

PEDREGON, CATARINO (Also Stevens & Mathias Silberberg & Martinez)

ASCARAYE WASTEWAY

Warranty Deed

5-(6) Texas, 5-(8) Texas, 5-(7) Texas

WARRANTY DEED
WARRANTY DEED

THE STATE OF TEXAS |
COUNTY OF EL PASO |

KNOW ALL MEN BY THESE PRESENTS: That we, Catarino Pedregon and wife, Maria B. Pedregon, of the County of El Paso, State of Texas in consideration of the sum of Eighty nine and No/100 (\$89.00) Dollars, to us in hand paid by The United States of America, the receipt of which is hereby acknowledged, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said The United States of America all that certain tract or parcel of land lying in the County of El Paso, State of Texas, and more particularly described as follows, to-wit:

A strip of land twenty (20) feet in width off the northwesterly side of the northeasterly portion of Tract 109, Valley Gate subdivision, Ysleta Grant, as shown on the official maps of the resurvey of El Paso County, Texas, said strip of land lying adjacent to and southeasterly from the eighty (80) foot right of way for the Ascarate Wasteway, and being out of a tract of land owned by Catarino Pedregon, described (all bearings being taken from the plat of said property as shown on the County maps) as follows:

Check
as t
Engi
ing
G.E.

Beginning at the most northerly corner of Tract 109, Valley Gate Subdi-
vision, and the most westerly corner of Tract 13, Block 21, Ysleta Grant, a point on the
northeasterly line of the Catarino Pedregon tract, from which point of beginning the point
of intersection of the southeasterly line of the eighty (80) foot right of way for the Asca-
rate Wasteway and the southwesterly line of the eighty (80) foot right of way for State High-
way No. 1, bears North 45 ° 18' East, eighty three and no hundredths (83.00) feet;

Thence along the line between Tract 13, Block 21, Ysleta Grant, and Tract
109, Valley Gate Subdivision, said line being the northeasterly line of the Catarino Pedregon
tract, South 62° 12' East, twenty and ninety seven hundredths (20.97) feet to a point from
which the most easterly corner of the said Tract 13, Block 21, Ysleta Grant, bears South 62°
12' East, two hundred fifty five and thirteen hundredths (255.13) feet;

Thence along a line parallel to and twenty (20) feet southeasterly from the
northwesterly line of Tract 109, Valley Gate subdivision, South 45° 18' West, one hundred
ninety four and ten hundredths (194.10) feet to a point on the southwesterly line of the tract
of land owned by Catarino Pedregon, from which point the point of intersection of the south-
easterly line of the said Tract 109, Valley Gate subdivision, and the southwesterly line of
the Catarino Pedregon tract, bears South 62° 12' East, five hundred sixty nine and sixty one
hundredths (569.61) feet, and also from which point the point of intersection of the south-
westerly line of the Catarino Pedregon tract, and the southwesterly line of the eighty (80)
foot right of way for State Highway No. 1, bears South 62° 12' East, nine hundred and eighty
hundredths (900.80) feet;

Thence along the southwesterly line of the Catarino Pedregon tract, North
62° 12' West, twenty and ninety seven hundredths (20.97) feet, to a point on the northwesterly
line of the said tract 109, Valley Gate subdivision and the southeasterly line of the eighty
(80) foot right of way for the Ascarate Wasteway;

Thence along the said northwesterly line of Tract 109, Valley Gate subdivi-
sion and the southeasterly line of the eighty (80) foot right of way for the Ascarate Waste-
way, North 45° 18' East, one hundred ninety four and ten hundredths (194.10) feet to the place
of beginning and containing eighty nine thousandths (0.089) of an acre of land., more or less.

and is as shown on Survey plat drawing No. 1526 36B of the International Boundary Commission American Section, attached to land purchase contract dated January 7, 1935, between the United States and the grantors herein, of record in the County Records of El Paso County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said The United States of America, its successors and assigns forever; and we do hereby bind ourselves, our heirs, executors, and administrators to warrant and forever defend, all and singular, the said premises unto the said The United States of America, its successors and assigns, against every person whosoever lawfully claiming or to claim the same or any part thereof.

WITNESS OUR HANDS at El Paso, Texas, this 1st day of March, A. D. 1935.

