

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

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

Defendants.)

Civil No. 5419

Tract No. 3301

FILED

SEP - 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, based on the Report of Commissioners filed herein on the 6th day of July, 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 6th day of July, 1964, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 6 below.

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

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

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

(a) The vesting in plaintiff of title to the 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 \$57,100.00, less \$2,240.00 for improvements reserved by former owner, as determined by the Report of Commissioners of July 6, 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. 3301

Owner: Carl S. Carnes

Award of Just Compensation	-	\$57,100.00 less \$2,240.00 for improvements reserved by former Owner
Deposited as Estimated Compensation	-	40,775.00
Disbursed to Owner	-	40,000.00
Balance due to Owner	-	17,100.00
Less Improvements	-	2,240.00
Net Balance due to Owner	-	14,860.00
Deposit Deficiency	-	14,085.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$14,085.00, with interest at 6% per annum from June 1, 1962, until the date of deposit of such deficiency. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Carl S. Carnes \$14,860.00, plus all accrued interest

Dated SEP 1 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

NOV 11 1964
CIVIL DIVISION

United States of America,

Plaintiff,

vs.

317.58 Acres of Land, More or Less,
Situate in Osage and Pawnee Counties,
Oklahoma, and Clara M. Ferguson, et al.,
and Unknown Owners,

Defendants.

Civil No. 5709

Tracts Nos. 3649
3649E
3649E-2
3653
3653E-1 thru E-3

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, based on the Report of Commissioners filed herein on the 6th day of July, 1964.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 6th day of July, 1964, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

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

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

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$3,400.00, as determined by the Report of Commissioners of July 6, 1964, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACTS NOS. 3653 & E-1 thru E-3 & 3649 & E-1 & E-2

Owner: Guy H. and Doris D. Dawes

Award of Just Compensation	-	\$3,400.00
Deposited as Estimated Compensation	-	1,650.00
Disbursed to Owner	-	1,550.00
Balance due to Owner	-	1,750.00
Deposit Deficiency	-	1,750.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,750.00, with interest at 6% per annum from July 30, 1963, until the date of deposit of such deficiency. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Guy H. and Doris D. Dawes and Federal Land Bank of Wichita	\$1,750.00 plus all accrued interest
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Dated SEP 1 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

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

W. WILLARD WIRTZ, SECRETARY OF)
LABOR, UNITED STATES DEPARTMENT)
OF LABOR.)
)
Plaintiff)
)
v.)
)
BAMA FIS, INC., a corporation,)
PAUL W. MARSHALL and)
LILAH B. MARSHALL,)
)
Defendants)

CIVIL ACTION

FILE NO. 5857

FILED
SEP - 1 1964
NOBLE C. HOOK
U.S. District Court

J U D G M E N T

Now, on this 1st day of September, 1964, in accordance with the Findings of Fact and Conclusions of Law made and entered by the Court on the 14th day of August, 1964, it is,

ORDERED, ADJUDGED and DECREED, that the defendants, and each of them, their officers, agents, servants, employees, and all persons acting or claiming to act in their behalf and interest, be, and they hereby are, permanently enjoined and restrained from violating the provisions of Sections 15(a)(1), 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938 (Act of June 15, 1938, U.S.C. Title 29, Sec. 201 et seq.), hereinafter referred to as the Act, in any of the following manners:

1. The defendants shall not, contrary to Section 6 of the Act, pay any of their employees who are engaged in commerce or in the production of goods for commerce, as defined by the Act, from the date of this judgment, wages at rates less \$1.25 per hour, or such other rate as may hereafter be set by law. The provisions of this paragraph shall not prevent defendants from paying to any of its employees wages authorized as to such employees by a special certificate issued and in effect under Section 14 of the Act.

2. The defendants shall not, contrary to Section 7 of the Act, employ any of their employees engaged in commerce or in the production of goods for commerce, as defined by the Act, for a workweek longer than 40 hours, unless the employee receives compensation for his employment in excess of 40 hours at a rate not less than one and one-half times the regular rate at which he is employed.

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

4. The defendants shall not fail to make, keep, and preserve records of their employees, and of the wages, hours and other conditions and practices of employment maintained by them, as prescribed by the regulations of the Secretary issued, and from time to time amended, pursuant to Section 11(c) of the Act, and found in Title 29, Chapter V, Code of Federal Regulations, Part 516.

5. The defendants, and each of them, are further enjoined and restrained from the further withholding of any wages or overtime compensation found by the Court to be due the following named individuals in the amounts set opposite their names:

Kenneth F. Burkett	\$ 396.83
Wilma M. Caudill	119.51
Leonard Cobb	584.81
Charles Ed Fitch	589.02
Monnie Geartney	88.72
Herbert Hill	256.25
Frances Lovett	1,643.80
Lorraine Mallory	93.33
Jerry Marshall	47.16
Jimmy Norton	1,068.70
Vivian L. Preck	93.80
Cleo Stick	269.57

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

HYDE CONSTRUCTION COMPANY, INC.,
Plaintiff,

vs.

KOHRING COMPANY, ET AL.,
Defendants.

CIVIL NO. 5911

FILED

SEP - 1 1964

JUDGMENT AND ORDER

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

On the 18th day of June, 1964, this cause came on for further hearing in the civil contempt proceeding against Hyde Construction Company, Inc., and Verdawn E. Dunn. Further evidence was heard. There were arguments by counsel and time was given for the filing of briefs pending which the matter was taken under advisement.

At this and previous hearings it is made to appear to the Court that in violation of the temporary restraining order of this Court, Hyde Construction Company, Inc. and its attorney, Verdawn E. Dunn proceeded with and concluded the trial of Cause No. 69968 in the Juvenile Court for the First Judicial District of Kings County, Mississippi, and continuing thereafter to the rendition of a judgment therein on April 2, 1964 in favor of Hyde and against Koehring.

And on this 1st day of September, 1964, the Court, having considered the pleadings and the evidence, and being fully advised by the Court

1. The trial of this case in said court shall be lawfully considered as if said Cause No. 69968 in the Juvenile Court for the First Judicial District of Kings County, Mississippi had not been tried and as if the judgment therein had not been rendered.

until the trial of this case has been concluded or this
or until the further order of this Court granted for any
reason.

4. IT IS THEREFORE ORDERED AND DECREED BY THE COURT
that judgment is hereby entered in the sum of \$9,009.80
against Hyde Construction Company and Vardaman S. Bean,
jointly and severally, and in favor of Koehring Company to
reimburse Koehring Company for expenses incurred in connection
with the institution and prosecution of the civil contempt
proceedings as hereinabove set forth.

5. Jurisdiction of this cause and of this proceeding
is retained for all purposes, including the purpose of giving
full effect to this order and the making of such further orders
and decrees or taking such further action as may be necessary
or appropriate.


United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,) Civil No. 4882
vs.)
771.88 Acres of Land, More or Less,) Tract Nos. E-514 &
Situating in Pawnee and Creek Counties,) E-1 thru E-9
Oklahoma, and Helen W. Kenyon, et al,)
and Unknown Owners,)
Defendants.)

AMENDED JUDGMENT

NOBLE C. BIRD
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 August 5, 1964.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, 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 \$34,700.00, less \$110.00 for improvements reserved by defendants, W. L. Oller and Alta Oller, 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 \$29,700.00 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 W. L. Oller, Alta Oller, Pleas Craven, and Earl Craven, 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 \$34,700.00, less \$110.00 for improvements reserved by defendants, W. L. Oller and Alta Oller, inclusive of interest. The stipulation between the United States of America and W. L. Oller and Alta Oller provides for a revestment of certain acreage and such stipulation is incorporated herein by reference as if fully set out.

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 \$34,700.00, less \$110.00 for improvements reserved by defendants, W. L. Oller and Alta Oller, inclusive of interest, of which sum the following amounts have heretofore been disbursed:

W. L. Oller and Mutual Life Insurance Company of New York	\$24,641.17
W. L. Oller	\$ 4,750.00

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$4,890.00, 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:

W. L. Oller and Alta Oller	\$5,208.83
Pleas Craven and Earl Craven	\$ 100.00

Entered SEP 9 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.

203.05 Acres of Land, More or Less,
Situat in Nowata and Rogers Counties,
Oklahoma, and Orlando O. Parish, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 5078

Tract No. 5717-G

FILED

SEP 13 1964

J U D G M E N T

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

1.

NOW on this 11 day of September 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. 5717-G, 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 December 8, 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, none 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 have agreed upon the distribution of such compensation among the owners, 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 in paragraph 11, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

11.

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, and the owners agreement as to distribution of the award is confirmed, as follows:

TRACT NO. 5717-G

Owners:

Milton Nairn Meyer - - - - 1/8 lessor interest
Pure Oil Company - - - - 7/8 lessee interest

Award of Just Compensation - - - - - \$ 3,635.00 \$ 3,635.00

Allocated: Lessor - - \$ 185.00
Lessee - - 3,450.00

Deposited as Estimated Compensation - - - - \$ 3,635.00

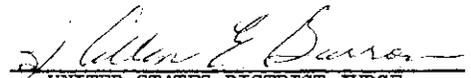
Disbursed - - - - - None

Balance Due Owners - - - - - \$ 3,635.00

12.

IT IS FURTHER ORDERED that the Clerk of this Court shall disburse from the deposit for the subject tract the award of just compensation as follows:

TO - - Milton Nairn Meyer - - - - \$ 185.00
TO - - Pure Oil Company - - - - 3,450.00


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.

1632.12 Acres of Land, More or Less,
Situate in Osage County, Oklahoma,
and Osage Tribe of Indians, et al.,
and Unknown Owners,

Defendants.

