

FILED

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

DISTRICT OF OKLAHOMA

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

JAMES W. BLACK,	Plaintiff,)	
)	
v.)	No. 6012 Civil
)	
RILEY W. SAFFELL,	Defendant.)	

ORDER OF DISMISSAL WITH PREJUDICE

The stipulation of the parties hereto for dismissal of the above styled cause with prejudice and at the cost of defendant being presented to the court, it is:

HEREBY ORDERED AND ADJUDGED that the above styled cause be dismissed with prejudice at the cost of defendant.

Dated at Tulsa, Oklahoma this 1st day of December, 1964.

191 Allen S. Garrison
J U D G E

Approved as to form.

A. L. Shortridge
A. L. SHORTRIDGE
312 Wall - P. O. Box 106
Joplin, Missouri
Attorney for Plaintiff

BEST, SHARP, THOMAS & GLASS
By Joseph M. Best
308 Wright Building
Tulsa, Oklahoma
Attorneys for Defendant

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

FIREMAN'S FUND INSURANCE COMPANY,)

Complainant,)

vs.)

CORK CLUB, INC., ADAMS HOTEL
CORPORATION, a Corporation, and
LEONA HAYES,)

Defendants.)

CIVIL
NO. 8836

FILED

DEC - 4 1964

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

ORDER

Now on this 19th day of November, 1964, pursuant to notice and request assignment, the above captioned cause comes on before me, the undersigned Judge, for Pre-Trial Conference. The complainant, Fireman's Fund Insurance Company, appears through its counsel, Best, Sharp, Thomas & Glass, by Joseph A. Sharp, the defendant Adams Hotel Corporation appears by and through their counsel, Pierce, Beck, Duncan, Couch & Henderson, by Clayton B. Pierce, and the defendant Leona Hayes appears by and through her attorney, Hickey D. Wilson. It was announced to the Court that the attorney for the Cork Club, Inc., Mr. Carl A. Beck, was engaged in a jury trial in the State Court, and could not be present, and request was made on his behalf that the matter be continued to a later date as set by the Court.

Prior to passing upon the request for a continuance, the attorney for the Adams Hotel Corporation, Mr. Clayton B. Pierce, made an oral motion that the Court dismiss the Adams Hotel Corporation as a defendant upon the grounds that the plaintiff in the State Court action has sought no relief as against the Adams Hotel, that the plaintiff was now barred by the statute of limitations from amending her Petition to claim any relief against the Adams

Hotel, therefore there was no controversy or claim for which relief could be granted in favor of the plaintiff and against the Adams Hotel. The Court, upon examining the pleadings, and upon the statement of counsel for the claimant Fireman's Fund Insurance Company in open court that the motion made on behalf of the Adams Hotel Corporation by their counsel was good, ordered the matter dismissed as to the Adams Hotel Corporation.

Thereupon the attorney for the plaintiff, Fireman's Fund Insurance Company, announced to the Court that they had no objection to the matter being continued, provided that no action was taken in the case then pending in the State Court until the rights of the parties were determined in the instant action under the insurance contract. Counsel for the plaintiff thereupon agreed in open court that he would not proceed with his action in State Court until such time as the Court had determined the rights of the parties under the insurance contract in the instant case.

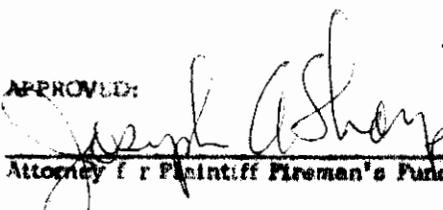
The Court thereupon set the matter for trial on December 1, 1964.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the motion of the Adams Hotel Corporation to dismiss the action as against them should be, and hereby is sustained, and the action as against Adams Hotel Corporation is dismissed; that no further proceedings be had in the State Court until determination of the rights of the remaining parties to this action be determined under the insurance contract; and the matter is set for trial for December 1, 1964.



Judge

APPROVED:



Attorney for Plaintiff Fireman's Fund Ins. Co.

Attorney for Defendant Cork Club, Inc.

Attorney for Defendant Adams Hotel Corp.

Attorney for Defendant Leona Hayes

UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Lois E. Rolland, . . . Plaintiff,)
)
vs.) No. 5854 Civil
) **FILED**
Jubilee City, Inc., . . . Defendant.)
)
) DEC - 4 1964

ORDER

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

Now on this the 30th day of November, 1964, this cause comes on for trial pursuant to regular setting, all parties having been duly notified of the setting of said cause. Upon calling the case for trial plaintiff failed to appear either in person or by counsel. Counsel for the defendant appeared and announced ready for trial.

This cause was set for trial on September 14, 1964, at which time plaintiff announced she was not prepared for trial. At said time the court stated to counsel for plaintiff then appearing that if plaintiff was not ready for trial at the next setting the cause would be dismissed for want of prosecution.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this cause be, and the same is dismissed with prejudice for failure to prosecute the same.


U. S. District Judge

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

R. V. MCGINNIS THEATRES & PAY T. V.,)
INC., a corporation,)

Plaintiff,)

vs.)

VIDEO INDEPENDENT THEATRES, INC.,)
et al.,)

Defendants.)

Civil Action **FILED**
No. 6015 IN OPEN COURT

DEC - 4 1964

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

ORDER ALLOWING DISMISSAL WITHOUT PREJUDICE AS
TO DEFENDANT FOURTEEN EAST FOURTH CORPORATION

Now, on this 4th day of December, 1964, upon stipulation by the
plaintiff and defendant Fourteen East Fourth Corporation, a corporation, that
the above entitled action may be dismissed without prejudice, as to defendant
Fourteen East Fourth Corporation, a corporation, at the cost of the plaintiff:

IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED
that the above action be and the same is hereby dismissed without prejudice
as to defendant Fourteen East Fourth Corporation, a corporation, only, and
that the same be at the cost of the plaintiff.

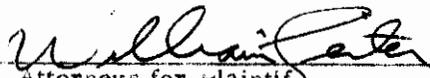


Luther Bohanon
United States District Judge

APPROVED AS TO FORM:

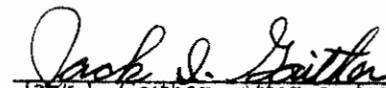
Ryan & Ryan

Ungerman, Grabel, Ungerman & Leiter

By 
Attorneys for Plaintiff

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN
& LEITER

SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA


Jack I. Gaither, Attorney for defendant,
Fourteen East Fourth Corporation

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,
Situat e in Nowata and Rogers Counties,
Oklahoma, and Jessie W. Campbell, et
al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4891

Tract No. 5625-9

FILED

DEC 11 1964

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

ORDER TO CANCEL CHECK AND AMENDMENT
TO JUDGMENT FILED NOV. 2, 1964

This matter comes on for hearing this 7th day of December, 1964,
before the Honorable Allen E. Barrow, United States District Judge for the
Northern District of Oklahoma, upon application of the plaintiff to cancel a
certain check and to amend the judgment entered herein on November 2, 1964.
The court, having been advised by counsel for plaintiff and having examined
the files and being fully advised in the premises, finds:

1. The judgment entered herein on November 2, 1964 shows, on
page 7, that the sum of \$1,025.00 had been disbursed to Charlotte
Wettack Heath as owner of Tract No. 5625-9, whereas the award for
such tract was only \$750.00, resulting in an overpayment of \$275.00.

2. Paragraph 15 (on page 14) of such judgment gave the plaintiff
judgment against Charlotte Wettack Heath for the overpayment in the
amount of \$275.00.

3. The disbursal to Charlotte Wettack Heath was by the Clerk's
check No. 2820 drawn on the National Bank of Tulsa, dated May 4, 1964.
This check was never cashed, and being drawn over 90 days ago now is
invalid. It has been returned to the Clerk with the request from the
owner to cancel it and issue a new check in the amount of the award.

The Court concludes that the aforesaid check should be cancelled,
a new check written in the proper amount and the judgment amended to eliminate
the judgment against Charlotte Wettack Heath and to reflect the correct amount
of the disbursal to her.

It Is, Therefore, ORDERED that Check No. 2820, drawn on the National Bank of Tulsa, dated May 4, 1964, in the amount of \$1,025.00, signed by M. M. Ewing, be cancelled. The Clerk of this Court then shall issue a new check payable to Charlotte Wettack Heath in the sum of \$750.00.

It Is Further ORDERED that the judgment filed herein on November 2, 1964, hereby is amended in the following particulars only:

1. The schedule as to Tract No. 5625-9 set forth on page 7 of said judgment is made to read as follows:

TRACT NO. 5625-9

Owner of lessor interest:

Charlotte Wettack Heath
(as sole heir of Maude T. Wettack, deceased)

Deposited as estimated compensation for lessor interest - - - - -		\$1,025.00
Award of just compensation for lessor interest, pursuant to Commissioners' report - - - - -	\$750.00	750.00
Disbursed to owner - - - - -	<u>\$750.00</u>	
Balance due to owner - - - - -	<u>None</u>	
Deposit surplus - - - - -		\$ 275.00

2. In paragraph 15, on page 14 of said judgment the following language to-wit: "Tract No. 5625-9: Judgment against Charlotte Wettack Heath in the amount of \$275.00." is deleted.

It Is Further ORDERED that the surplus in the deposit for Tract No. 5625-9 created by the foregoing transactions shall be disbursed by the Clerk of this Court as follows:

To Treasurer of the United States of America - - - - - \$275.00

UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow

HUBERT A. MARLOW
Assistant U. S. Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

RANCH ACRES SHOPPING CENTER
INC., A Corporation,

Plaintiff,

-VS-

GENERAL INSURANCE CORPORATION,
A Corporation,

Defendant.

NO. 5786

FILED

NOV 19 1964

JUDGEMENT

THOMAS J. MOYER
U.S. District Court

In view of the finds of fact and conclusions of law this day filed, judgment is hereby rendered in favor of the Plaintiff and against the Defendant in the sum of \$23,148.58 and interest from and after date of this and the costs of this action.

Dated this 19th day of November, 1964.

appeal set aside this date 11/22/64

Thomas J. Moyer

U.S. District Court

Approved *A.M. King*

Attorney for Plaintiff

Approved *Robert L. ...*

Attorney for Defendant

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
) Petitioner,)
)
vs.)
)
) Civil No. 5985
)
124.06 Acres in Mayes County,)
PEARL JUANITA FORDHAM HALL, now)
CAMERON, et al.,)
)
) Defendants.)

FILED
DEC - 9 1964

ORDER CONFIRMING REPORT OF COMMISSIONERS

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

NOW, on this the 9th day of December, 1964, the Court considered the application of the petitioner herein for a judgment approving the Commissioners' Report heretofore filed in this proceeding as to the real estate hereinafter specifically described.

