

HUDSPETH, C. B.

CONDEMNATION

131

MESA DRAIN

0023-00 ⁷⁹~~19~~-60 43-00 13-(43) TEXAS

280

X

Petition for condemnation of real estate
The U. S. VS Claude B. Hudspeth

No. 689 Law

In the District Court of the U. S. for the Western District of Texas, and the El Paso Division.

Come now the U. S. of America by Hugh R. Robertson, U. S. Attny for the Western Dist. of Texas and E. B. Elfers, Special Asst. to the U. S. Attny for the Western Dist. and respectfully show your Honor:

That the Secty of the Interior of U.S. has determined that certain lands located in El Paso County, Texas, are needed by the Dept. of the Interior and particularly by that branch of said Dept. known as the U. S. Reclamation Service, for the construction of what is known as the Mesa Drain within the Rio Grande Proj. That the lands needed are as follows:

Situated approx three miles SW of the town of Ysleta in the west half of the SE quarter of section 5, township 32 south, range 7 east, U. S. Recl. Serv survey, being also in the Socorro Gr and more particularly descr. as follows:

Beg. at the most Sly corner of Tract of land herein descr, which is a point at intersection of property line between land of Claude B. Hudspeth and L. L. Stallings with NEly right of way line of mesa drain and from which point the SE corner of said section 5 bears S 59 30 E 2551.3 feet; thence N. 26 26 W 272.6 feet; thence to the left along a 643.7 foot radius curve a dist of 340.77 feet measured on 100-foot chords to a point on the prop. line between land of C. B. Hudspeth and Genaro Garcia, the tangent to the curve at a~~s~~ said point bearing N 56 48 W; thence South 79 E 353.19 thence S. 66 30 E 166.7 feet; thence S 23 04 W 383.8 feet to point of beg, and containing two and eight hundredths (2-8/100) acres more or less.

That said lands so described are owned by Claude B Hudspeth. He is disqualified in law to sell said real estate to the U. S. and said owner is unable to agree with U. S. upon value of land.

On March 9th, 1920 the Secty of Dept of Interior, advised the Attny General of the U. S. of facts herein and requested the Attny Gen. to institute or to cause to be instituted appropriate proceedings looking to the acquirement of title to said lands.

Signed Hugh R. Robertson
U. S. Attny for Western Dist. of Tex.

Copied by Nell Ward 7-9-62

See K-18 Cont File for copy of letter of March 9, 1920 (Attached to letter of May 14, 1920.)

689

Order Appointing Commissioners

On first day of April, 1920 came on to be heard the application of the U. S. asking for a commission to assess the damages for the taking of two and eight one hundredths acres of land in El Paso County, fully descr. in the application. Land being needed by the Dept of Interior and particularly the U. S. Reclamation service. for constr. of what is known as the Mesa Drain within the Rio Grande Proj. The Court appoints George W. Huffman, Milton S. Graves, and Claude W. Whitney, disinterested freeholders of E.P. County as special commissioners to assess damages.

Statement of Per Diem of Special Commissioners

Each commissioner involved 2 days in appraisement of property and each claims \$3.00 per day.

Final Order

It is adjudged and decreed that the plaintiff deposit with the clerk of this court the sum of \$250 for the use and benefit of the defendant on account of the appropriation and condemnation by plaintiff of the following described tract of land.

(description follows) containing 2.08 acres more or less.

The U. S. shall be let into possession of all and singular, the above descr. property, to have and hold the same in fee simple title.

That the costs herein be assessed against the plaintiff as provided by law.

April 12, 1920

Notice of Hearing by Commissioners

April 3, 1920

Said commissioners having been duly sworn to assess said damages fairly and impartially and in accordance with law, do hereby appoint as the place for hearing the office of U. S. Reclamation Service at El Paso on 10th of April 1920.


A copy of this order shall be served upon each of said parties.

~~x@xxxxxxx~~

Oaths of Special Commissioners

7.313.
7.325.

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E.O. LOCHAUSEN

C.B. HUDSPETH.

L.L. STALLINGS.

#28-2

SCALE: 1" = 200'

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
N.MEXICO - RIO GRANDE PROJECT - TEXAS
EL PASO VALLEY DRAINAGE
MESA DRAIN
RIGHT OF WAY

DRAWN: T.J.L. Field Work: Wilson

CHECKED: _____ APPROVED: _____

№ 28а

900-L48 EL PASO, OCT. '19

Note: Curve lengths based on
100.0 Chord lengths.

13-4-17