Civil No. 5866

Tract No. 272-1M

FILED

SEP 4 1964

PARTIAL JUDGMENT

NOBLE C. HENNING
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 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 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 defendants B. B. Singer, James H. Hunt and Marie Hunt, Robert W. Williams and Virginia L. Williams, D. Kelley Turner, Jack R. Schuldes, Mazie Matula and R. E. Swarthout 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.

5. The Court finds the amount of \$100.00, inclusive of interest, is just compensation for the taking of the oil lessee estate by the plaintiff in the above tract, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$100.00 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.

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 tract 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 oil lessee interest is the sum of \$100.00, 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:

B. B. Singer, Guardian of Estate of Denise Georgia Singer	\$15.00
James H. Hunt and Marie Hunt.	10.00
Robert W. Williams and Virginia L. Williams	2.50
D. Kelley Turner	15.00
Jack R. Schuldes	15.00
Mazie Matula	40.50
R. E. Swarthout	<u>2.00</u>
	\$100.00

Entered SEP 4 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.

1632.12 Acres of Land, More or Less,
Situate in Osage County, Oklahoma,
and Osage Tribe of Indians, et al.,
and Unknown Owners,

Defendants.

Civil No. 5866

Tract No. 3734-2M

FILED
SEP 14 1964

PARTIAL JUDGMENT

NOBLE C. HONED
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 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 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 defendants B. B. Singer, D. Kelley Turner, James H. Hunt and Marie Hunt, R. E. Swarthout, Robert W. Williams and Virginia L. Williams and Jack R. Schuldes 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.

5. The Court finds the amount of \$6.00, inclusive of interest, is just compensation for the taking of the oil lessee estate by the plaintiff in the above tract, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$6.00 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.

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 tract 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 oil lessee interest is the sum of \$6.00, 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:

B. B. Singer	\$0.90
D. Kelley Turner	3.33
James H. Hunt & Marie Hunt	0.60
R. E. Swarthout	0.12
Robert W. Williams and Virginia L. Williams	0.15
Jack R. Schuldes	<u>0.90</u>
	\$ 6.00

Entered SEP 4 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.

1632.12 Acres of Land, More or Less,
Situate in Osage County, Oklahoma,
and Osage Tribe of Indians, et al.,
and Unknown Owners,

Defendants.

Civil No. 5866

Tract No. 3735-2M

FILED
SEP 4 1954

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

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 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 defendants B. B. Singer, Guardian of Estate of Denise Georgia Singer, James H. Hunt and Marie Hunt, Robert W. Williams and Virginia L. Williams, D. Kelley Turner, Jack R. Schuldes, Mazie Matula and R. E. Swarthout 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.

5. The Court finds the amount of \$548.00, inclusive of interest, is just compensation for the taking of the oil lessee estate by the plaintiff in the above tract, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The

sum of \$548.00 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.

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 tract 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 oil lessee interest is the sum of \$548.00, 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:

B. B. Singer	\$ 82.20
James H. Hunt and Marie Hunt	54.80
Robert W. Williams and Virginia L. Williams	13.70
D. Kelley Turner	82.20
Jack R. Schuides	82.20
Mazie Matula	221.94
R. E. Swarthout.	<u>10.96</u>
	\$548.00

Entered SEP 4 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.

68.1 Acres of Land, more or less,
in Craig County, Okla., Henry L.
Beavers, et al.,

Defendants.

)
)
)
) Civil No. 5798
)
)
)

FILED

SEP 10 1964

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

NOW, on this the 10 day of September, 19 64, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

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

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

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



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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 26th day of November, 1963, upon the depositing of the sum of \$ 3,600.00 with the registry of this Court for the lands and estates taken in and to the above described land.

U. S. District Judge

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

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 26th day of November, 1963, upon the depositing of the sum of \$ 4,300.00 with the registry of this Court for the lands and estates taken in and to the above described land.


U. S. District Judge 9-9-64

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
Petitioner,)

vs.

) Civil No. 5832

72.5 Acres of Land, more or)
less, in Mayes County, Okla.,)
Anna B. Taylor, et al.,)
Defendants.)

FILED

SEP 10 1964

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

NOW, on this the 9th day of September, 19 64, the Court
considered the application of the petitioner herein for a judgment ap-
proving 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 con-
demnation are true and that the Grand River Dam Authority is entitled
to acquire property by eminent domain for the uses and purposes there-
in 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 describ-
ed and that said Report of Commissioners filed herein on the 9th
day of January, 19 64, / ^{as modified by stipulation,} should be confirmed and approved in
every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report
of Commissioners filed herein on the 9th day of January, 19 64, 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. 9 NE 22 NE
(Perpetual Easement upon)

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

Those parts of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, the E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, the SE $\frac{1}{4}$ NE $\frac{1}{4}$, the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and Lot 1 described as follows: Beginning at a point in the South boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 495 feet West of the Southeast corner thereof, thence in a Northeasterly direction to a point 165 feet North and 165 feet West of said Southeast corner, thence Northerly parallel to the East boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 100 feet, thence in a Southwesterly direction to a point in the South boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 495 feet East of the Southwest corner thereof, thence in a Northwesterly direction to a point in the West boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 330 feet North of said Southwest corner, thence Northerly along said West boundary a distance of 495 feet, thence Easterly parallel to the North boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 660 feet, thence in a Northeasterly direction to a point in the North boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 250 feet West of the Northeast corner thereof, thence in a Northeasterly direction to a point in the East boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ 660 feet South of the Northeast corner thereof, thence Northerly along said East boundary a distance of 495 feet, thence in a Northwesterly direction to a point in said Lot 1, 165 feet West and 330 feet North of the Southeast corner thereof, thence in a Northeasterly direction to a point in the East boundary of said Lot 1, 330 feet South of the Northeast corner thereof, thence Northerly along said East boundary to said Northeast corner, thence in a Southwesterly direction to a point 330 feet South and 330 feet West of said Northeast corner, thence in a Southwesterly direction to a point in the South boundary of said Lot 1, 660 feet East of the Southwest corner thereof, thence Southerly parallel to the West boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 330 feet, thence in a Southwesterly direction to a point in the West boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ 330 feet North of the Southwest corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, thence Westerly parallel to the South boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 330 feet, thence in a Southwesterly direction to a point in the West boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 330 feet South of the Northwest corner thereof, thence Southerly along said West boundary a distance of 495 feet, thence in a Southeasterly direction to a point 330 feet North and 165 feet East of the Southwest corner of said E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, thence Southerly parallel to the West boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ to a point in the South boundary thereof, thence Easterly along the South boundaries of said E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and said NE $\frac{1}{4}$ SE $\frac{1}{4}$ to the point of beginning, all in Section 1, T 23 N, R 20 E of the Indian Base and Meridian, containing 72.5 acres
(Improvements taken: 1 feed shed and calf shed).

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 16th day of January, 1964, upon the depositing of the sum of \$ 6,000.00 with the registry of this Court for the lands and estates taken in and to the above described land.



U. S. District Judge 9-9-64

FILED
SEP 11 1964

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

NOV 12 1964
Clk. J. C. ...

United States of America,	Plaintiff,	} Civil No. 4806
vs.		
769.08 Acres of Land, More or Less,		
Situate in Creek and Pawnee Counties,		
Oklahoma, and Forrest Adsit, et al,		
and Unknown Owners,		} Tract Nos. D-434 and E-1 thru E-4
	Defendants.	

AMENDED JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for an Amended Judgment to correct a Judgment entered in this case and these tracts on August 12, 1964, by substituting this Judgment entirely therefor.

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 \$2,100.00, 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 \$1,590.00 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 Forrest Adsit, Arthur M. Foster, Clyde W. Foster, and Lewis E. Foster, 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 \$1,665.00, inclusive of interest.

6. The Court finds that defendants General American Oil Company, Helen Horany, Elm Oil Company, Robert B. Aaronson, Thomas E. M. McDonell, J. P. Flanagan, Jay Donaldson, and John V. McDonell 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 \$2,100.00, inclusive of interest, of which amount \$765.00 has been previously disbursed to Forrest Adsit;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$510.00, 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 payees:

General American Oil Company	\$ 125.00
Arthur M. Foster, Clyde W. Foster, and Lewis E. Foster	<u>900.00</u>
	\$1,025.00

(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 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:

Helen Horany	\$ 40.00
Elm Oil Company	107.50
Robert B. Aaronson	15.00
Thomas E. M. McDonell	15.00

J. P. Flanagan \$ 67.50
Jay Donaldson 50.00
John V. McDonnell 15.00
\$310.00

Entered SEP 11 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

RECORDED
INDEXED

United States of America,	Plaintiff,)	Civil No. 4858
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,)	Tract Nos. F-646-1 & -2 & E-1 thru E-5
	Defendants.)	

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 \$1,560.00, 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 \$1,400.00 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 Maudie Weaver and James A. Weaver 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 \$212.50, inclusive of interest, for their interests,

would be awarded as just compensation for the taking of the estates to be condemned in the above tracts; that the contract and agreement is a valid one.

6. The Court finds that plaintiff and Cecile H. Tuttle, Sooner Pipe and Supply Company and Joe A. Huitt, and Texaco Inc. 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 \$1,155.00, inclusive of interest, for their interests.