The Court finds that:

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

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 26th day of August, 1964, should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 26th day of August, 1964, 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:

PS 1-21 (Fee Title To)
The N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and Lot 4 in Section 5; and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and Lot 1 in Section 6, all in T 20 N, R 21 E of the Indian Base and Meridian, containing 124.06 acres, in Mayes County, Oklahoma.

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 1st day of September, 1964, upon the depositing of the sum of \$ 7200.00 with the registry of this Court for the lands and estates taken in and to the above described land.

(s) Fred Laugherty
U. S. District Judge

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

Commercial Standard Fire & Marine)
Insurance Company,)
)
Plaintiff,)
)
- vs -)
)
The Phoenix Insurance Company,)
)
Defendant.)

No. 5703 Civil

FILED

DEC 11 1964

O R D E R

NORMAN G. HOOD
CLERK, U. S. District Court

NOW, on this 11 day of December, 1964, upon stipulation
of the parties, this cause is dismissed with prejudice and
without allowance of costs to either party.

Allen E. Barrow
UNITED STATES DISTRICT JUDGE

O.K.

Thomas R. Brett
Thomas R. Brett
Attorney for Plaintiff

Walter D. Hanson
Walter D. Hanson
Attorney for Defendant

2. MATERIALS

The polyimide used was a poly(amide-imide).

and

2.1. POLYIMIDE PREPARATION

The polyimide was prepared by the reaction of

with

in the presence of

at 120°C for 24 h.

The resulting polyimide was then dissolved in

and cast into a film.

The film was then annealed at 200°C for 24 h.

The resulting film was then used for the

preparation of the polyimide-coated film.

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preparation of the polyimide-coated film.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

Civil No. 5368

Tract Nos. 2418

FILED

DEC 15 1944

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.

NOBLE Application
Clerk, J. S. D. Clerk

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 \$8,750.00, 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 \$6,700.00 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 James B. Collins, defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$8,750.00, 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 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 \$8,750.00, inclusive of interest, of which amount \$6,700.00 has been previously disbursed to this defendant.

(c) The plaintiff shall forthwith deposit into the Registry of this Court the amount of \$2,050.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

James B. Collins \$2,050.00

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.) Civil No. 5826
1,929.31 Acres of Land, More or Less,)
Situate in Osage County, Oklahoma,) Tract No. 1813-2M
and W. G. Rogers, et al., and)
Unknown Owners,)
Defendant.)

FILED

DEC 15 1964

NORRIS A. 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 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 plaintiff and John Q. McCabe, Wm. G. McCabe, Sam G. Wells, Inc., C. F. Hewitt, Pearl McCabe and Cities Service Oil Company, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$10,260.00, inclusive of interest.

5. The Court finds the amount of \$10,260.00, 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 \$8,545.00 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 \$10,260.00, inclusive of interest, of which amount the following sums have been previously disbursed:

John Q. McCabe	\$1,951.64	
Wm. G. McCabe.	1,951.64	
Sam G. Wells, Inc.	2,081.75	
C. F. Hewitt	2,081.75	
Pearl McCabe	<u>260.22</u>	\$8,327.00

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,715.00, 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:

John Q. McCabe	\$392.11
Wm. G. McCabe.	392.11
Sam G. Wells, Inc.	418.25
C. F. Hewitt	418.25
Pearl McCabe	52.28
Cities Service Oil Company	<u>260.00</u>
	\$1,933.00

Entered

/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

THE UNITED STATES OF AMERICA
for the use of BUTLER-SPARKS
EQUIPMENT COMPANY,

Plaintiff,

THE UNITED STATES OF AMERICA
for the use of CONLEY-LOTT NICHOLS
MACHINERY COMPANY, a private
corporation;

and

PATE and MORRIS CONSTRUCTION
COMPANY, a partnership;

and

COMMUNICATIONS ENGINEERING COMPANY,
a corporation,

Intervenor Plaintiffs,

vs.

H. A JOHNSON, et al.,

Defendants.

CIVIL ACTION
No. 5884

FILED

DEC 1 1964

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

JOURNAL ENTRY OF JUDGMENT

On the 19th day of November, 1964 the above entitled cause comes on for hearing upon the plaintiff's, Butler-Sparks Equipment Company, and intervenors', Conley-Lott-Nichols Machinery Company, Pate and Morris Construction Company, and Communications Engineering Company, motions for summary judgment. Said plaintiff and intervenors appear by their counsel Gable, Gotwals, Hays, Rubin & Fox by Richard W. Gable; defendant United States Fidelity and Guaranty Company appears by its counsel Sanders, McElroy & Whitten by Dave Sanders; defendant N. H. Roane appears by his counsel Donald Church; and defendant H. A. Johnson appears in person and by his counsel Timothy W. Dowd. The court, after hearing the motion, considering all affidavits appended thereto, and hearing argument of counsel,

finds the facts to be as set forth in the attached Findings of Fact.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

(1) The motions for summary judgment of Butler-Sparks Equipment Company, Pate and Morris Construction Company, and Communications Engineering Company are hereby sustained, and the motion for summary judgment of Conley-Lott-Nichols Machinery Company is hereby overruled for the reason that there exists an issue of fact.

(2) Plaintiff Butler-Sparks Equipment Company and intervenors Pate and Morris Construction Company, and Communications Engineering Company are hereby granted judgment in the following amounts:

Butler-Sparks Equipment Company	\$ 3,553.96
Pate and Morris Construction Company	\$ 4,019.50
Communications Engineering Company	\$ 362.40

(3) Supersedeas bond is hereby fixed at \$10,000.00.

Luther Bohanon
Judge

APPROVED AS TO FORM:

Donald Church
Donald Church, attorney for
N. H. Roane

David H. Sanders
Dave Sanders, attorney for
United States Fidelity and Guaranty Co.

Timothy W. Dowd
Timothy W. Dowd, attorney for
H. A. Johnson

Richard W. Gable
Richard W. Gable, attorney for
plaintiff and intervenors

CERTIFICATE OF MAILING

I, Richard W. Gable, hereby certify that on the ^{20th} day of November 1964, I deposited in the United States mails a true and correct copy of the above and foregoing instrument to Donald Church, Attorney at Law, Phil-tower Building, Tulsa, Oklahoma; Timothy W. Dowd, Attorney at Law, Court Arcade Building, Tulsa, Oklahoma; and David H. Sanders, Attorney at Law, Denver Building, Tulsa, Oklahoma, with postage fully prepaid thereon.

Richard W. Gable

FINDINGS OF FACT

1. These actions arise under the Act of August 24, 1935, 49 Stats. 793 (40 U.S.C.A. 270a and 270b), known as The Miller Act, and jurisdiction is conferred on this court thereunder.

2. On or about the 18th day of December, 1962, defendants Johnson and Roane entered into a contract in writing (No. D-34-066-CIVENG-63-1577) with the United States of America wherein and whereby it was agreed that said defendants, as a Joint Venture, known as Johnson & Roane, were to perform the work of clearing lands in connection with the construction and completion of the Keystone Dam on the Arkansas River in Oklahoma, in accordance with the specifications, drawings, terms, and conditions specifically set forth in said contract, in consideration whereof, The United States of America agreed to pay to the defendants the sum of One Million Two Hundred Ninety-nine Thousand, Five Hundred Forty-two Dollars (\$1,299,542.00)

3. On or about the 18th day of December, 1962, pursuant to the aforesaid Miller Act, and pursuant to the terms of the aforesaid contract, the defendant Johnson & Roane, as principal, and the defendant United States Fidelity & Guaranty Company, as surety, for a good and valuable consideration duly made, executed, and delivered to The United States of America a bond for the protection of all persons supplying labor and materials in the prosecution of the work provided for in said contract for the use of each of such persons, conditioned as required by the said Act.

4. During the course of the performance of the above-described contract, the defendants by and through H. A. Johnson and other agents, servants, and employees of defendants Johnson and Roane, did order certain labor and materials to be furnished by Butler-Sparks for use in the performance of such contract, and Butler-Sparks did furnish such labor and materials for such use, for which defendants Johnson and Roane are now justly indebted to Butler-Sparks in the amount of Three Thousand Five Hundred Fifty-three Dollars and Ninety-six Cents (\$3,553.96). No payments have been made which would be credits on the above-described amount, and the sum above set forth is due and payable, and has been due and payable

since the 10th day of October, 1963.

5. Communications Engineering Company is a corporation duly authorized and existing under and by virtue of the laws of the State of Texas, with its principal place of business in Dallas County, Texas. During the course of the performance of the above-described contract, the defendants by and through H. A. Johnson and other agents, servants and employees of defendants Johnson and Roane, did order certain labor and materials from Communications Engineering Company to be furnished for use in the performance of such contract, and Communications Engineering Company did furnish such labor and materials for such use, for which Johnson and Roane are now justly indebted to Communications Engineering Company in the amount of \$362.40. Johnson and Roane have made no payment on the \$362.40 and the said sum is due and payable, and has been due and payable since the 21st day of August, 1963.

6. Pate and Morris Construction Company is a partnership with its principal place of business in San Augustine, Texas. During the course of the performance of the above-described contract, the defendants, by and through H. A. Johnson and other agents, servants, and employees of defendants Johnson and Roane, did order certain labor and materials from Pate and Morris Construction Company to be furnished for use in the performance of such contract, and Pate and Morris Construction Company did furnish such labor and materials for such use, for which Johnson and Roane are now justly indebted to Pate and Morris Construction Company in the amount of \$4,019.50. Johnson and Roane have made no payment on the \$4,019.50 which was retained until completion of the job and the said sum is due and payable, and has been due and payable since the 19th day of February, 1964.

7. All of the claims mentioned herein are proper Miller Act claims and chargeable to the payment bond executed by H. A. Johnson, N. H. Roane, and the United States Fidelity & Guaranty Company, covering the Keystone Dam Project.

Dated December 15th 1964

[Handwritten signatures and notes]

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

Civil No. 6045

Tract No. 9725-2M

FILED

DEC 16 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 Partial Judgment determining the ownership and the just compensation to be awarded the owners of the oil lessor 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 lessor 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 lessor interest on the date of taking and are entitled to receive the award therefor.

4. The Court finds that prior to the institution of the above proceeding the United States of America and C. L. Follansbee and Gladys M. Lackey Marlin, Betty Sue Lackey Smith, and William S. Lackey, Jr. (heirs of Sanford Lackey) 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 \$600.00, inclusive of interest, would be awarded as just compensation for the taking of the oil lessor estate to be condemned in the above tracts; that the contract and agreement is a valid one.

