

Exhibit AA-1

Deposition of Robert Trotter Page 17 and 19

Page 17

1 Q. Okay. Do you have any personal knowledge of
2 any of the issues with respect to this lawsuit, that
3 crossing, or the circumstances in which it was taken
4 out, or anything like that?

5 A. No, ma'am.

6 Q. Okay.

7 A. The only thing I know is what I have been
8 reading in the paper.

9 Q. Yes, sir. And I am guessing that's when --
10 when you started reading stuff in the paper is when
11 you started hearing about Oliver Street is when talk
12 about this lawsuit started coming in the paper?

13 A. Yes.

14 Q. Okay. You never heard the term "Oliver Street"
15 before that?

16 A. Ma'am, I'm not going to say that because it
17 could have been as a lane or something with the
18 Olivers living down there. I don't know.

19 Q. I was kind of --

20 A. I knew them personally.

21 Q. Okay. Was that kind of common that there may
22 not be an actual city street that had a name, but
23 because there was a family that was, that was the
24 family that lived there, someone would call it that
25 is Oliver Lane because the Olivers live there?

1 that --

2 A. Yeah.

3 Q. -- it does have Oliver Street. Do you
4 recognize any of those names listed on a street
5 called Oliver Street?

6 A. I recognize some of the names.

7 Q. Which names do you recognize?

8 A. Martin Oliver, Junior.

9 Q. And did he have a nickname?

10 A. Pete.

11 Q. Okay. Do you recognize any of the other names?

12 A. Well, F&S Lumber Company.

13 Q. Okay.

14 A. Tom Kirkendall, and the other name, Barry
15 Collins, I recognize that name.

16 Q. Okay. And do you know if those individuals
17 resided on a street south of the railroad tracks?

18 A. I knew Martin did. I really didn't remember
19 Tom Kirkendall living there, because when I knew him
20 he lived up on Carter Street.

21 Q. Okay.

22 A. And this Alfred and Frank Oliver, I don't
23 recognize those names.

24 Q. Okay.

25 A. Barry Collins, yes. Possibly Barry lived down

Exhibit AA-2

Deposition of Monty Canady Page 15

1 A. Yes.

2 Q. Okay. Was there one or two, or do you
3 remember?

4 A. All I can remember is one that was when you
5 would go onto it.

6 Q. Okay. Do you remember any -- well, you
7 mentioned some houses. Do you remember how many
8 houses were down in that area?

9 A. Best I can remember, there is three: Tom
10 Oliver, and Josie Oliver, and Jim Kirkendall.

11 Q. Jim Kirkendall?

12 A. Barry Collins, the best I remember, lived, best
13 I can remember, lived north of the track, right just
14 in front of the --

15 Q. I want to show you what has been marked as
16 Exhibit 51 to the deposition. And Exhibit C is a
17 map, and have you ever seen that map before?

18 A. No.

19 Q. Okay.

20 A. Now, now, let me back up.

21 Q. Okay.

22 A. Let me look at it. Yes, I have seen a map with
23 this stuff on it, but I haven't looked at this map.

24 Q. Okay. Based on that map, does that look like a
25 representation of downtown Ozark?

Exhibit AA-3

Deposition of Harold Pickartz Pages 17-22

Page 17

1 damming the river?

2 A. Yeah, it was, where there was a thing fixed
3 there where you could get across.

4 Q. Right.

5 A. You could get machinery and stuff across there
6 from one side to the other, and they had to keep the
7 water off of what they were doing down there building
8 the dam.

9 Q. Okay.

10 A. Which wasn't very much.

11 Q. So you crossed it so you could kind of see what
12 they were doing down there?

13 A. Yeah, just so I could cross it.

14 Q. All right. Okay. Did you -- after that time
15 did you ever cross again?

16 A. No, ma'am.

17 Q. Okay. All right. Do you know what that street
18 was called back then?

19 A. No. I have heard that it was called Oliver.

20 Q. And is that something you have heard recently
21 kind of in the papers about this lawsuit?

22 A. Well, no. I was -- right there where the bulk
23 plant is, Olivers lived right there, and I was
24 acquainted with the whole family. They were colored
25 people.

1 Q. Uh-huh.

2 A. I even worked with one of the boys, but I have
3 just heard then, but I didn't know. I didn't think
4 it was a sign up there, but it was Oliver Street,
5 because it was after that family that lived right
6 there by it.

7 Q. Okay. So you heard it called Oliver in part
8 because there were people named Oliver who lived
9 there?

10 A. Yeah, right here where the bulk plant is. They
11 moved it out and put the bulk plant in there.

12 Q. Okay. But you don't know if it was a
13 recognized, legally recognized city street?

14 A. No, I don't know that it was.

15 Q. Okay.

16 MS. JONES: All right. Well, sir, I
17 think that's all the questions I have for
18 you. Mr. Brockett may have some, and if he
19 does, I am going to let him sit here.

20 THE WITNESS: Yeah, I'm sorry about
21 it.

22 MS. JONES: No, that's fine.

23 THE WITNESS: I have got in two
24 hearing aids, and they have both been
25 broken, too many artillery shells.

1 MS. JONES: I understand.

2 EXAMINATION

3 BY MR. BROCKETT:

4 Q. Were you in Ozark around the 1960s, were you
5 living here then?

6 A. Well let's see, let me think just a little bit.

7 Q. Okay.

8 A. Let me run some of this back. In the 1960s,
9 yes.

10 Q. Okay.

11 A. I was here, yes.

12 Q. Okay. Would you have -- would you have ever
13 seen a city map during that time?

14 A. No, sir.

15 Q. Okay.

16 A. I have seen a plat around where I live, but not
17 down here, not a city map.

18 Q. Okay. This is Exhibit 51, and it's Exhibit B
19 to that 51. Have you ever seen a document that
20 looked like that? It would have been a little
21 pamphlet-type document?

22 A. No, sir.

23 Q. Okay. All right. I want to read off some
24 names for you, and you can tell me if you remember
25 them living down south of the tracks; okay?

1 A. All right.

2 Q. Do you remember F&S Lumber Company?

3 A. Yes.

4 Q. Okay. And it was down south of the tracks?

5 A. Yes.

6 Q. Okay. What about a Tom Kirkendall?

7 A. Yes, sir. He was a colored guy that lived down
8 there, good guy.

9 Q. He was, okay. What about Alfred Oliver?

10 A. There is two of those Oliver guys. Both of
11 them was -- they looked like twins, and I don't know
12 which one this is lived right there behind the, where
13 the bulk plant was.

14 Q. Okay.

15 A. That's where they lived, right there, right
16 next to the street.

17 Q. Oh really. Okay. What about Barry Collins?

18 A. Yeah, I know Barry Collins.

19 Q. Okay. Did he live down there?

20 A. Yeah, he lived down the railroad track there
21 someplace.

22 Q. Okay.

23 A. Yeah.

24 Q. Okay.

25 A. I seen him down there every day walking back

1 and forth to work.

2 Q. Okay. And then Martin Oliver, Jr., he may have
3 also been referred to as Pete?

4 A. Pete Oliver?

5 Q. Yes.

6 A. I don't recognize Pete Oliver. There was a
7 slew of them kids in there though, Popeye, and Coony,
8 and Hershel (names phonetic), and stuff.

9 Q. And what about Frank Oliver, does that sound
10 familiar?

11 A. Frank -- is he Popeye?

12 Q. I don't know.

13 A. I wouldn't be surprised with what Frank might
14 be Popeye.

15 Q. Okay. Was he a muscled up guy?

16 A. No. He was a rather slim guy. He shined shoes
17 up in town.

18 Q. Oh really. Okay. All right.

19 A. I don't -- we had a lot of nicknames, so those
20 don't ring a bell.

21 Q. Okay. I understand.

22 A. The first names don't.

23 Q. Okay. Part of Exhibit C is, Exhibit 51, is an
24 insert of the location down there. Do you believe
25 that is kind of an accurate explanation of what that

1 area looked like back in the early sixties?

2 A. Well --

3 Q. This line here would be the railroad tracks?

4 A. Yeah. And this is the one -- this is the
5 street running back up through there, and where would
6 Bell Street be right here.

