate taken in this property is vested in the parties so named, as their interests appear therein; and the sum of \$50.00 hereby is adopted as the award of just compensation for the estate herein taken in subject property, all as follows, to wit:

TRACT NO. 5626-10

Owners:

Ida B. Anthis - - - - - 1/3
 Royal N. Anthis - - - - - 2/21
 Ernest R. Anthis - - - - - 2/21
 James E. Anthis - - - - - 2/21
 Earl G. Anthis - - - - - 2/21
 Emma Jean Cantrell - - - - - 2/21
 Pauline B. Booth - - - - - 2/21
 Fay Evelyn Couch - - - - - 2/63
 Barbara Jane Wagner - - - - - 2/63
 Austin F. Anthis, Jr. - - - - - 2/63

Award of Just Compensation (Pursuant to Court's Findings) - - - - -	\$ 50.00	\$ 50.00
Deposited as Just Compensation - - - - -	\$ 50.00	
Disbursed to Owners - - - - -		<u>None</u>
Balance Due Owners - - - - -		\$ 50.00

IT IS FURTHER ORDERED that the Clerk of this Court shall disburse from the deposit for Tract No. 5626-10 certain sums as follows:

TO	Ida E. Anthis - - - - -	\$16.67
	Royal N. Anthis - - - - -	4.76
	Ernest R. Anthis - - - - -	4.76
	James E. Anthis - - - - -	4.76
	Earl G. Anthis - - - - -	4.76
	Emma Jean Cantrell - - - - -	4.76
	Pauline B. Booth - - - - -	4.76
	Fay Evelyn Couch - - - - -	1.59
	Barbara Jane Wagner - - - - -	1.59
	Austin F. Anthis, Jr. - - - - -	1.59

/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.

301.00 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and Delbert L. Boatman,
et al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4980

Tract No. 4729-7

FILED

MAY - 4 1964

J U D G M E N T

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

On this 4 day of May 1964, this cause came on for default

judgment as to the captioned tract before the Honorable Allen E. Barrow, Judge
of the United States District Court for the Northern District of Oklahoma.

The plaintiff, United States of America, appeared by Hugh V. Schaefer,
Assistant United States Attorney for the Northern District of Oklahoma, and
the defendant owners of the captioned tract did not appear. After being
advised by counsel for plaintiff, and having examined the files in the case,
the Court finds:

1.

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

2.

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

3.

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

4.

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

5.

On March 31, 1964, a pre-trial conference in this case was held before the Court. Due notice of such hearing was given to the parties. The plaintiff, United States of America, appeared at such hearing by Hugh V. Schaefer, Assistant United States Attorney. None of the defendants have previously entered their appearances in this case, nor did they appear at the pre-trial hearing. None of the defendants have made any appearances at any other trial concerning the subject tract.

6.

The Court has considered the evidence offered at the pre-trial hearing and finds that the fair market value of the estate taken in the subject tract as of the date of taking was \$200.00, and such sum should be adopted as the award of just compensation.

7.

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

8.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the property described in paragraph 2 herein, as such property is particularly described in the Complaint and Declaration of Taking filed herein; and such property, to the extent of the estate indicated and for the uses and purposes described in 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.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject property were the defendants whose names appear in the schedule below; the right to just compensation for the estate taken in this property is vested in the parties so named, as their interests appear therein; and the sum of \$200.00 hereby is adopted as the award of just compensation for the estate herein taken in subject property, all as follows, to wit:

TRACT NO. 4729-7

Owners:

Lessor Interest:

Delbert Boatman

Lessee Interest:

C. R. Quinlish	- - - - -	51%
W. H. Anderson, Jr.	- - - - -	45%
John W. Brophy and Ann L. Brophy, joint tenants	- - - - -	4%

Award of Just Compensation:

Pursuant to Court's findings	- - - - -	\$ 200.00	\$ 200.00
Deposited as Just Compensation	- - - - -	\$ 200.00	
Disbursed to Owners	- - - - -		<u>None</u>
Balance Due Owners	- - - - -		\$ 200.00

IT IS FURTHER ORDERED That the Clerk of the Court shall disburse from the deposit for Tract No. 4729-7 certain sums as follows:

Delbert Boatman	- - - - -	\$100.00
C. R. Quinlish	- - - - -	51.00
W. H. Anderson, Jr.	- - - - -	45.00
John W. Brophy and Ann L. Brophy, joint tenants	- - - - -	4.00

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/s/ Hugh V. Schaefer

HUGH V. SCHAEFER
Assistant United States Attorney

U. S. DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff

vs.

STATE OF OKLAHOMA,

Defendant

CIVIL NO. 1000

FILED

MAY - 4 1964

JOURNAL ENTRY

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

In conformity with the findings of fact and
conclusions of law filed herein, judgment is hereby
entered for the plaintiff and against the defendant in
the sum of \$1,500.00, together with the costs of this
action.

DATED this 4th day of May, 1964.

(3) W. S. [Signature]
United States District Judge

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

CRIG E. GIBSON, INC., a Corporation,

Plaintiff,

vs.

BRUCE WATSON OF AMERICA,

Defendant.

No. 5745 FILED

CIVIL

MAY - 4 1964

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

STIPULATION

IT IS STIPULATED that the above case has been compromised and settled and may be dismissed with prejudice at the cost of the parties, each party to bear its respective costs of the action.

Robert J. Woolsey
ROBERT J. WOOLSEY OF
FARMER, WOOLSEY, FLIPPO & SALLEY
Attorneys for Plaintiff
602 National Bank of Tulsa Bldg.
Tulsa 2, Oklahoma

(s) *John M. Imel*
JOHN IMEL, United States District Attorney
Attorney for Defendant
By Phillips Beckinridge
Asst. U.S. Atty.

The above stipulation approved this 4th day of May, 1964

~~1964~~

Allen E. Brown
UNITED STATES DISTRICT JUDGE

177

177-1011

177-1011

FILED

MAY - 5 1964

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

...petitioner's third wife...
...7-2255...
...petitioner was admitted by the government...
...by the court at the hearing, was held in compliance with a 14 order,
of which wife was received.

...the following findings:

(1) ...petitioner did not commit intentional violation
of his rights... following his arrest and conviction.

(2) ...petitioner requested his trial attorney to appeal.
...petitioner certainly, he is possible
...at any time... petitioner
concerned... appeal of his conviction.

...that there was intentional...
...right to appeal, the next question is whether or
...reveals any plain reversible error...
...petitioner suffer any...
...conviction... as said v.
Wilson... and... therein.

...the court...
...furnished to the...
...if any existed. as said v. Wilson

...filed in...
...of the...
...

(1) Error of the court in granting petitioner's motion for directed verdict is reversible.

(2) Error of the court in making prejudicial comments to the jury in response to a question by the jury concerning petitioner during the course of its deliberation.

The court finds that the motion for directed verdict question - which is the same as an attack on the sufficiency of the evidence to sustain a conviction - has previously been ruled on by this court and affirmed by the appellate court. See *Fennell v. United States*, 313 F. 2d 941. Hence the court said:

In substance, the writings complained of * * * and insufficiency of the evidence to sustain the conviction. * * *, the trial court denied the petition, * * *.

On petition to this court, leave was granted to proceed in forma pauperis. * * * Upon consideration of the whole record, we are of the opinion that the trial court's findings and conclusions of law were amply supported by the evidence and that the petitioner's contentions were frivolous." *Fennell v. United States*, supra, pp. 941-942.

Therefore, this assignment of error has no merit and it is denied.

The court finds that the question of the prejudicial effect of said comments to the jury were also ruled upon and affirmed in the above case. See *Fennell v. United States*, supra, p. 942. But assuming this is not so, the court finds and holds that the comments of the trial court presented by the petitioner to the court by letter dated April 16, 1964, do not constitute plain reversible error, but to the contrary were correct and proper statements.

Therefore, the court concludes that while it may appear that petitioner did not intentionally waive his right of appeal, no prejudice has been shown for the reason that both errors assigned by petitioner have previously been considered by the trial and appellate

counts, and are not erroneous. But if this is not true as to the
involvement of each of the trial court to the jury, the court now
finds and concludes that they are not erroneous and do not consti-
tute reversible error. See *Ladd v. United States*, supra.

Writs denied.

It is so ordered, the 2 day of May, 1964.

(S) *Fred Daugherty*
Fred Daugherty
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAY - 6 1964

United States of America,
vs. Plaintiff,
911.83 Acres of Land, More or Less,
Situat in Rogers County, Oklahoma,
and Ira O. Andrews, et al, and
Unknown Owners,
Defendants.

NOBLE C. HOOD
Clerk, U. S. District Court
CIVIL ACTION NO. 4559

Tract No. G-718
(Entire Estate Taken)

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

CIVIL ACTION NO. 4737

Tracts Nos. J-1012, J-1012E-1
and J-1012E-2
(Surface Interest Only)

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

CIVIL ACTION NO. 4900

Tracts Nos. J-1011E-2 thru
E-5, & J-1012E-3
thru E-6
(Surface Interest Only)

United States of America,
vs. Plaintiff,
55.32 Acres of Land, More or Less,
Situat in Nowata and Rogers Counties,
Oklahoma, and Rachel Kell Swimmer,
et al, and Unknown Owners,
Defendants.

CIVIL ACTION NO. 4939

Tract No. J-1012E-7
(Surface Interest Only)

FILED

MAY - 6 1964

J U D G M E N T

1.

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

NOW, on this 6 day of May, 1964, this matter comes on for
disposition on application of the 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 surface interest in the
estate taken in all of the tracts included in the caption above, together with
the subsurface estate taken in Tract No. G-718. (The description of the
captioned tracts and the estates taken in such tracts are as set forth in the
Complaints and Declarations of Taking filed in the respective four cases.)

3.

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

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaints 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 August 1, 1958, as to Civil Action No. 4559, on July 17, 1959, as to Civil Action No. 4737, on March 28, 1960, as to Civil Action No. 4900, and on June 3, 1960, as to Civil Action No. 4939, the United States of America has filed its Declarations 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 dates of filing the respective Declarations of Taking.

6.

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

7.

On the dates of taking in these actions, the owners of the interest described in paragraph 2 were P. L. Hayes and Iva L. Hayes, his wife. Such named defendants are the only persons asserting any interest in such described property, all other persons having either disclaimed or defaulted; and such named defendants are entitled to receive the just compensation for the estates taken in the subject property.

8.

The owners of the subject property and the United States of America have executed and filed herein, on November 25, 1958, a Stipulation for Exclusion of Property, whereby certain improvements situated on the subject tracts were excluded from the taking in this case, and it was agreed that the

award of just compensation for such tracts would be reduced by the sum of \$1,975.00, and such stipulation should be approved.

9.

The owners of the subject tracts and the United States of America have executed and filed herein a Stipulation as to Just Compensation, wherein they have agreed that just compensation for the estates condemned in subject tracts is in the total sum of \$35,000.00, inclusive of interest, provided that such stipulation is subject to the terms of the stipulation mentioned in paragraph 8, above, and such Stipulation as to Just Compensation should be approved.

10.

A deficiency exists between the amounts deposited as estimated compensation for subject tracts and the amount fixed by the Stipulation as to Just Compensation, and the amount of such deficiency should be deposited for the benefit of the landowners. Such deficiency is set out in paragraph 14, below.

11.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the property described in paragraph 2 herein, as such property is particularly described in the Complaints and Declarations of Taking filed herein; and the surface interest in all of such tracts, together with the subsurface interest in Tract No. G-718, to the extent of the estates indicated and for the uses and purposes described in such Declarations of Taking, with the exception of the property excluded in paragraph 13 herein, is condemned and title thereto is vested in the United States of America and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

12.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the property which is the subject matter of this Judgment were the persons whose names appear below in paragraph 14, and the right to just compensation for the estates taken herein in such property is vested in the parties so named.

13.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Stipulation for Exclusion of Property mentioned in paragraph 8, above, is hereby confirmed, and title to the property covered by such stipulation remains vested in the defendant owners.

14.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Stipulation as to Just Compensation mentioned in paragraph 9, above, is hereby confirmed; and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject property, as follows:

ENTIRE ESTATE CONDEMNED IN TRACT NO. G-718,
SURFACE INTEREST ONLY IN TRACTS NOS.
J-1012, J-1012E-1 and E-2
J-1012E-2 thru J-1012E-5
J-1012E-3 thru J-1012E-6 and
J-1012E-7, COMBINED

Owners:

P. L. Hayes and Iva L. Hayes

Award of Just Compensation:

Pursuant to Stipulation - - - - -	\$35,000.00	
Less Salvage Value of Improvements Reserved - - -	<u>1,975.00</u>	
Net Cash Award - - - - -	\$33,025.00	\$33,025.00

Deposited as Estimated Compensation:

Civil Action No. 4559 - - - - -	\$24,871.00	
Civil Action No. 4737 - - - - -	1,075.00	
Civil Action No. 4900 - - - - -	1,425.00	
Civil Action No. 4939 - - - - -	<u>100.00</u>	
Total - - - - -		\$27,471.00

Disbursed to Owners:

Civil Action No. 4559 - - - - -	\$22,896.00	
Civil Action No. 4737 - - - - -	1,075.00	
Civil Action No. 4900 - - - - -	1,425.00	
Civil Action No. 4939 - - - - -	<u>100.00</u>	
Total - - - - -	\$25,496.00	

Balance Due to Owners - - - - - \$ 7,529.00

Deposit Deficiency - - - - - \$ 5,554.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the Registry of this Court in Civil Action No. 4559 to the credit of Tract No. G-718, the total deposit deficiency for all of the subject tracts in the amount of \$5,554.00. Upon deposit of this sum, the Clerk of the Court shall disburse from the deposit for Tract No. G-718 in Civil Action 4559, the sum of \$7,529.00 to P. L. Hayes and Iva L. Hayes, jointly.

/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,	)	CIVIL ACTION NO. 4868
)	
vs.	)	Tracts Nos. P-1653
	)	5602-6
302.78 Acres of Land, More or Less,	)	5603-1
Situate in Nowata County, Oklahoma,	)	6634-1
and R. R. Faulkner, et al, and	)	6635-11
Unknown Owners,)	
)	
Defendants.)	

FILED

MAY - 6 1964

J U D G M E N T

1.

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

NOW, on this 6 day of May 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 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 March 1, 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 part of these deposits has been disbursed, as set out in paragraph 11, below.

7.

The Report of Commissioners filed herein on December 23, 1963, together with the Supplemental Report of Commissioners filed herein on February 25, 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 the subject tracts as fixed by the Commission is set out in paragraph 11, below.

8.

The disbursements made to the defendant owners, from the deposits of estimated compensation, are larger than the awards of just compensation for the subject tracts, as shown in paragraph 11, below, and such overpayments should be refunded to the plaintiff.

9.