Witnesses at Request of Grantor: _____

Catarino Pedregon
Maria B. Pedregon

THE STATE OF TEXAS |
COUNTY OF EL PASO |

BEFORE ME, 'Gene Donohue, a Notary Public in and for El Paso County, Texas, on this day personally appeared Catarino Pedregon, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of March, A. D. 1935

(Notarial Seal: County of El Paso, Texas)
My commission expires May 31, 1935.

'Gene Donohue
Notary Public in and for
El Paso County, Texas.

THE STATE OF TEXAS |
COUNTY OF EL PASO |

BEFORE ME, 'Gene Donohue, a Notary Public in and for El Paso County, Texas, on this day personally appeared Maria B. Pedregon, wife of Catarino Pedregon, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same by me fully explained to her, she, the said Maria B. Pedregon acknowledged such instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 1st day of March, A. D. 1935

(Notarial Seal: County of El Paso, Texas)
My commission expires May 31, 1935.

'Gene Donohue
Notary Public in and for
El Paso County, Texas.

Filed for record Mar. 6, 1935 at 4:10 P. M.) W. D. GREET, County Clerk

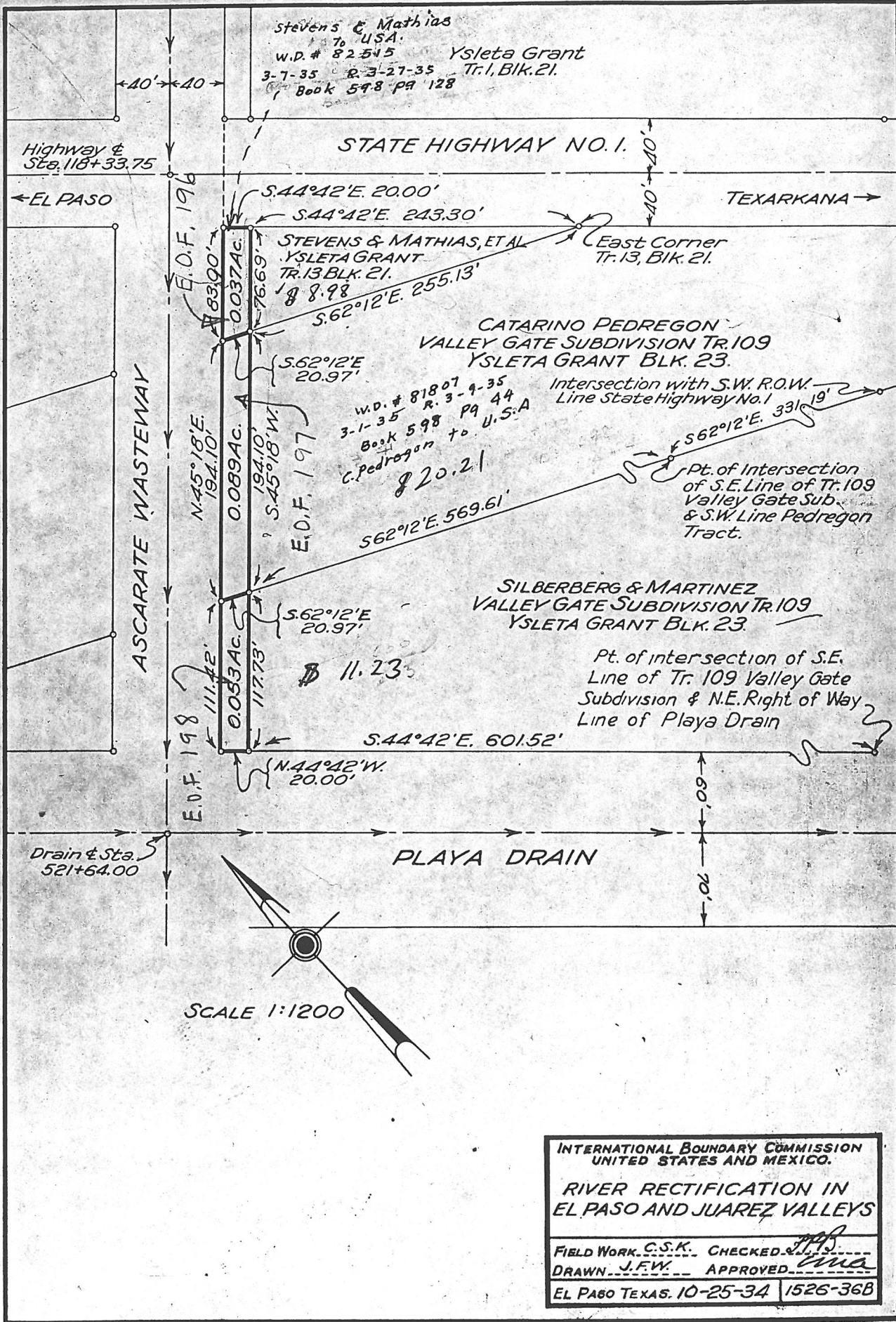
And recorded Mar. 9, 1935 at 11:35 A.M.) By *J. A. Osborn* Deputy