7 Q. Bell Street would be here?

8 A. This is the canning factory right in here.

9 Q. Yes, sir.

10 A. Yeah, because, see, there is where it come
11 across up there, 100 or 150 feet from Bell.

12 Q. Uh-huh.

13 A. But it come at an angle.

14 Q. Okay.

15 A. But it come right down through the edge of
16 that, yeah. And Tom Kirkendall lived right in there.

17 Q. Okay. All right.

18 A. And you get off right here, and you go down to
19 the dump.

20 Q. Okay. The dump was down in this area?

21 A. Yeah, the dump was right in there.

22 Q. So it was back behind F&S Lumber?

23 A. Yeah, down toward the creek, right down in this
24 area right in here.

25 Q. Okay. Do you remember a street called Water

Exhibit BB

Deposition of Lonnie Turner Page 23 and 24

1 it. That's the way I remember it.

2 Q. Okay.

3 A. Or at least that's my knowledge of it. But
4 there is some pictures of that, all of that area,
5 taken off the top of Randall Lee Mountain (phonetic)
6 up here.

7 Q. Yes, sir.

8 A. And then there is some more of them down here
9 in that barbecue place right now, or it was a couple
10 of months ago whenever I ate down there.

11 Q. Oh, okay. What about houses, are you aware if
12 anybody lived down there?

13 A. There were some houses right down there. I
14 don't remember who.

15 Q. Okay.

16 A. Gary Collins lived -- I don't remember whether
17 he lived on Chrisman's side of the tracks or whether
18 he lived on the back side of the tracks.

19 Q. Okay. When you were -- Exhibit D to the --
20 Exhibit D to Exhibit 51 is notated as the City of
21 Ozark Arkansas house numbers, March of 1962. Have
22 you ever seen a document like that before?

23 A. No.

24 Q. Okay.

25 A. 1962 is when I graduated from high school.

1 That would have been when we would have been working
2 on those things.

3 Q. Okay. All right. But you don't remember
4 seeing anything like that?

5 A. No.

6 Q. Okay. And on that second page it lists Oliver
7 Street with some names on there. Do any of those
8 names sound familiar as people that would have lived
9 south of the railroad tracks?

10 A. Not to me. Now, I knew Tom Kirkendall, but I
11 didn't know where he lived.

12 Q. Okay.

13 A. And I knew Barry Collins.

14 Q. Okay. Do you know if either of those are
15 still living?

16 A. No. They are all dead.

17 Q. Okay.

18 A. Barry shot and killed somebody down there.

19 Q. South of the railroad tracks?

20 A. Wherever he lived down there.

21 Q. Okay.

22 A. Who is the "F" in that F&S?

23 Q. A gentleman by the name of Flocks.

24 A. No.

25 MR. BROCKETT: Okay. I think that's

1963
names
on
street
name.

Exhibit CC

Deposition of Robert Trotter Page 13, 23, 24 and 27

1 have a clear memory of using it after that?

2 A. Not as far as '70 -- like I say, we had some
3 grass fires over there, but I don't remember. I
4 don't have any records of that.

5 Q. Okay.

6 A. Also, you know, the pallet factory was over
7 there. There was a fire there at one time, but
8 that -- I think that was before I went on the fire
9 department.

10 Q. Okay. So that would have been before 1970?

11 A. Yes, yes.

12 Q. Okay.

13 A. That would have been before 1961.

14 Q. Right. As I understand, it was the pallet
15 factory, and then it became F&S Lumber?

16 A. Uh-huh.

17 Q. Okay. So it would have been before it was F&S
18 Lumber?

19 A. I don't know when it changed names.

20 Q. Okay.

21 A. I really don't.

22 Q. But, certainly, I think there has been
23 testimony that F&S Lumber was gone by 1968, 1969.

24 Would that be sort of your recollection as well?

25 A. I am not going to say a timeframe, because I

1 Oliver Street?

2 A. I wouldn't think so --

3 Q. Okay.

4 A. -- because they were strictly...

5 Q. Just for telephone numbers?

6 A. Uh-huh.

7 Q. Okay.

8 A. I don't believe there is an Oliver listed there
9 that's associated with this. I looked.

10 Q. That was my belief as well. You had mentioned
11 there was a pallet factory. The pallet company had a
12 fire?

13 A. Yeah, they had a fire down there one time. I
14 don't remember. That was before I was on the fire
15 department.

16 Q. Okay. To your knowledge, did the Ozark Fire
17 Department respond to that?

18 A. Yes.

19 Q. Okay. And during the time that you were on the
20 fire department, if there would have been a fire in
21 that area would the Ozark Fire Department had
22 responded?

23 A. Yes.

24 Q. Do you know if there is any individuals that
25 were on the fire department at that time that are

1 still living?

2 A. No. I don't think so right now.

3 Q. Okay. Do you remember what the crossing was
4 made of?

5 A. No.

6 Q. Okay. Do you know if there was any signs at
7 that crossing location?

8 A. I don't remember whether there was crossbucks
9 there or not.

10 Q. Okay.

11 A. It would just be speculation.

12 Q. And that's fine. I want to show you another
13 map that's marked as Exhibit C to Exhibit 51 again.
14 Have you ever seen that map before?

15 A. Well, it's getting back down to this one or the
16 one we saw before as far as our delivery map that we
17 had.

18 Q. Okay.

19 A. And it's not available anymore, so I couldn't
20 say which one was which.

21 Q. Okay. Now that one's dated February of 1962, I
22 believe.

23 A. That one is probably -- I'm guessing now, that
24 this was one we had in the office.

25 Q. You think it was the one you had in --

1 Q. Okay. Do you know if Mr. Oliver had water at
2 his house?

3 A. No, I don't.

4 Q. Okay.

5 A. I don't know whether they had any utilities at
6 all.

7 Q. Okay.

8 MR. BROCKETT: I think that's all I've
9 got.

10 EXAMINATION

11 BY MS. JONES:

12 Q. Sir, just a few follow-up questions. The fire
13 department that you were a volunteer at, was that an
14 established city fire department, or was it a
15 community volunteer fire department?

16 A. Well, I guess you could say it was an
17 established fire department for the city.

18 Q. Okay. Was it -- did it have a city budget and
19 pay with city funds, to your knowledge?

20 A. Yes.

21 Q. Okay. Now, I think you testified you never --
22 the post office never delivered mail to Oliver
23 Street; is that correct?

24 A. Correct.

25 Q. Okay. Why wouldn't the post office deliver to

Exhibit DD

Deposition of Steve Outlaw Pages 8 and 9

1 meeting, and I don't have any of that.

2 Please produce diaries, notes or calendars
3 kept regarding the contract. I don't have any of
4 that.

5 Produce any diaries, notes or calendars
6 kept regarding any efforts to seek a crossing, I
7 haven't kept anything of any of these documents --

8 Q. Okay.

9 A. -- on the crossing.

10 Q. Okay. Well, let's start with the crossing
11 itself. If I talk about a crossing that's east of
12 the depot, would you know where that crossing had
13 been located?

14 A. Yes, ma'am.

15 Q. Okay. Had you ever used that crossing?

16 A. Yes, ma'am.

17 Q. Okay. Tell me when the last time you would
18 have used it and what for.

19 A. Well, this is kind of unique in a way. In 1966
20 I turned 16.

21 Q. Okay.

22 A. My uncle had a grocery store here, and when I
23 turned 16 my job was to dump out the dump barrel out
24 of the back of the grocery store, what they used to
25 do the burning of the trash.