5. The Court finds the amount of \$600.00, inclusive of interest, is just compensation for the taking of the oil lessor 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 \$600.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessor 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 lessor 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 lessor interest is the sum of \$600.00, 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:

C. L. Follansbee	\$200.00
Gladys M. Lackey Marlin	133.34
Betty Sue Lackey Smith	133.33
William S. Lackey, Jr.	133.33
	<hr/>
	\$600.00

Entered 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

493.77 ACRES OF LAND, MORE OR LESS,
SITUATED IN ROGERS AND NOWATA COUNTIES,
OKLAHOMA, AND IVOY BYRD, ET AL, AND
UNKNOWN OWNERS,

Defendants.

CIVIL NO. 5000

Tract No. K-1137

1954

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ORDER OVERRULING MOTION FOR ATTORNEY FEES

The Court has for consideration the Motion of B. V. Tabor to recover attorneys' fees in the above case. After considering the motion and the briefs filed thereon, the Court finds:

The award of just compensation in a condemnation action must be paid to the persons who were the owners of interests in the property at the time of taking. *United States v. Dow*, 357 U.S. 17; *United States v. Honolulu Plantation Co.*, 9 Cir., 182 F.2d 172, Cert. den.; *Dunbarth v. United States*, 308 U.S. 271.

No Lien for attorney's fee can be created upon a claim against the United States, and insofar as a contingent fee contract attempts to do so, the contract is void as contravening the Anti-Assignment statute, 31 USCA 203. *Calhoun v. Massie*, 253 U.S. 179; *Kearney v. U.S.*, 285 F.2d 797.

IT IS THEREFORE ORDERED that the motion to recover attorney's fees is hereby overruled.

DATED this 18th day of December, 1954.

15/ Allen E. Cannon
UNITED STATES DISTRICT JUDGE

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

UNITED STATES OF AMERICA,)
)
) plaintiff,)
)
 vs.)
)
 JOHN F. LONDON and wife,)
 PATRICIA A. LONDON, d/b/a)
 SKIATOOK HOME & AUTO COMPANY,)
)
 Defendants.)

No. 5756 Civil

FILED

DEC 18 1964

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

ORDER OVERRULING MOTION FOR NEW TRIAL

The Motion for New Trial filed herein by the above named defendants has been considered but is deemed to be wholly without merit and should be overruled.

It is, therefore, ordered that the Motion for New Trial of the defendants herein be and the same is hereby overruled and denied.

Date: this 18 day of December, 1964.

(s) Fred Daugherty
Fred Daugherty
United States District Judge

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

DANNIE CALLOWAY,

Plaintiff,

vs.

ANTHONY J. CELEBREZZE, SECRETARY,
DEPARTMENT OF HEALTH, EDUCATION
AND WELFARE,

Defendant.

CIVIL NO. 5845

ORDER SUSTAINING MOTION FOR SUMMARY JUDGMENT

The Court has carefully considered the Motion of the defendant for summary judgment, the briefs filed thereon, and the transcript of the proceedings relating to plaintiff's application for disability benefits, and finds:

1. The findings of the Secretary of Health, Education and Welfare as to facts in a social security case, if supported by substantial evidence, are conclusive.
2. The transcript discloses that the plaintiff had a full and fair hearing, and the finding that he was not disabled to the extent required under the Social Security act is supported by substantial evidence.
3. The medical evidence indicates that plaintiff's impairment could be remedied or alleviated by medical treatment or an operation. 20 CFR 404.1502(g) provides an applicant will not be deemed under a disability if it can be diminished with reasonable effort and safety.

IT IS THEREFORE ORDERED that the Motion of the defendant for a summary judgment is sustained and judgment is entered for the defendant.

DATED this 18 day of December, 1964.

18/ Allen E. Barron
UNITED STATES DISTRICT JUDGE

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

HELEN HADDOCK,)	
)	
)	
Plaintiff,)	
)	
vs.)	oc. 1965 Civil
)	
FAIRWAY STORES, INC., A Corp.,)	
of Sapulpa, Oklahoma, and EDWARD)	
W. TATUM, Manager of said)	
corporation,)	
)	
Defendants.)	

ORDER REMANDING

APPROVED AND FORWARDED:
[Signature]

Upon consideration of the motion to Remand filed herein by the plaintiff and the motion to Dismiss filed herein by the defendant, Edward W. Tatum, and the briefs submitted in support of and opposition to each respective motion, the Court finds that said motion to Remand should be granted and said motion to Dismiss should be denied.

The central question in the determination of each motion is the inquiry as to whether or not the plaintiff has by the terms of her initial pleading and all the reasonable inferences drawn therefrom stated a cause of action against the defendant, Edward W. Tatum.

The stated policy of the Federal Judiciary is to restrict removal jurisdiction and resolve doubts against removal.

The plaintiff by her allegations asserts an act of negligence or misfeasance on the part of the defendant, Tatum, as opposed to an act of nonfeasance, though there are also present allegations of nonfeasance.

It is alleged specifically and by necessary inference therefrom that the defendant, Tatum, constructed, laid out, arranged and placed and lighted certain display counters so as to create a hazard to plaintiff, as a business invitee, when considered with other circumstances. This is as opposed to any

alleged acts of nonfeasance to allow a foreign substance to remain on the floor or in the aisle of the store in question. Though the defendant, Tatum, may deny any such active negligence in denying doing the act or acts complained of, the Court will not in considering remanding look to the merits of this particular controversy, but only to the allegations as pleaded by plaintiff.

There is nothing before this Court to indicate the allegations against the defendant, Tatum, were not made in good faith and plaintiff's allegations are therefore, for the purpose of this motion, taken as true. Such being the case and it appearing the plaintiff has alleged ultimate facts indicating a breach of duty by the defendant, Tatum, toward the plaintiff, it cannot be stated the plaintiff has failed to state a claim against this defendant upon which relief may not be granted. Thus, the joinder of Tatum, the resident defendant, is not as a matter of law fraudulent.

It is, therefore, ordered that the defendant's Motion to Dismiss be denied and the plaintiff's Motion to Remand be granted, and this action be remanded to the District Court of Creek County, Oklahoma.

Dated this 18 day of December, 1964.

(s) Fred Daugherty
Fred Daugherty
United States District Judge

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

VIRGINIA V. JOHNSON,

Plaintiff,

vs.

MINNIE LOIS ROCK,

Defendant.

Civil
No. 6104 ✓

FILED

DEC 18 1964

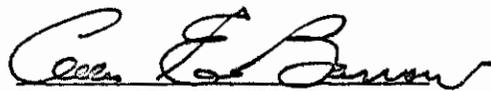
ORDER OF DISMISSAL

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

On this seventeenth day of December, 1964, this cause came on before the court upon the motion of plaintiff to dismiss without prejudice, both parties appearing by counsel, and the Court, being fully advised in the premises and on consideration thereof, finds that plaintiff should be permitted to dismiss without prejudice to future action upon payment to the defendant of the sum of One Hundred Dollars (\$100.00) as reasonable costs incurred by the defendant herein.

IT IS THEREFORE CONSIDERED, ORDERED, AND ADJUDGED that the above-entitled cause be, and the same is, hereby dismissed without prejudice to any future action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that plaintiff pay to the defendant the sum of One Hundred Dollars (\$100.00) as reasonable costs incurred by the defendant herein, and plaintiff has paid said sum to the defendant in open court this date.


U. S. DISTRICT JUDGE

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

United States of America,

Plaintiff,

vs.

Civil No. 5981

Clemence A. Harper, and
Marcell Harper,

Defendants.

FILED

DEC 11 1964

ORDER OF DISMISSAL

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

This cause coming on to be heard on the oral Motion of Plaintiff
for a voluntary dismissal of the action and it appearing that the defendant,
Marcell Harper has not pleaded any counterclaims against plaintiff, and that
said defendant will not be prejudiced or inconvenienced by such dismissal;

IT IS ORDERED that this action be and it is hereby dismissed.

UNITED STATES DISTRICT COURT

APPROVED:

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

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

FILED

DEC 21 1964

C. R. BAILEY,

Plaintiff,

vs.

UNITED STATES OF AMERICA,
et al.,

Defendants.

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

No. 5807 Civil

O R D E R

Upon consideration of the Motions to Dismiss and Motion for Summary Judgment filed heretofore by various defendants herein and the briefs submitted in support thereof and opposition thereto, and further, upon consideration of the application of the plaintiff herein for the addition of party defendants and the dismissal of certain other defendants, the Court rules as follows:

(1) The plaintiff's application to join as party defendants the members of the Civil Service Commission not heretofore joined is granted and it is ordered that Winifred V. Gill, L. S. Andolsek, and Robert E. Hampton be joined as additional party defendants.

(2) (X) The Motion to Dismiss of the United States of America and W. R. Hampton be granted inasmuch as they are not necessary nor proper parties herein.

(3) The Motion to Dismiss of John W. Macy be overruled in view of the fact that the other members of the Civil Service Commission are now joined as additional party defendants.

(4) The Motion to Dismiss of Louis Lyon and John S. Ball be sustained in that these defendants are not indispensable nor proper parties herein inasmuch that if the Court should find for the plaintiff the relief sought could not be granted as against these defendants, that is to say the reinstatement sought, the back wages, and restoration of other related rights.

(5) The Motion for Summary Judgment of the United States of America and John Macy be denied inasmuch as the establishment of

the laches so as to prevent plaintiff's recovery herein may involve questions of fact and under such circumstances summary judgment would be improper.

(6) The defendant, John Macy, is granted thirty (30) days from this date to answer. The now joined additional parties defendants will have the statutory time to plead or answer counted from the date of service of summons upon them.

It is so ordered, this 21 day of December, 1964.

(s) Fred Daugherty
Fred Daugherty
United States District Judge

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

United States of America,

Plaintiff,

vs.

J. B. Capers,

Defendant.

Civil No. 250

FILED

DEC 1 1961

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

JUDGMENT

On this 21 day of October 1961, the above-entitled action coming on for hearing, the plaintiff appearing by Sam W. Taylor, Assistant U. S. Attorney for the Northern District of Oklahoma, and the defendant appearing not, the Court finds that defendant was duly served with summons hereto more than 20 days prior to the date, and having failed to appear or answer herein, should be and is adjudged in default.

The Court further finds that all the allegations of plaintiff's Complaint are true; that on October 13, 1955, the defendant executed and delivered to the Western & Southern Life Insurance Company, Cincinnati, Ohio, their note in the sum of \$8,950.00, with interest thereon at the rate of 4% per annum; that default upon said note was made by the defendant on December 1, 1959, and pursuant to the terms of the Veterans Readjustment Act of 1944, under which the note was originally executed, the plaintiff on June 12, 1961, paid to the said Western & Southern Life Insurance Company the sum of \$595.15; by virtue thereof the defendant, J. B. Capers, became indebted to the plaintiff for the sum of \$639.06, with interest on the sum of \$595.15, from April 16, 1963, until paid, at the rate of 4% per annum until paid.