The defendants named in paragraph 11 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 such estates 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, as such tracts are described in the Declaration of Taking filed herein, and such property, to the extent of the estates indicated and for the uses and purposes described in the Declaration of Taking filed herein, is condemned, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

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 December 23, 1963, together with the Supplemental Report of

Commissioners filed herein on February 25, 1964, are hereby confirmed and the sums therein fixed are adopted as the awards of just compensation for subject tracts as shown by the following schedule:

TRACT NO. P-1653

Owners:

Lessor Interest: Glenr. H. Chappell

~~Lessor~~ Interest: Charles W. Davidson

Deposited as Estimated Compensation - - - - -	\$ 2,625.00	
Disbursed to Charles W. Davidson - - - - -		\$ 1,775.00
Award of Just Compensation - - - - -	\$ 1,600.00	\$ 1,600.00

Allocated as follows:

For Equipment - - - - -	\$ 600.00
For Mineral Rights - - - - -	\$1,000.00

Overdeposit - - - - -	\$ 1,025.00	
Overpayment to Owners - - - - -		\$ 175.00

TRACTS NOS. 5602-6, 5603-1, 6631-1 and 6635-11

Owners:

Lessor Interest: Harry W. Kester

Lessee Interest: Charles W. Davidson

Deposited as Estimated Compensation - - - - -	\$41,350.00	
Disbursed to Owners - - - - -		\$41,350.00
To Lessor - - - - -	\$ 9,950.00	
To Lessee - - - - -	\$31,400.00	
Award of Just Compensation - - - - -	\$29,400.00	\$29,400.00

Allocated as follows:

For equipment - - - - -	\$19,400.00
For Mineral Rights - - - - -	\$10,000.00

Overdeposit - - - - -	\$11,950.00	
Overpayment to Owners - - - - -		\$11,950.00

12.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have judgment against the owners of Tract No. P-1653 for the overpayments to them as follows:

Judgment against Glenn H. Chappell and Charles W. Davidson in the amount of \$175.00.

In payment of this judgment, the said parties shall deposit with the Clerk of this Court the sum of \$175.00, and the Clerk shall credit such sum to the deposit for the subject tract.

13.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff have judgment against the owners of Tracts Nos. 5602-6, 5603-1, 6631-1 and 6635-11 for the overpayment to them as follows:

Judgment against Harry W. Kester and Charles W. Davidson in the amount of \$11,950.00.

In payment of this judgment, the said parties shall deposit with the Clerk of this Court the sum of \$11,950.00, and the Clerk shall credit such sum to the deposit for the subject tracts.

14.

When the refunds required by paragraphs 12 and 13, above, have been made, the Clerk of this Court then shall disburse the funds on deposit for the subject tracts as follows:

TO Treasurer of the United States of America - - - \$ 12,975.00

/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.

699.00 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Simpson-Fell Oil Company, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4894

Tracts Nos.

5720-9 (9/40 lessor interest)
5720-J (1/4 lessor interest)

FILED

MAY 10 1964

J U D G M E N T

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

On this 6 day of May 1964, this cause, as to the captioned tracts, came before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma, for disposition of the plaintiff's motion for judgment. After being advised by counsel for plaintiff and having examined the files in the case, the Court finds:

1.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the lessor interest in the estate condemned in the tracts shown in the caption above, as such tracts and estate are described in the Complaint and Declaration of Taking filed herein, which lessor interest, as to Tract No. 5720-9, is 9/40 of 8/8, and as to Tract No. 5720-J, is 1/4 of 8/8.

2.

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

3.

A pre-trial hearing in this case was held before the Court on March 30, 1964. Due notice of such hearing was given to the parties. The plaintiff, United States of America, appeared at such hearing by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. None of the defendants appeared at such hearing, either in person or by attorney, in connection with the subject tracts and none of the defendants have made any appearance at any other time in connection with the subject tracts.

4.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on March 23, 1960, the United States of America filed its Declaration of Taking of a certain estate in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

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

6.

The Court has considered the evidence offered by the plaintiff at the pre-trial hearing and finds that the fair market value of the subject property as of the date of taking was \$152.00 as to Tract No. 5720-9 and \$120.00 as to Tract No. 5720-J, and such sums should be adopted as the awards of just compensation for the taking of the described estate in the subject property.

7.

The defendants named as owners in paragraph 9, as of the date of taking, were the owners of the lessor interest in the estate condemned in the subject tracts; all other defendants having either disclaimed or defaulted, the named defendants are entitled to receive the awards of just compensation for the subject interest.

8.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and the lessor interest in such property, as described in paragraph 1 herein, to the extent of the estate indicated and for the uses and purposes described in such Declaration of Taking, is condemned, and title thereto is vested in the United States of America as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, on the date of taking, the owners of the lessor interest in the estate condemned herein in the subject property were the defendants whose names appear in the schedule below; the right to just compensation for such described interest in the estate taken in this property is vested in the parties so named; and the sums adopted as the award of just compensation for the taking of such interest, are as follows, to wit:

LESSOR INTEREST (9/40 of 8/8) IN TRACT NO. 5720-9

Owners:

Hugh Conine and Mary Louise Conine - - - - -	1/2
Heirs of Grace L. Woodard, deceased, who are:	
Mary Ellen Fitzgerald - - - - -	1/4
Gerald F. Fitzgerald - - - - -	1/4
Award of Just Compensation - - - - -	\$ 152.00 \$ 152.00
Balance on Deposit for Subject Tract - - -	152.00
Disbursed to Owners - - - - -	<u>None</u>
Balance Due to Owners - - - - -	\$ 152.00
Deposit Deficiency or Surplus - - - - -	None

LESSOR INTEREST (1/4 of 8/8) IN TRACT NO. 5720-J

Owners:

Hugh Conine and Mary Louise Conine - - - - -	7/8
Joan Woodward Conine and Michael Antonio Conine - - - - -	1/8
Award of Just Compensation - - - - -	\$ 120.00 \$ 120.00
Balance on Deposit for Subject Tract - - -	\$ 120.00
Disbursed to Owners - - - - -	<u>None</u>
Balance Due to Owners - - - - -	\$ 120.00
Deposit Deficiency or Surplus - - - - -	None

IT IS FURTHER ORDERED THAT the Clerk of this Court shall disburse from the deposits for the subject tracts certain sums as follows:

Tract No. 5720-9: TO Hugh Conine and Mary Louise Conine, jointly - - - - -	\$ 76.00
TO Mary Ellen Fitzgerald - - - - -	38.00
TO Gerald F. Fitzgerald - - - - -	38.00

Tract No. 5720-J: TO Hugh Conine and Mary
Louise Conine, jointly - - - - - \$ 105.00
TO Joan Woodward Conine and
Michael Antonio Conine, jointly - \$ 15.00

/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.

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

Defendants.

CIVIL ACTION NO. 4922

Tract No. P-1657E-3

FILED

MAY 1964

J U D G M E N T

On May 6, 1964, this cause, as to the captioned ^{NOBLE C. HOOD} ~~tracts~~ ^{came} ~~case~~
Clerk, U. S. District Court

before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma, for disposition of the plaintiff's motion for judgment. After being advised by counsel for plaintiff, and having examined the files in the case, the Court finds:

1.

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

2.

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

3.

A pre-trial hearing in this case was held before the Court on March 30, 1964. Due notice of such hearing was given to the parties. The plaintiff, United States of America, appeared at such hearing by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. The defendants, Pete G. Harvey and Lucille M. Harvey, appeared by their attorney, Joseph Bonner. The defendant, Charles W. Davidson, appeared by his attorney, Thomas L. Palmer. No other defendants appeared either in person or by attorney, in connection with the subject tracts.

4.

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

condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on May 10, 1960, the United States of America filed its Declaration of Taking of certain estates in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

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

6.

The Court has considered the evidence offered at the pre-trial hearing and finds that the decrease in fair market value of the lessee interest in the subsurface estate under consideration, caused by this action, was in the amount of \$50.00 and such sum should be adopted as the award of just compensation for such lessee interest.

7.

The owners of the surface interest and the lessor interest in the subsurface interest in the estate taken in the subject tract, together with the plaintiff, have executed a stipulation as to just compensation, whereby the parties have agreed upon the amount of the award of just compensation for such interest and such stipulation should be approved by the Court.

8.

On the date of taking in this action, the owners of the estates taken in the subject tract were the defendants whose names are shown as owners in paragraph 10, below. All other defendants having either disclaimed or defaulted, the named defendants are entitled to receive the award of just compensation.

9.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the property described in paragraph 2 herein, as such property is particularly described in the Complaint and Declaration of Taking filed herein; and such property, to the extent of the estate indicated and for the uses and purposes described in 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 estate condemned herein in the subject property were the defendants whose names appear in the schedule below; the right to just compensation for the estate taken in this property is vested in the parties so named, as their interests appear therein; the stipulation as to just compensation described in paragraph 7 above is approved; the sum of \$1,000.00 is adopted as the total award of just compensation for the estate herein taken in subject property; and such sum should be allocated to the respective interests as follows, to wit:

TRACT NO. P-1657E-3

Owners:

Surface Interest and
Lessor Interest in Subsurface Estate:

Pete G. Harvey and Lucille M. Harvey
(Subject to a mortgage owned by
First National Bank of Nowata)

Lessee Interest in Subsurface Estate:

Edward Berger	- - - - -	8%
Thomas C. Maher	- - - - -	2%
Harold Humke	- - - - -	1%
Jessie Earl Wells	- - - - -	2%
Benjamin Mensendick	- - - - -	3%
Henry Humke	- - - - -	4%
Arthur L. Kirchherr	- - - - -	2%
John Larsen	- - - - -	3%
Russell L. Miller	- - - - -	1%
Donald R. Pence	- - - - -	1%
Homer A. Plank	- - - - -	1%
Lena Pearle Roth	- - - - -	1%
Richard A. Smith	- - - - -	1%
William Welling	- - - - -	1%
Royal H. Barnett	- - - - -	3%
Charles E. Frey	- - - - -	1%
Dr. Ellsworth E. Gribler	- - - - -	2%
Emmett J. Griep	- - - - -	1%
Elmer Humke	- - - - -	1%
T. A. Fletcher	- - - - -	11%
Russell Seibel	- - - - -	1%
Everett Humke	- - - - -	2%
F. Dale Durfee	- - - - -	1%
Leroy Grimes	- - - - -	1%
Ethel M. Fletcher	- - - - -	1%
Josephine G. Plenge	- - - - -	3%
F. Mae Durfee	- - - - -	1%
William J. Weckbach and Margaret M. Weckbach	- - - - -	1%
Charles W. Davidson	- - - - -	38%
Nettie Cochran	- - - - -	1%

TRACT NO. P-1657E-3 (Cont'd)

Award of Just Compensation - - - - - \$ 1,000.00 \$ 1,000.00

Allocated as follows:

To Surface and Lessor Interest, pursuant to stipulation - - - - - \$950.00

To Lessee Interest - - - - - \$ 50.00

Deposited as Estimated Compensation - - - - - \$ 700.00

Disbursed to Owners - - - - - None

Balance Due to Owners - - - - - \$ 1,000.00

Deposit Deficiency - - - - - \$ 300.00

11.

IT IS FURTHER ORDERED that the plaintiff shall pay into the Registry of this Court the deposit deficiency for Tract No. P-1657E-3 in the total sum of \$300.00 and such payment shall be credited to the deposit for such tract.

When such deficiency deposit has been made, the Clerk of this Court shall disburse from the deposit for Tract No. P-1657E-3 the sum of \$950.00 to Pete G. Harvey, Lucille M. Harvey and First National Bank of Nowata, jointly.

/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.

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

Defendants.

CIVIL ACTION NO. 4922

Tract No. R-1877

FILED

MAY - 6 1964

J U D G M E N T

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

1.

Now, on this 6 day of May 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This Judgment applies only to the estate condemned in Tract No. R-1877, 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 the subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto on May 10, 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 described estate in the subject tract, a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 12, below.

7.

On the date of taking in this action, the owners of the estate taken in the 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 so taken.

8.

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

9.

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

10.

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

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

12.

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

TRACT NO. R-1877

Owners:

Surface Interest:

Estate of W. G. Phillips, deceased	- - - - -	1/2
(Maude H. Phillips is Executrix)		
Hinman Stuart Milam	- - - - -	1/6
Mildred Viles	- - - - -	1/6
Mary Stevenson	- - - - -	1/6

Mineral Interest:

Hinman Stuart Milam	- - - - -	1/6
Mildred Viles	- - - - -	1/6
Mary Stevenson	- - - - -	1/6
E.I.C. Management Company	- - - - -	1/2

Award of Just Compensation
Pursuant to Stipulations - - - - - \$1,010.00

Allocated as follows:

To Surface Interest	- - - - -	\$660.00
To Mineral Interest	- - - - -	\$350.00

Deposited as Estimated Compensation - - - - - \$ 875.00

Disbursed:

To Surface Interest Owners	- - - - -	None
To Mineral Interest Owners	- - - - -	<u>\$350.00</u>

Balance Due to Surface Interest Owners - \$660.00

Deposit Deficiency - - - - - \$ 135.00

13.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the Registry of this Court in this Civil Action the deposit deficiency for subject tract in the sum of \$135.00, and such sum shall be placed in the deposit for the subject tract.

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

TO: Maude H. Phillips, Executrix of the Estate of W. G. Phillips, deceased - - - - -	\$ 330.00
Hinman Stuart Milan - - - - -	110.00
Mildred Viles - - - - -	110.00
Mary Stevenson - - - - -	110.00

/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.

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

Defendants.

CIVIL ACTION NO. 4939

Tracts Nos. T-2051E-2

T-2051E-3

FILED T-2051E-4

MAY - 6 1964

J U D G M E N T

NOBLE C. HOOD

Clerk, U. S. District Court

On May 6th, 1964, this cause as to the captioned tracts, came

before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma, for disposition of the plaintiff's motion for judgment. After being advised by counsel for plaintiff, and having examined the files in the case, the Court finds:

1.

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

2.

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

3.

A pre-trial hearing in this case was held before the Court on March 30, 1964. Due notice of such hearing was given to the parties. The plaintiff, United States of America, appeared at such hearing by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. The defendant, Elgin Gas and Oil Company, appeared by its representative Mr. Robert Schick. No other defendants appeared at such hearing, either in person or by attorney, in connection with the subject tracts.

4.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tracts, as such tracts are particularly

described in such Complaint. Pursuant thereto, on June 3, 1960, the United States of America filed its Declaration of Taking of certain estates in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

5.

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

6.

The Court has considered the evidence offered by the plaintiff at the pre-trial hearing and finds that the decrease in fair market value of the ownership under consideration, caused by this action, was in the amount of \$750.00, and such sum should be adopted as the award of just compensation for the estates taken in the subject property, and such award should be allocated to the various owners as shown in paragraph 9, below.

7.

The defendants named as owners in paragraph 9, as of the date of taking, were the owners of the estates condemned in the subject property, and all other defendants having either disclaimed or defaulted, the named defendants are entitled to receive the award of just compensation.

8.

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

9.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in the subject property were the defendants whose names appear in the schedule below; the right to just

compensation for the estates taken in this property is vested in the parties so named, as their interests appear therein; and the award of just compensation for the estates herein taken in the subject property is as follows, to wit:

TRACTS NOS. T-2051E-2, T-2051E-3 and T-2051E-4

Owners:

Lessor Interest

Anthos A. Foster and Bertha D. Foster - - - - - 1/2
 Louie G. Thomason - - - - - 1/8
 Rachel F. Thomason - - - - - 1/8
 Bertha E. Gaston - - - - - 1/8
 Jo Frances Gaston - - - - - 1/8

Lessee Interest

Elgin Gas and Oil Company - - - - - Working Interest
 R. L. Rogers - - - - - .05 of 8/8 overriding royalty interest

Award of Just Compensation - - - - - \$750.00 \$750.00

Allocated as follows:

To Lessor interest - - - - - \$150.00
 To Lessee interest - - - - - 600.00
 To Overriding royalty interest - - - - - None

Deposited as Estimated Compensation - - - - - \$750.00

Disbursed to Owners - - - - - None

Balance Due to Owners - - - - - \$750.00

10.