1 Q. Okay.

2 A. And at that time I thought I was really doing
3 something neat, by turning 16 that just gave me an
4 extra job.

5 Q. Right.

6 A. And my job was to load the trash up in the
7 truck and take it to the dump.

8 Q. Okay. And so you would have used that crossing
9 to get to the dump?

10 A. Yes, ma'am.

11 Q. As I understand, it was kind of an old dirt
12 road, is that right, gravel road?

13 A. Gravel road. At that time I remember crossing
14 the railroad track, and how I knew to get there was
15 my uncle had taken me fishing --

16 Q. Okay.

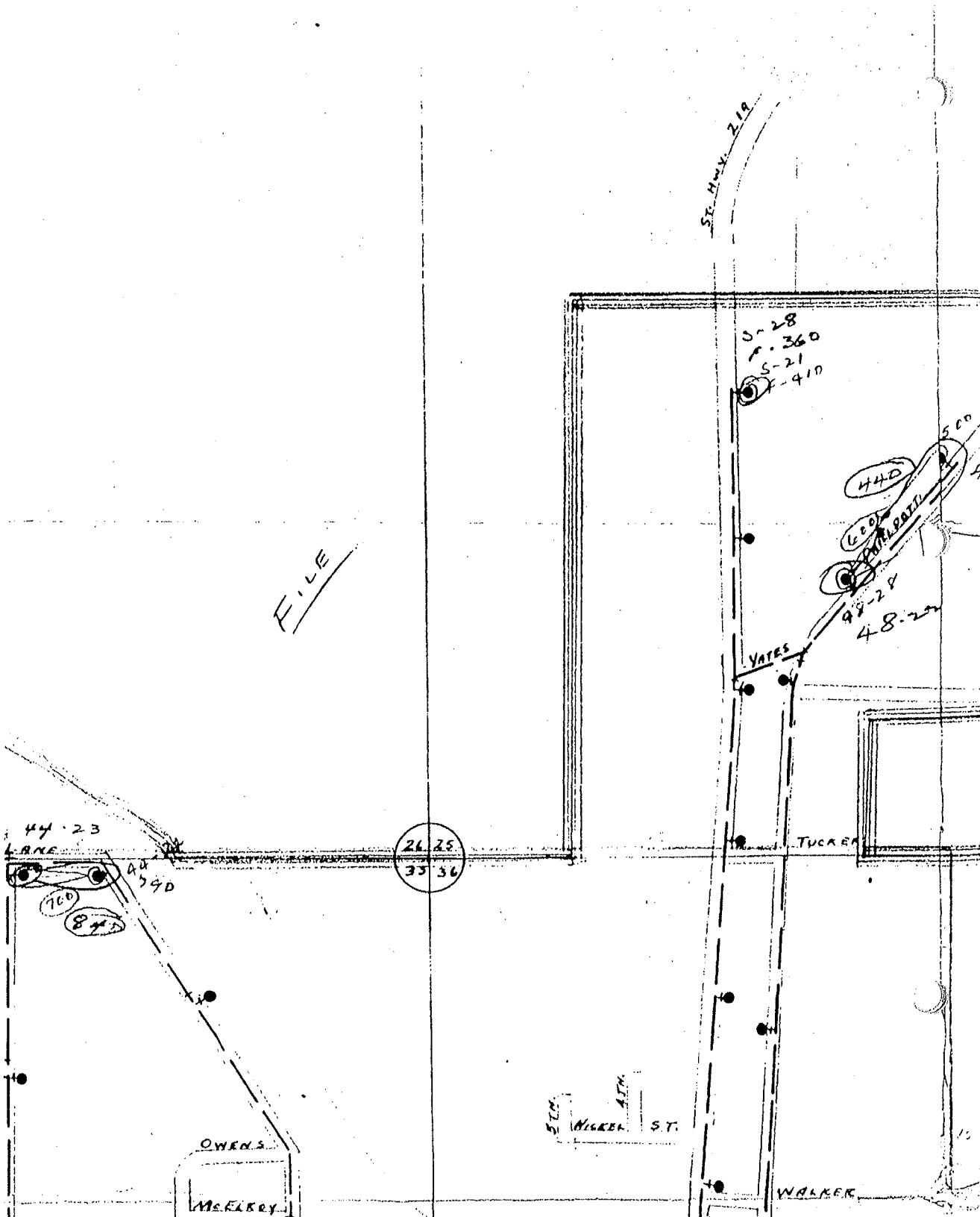
17 A. -- down there. And that was a, seemed like a
18 really neat spot to go fishing because the dump was
19 on one side here, and on down from it was where the
20 sewer of Ozark dumped into the river, and that was a
21 good place to catch catfish. But I used that road
22 until I was 17, a little over 17, in '66 and '67.

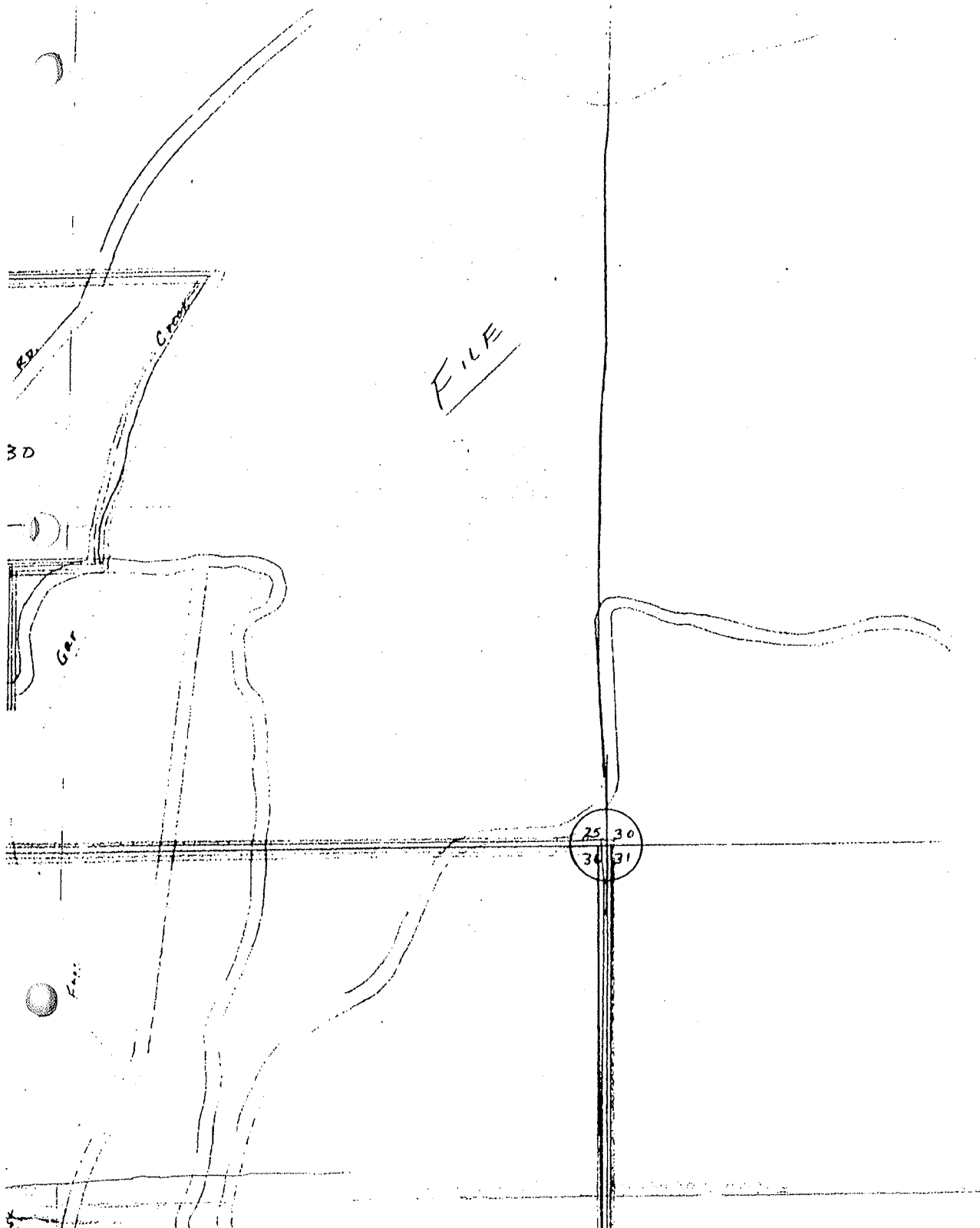
23 Q. Okay.