7. The Court finds that defendants Louvinia Pompey; D. H. Cramer; William H. Elson; Louis R. Travis, Sylvia B. Travis, George G. Travis, Marshall Travis, and Ethyle G. Travis; Julius Levinson; St. Germain Company; W. N. Smith Company; S. H. Davis Company; R. A. MacDonnell Company; Marian Ball Thayer; Helen Ball Schmiewind; G. L. Bailey; Gertrude R. Bristol, Trustee; Dorothea W. Huszagh; and Marjorie W. Huszagh 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 \$1,560.00, inclusive of interest, of which amount the following sums have previously been disbursed:

Maudie Weaver	\$ 87.50
James A. Weaver	<u>125.00</u>
	\$212.50

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$160.00, 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:

Cecile H. Tuttle	\$ 150.00
Sooner Pipe and Supply Company and Joe A. Huitt	940.00

Texaco Inc.	\$ 65.00
D. H. Cramer	41.25
William H. Elson	19.38
Louis R. Travis, Sylvia B. Travis, George G. Travis, Marshall Travis, and Ethyle G. Travis	18.75
Julius Levinson	25.00
George G. Travis	0.62
St. Germain Company	3.88
W. N. Smith Company	3.88
S. H. Davis Company	3.88
R. A. MacDonnell Company	3.88
Marian Ball Thayer	1.56
Helen Ball Schmiewind	1.67
Gertrude R. Bristol, Trustee	7.50
Dorothea W. Huszagh	2.50
Marjorie W. Huszagh	<u>2.50</u>
	\$1,291.25

(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 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:

Louvinia Pompey	\$ 37.50
G. L. Bailey	<u>18.75</u>
	\$ 56.25

Entered SEP 11 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

CIVIL ACTION FILE NO. 5843

James E. Clark ,

Plaintiff

vs.

St. Louis-San Francisco Railway Company,
a foreign corporation and
John B. Carson,

Defendants

JUDGMENT

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

It is Ordered and Adjudged that the Plaintiff, James E. Clark, recover
of the defendants, St. Louis-San Francisco Railway Company, a foreign
corporation, and John B. Carson, the sum of Twenty-Seven Hundred and
Fifty (\$2,750.00) Dollars, with interest thereon at 6% per annum
from the date hereof until paid, and his cost of action.

Dated at Tulsa, Oklahoma
of September , 19 64.

, this 15th day

Luther Bohanon
United States District Judge



United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 5965

Elmer Hawkins

vs.

Duncan Coffee Company, Inc.,
and James Clifford Epps

JUDGMENT

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

It is Ordered and Adjudged that the plaintiff, Elmer Hawkins, recover of the defendant, Duncan Coffee Company, Inc., the sum of Three thousand, nine hundred, forty-five dollars and eighty eight cents (\$3,945.88) with interest thereon at the rate of 6% per annum from the date hereof until paid, and his cost of action.

FILED

SEP 1 1964

NOBLE C. HOOD
Clerk U.S. District Court

Dated at **Tulsa, Oklahoma**
of **September**, 19 **64**

_____, this **10th** day

~~XXXXXXXXXX~~
Allen E. Barrow
U.S. District Judge

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 5974

Mac Brillhart

vs.

vs.

R. J. Blevins, Gene Blevins, Dale Blevins, and Charles Beckemeier, co-partners, doing business under the name and style of Blevins Asphalt Co., and Merrell H. Johnson

FILED

JUDGMENT SEP 17 1964

SORIN C. BOOD
Clerk of U.S. District Court

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

It is Ordered and Adjudged that the plaintiff, Mac Brillhart, have and recover of the defendants, R. J. Blevins, Gene Blevins, Dale Blevins, and Charles Beckemeier, co-partners, doing business under the name and style of Blevins Asphalt Company, and Merrell H. Johnson, the sum of Eighteen Thousand (\$18,000.00) Dollars, with interest thereon at the rate of 6% per annum from the date hereof until paid, and his cost of action.

Dated at Tulsa, Oklahoma, this 17th day of September, 1964.

[Signature]
~~XXXXXXXXXX~~
United States District Judge

United States District Court

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 5978

Nova Cowles

vs.

Lester C. Neudigate

JUDGMENT

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

It is Ordered and Adjudged that the plaintiff take nothing, that the action be dismissed on its merits, and that the defendant, Lester C. Neudigate, recover of the plaintiff, Nova Cowles, his costs of action.

FILED

SEP 17 1964

NOBLE C. HOOD
Clerk U.S. District Court

Dated at **Tulsa, Oklahoma**, this **17th** day
of **September**, 19 **64**.

.....
XXXXXXXXXX
Clerk of Court
Allen E. Barrow
U.S. District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

440.75 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Glenn H. Chappell, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 5116

Tracts Nos. G-714 and G-716

(3/4 of 1/2 of the lessor
interest only)

FILED

SEP 14 1964

J U D G M E N T
(Partial)

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

1.

NOW, on this _____ day of September, 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 3/4 of an undivided 1/2 interest in the lessor interest in the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the Complaint and the Declaration of Taking filed in this civil action.

3.

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

4.

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

5.

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

6.

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

7.

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

8.

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

9.

A deficiency exists between the amount deposited as estimated compensation for the interest described in paragraph 2 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 owner. Such deficiency is set out in paragraph 12 below.

10.

It is, Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and an undivided $\frac{3}{4}$ of a $\frac{1}{2}$ interest in the lessor interest in such tracts, to the extent of the estates described in such Complaint and Declaration of Taking, is condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the interest covered by this judgment was the party whose name appears below in paragraph 12, and right to just compensation for such interest in these tracts is vested in the party so named.

12.

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

TRACTS NOS. G-714 AND G-716, COMBINED

Owner:

Glenn H. Chappell was the owner of an undivided 3/4 of an undivided 1/2 interest in the lessor interest in the estate taken.

Award of just compensation for the Chappell interest in the estate taken, pursuant to stipulation - - - - -	\$4,500.00	\$4,500.00
(\$2,250.00 for each tract)		

Deposited as estimated compensation for the Chappell interest:		
Tract No. G-714 - - -	\$1,875.00	
Tract No. G-716 - - -	<u>\$1,875.00</u>	
Total - - - - -		\$3,750.00

Disbursed to owner:		
Tract No. G-714 - - - - -	\$1,875.00	
Tract No. G-716 - - - - -	<u>\$1,875.00</u>	
Total - - - - -		\$3,750.00

Balance due to owner - - - - -	\$ 750.00	
Deposit deficiency - - - - -		\$ 750.00

13.

It Is further ORDERED that the United States of America shall deposit in the Registry of this Court in this civil action the total deposit deficiency, created by this judgment, in the amount of \$750.00, and such sum shall be placed in the deposits for the subject tracts as follows:

Tract No. G-714 - - - - -	\$375.00
Tract No. G-716 - - - - -	\$375.00

The Clerk of this Court then shall disburse from the deposits for subject tracts the sum of \$750.00 to Glenn H. Chappell.

United States District Judge

APPROVED:

HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

440.75 Acres of Land, More or Less,
Situat e in Rogers County, Oklahoma,
and Glenn H. Chappell, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 5116

Lessor Interest and
O.R.R. Interest in
Tracts Nos. 4612-C
and 4612-D

SEP 11 1964

J U D G M E N T

NOBLES
Clerk, U.S. District Court

1.

NOW, on this _____ day of September 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 lessor interest and the overriding royalty interest in the estates condemned in the tracts enumerated in the caption above, as such estates and tracts are described in the Complaint and the Declaration of Taking filed in this civil action.

3.

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

4.

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

5.

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

6.

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

7.

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

8.

The owners of the lessor interest and the overriding royalty interest in the estates taken in the subject tracts and the United States of America have executed and filed herein Stipulations as to Just Compensation, wherein they have agreed that just compensation for the respective interests in the estates condemned in subject tracts is in the amounts shown as compensation in paragraph 11, and such stipulations should be approved.

9.

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

10.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the lessor interest and the overriding royalty interest

in the estates condemned herein in the subject tracts were the persons whose names appear below in paragraph 11, and the right to just compensation for the respective interests in the estates taken herein in these tracts is vested in the parties so named.

11.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Stipulations as to Just Compensation, mentioned in paragraph 8 above, hereby are confirmed; and the sums therein fixed are adopted as the awards of just compensation for the respective interests in the estates condemned in subject tracts, as follows:

TRACT NO. 4612-C

Owners:

Lessor Interest:

C. C. Harmon - - - - - 1/2
Ruth Whitehill - - - - - 1/2

Overriding Royalty Interest (1/32 of 8/8):

J. V. Leffler and
Ina E. Leffler

	Lessor Interest		Overriding Royalty Interest	
Awards of Just Compensation, Pursuant to Stipulations	\$1,160.00	\$1,160.00	\$290.00	\$290.00
Deposited as Estimated Compensation		\$1,160.00		\$290.00
Disbursed to Owners	\$1,160.00		\$290.00	

TRACT NO. 4612-D

Owners:

Lessor Interest:

O. H. Arning and Lucy Arning

Overriding Royalty Interest (1/16 of 7/8):

Elmer Paul Arning and Marie Arning

	Lessor Interest		Overriding Royalty Interest	
Awards of Just Compensation Pursuant to Stipulations	\$2,000.00	\$2,000.00	\$1,000.00	\$1,000.00
Deposited as Estimated Compensation		\$2,000.00		\$1,000.00
Disbursed to Owners	\$2,000.00		\$1,000.00	

ALBERT T. CROW

APPROVED:

UNITED STATES DISTRICT JUDGE

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

440.75 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and Glenn H. Chappell, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 5116

Tract No. 4612-B

J U D G M E N T

1.

NOW, on this 18 day of September, 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. 4612-B, as such estate and tract are described in the Complaint and the Declaration of Taking filed in this action.

3.

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

4.

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

5.

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

6.

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

7.

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

8.

The owners of subject tract and the United States of America have executed and filed herein Stipulations As To Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11 below, and such stipulations should be approved.

9.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the 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.