IT IS FURTHER ORDERED that the Clerk of this Court shall disburse from the deposit for the subject tracts certain sums as follows:

TO Anthos A. Foster and Bertha D. Foster, jointly - - - \$ 75.00
 TO Bertha E. Gaston - - - - - 18.75
 TO Jo Frances Gaston - - - - - 18.75
 TO Elgin Gas and Oil Company - - - - - 600.00

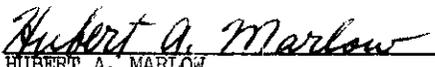
11.

IT IS FURTHER ORDERED that the undistributed balances in the deposit for the subject tracts representing the share of the award owned by Louie G. Thomason and Rachel F. Thomason cannot be disbursed at the present time because such owners have not been located. Appropriate orders of distribution will be entered by the Court upon proper proof of ownership or identity of the owner.

In the event that such undistributed balances remain on deposit for a period of five years, then at the end of that period, without further order of Court, and Clerk of this Court shall disburse such funds to the Treasurer of the United States of America, pursuant to the provisions of Title 28, Section 2042 U.S.C.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

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

Defendants.

CIVIL ACTION NO. 4955

Tract No. S-1906E

FILED

MAY - 6 1964

J U D G M E N T

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

On May 6, 1964, this cause, as to the captioned tract,

came before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma, for disposition of the plaintiff's motion for judgment. After being advised by counsel for plaintiff, and having examined the files in the case, the Court finds:

1.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estates condemned in Tract No. S-1906E, as such tract and estates are described in the Complaint and the Declaration of Taking filed herein.

2.

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

3.

A pre-trial hearing in this case was held before the Court on March 30, 1964. Due notice of such hearing was given to the parties. The plaintiff, United States of America, appeared at such hearing by Hubert A. Marlow, Assistant United States Attorney. The defendant, Rigdon and Bruen Oil, appeared by its attorney John M. Wall. No other defendants appeared either in person or by attorney in connection with the subject tract.

4.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tract, as such tract is particularly described in such Complaint. Pursuant thereto, on June 28, 1960, the United

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

5.

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

6.

The Court has considered the evidence offered by the plaintiff at the pre-trial hearing and finds that the decrease in fair market value of the ownership under consideration, caused by this action, was in the amount of \$347.50, and such sum should be adopted as the award of just compensation for the estate taken in the subject property.

7.

The defendant named in paragraph 9 as owner of subject property, as of the date of taking, was the owner of the estates condemned in the subject property, and all other defendants having either disclaimed or defaulted, the named defendant is entitled to receive the award of just compensation.

8.

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

9.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the estates condemned herein in the subject property was the defendant whose name appears in the schedule below; the right to just compensation for the estates taken in this property is vested in the party so named, and the sum of \$347.50 hereby is adopted as the award of just compensation for the estates herein taken in subject property, all as follows, to wit:

TRACT NO. G-1906E

Owner: Rigdon and Bruen Oil, a co-partnership

Award of Just Compensation - - - - -	\$347.50	\$ 347.50
Deposited as Estimated Compensation - - - - -	<u>\$347.50</u>	
Disbursed to Owner - - - - -		\$ <u>None</u>
Balance Due to Owner - - - - -		\$ 347.50

10.

IT IS FURTHER ORDERED that the Clerk of this Court shall disburse the deposit for the subject tract, in the amount of \$347.50, to Rigdon and Bruen Oil, a Co-partnership.

/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.

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

Defendants.

CIVIL ACTION NO. 4987

Tract No. R-1836

FILED

MAY - 6 1964

J U D G M E N T

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

1.

Now on this 6 day of May 1964, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on an option contract, wherein the owners have agreed upon the amount of 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. R-1836, 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 the subject tract.

5.

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

6.

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

7.

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

8.

The owners of the subject tract and the United States of America have executed an option contract, as alleged in the Complaint, wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11, and such option contract should be approved.

9.

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

10.

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

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

TRACT NO. R-1836

Owners:

P.I.C. Management Co., Inc.

Hineman Stuart Milam and Katherine I. Milam, his wife

Mildred M. Viles and Philip H. Viles, her husband

Mary Stevenson and Joseph Stevenson, her husband

Award of Just Compensation Pursuant to Option Contract - - - - -	\$2,100.00
Deposited as Estimated Compensation - - - - -	\$2,100.00
Disbursed to Owners - - - - -	\$2,100.00
Balance Due Owners - - - - -	None

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/s/ Hugh V. Schaefer

HUGH V. SCHAEFER
Assistant United States Attorney

UNITED STATES DISTRICT JUDGE FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

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

Defendants.

CIVIL ACTION NO. 4987

Tract No. V-2252E

FILED

MAY - 6 1964

J U D G M E N T

1.

Now on this 6 day of May, 1964, this matter comes on for

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

disposition on application of the plaintiff, United States of America, for entry of Judgment on an option contract, wherein the owners have agreed upon the amount of 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 V-2252E, as such estate and tract are described in the Complaint and Declaration of Taking filed in this Civil Action.

3.

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

4.

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

5.

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

6.

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

7.

On the date of taking in this action, the owners of the estate taken in the subject tract were the defendants whose names are shown in paragraph 11 below. Such named defendants are the only persons asserting any interest in the estate taker 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 an option contract, as alleged in the Complaint, wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11, and such option contract should be approved.

9.

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

10.

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

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

TRACT NO. V-2252E

Owners:

B. J. Badger

Mrs. W. D. Gresham

Award of Just Compensation (Pursuant to Option Contract) - - - - -	\$100.00	\$100.00
Deposited as Estimated Compensation - - - - -	\$100.00	
Disbursed to Owners - - - - -		\$100.00
Balance Due Owners - - - - -		<u>None</u>

/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.

300.55 Acres of Land, More or Less,
Situate in Pawnee and Creek Counties,
Oklahoma, and Fern Flinchum, et al.,
and Unknown Owners,

Defendants.

Civil No. 5375

Tract No. 9911-5M

FILED

MAY 10 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.

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 \$1305.21, 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 \$1,100.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that prior to the institution of the above proceeding the United States of America and Fern Flinchum, Ted Flinchum, Elva Hight, Edith Brady and Mildred Austin 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 \$25.78, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that plaintiff and Nora Connor, Sherman Flinchum, Kerr-McGee Oil Industries, Inc., Mildred M. Adams, Bessie M. Johnson, Patience M. McNulty, Dale Adams and Eugene C. Mullendore, 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 \$1,279.43, 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 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 \$1,305.21, inclusive of interest, of which sum the following amounts have previously been disbursed;

Fern Flinchum	\$6.95
Ted Flinchum.	9.41
Sherman Flinchum.	25.78
Eva Hight	3.14
Edith Brady	3.14
Mildred Austin.	3.14
Kerr-McGee Oil Industries, Inc. .	515.63
Mildred M. Adams	155.63
Bessie M. Johnson.	<u>157.30</u>
	\$ 880.21

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$205.21, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of the 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:

Nora Connor	\$25.00
Patience M. McNulty)	
Dale Adams)	400.00
Eugene Mullendore)	

Entered this 6th day of May, 1964.

ALLEN E. BARROW

APPROVED:

ROBERT P. SANTEE

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT JUDGE

U. S. DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority,
a Public Corporation

Plaintiff

vs.

CIVIL # 3638

1 Tract of Land Containing 396.93 Acres,
more or less, in Hayes County, Oklahoma,
Strickland Armstrong, also known as S.
(Strick) W. Armstrong, et al.

Defendants

FILED

MAY - 6 1964

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

ORDER OVERRULING MOTION FOR NEW TRIAL

Upon consideration of the motion for new trial filed by the defendant, Strickland Armstrong, in this case, and the brief filed in support thereof, the Court finds:

That the plaintiff was not guilty of constructive fraud in the trial of the case as alleged by the plaintiff in his motion for new trial, since no fiduciary relationship existed between the parties, and the jury award was not so gross as to shock the conscience.

The fact that the plaintiff offered a certain amount for property before trial does not necessarily involve estimate that such is its real value.

The verdict of the jury is supported by substantial testimony.

IT IS THEREFORE ORDERED that the motion for new trial is overruled.

DATED this 6 day of May, 1964.

151 *Alton E. Lawrence*
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

462.07 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Ruth Parks, et al, and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 4691

Tract No. L-1263

FILED

MAY - 7 1964

United States of America,

Plaintiff,

vs.

370.80 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and G. M. Williams, et al,
and Unknown Owners,

Defendants.

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

CIVIL ACTION NO. 4885

Tracts Nos. L-1218

L-1254

L-1254E-1 thru

L-1254E-5

J U D G M E N T

1.

On May 4, 1964, this matter, as to the captioned tracts, came on for trial, and the parties having waived a jury, the matter was tried to the Court, before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma. Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney, for the Northern District of Oklahoma. The defendants, Harold D. Hathcoat and Hazel H. Hathcoat, appeared by their attorney, James C. Hamill. After hearing the evidence and being fully advised in the premises, the Court finds:

2.

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

3.

The Court has jurisdiction of the parties and the subject matter of these actions.

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 these actions, who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaints 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 May 25, 1959 as to Civil Action 4691, and on March 9, 1960 as to Civil Action 4885, the United States of America filed its Declarations of Taking of such tracts of land, and title to the tracts included in the respective cases should be vested in the United States of America, as of the dates of filing the respective Declarations of Taking.

6.

Simultaneously with filing of the Declarations 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 all of these deposits have been disbursed as set out in paragraph 11, below.

7.

The decrease in market value of the farm unit from which the subject tracts were taken, caused by this action, is in the amount of \$16,450.00 and such sum should be adopted as the award of just compensation for the taking of the subject tracts.

8.

A certain deficiency exists between the amounts deposited as estimated just compensation for subject tracts and the amount fixed by 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 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; the named defendants are the owners of such estates, as of the dates of taking, and, as such, are 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 the Complaints and Declarations of Taking filed herein, and such property, to the extent of the estates described and

for the uses and purposes indicated in the Declarations of Taking filed herein, is condemned, and title thereto is vested in the United States of America, as of the dates of the respective Declarations 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 on the dates of taking, the owners of the estates condemned herein in subject tracts were the defendants whose names appear in the schedule below; the right to just compensation for the estates taken herein in subject tracts is vested in the defendants so named, and the sum of \$16,450.00 hereby is adopted as the award of just compensation for the estates condemned in the subject tracts, as follows, to wit:

TRACTS NOS. L-1263, L-1218, L-1254, AND
L-1254E-1 THRU L-1254E-5 COMBINED

Owners:

Harold D. Hathcoat and Hazel H. Hathcoat

Award of Just Compensation - - - - -	\$ 16,450.00	\$ 16,450.00
Deposited as Estimated Compensation - - - - -	\$ <u>13,870.00</u>	
Disbursed to Owners - - - - -	\$ <u>13,870.00</u>	
Balance Due to Owners - - - - -	\$ 2,580.00	
Deposit Deficiency - - - - -	\$ 2,580.00	

12.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the Registry of this Court for the benefit of the landowners the total deposit deficiency in the amount of \$2,580.00 (by agreement of parties this sum shall not draw interest), and such sum shall be placed in the deposit for Tract No. L-1254 in Civil Action No. 4885. The Clerk of this Court then shall disburse from the deposit for Tract No. L-1254 in Civil Action No. 4885, the sum of \$2,580.00, jointly, to Harold D. Hathcoat and Hazel H. Hathcoat.

/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

WARREN L. McCONNICO, TRUSTEE IN
BANKRUPTCY FOR THE ESTATE OF
C. O. HUGHES, INC., A Corporation,

Plaintiff,

vs.

JIM MARRS, d/b/a JIM MARRS
TRUCKING COMPANY, AND MARVIN L.
MARRS,

Defendants.

No. 5388

FILED

MAY - 6 1964

ORDER DISMISSING CAUSE WITH PREJUDICE

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

At Tulsa, in said District, on the 8th day of May, 1964;

Upon the joint application of plaintiff, Warren L. McConnico, trustee, and defendants, Jim Marrs and Marvin L. Marrs, and in connection with an order of compromise of controversy entered in the matter of C. O. Hughes, Inc., a corporation, bankrupt #B-9631, it is

ORDERED that this cause be, and the same is hereby, dismissed with prejudice.

Allen E. Barron

DISTRICT JUDGE

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

WARREN L. McCONNICO, TRUSTEE IN
BANKRUPTCY FOR THE ESTATE OF
C. O. HUGHES, INC., A Corporation,

Plaintiff,

vs.

MARVIN L. WARRS,

Defendant.

No. 5389

FILED

MAY - 1 1964

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

ORDER DISMISSING CAUSE WITH PREJUDICE

At Tulsa, in said District, on the 8th day of May, 1964;

Upon the joint application of plaintiff, Warren L. McConnico, trustee, and defendants, ~~Marvin L. Warrs, et al.~~ in connection with an order of compromise of controversy entered in the matter of C. O. Hughes, Inc., a corporation, bankrupt #B-9631, it is

ORDERED that this cause be, and the same is hereby, dismissed with prejudice.

Allen E. Barrow
DISTRICT JUDGE

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

WARREN L. McCONNICO, TRUSTEE IN
BANKRUPTCY FOR THE ESTATE OF
C. O. HUGHES, INC., A Corporation,

Plaintiff,

vs.

JIM MARRS, d/b/a JIM MARRS
TRUCKING COMPANY,

Defendant.

No. 5390 FILED

MAY - 8 1964

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

ORDER DISMISSING CAUSE WITH PREJUDICE

At Tulsa, in said District, on the 8th day of May, 1964;

Upon the joint application of plaintiff, Warren L. McConnico, trustee, and defendant, Jim Marrs, d/b/a Jim Marrs Trucking Company, and in connection with an order of compromise of controversy entered in the matter of C. O. Hughes, Inc., a corporation, bankrupt #B-9631, it is

ORDERED that this cause be, and the same is hereby, dismissed with prejudice.

(s) Allen E. Barrow
DISTRICT JUDGE

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

CORNEL LeBLANC, a minor, by)
and through his father and next)
friend, Hubert Joseph LeBlanc,)
Plaintiff,)
vs) NO. 5837
)
FIRST UNITED LIFE INSURANCE) CIVIL
COMPANY, and CARL W. DALTON, JR.,)
)
Defendants.)

FILED

MAY 8 1964

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

JUDGMENT

Now on this 9th day of April, 1964, this matter coming on for decision on the motions for summary judgment of the minor plaintiff, Cornel LeBlanc, and the defendant and cross-complainant, Carl W. Dalton, Jr., the court concludes that the plaintiff should have judgment in the amount of \$15,764.70, with interest at the rate of 6% from the 9th day of April, 1964, and the costs of this action.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the court, pursuant to the findings of fact and conclusions of law filed herein, that the plaintiff herein, Cornel LeBlanc, a minor, by and through his father and next friend, Hubert Joseph LeBlanc, is granted judgment in the amount of \$15,764.70, in the fund which has previously been paid into the clerk of this court by the defendant, First United Life Insurance Company. IT IS FURTHER ORDERED that the clerk of this court is to pay to said minor plaintiff, Cornel LeBlanc, and his attorneys, Hudson, Hudson, Wheaton, Kyle & Brett, the sum of \$15,764.70. IT IS FURTHER ORDERED AND DECREED that the minor plaintiff, Cornel LeBlanc, is granted judgment against the defendant and cross-complainant, Carl W. Dalton, Jr., for interest at the rate of 6% on the sum of \$15,764.70, from the 9th day of April, 1964, and the costs of this action. IT IS FURTHER ORDERED that the defendant, First United Life Insurance Company, is hereby released and discharged from any liability under the life insurance contract herein involved, said defendant

having paid the full amount of the proceeds thereunder into the Clerk of this court.