81808

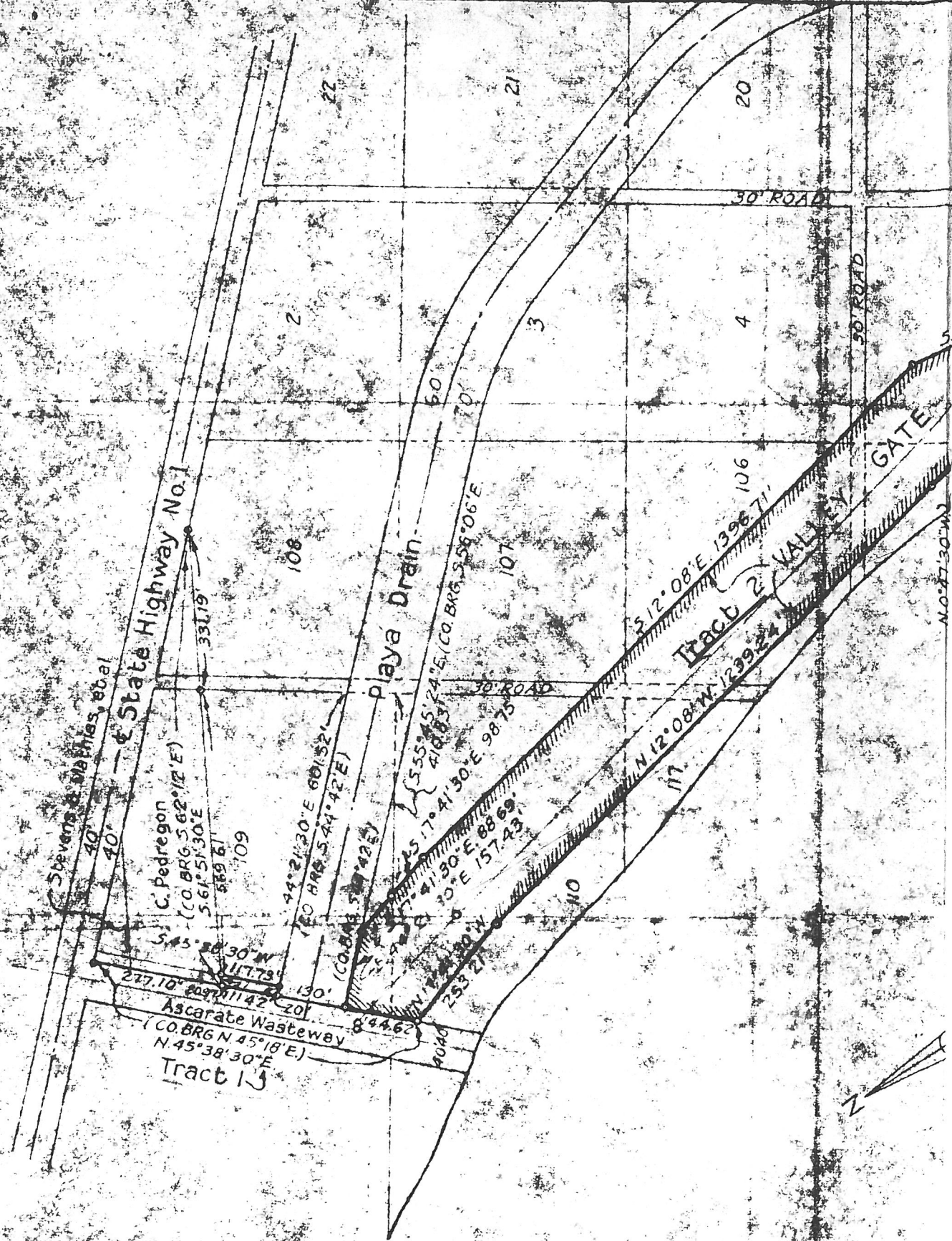
WARRANTY DEED
WARRANTY DEED

THE STATE OF TEXAS |
COUNTY OF EL PASO |

KNOW ALL MEN BY THESE PRESENTS: That we, E. W. Earl and wife, Anne C. of the County of El Paso, State of Texas, in consideration of the sum of Six and 38/100 (\$6.38) Dollars to us in hand paid by The United States of America, the receipt of which we hereby acknowledged, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said The United States of America, all that certain tract or parcel of land lying in the County of El Paso, State of Texas, and more particularly described as follows:
to wit:



See letter of Aug 12, 1959 in 380 Cont File



Sbevens & Mathies, et al
40'
40'

State Highway No. 1

C. Pedregon
(CO. BRG. 5.62° 12' E)
561' 51.30" E

108

109

Playa Drain

44° 21' 30" E 681.52'
120 HRS 5.44° 42' E
(CO. BRG. 5.74° 42' E)

555' 45.24" E (CO. BRG. 5.56° 06' E)
410.83'
17° 41' 30" E 98.75'
41° 30' E 88.69'
30° E 157.43'

30' ROAD

30' ROAD

30' ROAD

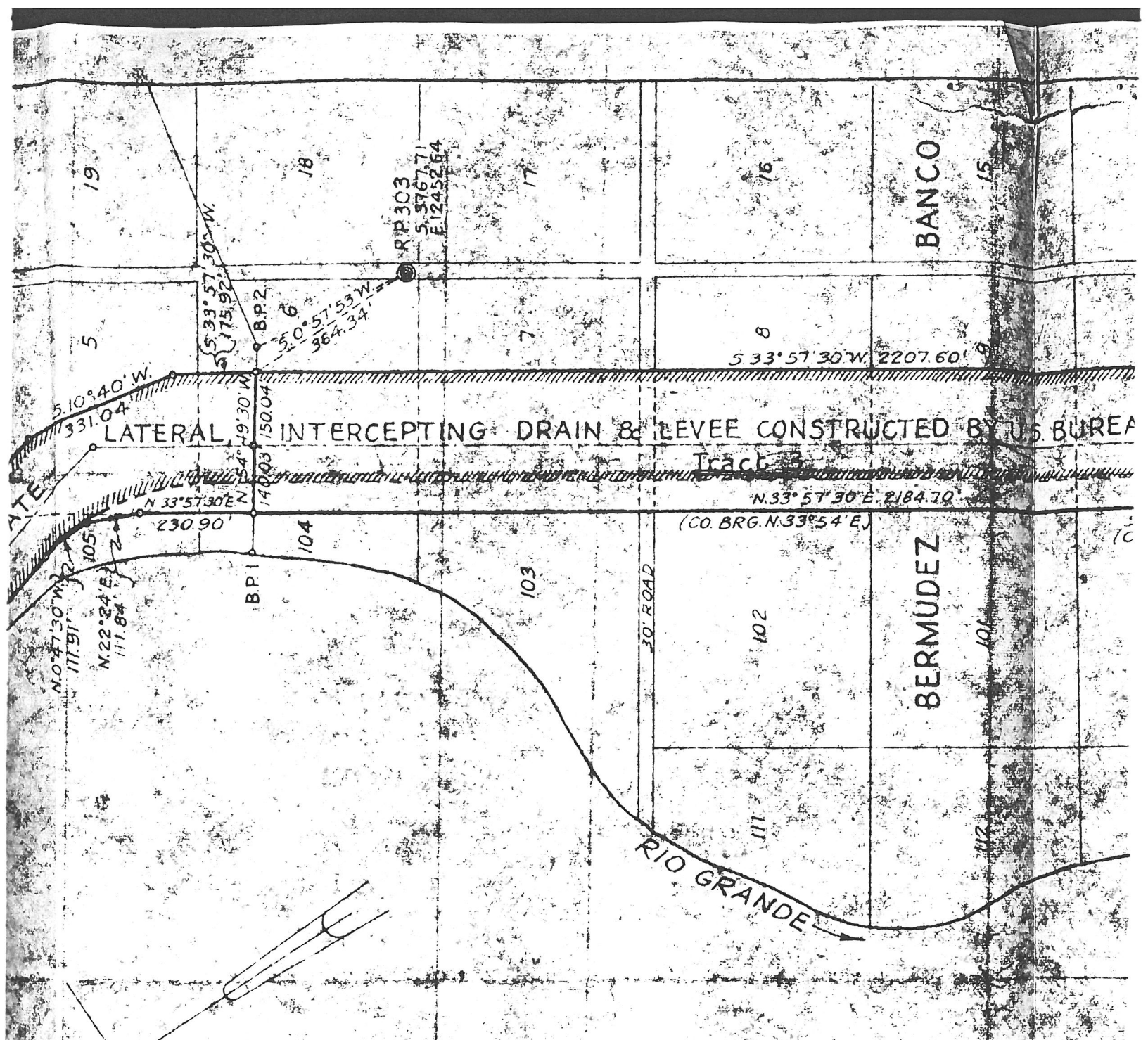
Tract 2
N 12° 08' W 1299.24'
S 12° 08' E 1396.71'