10.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the defendants whose names appear below in paragraph 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 Stipulations As To Just Compensation, mentioned in paragraph 8 above, hereby are confirmed; and the sum thereby fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 4612-B

Owners:

Lessor interest:

P. W. Jenson - - - - - 1/2
Mae Jenson - - - - - 1/2

Both record owners are now deceased and Myron G. Jenson has been decreed to be their sole heir.

Lessee interest:

Myron G. Jenson, Trustee for
M. G. Jenson Drilling Company, a
co-partnership - - - owned the working interest

J. V. Leffler and
Ina E. Leffler - - - owned a 1/32 of 8/8 overriding royalty interest

Award of just compensation,
pursuant to stipulations - - - - - \$19,875.00 \$19,875.00

Allocated:

To lessor interest - - \$ 999.00
To working interest - \$18,660.00
To overriding royalty - \$ 216.00

Deposited as estimated compensation - - - - - \$19,875.00

Disbursed to above named owners - - - - - \$19,875.00

ALLEN L. GARROW

UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

344.42 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Cornelia C. Holmes, et al.,
and Unknown Owners,

Defendants.

Civil No. 5414

Tract Nos. F-602E
F-602E-2

FILED

SEP 21 1964

NOBLE C. HCOD
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 \$750.00, 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 W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$750.00, 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 \$750.00, inclusive of interest, of which amount the sum of \$200.00 has previously been disbursed to Charles W. Briggs, Dale Shaffer Briggs, Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$550.00, 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:

Charles W. Briggs, Dale Shaffer Briggs,
and Robert L. Briggs, Jr., Co-executors
of the Estate of Robert L. Briggs, Deceased . . . \$550.00

Entered SEP 17 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

SEP 21 1964

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

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

Civil No. 5414

Tract Nos. 4533
4533E-1
4533E-2
4533E-3

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 \$4,565.00, 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 \$4,150.00 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 W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$4,565.00, 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 \$4,565.00, inclusive of interest, of which amount the sum of \$4,150.00 has previously been disbursed to Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$415.00, 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:

Charles W. Briggs, Dale Shaffer Briggs
and Robert L. Briggs, Jr., Co-executors
of the Estate of Robert L. Briggs, Deceased . . . \$ 415.00

Entered SEP 17 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.)
)
344.42 Acres of Land, More or Less,)
Situat e in Creek and Pawnee Counties,)
Oklahoma, and Cornelia C. Holmes, et al.,)
and Unknown Owners,)
)
Defendants.)

✓
Civil No. 5414

Tract No. 4528

FILED

SEP 21 1964

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

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 tracts on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$360.00, 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 \$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 plaintiff and Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$360.00, 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 \$360.00, inclusive of interest, of which amount the sum of \$100.00 has previously been disbursed to Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased;

(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:

Charles W. Briggs, Dale Shaffer Briggs
and Robert L. Briggs, Jr., Co-executors
of the Estate of Robert L. Briggs, Deceased . . . \$260.00

Entered SEP 17 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,)	Civil No. 5414
vs.)	
)	Tract Nos. 4542 & E-1 thru E-6
344.42 Acres of Land, More or Less,)	
Situate in Creek and Pawnee Counties,)	FILED
Oklahoma, and Cornelia C. Holmes, et al.,)	
and Unknown Owners,)	
)	
Defendants.)	SEP 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 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 \$5,000.00, 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 \$4,500.00 was deposited into the Registry of this Court as estimated just compensation for said tracts upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$5,000.00, 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 \$5,000.00, inclusive of interest, of which amount the sum of \$4,500.00 has previously been disbursed to Charles W. Briggs, Dale Shaffer Briggs, Robert J. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$500.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Charles W. Briggs, Dale Shaffer Briggs
and Robert L. Briggs, Jr., Co-executors
of the Estate of Robert L. Briggs, Deceased . . . \$500.00

Entered SEP 17 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.

209.09 Acres of Land, More or Less,
Situatē in Creek and Pawnee Counties,
Oklahoma, and Ernest K. Anthis, et al.,
and Unknown Owners,

Defendants.

Civil No. 5427

Tracts Nos. F-602E & E-2

FILED

SEP 21 1964

PARTIAL JUDGMENT

NOBLE C. HODG
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 as to the Robert L. Briggs Estate interest only.

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 part owners of the above-captioned tracts on the date of taking, and are entitled to receive part of the award therefor.

4. The Court finds the amount of \$500.00 for the Robert L. Briggs Estate interest, 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 \$288.50, for the Robert L. Briggs Estate interest, 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 W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased, defendants herein, have by the stipulation agreed that the just

compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$500.00, for the Robert L. Briggs Estate interest, 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 as to the Robert I Briggs Estate interest.

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$500.00, inclusive of interest, of which amount the sum of \$288.50 has previously been disbursed to Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$211.50, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following named payees:

Charles W. Briggs, Dale Shaffer Briggs
and Robert L. Briggs, Jr., Co-executors
of the Estate of Robert L. Briggs, Deceased . . . \$211.50

Entered SEP 17 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SEP 21 1964

United States of America,)
)
Plaintiff,)
vs.)
)
147.59 Acres of land, More or Less,)
Situate in Tulsa, Creek and Pawnee)
Counties, Oklahoma, and J. T. O'Reilly,)
et al., and Unknown Owners,)
)
Defendants.)

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

Civil No. 5465

Tract Nos. 4533
4533E-1
4533E-2
4533E-3

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 mineral 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 mineral 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 mineral interest on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that plaintiff and Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$3,800.00 for the Robert L. Briggs Estate interest.

5. The Court finds the amount of \$3,800.00, inclusive of interest, is just compensation for the taking of the mineral 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 \$1,715.00 was deposited into the Registry of this Court as estimated just compensation for said mineral interest 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 mineral 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 mineral interest is the sum of \$3,800.00, inclusive of interest, of which amount the sum of \$1,715.00 has previously been disbursed to Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$2,085.00, 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:

Charles W. Briggs, Dale Shaffer Briggs
and Robert L. Briggs, Jr., Co-executors
of the Estate of Robert L. Briggs, Deceased . . . \$2,085.00

Entered SEP 17 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.

147.59 Acres of Land, More or Less,
Situat in Tulsa, Creek and Pawnee
Counties, Oklahoma, and J. T. O'Reilly,
et al., and Unknown Owners,

Defendants.

Civil No. 5465 ✓

Tract No. 45

FILED
SEP 21 1964
NOBLE C. HOOD
Clerk, U. S. District Court

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 final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract, as to the Robert L. Briggs Estate interest only.

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 part owners of the above-captioned tract on the date of taking, and are entitled to receive part of the award therefor.

4. The Court finds the amount of \$25.00, as to the Robert L. Briggs Estate interest only, 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 \$11.00, as to the Robert L. Briggs Estate interest only, 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 Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased, defendants herein have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the

above tract is the sum of \$25.00, for the Robert L. Briggs estate interest, 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, as to the Robert L. Briggs Estate interest;

(b) The just compensation to be paid by the plaintiff for the taking of the above tract is the sum of \$25.00, for the Robert L. Briggs Estate interest, inclusive of interest, of which amount the sum of \$11.00 has previously been disbursed to Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$14.00, 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:

Charles W. Briggs, Dale Shaffer Briggs,
and Robert L. Briggs, Jr., Co-executors
of the Estate of Robert L. Briggs, Deceased . . . \$14.00

Entered SEP 17 1964

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

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

FILED

SEP 2 1904

NOBLE & ...
Clerk of the District Court

GRAND RIVER DAM AUTHORITY,)
a public corporation,)

Plaintiff,)

vs)

77.01 Acres, more or less, in Mayes)
County, Frank S. Bell, et al.,)

Civil No. 5800

Defendants.)

JUDGMENT ON VERDICT

This action came on for trial before the Court and a jury,
Honorable ALLEN E. BARROW, District Judge, presiding, and
the issues being to determine the just compensation to be paid for the
taking of the lands designated and described in this proceedings as
Tract ~~Nos. 3 MF 27 FE.~~ ^{3 MF 34 + FE and 3 MF 40}, and the jury having rendered its verdict
awarding and fixing just compensation in the amount of \$ 30,000.00.

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

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of
\$ 30,000.00, fixed by jury verdict, is full and just compensa-
tion for the taking of the lands and/or estate therein.

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

TRACT NOS. 3 MF 27 FE;
3 MF 34 + FE, and 3 MF 40
(Fee Title To & Perpetual Easement Upon)

3 MF 27 FE --- Perpetual Easement Upon:

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

That part of the $E\frac{1}{2} SE\frac{1}{4}$ described as beginning at the northwest corner of said $E\frac{1}{2} SE\frac{1}{4}$ thence easterly along the north boundary of said $E\frac{1}{2} SE\frac{1}{4}$ a distance of 660 feet, thence in a southwesterly direction to a point in said $E\frac{1}{2} SE\frac{1}{4}$ 1320 feet south and 165 feet east of said northwest corner, thence in a southeasterly direction to a point in the south boundary of said $E\frac{1}{2} SE\frac{1}{4}$ 660 feet east of the southwest corner thereof, thence westerly along said south boundary to the southwest corner of said $E\frac{1}{2} SE\frac{1}{4}$, thence northerly along the west boundary of said $E\frac{1}{2} SE\frac{1}{4}$ to the point of beginning in Sec. 5, T 21 N, R 20 E of the Indian Base and Meridian, containing 25 acres. (All improvements taken.)