IT IS FURTHER ORDERED AND DECREED that the judgment of this court in favor of the plaintiff, Cornel LeBlanc, a minor, as set out above is stayed for a period of thirty (30) days and in the event the defendant and cross-complainant, Carl W. Dalton, Jr., files a notice of appeal, said judgment is stayed pending the appeal. IT IS FURTHER ORDERED that no supersedeas bond except as to anticipated interest on this judgment will be required in the event of an appeal. If the defendant and cross-complainant, Carl W. Dalton, Jr., files a notice of appeal, a cost bond should be filed with the Clerk of this court in the amount of \$250.00 to cover the costs and if said defendant and cross-complainant files such notice of appeal, a supersedeas bond should be filed with the Clerk of this court within twenty (20) days from the date of the filing of said notice of appeal in the amount of \$750.00, which should be sufficient to cover any interest on said judgment in favor of the minor plaintiff, Cornel LeBlanc, should said appeal be dismissed or the judgment affirmed or modified. Should said defendant and cross-complainant file a \$1,000.00 supersedeas bond within said twenty (20) day period, the aforesaid cost bond shall be voided upon the approval of said \$1,000.00 supersedeas bond. IT IS FURTHER ORDERED THAT the defendant, First United Life Insurance Company, and its counsel, Dyer, Powers & Gotcher, of Tulsa, Oklahoma, is granted judgment in said fund of \$16,264.70 for attorneys' fees in the amount of \$500.00. The Clerk of this court is ordered to pay the sum of \$500.00 to the firm of Dyer, Powers & Gotcher, Tulsa, Oklahoma, after the filing of this judgment.


United States District Judge

APPROVED AS TO FORM:
/s/ Tom Brett, Attorney for plaintiff

APPROVED AS TO FORM ONLY;
/s/ William B. Jones
Attorney for Defendant and Cross-Complainant, Carl W. Dalton, Jr.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America,
Plaintiff,

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

vs.

CIVIL ACTION NO. 4643

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

Tracts Nos. 0-1553-1, -2,
0-1553E-1 thru 0-1553E-7

Defendants.

AMENDMENT TO JUDGMENT

This matter comes before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma, for disposition of the parties' application for an amendment to the Judgment relative to the captioned tracts, filed herein on November 1, 1963. Having examined the files in this action and being fully advised in the premises, the Court finds that:

The stipulation on which the subject Judgment was based contained a typographical error in the description of certain property vested in the former owners, in that the description recited Township 24 North whereas the property, in fact, is situated in Township 25 North. The subject Judgment adopted the language of the stipulation, so it contains the same error in the township designation. Both the owners of the subject property and the plaintiff request a correction of the error by amendment of the subject Judgment and the Court concludes that the Judgment should be amended.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Judgment relative to the captioned tracts, filed herein on November 1, 1963, hereby is amended in the following particulars only, to wit: In line 18 and line 25 of the paragraph numbered 11 in such Judgment, the letters and figures "T. 24 N.," are changed to read "T. 25 N.,".

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

UNITED STATES OF AMERICA

MAY 8 1964

By /s/ Hubert A. Marlow
HUBERT A. MARLOW
Assistant United States Attorney

/s/ Oscar H. Holman
OSCAR H. HOLMAN

/s/ Katherine A. Holman
KATHERINE A. HOLMAN

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

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

Defendants.

CIVIL ACTION NO. 4987

Tracts Nos. V-2239E-1 and
V-2239E-2

FILED

MAY 11 1964

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

J U D G M E N T

On this 11 day of May, 1964, this cause came on for default judgment as to the captioned tracts before the Honorable Allen E. Barrow, Judge, United States District Court for the Northern District of Oklahoma. The Plaintiff, United States of America, appeared by Hugh V. Schaefer, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant owners of the captioned tracts did not appear. After being advised by counsel for Plaintiff and after having examined the files in the case, the Court finds:

1.

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

2.

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

3.

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

4.

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

5.

On April 30, 1964, a pre-trial conference in this case was held before the Court, due notice of such hearing was given to the parties, and the Plaintiff, United States of America, appeared at such hearing by Hugh V. Schaefer, Assistant United States Attorney. The hereinafter named defendants have previously entered their appearance in this case, but they and all other defendants did not appear at the aforesaid pre-trial hearing, and none of the defendants has made any appearance at any other trial concerning the subject tracts.

At the above-mentioned pre-trial conference the Court considered the evidence offered by Plaintiff and then found that the fair market value of the subject property, as of the date of taking, was \$365.00, and such sum should be adopted as the award of just compensation for the taking of the described estates in the subject property, and such award should be allocated to the various owners as shown in paragraph 8.

6.

The defendants named in paragraph 8 as owners of subject property are the only defendants asserting any interest in the estates condemned in the subject property, all other defendants having either disclaimed or defaulted; the named defendants were the owners of such estates, as of the date of taking, and as such, are entitled to receive the award of just compensation.

7.

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 property described in paragraph 1 herein, as such property is particularly described in the Complaint and Declaration of Taking filed herein; and such property, to the extent of the estates indicated and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in the subject property were the defendants whose names appear in the schedule below; the right to just compensation for the estates taken in this property is vested in the parties so named, as their interests appear therein; and the sum of \$365.00 hereby is adopted as the award of just compensation for the estates herein taken in subject property; all as follows, to-wit:

TRACTS NOS. V-2239E-1 & V-2239E-2

Owners:

L. M. Montgomery and
Alta Lucille Montgomery

Award of just compensation (Pursuant to Court's findings) - - - -	\$365.00	\$365.00
Deposited as estimated compensation - - - -	<u>\$365.00</u>	
Disbursed to owners - - - - -		<u>\$365.00</u>
Balance due to owners - - - - -		None

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hugh V. Schaefer

HUGH V. SCHAEFER
Assistant United States Attorney

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

BERTA L. ASHER; UNITED)
 BENEFIT LIFE INSURANCE)
 COMPANY; BERT TROW-)
 BRIDGE and OLIVE TROW-)
 BRIDGE,)
)
 Plaintiffs,)
)
 vs.)
)
 FIREMAN'S FUND INSURANCE)
 COMPANY, an insurance)
 company,)
)
 Defendant.)

✓
No. 5835 Civil

FILED

MAY 11 1964

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

ORDER OF DISMISSAL

Upon application of plaintiffs, above named, the Court hereby dismisses the action or file herein with prejudice to the filing of any future action, subject to the following Order of Court. It is ordered that United Benefit Life Insurance Company, Bert Trowbridge and Olive Trowbridge be made parties plaintiff to this action, all as per oral Order of the Court of May 1, 1964 and motion of the defendant, Fireman's Fund Insurance Company.

Allen E. Barrow
JUDGE ALLEN E. BARROW
UNITED STATES DISTRICT COURT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

5 11-64

O. K. AS TO FORM
AND CONTENT

David Loeffler
DAVID LOEFFLER
UNGERMAN, GRABEL, UNGERMAN & LEITER

BY *Fred W. Woodson*
FRED W. WOODSON

Walter K. Blumley

United States of America,

Plaintiff,

Civil No. 2189

Osage Apartments, Inc., et al,

Defendants.

FILED

MAY 17 1964

DEFICIENCY JUDGMENT

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

This matter comes on for hearing this 23 day of March

1964, on Motion of the plaintiff, United States of America, and the defendant, North Side State Bank, for leave to enter herein deficiency judgments, which Motions were filed herein on December 12, 1963, and January 28, 1964, respectively. Copies of said Motions were duly served upon the defendant, Osage Apartments, Inc., by mailing a copy of each to Robert G. Arena, attorney for defendant, Osage Apartments, Inc.,

The Court upon consideration of such Motions and of the evidence finds that the fair and reasonable market value of real property sold herein pursuant to the Order of Sale, by the United States Marshal for the Northern District of Oklahoma, on July 11, 1963, was \$99,700.00; that the aggregate amount of plaintiff's judgment rendered herein, together with interest and costs to and including July 11, 1963, amounted to \$167,381.67; that plaintiff, United States of America, is therefore entitled to a deficiency judgment against the defendant, Osage Apartments, Inc., for the sum of \$67,681.67, with interest thereon at the rate of 4 1/2% per annum, from July 11, 1963, until paid.

The Court further finds that the defendant, North Side State Bank, having heretofore obtained a judgment herein against the defendants, Osage Apartments, Inc. and John B. Evans, for the sum of \$3,732.66, as principal, with interest thereon at the rate of 10% per annum from August 17, 1961, until paid, together with an attorney's fee in the sum of \$375.00, and a further judgment foreclosing a chattel mortgage securing said judgment; that the defendant, North Side State Bank, has pursuant to the orders of this Court recovered possession of the mortgaged chattels and sold same according to law; that there remains due and unpaid to the defendant, North Side State Bank, from the defendants, Osage Apartments, Inc., and John B. Evans, upon said judgment the sum of \$1,182.32, with interest on the sum of \$1,722.03, at the rate of 12% per annum from October 15, 1963, until paid.

It is therefore, ORDERED, ADJUDGED AND DECREED by this Court, that the Plaintiff, United States of America, have and recover from the defendant, George Apartments, Inc., a deficiency judgment in the sum of \$67,631.07, with interest thereon at the rate of 4% per annum until paid.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the defendant, North Side State Bank, have and recover from the defendants, George Apartments, Inc., and John H. Evans, a deficiency judgment in the sum of \$2,182.32, with interest on the sum of \$1,752.85, at the rate of 10% per annum until paid.

May 11, 1964

Luther Bohannon
UNITED STATES DISTRICT JUDGE

APPROVED:

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

F. C. Swindell
F. C. SWINDELL, Attorney for Defendant

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

THE FIRST NATIONAL BANK AND TRUST)
COMPANY OF TULSA, TULSA, OKLAHOMA,)
and WENONAH SMITH, EXECUTORS OF)
THE ESTATE OF PAUL R. SMITH,)
DECEASED,)

Plaintiffs)

v.)

THE UNITED STATES OF AMERICA,)

Defendant)

CIVIL ACTION NO. 5624

FILED

MAY 11 1964

ORDER OF DISMISSAL

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

On the motion of the plaintiffs herein for voluntary dismissal, to which the defendant does not object, it appearing that, for the reasons set forth in the defendant's amended answer and the stipulation filed by the parties, there has been no overpayment of federal estate tax which can be recovered by the plaintiffs, it is ORDERED, ADJUDGED AND DECREED that the plaintiffs' complaint and action herein be dismissed with prejudice, each party to bear his own costs.

Done at Tulsa, Oklahoma, this 12th day of May, 1964.

Allen E. Barrow

ALLEN E. BARROW
United States District Judge

U. S. DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 9658

Miami Terrace Apartments, Inc.,

FILED

Defendant.

JUN 11 1964

JOURNAL ENTRY OF JUDGMENT

ROBERT C. MOORE
Clerk U.S. District Court

Now on this 12th day of May 1964, the above-

entitled matter comes on for hearing, the plaintiff appearing by
Sgt. E. Taylor, Assistant United States Attorney for the Northern
District of Oklahoma and the defendant, Miami Terrace Apartments,
Inc., appearing by its counsel, W. Ryan Russell; and

It appearing that this suit is based upon a note and for fore-
closure of a real property mortgage, securing said note, and for fore-
closure of a chattel mortgage also securing said note; and it further
appearing that the real property and chattels described in the aforesaid
mortgages are located in Ottawa County, Oklahoma, and within the Northern
Judicial District of Oklahoma; and

The Court being fully advised herein finds that the material
allegations of plaintiff's complaint are true and correct;

That the defendant, Miami Terrace Apartments, Inc., did on
July 17, execute and deliver its note in the sum of \$216,000.00, secured
by a real estate mortgage and chattel mortgage covering the hereinafter
described property to the Oklahoma Mortgage Company, Inc., who on
March 13, 1963, assigned the said note and mortgages to the plaintiff,
United States of America, pursuant to the provisions of the National
Housing Act, as amended; that the defendant, Miami Terrace Apartments,
Inc., defaulted upon the note and aforesaid mortgages in that it failed
to make the payments due on December 1, 1962, prior to the due date of
the next maturing installment;

That there is due from the defendant, Miami Terrace Apartments,
Inc. to the plaintiff, United States of America, by virtue of the afore-
said note, the sum of \$215,279.64 as unpaid principal with interest thereon

at the rate of 5% per annum from May 1, 1963, until paid, plus the sum of \$5,651.10, as accrued interest thereon from date of default to May 1, 1963, together with the costs of this action;

WHEREFORE, plaintiff, United States of America, is entitled to a judgment against the defendant, Miami Terrace Apartments, Inc. for the sum of \$215,279.64 as the unpaid principal due on said note, with interest thereon at the rate of 5% per annum from May 1, 1963, until paid, plus the sum of \$5,651.10 as accrued interest from date of default until April 30, 1963, together with the costs of this action;

The Court further finds that by virtue of its real property mortgage upon the following described property:

A tract of land situated in Lot Fifteen (15), of LADIES SUBDIVISION of Section 19, Township 23 North, Range 23 East of the Indian Base and Meridian, Ottawa County, Oklahoma, more particularly bounded and described as follows: Commencing at a point 25 feet South of the Northwest Corner of said Lot 15; thence East 200.35 feet; thence South 225 feet; thence West 200.35 feet; thence North 225 feet to the point of beginning.

the plaintiff has a first and prior lien upon same as security for the payment of the aforesaid note; and

that as additional security for the payment thereof, plaintiff also has a first and prior lien, by virtue of its chattel mortgage upon the following chattels:

- 24 Westinghouse Refrigerators, Model #WMB-10
- 24 Princess Ranges, Model #640
- 3 General Electric Clothes Washers, Model #MC470E
- 3 Norge Clothes Dryers, Model #DGG220
- 24 Nu-Tone Range Hoods, Model #1800
- 24 Smith-Carey Shower enclosures, Model #940
- 2 Taco hot water circulating pump, Model #135
- 60 Window screens
- Filter, flow meter, chlorine feeding equipment and recirculation pump for swimming pool
- Swimming pool accessories
- 24 Remote condensing units, Frazier-Johnson #1AL7-1 ton

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the plaintiff, United States of America, have judgment against the defendant, Miami Terrace Apartments, Inc. for the sum of \$215,279.64 as the unpaid principal upon said note, with interest thereon at the rate of 5% per annum from May 1, 1963, until paid, plus the sum of \$5,651.10 for accrued interest thereon from date of default to April 30, 1963, together with the costs of this action, accrued and accruing; and that plaintiff have further judgment foreclosing its aforesaid real property and chattel mortgages.