Valley Gate

Ascarate Wasteway
(CO. BRG N 45° 16' E)
N 45° 38' 30" E
Tract 13



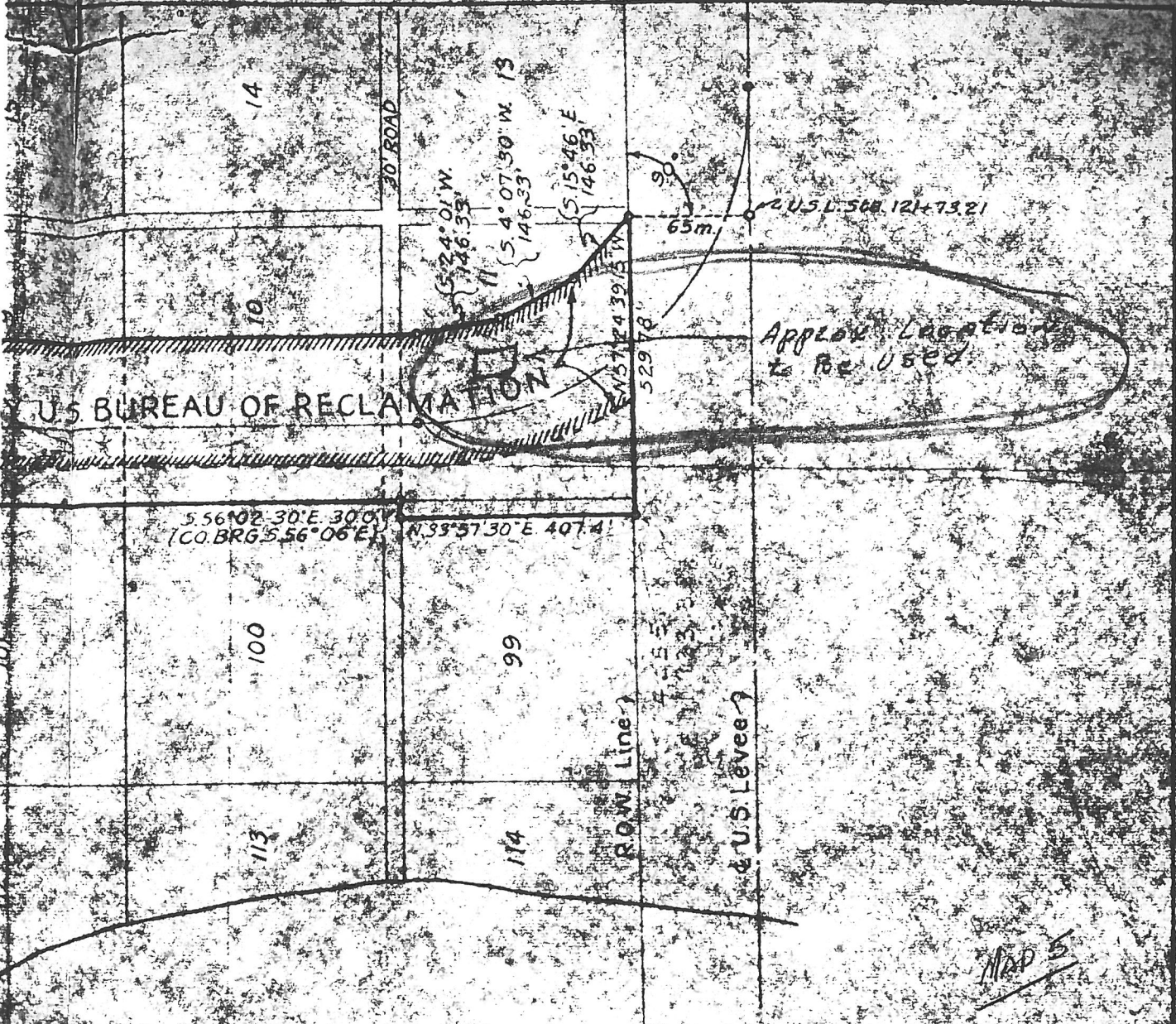
NOTE:
Metric Pl
IB.C. Triar



Area occupied by constructed works indicated by hatched outline.

	Tract 1	Tract 2
Outside Bermudez Banco		
Gross Area	0.053	10.16
Constructed Wks.		9.80
Net Area	0.053	0.36

Plane Coordinates
Triangulation System.



S 56° 02' 30\"/>

Proposed Location
to be Used

Silberberg & Martinez
Owner & Claimant
Valley Gate Subdivision
Block 23
Ysleta Grant

Scale 1:3333 $\frac{1}{3}$

Tract 3	Acres
inside Bermudez Banco	18.06
	13.96
	4.10

INTERNATIONAL BOUNDARY COMMISSION
UNITED STATES AND MEXICO
AMERICAN SECTION

RIVER RECTIFICATION IN
EL PASO AND JUAREZ VALLEYS

FIELD WORK J.D.H. CHECKED V.N.
DRAWN J.R.P. S.C. APPY'D. *[Signature]*
EL PASO, TEXAS, DEC. 8 '34 1559-868

Map 5

(C O P Y)

THIS MEMORANDUM OF AGREEMENT made this 29th day of August, 1934, between the Department of State, represented by the Acting Secretary of State, and the Department of the Interior, represented by the Secretary of the Interior, pursuant to the provisions of the Act approved May 21, 1920 (U.S.C., Title 51, Sec. 686), as amended by Section 601 of the Act approved June 30, 1932 (47 Stat., 417),

WHEREAS provision is made under the terms of the Convention of February 1, 1933, between the United States and Mexico for the rectification of the channel of the Rio Grande between a point near El Paso and Fort Quitman, Texas, and

WHEREAS certain funds have been allotted to the Secretary of State by the Administration of Public Works for the purpose of constructing such rectification works as may be for accomplishment by the United States, and