24 A. And then I turned that job over to somebody
25 else.

Exhibit EE

A copy of the 1965 Water Distribution Map





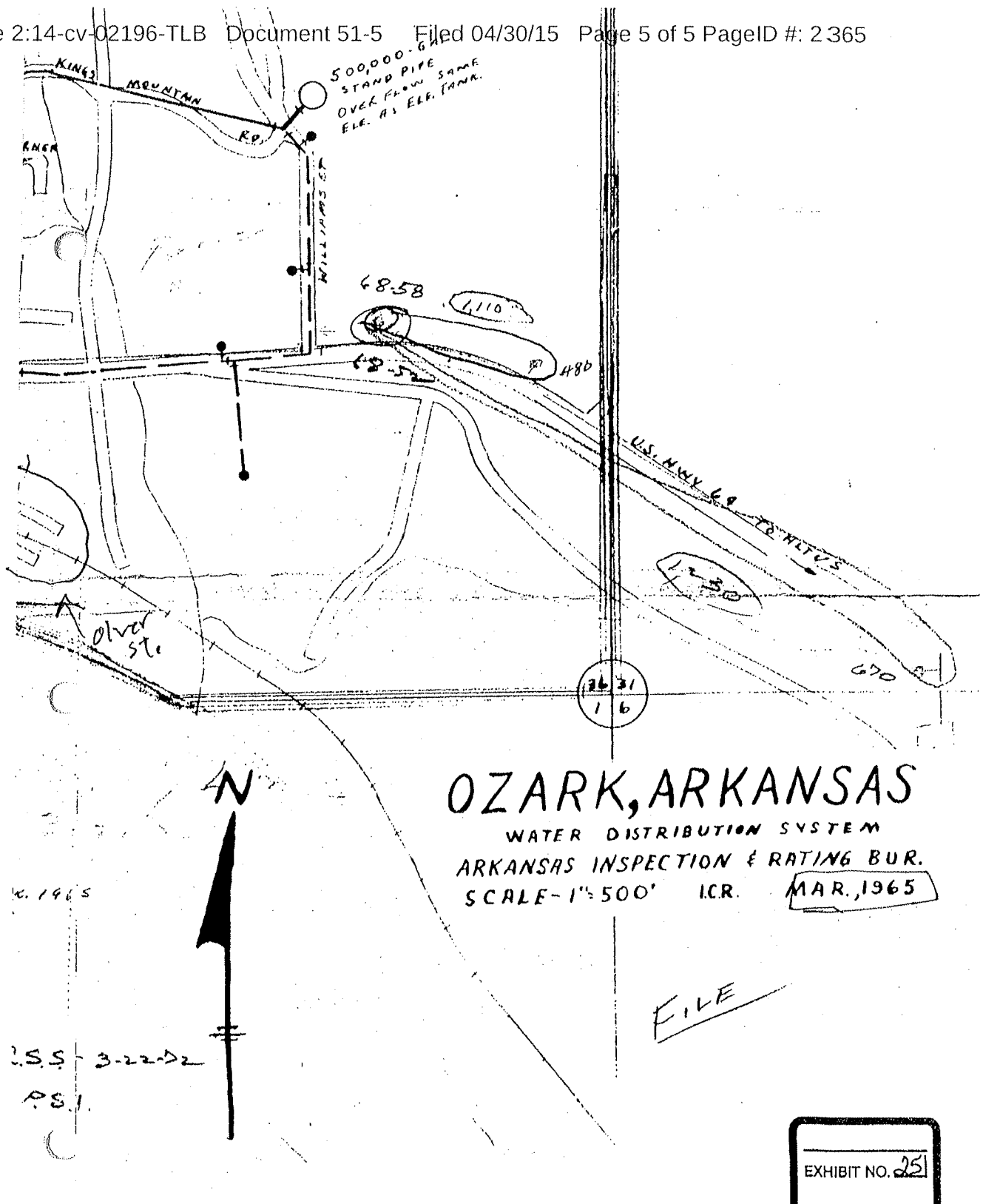
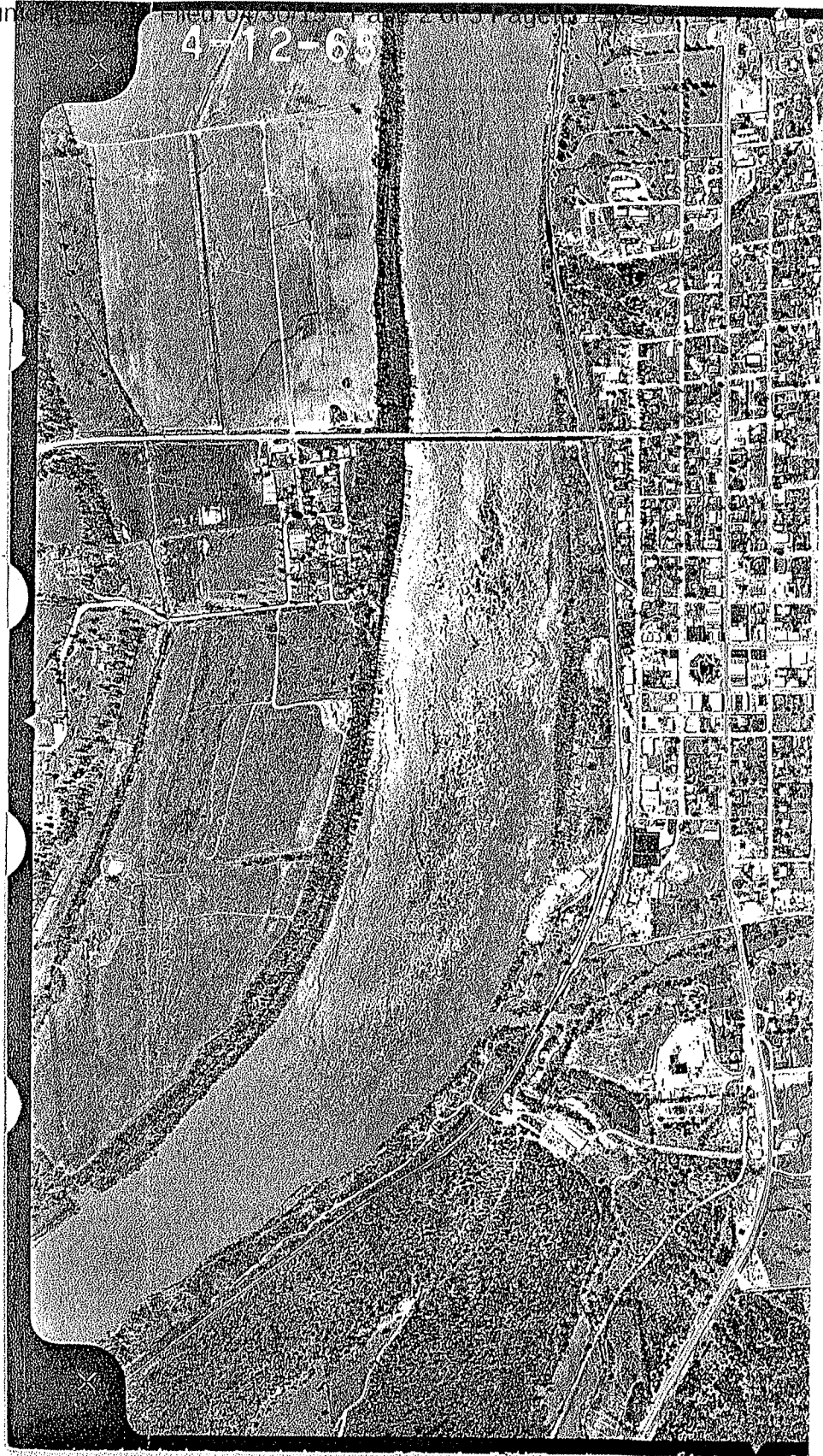
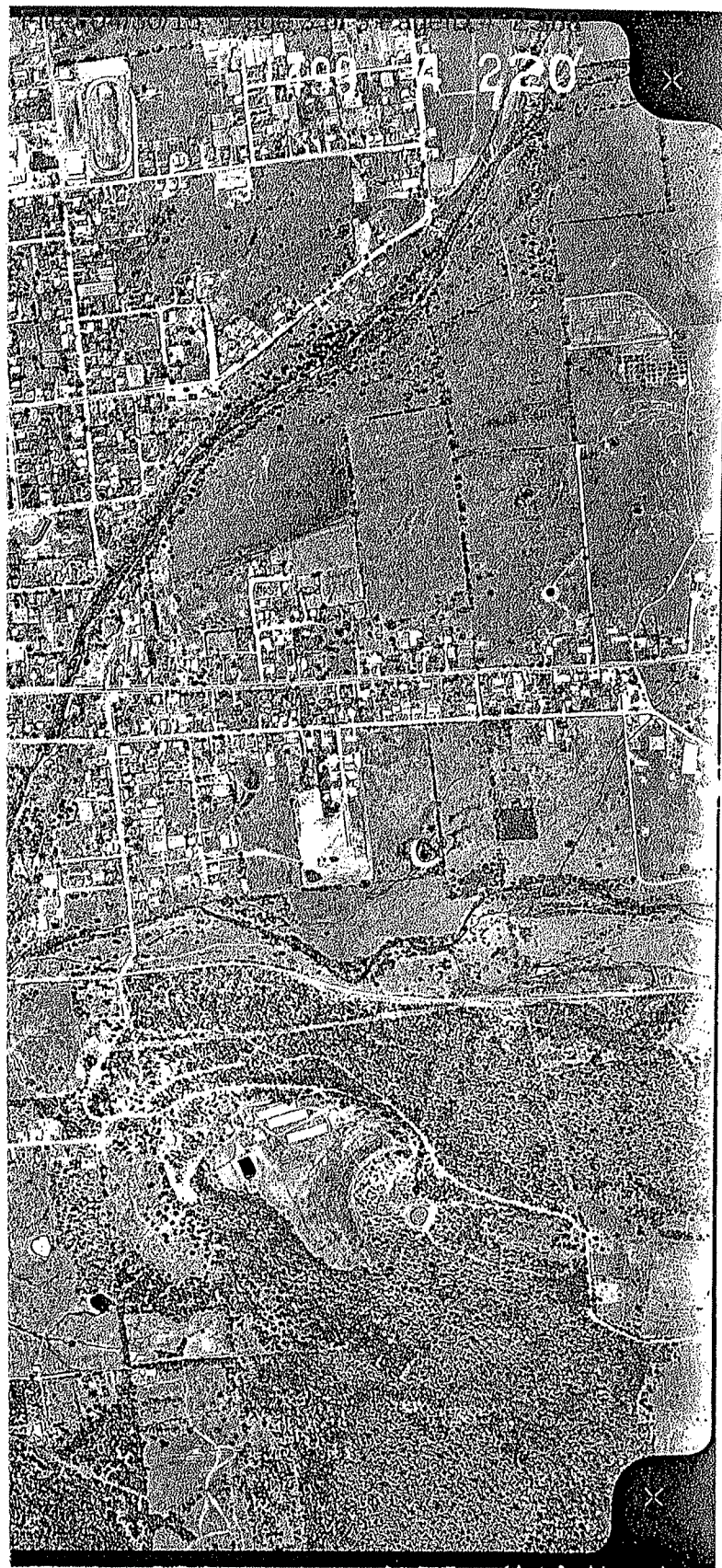