The Court further finds that plaintiff has filed an affidavit herein stating that the defendant is not in the military service of the United States and is not an incompetent nor an infant.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff have judgment against the defendant, J. B. Capers, for the sum of \$639.06, with interest on the sum of \$595.15, from April 16, 1963, until paid, at

the rate of 4% per annum until paid, together with the costs of this
action, assessed and recording.

Dated this 9th day of June, 1964.

UNITED STATES DISTRICT JUDGE

APPROVED:

SAM L. TAYLOR
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Fairview Apartments Company,

Defendant.

CIVIL ACTION NO. 1964-107

FILED

DEC 11 1964

JOURNAL ENTRY OF JUDGMENT

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

HON on this 21 day of November, 1964, the above entitled matter coming on for hearing, the plaintiff, United States of America, appearing by Paul H. Taylor, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant, Fairview Apartments Company, appearing no; and

It appearing that this is a suit for money judgment based upon a mortgage note and for foreclosure of real estate and chattel mortgages securing said note, and that real and personal property securing said mortgages is located in Osage County, Oklahoma, within the Northern Judicial District of Oklahoma; and

It further appearing that due and legal personal service of summons has been made on the defendant, Fairview Apartments Company, on the 27th day of April, 1964, requiring said defendant to answer the complaint filed herein not more than twenty (20) days after date of service of summons, and it appearing that said defendant has failed to file an answer hereto, and having wholly made default, said defendant is hereby adjudged to be in default.

It further appearing, and the court does find, that all of the material allegations contained in plaintiff's complaint herein are true and correct and that there is due and owing to the plaintiff from the defendant the following amounts:

1. The sum of \$134,252.42 as the unpaid principal, with interest thereon at the rate of 4% per annum, running from 1/1/64 until paid;
2. The sum of \$4,290.19, as accrued interest thereon to April 30, 1964;
3. The costs of this action, damages and expenses, therefor, in the sum of \$ 62.00 as detailed here.

The court further finds that the plaintiff has a first and prior lien upon the following described real and personal property by virtue of the real estate and chattel mortgages given as security for the payment of the above stated indebtedness, interest and costs, to-wit:

Lot One (1), Block One (1), West Osage Hills, an addition to the City of Tulsa, Osage County, State of Oklahoma, according to the recorded plat thereof,

Thirty-two (32) General Electric O.P.I. Ranges, Serial Number: 2349393, 2349348, 2349351, 2349347, 2348448, 2348318, 2348304, 2348356, 2348390, 2348342, 2348408, 2348418, 2434216, 2434213, 2434307, 2434313, 2349354, 2349385, 2349359, 2349366, 2348429, 2348456, 2348308, 2348414, 2348384, 2348393, 2348383, 2348398, 2434304, 2434265, 2434174, 2434302,

Thirty-two (32) General Electric No. 6 Refrigerators, Serial Number: 81082574, 81082020, 81082010, 81077624, 82074393, 82071613, 82070611, 81080278, 82080937, 81079884, 81079910, 81080029, 82075712, 81082534, 83066930, 84040979, 064498, 066971, 065462, 065090, 82061158, 8207566, 82075703, 82084693, 82082543, 82833936, 32082333, 82083312, 81081948, 81082030, 84041220, 84042709,

Three (3) Bendix Automatic Dryers, Serial Number: 153 F 836, 165 F 642 and 165 F 867,

Three (3) Bendix Automatic Washers, Serial Number: 5360 S 175, 5358 S 261 and 5344 S 465,

Also all easily removable real estate items, namely all plumbing equipment of every kind and nature, hot water heaters and water heating equipment, wall heaters of every kind and nature, chimes or doorbells, ventilating fans, electrical fixtures, floor furnaces, garbage disposal cans, laundry trays, screens, venetian blinds, and all other operating equipment of every kind and nature used in the operation of said housing project.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, United States of America, have and recover from the defendant, Fairview Apartments Company, judgment in the following amounts:

1. The sum of \$184,252.42 as the unpaid principal, with interest thereon at the rate of 4% per annum from May 1, 1964 until paid;
2. The sum of \$4,299.19, as accrued interest thereon to April 30, 1964;
3. The costs of this action, accrued and accruing, including the sum of \$ 62.00 as abstract fee.

It further appearing that the real estate mortgage herein contains the words:

". . . the Mortgagor hereby waives all benefits of stay, valuation, or appraisement and exemption laws of the State of Oklahoma; . . ."

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the real estate and chattel mortgages herein be and they are foreclosed, and that in case the defendant, Fairview Apartments Company, fails for six (6) months from the date hereof to pay and satisfy the aforesaid debt to the plaintiff, an Order of Sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to levy upon and sell, according to law, without appraisal, the real and personal property heretofore described and to apply the proceeds thereof as follows:

1. In payment of the costs of this action and sale;
2. In payment of any unpaid taxes due;
3. The sum of \$184,252.42 unpaid principal, with interest thereon at the rate of 4% per annum from May 1, 1964 until paid;
4. The sum of \$4,299.19 accrued interest thereon to April 30, 1964;
5. The sum of \$ 62.50 abstract fee;
6. The residue, if any, to the Clerk of this Court to await further order of the court.

If the amount derived from said sale is insufficient to satisfy the judgment, interest and costs, execution shall issue against Fairview Apartments Company.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this court that from and after the sale of the above described real and personal property under and by virtue of this judgment and decree, the defendant, Fairview Apartments Company, and all persons claiming by, through and under it, since the filing of the complaint herein, be and they are hereby forever barred and foreclosed of and from any and every lien upon, right, title, interest, equity or estate, in or to the above described real and personal property.

DATED this 27th day of December, 1964.

UNITED STATES DISTRICT JUDGE

APPROVED:

Sam E. Taylor
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Fairway Apartments, Inc.,

Defendant.

CIVIL ACTION NO. 5949

FILED

DEC 22 1964

JOURNAL ENTRY OF JUDGMENT

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

NOW on this 21 day of December, 1964, the above entitled matter coming on for hearing, the plaintiff, United States of America, appearing by Sam E. Taylor, Assistant United States Attorney for the Northern District of Oklahoma, and the defendant, Fairway Apartments, Inc., appears not; and

It appearing that this is a suit for money judgment based upon a mortgage note and for foreclosure of real estate and chattel mortgages securing said note, and that real and personal property described in said mortgages is located in Osage County, Oklahoma, within the Northern Judicial District of Oklahoma; and

It further appearing that due and legal personal service of summons has been made on the defendant, Fairway Apartments, Inc., on the 27th day of April, 1964, requiring said defendant to answer the complaint filed herein not more than twenty (20) days after date of service of summons, and it appearing that said defendant has failed to file an answer herein, but have wholly made default, said defendant is hereby adjudged to be in default.

It further appearing, and the court does find, that all of the material allegations contained in plaintiff's complaint herein are true and correct and that there is due and owing to the plaintiff from the defendant the following amounts:

1. The sum of \$302,161.94, unpaid principal, with interest thereon at the rate of 4% per annum from May 1, 1964 until paid;
2. The sum of \$7,050.47 accrued interest thereon to April 30, 1964;
3. The costs of this action, accrued and accruing, including the sum of \$45.48 for payment of taxes, with interest on said \$45.48 from May 1, 1964 until paid at the rate of 4% per annum, plus the sum of \$0.64 as accrued interest thereon to April 30, 1964.

The court further finds that the plaintiff has a first and prior lien upon the following described real and personal property by virtue of the real estate and chattel mortgages given as security for the payment of the above stated indebtedness, interest and costs, to-wit:

Lots One (1) and Two (2), Block Four (4), Osage Hills, an addition to the City of Tulsa, Osage County, State of Oklahoma, according to the recorded plat thereof, as recorded in Book Two (2) of Plats on Pages 27 and 28 in the office of the County Clerk, Osage County, Oklahoma,

Fifty-two (52) General Electric Refrigerators, Serial Numbers: 8-FO46716, 8-FO48141, 8-FO23003, 8-FO25580, 8-FO46990, 8-FO26080, 8-FO46993, 8-FO48145, 8-FO46971, 8-FO48131, 8-H005791, 8-J028202, 8-H003924, 8-J027757, 8-J025933, 8-H005672, 8-FO22509, 8-H003818, 8-FO28833, 8-H005729, 8-FO29249, 8-H005787, 8-FO28530, 8-H004135, 8-FO29329, 8-J028078, 8-J027781, 8-K062411, 8-J027840, 8-K062208, 8-J027739, 8-K062471, 8-J025940, 8-K062322, 8-J028307, 8-K062279, 8-J020311, 8-K062431, 8-J016444, 8-J027826, 8-J027707, 8-K062514, 8-J028204, 8-L012750, 8-J027742, 8-L012694, 8-L025577, 8-L006213, 8-L012526, 8-L009973, 8-J026002, 8-L006262,

Fifty-two (52) Wilbilt Gas Ranges, Serial Numbers: 48-61752, 48-61761, 48-61748, 48-61754, 48-61749, 48-61756, 48-61735, 48-61759, 48-61743, 48-61750, 48-61757, 48-61746, 48-61762, 48-61739, 48-61725, 48-61736, 48-61740, 48-61298, 48-61742, 48-61729, 48-61706, 48-61738, 48-61728, 48-61733, 48-61293, 48-61741, 48-79360, 48-79354, 48-77764, 48-79353, 48-61705, 48-61727, 48-79036, 48-77763, 48-77765, 48-79361, 48-77756, 48-79048, 48-77757, 48-77759, 48-79356, 48-75899, 48-79358, 48-79359, 48-77761, 48-77762, 48-79355, 48-77760, 48-79352, 48-79049, 48-79374, 48-61732,

Four (4) Bendix Washers, Serial Numbers: 53058653, 5163-S-735, 5206-S-868, 5163-S-752,

Four Bendix Dryers, Serial Numbers: 113-F-543, 112-F-692, 114-F-917, 119-F-616,

Also all easily removable real estate items, namely all plumbing equipment of every kind and nature, hot water heaters and water heating equipment, wall heaters of every kind and nature, chimes or doorbells, ventilating fans, electrical fixtures, floor furnaces, garbage disposal cans, laundry trays, screens, venetian blinds, and all other operating equipment of every kind and nature used in the operation of said housing project.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the plaintiff, United States of America, have and recover from the defendant, Fairway Apartments, Inc., judgment in the following amounts:

1. The sum of \$302,161.94, unpaid principal, with interest thereon at the rate of 4% per annum from May 1, 1964 until paid;
2. The sum of \$7,050.47 accrued interest thereon to April 30, 1964;
3. The costs of this action, accrued and accruing, including the sum of \$45.48 for payment of taxes, with interest on said \$45.48 from May 1, 1964 until paid at the rate of 4% per annum, plus the sum of \$0.64 as accrued interest thereon to April 30, 1964.

It further appearing that the real estate mortgage herein contains the words:

". . . the Mortgagor hereby waives all benefits of stay, valuation, or appraisal and exemption laws of the State of Oklahoma; . . ."