It appearing further that the real estate mortgage of the plaintiff, United States of America, contains the words, "For value received, the mortgagor hereby waives all benefits of the stay, valuation, or appraisal and exemption laws of the State of Oklahoma;

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that in the event the defendant, Miami Terrace Apartments, Inc., fails for six (6) months from the date of this judgment to pay the plaintiff the aforesaid sums and the costs of this action, an Order of Sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to levy upon, advertise and sell, according to law, without appraisal, the lands, tenements and chattels hereinabove described and to apply the proceeds thereof as follows:

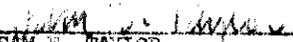
- (1) In payment of the costs of this action and the sale.
- (2) In payment of any unpaid taxes due.
- (3) In payment of the sum of \$215,279.64 principal with interest thereon at the rate of 5% per annum from May 1, 1963, until paid.
- (4) In payment of the sum of \$5,651.10 accrued interest on \$215,279.64, from date of default to April 30, 1963.
- (5) The balance, if any, to the Clerk of this Court to await further order of the Court.

If the amount derived from such sale is insufficient to satisfy the plaintiff's judgment, interest and costs, then execution shall issue against the defendant, Miami Terrace Apartments, Inc., for the remaining unpaid balance.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by the Court, that from and after the sale of the aforescribed real property and chattels under and by virtue of this Judgment and Decree, the defendant, Miami Terrace Apartments, Inc. and all persons claiming under them since the filing of the Complaint herein, be and are forever barred and foreclosed of and from every lien upon, right, title, interest, estate or equity, in and to the real property and chattels herein described.


ALAN S. BROWN
UNITED STATES DISTRICT JUDGE

APPROVED:


SAM E. TAYLOR
Assistant U. S. Attorney


W. RYAN RUSSELL
Attorney for Defendant
Miami Terrace Apartments, Inc.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

243.21 Acres of land, More or Less,
Situat in Rogers County, Oklahoma,
and LaSalle Petroleum Corporation,
et al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4877

"Working Interest" In
All Tracts

FILED

MAY 13 1964

J U D G M E N T N O. 1

1.

On May 4, 1964, this cause, as to the captioned tract, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma. Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. Jack L. Rorschach, Attorney, appeared for the defendant LaSalle Petroleum Corporation. After hearing the evidence and being fully advised in the premises, the Court finds:

NOBLE C. HOOD
U.S. District Court

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estates condemned herein in the "working interest" in all tracts included in this civil action, as such tracts and estates are described in the Declaration of Taking and the Complaint filed herein. Such "working interest", as it applies to the respective tracts, is more particularly described as follows:

As to Tracts Nos. 4614-4, J-1009-2M-4, J-1009-2M-5, J-1009-2M-6, J-1009-2M-7, and 4623-4, a 7/8 oil and gas lessee interest, limited to the base of the Bartlesville Sand, but subject to 1/8 of 8/8 overriding royalty interest.

As to Tracts Nos. 4615-C, G-717M-1, G-717M-2, G-717M-3, 4623-3, 4614-C, J-1008M-1, J-1008M-2, J-1008M-3, J-1008M-4, J-1008M-5, 4623-E, J-1009E-2, J-1009E-3, J-1009E-4, J-1009-2M-1, J-1009-2M-2, J-1009-2M-3, J-1009E-5, and that part of J-1009E-6 which is situated in the SE $\frac{1}{4}$ of Section 14, T. 24 N., R. 16 E., a 3/4 oil and gas lessee interest, limited to the base of the Bartlesville Sand.

As to Tract No. 4614-7S a 7/8 oil and gas lessee interest, limited to the base of the Bartlesville Sand, but subject to an outstanding royalty of 1/8 of all oil produced.

3.

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

4.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on March 4, 1960, the United States of America filed its Declaration of Taking of certain estates in such described land and title to such property should be vested in the United States of America as of the date of filing such instrument.

5.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of subject property, certain sums of money, all of which has been disbursed as shown in paragraph 10.

6.

The decrease in market value of the "working interest" in the water-flood oil recovery project from which the subject tracts were taken; caused by this action, is in the amount of \$63,777.00 and such sum should be adopted as the award of just compensation for such "working interest".

7.

The award fixed by this Judgment will create a deficiency in the deposit for the subject tracts as set forth in paragraph 10, and the plaintiff should deposit a sum of money sufficient to cover such deficiency.

8.

The defendant named in paragraph 10 as owner of the "working interest" in the subject tracts is the only defendant asserting any interest in such "working interest", all other defendants having either disclaimed or defaulted; the named defendant is the owner of such interest, as of the date of taking, and as such, is entitled to receive the award of just compensation for the estates condemned therein.

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 the "working interest" in such tracts, as defined in paragraph 2 herein, to the extent of the estates indicated and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the estates condemned herein in the "working interest" in the subject tracts, as defined in paragraph 2 herein, was the defendant whose name appears in paragraph 11 below; the right to just compensation for the estates taken in such "working interest" in these tracts is vested in the party so named, and the sum of \$63,777.00 hereby is adopted as the award of just compensation, all as follows, to wit:

WORKING INTEREST IN ALL TRACTS

Owner: LaSalle Petroleum Corporation

Award of Just Compensation for working interest - - - - -	\$ 63,777.00	\$ 63,777.00
Deposited as Estimated Compensation for working interest - - - - -	\$ <u>53,777.00</u>	
Disbursed to Owner - - - - -		\$ <u>53,777.00</u>
Balance Due to Owner - - - - -		\$ 10,000.00
Deposit Deficiency - - - - -	\$ 10,000.00	

11.

IT IS FURTHER ORDERED that the plaintiff shall deposit in the Registry of this Court the deposit deficiency in the total sum of \$10,000.00 (by agreement of parties this sum shall not draw interest), and such sum shall be credited to the deposit for Civil Action 4877.

Upon receipt of such payment, the Clerk of this Court shall disburse from the deposit for Civil Action 4877 the sum of \$10,000.00 to LaSalle Petroleum Corporation.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

MAY 6 1964

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

IN SENATE
JANUARY 1904

MARY RUTH ERVEN, a minor, by and through George W. Erven, her father and next friend

Plaintiff,

vs. No. 5277 Civil

BEARS, BEEBCK and Co., a corporation,

Defendant.

FILED

RELEASE AND SATISFACTION OF JUDGMENT

The undersigned plaintiff does hereby acknowledge receipt from the defendant in the above styled and numbered cause of the sum of Six Hundred Fifty Dollars (\$650.00), the amount due upon the judgment rendered in said cause on the 14th day of May, 1904, in favor of the plaintiff herein and against the defendant, which said sum is received and accepted in full payment and satisfaction of said judgment with interest and costs and in full payment and satisfaction of any and all attorneys' fees, costs, and claims in said cause, and by virtue thereof does hereby release, acquit, and forever discharge the defendant, Beebck and Co., of and from all liability to the undersigned in respect to said cause and judgment.

Dated this 14th day of May, 1904.

15/ George W. Erven
George W. Erven, father and next friend of Mary Ruth Erven, a minor, Plaintiff.

APPROVED:
SMITH & TOWNSEND

By 15/ Bruce M. Townsend
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
18.12 Acres of land, More or Less,)
Situate in Creek County, Oklahoma,)
and Robert M. Bahnsen, et al, and)
Unknown Owners,)
Defendants.)

Civil No. 4771

Tract No. F-652B

MAY 1954

J U D G M E N T

NOBLE C. STITH
Clark, 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 \$797.50, 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 \$805.00 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 prior to the institution of the above proceeding the United States of America and J. O. Stith 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 \$193.75, inclusive of interest, for his interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that plaintiff and Jonathan M. Fletcher, Katherine G. Shreves, and Frances J. Gross, 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 \$201.25, inclusive of interest, for their interests.

7. The Court finds that defendants, Maravene P. Bahnsen, Margaret Bahnsen Lager, Louise Bahnsen Annin, Sarah Price Ruhl, Mary Dart Curtis, Margaret Stevenson McCreery, Elizabeth C. Dart, Mary Dart Johnson, and Helen Dart Shadomy 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 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 \$797.50, inclusive of interest, of which sum the following amounts have been disbursed to:

J. O. Stith	\$193.75
Jonathan M. Fletcher	67.09
Katherine G. Shreves	67.08
Frances J. Gross	<u>67.08</u>

\$395.00

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

Maravene P. Bahnsen	\$19.17
Margaret Bahnsen Lager	91.04
Louise Bahnsen Annin	91.04
Sarah Price Ruhl	50.32
Mary Dart Curtis	50.31
Margaret Stevenson McCreery	50.31
Elizabeth C. Dart	<u>50.31</u>

\$402.50

(d) There exists a \$7.50 surplus resulting from the final award being less than the estimated just compensation. 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 of \$7.50, payable to the order of the Treasurer of the United States and to mail the check to said payee.

Entered this 15th day of May, 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.)
350.45 Acres of Land, More or Less,)
Situate in Tulsa and Creek Counties,)
Oklahoma, and Randall Ashley Sanger,)
et al, and Unknown Owners,)
Defendants.)

Civil No. 4858

Tract Nos. F-607E-1 & E-2

FILED

MAY 1 1964

NOBLE C. HOOD
Clark, 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 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 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 \$425.00, 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 \$425.00 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. In F-607E-1, the Court finds that defendants, J. F. Quinlan and R. F. Harmon 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.

6. In F-607E-1, the Court finds that plaintiff and Royal N. Anthis, Ernest R. Anthis, James E. Anthis, Earl G. Anthis, Emma Jean Anthis, Pauline Booth, Fay Evelyn Couch, Barbara Jane Wagner, Austin F. Anthis, Jr., and the Ida B. Anthis Estate, 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 \$25.00, inclusive of interest.

7. In F-607E-2, the Court finds that defendants, W. A. Webb, C. P. Waggoner, A. E. Addyman, Charles W. Briggs, and Robert L. and Hazel Cassingham, 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.

8. In F-607E-2, the Court finds that plaintiff and Royal N. Anthis, Ernest R. Anthis, James E. Anthis, Earl G. Anthis, Emma Jean Anthis, Pauline Booth, Fay Evelyn Couch, Barbara Jane Wagner, Austin F. Anthis, Jr., and the Ida B. Anthis Estate, 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 \$25.00, 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 \$425.00, inclusive of interest.

(c) The Clerk of this Court is hereby authorized and directed to draw checks on the funds in the Registry of this Court in the amounts hereinafter set forth, payable to the order of the following-named payees and to mail the checks to said payees at the following addresses:

Royal N. Anthis, Ernest R. Anthis, James E. Anthis, Earl G. Anthis, Emma Jean Anthis, Pauline Booth, Fay Evelyn Couch, Barbara Jane Wagner, Austin F. Anthis, Jr., and the Ida B. Anthis Estate, c/o Ernest R. Anthis, Metropolitan Bldg., Muskogee, Oklahoma, for Tract No. F-607E-1.....	\$25.00
Same as above for Tract No. F-607E-2.....	<u>\$25.00</u>
	\$50.00

6. The Court finds that plaintiff and Sidney Gore and Kerr-McGee Oil Industries, Inc., 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 \$50.00, inclusive of interest, and that Sidney Gore has already been paid his share of \$35.00 as his just compensation in said tract.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said 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 \$250.00, inclusive of interest;

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

Kerr-McGee Oil Industries, Inc. - - - - - \$15.00
Kerr-McGee Building
Oklahoma City, Oklahoma

(d) The Clerk of the Court is hereby authorized and directed to retain the funds on deposit for these tracts for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owner 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:

Lillie S. Mathews - - - - - \$200.00

Entered this 19th day of May, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ E.O.C. Ord

E.O.C. ORD, Trial Attorney
U. S. Department of Justice

to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$196.87, inclusive of interest, of which amount \$87.50 has previously been disbursed to Joseph O. Stith.

6. The Court finds that defendants, Sarah Price Ruhl, Margaret Stevenson McCreery, and Elizabeth C. Dart, 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.

7. The Court finds that defendant, New Mannford Corporation, has disclaimed any right, title, estate equity, lien, or interest in and to the above-captioned tracts.

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

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the 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 \$262.50, inclusive of interest, of which amount \$87.50 has previously been disbursed to Joseph O. Stith;

(c) The Clerk of this Court is hereby authorized and directed to draw checks on the funds in the Registry of this Court in the amounts herein-after set forth, payable to the order of the following-named payees and to mail the checks to said payees at the following addresses:

Margaret Bahnsen Lager, 1778 Midvale, Los Angeles, California.....	\$ 43.75
Louise Bahnsen Annin, 1778 Larheart Drive, La Canada, California.....	43.75
Sarah Price Ruhl, Far Hills, Route 3, Des Moines, Iowa.....	21.88
Estate of Mary Dart Curtis, c/o Paul F. Ahlers, Attorney at Law, 1010-20 Bankers Trust Bldg., Des Moines, Iowa 50309.....	21.87
Margaret Stevenson McCreery, 4 Curtis Street, Winchester, Massachusetts.....	21.88

(d) The Clerk of the Court is hereby authorized and directed to retain the amount 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 owner 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: Elizabeth C. Dart..... \$ 21.87

(e) There exists a surplus of \$87.50 resulting from the final award being less than the estimated just compensation. 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 of \$87.50, payable to the order of the Treasurer of the United States and to mail the check to said payee.

Entered this *15th* day of May, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ E.O.C. Ord

E.O.C. ORD, Trial Attorney
U. S. Department of Justice

by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$543.00, inclusive of interest, for their interests.

6. The Court finds that defendants, Samuel Cleaver, Etta Smith, and Pearl B. Woodworth have failed to appear or answer nor have their attorneys appeared or answered in their behalf, and that said parties 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 \$718.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$293.00, 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:

A. B. Carder.....	\$300.00
Glen H. Rosier Estate.....	121.50
R. S. Rosier Estate.....	60.75
Roy L. Rosier Estate.....	<u>60.75</u>
	\$543.00

(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 owner set forth above, and in event said deposit is not claimed, the Court Clerk is directed, without further order of this Court, to return said deposit, five years from this date, into the United States Treasury:

Samuel Cleaver.....	\$43.75
Etta Smith.....	43.75
Pearl B. Woodworth.....	<u>87.50</u>
	\$175.00

Entered this 15th day of May, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE, Ass't U.S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
vs.
2,102.11 Acres of Land, More or Less,
Situate in Osage County, Oklahoma,
and D. P. Weems, et al, and
Unknown Owners,
Plaintiff,
Defendants.

Civil No. 5825

Tract Nos. 1811-2MA & 2MB

FILED

MAY 15 1964

AMENDED JUDGMENT

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 an Amended Judgment to correct a Judgment entered in this case and these tracts on April 6, 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 oil lessee interest; 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 oil lessee interest on the date of taking, and are entitled to receive the award therefor.
 4. The Court finds that prior to the institution of the above proceeding the United States of America and Mame Neal and Bob R. Neal, individually and as administrators for H. B. Neal Estate, entered into a contract, as evidenced by an option for the subordination of the oil lessee estate 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 \$875.00, inclusive of interest, would be awarded as just compensation for the taking of the oil lessee estates to be condemned in the above tracts; that the contract and agreement is a valid one.
- Also, the Court further finds that the record owners, LeRoy White and Dean Bach, have disclaimed in favor of the Neal Group because of a prior

agreement that all monies from the subordination of the oil lessee estate should belong to the Neal group, who formerly owned this property until they sold it to White and Bach.

5. The Court finds the amount of \$875.00, inclusive of interest, is just compensation for the taking of the oil lessee estate by the plaintiff in the above tracts, as such estate and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$825.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessee interest upon the filing of the Declaration of Taking herein, and the sum of \$25.00 was later deposited as directed by the Judgment entered April 6, 1964.