3 MF 34 + FE Rev. --- Fee Title To:

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

All of Lot 11 and all those parts of Lots 6 and 10 and the $SW\frac{1}{4} SE\frac{1}{4}$ lying east of the following described line: Beginning at a point in the east boundary of said Lot 6 420 feet north of the southeast corner thereof, thence southerly along said east boundary a distance of 255 feet, thence in a southeasterly direction to a point in the north boundary of said Lot 10 165 feet east of the northwest corner thereof, thence in a southeasterly direction to a point in said Lot 10 495 feet south and 990 feet east of said northwest corner, thence in a southeasterly direction to a point in said Lot 10 330 feet north and 1250 feet east of the southwest corner thereof, thence southerly parallel to the west boundary of said Lot 10 to a point in the south boundary thereof, thence in a southwesterly direction to a point in said $SW\frac{1}{4} SE\frac{1}{4}$ 330 feet south and 200 feet west of the northeast corner thereof, thence in a southwesterly direction to a point 495 feet south and 250 feet west of said northeast corner, thence in a southeasterly direction to a point 570 feet south and 165 feet west of said northeast corner, thence in a southwesterly direction to a point 450 feet north and 330 feet west of the southeast corner of said $SW\frac{1}{4} SE\frac{1}{4}$, thence westerly parallel to the south boundary of said $SW\frac{1}{4} SE\frac{1}{4}$ a distance of 100 feet, thence in a southeasterly direction to a point 165 feet north and 250 feet west of said southeast corner, thence in a southwesterly direction to a point 100 feet north and 330 feet west of said southeast corner, thence in a northwesterly direction to a point 165 feet north and 420 feet west of said southeast corner, thence westerly parallel to the south boundary of said $SW\frac{1}{4} SE\frac{1}{4}$ a distance of 100 feet, thence in a southeasterly direction to a point in the south boundary of said $SW\frac{1}{4} SE\frac{1}{4}$ 470 feet west of the southeast corner thereof including any and all right, title, and interest in and to the bed and banks of Grand River incident to the ownership of the above described land in Sec 4, T 21 N, R 20 E of the Indian Base and Meridian, containing 36.74 acres.

3 MF 34 + FE Rev. --- Perpetual Easement Upon:

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

All those parts of Lot 10 and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying east of the following described line: Beginning at a point in said Lot 10 495 feet south and 990 feet east of the northwest corner thereof, thence in a southeasterly direction to a point 330 feet north and 1155 feet east of the southwest corner of said Lot 10, thence southerly parallel to the west boundary of said Lot 10 to a point in the south boundary thereof, thence southerly parallel to the east boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 100 feet, thence westerly parallel to the north boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 330 feet, thence southerly parallel to the west boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 230 feet, thence in a southeasterly direction to a point 560 feet south and 345 feet west of the northeast corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, thence southerly parallel to the east boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 200 feet, thence in a northwesterly direction to a point 660 feet north and 495 feet west of the southeast corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, thence southerly parallel to the east boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 330 feet, thence in a northwesterly direction to a point 825 feet west and 660 feet north of said southeast corner, thence westerly parallel to the south boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 165 feet, thence southerly parallel to the west boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 165 feet, thence in a southeasterly direction to a point 150 feet north and 600 feet east of the southwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, thence westerly parallel to the south boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ to a point in the west boundary thereof, thence southerly along said west boundary to the southwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ except those portions to be taken in fee and described hereinabove, in Sec 4, T 21 N, R 20 E of the Indian Base and Meridian, containing 12.97 acres. (All improvements taken.)

3 MF 40 --- Fee Title To:

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

A parcel of land lying east of and adjacent to the north 900 feet of Lot 6 of Sec 4, T 21 N, R 20 E of the Indian Base and Meridian, containing 2.3 acres including any and all right, title, and interest in and to the bed and banks of Grand River incident to the ownership of the above described land.

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 landowners, Frank S. Bell, Gideon Morgan Bell and Martha Lelia Morgen, have and recover a judgment against Grand River Dam Authority, a public corporation for and in the sum of \$ 5,875.00, together with interest at the rate of 6% per annum from the 8th day of November, 19 63, until paid, the same being the difference between the award of the commissioners and the verdict of the jury.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 8th day of November, 19 63, upon the depositing of the commissioners' award with the registry of this Court for the lands and estates taken in and to the above described land.

Dated this the 21st day of September, 19 64.

U. S. District Judge

UNITED STATES DISTRICT COURT FOR THE

NORTHEAST DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Missouri-Kansas-Oklahoma Railroad
Company,

Defendant.

CIVIL NO. 1973

FILED

SEP 29 1964

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

DEFAULT JUDGMENT BY THE CLERK

This cause came on to be heard on motion of the plaintiff for default judgment for the relief demanded in the complaint, and it appearing that the complaint and summons in this action were served on the defendant on June 2, 1964, as appears from the Marshal's return of service of said summons; that the time within which the defendant may answer or otherwise move as to the complaint has expired; that the defendant has not answered or otherwise moved and that the time for defendant to answer or otherwise move has not been extended.

It further appearing, as evidenced by the affidavit of the plaintiff, that the defendant is neither an infant nor incompetent person, and that the defendant is not in the military service of the United States.

It further appearing plaintiff's claim against the defendant is for a sum certain which can by computation be made certain.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the plaintiff recover of the defendant the amount prayed for in the sum of \$250.00 and the costs of this action.

Dated this 27 day of September, 1964.

Noble C. Hood
Clerk, United States District
Court for the Eastern District
of Oklahoma

W. M. [Signature]
Deputy

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

FILED

SEP 19 1964

W. WILLARD WIRTZ, SECRETARY))
OF LABOR, UNITED STATES))
DEPARTMENT OF LABOR,))
))
 Plaintiff))

v.))

MRS. CLYDE MILLER,))
))
 Defendant))

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

CIVIL ACTION

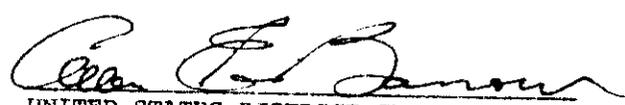
FILE NO. 5977 ✓

ORDER OF DISMISSAL

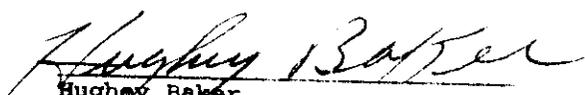
Plaintiff having filed his complaint, and the defendant having appeared by counsel and filed her answer herein, and thereafter having agreed to the entry of a formal stipulation of compliance which has been filed herein and assured the plaintiff and the Court that she will fully comply with the provisions of the Fair Labor Standards Act of 1938, as amended, hereinafter referred to as the Act, as set out in detail in the aforementioned stipulation of compliance, it is, therefore, upon motion for counsel of plaintiff:

ORDERED, ADJUDGED, and DECREED that the above styled and numbered cause may be and is hereby dismissed without prejudice and without cost to either party.

DATED this 18th day of September, 1964.


UNITED STATES DISTRICT JUDGE

Approved as
to form:


Hughley Baker
Attorney for Defendant


Richard L. Collier
Attorney for Plaintiff

United States District Court

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 5990

John Ross Fisher

vs.

Russell M. Vernon

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 the plaintiff, John Ross Fisher, recover of the defendant, Russell M. Vernon, the sum of Seventy Five Hundred, Seventy Seven Dollars, and Twenty Two Cents (\$7,577.22) with interest thereon at the rate of 6% per annum from the date hereof until paid, and his cost of action.

FILED
SEP 24 1964
MIAAMI, OKLAHOMA
CIVIL DISTRICT COURT

Dated at Miami, Oklahoma, this 24th day of September, 1964.

XXXXXXXXXXXX
ALLEN E. BARROW
U.S. District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 274.85 Acres of Land, More or Less,)
 Situate in Rogers County, Oklahoma,)
 and McAlester Fuel Company, et al,)
 and Unknown Owners,)
)
 Defendants.)

CIVIL ACTION NO. 5114

Working Interest only in
ALL TRACTS

J U D G M E N T

NOV 10 1964
CLERK OF COURT

1.

On September 18, 1964, this cause, as to the captioned tracts, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable 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. Mr. Jack L. Rorschach, Attorney, appeared for the defendant, The McAlester Fuel Company. After hearing the evidence and being fully advised in the premises, the Court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the working interest (being the oil and gas leasehold interest, but subject to 1/32 of 7/8 overriding royalty interest) in the estates condemned in all tracts included in this civil action, as such tracts and estates are described in the Declaration of Taking and the Complaint filed herein. In the interest of brevity, the term "the subject property" will be used hereinafter in this instrument to designate the specific interest covered by this Judgment.

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 property.

4.

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

condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on January 31, 1961, the United States of America filed its Declaration of Taking of certain estates in such described land, and on September 5, 1961, filed an amendment to such Declaration of Taking, and title to the described estates in such property should be vested in the United States of America as of the dates of filing such instruments.

5.

Simultaneously with filing herein the Declaration of Taking, and the amendment thereto, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subject property, certain sums of money, all of which has been disbursed as shown in paragraph 11, below.

6.

The decrease in market value of the working interest in the oil and gas leasehold unit from which the subject tracts were taken, caused by this action, is in the amount shown in the schedule in paragraph 11, below; and the sum therein set forth should be adopted as the award of just compensation for the condemnation of the subject property.

7.

The award fixed by this Judgment will create a deficiency in the deposit for the subject tracts, as set forth in paragraph 11, below. The defendant owner of the subject property has waived all right to receive interest on such deposit deficiency. The Government should deposit in the Registry of this Court a sum sufficient to cover such deficiency.

8.

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

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 all tracts included in this civil action, as such tracts are particularly described in the Complaint and Declaration of Taking and the amendments to such instruments, filed herein; and the working interest in such tracts, to the

extent of the estates indicated and for the uses and purposes described in such Declaration of Taking, as amended, is condemned and title thereto is vested in the United States of America as of the dates of filing the Declaration of Taking and the amendment thereto, and all defendants herein and all other persons interested in such working interest 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 subject property, was the defendant whose name appears in paragraph 11, below, the right to just compensation for the taking of such property is vested in the party so named.

