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JUN 21 2005

U. S. Dist. Court
Dist of N. C.

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION

FILED
ASHEVILLE, N. C.

JUN 23 2005

U.S. DISTRICT COURT
W. DIST. OF N. C.

UNITED STATES OF AMERICA
upon the relation and
for the use of the
TENNESSEE VALLEY AUTHORITY
Plaintiff

v.

Civil Action No. 2:05cv203

AN EASEMENT AND RIGHT-
OF-WAY OVER 4.12 ACRES
OF LAND, MORE OR LESS,
IN CHEROKEE COUNTY,
NORTH CAROLINA

EDGAR C. HARTNESS, ET UX.
Defendants

ORDER OF POSSESSION

Pursuant to 40 U.S.C. § 258a (2000), which authorizes the Court

“to give the Government immediate possession of the [condemned] property”

(*United States v. Miller*, 317 U.S. 369, 381, 63 S.Ct. 276, 87 L.Ed. 336 (1943)), it

is hereby Ordered that the Tennessee Valley Authority, as agent of the United


States of America, be put into immediate possession of the property described in

the Declaration of Taking filed in this action to the extent necessary to permit the

Tennessee Valley Authority to carry on any of its operations described in the

pleadings filed herein, and that the Defendants in such action surrender possession of the said property to the Tennessee Valley Authority accordingly.

This 23rd day of June, 2005.


United States District Judge

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