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the real estate and chattel mortgages herein be and they are foreclosed, and that in case the defendant, Fairway Apartments, Inc., fails for six (6) months from the date hereof to pay and satisfy the aforesaid debt to the plaintiff, an Order of Sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to levy upon and sell, according to law, without appraisal, the real and personal property heretofore described and to apply the proceeds thereof as follows:

1. In payment of the costs of this action and sale;
2. In payment of any unpaid taxes due;
3. The sum of \$302,161.94, unpaid principal, with interest thereon at the rate of 4% per annum from May 1, 1964 until paid;
4. The sum of \$7,050.47 accrued interest thereon to April 30, 1964;
5. The sum of \$45.48 for payment of taxes with interest thereon at the rate of 4% per annum from May 1, 1964, plus the sum of \$0.64 as accrued interest to April 30, 1964;
6. The residue, if any, to the Clerk of this Court to await further order of the court.

If the amount derived from said sale is insufficient to satisfy the judgment, interest and costs, execution shall issue against Fairway Apartments, Inc.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this court that from and after the sale of the above described real and personal property under and by virtue of this judgment and decree, the defendant, Fairway Apartments, Inc., and all persons claiming by, through and under it, since the filing of the complaint herein, be and they are hereby forever barred and foreclosed of and from any and every lien upon, right, title, interest, equity or estate, in or to the above described real and personal property.

DATED this 21st day of June, 1964.

UNITED STATES DISTRICT JUDGE

APPROVED:

Sam E. Taylor
Assistant United States Attorney

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

United States of America,

Plaintiff,

vs.

Bobby Dean Hildebrand and
Lucille Hildebrand,

Defendants.

Civil No. 6057

FILED

DEC 21 1964

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

DEFAULT JUDGMENT

THIS MATTER comes on for hearing on application of the plaintiff for a default judgment foreclosing plaintiff's mortgage herein; and

The Court being fully advised finds that the material allegations of plaintiff's complaint are true; that the defendants herein did on November 21, 1955, execute and deliver to Norman P. Mason, as Federal Housing Commissioner, his successors and assigns, a mortgage upon the following described premises located within the Northern Judicial District of Oklahoma, to-wit:

Lot 9 in Block 6 in the NANCY LEE ADDITION
to the City of Miami, Ottawa County, Oklahoma,
according to the Amended Plat thereof;

that said mortgage was given as security for the payment of a mortgage note executed and delivered on the same date; that judgment has heretofore been rendered against the defendants and in favor of the plaintiff's for the sum of \$5,106.49, with interest thereon at the rate of 4 1/2% per annum from July 14, 1961, until paid, together with the sum of \$300.99, as accrued interest thereon; that the defendants have failed and refused to pay and satisfy said judgment; that plaintiff has a first and prior lien upon the aforesaid premises.

The Court further finds that the defendants herein were duly and properly served with summons herein more than 20 days prior hereto and that their default for failure to plead or answer herein has heretofore been entered pursuant to Rule 55, Federal Rules of Civil Procedure.

THEREFORE, It Is Hereby ORDERED, ADJUDGED and DECREED that plaintiff's real estate mortgage herein be ~~and same~~ is hereby foreclosed, and upon the defendants' failure to pay and satisfy the aforesaid debt to plaintiff an Order of Sale issue herein to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, according to law, without appraisal, the aforesaid real property and apply the proceeds thereof as follows:

- (1) In payment of the costs of this action and sale.
- (2) In payment of any unpaid real property taxes.
- (3) In payment of plaintiff's judgment of \$9,106.49 with interest thereon at the rate of 4 $\frac{1}{2}$ % per annum from July 14, 1961, until paid, plus the sum of \$300.59 as accrued interest thereon.
- (4) The residue, if any, to the Clerk of this Court to await further order.

It is further ORDERED, ADJUDGED and DECREED by this Court that from and after the sale of the above-described property under and by virtue of this judgment and decree, the defendants, Bobby Dean Hildebrand and Lucille Hildebrand, and all persons claiming by, through, or under them, be and they are hereby forever barred and foreclosed of and from any and every lien, upon, right, title, interest, equity or estate, in or to said real property.

Dated this 21st day of January 1964.

W. J. Taylor
UNITED STATES DISTRICT JUDGE

APPROVED:

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

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

THE UNITED STATES OF AMERICA)
for the use and benefit of ATLAS)
CHEMICAL INDUSTRIES, INC., a)
corporation,)
)
Plaintiff,)
)
vs.)
)
WOODS CONSTRUCTION COMPANY,)
INC., a corporation, et al.,)
)
Defendants.)

No. 5340-Civil

FILED

DEC 22 1964

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

DECREE VACATING ORDER ALLOWING
ATTORNEYS' FEE

NOW ON THIS 22nd DAY OF December, 1964, the above matter coming on for disposition in accordance with the opinion and mandate of the United States Court of Appeals, Tenth Circuit No. 7735, wherein it was held that the application of plaintiff for the allowance of attorneys' fees was not timely filed and is not allowable in this cause;

NOW, THEREFORE, pursuant to said mandate it is determined that the order heretofore entered in this cause on the 13th day of January, 1964 allowing plaintiff attorneys' fee in the sum of \$2,500.00, to be taxed as costs, should be vacated and set aside;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the said order of January 13, 1964 allowing attorneys' fee to plaintiff in the sum of \$2,500.00 as costs be and the same is hereby vacated, set aside and held for naught, and the Clerk of this Court shall show said order and judgment canceled, set aside and discharged.

Allen E. Barrow
ALLEN E. BARROW, U. S. DISTRICT
JUDGE FOR THE NORTHERN DISTRICT
OF OKLAHOMA

APPROVED AS TO FORM:

Harry D. Moreland
Harry D. Moreland
Attorney for Plaintiff

R. L. Davidson, Jr.
R. L. Davidson, Jr.
Attorney for defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
) Plaintiff,)
 vs.)
)
 4.76 Acres of Land, More or Less,)
 Situate in Osage County, Oklahoma,)
 and Fannie Mae Donelson, et al,)
 and Unknown Owners,)
)
) Defendants.)

Civil No. 5881

Tract No. 3619E

FILED

DEC 22 1964

J U D G M E N T

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

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

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

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

4. The Court finds the amount of \$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 \$50.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that defendants, Louis F. Red Eagle, Edward Beartrack, Myron Red Eagle, and Fannie Mae Donelson, 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 \$50.00, inclusive of interest;

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

Fannie Mae Donelson \$12.50

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

Louis F. Red Eagle	\$12.50
Edward Beartrack	12.50
Myron Red Eagle	12.50

		\$37.50

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.)
4.76 Acres of Land, More or Less,)
Situat e in Osage County, Oklahoma,)
and Fannie Mae Donelson, et al, and)
Unknown Owners,)
Defendants.)

Civil No. 5881

Tract Nos. 3778E-1 & E-2

FILED

DEC 22 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 \$50.00, 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 \$50.00 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 Claude Clayton Mosier, Jr., Frances Ann Mosier, Helen Mosier Burke and J. J. Burke, Mary Mosier Bryant and Felix C. Bryant, Jr., and Claudia Mosier Epstein and Elliott Epstein

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

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$50.00, 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:

Claude Clayton Mosier, Jr.	\$10.00
Frances Ann Mosier	10.00
Helen Mosier Burke & J. J. Burke	10.00
Mary Mosier Bryant & Felix C. Bryant, Jr. .	10.00
Claudia Mosier Epstein & Elliott Epstein .	10.00
	<hr/>
	\$50.00

Entered 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.)
)
 31.04 Acres of Land, More or Less,)
 Situate in Pawnee, Osage, & Creek)
 Counties, Oklahoma, & E. C. Tatum,)
 et al., and Unknown Owners,)
)
) Defendants.)

Civil No. 5889

Tract No. 3118E-3

FILED

DEC 22 1964

J U D G M E N T

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

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

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

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

4. The Court finds the amount of \$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 \$50.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that prior to the institution of the above proceeding the United States of America and Kenneth Holloway and Virgil D. Hagood 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, 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 defendant, J. W. Severns, has failed to appear or answer nor have his attorneys appeared or answered in his behalf, and that said party defendant is in default at this time.

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

(e) 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 \$50.00, inclusive of interest, which amount has previously been disbursed to Kenneth Holloway, Virgil D. Hagood, and Cleveland National Bank.

Entered: 11/13/64

/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,)
Situat e in Pawnee and Creek Counties,)
Oklahoma, and Claud Brown, et al,)
and Unknown Owners,)
Defendants.)

Civil No. 5894

Tract Nos. 4701 &
E-1 thru E-3

FILED

DEC 22 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 \$225.00, 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 \$225.00 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 Delbert W. Armstrong, Wigwam Oil & Gas Company, R. A. Sellers, Maude D. Sellers, Davis Coin Sellers, Jr., Miriam Amanda Lapham, Janice Margaret Sellers Crouch, James Austin Sellers,

Jack Barton Sellers, and William Charles Sellers 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 \$225.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tracts; that the contract and agreement is a valid one.

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$225.00, inclusive of interest, of which amount the following sums have heretofore been disbursed:

Delbert W. & Eula L. Armstrong	
and Citizens Bank of Drumright	\$112.50
Wigwam Oil and Gas Company	56.25
R. A. Sellers	28.12
Maude D. Sellers	12.05
Dorothy & Davis Coin Sellers, Jr.	2.68
William Charles Sellers	2.68
Miriam Amanda & Lowell Lapham	2.68
Jaxice Margaret & John E. Crouch	2.68
James Austin & Rosanna M. Sellers	2.68
Jack Barton Sellers	2.68
	<u>\$225.00</u>

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.)
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.)

Civil No. 5465

FILED

Tract No. 4536E

DEC 25 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 tracts, as to 15/16 interest not owned by the Robert L. Briggs Estate.

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 15/16 interest not owned by the Robert L. Briggs Estate, in the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$178.00 for the 15/16 interest, 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 \$164.00 for the 15/16 interest 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 C. W. Briggs, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$25.00, inclusive of interest, as to his interest only.

6. The Court finds that defendants Richard L. Pierce, J. L. Mills, Willis T. Stewart, J. A. Talbot, David A. Beach, Bernie M. and Elizabeth Davenport, William Wayne and Phyllis Dean Weese and C. W. Mandler, Emma L. Beard, Walter C. and Mattie Moore and Melva McLees 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 \$178.00, inclusive of interest, for the 15/16 interest not owned by the Robert L. Briggs Estate, of which amount the sum of \$11.00 has been previously disbursed to C. W. Briggs;

(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 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:

C. W. Briggs	\$14.00
Richard L. Pierce.	2.75
J. L. Mills	8.25
Willis T. Stewart	22.00
J. A. Talbot	8.80
David A. Beach	8.80
Bernie M. and Elizabeth Davenport.	2.20
William Wayne and Phyllis Dean Weese	2.20
C. W. Mandler, Emma L. Beard, Walter C. and Mattie Moore, and Melva McLees	<u>98.00</u>
	\$ 167.00

Entered

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/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,) Civil No. 5889
vs.)
) Tract No. 4306
31.04 Acres of Land, More or Less,)
Situat e in Pawnee, Osage & Creek)
Counties, Oklahoma, and E. C. Tatum,)
et al., and Unknown Owners,)
)
Defendants.)