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

(a) The vesting in plaintiff of title to the oil lessee estate set forth in the Complaint and Declaration of Taking in and to the tracts 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 oil lessee interest is the sum of \$875.00, inclusive of interest, of which amount \$850.00 has previously been disbursed to the owners.

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$25.00, 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:

Maene Neal and Bob R. Neal, individually
and as Administrators of the Estate
of H. B. Neal - - - - - \$25.00.

Entered this 15th day of May, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

69.74 Acres of Land, More or Less,
Situate in Creek County, Oklahoma,
and Jennie Mann, et al., and
Unknown Owners,

Defendants.

Civil No. 4780

Tracts No. D-416

FILED

MAY 20 1954

NOBLE C. HOOD
Clark, 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.

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 surface 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 \$3100.00, 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 \$1100.00 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 F. F. and Elsie Nigh, 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 \$3100.00, 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 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 \$3100.00, inclusive of interest, of which amount the sum of \$1100.00 has been disbursed to the defendants.

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

F. F. & Elsie Nigh \$2,000.00

Entered this *17th* day of *May* 1964.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

181.15 Acres of Land, More or Less,
Situate in Pawnee and Osage Counties,
Oklahoma, and Nathan Rosenberg, et al.,
and Unknown Owners,

Defendants.

Civil No. 5359

Tract No. 3331

FILED

JUL 25 1964

NOBLE C. GOOD
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.

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 \$5,175.00, less \$250.00 for improvements reserved to owner, 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 \$4,500.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Bert O. and Irene D. Jordan, 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 \$5,175.00, inclusive of interest, less \$250.00 for improvements reserved to owner.

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 \$5,175.00, less \$250.00 for improvements reserved to owner, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$425.00, 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:

Bert O. and Irene D. Jordan \$4,925.00

Entered this 18th day of May 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.

101.69 Acres of Land, More or Less,
Situate in Pawnee and Creek Counties,
Oklahoma, and Kathleen Daly Reed, et al.,
and Unknown Owners,

Defendants.

Civil No. 5682

Tract No. 3205

FILED

MAY 15 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.

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 \$23,100.00, less \$275.00 for improvements and \$100.00 for sand, as explained below, 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 \$12,883.00 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 Kathleen Daly Reed, 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 tract is the sum of \$23,100.00, inclusive of interest, less the sum of \$275.00 for certain improvements reserved to defendant and less the further sum of \$100.00 which defendant agrees may be deducted for sand removal by defendant from this tract since the Declaration of Taking.

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 tracts is the sum of \$23,100.00, less \$275.00 for improvements and \$100.00 for sand; the sum of \$12,883.00 has previously been disbursed to defendant; inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$9,842.00, 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 following-named payee:

Kathleen Daly Reed \$9,842.00.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

476.66 Acres of Land, More or Less,
Situate in Osage and Pawnee Counties,
Oklahoma, and Frank Walters, et al.,
and Unknown Owners,

Defendant.

Civil No. 5702

Tract No. 3131E

FILED

MAY 25 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.

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 \$75.00, 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 \$75.00 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 defendant Frank Walters has failed to appear or answer, nor have their attorneys appeared or answered in his behalf, and that said party defendant is 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 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 \$75.00, inclusive of interest;

(c) The Clerk of the Court is hereby authorized and directed to retain the amount set out below for this tract for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owner set forth above, and in event said deposit is not claimed, the Court Clerk is directed, without further order of this Court, to return said deposit, five years from this date, into the United States Treasury:

Frank Walters \$75.00

Entered this 18th day of May, 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.

476.66 Acres of Land, More or Less,
Situate in Osage and Pawnee Counties,
Oklahoma, and Frank Walters, et al.,
and Unknown Owners,

Defendants.

Civil No. 5702

Tracts Nos. 3627E-1 & E-2

FILED

MAY 25 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 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 \$450.00, 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 \$200.00 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 Charles L. Cox, 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 \$450.00, 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 \$450.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$250.00, 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:

Charles J. Cox \$450.00

Entered this *18th* day of May, 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.

866.30 Acres of Land, More or Less,
Situat in Osage and Pawnee Counties,
Oklahoma, and Clifford W. Lemmons, et al.,
and Unknown Owners,

Defendant.

Civil No. 5710

Tract No. 3762E

FILED

MAY 1989

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.

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 \$125.00, 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 \$125.00 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 defendant Faysema Daniels Cannon have failed to appear or answer nor have her attorneys appeared or answered in her behalf, and that said party defendant is in default at this time. The Court further finds that this defendant is a restricted Osage Indian whose restrictions have been removed by the Osage Indian Agency for the purpose of dealing with this tract directly.

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 \$125.00, inclusive of interest;

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

Bureau of Indian Affairs for the benefit
of Faysma Daniels Cannon \$125.00

Entered this 7th day of May, 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.

305.95 Acres of Land, More or Less,
Situat e in Pawnee and Creek Counties,
Oklahoma and David Clegg, et al.,
and Unknown Owners,

Defendants.

Civil No. 5718

Tract Nos. 2227 & E

FILED

MAY 15 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 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 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 \$60.75, 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 \$44.00 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 prior to the institution of the above proceeding the United States of America and Davis Clegg 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 \$19.25, inclusive of interest, for his interest, 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.

6. The Court finds that plaintiff and Robert H. Rosier, individually and as Executor of the Estate of Glen H. Rosier, deceased, defendant 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 \$25.00, inclusive of interest, for their interest;

7. The Court finds that defendants Samuel Cleaver, Etta Smith, and Pearl B. Wedsworth 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 \$60.75, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$16.75, 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:

Davis Clegg	\$19.25
Robert H. Rosier, individually and as Executor of the Estate of Glen H. Rosier, Deceased	25.00

(d) The Clerk of the Court is hereby authorized and directed to retain the funds on deposit 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

Samuel Cleaver \$4.12
Etta Smith 4.13
Pearl B. Wadsworth 3.25

Entered this ¹⁵ day of May, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert S. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

305.95 Acres of Land, More or Less,
Situate in Pawnee and Creek Counties,
Oklahoma, and Davis Clegg, et al.,
and Unknown Owners,

Defendants.

Civil No. 5718

Tracts Nos. 3039

FILED

MAY 25 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.

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 \$119.75, 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 \$23.00 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 prior to the institution of the above proceeding the United States of America and Bessie M. Johnson, Mildred M. Adams, Robert Lee Lunsford, Lillian Lunsford Brewer and Eugene M. Mullendore 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 \$19.75, inclusive of interest, for their interests, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that plaintiff and Patience M. McNulty and Dale Arthur McNulty, 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 \$100.00, 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 \$119.75, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$96.75, 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:

Bessie M. Johnson	\$3.50
Mildred M. Adams	3.75
Patience M. McNulty and Dale Arthur McNulty	100.00
Robert Lee Lunsford	1.00
Lillian Lunsford Brewer	5.75
Eugene M. Mullendore	5.75

\$119.75

Entered this 18th day of May 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ejs

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

305.95 Acres of Land, More or Less,
Situat e in Pawnee and Creek Counties,
Oklahoma, and Devis Clegg, et al., and
Unknown Owners,

Defendants.

Civil No. 5718

Tract No. 3036E

FILED

MAY 23 1968

J U D G M E N T

NOBLE C. HOOD
Clark, 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 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 \$350.00, 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 \$350.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that prior to the institution of the above proceeding the United States of America and Maude L. Oldham, H. M. Layton, O. E. Layton, Ruby Layton Barron and Annie Layton Smith 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 \$200.00, inclusive of interest, for their interests, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that plaintiff and C. R. Colpitt, 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 tract is the sum of \$131.25, inclusive of interest, for his interest.

7. The Court finds that defendant Richard E. Nelson has failed to appear or answer, nor have his attorneys appeared or answered in his behalf, and that said party defendant is 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 tract is the sum of \$350.00, inclusive of interest, of which amount the following sums have previously been disbursed:

Maude L. Oldham	\$100.00
H. M. Layton	25.00
O. E. Layton	25.00
Ruby Layton Barron.	<u>25.00</u>
	\$175.00

(c) The Clerk of this Court is hereby authorized and directed to draw checks on the funds in the Registry of this Court in the amounts hereinafter set forth, payable to the order of the following-named payees:

Ruby Layton Barron	\$ 25.00
C. R. Colpitt	<u>131.25</u>
	\$ 156.25

(d) The Clerk of the Court is hereby authorized and directed to retain the amount set out below for this tract for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owner set forth 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 E. Nelson \$ 18.75

Entered this 28th day of May 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.

305.95 Acres of Land, More or Less,
Situate in Pawnee and Creek Counties,
Oklahoma, and Devis Clegg, et al., and
Unknown Owners,

Defendants.

Civil No. 5718

Tract No. 2927

FILED

MAY 25 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.

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 \$1600.00, 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 \$1600.00 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 prior to the institution of the above proceeding the United States of America and Irena Vaughn, Walter Vaughn, June Anna Rowland now Brewer, Leo Vaughn, Jerry Vaughn, Ray Vaughn, and Jewell Bradford

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 \$800.00, inclusive of interest, for their interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that defendants Regina Boundy, Helen Woodard, Edward N. Woodard, Mrs. John Trottman, Marvin S. Woodward, Ray W. Schultz, Mrs. Alvin Schultz, Irena Vaughn, Walter Vaughn, June Anna Rowland, now Brewer, Leo Vaughn, Jerry Vaughn, Ray Vaughn, Jewell Bradford, Harrill Rockett and Kent Walker, 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 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 \$1600.00, inclusive of interest, of which amount the following sums have previously been disbursed:

Irena Vaughn	\$266.66
Walter Vaughn	88.89
June Anna Rowland, now Brewer.	88.89
Leo Vaughn	88.89
Jerry Vaughn	88.89
Ray Vaughn	88.89
Jewell Bradford.	<u>88.89</u>
	\$800.00

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

Mrs. John Trottman	\$160.00
Ray W. Schultz	80.00
Mrs. Alvin Schultz	<u>80.00</u>
	\$320.00

(d) The Clerk of the Court is hereby authorized and directed to retain the amounts set out below for this tract 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, in the 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.

Regina Boundy	\$80.00
Helen Woodward	30.00
Edward N. Woodard	160.00
Marvin S. Woodard	160.00

Entered this 16th day of May 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. 5728

James C. Williams

vs.

Douglas Olmstead

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 Plaintiff James C. Williams, have and recover Judgment against Douglas Olmstead in the amount of \$595.07 together with interest at the rate of 6% per annum from date.

FILED

MAY 27 1964

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

Dated at Tulsa, Oklahoma, this 25th day
of May, 19 64

NOBLE C. HOOD

Clerk of Court

by: D. Hanna, Deputy Clerk

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

Tracts Nos. 4509, E-1 thru
E-3

FILED

MAY 25 1964

J U D G M E N T

NOBLE C. WOOD
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 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 \$525.00, 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 \$525.00 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 Margaret Turner Pyle, May Estes Whitlow and Linda Jane Fowler, 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 \$87.50, inclusive of interest, for their interests.

6. The Court finds that defendants Mannford State Bank, F. S. Lathon, Margaret Janeway Simpson, Roselynn Janeway Bost, Maurine Janeway Johnson, J. B. Castle, D. C. Janeway, Jr., and Mayme Janeway have failed to appear or answer nor have their attorneys appeared or answered in their behalf, and that said parties 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 \$525.00, inclusive of interest, of which amount the following sums were previously disbursed:

Margaret Turner Pyle	\$21.87
May Estes Whitlow	21.88
Linda Jane Fowler	43.75
	<u>\$87.50</u>

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

Mannford State Bank and	
Arkie E. & Margaret I. Butler . . .	\$349.98
F. S. Lathon	21.89
Margaret Janeway Simpson	3.65
Roselynn Janeway Bost	3.65
Maurine Janeway Johnson	3.65
J. B. Castle	43.75
D. C. Janeway, Jr.	3.65
Mayme Janeway	7.28
	<u>\$437.50</u>

Entered this 15th day of May, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

Civil No. 5446

Tract Nos. 3824E-1 thru E-3

FILED

MAY 26 1964

O R D E R

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

The objection filed in the above cause on April 27, 1964, is hereby overruled because the defendant has failed to file a brief in support of his objection within 10 days after May 11, 1964, the date the Court wrote the defendant and instructed him to file said brief within 10 days after the date of said letter.

Entered this 25th day of May, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

U. S. DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

United States of America,

Plaintiff,

vs.

William Earl Duncan and
John Louis Brown,

Defendant.

Civil No. 5572

FILED

MAY 26 1954

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

O R D E R

As Court being advised herein that the parties hereto have
filed a stipulation of dismissal, it is hereby ordered that the above-
captioned action be dismissed with prejudice and each party bearing their
own respective costs.

Done this 26 day of May 1954.

Allen E. ...
UNITED STATES DISTRICT JUDGE

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Petitioner,)
)
vs.)
)
4 Tracts of Land consisting of)
137.2 acres, Max R. Crouch, et al.,)
)
)
Defendants.)

Civil No. 5768

FILED

MAY 28 1964

ORDER CONFIRMING REPORT OF COMMISSIONERS NOBLE C. FLOOD
Clerk, U. S. District Court

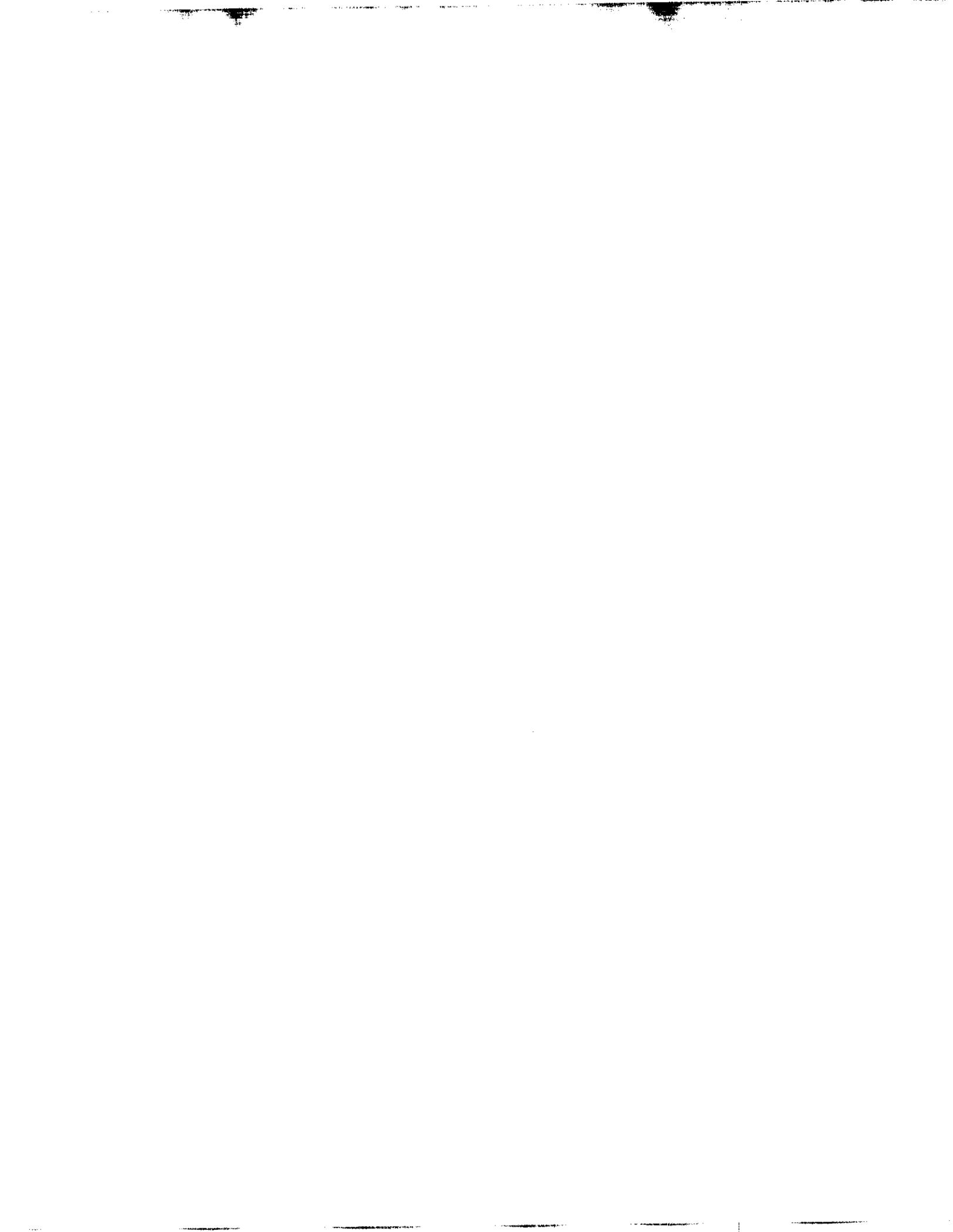
NOW, on this the 7th day of May, 1964, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

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 stipulation of the parties 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:



1941

1941

1941

1941



1941



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 7th day of November, 1963, upon the depositing of the sum of \$ 9,346.00 with the registry of this Court for the lands and estates taken in and to the above described land.