WHEREAS the American Commissioner of the International Boundary Commission, United States and Mexico, hereinafter referred to as American Commissioner, is engaged upon the construction of such rectification works and

WHEREAS a part of the said rectification works pass through or are adjacent to a portion of the Rio Grande Federal Irrigation Project which has been constructed and is being operated and maintained by the Department of the Interior through its Bureau of Reclamation pursuant to the Act of June 17, 1902 (32 Stat. 388), and

AUG 29 '34 96488

WHEREAS the construction of the said rectification works will necessitate the removal, alteration, construction and reconstruction of certain canals, laterals, drains and appurtenant structures forming a part of the works of said irrigation project, and the consequent works will become a part of said irrigation project and will be operated by the Bureau of Reclamation, which may conveniently construct such works through a transfer of funds for that purpose from the Department of State to the Department of the Interior, Bureau of Reclamation.

NOW, THEREFORE, it is agreed as follows:

(1) Upon request of the American Commissioner for the design or construction of any canal, lateral, drain, or any irrigation work of any character (in connection with the rectification works to be constructed by the United States under the convention mentioned above) addressed to the Superintendent of the Rio Grande Project of the Bureau of Reclamation, accompanied by a transfer to said Bureau of funds to the extent of the estimated cost of such design or construction as the same may be estimated by the American Commissioner at the time of such request, the Bureau of Reclamation will accomplish such design or construction in accordance with such request using therefor the funds so transferred.