Exhibit FF

A copy of the ariel photo from 1965 with enlargement behind





Copyright 1965

**AERO SERVICE
CORPORATION**



210 EAST COURTLAND STREET • PHILADELPHIA, PA. 19106

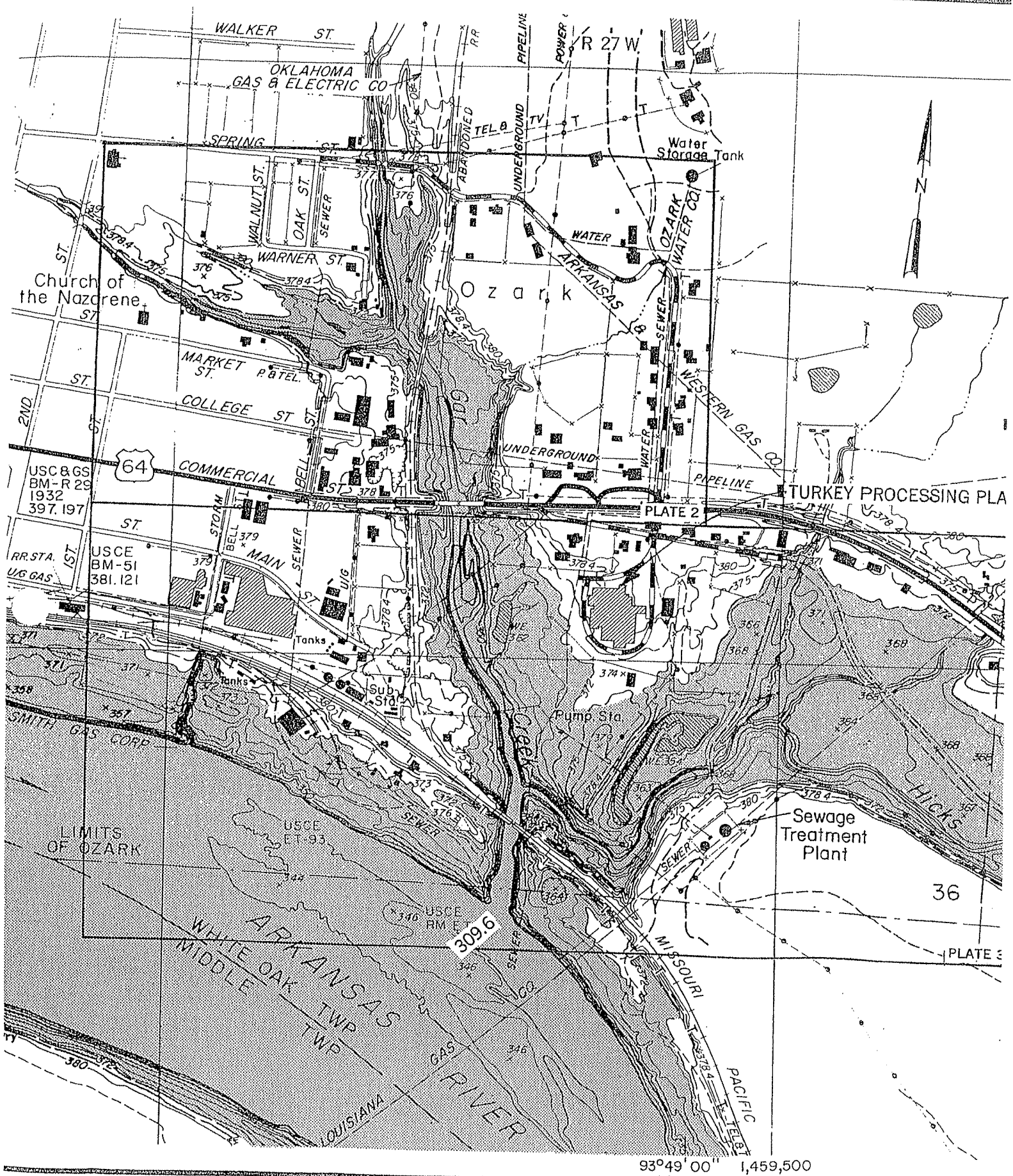
Gladstone 7-3000 • CABLE: AERCORP

**MICKLE WAGNER COLEMAN, ENGINEERS
3434 COUNTRY CLUB - P. O. BOX 1507
FORT SMITH, AR 72903**

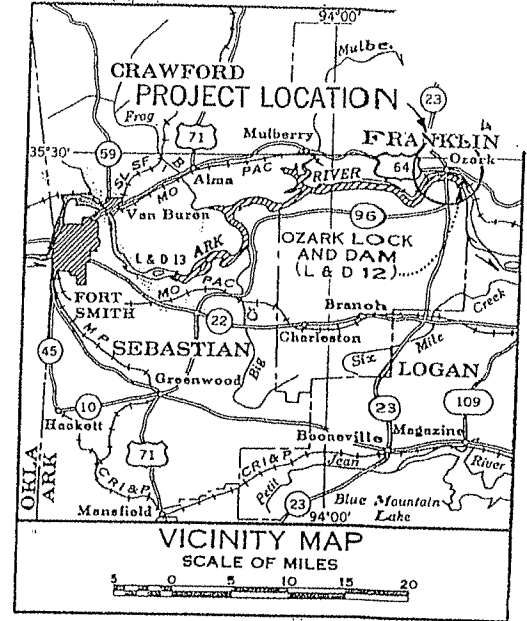
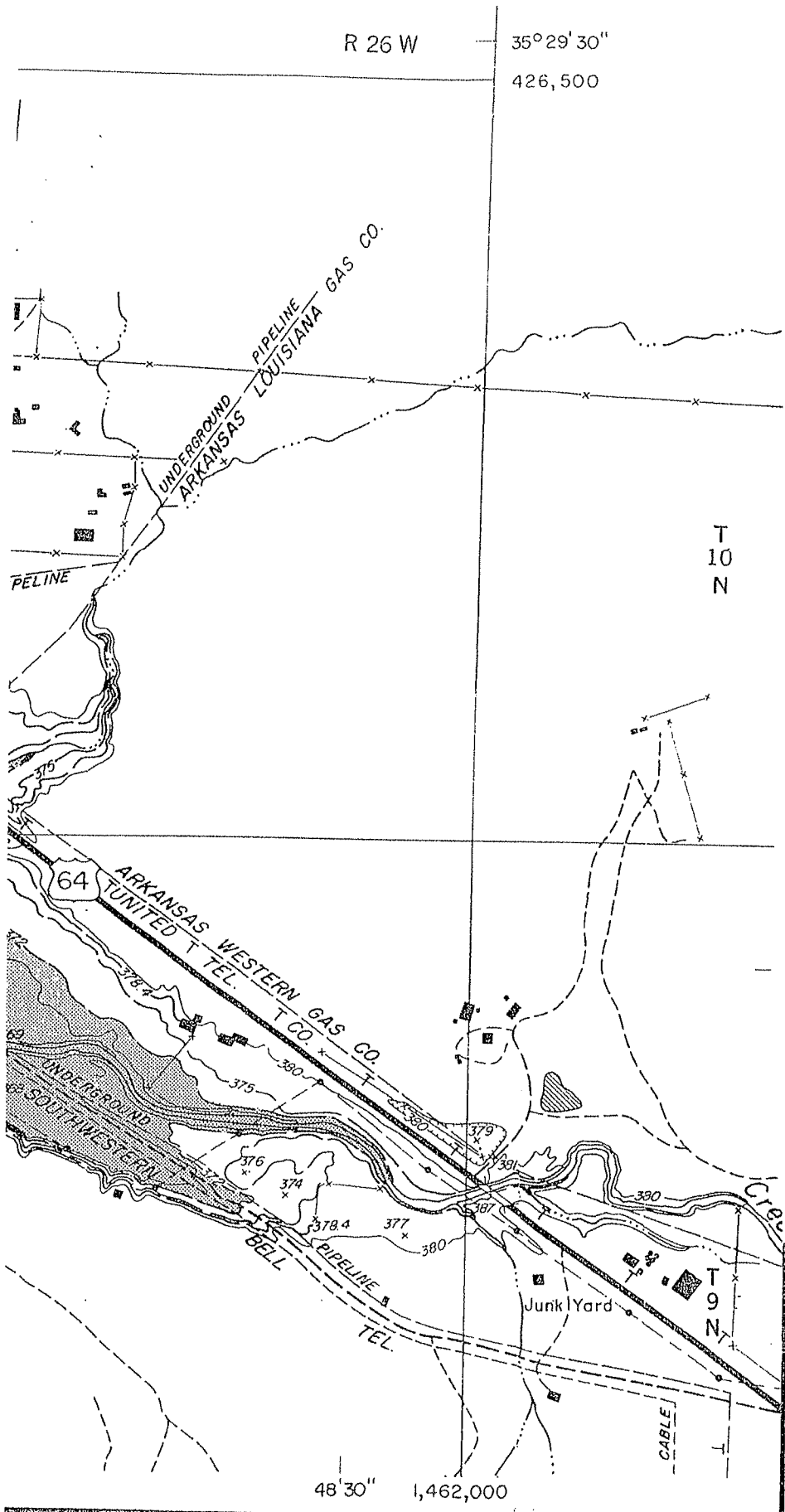


Exhibit GG-1

Relocation Maps from Ozark Lock and Dam, March 1966
with Enlargement of Area at Back



1110-Ozark Corps Relo



LEGEND :

OZARK RESERVOIR
EL. 372 M.S.L.



ARKANSAS RIVER & TRIBUTARIES GAR & HICKS CREEKS, ARKANSAS

**OZARK LOCK AND DAM
RELOCATIONS**
CITY OF OZARK - STREETS, WATER LINES
AND SEWAGE FACILITIES
PROJECT LOCATION

SCALE : 1" = 500'