FILED

DEC 23 1964

J U D G M E N T

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

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

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

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

4. The Court finds the amount of \$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 R. A. & Frances Sellers, Maude D. Sellers, William Charles Sellers, Dorothy & Davis Coin Sellers, Jr., Janice Margaret & John E. Couch, Miriam Amanda & Lowell W. Lapham, James Austin & Rosanna M. Sellers and Jack Barton Sellers entered into a contract, as

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 \$150.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tract is the sum of \$150.00, inclusive of interest, of which amount the following sums have been heretofore disbursed:

R. A. & Frances Sellers	\$ 75.00
Maude D. Sellers	32.10
William Charles Sellers	7.15
Dorothy & Davis Coin Sellers, Jr.	7.15
Janice Margaret & John E. Couch	7.15
Miriam Amanda & Lowell W. Lapham	7.15
James Austin & Rosanna M. Sellers	7.15
Jack Barton Sellers	7.15
	<u> </u>
	\$150.00

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.)
31.04 Acres of Land, More or Less,)
Situat in Pawnee, Osage, and Creek)
Counties, Oklahoma, and E. C. Tatum,)
et al., and Unknown Owners,)
Defendants.)

Civil No. 5889
Tract Nos. 2411E-3 & E-4

FILED

DEC 23 1964

J U D G M E N T

NOBLE C. HOOD
County Clerk

1. On this day this cause came on for hearing ~~on 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 \$50.00, 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 \$50.00 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 Blanche N. Peterman, Amyle A. & Wanda Peterman, Tommy N. & Vonnie Peterman, Elnora & Elmer L. Dawson, Wilma L. & Ancil T. Gray, Juanita & Merle Collins, Lela L. & J. D. Davis, Edwin & Frankie J. Peterman and Armina D. Peterman 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, would be awarded as just compensation for the taking of the estates to be condemned in the above tracts; that the contract and agreement is a valid one.

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$50.00, inclusive of interest;

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

Blanche N. Peterman, Amyle A.
& Wanda Peterman, Tommy N. &
Vonnice Peterman, Elnora &
Elmer L. Dawson, Wilma L. &
Ancil T. Gray, Juanita &
Merle Collins, Lela L. &
J. D. Davis, Edwin & Frankie
J. Peterman and Armina D.
Peterman \$50.00

Entered

APPROVED:

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
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. 9818-1M

FILED

DEC 23 1964

J U D G M E N T

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

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

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

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

4. The Court finds the amount of \$12,455.00, 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 \$12,455.00 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 Oscar S. Anderson, Lydia White Smith, Maude Christian, Big Four Petroleum Company, R. A. Sellers, Maude D. Sellers, Dorothy & Davis Coin Sellers, Janice Margaret & John E. Crouch, Miriam Amanda & Lowell W. Lapham, William Charles Sellers, Jack Barton Sellers, and James Austin & Rosanna M. Sellers 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 \$12,455.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tract is the sum of \$12,455.00, inclusive of interest, which sum has been heretofore disbursed to these defendants.

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.)
265.19 Acres of Land, More or Less,)
Situat e in Osage, Pawnee and Creek)
Counties, Oklahoma, and Theresa M.)
Lynn, et al., and Unknown Owners,)
Defendants.)

Civil No. 5697
Tract Nos. 4248E and
4254E-1 & E-2

FILED

DEC 23 1964

J U D G M E N T

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

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

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

3. The Court finds upon the evidence presented that the below-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 \$600.00, 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 \$250.00 was deposited into the Registry of this Court as estimated just compensation for said tracts upon the filing the Declaration of Taking herein.

5. The Court finds that plaintiff and Earl Doll & Lela Doll, 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 \$600.00, 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 \$600.00, inclusive of interest, of which amount the sum of \$250.00 has been previously disbursed;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$350.00, 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:

Earl Doll & Lela Doll \$350.00

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.)
)
) 265.19 Acres of Land, More or Less,)
) Situate in Osage, Pawnee and Creek)
) Counties, Oklahoma, and Theresa M.)
) Lynn, et al., and Unknown Owners,)
)
) Defendants.)

Civil No. 5897

Tract No. 3909

FILED

DEC 23 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.
2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.
3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.
4. The Court finds the amount of \$75.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$75.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.
5. The Court finds that defendants Maud Byford, J. F. Bryant and Virgil Galloway 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 \$75.00, inclusive of interest;

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

Maud Byford \$75.00

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,) Civil No. 5897
vs.)
Tract No. 3906
265.19 Acres of Land, More or Less,)
Situat in Osage, Pawnee and Creek)
Counties, Oklahoma, and Theresa M.)
Lynn, et al., and Unknown Owners,)
Defendants.)

FILED

DEC 23 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 \$100.00, 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 prior to the institution of the above proceeding the United States of America and D. L. & Lucy McClary entered into a contract, as evidenced by an option for the purchase of land granted by said defendants and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$100.00, inclusive of interest, 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 Richard D. Shelton, Caroline Shelton, Tom Cloney, Mack B. Green, Alice Jane Sheffield, and W. A. Callison 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 \$100.00, inclusive of interest;

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

D. L. and Lucy McClary \$100.00

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.
682.75 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and J. F. Quinlan, et al.,
and Unknown Owners,
Defendants.

Civil No. 5924
Tract No. 9725-4M

FILED

DEC 23 1964

J U D G M E N T

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

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above 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 Paul Cedar, Jr. R. H. Pierce and Ralph Waldo Otto 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 \$1,200.00, 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 \$1,200.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that defendants Paul Cedar, Jr., R. H. Pierce, Ralph Waldo Otto, Hiram S. Johnston, Guy Jones, and Simon LeBow 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 \$1,200.00, 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:

Paul Cedar, Jr.	\$600.00
R. H. Pierce	300.00
Ralph Waldo Otto	<u>300.00</u>
	\$1200.00

Entered

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE
Assistant U. S. Attorney

6. The Court finds that prior to the institution of the above proceeding the United States of America and Otis E. Garrett 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 \$2,150.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tracts; that the contract and agreement is a valid one.

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$2,150.00, inclusive of interest, of which amount \$1,397.50 has been previously disbursed to Otis E. Garrett;

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

Otis E. Garrett \$752.50

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.)
)
 343.20 Acres of Land, More or Less,)
 Situate in Tulsa, Creek and Pawnee)
 Counties, Oklahoma, and George)
 Campbell, et al., and Unknown Owners,)
)
 Defendants.)

Civil No. 5995

Tract No. 4613

FILED

DEC 23 1964

J U D G M E N T

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

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

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

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

4. The Court finds the amount of \$1,950.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$1,950.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that prior to the institution of the above proceeding the United States of America and B. B. Blair, Genaviee J. Hagerman, William J. Duff, Delos Dillworth Duff, Florence E. Duff and Alice S. Root Estate 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 \$1,630.50, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that defendants Eva Pugh, George E. Duff, Margaret Duff Ague, Delores Hoyt Barclay, Robert Root Smith, May Smith, Melvin Smith and Dorothy Duff Montgomery in Trust for Lillian G. Duff, for life then to S. Ellsworth Duff III and Dorothy Duff Montgomery, have failed to appear or answer, nor have their attorneys appeared or answered on 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 taking of the above tract is the sum of \$1,950.00, 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. Blair	\$975.00
Genaviee J. Hagerman	365.00
Eva Pugh	13.50
William J. Duff	35.50
George E. Duff	35.50
Delos Dillworth Duff	62.50
Margaret Duff Ague	76.00
Delores Hoyt Barclay	27.00
Florence E. Duff	162.00
Alice S. Root Estate	30.50
Robert Root Smith	30.50
May Smith	30.50
Melvin Smith	30.50
Dorothy Duff Montgomery in Trust for Lillian G. Duff, for life then to S. Ellsworth Duff III and Dorothy Duff Montgomery	76.00
	<u>76.00</u>
	\$1,950.00

Entered

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/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.)
)
 343.20 Acres of Land, More or Less,)
 Situate in Tulsa, Creek and Pawnee)
 Counties, Oklahoma, and George)
 Campbell, et al., and Unknown Owners,)+
)
) Defendants.)

Civil No. 5995
Tract No. I-957E-5

FILED

DEC 20 1964

J U D G M E N T

NOBLE C. HOOD
Clerk

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 \$25.00, 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 defendants Melvin and Preppa Smith 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 \$25.00, inclusive of interest;

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

Melvin and Preppa Smith \$25.00

Entered

/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

ARLIS BURL BLAIR,)
)
petitioner,)
)
vs.)
)
UNITED STATES OF AMERICA,)
)
Respondent.)

No. 6105

FILED

DEC 28 1964

ORDER

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

Upon consideration of the motion filed herein by the above petitioner pursuant to 28 U. S. C. 2255, the papers submitted in support thereof, and the files and records in the case of United States of America vs. Arlis Burl Blair, Criminal, No. 13,800, in the United States District Court for the Northern District of Oklahoma, the Court finds that said motion should be denied and should be denied without an evidentiary hearing.

From a review of the said motion it appears that the petitioner complains as follows:

- (1) His plea of guilty in the courts of the State of Kansas entered subsequent to the above mentioned criminal case in this Court was coerced from him by the Kansas authorities.
- (2) He was denied the right to counsel.
- (3) He could not intelligently waive the right to counsel.
- (4) He was denied due process.
- (5) He was denied the equal protection of the laws.

It appears that in the above mentioned criminal case in this Court the petitioner as the defendant therein appeared before this Court, the charge was fully explained to him, his right to counsel was fully explained to him, he was offered the appointment of counsel, he waived his right to counsel in open court on four occasions, he entered a plea of guilty to the charge in said case, and informed

the Court that he entered said plea of guilty of his own free and voluntary will and was not induced to do so by any threats, promises or force made or used against him by anyone. It then appears that the petitioner herein under said plea of guilty was sentenced to two years imprisonment, was then confined in a federal institution and has served the sentence assessed against him by this Court on his plea of guilty. Thereafter, it appears that the petitioner was charged with a felony in the state courts of Kansas to which he entered a plea of guilty and was sentenced under the habitual criminal Act of Kansas, apparently his prior conviction therein being the aforesaid criminal case in this Court.