(2) When amounts so transferred are determined to be insufficient to complete such design or construction as the same may be requested, additional sums shall be advanced.

(5) The sums so transferred to the Bureau of Reclamation shall be used in the performance of the work so requested to the extent of the actual cost thereof, including the cost of materials and supplies, labor, use of equipment, personal services engaged directly upon such work and a reasonable overhead cost embracing superintendence and accounting, engineering and inspection and general expense. The funds so transferred shall also be chargeable with the cost of equipment purchased for use in connection with such work to the extent that any such purchase may be approved in advance by the American Commissioner, providing that upon completion of such work any equipment so purchased shall become and remain the property of the American Section of the International Boundary Commission.

(4) The American Commissioner shall acquire all lands and rights-of-way needed by the Bureau of Reclamation for construction of the irrigation works contemplated by paragraph (1) of this article.

(5) Upon completion of any work so requested proper adjustments on the basis of the actual cost of the materials, supplies, or equipment furnished or work or services performed will be made and any portion of the funds so transferred then remaining unexpended shall be retransferred to the appropriation for the Rio Grande Rectification Project.

IN WITNESS WHEREOF the Acting Secretary of State and the Secretary of the Interior have hereunto subscribed their official signatures the day and year first above written.

/s/ William Phillips
Acting Secretary of State.

Secretary of the Interior.



OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

206 SAN FRANCISCO STREET
EL PASO, TEXAS

August 12, 1959

AUG 13 1959
380

EL PASO, TEXAS	
Route to:	Initials
Manager	<input checked="" type="checkbox"/>
Asst. Mgr.	<input checked="" type="checkbox"/>
Adm. Asst.	<input checked="" type="checkbox"/>
Power	
Engr.	
Hydro.	
Pers.	
Finance	<input checked="" type="checkbox"/>
Supply	
Safety	
Secretary	
File	
Copy to:	Date
Elephant Butte	
Las Cruces	
Yale	

MAILING ADDRESS
P. O. BOX 4859

Dear Mr. Resch:

Reference is made to my letter to you dated March 31, 1958 and to your reply dated April 1, 1958, relative to the jurisdiction of right of way for the Valley Gate Lateral, Ascarate Wasteway, and the Valley Gate Intercepting Drain. For your convenience copies of both letters are attached.

In accordance with your agreement expressed in your letter, that the Bureau of Reclamation will assume jurisdiction of said right of way down to the right of way line for our levees, we are dropping the following tracts from our Real Property Inventory as of June 30, 1959:

Show on next up-dating report Oct 1st. J.H.W.

<u>File No.</u>	<u>Acres</u>	<u>Cost to U.S.</u>
195	0.23	\$ 51.66
196	0.04	8.98
197	0.09 ✓	20.21
198 <i>Tract 1</i>	0.05 ✓	11.23
199 " 2	10.16 ✓	2,281.94
200 " 3	18.06 ✓	4,056.28
Total	28.63	6,430.30

NOTE: Cost of land, improvements, and overhead figured at \$224.60 per acre.

These tracts were acquired by this agency in the name of the United States for use as right of way for the above features by the Bureau of Reclamation in pursuance of a Memorandum of Understanding between the Department of State and the Department of the Interior, dated August 28, 1934.

Sincerely,

L. H. Hewitt
Commissioner

Enclosures:

Ltr. to Mr. Resch 3/31/58
Reply fr. " 4/1/58

Mr. W. F. Resch, Project Manager,
U. S. Bureau of Reclamation,
El Paso, Texas.

Reported on land status updating report Jan 1, 1960

x ref. to 790. General Correspondence, see letter dated Sept. 28, 1954



OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

208 SAN FRANCISCO STREET
EL PASO, TEXAS

August 12, 1959

MAILING ADDRESS
P. O. BOX 1888

Director	
Assistant Director	
Chief Clerk	
Administrative	
Engineering	
Finance	
Hydrology	
Inspection	
Legal	
Planning	
Public Affairs	
Records	
Secretary	
Telephone Room	
Director's Office	
Copy to:	Date
Elephant Butte	
Las Cruces	
Yuma	

Dear Mr. Resch:

Reference is made to my letter to you dated March 31, 1958 and to your reply dated April 1, 1958, relative to the jurisdiction of right of way for the Valley Gate Lateral, Ascarate Wasteway, and the Valley Gate Intercepting Drain. For your convenience copies of both letters are attached.