11.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the sum hereby adopted as the award of just compensation for the condemnation of the subject property is the sum which follows the designation, "Award of just compensation", as shown in the schedule as follows, to wit:

WORKING INTEREST IN ALL TRACTS
(Being the oil and gas leasehold interest,
but subject to 1/32 of 7/8 overriding royalty interest.)

Owner: The McAlester Fuel Company

Award of just compensation - - - - - \$ 76,753.00 \$ 76,753.00

Deposited as estimated compensation:

Tracts Nos.	4636-H - - - - -	\$ 2,012.00
	E-513 - - - - -	2,012.00
	E-514 - - - - -	5,462.00
	4631-1 & 4731-8 - -	46,675.00
	4731-D - - - - -	3,525.00
	4731-C - - - - -	<u>6,039.00</u>

Total - - - - - \$ 65,725.00

Disbursed to owner - - - - - \$ 65,725.00

Balance due to owner - - - - - \$ 11,028.00

Deposit deficiency - - - - - \$ 11,028.00

12.

IT IS FURTHER ORDERED that the United States of America shall pay into the Registry of this Court the deposit deficiency as shown in paragraph 11 in the sum of \$11,028.00, without interest. Such sum shall be credited as one lump sum to the deposit for all tracts included in this civil action.

When such payment has been made, the Clerk of this Court shall disburse from the said lump sum deposit for all tracts included in this civil action the sum of \$11,028.00 to The McAlester Fuel Company.

William E. Bassett
UNITED STATES DISTRICT JUDGE

APPROVED:

SEP 25 1964

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

Jack L. Rorschach
JACK L. RORSCHACH
Attorney for Defendant

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

HENRY EDWARD HANOCH,)
)
 Plaintiff)
)
 -vs-)
)
 JAMES DONALD WOODWARD,)
)
 Defendant)

NO. 5992 CIVIL

STIPULATION FOR DISMISSAL

Comes now the plaintiff, Henry Edward Hanoch by and through his attorneys of record, Rucker, Tabor, Shepherd & Palmer and Thomas L. Palmer, and, upon the consideration of full, final and complete compromise and settlement of all issues in said cause, stipulate that said action be, and the same is hereby dismissed with prejudice to the bringing of any future action.

Henry Edward Hanoch
BAKER AND BAKER

By [Signature]
Attorneys for Plaintiff

RUCKER, TABOR, SHEPHERD & PALMER
THOMAS L. PALMER

By [Signature]
Attorneys for Defendant

ORDER OF DISMISSAL

Now on this 14 day of September, 1964, it appearing to the Court that the above captioned cause has been compromised and settled between the parties, the Court finds that the same should be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above captioned cause is dismissed with prejudice to the plaintiff's right to prosecute a further action.

[Signature]
JUDGE

SEP 28 1964

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMANOBLE C. HOOD
Clerk, U. S. District Court

United States of America,)	
	Plaintiff,)
vs.)	Civil No. 4882
)	
771.88 Acres of Land, More or Less,)	Tract Nos. E-514 &
Situate in Pawnee and Creek Counties,)	E-1 thru E-9
Oklahoma, and Helen W. Kenyon, et al,)	
and Unknown Owners,)	
)	
	Defendants.)

SECOND AMENDED JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Second Amended Judgment to correct Judgments entered in this case and these tracts on August 5, 1964, and September 3, 1964, by substituting this Second Amended Judgment entirely therefor.

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 \$34,700.00, less \$110.00 for improvements reserved by defendants, W. L. Oller and Alta Oller, 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 and amended by the revestment stipulation incorporated hereunder. The sum of \$29,700.00 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 W. L. Oller, Alta Oller, Pleas Craven, and Earl Craven, 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 \$34,700.00, less \$110.00 for improvements reserved by defendants, W. L. Oller and Alta Oller, inclusive of interest. The stipulation between the United States of America and W. L. Oller and Alta Oller provides for a revestment of certain acreage and such stipulation is incorporated herein by reference as if fully set out.

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 amended by the revestment stipulation incorporated herein, 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 \$34,700.00, less \$110.00 for improvements reserved by defendants, W. L. Oller and Alta Oller, inclusive of interest, of which sum the following amounts have heretofore been disbursed:

W. L. Oller and Mutual Life Insurance Company of New York	\$24,641.17
W. L. Oller	<u>4,750.00</u>
	\$29,391.17

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$4,890.00, 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:

W. L. Oller and Alta Oller	\$5,208.83
Pleas Craven and Earl Craven	<u>100.00</u>
	\$5,308.83

Entered _____

/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.)
)
 734.55 Acres of land, More or Less,)
 Situate in Pawnee and Creek Counties,)
 Oklahoma, and Claud Brown, et al.,)
 and Unknown Owners,)
)
) Defendants.)

Civil No. 5894
Tract No. 9821-4M

FILED
SEP 28 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 \$50.00, 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 \$25.00 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 Charles W. Briggs, Dale Shaffer Briggs and Robert L. Briggs, Jr., Co-executors of the Estate of Robert L. Briggs, Deceased, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$50.00, 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 \$50.00, inclusive of interest;

(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:

Charles W. Briggs, Dale Shaffer Briggs
and Robert L. Briggs, Jr., Co-executors
of the Estate of Robert L. Briggs, Deceased . . . \$ 50.00

Entered SEP 23 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.

397.98 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and S. M. Kantor, et al.,
and Unknown Owners,

Defendants.

Civil No. 5110

Tract Nos. E-552 & E-1 & E-2

FILED

SEP 29 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 \$12,073.00, 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 \$12,073.00 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 S. M. Kantor, J. S. Kantor, John G. Burris, T. E. Blackwell, A. Pepis, Emma T. Kimball, S. N. Boone, Simon LeBow Corp., William A. Jenkins, G. D. Rising, Theron R. Covey and W. C. Patton, 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 \$11,383.42, for their respective interests, 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 plaintiff and J. L. Stratten, defendant herein, has 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 \$32.85, for his interest, inclusive of interest.

7. The Court finds that defendants B. I. Greenwood and C. D. Greenwood 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 such 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 \$12,073.00, inclusive of interest, of which amount the following sums have been previously disbursed:

S. M. Kantor	\$4,284.00
J. S. Kantor	2,142.00
John G. Burris	2,142.00
T. E. Blackwell	439.00
A. Pepls	329.00
Emma T. Kimball	169.75
S. N. Boone	1,313.50
Simon LeBow Corp.	492.56
William A. Jenkins	32.84
G. D. Rising	32.84
Theron R. Covey	32.84
W. C. Patton	<u>32.84</u>

\$11,383.42

(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:

B. I. Greenwood (now Clara Greenwood)	\$328.37
C. D. Greenwood	328.37
J. L. Stratten	<u>32.84</u>
	\$689.58

Entered SEP 28 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.)
)
 147.59 Acres of Land, More or Less,)
 Situate in Tulsa, Creek and Pawnee)
 Counties, Oklahoma, and J. E. O'Reilly,)
 et al., and Unknown Owners,)
)
 Defendants.)

Civil No. 5465

Tract No. 0925-1M

FILED

SEP 29 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 \$29,452.00, 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 \$29,452.00 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 Rockwile, Inc., L. B. Jackson, Jr., and L. B. Jackson 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 \$28,877.69, inclusive of interest.

6. The Court finds that defendants Iva Mae Lamb and A. T. Wright 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 \$29,452.00, inclusive of interest, of which sum the following amounts have been previously disbursed:

Rockwile, Inc., and	
L. B. Jackson, Jr.	\$6,185.69
L. B. Jackson Company.	<u>22,692.00</u>
	\$28,877.69

(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:

Iva Mae Lamb \$509.31

(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 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:

A. T. Wright \$65.00

SEP 20 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.

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

Defendants.

Civil No. 5505

Tract Nos. 3776E & E-2 thru E-4

FILED

SEP 29 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 20th day of April, 1964.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 20th day of April, 1964, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

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

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

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$8,300.00, as determined by the Report of Commissioners of April 20, 1964, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACT NO. 3776E & E-2 thru E-4

Owner: Lucille Plummer

Award of Just Compensation	-	\$8,300.00
Deposited as Estimated Compensation	-	4,000.00
Disbursed to Owner	-	4,000.00
Balance due to Owner	-	4,300.00
Deposit Deficiency	-	4,300.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$4,300.00, with interest at 6% per annum from November 27, 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:

Lucille Plummer and
R. F. Mullendore (mortgagee) \$4,300.00, plus all accrued
interest

Entered SEP 28 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.)
227.83 Acres of Land, More or Less,)
Situate in Pawnee County, Oklahoma,)
and Glenn Earl Pershall, et al.,)
and Unknown Owners,)
Defendants.)

Civil No. 5554

Tract No. 3718E

FILED

SEP 29 1964

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

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract, based on the Report of Commissioners filed herein on the 22nd day of April, 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 22nd day of April, 1964, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tract as fixed by the Commission is set out in paragraph 6 below.

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

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

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

(a) The vesting in plaintiff of title to the 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 \$4,525.00, less \$100.00 for right to remove certain improvements, as set out in the stipulation filed herein on February 12, 1964, as determined by the Report of Commissioners of April 22, 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. 3718E

Owner: Chester R. Davis

Award of Just Compensation	-	\$4525.00	- less \$100.00 for right to remove certain improvements,
Deposited as Estimated Compensation	-	2175.00	as set out in the stipulation filed herein on 2/12/64
Disbursed to Owner	-	2175.00	
Balance due to Owner	-	2250.00	
Deposit Deficiency	-	2250.00	

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$2250.00, with interest at 6% per annum from February 1, 1963, until the date of deposit of such deficiency. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

Chester R. Davis \$2,250.00, plus all accrued interest

Entered SEP 28 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.)
)
 227.83 Acres of Land, More or Less,)
 Situate in Pawnee County, Oklahoma,)
 and Glenn Earl Pershall, et al., and)
 Unknown Owners,)
)
 Defendants.)