A review and study of the transcript of the proceedings in the above mentioned criminal case in this Court, and in particular those proceedings had in open court at the time the petitioner entered his plea of guilty and was sentenced, shows conclusively that the movant is not entitled to the relief which he now seeks in this Court.

In the first place, it appears that all reference in his motion to a plea of guilty having been entered through coercion pertains to his plea of guilty entered by petitioner in his case in the state courts of Kansas and not to his plea of guilty before this Court. In the state of such assertions herein this Court is without jurisdiction to consider such complaint, and the same should be directed to the state courts of Kansas.

Next, in connection with the petitioner's assertion that he was denied the right to counsel, such assertion is conclusively overcome by the transcript of the above mentioned criminal case in this Court and the files and records therein, inasmuch as the same reveals that the Court on four separate occasions and in an appropriate and concise manner offered petitioner the appointment of counsel. All offers were refused by the petitioner. No facts are stated in the motion to dispute this record. Thus, according to the files and records herein the petitioner is conclusively not entitled to any relief on this complaint.

with reference to the complaint that the petitioner could not intelligently waive the right to counsel, it appears from the motion that the petitioner takes the position that counsel must be appointed and that his right to counsel is one that he cannot in any manner waive. This, of course, is clearly not the law, and on this basis the complaint is without merit and deserves no further consideration. In event it could be said that petitioner now claims that he did not in fact intelligently waive his right to counsel at the time of his arraignment then again the transcript and the files and records in the above mentioned criminal case conclusively show that on four occasions his right to representation by counsel was fully explained, and on such occasions the petitioner in open court definitely and clearly stated that he did not wish to be represented by counsel and waived his right to be so represented. This occurred in open court before this Court. The appearance and manner of the petitioner was observed in open court by this Court, his ability to understand statements and questions and his responses thereto were observed in open court.

It would be a futile not to mention an expensive procedure to cause the petitioner to be brought again before this Court for an evidentiary hearing to attempt to overcome or explain away his clear and definite waiver of his right to counsel as shown by the files and records in the case. In addition, he states no facts in his motion in support of a conclusion that he did not intelligently waive counsel. It thus appears that the files and records conclusively show that he intelligently waived his right to counsel and his motion herein raises no factual issues to dispute this conclusion. The files and records in this case not only contradict the petitioner's allegations that he did not intelligently waive the right to counsel but also show without question that the petitioner did in fact intelligently waive his right to counsel. See Putnam, Appellant, vs. United States of America, Appellee, (C. A. 10), Number 7819, September Term, 1964.

With reference to the petitioner's allegation that he was denied due process and the equal protection of the laws, his motion lays no basis for such allegations except as heretofore treated by the Court and thus these general allegations have no merit and warrant no consideration by this Court other than such as has heretofore been given.

Therefore, pursuant to 28 U. S. C. 2255 (paragraph 3), the Court finds that the records and files in this court conclusively show that the movant is entitled to no relief herein as prayed for and the motion is denied and denied without a hearing and the cause herein dismissed.

Dated this 28 day of December, 1964.

(s) Fred Daugherty
Fred Daugherty
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

CIVIL ACTION NO. 9756

John F. London and wife,
Patricia A. London, d/b/a
Skiatook Home & Auto Company,

Defendants.

FILED

DEC 29 1964

ROBERT C. HOOD
Clerk of Court

J U D G M E N T

Pursuant to the findings of fact and conclusions of law made by the court on the 3rd day of December, 1964, wherein the court after hearing the evidence found that the material allegations of plaintiff's complaint were true;

That the defendants herein did execute and deliver to the Exchange National Bank of Skiatook, Oklahoma, their promissory note for the sum of \$13,500.00 as alleged; that said note was assigned to the plaintiff by the Exchange National Bank of Skiatook, Oklahoma; that default was made on said note by the defendants and that there is now due and owing to the plaintiff the sum of \$3,843.58, with interest at the rate of \$0.59 per day from April 22, 1963 until paid.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff have judgment against the defendants, John F. London and wife, Patricia A. London, d/b/a Skiatook Home and Auto Company, for the sum of \$3,843.58, with interest thereon at the rate of \$0.59 per day from April 22, 1963 until paid, together with the costs of this action.

(s) *Fred Dougherty*
UNITED STATES DISTRICT JUDGE

APPROVED:

Sam E. Taylor
Sam E. Taylor, Assistant United States Attorney

H. G. Bill Dickey
Attorney for Defendants

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
265.19 Acres of Land, More or Less,)
Situatē in Osage, Pawnee & Creek)
Counties, Oklahoma, & Theresa M. Lynn,)
et al, and Unknown Owners,)
Defendants.)

Civil No. 5897 ✓

Tract No. 4201E

FILED

DEC 30 1964

J U D G M E N T

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

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

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

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

4. The Court finds the amount of \$125.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$125.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that defendants, Harry K. Wasaff, heir of Estate of K. Wasaff, deceased; Josephine T. Saffa; and Charles Odis and Sophia Joseph, heirs of Estate of Mary Hello, deceased, 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 \$125.00, 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:

Josephine T. Saffa	\$62.50
Harry K. Wasaff	54.70
	<hr/>
	\$117.20

(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:

Estate of Mary Hello, deceased	\$7.80
Entered DEC 10 1964	

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTIEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
vs.
343.20 Acres of Land, More or Less,
Situat in Tulsa, Creek, & Pawnee
Counties, Oklahoma, and George
Campbell, et al, and Unknown Owners,
Defendants.)

Plaintiff,

Civil No. 5995 ✓

Tract No. 4635

FILED

DEC 30 1964

J U D G M E N T

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

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

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

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

4. The Court finds the amount of \$2,175.00, 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 \$2,175.00 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 prior to the institution of the above proceeding the United States of America and Otis Garrett entered into a contract, as evidenced by an option for the purchase of land granted by

said defendant and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$1,141.87 for his interest, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that defendants, Carl V. Smith, Fred P. Smith, Melvin T. Smith, Elmer E. Smith, Letha E. Smith Edwards, Grace A. Smith, Mrs. Ila Williams, Mrs. Emil Horalek, Mrs. Bernard Lorino, Mrs. Gordon Blue, Mrs. Henry Simpson, Jr., and Mrs. Arlie Moore 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 \$2,175.00, inclusive of interest, of which amount the sum of \$1,141.87 has previously been disbursed to Otis Garrett;

(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:

Carl V. Smith	\$ 54.37
Fred P. Smith	54.37
Melvin T. Smith	54.37
Elmer E. Smith	54.37
Letha E. Smith Edwards	54.37
Grace A. Smith	253.80
Mrs. Ila Williams	84.58
Mrs. Emil Horalek	84.58
Mrs. Bernard Lorino	84.58
Mrs. Gordon Blue	84.58
Mrs. Henry Simpson, Jr.	84.58
Mrs. Arlie Moore	84.58
	476.68

Entered DEC 27 1964 \$1,033.13

APPROVED:

/s/ Allen E. Barrow

/s/ Robert P. Santee

UNITED STATES DISTRICT JUDGE

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

UNITED STATES DISTRICT COURT AND CLERK

SOUTHERN DISTRICT OF CALIFORNIA

RALPH STARKES,

Plaintiff,

vs.

Civil Action No. 1964

ANTHONY J. CELEBREZZE, Secretary of
Health, Education and Welfare, USA,

Defendant.

FILED

DEC 31 1964

DISMISSAL BY STIPULATION

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

Upon application and stipulation pursuant to Rule 41, Federal
Rules of Civil Procedure, the court does hereby order this action dis-
missed with prejudice.


UNITED STATES DISTRICT JUDGE

STIPULATION FOR DISMISSAL:


Mickey Wilson
Attorney for the Petitioner


John M. Imel
United States Attorney
Attorney for Anthony J. Celebrezze,
Secretary of Health, Education and
Welfare

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ELMER P. DAVIS, Regional Director of the
Sixteenth Region of the National Labor
Relations Board, for and on behalf of the
NATIONAL LABOR RELATIONS BOARD

Petitioner

v.

LOCAL LODGE 790, INTERNATIONAL ASSOCIATION
OF MACHINISTS, AFL-CIO

Respondent

Civil No. 5853

FILED
DEC 31 1964

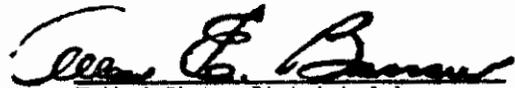
NOBLE C. HOOD
Clerk, U. S. District Court

ORDER DISSOLVING TEMPORARY INJUNCTION
AND TERMINATING PROCEEDING

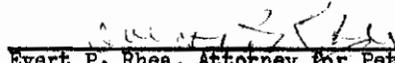
This Court having on January 15, 1964, entered a temporary injunction enjoining and restraining Respondent from engaging in certain acts and conduct set forth therein pending the final disposition of the matters involved pending before the National Labor Relations Board; and it appearing to the Court that the National Labor Relations Board has duly issued its Decision and Order which is the final disposition of the matters involved, and the parties having consented to the entry of the within order; it is therefore

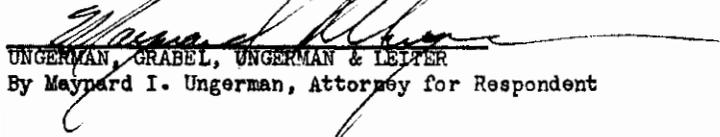
ORDERED that the temporary injunction entered herein on January 15, 1964, be and the same hereby is vacated and dissolved and the proceeding herein terminated without costs to either party.

Done at Tulsa, Oklahoma, this 31st day of December, 1964.


United States District Judge

The entry of the foregoing order is hereby consented to this 31st day of December, 1964.


Evert P. Rhea, Attorney for Petitioner


UNGERMAN, GRABEL, UNGERMAN & LETTER
By Maynard I. Ungerman, Attorney for Respondent

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
31.04 Acres of Land, More or Less,
Situat e in Pawnee, Osage & Creek
Counties, Oklahoma, and E. C. Tatum,
et al, and Unknown Owners,
Defendants.

Civil No. 5889
Tract Nos. 3116E-21 & E-22

FILED
DEC 31 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 defendant was the sole owner of the above-captioned tracts on the date of taking and is entitled to receive the award therefor.

4. The Court finds the amount of \$250.00, 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 \$250.00 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 Otis Russell entered into a contract, as evidenced by an option for the purchase of land granted by said

defendant and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$250.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tracts; that the contract and agreement is a valid one.

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$250.00, inclusive of interest;

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

Bureau of Indian Affairs for the use
and benefit of Otis Russell \$250.00

Entered on _____

/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. 3251

FILED
DEC 31 1964

J U D G M E N T
NOBLE C. HOOD
Clerk, U. S. District Court

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

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

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

4. The Court finds the amount of \$1,200.00, 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 \$1,200.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that prior to the institution of the above proceeding the United States of America and Claude & Velma V. Brown, Clce Bridge Key, and Flossie Bridge, 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 \$1,200.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tract; that the contract and agreement is a valid one.