In accordance with your agreement expressed in your letter, that the Bureau of Reclamation will assume jurisdiction of said right of way down to the right of way line for our levees, we are dropping the following tracts from our Real Property Inventory as of June 30, 1959:

<u>File No.</u>	<u>Acres</u>	<u>Cost to U.S.</u>
195	0.23	\$ 51.66
196	0.04	8.98
197	0.09	20.21
198	0.05	11.23
199	10.16	2,281.94
200	18.06	4,056.28
Total	28.63	6,430.30

NOTE: Cost of land, improvements, and overhead figured at \$224.60 per acre.

These tracts were acquired by this agency in the name of the United States for use as right of way for the above features by the Bureau of Reclamation in pursuance of a Memorandum of Understanding between the Department of State and the Department of the Interior, dated August 28, 1934.

Sincerely,

L. H. Hewitt
Commissioner

Enclosures:

ltr. to Mr. Resch 3/31/58
Reply fr. " 4/1/58

Mr. W. F. Resch, Project Manager,
U. S. Bureau of Reclamation,
El Paso, Texas.

x ref. to 790. General Correspondence,
see letter dated Sept. 28, 1954

*Proposed on land status
up to date 1/1/60*

380.

WFR-crr
JHM
JW
etc

Mgr

April 1, 1958

Hon. L. H. Hewitt
Commissioner, United States Section
International Boundary and Water Commission
P. O. Box 1859
El Paso, Texas

Dear Col. Hewitt:

Your letter of March 31, 1958, relative to a request of Mr. Alvin M. Zacholski of 365 Ben Swain Drive, having made an application to operate a horse corral on Government land adjoining his residence, is acknowledged.

The second paragraph of your letter points out that the Boundary Commission acquired this right of way for the Bureau of Reclamation in pursuance of a Memorandum of Understanding between the Department of State and the Department of the Interior, dated August 28, 1934. *→ copy is in Mr. Resch's book.*

I concur with your statement that this is right of way of the Bureau of Reclamation, and we will accordingly assume jurisdiction of the right of way in this area for the Valley Gate Lateral, Ascarate Wasteway, and the Valley Gate Intercepting Drain down to the right of way line for the levee. A copy of your letter and a copy of this letter is being attached to our copy of the Agreement. *→ Did - copy in W.F. Resch book*

Sincerely yours,

W. F. Resch
Project Manager



OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

206 SAN FRANCISCO STREET
EL PASO, TEXAS

March 31, 1958

MAILING ADDRESS:
P. O. BOX 1859

EL PASO, TEXAS	
Route to:	Initials
Manager	<input checked="" type="checkbox"/>
Asst. Mgr.	<input checked="" type="checkbox"/>
Adm. Asst.	
Power	
Engr.	
Off. Engr.	
Telephone	
Pers.	
Finance	
Supply	
Safety	
Secretary	
File	
Copy to:	Date
Elephant Butte	
Las Cruces	
Ysleta	

APR - 1 1958

Mr. W. F. Resch,
Project Manager, Bureau of Reclamation,
United States Courthouse,
El Paso, Texas.

Dear Mr. Resch:

Mr. Alvin M. Pacholski, who resides at 365 Ben Swain Drive, Miller's Lakeside Addition, has applied to this agency for a right to operate a horse corral, to stable one horse, on Government land adjoining his residence. Enclosed is a copy of our map No. 1559-36B, dated December 8, 1934, on which Mr. Pacholski has sketched in pencil the area proposed to be affected.

As you will note, this appears to be on right-of-way acquired by us in the name of the United States for structures of the Bureau of Reclamation exclusively, which were constructed and are being operated and maintained by your agency in pursuance of a Memorandum of Understanding between the Department of State and the Department of Interior dated August 28, 1934. It therefore appears that this is right-of-way of the Bureau of Reclamation. Please write me if we are in agreement.

If you agree with our views and anything further is required to supply an apparent omission of an express transfer of jurisdiction in the reference Memorandum, our exchange of letters on the subject will supply that apparent omission.

Sincerely yours,

L. H. Hewitt
Commissioner

Enclosure:
IBWC Dwg. No. 1559-36B