U. S. ARMY ENGINEER DISTRICT, LITTLE ROCK
LITTLE ROCK, ARKANSAS, MARCH 1966

DESIGNED : SH
DRAWN : DWD
CHECKED : ACZ
TO ACCOMPANY DESIGN MEMO
NO. 13 - 9 DATED JANUARY 1967
SERIAL 8688
58/2301

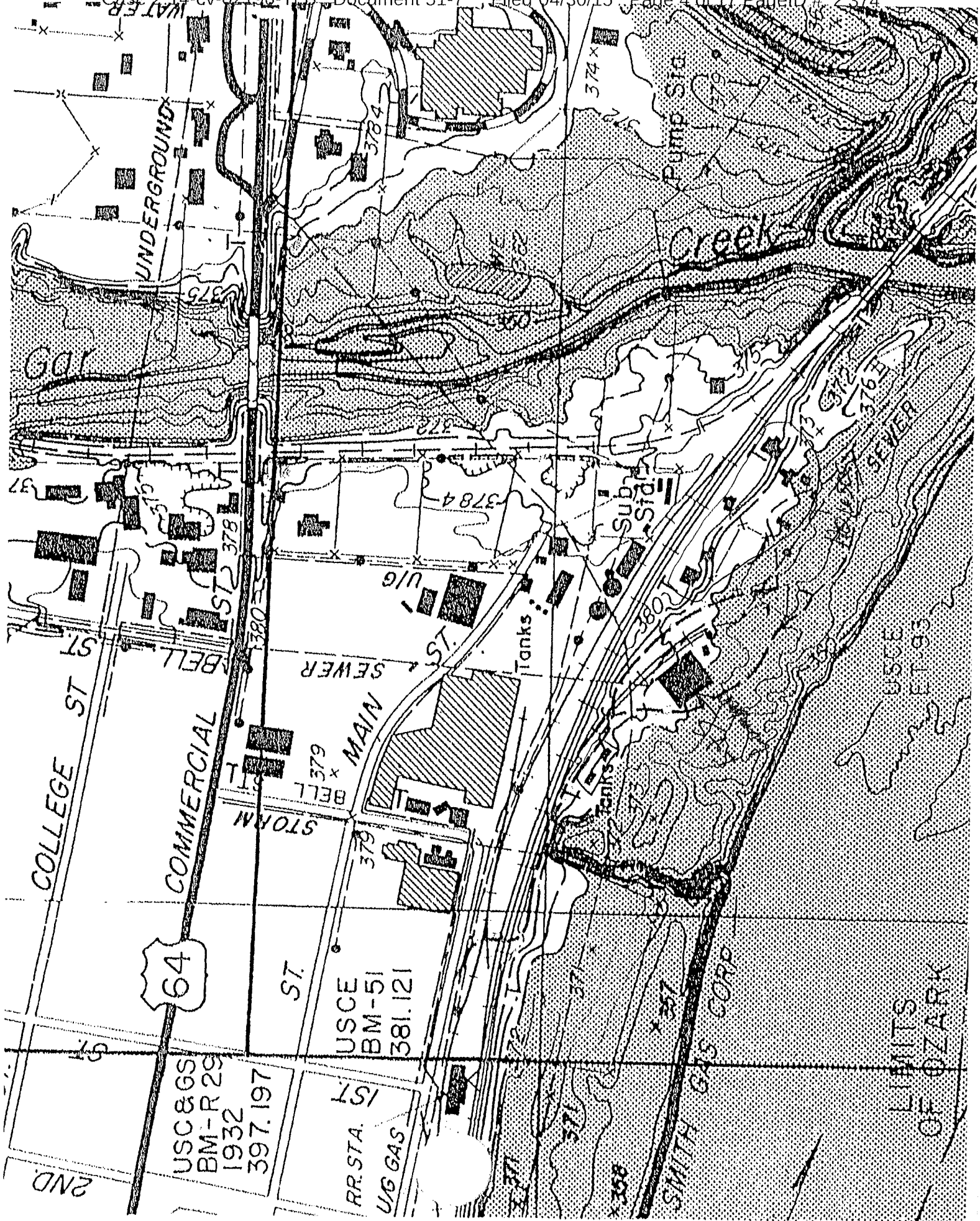


Exhibit GG-2

Copy of the Lis Pendens from June 1, 1968

LP 2 @ 22-33

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
PORT SMITH DIVISION

UNITED STATES OF AMERICA,

PLAINTIFF,

v.

175.69 ACRES OF LAND, MORE OR
LESS, IN CRAWFORD, FRANKLIN AND
SEBASTIAN COUNTIES, ARKANSAS;
AND E. W. ANOS, ET AL, AND
UNKNOWN OWNERS,

NO. 78-66-C-36

DEFENDANTS.

EXHIBIT 28-33

Notice is hereby given that on motion has been made in
the District Court of the United States for the Western District of
Arkansas, Port Smith Division, and the complaint of the United States
plaintiff against the following persons:

State of Arkansas
Commissioner of State Lands
County of Franklin, Arkansas
City of Franklin County, Arkansas
Treasurer of Franklin County, Arkansas
Tax Collector of Franklin County, Arkansas
Assessor of Franklin County, Arkansas
E. W. Anos
Dorothy (Dore) Barker
Martha E. Barker
City of Osage
J. B. Thompson, d/b/a Thompson Construction Co.
Miller Construction Company, Inc.
Samuel D. Jacobs
Mrs. Samuel D. Jacobs
Roy Finley
Mrs. Roy Finley
John Finley
Mrs. John Finley
Finley and Son
Burton Agos
Mrs. Mary Ann Agos
Richard P. Hooper
Julia D. Hooper
Thelma Stevenson
Rhonda Finley Kauter
Leona Finley Reed
McKinley Finley
Bertie Finley
Archer Finley, Jr.
John Finley
Leon C. Finley
Mrs. Leon C. Finley
Unknown Heirs of E. W. Anos, deceased
Unknown Heirs of Dore Barker Finley, deceased

22.

- 2 -

Mary Ann Dickerson
Dorcas Anderson
Glad Anderson
Bessie Hightower
Robert Hightower
Arrie Cox Dickerson
Arlene Dickerson
Unknown Heirs of Arrie Dickerson, deceased
U. C. Hoxley
Mrs. W. C. McIlroy
Unknown Heirs of Martin Oliver, deceased
Unknown Heirs of Nelsie Oliver, deceased
Martin Oliver, Jr.
Laurdell Oliver
Ruth Oliver Kirkendall
Tom Oliver Kirkendall
Unknown Heirs of Frank Oliver, deceased
Alice Oliver
Unknown Heirs of Alfred Oliver, deceased
Josephine Oliver
Unknown Heirs of Alvin Oliver, deceased
Edna Oliver
Ada Jackson Oliver
Unknown Heirs of Edna Oliver, deceased
Georgia Oliver
Unknown Heirs of Ed Oliver, deceased
Unknown Heirs of Emma Johnson Oliver, deceased
Unknown Heirs of Anna Kirkendall, deceased
Ced Kirkendall
Unknown Heirs of Phil Oliver, deceased
Unknown Heirs of Minnie Dodson, deceased
J. A. Oliver
Mrs. E. A. Oliver
Don Windsor Oliver
Mrs. Ed. Sanford Oliver
Evelyn Gene Hoxley
Lillian Oliver
Mrs. Louise Oliver
Thelma Oliver
Mrs. Edna Oliver
John Oliver
Mrs. John Oliver
Harshel Oliver
Mrs. Harshel Oliver
Vivian Oliver
Sydney Mae Oliver
Frank Oliver
Mrs. Frank Oliver
Ruthie Oliver
Wanda Oliver
Geneva Oliver
Lequita Oliver Johnson
C. B. Johnson
Uzella Jackson
Willie Jackson
Verna Saybary
Sue Saybary
Alma Nelson
Helen Nelson
Ellie Nelson
Elizabeth Dodson

23.

- 3 -

C. M. Dodson
Idoe Dodson

together with unknown owners, spouses, unknown heirs, devisees,
legatees, executors, administrators, creditors and representa-
tives of said persons, if deceased.

to condemn the lands hereinbelow described, to the extent of the
interest taken, for public use in connection with the Black Rock and
Dam on the Arkansas River, under the provisions and authority of the
following acts of Congress:

Act approved February 20, 1891, 26 Stat. 1221, 46 U.S.C.
258a), and acts supplementing thereto and amendatory
thereof;

Act approved April 10, 1896, 29 Stat. 95, 16 U.S.C. 551,
which act authorizes the Secretary of the Interior to acquire
and reserve portions;

Act approved July 1, 1896 (50 Stat. 456), as amended,
supplementing said act, authorizing the Secretary of the Interior
to acquire and reserve portions;

Act approved December 22, 1907, 35 Stat. 1221, 16 U.S.C. 551,
supplementing said act, authorizing the Secretary of the Interior
to acquire and reserve portions.

24.

- 5 -

It will first along said common property line to the
 distant corner of Tract No. 453; thence along the
 common property line between subject tract and Tract No.
 135-2 South 18° 20' West 33 feet and South 10° 40' East
 50 feet to a point on the southerly bank of aforesaid
 Hicks Creek; thence continuing along said common property
 line (being along said southerly bank of Hicks Creek), the
 following courses and distances:

North 33° 12' East 56 feet
 South 60° 43' East 64 feet
 South 33° 23' East 40 feet
 South 01° 11' East 100 feet
 South 50° 43' East 37 feet
 South 73° 14' East 132 feet
 North 67° 31' East 63 feet
 North 32° 37' East 36 feet
 South 82° 18' East 31 feet
 South 50° 34' East 253 feet
 South 40° 51' East 104 feet
 South 61° 04' East 132 feet
 North 70° 50' East 43 feet

to a point on the East line of aforesaid Section 36,
 36' thence South 65° 50' East 117 feet to the point
 to the point of beginning, and containing either more
 or less.

Tract Description

A tract of land situated in the County of Franklin,
 Arkansas, being part of the Fractional Section 36 of the
 Fractional Section 36, Township 16 N., Range 11 E.,
 1st Principal Meridian, and being more particularly described

beginning at the intersection of the East line of
 Fractional Section 36 with the southerly line of
 line of the aforesaid Section 36, and running
 02' East 30° East, more or less, to the intersection of
 Fractional Section 36 to a point on the East line of
 Hicks Creek; thence North 06° 27' East 303 feet, more or less,
 thence to a point on said East line of Hicks Creek;
 thence South 51° 37' East 37 feet, more or less,
 to the point of beginning, and containing either more
 or less.

The bearings used herein are referred to the Principal
 Meridian, North Zone.

The above described land is a portion of the
 land owned by J. A. Davidson, et al., and is being
 Davidson, to B. H. Davidson, et al., and is being
 1 day 1944 in Book 65, and is being sold to B. H.
 Davidson, et al., and is being sold to B. H.

26.