12/ Allen E. Barrow

U. S. District Judge

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. 4507E

FILED

MAY 26 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.

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 \$140.00, 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 \$140.00 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 prior to the institution of the above proceeding the United States of America and Lyda Smith and Maud Christian, and First National Bank, Trustee for W. F. Catlett, entered into a contract, as evidenced by an option for the purchase of land granted by the defendant and accepted on behalf of the

plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$70.00, inclusive of interest, for their interests, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that defendants Frederick T. Kayser, Carl W. Kayser and Janet M. Clay have failed to appear or answer, nor have their attorneys appeared or answered in their behalf, and that said parties 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 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 \$140.00, inclusive of interest, of which amount \$35.00 has previously been disbursed to First National Bank, Trustee for W. F. Catlett Trust.

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

Lyda Smith and Maud Christian \$35.00

(d) The Clerk of the Court is hereby authorized and directed to retain the amounts set out below for this tract 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:

Frederick T. Kayser	\$ 23.33
Carl W. Kayser	23.33
Janet M. Clay	<u>23.34</u>

\$ 70.00

Entered this *15th* day of *May* 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.

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

4208 and

Tracts Nos. 4208E-1 thru E-4

FILED

NOV 26 1964

NOBLE C. BOOD
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 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 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 \$3935, 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 \$3675.00 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 prior to the institution of the above proceeding the United States of America and J. R. Colpitt 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 \$2700.00, inclusive of interest, for his interest, 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.

6. The Court finds that plaintiff and Eloise Esther Boudinot and Mildred Michelle Boudinot, by Eloise Esther Boudinot, her natural guardian, 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 \$1235.00, 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 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 \$3935.00, inclusive of interest, of which amount \$2700.00 has previously been disbursed to J. R. Colpitt;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$260.00, 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:

Bureau of Indian Affairs for the
Benefit of Eloise Esther Boudinot,
individually, and as Guardian for
Mildred Michelle Boudinot \$1235.00

Entered this 25th day of May 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

a.js

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

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

Defendant.

Civil No. 5844

Tract No. 3742E

FILED

MAY 26 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.

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 \$1100.00, 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 \$850.00 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 William O. Milam, Glenn A. Milam and G. C. Milam, Jr., 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 \$1100.00, 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 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 \$1100.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$250.00, 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:

William O. Milam, Glenn A.
Milam and G. C. Milan, Jr. \$1100.00

Entered this 15th day of May 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ejs

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 Pawnee, Osage, and Creek
Counties, Oklahoma, and Glenn A.
Milam, et al., and Unknown Owners,

Defendants.)

Civil No. 5844

Tract No. 3753E

FILED

MAY 19 1954

NOBEN C. ...
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.

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 \$650.00, 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 \$650.00 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 prior to the institution of the above proceeding the United States of America and E. D. and Louise M. Fairweather, parents, natural guardians and guardians ad litem for Charles Scott Fairweather

and Mark Ernest Fairweather, both minors, 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 \$650.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

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 \$650.00, inclusive of interest;

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

E. D. and Louise M. Fairweather, Guardians for
Charles Scott Fairweather and
Mark Ernest Fairweather \$650.00

Entered this *25th* day of *July* 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.

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

Defendants.

Civil No. 5844

Tract No. 4410

FILED

MAY 26 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 \$125.00, 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 \$125.00 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 defendant Dickinson L. Jacobs has failed to appear or answer, nor have their attorneys appeared or answered in their behalf, and that said party defendant is 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 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 \$125.00, inclusive of interest;

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

Dickinson L. Jacobs \$125.00.

Entered this 25th day of May, 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.

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

Defendants.

Civil No. 5844

Tract No. 4419E

FILED

NOV 10 1964

NOBLE C. BIRD
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.

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 \$175.00, 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 \$175.00 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 the defendant Bert Evans has failed to appear or answer, nor has his attorneys appeared or answered in his behalf, and that said party defendant is 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 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 \$175.00, inclusive of interest;

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

Bert Evans \$175.00

Entered this 25th day of May 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

FILED
MAY 28 1964

United States of America,
Plaintiff,
vs.
646.79 Acres of Land, More or Less,
Situate in Pawnee County, Oklahoma,
and Carol Spess, et al., and
Unknown Owners,
Defendants.

Civil No. 5855
Tract Nos. 2904-1, 2 & 3
& E-1 thru E-10
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 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 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 \$1500.00, 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 \$1500.00 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 prior to the institution of the above proceeding the United States of America and John Fidel and George W. Hassell 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 \$1207.45, inclusive of interest, 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.

6. The Court finds that defendants Otto F. and Lillian H. Kramer, Roger E. and Ruth Kramer, Paul Brown, Gordon F. Rainey, R. M. Rainey, W. J. Wallace, Jr., Merton M. Bulla, Stratton E. Kernodle, Ralph J. May, Edward Bynum, and Mary A. Mahnker 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 \$1500.00, inclusive of interest, of which amount the following sums have previously been disbursed:

John Fidel	\$375.00
George W. Hassell.	<u>832.45</u>
	\$1207.45

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

Otto F. & Lillian H. Kramer	\$ 46.90
Roger E. & Ruth Kramer	46.90
Paul Brown	63.25
Gordon F. Rainey	36.14
R. M. Rainey	27.10
Merton M. Bulla	18.07
Stratton E. Kernodle	9.03
Ralph J. May	9.03
Edward Bynum	<u>9.03</u>
	\$ 265.45

(d) The Clerk of the Court is hereby authorized and directed to retain the funds on deposit for these tracts for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owner 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:

W. J. Wallace, Jr.	\$18.07
Mary A. Mahnker	<u>9.03</u>
	\$27.10

Entered this 25th day of May 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.

646.79 Acres of Land, More or Less,
Situat in Pawnee County, Oklahoma,
and Carol Spess, et al., and
Unknown Owners,

Defendants.)

Civil No. 5855

Tract No. 3522E

FILED

WILLIAMS

NOBLE
Clk, U.S. Dist. Ct.

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.

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 \$20.00, 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 \$20.00 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 defendant Eda Hanson has failed to appear or answer, nor have her attorneys appeared or answered in her behalf, and that said party defendant is in default at this time.

6. The Court finds that prior to the institution of the above proceeding the United States of America and Lindsay A. Davis entered into a contract, as evidenced by an option for the purchase of land granted by said defendant and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$10.00, inclusive of interest, for his interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

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 \$20.00, inclusive of interest;

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

Lindsay A. Davis \$10.00

(d) The Clerk of the Court is hereby authorized and directed to retain the amount set out below for this tract for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owner set forth 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:

Eda Hanson \$ 10.00

Entered this 25th day of May 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.

646.79 Acres of Land, More or Less,
Situate in Pawnee County, Oklahoma,
and Carol Spess, et al., and
Unknown Owners,

Defendants.

Civil No. 5855

Tracts Nos. 3525 & 3525E

FILED

NOV 11 1934

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 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 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 \$800.00, 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 \$800.00 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 prior to the institution of the above proceeding the United States of America and Opal Ramey Hamon 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 \$100.00, inclusive of interest, for her interest, 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.

6. The Court finds that defendants Hugh C. Veach, James W. Smith, Viola Gilbert, Viola Clark and O. S. Anderson 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 \$800.00, inclusive of interest;

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

James W. Smith	\$ 200.00
Viola Gilbert.	33.33
Viola Clark.	33.34
Opal Ramey Hamon	100.00
O. S. Anderson	<u>33.33</u>
	\$400.00

(d) The Clerk of the Court is hereby authorized and directed to retain the amount 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 owner set forth below, and in event said deposit is not claimed, the Clerk of this Court is directed, without further order of this Court, to return said deposit, five years from this date, into the United States Treasury:

Hugh C. Veach \$400.00

Entered this 25th day of May 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney
ajs

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

1938

NORMAN S. HODGSON
Clerk, U. S. District Court

United States of America,)	
)	
Plaintiff,	)	Civil No. 5866
vs.)	
	)	Tracts Nos. 273-1M
1,632.12 Acres of Land, More or Less,	)	273-2M
Situate in Osage County, Oklahoma, and	)	273-3M
Osage Tribe of Indians, et al., and	)	273-4M
Unknown Owners,	)	2710-2M
)	
Defendants.)	

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the oil lessee interest in the above case.

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 oil lessee interest; 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 oil lessee interest on the date of taking, and is entitled to receive the award therefor.

4. The Court finds that plaintiff and A. E. Basinger, 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 \$1500.00, inclusive of interest.

6. The Court finds the amount of \$1500.00, inclusive of interest, is just compensation for the taking of the oil lessee estate by the plaintiff in the above tracts, as such estate and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$758.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessee interests upon the filing of the Declaration of Taking herein.

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

(a) The vesting in plaintiff of title to the oil lessee estate set forth in the Complaint and Declaration of Taking in and to the tracts 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 oil lessee interest is the sum of \$1500.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$742.00, 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:

A. E. Basinger \$1500.00

Entered this 20th day of May 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

576.95 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Clyde Foster, et al.,
and Unknown Owners,

Defendants.

Civil No. 4585

Tract No. D-422

FILED

NOV 27 1934

ROBERT W. 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.

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 \$19,225.00, 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 \$16,200.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking and Amended Declaration of Taking.

5. The Court finds that plaintiff and Clyde W. Foster, Arthur M. Foster, Lewis E. Foster and Raymond Oil Company, 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 \$18,300.00, inclusive of interest, for their interests;

6. The Court finds that prior to the institution of the above proceeding the United States of America and S. H. Reno, E. A. Orr, Mary Ellen Robnett, Independent Executrix of Estate of James Robnett, deceased, Robert M. Shannon, E. M. Thomson, Irene Emerson, Ray Husted, J. Bart Underwood, M. E. Singleton, R. H. Curry, C. B. Stoffregen, Bill Ganaway, John Ackley Billy Phill Ganaway, Joe H. McQuatters, John Herndon, Lynn B. Griffith, Jack Eastham, Charles G. Davis, L. H. Barron, Robert Davis, Mrs. Janet Bailey Barnes, Independent Executrix of Estate of Bruce S. Barnes, deceased, Robert A. Jones, and The Citizens National Bank, Waxahachie, Texas, as Trustee for John Shine.

7. The Court finds that defendant S. H. Reno has failed to appear or answer, nor have his attorneys appeared or answered in his behalf, as to the ORRI interest only, and that said party defendant is 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 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 \$19,225.00, inclusive of interest, of which amount the following sums have been previously disbursed:

Clyde W. Foster, Arthur M. Foster and Lewis E. Foster	\$12,950.00
S. H. Reno	28.13
E. A. Orr	70.31
R. R. Stoker.	70.31
Mary Ellen Robnett, Independent Executrix of Estate of James Robnett, deceased	28.13
Robert M. Shannon	56.25
E. M. Thompson	56.25
Irene Emerson	7.03
Ray Husted	28.13
J. Bart Underwood.	14.06
M. E. Singleton	56.25
R. H. Curry	28.13
C. B. Stoffregen	35.16
Bill Ganaway	18.75
John Ackley	18.75
Billy Phill Ganaway	18.75
Joe H. McQuatters	28.13
John Herndon	28.13
Lynn B. Griffith	28.12
Jack Eastham	28.12
Charles G. Davis	56.25
L. H. Barron	56.25
Robert Davis.	28.12

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. N-1453E
(Partial)

FILED

MAY 27 1964

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

J U D G M E N T
(Partial)

On May 21, 1964, this cause, as to the captioned tract came before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma, for disposition of the Plaintiff's motion for judgment. After being advised by counsel for plaintiff and having examined the files in the case, the Court finds:

1.

This judgment applies only to an undivided 1/2 interest in the estate condemned in the tract enumerated in the caption above, as such tract and estate are described in the Declaration of Taking filed herein.

2.

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

3.

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

4.

A pre-trial hearing in this case was held before the Court on April 30, 1964. Due notice of such hearing was given to the parties. The Plaintiff, United States of America, appeared at such hearing by Hugh V. Schaefer, Assistant United States Attorney for the Northern District of Oklahoma. The defendant owners of an undivided 1/2 interest in the above tract did not appear at such hearing either in person or by attorney, in connection with the subject tract, and no defendant has made any appearance at any other time in connection with the said interest in the 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, as such tract is particularly described in such Complaint. Pursuant thereto, on July 28, 1960, the United States of America filed its Declaration of Taking of certain estate in such described land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing herein 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, none of which has been disbursed, as shown in paragraph 10.

7.

The Court has considered the evidence offered by the Plaintiff at the pre-trial hearing and finds that the fair market value of the ownership under consideration is in the amount of \$66.00, and such sum should be adopted as the award of just compensation for the estate taken in the subject tract.

8.

On the date of taking in this action, the owners of an undivided 1/2 interest in the estate taken in the subject tract were the defendants whose names are shown in paragraph 10 below. All other persons having either disclaimed or defaulted, such named defendants are entitled to receive the just compensation for the undivided 1/2 interest in the estate taken in this tract.

9.