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the above tract is the sum of \$1,200.00, 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:

Claude & Velma V. Brown	\$1,100.00
Cloe Bridge Key	50.00
Flossie Bridge	50.00
	<hr/>
	\$1,200.00

Entered 1954

/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.)
168.03 Acres of Land, More or Less,)
Situate in Creek and Pawnee Counties,)
Oklahoma, and Charles Goodall, et al,)
and Unknown Owners,)
Defendants.)

Civil No. 6045

Tract No. 3244E

FILED

DEC 31 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 Partial Judgment determining the ownership and the just compensation to be awarded the owners of the oil lessor 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 lessor 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 lessor interest on the date of taking and are entitled to receive the award therefor.

4. The Court finds that defendants, Wayman N. and Margaret Matlock, Iva Elledge, and Roy and Audrey Long, 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 \$1,000.00, inclusive of interest, is just compensation for the taking of the oil lessor 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 \$1,000.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessor 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 lessor 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 lessor interest is the sum of \$1,000.00, 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:

Wayman N. and Margaret Matlock - - - - -	\$437.50
Iva Elledge - - - - -	437.50
Roy and Audrey Long - - - - -	125.00
	<hr/>
	\$1,000.00

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,
vs.
168.03 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Charles Goodall, et al,
and Unknown Owners,
Defendants.

Plaintiff,

Civil No. 6045

Tract No. 3247E

FILED

DEC 31 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 the oil lessor 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 lessor 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 lessor interest on the date of taking and are entitled to receive the award therefor.

4. The Court finds that prior to the institution of the above proceeding the United States of America and Ethel Stout Robb, Jettie Stout Robinson, Susie Stout Limberg, Tillie Stout Schwieger Pennington, Gaines Halford Stout, Beatrice S. Roche Young, Georgia Locke Stout, Rose Stout Skelley, and Frieda Allene Snell, entered into a contract, as evidenced by an option for the subordination of minerals 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 \$142.80 for their interests, 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.

5. The Court finds that defendants, Charles R. Miller, James Egbert, Mrs. G. R. (Pearl) Andrews (now Wilde), Estel Miller Castle, Velma Fern Miller Andrews, Estelle Patience Miller Newman, Roberta Miller Holman, Peggy Miller Walker, Jacqueline Fae Miller Erickson, William Donovan Miller, George Morris Miller, Jean Naomi Palmer, Francis L. Miller, Paul B. Spears, Valdean Ruth Spears Keller, and Allen Paul Spears, have failed to appear or answer nor have their attorneys appeared or answered in their behalf, and that said parties defendant are in default at this time.

6. The Court finds the amount of \$1,000.00, inclusive of interest, is just compensation for the taking of the oil lessor 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 \$1,000.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessor 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 lessor 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 lessor interest is the sum of \$1,000.00, 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:

Ethel Stout Robb	\$ 20.40
Jettie Stout Robinson	20.40
Susie Stout Limberg	20.40
Tillie Stout Schwieger Pennington	20.40
Gaines Halford Stout	20.40
Beatrice S. Roche Young	20.40
Georgia Locke Stout	6.80
Rose Stout Skelley	6.80

Frieda Allene Snell	\$ 6.80
Charles R. Miller	142.86
James Egbert	142.86
Mrs. G. R. (Pearl) Andrews Wilde	142.86
Estel Miller Castle	142.86
Velma Fern Miller Andrews	28.58
Estelle Patience Miller Newman	28.58
Roberta Miller Holman	28.58
Peggy Miller Walker	28.58
Jacqueline Fae Miller Erickson	28.58
William Donovan Miller	28.58
George Morris Miller	28.58
Jean Naomi Palmer	28.58
Francis L. Miller	28.58
Paul B. Spears	6.40
Valdean Ruth Spears Keller	11.07
Allen Paul Spears	11.07

\$1,000.00

Entered 1954

/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,
vs.
168.03 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Charles Goodall, et al,
and Unknown Owners,
Defendants.

Plaintiff,

Civil No. 6045

Tract No. 4219

FILED

DEC 31 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 the oil lessor 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 lessor 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 lessor interest on the date of taking and are entitled to receive the award therefor.

4. The Court finds that prior to the institution of the above proceeding the United States of America and Lois Harjo Ball, Joseph Harjo, Patricia Childress, Ralph A. Morton, and Ramona A. Wilber, entered into a contract, as evidenced by an option for the subordination of minerals 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 \$8,854.14 for their interests, inclusive of interest, would be awarded as just compensation for the taking of the lessor estate to be condemned in the above tracts; that the contract and agreement is a valid one.

5. The Court finds that plaintiff and D. F. Rainey, John Barksdale, Allen W. Foster, Marcia Naomi Foster Wilson, and Iva Gosnell, Life Estate with remainder to Allen W. Foster, Marcia Naomi Foster Wilson and Willa Jean Foster, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor estate taken in the above tract is the sum of \$3,645.86 for their interests, inclusive of interest.

6. The Court finds the amount of \$12,500.00, inclusive of interest, is just compensation for the taking of the oil lessor 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 \$12,500.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessor 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 lessor 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 lessor interest is the sum of \$12,500.00, inclusive of interest, of which amount the following sums have heretofore been disbursed:

Lois Harjo Ball	\$3,125.00
Joseph Harjo	2,604.16
Patricia Childress	1,041.66
Ralph A. Morton	1,041.66
Ramona A. Wilber	1,041.66
	<hr/>
	\$8,854.14

(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:

D. F. Rainey & John Barksdale	\$ 520.88
Allen W. Foster	1,388.88
Marcia Naomi Foster Wilson	1,388.88
Iva Gosnell, Life Estate with remainder to Allen W. Foster, Marcia Naomi Foster Wilson, & Willa Jean Foster	347.22
	<hr/>
	\$3,645.86

Entered 1954

/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.)
168.03 Acres of Land, More or Less,)
Situatē in Creek and Pawnee Counties,)
Oklahoma, and Charles Goodall, et al,)
and Unknown Owners,)
Defendants.)

Civil No. 6045

Tract No. 9725-3M

FILED

DEC 31 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 the oil lessor 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 lessor 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 lessor interest on the date of taking and are entitled to receive the award therefor.

4. The Court finds that prior to the institution of the above proceeding the United States of America and Evans Investment Company, Dale H. Dooley, George E. Dooley, Mary Francis Hurst, and Doris Jean Bainum Payne, entered into a contract, as evidenced by an option for the subordination of minerals 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 for their interests, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in the above tract; that the contract and agreement is a valid one.

5. The Court finds that defendants, Brian Filley Rowe, David Robertson Rowe, Marilyn Filley, Marcia Gayle Filley, Everett Randolph Filley, John Douglas Johns, Connie Elizabeth Bradford, Mimi Kay Bradford, and Barbara Ann Johns, have failed to appear or answer nor have their attorneys appeared or answered in their behalf, and that said parties defendant are in default at this time.

6. The Court finds the amount of \$1,000.00, inclusive of interest, is just compensation for the taking of the oil lessor 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 \$1,000.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessor 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 lessor 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 lessor interest is the sum of \$1,000.00, 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:

Evans Investment Co., a Trust	\$500.00
Dale H. Dooley	62.50
George E. Dooley	62.50
Mary Francis Hurst	62.50
Doris Jean Bainum Payne	62.50
Brian Filley Rowe	27.77
David Robertson Rowe	27.77
Marilynn Filley	27.78

Marcia Gayle Filley	\$ 27.78
Everett Randolph Filley	27.78
John Douglas Johns	27.78
Connie Elizabeth Bradford	27.78
Mimi Kay Bradford	27.78
Barbara Ann Johns	27.78
	<hr/>
	\$1,000.00

Entered 10-1-64

/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.)
168.03 Acres of Land, More or Less,)
Situat in Creek and Pawnee Counties,)
Oklahoma, and Charles Goodall, et al,)
and Unknown Owners,)
Defendants.)

Civil No. 6045
Tract No. 9830-1M

FILED
DEC 31 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 the oil lessor 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 lessor 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 lessor interest on the date of taking and are entitled to receive the award therefor.

4. The Court finds that prior to the institution of the above proceeding the United States of America and N. E. Mays entered into a contract, as evidenced by an option for the subordination of minerals granted by said defendant and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$75.00 for his interest, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in the above tract; that the contract and agreement is a valid one.

5. The Court finds that defendants, Ida E. Wheeler, Dennis G. Wheeler, Harry E. Wheeler, Allen Wheeler, and Cecile V. Leach, have failed to appear or answer nor have their attorneys appeared or answered in their behalf, and that said parties defendant are in default at this time.

6. The Court finds the amount of \$150.00, inclusive of interest, is just compensation for the taking of the oil lessor 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 \$150.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessor 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 lessor 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 lessor interest 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:

N. E. Mays	\$ 75.00
Ida E. Wheeler	25.00
Dennis G. Wheeler	12.50
Harry E. Wheeler	12.50
Allen Wheeler	12.50
Cecile V. Leach	12.50

_____ \$150.00

Entered 1984

/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.)
168.03 Acres of Land, More or Less,)
Situat e in Creek and Pawnee Counties,)
Oklahoma, and Charles Goodall, et al,)
and Unknown Owners,)
Defendants.)

Civil No. 6045✓

Tract No. 1818-2M

FILED

DEC 30 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 former owners of the lessor estate in 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 lessor estate 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 lessor estate in the above-captioned tract on the date of taking and are entitled to receive the award therefor.

4. The Court finds the amount of \$1,000.00, inclusive of interest, is just compensation for the taking of the lessor 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 \$1,000.00 was deposited into the Registry of this Court as estimated just compensation for said lessor estate 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 Harold W. Maris and Dora H. Carter 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 \$600.00 for their interests in the lessor estate only, inclusive of interest, would be awarded as just compensation for the taking of the estate to be condemned in the above tract; that the contract and agreement is a valid one.

6. The Court finds that plaintiff and Althea V. Maris, Charles F. Maris Estate, Dorothy Ruth DeJong, Charlotte Turnbull Voris, and Francis E. Robinson, Life Tenant, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate in the above tract is the sum of \$400.00 for their interests in the lessor estate only, inclusive of interest.

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

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

(b) The just compensation to be paid by the plaintiff for the taking of the lessor estate in the above tract is the sum of \$1,000.00, 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:

Harold W. Maris	- - - - -	\$200.00
Althea V. Maris & Charles F. Maris Estate	- - - - -	200.00
Dora H. Carter	- - - - -	400.00
Dorothy Ruth DeJong, Charlotte Turnbull Voris, and Francis E. Robinson, Life Tenant-	<u>200.00</u>	
		\$1,000.00

Entered 11 15 1934

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

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