- 5 -

EXHIBIT 323

A tract of land situated in the County of Franklin, State of Arkansas, being part of the Fractional $\frac{1}{4}$ of the Fractional $\frac{1}{4}$ of Fractional Section 2, right bank of the Arkansas River, Township 9 North Range 27 East, of the Fifth Principal Meridian, and being more particularly described as follows:

Beginning: at the Northwest corner of Lot 2 of Block 1 in the Plat of Mohb City, Arkansas; thence North $00^{\circ} 23'$ East 203 feet also, the Northerly extension of the West line of said Lot 2 to a point on the ordinary high-water line, right bank of the Arkansas River; thence South $78^{\circ} 04'$ East 121 feet also, said ordinary high-water line to a point on the Northerly extension of the East line of Lot 5 in said Block 1; thence South $04^{\circ} 23'$ West 213 feet also; said lot line extension to a point which is approximately 37 feet North of the Northeast corner of said Lot 5; thence North $00^{\circ} 02'$ West 71 feet to a point; thence South $51^{\circ} 41'$ West 67 feet, more or less, to the point of beginning and contains 9.32 acres, more or less.

The bearings used herein are referenced to the Arkansas State Coordinate System, North Zone.

27.

- 7 -

TRACT NO. 233

A tract of land situated in the County of Franklin, State of Arkansas, being part of Queller Addition, (to the City of Ozark, Arkansas) in the Fractional Sec. of the Fractional S. of Fractional Section 30, Township 10 North, Range 27 West of the Fifth Principal Meridian, and being more particularly described as follows:

Beginning on the east line of said Fractional S. at a point approximately 206 feet south of the northeast corner thereof; thence north 03° 17' west 80 feet along said east line to a point; thence north 31° 14' west 206 feet to a point; thence north 02° 10' east 81 feet to a point; thence south 86° 37' east 206 feet to the point of beginning, and containing 0.42 acre, more or less.

The bearings used herein are referenced to the Arkansas State Coordinate system, North Zone.

The above described land is substantially the same land as that described in:

1. A deed from Flora Sabol Carter Johnson to Nora Carter Finley dated June 1, 1944 and filed for record October 10, 1944 in Book 66, Page 260.
2. A deed from Helen Jean Hunt to Nora Carter Finley dated July 28, 1944 and filed for record October 10, 1944 in Book 66, Page 551.
3. A deed from Ella L. Clark to Nora Carter Finley dated September 3, 1944 and filed for record October 10, 1944 in Book 66, Page 119.
4. A deed from Thomas C. Carter and Jennie Carter, his wife, to Nora Carter Finley dated June 8, 1944 and filed for record October 10, 1944 in Book 66, Page 120.
5. A deed from Wallace Delway Carter, Ella Carter Franklin, Laura Carter Moore, Sallie Carter Burdick, John Douglas Carter and Mary Carter, his wife, Rebecca Carter Henricks and Pauline Carter to Nora Carter Finley dated February 6, 1944 and filed for record February 12, 1944 in Book 66, Page 230.

All of the above described deeds are found in the records of Franklin County, Ozark District, Arkansas.

The said Nora Carter Finley acquired a 1/4 interest in the above described land as an heir of T. D. Carter.

The said Nora Carter Finley died intestate survived by her son, Fred L. Finley, Luana Hood, Thomas Stevenson, William Finley and Walter Finley, etc.

- 3 -

TRACT NO. 211

A tract of land situated in the County of Franklin, State of Arkansas, being part of Lots 3, 6 and 7 in Block 1 of Quila's Addition to the town of Ozark, Arkansas, being part of the fractional NW¹/₄ of the Fractional SW¹/₄ of Fractional Section 36, Township 10 North, Range 27 West of the Fifth Principal Meridian, and being more particularly described as follows:

Beginning on the south line of said Block 1 at a point 750 feet East of the southwest corner of Lot 6 of said Block 1 and being the Southeast corner of the property; thence North 22° 25' West 95 feet to a point; thence South 65° 22' West 25 feet to a point in the centerline of Market Street; thence North 61° 35' West 51 feet along said centerline to a point; thence North 44° 15' West 126 feet to a point; thence North 57° 02' West 110 feet to a point; thence North 72° 44' West 113 feet to a point on the West line of the property; thence North 00° 05' East 34 feet along the common property line to a point in the centerline of the West Fork of Fox Creek; thence South 70° 40' East 20 feet along said centerline to a point; thence South 70° 01' East 67 feet along said centerline to a point; thence South 65° 17' East 165 feet along said centerline to a common property corner; thence North 02° 51' East 61 feet along said common property line to a point; thence South 75° 21' East 237 feet along said common property line to a point; thence South 00° 05' East 133 feet along said common property line to the point of Beginning, and containing 1.03 acres, more or less.

The bearings used herein are referenced to the Arkansas State Coordinate System, North Zone.

29.

- 9 -

TRACT NO. 24A

A tract of land situated in the County of Franklin, State of Arkansas, being part of Lot 6 in block 1 of Gault's Addition to the town of Ozark, Arkansas, being part of the Fractional NE $\frac{1}{4}$ of the Fractional NW $\frac{1}{4}$ of Fractional Section 34, Township 16 North, Range 27 West of the Fifth Principal Meridian, and being more particularly described as follows:

Beginning on the West line of the property at a point 127.75 feet East of the West line of said Lot 6 and approximately 90 feet North of the North line of Market Street; thence North 03° 45' East 50 feet along the common property line to a point in the centerline of the West Fork of Oak Creek; thence South 53° 36' East 62 feet along said centerline to a point; thence South 60° 27' East 43 feet along said centerline to the Northeast corner of the property; thence South 06° 35' East 13 feet along the common property line to a point; thence North 58° 12' West 51 feet to the point of beginning, and containing 0.07 acre, more or less.

The bearings used herein are referenced to the Arkansas State Coordinate System, NAD 83.

30.

- 10 -

TRACT NO. 243

A tract of land situated in the County of Franklin, State of Arkansas, being part of Lot 6 in Block 1 of Qualls' Addition to the Town of Ozark, Arkansas, being part of the Fractional NE $\frac{1}{4}$ of the Fractional NW $\frac{1}{4}$ of Fractional Section 36, Township 10 North, Range 27 West of the Fifth Principal Meridian, and being more particularly described as follows:

Beginning on the West line of said Lot 6 at a point approximately 150 feet North of the Southwest corner thereof; thence North 09° 41' East 50 feet along said West line to a point in the centerline of the West fork of Bear Creek; thence South 56° 48' East approximately 128 feet along said centerline to a point on the common property line; thence South 03° 13' East 48 feet along the common property line to a point; thence North 65° 16' West 34 feet to a point; thence North 49° 07' West 70 feet to the point of beginning, and containing 0.13 acre, more or less.

The bearings used herein are referenced to the Arkansas State Coordinate System, North Zone.

- 11 -

A tract of land situated in the County of Franklin, State of Arkansas, being part of the Fractional 3/4 of the Fractional 30th of Fractional Section 36, left bank of the Arkansas River, Township 10 North, Range 77 West of the Fifth Principal Meridian, and being more particularly described as follows:

Beginning at a point on the North-South quarter line of said Fractional Section 36, said point being at a common property corner and being 150 feet south of the southerly right-of-way line of the Missouri Pacific Railroad; thence south 61° 30' East 125 feet along the common property line to a point; thence North 03° 17' East approximately 150 feet along the common property line to a point on the southerly right-of-way line of the Missouri Pacific Railroad; thence southeasterly along said southerly right-of-way line approximately 710 feet to a point in the centerline of Oak Creek; thence southerly along the meanders of said centerline of Oak Creek approximately 135 feet to a point on the south line of said Fractional Section 36; thence North 87° 03' East along said south line approximately 170 feet to a point on the ordinary high-water line, left bank of the Arkansas River; thence along said ordinary high-water line North 62° 30' East approximately 585 feet to a point on said North-South quarter line; thence North 03° 17' East approximately 176 feet along said quarter line to the point of beginning, and containing 5.77 acres, more or less.

The bearings used herein are referenced to the Arkansas State coordinate system, North Zone.

- 12 -

Dated this 27th day of May, 1968.

Charles M. Conway
United States Attorney

By Robert B. Johnson
Assistant U. S. Attorney

Filed for record this 1st day of June, 1968 at 8:30 A. M. and
recorded this 6th day of June, 1968.

Ruth Worcester, Clerk
By William D. Smith, D. C.