It Is, Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate 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.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the undivided 1/2 interest in the estate condemned herein in the subject tract were the persons whose names appear below in this paragraph, the right to just compensation for the estate taken in this tract is vested in the parties so named, and the sum of \$66.00 hereby is adopted as the award of just compensation for the said interest in the estate herein taken in the subject tract, as follows:

TRACT NO. N-1453E

Owners as to an undivided 1/2 interest only:

Harry Reichman - - - - - 1/3
Mae L. Buesch - - - - - 1/3
LaBelle Humphreville - - - - - 1/3

Award of just compensation - - - - -	\$66.00	\$66.00
Deposited as estimated compensation - - - -	<u>\$66.00</u>	
Disbursed to owners - - - - -		<u>None</u>
Balance due to owners - - - - -		\$66.00
- - - - -		- - - - -

It Is Further ORDERED that the foregoing award for this tract belonging to the above owners shall remain on deposit in the Registry of this Court until the whereabouts of such owners has been determined and proved by satisfactory evidence, at which time the Court will enter an appropriate order of distribution. In the event that such funds remain on deposit for a period of five years, then the Clerk of this Court, without further order of Court, shall disburse the undistributed balance in the deposit for this tract to the Treasurer of the United States, pursuant to Title 28 U.S.C. Section 2042.

/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 Hirman Stuart Milam, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4973

Tract No. N-1453E
(Partial)

FILED

MAY 21 1964

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

J U D G M E N T

(Partial)

1.

NOW, on this 21 day of May, 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 an undivided 1/2 interest in the estate condemned in Tract No. N-1453E, 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 none of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owner of the undivided 1/2 interest in the estate taken in subject tract was the defendant whose name is shown in paragraph 12 below. Such named defendant is the only person asserting any interest in the undivided 1/2 interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendant is entitled to receive the just compensation for the undivided 1/2 interest in the estate taken in this tract.

8.

The owner of the aforesaid 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 an undivided 1/2 interest in the estate condemned in subject tract is in the amount shown as compensation in paragraph 12 below, and such Stipulation should be approved.

9.

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

10.

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

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owner of the undivided 1/2 interest in the estate condemned herein in subject tract was the defendant whose name appears below in paragraph 12, and the right to just compensation for the said interest in the estate taken herein in this tract is vested in the party so named.

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the Stipulation As To Just Compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the undivided 1/2 interest in the estate condemned in subject tract as follows:

TRACT NO. N-1453E

Owner:

As to undivided 1/2 interest only:

Ralph L. Lilburn

Award of just compensation, pursuant to Stipulation - - - - -	\$150.00	\$150.00
Deposited as estimated compensation - - -	\$66.00	
Disbursed to owner - - - - -		<u>None</u>
Balance due to owner - - - - -		\$150.00
Deposit deficiency - - - - -	\$84.00	

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the Registry of this Court, in this civil action, to the credit of subject tract, the deficiency sum of \$84.00, and the Clerk of this Court then shall disburse from the deposit for subject tract the sum of \$150.00 to Ralph L. Lilburn.

/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.

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

Defendants.

CIVIL ACTION NO. 4975

Tract No. 5611-10

FILED

MAY 27 1964

J U D G M E N T

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

1.

NOW, on this 27 day of May, 1964, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. 5611-10, 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 July 29, 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 part of this deposit has been disbursed, as set out in paragraph 12 below.

7.

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

8.

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

9.

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

10.

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

11.

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

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

ROBERT LEIKAM)
)
)
Plaintiff)
)
vs.)
)
)
H. T. ROBB and THE WILBERT)
VAULT COMPANY OF TEXAS,)
a corporation)
)
Defendants)
)
)
WALT FLEMMING)
)
)
Surety)

Civil No. 5365

FILED

MAY 17 1964

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

JOURNAL ENTRY OF JUDGMENT

This cause came on for hearing in its regular order on this 27 day of May, 1964. The Court finds that on the 6th day of April, 1964, plaintiff filed a motion for judgment on the surety bond of Walt Fleming, together with a motion for an order that the surety be ordered and directed to pay over the money and a motion to allow execution and/or garnishment process against the surety, plus a motion to terminate the surety's right to do business upon failure to pay. The Court finds that plaintiff supported his motions with a brief submitted to the Court, and the Court thereupon directed the principal, H. T. Robb, and his surety, Walt Fleming, upon the forthcoming bond filed herein, to respond to plaintiff's motions for judgment on the bond within 20 days after April 17, 1964. The Court finds that both the principal, H. T. Robb, and his surety, Walt Fleming, have wholly failed and neglected to file any response or

to file any brief in response to plaintiff's motions for judgment and relief against the surety bond filed herein, and the Court finds that the defendant, H. T. Robb, and his surety, Walt Flemming, are wholly in default.

The Court finds that the surety, Walt Flemming, filed a forthcoming bond in this cause whereby, among other obligations, the said surety bound himself to pay any judgment rendered against the defendant, H. T. Robb, to the extent of \$800.00, in the event the judgment against the defendant, H. T. Robb, was not paid in full. The Court finds that on the 27th day of February, 1964, the plaintiff, Robert Leikam, recovered a joint and several judgment against the defendants, H. T. Robb and The Wilbert Vault Company of Texas, for the sum of \$29,750.00. The Court further finds that this judgment has become final and no appeal has been taken within 30 days after February 27, 1964. The Court further finds that nothing has been paid upon said judgment.

The Court finds that plaintiff has filed a motion pursuant to the provisions of Rule 71 of the Federal Rules of Civil Procedure asking that the Court grant judgment against the surety, Walt Flemming, upon his bond, for the sum of \$800.00, together with an order directing the surety, Walt Flemming, to pay over the sum of \$800.00 to the plaintiff, or, in the alternative, that the Court allow execution and/or garnishment process against the surety, Walt Flemming, for the sum of \$800.00; in the event the surety, Walt Flemming, does not comply with the Court's order to pay over the sum of \$800.00, the plaintiff then asks that the surety's right to do business in this jurisdiction be terminated. The Court finds that upon the default of the principal, H. T. Robb, and his surety, Walt Flemming, the relief requested in plaintiff's motions should be allowed.

The Court finds that it has jurisdiction of the parties hereto and the subject matter hereof.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED BY THE COURT that this Court has jurisdiction of the parties hereto and the subject matter hereof.

IT IS FURTHER ORDERED that the defendant, H. T. Robb, and his surety, Walt Flemming, are adjudged in default by reason of their failure to respond either by pleading or by responsive briefs to the motions filed by plaintiff on the 6th day of April, 1964, requesting judgment and other relief against the surety bond filed by Walt Flemming herein.

IT IS FURTHER ORDERED that plaintiff, Robert Leikam, have and recover a judgment of and from the surety, Walt Flemming, in the sum of \$800.00, together with interest thereon at the rate of 6% per annum from and after the 27th day of February, 1964, until paid in full.

IT IS FURTHER ORDERED that the surety, Walt Flemming, is hereby directed to pay over to plaintiff the sum of \$800.00 together with interest thereon at the rate of 6% per annum from and after the 27th day of February, 1964, until paid in full, and BE IT FURTHER ORDERED AND DECREED that plaintiff may have execution and/or garnishment process against the surety, Walt Flemming, in order to enforce his judgment.

BE IT FURTHER ORDERED that in the event the surety, Walt Flemming, fails to pay over the sum of \$800.00 as directed herein, to the plaintiff, together with interest, then the right of the surety, Walt Flemming, to do business within this jurisdiction shall be forthwith terminated.

DONE AND DATED in open court this 27 day of May, 1964.


United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
vs.
5.02 Acres of Land, More or Less,
Situate in Pawnee County, Oklahoma,
and C. P. Gray, et al, and
Unknown Owners,
Defendants.

{
{
{
{
{
{
{

Civil No. 5489
Tract No. 4023

FILED
MAY 21 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 7th day of May, 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 7th day of May, 1964, 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 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 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 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 \$5,625.00 as determined by the Report of Commissioners of May 7, 1964, 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. 4023

Owners: C. P. and Edith Gray

Award of Just Compensation:	\$ 5,625.00
Deposited as estimated compensation:	1,650.00
Disbursed to Owner:	1,650.00
Balance due to Owner:	3,975.00
Deposit Deficiency:	3,975.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$3,975.00, with interest at 6% per annum from October 19, 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:

C. P. and Edith Gray - - - - -	\$ 3,975.00, plus interest at 6% per annum from October 19, 1962, until the date of deposit of such deficiency
--------------------------------	--

8. The Objection heretofore filed by plaintiff on May 14, 1964, which Objection objects to the sufficiency of the Commissioner's Report and to the Commission's award, is hereby stricken and withdrawn at the instance of the plaintiff by and through its attorney, Robert P. Santee.

Entered MAY 27, 1964.

/s/ Allen E. Barrow

APPROVED

UNITED STATES DISTRICT JUDGE

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
vs.
305.95 Acres of Land, More or Less,
Situate in Pawnee and Creek Counties,
Oklahoma, and Davis Clegg, et al, and
Unknown Owners,
Defendants.

Plaintiff,

Defendants.

Civil No. 5718

Tract Nos. 3032 and
E-1 & E-2

FILED

MAY 27 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 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 \$1,056.25, 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 \$700.00 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 Omar F. Bussman, Herbert H. Bussman, and Hamoil, Inc., 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 \$800.00, inclusive of interest, for their interests.

6. The Court finds that defendants J. C. and Gladys Bivin, and C. F. Ford 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 \$1,056.25, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$356.25, 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. C. and Gladys Bivin - - - - -	\$ 131.25
Omar F. Bussman - - - - -	200.00
Herbert H. Bussman - - - - -	200.00
Hamoil, Inc. - - - - -	<u>400.00</u>
	\$ 931.25

(d) The Clerk of the Court is hereby authorized and directed to retain the amount 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 owner 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:

C. F. Ford - - - - -	\$ 125.00
----------------------	-----------

Entered MAY 27, 1964.

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/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.

646.79 Acres of Land, More or Less,
Situat e in Pawnee County, Oklahoma,
and Carol Spess, et al., and
Unknown Owners,

Defendant.

Civil No. 5855

Tracts Nos. 2612-1M, 2M & 3M

FILED

MAY 27 1964

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 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 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 \$2685.00, 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 \$2350.00 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 G. C. Milam, Jr., Glenn A. Milam, William O. Milam and George C. Milam, 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 \$2550.00, inclusive of interest, for their interests.

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

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 \$2685.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$335.00, 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:

Melva Vandruff	\$135.00
G. C. Milam, Jr., Glenn A. Milam, William O. Milam and George C. Milam . . . . .	.2550.00
	\$2685.00

Entered this 25th day of May 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.

646.79 Acres of Land, More or Less,
Situate in Pawnee County, Oklahoma,
and Carol Spess, et al., and
Unknown Owners,

Defendants.

Civil No. 5855

Tract No. 3742E

FILED

MAY 27 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 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 \$900.00, 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 \$678.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herei

5. The Court finds that plaintiff and Glenn A. Milam, G. C. Milam, and William O. Milam, 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 \$900.00, 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 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 \$900.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$222.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and direct 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:

Glenn A. Milam, G. C. Milam, Jr.,
and William O. Milam \$900.00.

Entered this 24th day of May, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Petitioner,)
)
vs.)
) Civil No. 5766
)
1 Tract of Land consisting of)
24.6 acres, A. B. Jump, et al.,)
)
Defendants.)

FILED
MAY 19 1964
Clerk, U. S. District Court

ORDER CONFIRMING REPORT OF COMMISSIONERS

NOW, on this the 29th day of May, 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 21st day of October, 19 63 / 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 21st day of October, 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:

Tract No. 7 MF 37 + FE
(Fee Title to & Perpetual Easement upon)

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

FEE TITLE TO:

Those parts of the North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows: Beginning at the Northeast corner of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ thence Southerly along the East boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 495 feet, thence Westerly parallel to the South boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 115 feet, thence Southerly parallel to the East boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ to a point in the South boundary thereof, thence Westerly along the South boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 50 feet, thence in a Northwesterly direction to a point 330 feet North and 330 feet West of the Southeast corner of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, thence in a Southwesterly direction to a point 330 feet East and 165 feet North of the Southwest corner of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, thence in a Southwesterly direction to a point in the South boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ 165 feet East of the Southwest corner thereof, thence Westerly along said South boundary to said Southwest corner, thence Northerly along the West boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ to a point 165 feet South of the Northwest corner thereof, thence in a Southeasterly direction to a point 330 feet East and 330 feet South of said Northwest corner, thence in a Northeasterly direction to a point in the North boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ 165 feet West of the Northeast corner thereof, thence Easterly along said North boundary to the point of beginning; and that part of the North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North and West of the following described line: Beginning at a point in the West boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ 165 feet South of the Northwest corner thereof, thence in a Northeasterly direction to a point in the North boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ 330 feet East of said Northwest corner all in Section 29, T 23 N, R 20 E of the Indian Base and Meridian, containing 15.1 acres; and

PERPETUAL EASEMENT UPON:

All of the North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ except that part described as follows: Beginning at a point in the South boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ 400 feet West of the Southeast corner thereof, thence Northerly parallel to the East boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 150 feet, thence Westerly parallel to the South boundary of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 100 feet, thence in a Southwesterly direction to a point in said South boundary 550 feet West of the Southeast corner of said North 825 feet of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, thence Easterly along said South boundary to the point of beginning, and except those portions to be taken in fee and described above, all in Section 23, T 23 N, R 20 E of the Indian Base and Meridian, containing 9.5 acres.

Title to all of the improvements on the last hereinabove described land shall remain in the defendants, and defendants may retain the same in place at their own risk.

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 24th day of October, 19 63, upon the depositing of the sum of \$ 13,230.00 with the registry of this Court for the lands and estates taken in and to the above described land.

Allen E. Sarnow

U. S. District Judge

5-12-63

U. S. DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF OKLAHOMA

J. E. Stonehouse,)
Plaintiff,)
vs.)
A. L. Hill,)
Defendant.)

Civil No. 5805

FILED
MAY 27 1904

ORDER OF DISMISSAL

FILED
MAY 27 1904

This case was called for jury trial on this date,
and neither the plaintiff nor his counsel, Edwin A. Stone,
appeared, whereupon

It is ordered by the Court that this action be
and it is hereby dismissed for failure to prosecute, with
the right of the plaintiff to refile as provided by law.

Done at Tulsa, Oklahoma, this 27th day of May,
1904.

Allen E. Stonehouse
United States District Judge

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FLOYD HARGREY, Administrator of the Estate of ARLIE PUGHFIELD, Deceased, and IVONA E. HAVIA, Surviving Next of Kin of JIMMY EARL HAZBLIN, Deceased, and for the use and benefit of the Estate of JIMMY EARL HAZBLIN,

Pl. Intiffs

vs

CIVIL NO. 5822

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, a foreign insurance corporation,

Defendant

JUDGMENT ON JURY VERDICT

This action came on for hearing before the Honorable Fred P. Dougherty, District Judge presiding, and a jury of the January 1964 Term of the United States District Court for the Northern District of Oklahoma, and the Court having submitted the issues to the jury by special interrogatory and the jury having answered as follows:

Interrogatory or question:

Was the residence at 6627 North Trenton in Tulsa, Oklahoma, on January 17, 1962, the household of F. J. Louis, Sr.?

Answer: No

VERDICT OF JURY

We, the jury, having answered the above interrogatory or question as above indicated and herewith return the same into court as our verdict.

/s/ Gail A. Owen Foreman

IT IS ORDERED AND ADJUDGED that the plaintiffs take nothing by their complaint, that the action be dismissed on the merits and that defendant recover of the plaintiffs the cost of the action.

Fred Dougherty Judge

APPROVED AS TO FORM:

Fredrick D. Smith Attorney for Plaintiffs

John D. ... Defendant