Civil No. 5554
Gract No. 4123E

FILED
SEP 29 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 \$150.00, 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 \$150.00 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 Albert Newman and Thomas A. Newman 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 \$50.00, inclusive of interest, for their respective 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 Bill Woods, Buford Woods, Bertha Woods Williams, Frances Woods Walburn, Hazel Woods Vetch, Pauline Woods, Everett Woods, Elmer Woods Estate, Bessie Newman, Dona Lou Newman, now White, Larry Newman, Robert Newman, Everett Newman, Jerry Newman, Floyd McClaflin, Loyd McClaflin, Alfred McClaflin, Earl McClaflin, Dorothy McClaflin Feigel, Glenn Briggs and Thelma Briggs Brewer, 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 \$150.00, 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:

Albert Newman	\$25.00
Thomas A. Newman.	25.00
Bill Woods	3.12
Buford Woods	3.12
Bertha Woods Williams	3.12
Frances Woods Walburn	3.12
Hazel Woods Vetch	3.13
Pauline Woods	3.13
Everett Woods	3.13
Elmer Woods Estate.	3.13
Bessie Newman	8.30
Dona Iou Newman, now White.	3.34
Larry Newman	3.34
Robert Newman.	3.34
Everett Newman	3.34
Floyd McClaflin.	8.30
Loyd McClaflin	4.17
Alfred McClaflin	4.17
Earl McClaflin	4.18
Dorothy McClaflin Feigel	4.18
Glenn Briggs	12.50
Thelma Briggs Brewer	12.50
	<u>\$146.66</u>

(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:

Jerry Newman \$3.34

Entered SEP 28 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.

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

Defendants.

Civil No. 5682

Tract No. 4311E

FILED

SEP 29 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 tracts 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 defendants Henry H. Parks and Lela D. McCauley 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 \$175.00, 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 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:

Henry H. Parks \$175.00

Entered SEP 23 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.)
101.69 Acres of Land, More or Less,)
Situat e in Pawnee and Creek Counties,)
Oklahoma, and Kathleen Daly Reed,)
et al., and Unknown Owners,)
Defendants.)

Civil No. 5682

Tract No. 4353E

FILED

SEP 29 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 \$750.00, 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 \$750.00 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 Cheneya Haynie Holliday, Mary E. Hayne Goren, Rulicon Hayne, Jr., and Rulison Hayne, Sr., restricted Creek Indians, and Luvon 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 \$750.00,

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, and that such amount of just compensation has been concurred in by the Bureau of Indian Affairs.

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 \$750.00, inclusive of interest, of which amount the following sums have been previously disbursed:

Luvon Smith	\$375.00
Cheneya Haynie Holliday	62.50
Mary E. Hayne Goren	62.50
Rulison Hayne, Jr.	62.50
Rulison Hayne, Sr.	<u>187.50</u>

\$750.00

Entered SEP 29 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.)
2102.11 Acres of Land, More or Less,)
Situate in Osage County, Oklahoma, and)
D. P. Weems, et al., and Unknown)
Owners,)
Defendants.)

Civil No. 5825
Tract No. 2832-2M

FILED

SEP 29 1964

PARTIAL 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 a Partial Judgment determining the ownership and the just compensation to be awarded the owners of 5% 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 5% of the oil lessee interest on the date of taking, and is entitled to receive the award therefor.

4. The Court finds that defendant F. M. Anderson 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.

5. The Court finds the amount of \$27.50 for the 5% interest in the oil lessee interest, inclusive of interest, is just compensation for the taking of the oil lessee estate by the plaintiff in the above tract, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$27.50 for the 5% interest in the oil lessee interest 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.

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 tract herein-above 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 oil lessee interest is the sum of \$27.50 for the 5% interest in the oil lessee interest, 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:

E. M. Anderson \$27.50

Entered SEP 28 1964

/s/ Allen E. Barrow:

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Sartee

ROBERT P. SARTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
2102.11 Acres of Land, More or Less,)
Situatē in Osage County, Oklahoma,)
and D. P. Weems, et al., and)
Unknown Owners,)
Defendants.)

Civil No. 5825

Tract No. 2832-3M

FILED

SEP 29 1964

PARTIAL 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 a Partial Judgment determining the ownership and the just compensation to be awarded the owners of 5% 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 5% of the oil lessee interest on the date of taking, and is entitled to receive the award therefor.

4. The Court finds that defendant T. M. Anderson has failed to appear or answer, nor has his attorney appeared or answered in his behalf, and that said party defendant is in default at this time.

5. The Court finds the amount of \$41.00 (for 5% of the oil lessee interest), inclusive of interest, is just compensation for the taking of the oil lessee estate by the plaintiff in the above tract, as such estate and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$41.00 (for 5% of the oil lessee interest) 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.

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 tract 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 oil lessee interest is the sum of \$41.00 (for 5% of the oil lessee interest), 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:

T. M. Anderson \$41.00

Entered SEP 28 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.)
)
344.42 Acres of Land, More or Less,)
Situat e in Creek and Pawnee Counties,)
Oklahoma, and Cornelia C. Holmes,)
et al., and Unknown Owners,)
)
Defendants.)

Civil No. 5414

Tract Nos. 4622-1 and 2
4622E-1 thru E-5

FILED

SEP 29 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 6th day of July, 1964.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 6th day of July, 1964, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

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

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

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$9,200.00, as determined by the Report of Commissioners of July 6, 1964, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACT NOS. 4622-1 & 2 & E-1 thru E-5

Owner: Melvin Smith and Preppa Smith

Award of Just Compensation	-	\$9,200.00
Deposited as Estimated Compensation	-	5,825.00
Disbursed to Owner	-	5,825.00
Balance due to Owner	-	2,375.00
Deposit Deficiency	-	2,375.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$2,375.00, with interest at 6% per annum from June 1, 1962, until the date of deposit of such deficiency. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Melvin and Preppa Smith \$2,375.00

Entered SEP 23 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

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

Harold W. Donlay, Administrator of the
estate of Helen Jean Donlay, deceased,
Plaintiff,
-v-
The Atchison, Topeka and Santa Fe
Railway Company, a corporation, et al.,
Defendants.

No. 5935

FILED

SEP 29 1964

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

JOURNAL ENTRY OF JUDGMENT.

Now on this first day of September, 1964, the above entitled cause comes on for trial upon a regular assignment, and plaintiff, Harold W. Donlay, appears by his attorney, Jesse J. Worten of Holliman, Brewer & Worten, and the defendant, The Atchison, Topeka and Santa Fe Railway Company, appears by their attorney, Donald L. Cooper of Rainey, Flynn & Welch.

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

IT IS, THEREFORE, ORDERED, REJUDGED AND DECREED that the plaintiff have and recover from the defendant, The Atchison, Topeka and Santa Fe Railway Company, the sum of Twenty Five Thousand Dollars (\$25,000.00) as a full and complete satisfaction of all claims arising hereunder.

IT IS THE FURTHER ORDER of this court that the
defendant pay all costs heretofore incurred.

15/ Allen E. Barron
United States District Judge.
9-29-44

APPROVED AS TO FORM:

15/ James G. Holliman
of Holliman, Brewer & Norton
Attorneys for Plaintiff

15/ Stanley J. Welch
of Ranney, Flynn & Welch
Attorneys for Defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

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

Defendants.)

CIVIL ACTION NO. 4891

Tract No. 5636-E

(Lessor Interest Only)

FILED

SEP 30 1964

J U D G M E N T
(Partial)

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

1.

NOW, on this 30 day of September, 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 June 24, 1964, and after having examined the files in this action and being advised by counsel for the plaintiff and by Charley Miller, Office of the Solicitor, U. S. Department of Interior, who appeared on behalf of the defendants, the Court finds that:

2.

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

3.

The judgment applies only to the lessor interest in the estate taken in Tract No. 5636-E, as such estate and tract are described in the Complaint and Declaration of Taking filed herein.

4.

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

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tract of land. Pursuant thereto, on March 18, 1960, the United States of America filed its Declaration of Taking of a certain estate in such tract 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 subject property, a certain sum of money and all of this deposit has been disbursed as set out in paragraph 11 below.

7.

The Report of Commissioners filed herein on June 24, 1964, hereby is accepted and adopted as a finding of fact as to the subject property. The amount of just compensation as to the subject property as fixed by the Commission is set out in paragraph 11 below.

8.

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

9.

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

10.

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

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that the right to receive just compensation for the lessor interest in the estate taken herein in subject tract is vested in the defendants whose names appear below in this paragraph;

the Report of Commissioners of June 24, 1964, hereby is confirmed and the sum therein fixed is adopted as just compensation for subject property, as shown by the following schedule:

TRACT NO. 5636-E
(Lessor Interest Only)

Owners:

Heirs of Nancy Parks, deceased, who are:

Ruth Parks - - - - - 1/3)
 Lucy Blalock - - - - - 1/3) - All restricted Indians
 Edith Waters - - - - - 1/3)

Award of just compensation - - - - -	\$2,950.00	\$2,950.00
Deposited as estimated compensation - - - - -		\$2,700.00
Disbursed to owners - - - - -	<u>2,700.00</u>	
Balance due to owners - - - - -	\$ 250.00	
Deposit deficiency - - - - -		\$250.00

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject property in the amount of \$250.00, together with interest on such deficiency at the rate of 6% per annum from March 18, 1960 until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action. Upon receipt of such sums, the Clerk of this Court shall disburse from the deposit for the subject tract certain sums as follows:

- To the Area Director, Bureau of Indian Affairs, Muskogee Area Office, for deposit in the individual money account of Ruth Parks - - - \$83.33, plus 1/3 of all accrued interest.
- To the Area Director, Bureau of Indian Affairs, Muskogee Area Office, for deposit in the individual money account of Lucy Blalock - - - \$83.33, plus 1/3 of all accrued interest.
- To the Area Director, Bureau of Indian Affairs, Muskogee Area Office, for deposit in the individual money account of Edith Waters - - - \$83.34, plus 1/3 of all accrued interest.

William E. Bennett
UNITED STATES DISTRICT JUDGE

APPROVED:

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

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

GRAND RIVER DAM AUTHORITY,
a public corporation,

Plaintiff,

vs.

4 Tracts of Land Containing 549.4 Acres,
more or less, all in Mayes County,
Oklahoma, Carl Bolding, et al.,
(Clay King and Dorothy Lee King),

Defendants.

CIVIL NO. 5517

FILED

SEP 30 1964

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

AMENDED JUDGMENT ON VERDICT AS TO
AMENDED TRACT NO. 2 (2 MF 49 + FE Rev.,
and HR 82 - 13 A, B, C, D and E)

This action came on for trial before the Court and a jury, Honorable Luther Bohanon, District Judge, presiding, and the issues being to determine the just compensation to be paid for the taking of the lands designated and described in this proceedings as Amended Tract No. 2 (2 MF 49 + FE Rev., and HR 82 - 13 A, B, C, D and E), and the jury having rendered its verdict awarding and fixing just compensation in the amount of \$20,500.00.

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

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of \$20,500.00, fixed by jury verdict, is full and just compensation for the taking of the lands and/or estate therein.

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

Amended Tract No. 2 (2 MF 49 + FE Rev.,
and HR 82 - 13 A, B, C, D and E)

2 MF 49 + FE Rev.

FEE TITLE TO:

That part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying west of the K. O. & G. Railroad less and save the W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying east of the K. O. & G. Railroad, the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all those parts of the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the northeast corner of said W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence in a southwesterly direction to a point in the south boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 165 feet east of the southwest corner thereof; thence westerly along said south boundary to said southwest corner; thence northerly along the west boundaries of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and said W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the northwest corner of said W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence easterly along the north boundary of said W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the point of beginning, all in Sec. 35, T 21 N, R 20 E of the Indian Base and Meridian, including all reversionary interest, if any, in and to the K. O. & G. Railroad Right-of-way, containing 55.7 acres, in Mayes County, Oklahoma.

PERPETUAL EASEMENT UPON:

The W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ except those portions to be taken in fee and described above, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ except that portion described as follows: Beginning at the northeast corner of said W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence southerly along the east boundary of said W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the southeast corner thereof, thence westerly along the south boundary of said W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 50 feet, thence in a northwesterly direction to a point 260 feet north and 250 feet west of the southeast corner of said W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence in a northeasterly direction to a point 495 feet north and 200 feet west of said southeast corner, thence in a northeasterly direction to the point of beginning, all in Sec. 35, T 21 N, R 20 E of the Indian Base and Meridian, containing 34.3 acres, in Mayes County, Oklahoma.

HR 82 - 13 A, B, C, D and E

FEE TITLE TO:

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

All those parts of the W $\frac{1}{2}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

Tract No. HR 82 - 13A

A strip of land 200 feet in width in the W $\frac{1}{2}$ SE $\frac{1}{4}$ the center line of which is described as follows: Beginning at a point in the south boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ 291.7 feet west of the southeast corner thereof, thence on a curve to the left with a radius of 4774.65 feet a distance of 1213.55 feet to a point 1199.9 feet north and 188.8 feet west of said southeast corner, thence in a northwesterly direction a distance of 1438.78 feet to a point in the north boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ 237.6 feet west of the northeast corner thereof,

and

Tract No. HR 82 - 13B

A tract of land in said W $\frac{1}{2}$ SE $\frac{1}{4}$ described as beginning at the northeast corner of said W $\frac{1}{2}$ SE $\frac{1}{4}$, thence westerly along the north boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ a distance of 137.6 feet to a point in the easternmost boundary of the above described 200-foot strip, thence in a southeasterly direction on and along said easternmost boundary a distance of 150 feet, thence in a northeasterly direction to a point in the east boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ 50 feet south of the northeast corner thereof, thence northerly along said east boundary to the point of beginning,

and

Tract No. HR 82 - 13C

A strip of land 170 feet in width in said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ the center line of which is described as follows: Beginning at a point in the south boundary of said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ 237.6 feet west of the southeast corner thereof, thence in a northwesterly direction a distance of 1204.77 feet to a point 281.5 feet west and 119.7 feet south of the northeast corner of said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$, thence on a curve to the left with a radius of 5729.58 feet a distance of 112.50 feet to a point in the north boundary of said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ 295.1 feet west of said northeast corner,

and

Tract No. HR 82 - 13D

A tract of land in said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ described as beginning at the southeast corner of said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$, thence westerly along the south boundary of said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ a distance of 152.6 feet to a point in the easternmost boundary of the above described 170-foot strip, thence in a northwesterly direction on and along said easternmost boundary a distance of 300 feet, thence in a southeasterly direction to a point in the east boundary of said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ 50 feet north of the southeast corner thereof, thence southerly along said east boundary to the point of beginning,

and

Tract No. HR 82 - 13E

A tract of land in said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ described as beginning at a point in the south boundary of said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ 322.6 feet west of the southeast corner thereof, thence northerly parallel to the east boundary of said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ a distance of 330 feet, thence easterly parallel to the south boundary of said $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ a distance of 95.8 feet to a point in the westernmost boundary of the above described 170-foot strip, thence in a southeasterly direction on and along said westernmost boundary a distance of 330.6 feet to the point of beginning;
All in Sec. 35, T 21 N, R 20 E of the Indian Base and Meridian,

The five tracts last above described and designated as Tract Nos. HR 82 - 13 A, B, C, D and E, containing 19.1 acres.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and

improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Grand River Dam Authority have and recover a judgment against Clay King and Dorothy Lee King for and in the sum of \$6,337.00, together with interest at the rate of 6% per annum from the 28th day of May, 1959, until paid, the same being the difference between the award of the commissioners and the verdict of the jury.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 28th day of January, 1963, upon the depositing of the commissioners' award with the registry of this Court for the lands and estates taken in and to the above described land.

DATED this the 30th day of September, 1964.

Walter Johnson
U. S. District Judge

Approved:

W. J. Johnson
Attorney for Petitioner

Attorney for Landowners

U. S. DISTRICT COURT FOR
THE DISTRICT OF OKLAHOMA

John Raymond Link, an infant, by
Mrs. Clarence J. Link, as duly appointed,
qualified and acting guardian of his
person and estate,

Plaintiff,

-vs-

The Atchison, Topeka and Santa Fe
Railway Company, a corporation,

Defendant.

No. 9439
CIVIL

FILED

SEP 30 1964

JOURNAL ENTRY OF JUDGMENT

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

Now on this 11th day of September, 1964, the above

entitled cause comes on for trial upon a regular assignment,
plaintiff appearing by his attorney, H. E. Litchfield, Jr., and
defendant appearing by its attorney, S. P. Murray, Jr. of Rainey,
Flynn & Welch, and all parties having announced ready for trial,
it is further announced to the court that an agreement has been
reached in settlement of the claim herein, and the court, being
fully advised in the premises, renders judgment for plaintiff
as follows:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that
plaintiff have and recover of and from the defendant, The Atchison,
Topeka and Santa Fe Railway Company, the sum of Twenty-five Thou-
sand Dollars (\$25,000.00) as full and complete satisfaction of
all claims arising hereunder.

IT IS THE FURTHER ORDER of this Court that the defen-
dant pay all costs heretofore incurred.

19/ Fred B. Broughton
United States District Judge

APPROVED AS TO FORM

[Signature]
Attorney for Plaintiff

[Signature]
of RAINY, FLYNN & WELCH
Attorneys for Defendant

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

Mrs. Ols Parker, as next of kin and
personal representative of Gerald
Wayne Shaffer, also known as Wayne
Shaffer, deceased,

Plaintiff,

-vs-

The Atchison, Topeka and Santa Fe
Railway Company, a corporation,
Defendant.

NO. 5890 - CIVIL

FILED

SEP 30 1964

JOURNAL ENTRY OF JUDGMENT

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

Now on this 27 day of September, 1964, the above

entitled cause comes on for trial upon regular assignment, plain-
tiff appearing by her attorney, E. F. Litchfield, Jr., and defen-
dant appearing by its attorney, A. P. Murrah, Jr. of Rainey, Flynn
& Welch, and all parties having announced ready for trial, it is
further announced to the court that an agreement has been reached
in settlement of the claim herein, and the court, being fully
advised in the premises, renders judgment for plaintiff as follows:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that
plaintiff have and recover of and from the defendant, The Atchison,
Topeka and Santa Fe Railway Company, the sum of Five Thousand
Dollars (\$5,000.00), as full and complete satisfaction of all
claims arising hereunder, and the costs of this action, and defen-
dant is directed and ordered to pay said sum of \$5,000.00 to the
Clerk of this Court and thereafter be absolved from any and all
further liability on the cause of action set up on plaintiff's
petition.

161 E. F. Litchfield, Jr.
United States District Judge.

APPROVED AS TO FORM:

E. F. Litchfield, Jr.
Attorney for Plaintiff

A. P. Murrah, Jr.
of RAINEY, FLYNN & WELCH
Attorneys for Defendant