

43

RIO GRANDE

Mr. Bazemth, H.S.
1923
RIO GRANDE
180
CONDONATION

1926

No. 907-law

In the United States District Court
FOR THE WESTERN DISTRICT OF TEXAS
El Paso Division

THE UNITED STATES

vs.

H. S. Bozarth

Judgment and Decree

E. S. W. Yonnes

Filed for record:
October 2, 1923 -
September

S. H. Hart, Clerk

By J. M. Phillips,
deputy clerk

Entered - Vol: 14 - page 58

FRONT
379512

IN THE DISTRICT COURT OF THE UNITED STATES,
FOR THE WESTERN DISTRICT OF TEXAS,
EL PASO DIVISION.

October Term, A. D. 1923.

----- X
The United States of America,
Plaintiff,
vs.
H. S. B o z a r t h,
Defendant.
----- X

No. 907-Law.

On this, the 2nd day of October, A. D. 1923, came on for final hearing the above numbered and entitled cause, and it appearing to the Court that on the 19th day of September, A. D. 1923, there was filed in this Court the Report and Award of the Special Commissioner heretofore appointed to assess the damages sustained and to be sustained by the defendant by reason of the appropriation and condemnation of the lands described in plaintiff's original petition heretofore filed in this cause. And, it appearing to the Court that no exceptions to said Report and Award have been filed by the parties hereto, and it appearing from an inspection of said report that the appraisal of damages has been duly made and that said report is regular in form as provided by law, and the said Report is in all things hereby approved and confirmed.

It is further Ordered, Adjudged and Decreed by the Court that the plaintiff, The United States of America, forthwith deposit with the Clerk of this Court the sum of Eighty-two & 50/100 (\$82.50) Dollars for the use and benefit of the defendant on account of the appropriation and condemnation by the plaintiff of the following described tract and parcel of land situated in El Paso County, Texas, more particularly described as follows, to-wit:

A tract of land situated in the northeast quarter of

the northeast quarter of Section twenty-four (24), Township thirty-two (32) South, Range six (6) East, and the northwest quarter of the northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section nineteen (19), Township Thirty-two (32) South, Range seven (7) East, New Mexico Principal Meridian, United States Reclamation Service survey, and being also in Survey No. 167 of the Socorro Grant, El Paso County, Texas, and more particularly described as follows:

BEGINNING at the point of intersection of the Southerly right-of-way line of a road with the South-westerly line of Survey 167 of the Socorro Grant, and from which point the northwest corner of said Survey 167 bears north fifty-nine (59) degrees fifty-three (53) minutes West twenty-three and seventy-five hundredths (23.75) feet, and the Northeast corner of said Section twenty-four (24) bears North no (0) degrees seven (7) minutes, forty-five (45) seconds East one hundred forty-and ninety-six hundredths (140.96) feet; Thence along said Southerly right-of-way line of road North sixty-two (62) degrees forty-five (45) minutes East two hundred forty-eight and seventeen-hundredths (248.17) feet to point of intersection with the Westerly right-of-way line of the Franklin Feeder Canal, and from which point the Northeast corner of said Section nineteen (19) bears North eighty-nine (89) degrees, forty-one (41) minutes, thirty (30) seconds east five thousand fifty-seven and thirty-hundredths (5057.30) feet; thence along said right-of-way line of the Franklin Feeder Canal South thirty-five (35) degrees, Nineteen (19) minutes East, one hundred twenty-five and sixty-four hundredths (125.64)

feet; Thence South sixty (60) degrees, fifty-four (54) minutes West two hundred twenty and forty-nine hundredths (220.49) feet to a point on the Southwesterly line of said Survey 167; Thence along said Southwesterly line of survey 167 North thirty-two (32) degrees, thirty (30) minutes West, Seventy and ninety-six hundredths (70.96) Feet; North fifty-nine (59) degrees, fifty-three (53) minutes West seventy-two and twenty-five hundredths (72.25) feet to the point of beginning; said tract of land containing sixty-six hundredths (0.66) of an Acre, more or less;

and that such payment be and is hereby adjudged to be in full compensation to the defendant on account of the appropriation and condemnation and taking by the plaintiff of said above described tract of land.

It is further Ordered, Adjudged and Decreed that upon the deposit by the plaintiff with the Clerk of this court of said sum of Eighty-two & 50/100 (\$82.50) Dollars, being the amount found by the Special Commissioners as the damages due the said defendant, that the plaintiff, The United States of America, shall be entitled to and shall be let into possession of all and singular the above described tract of land, To Have and To Hold the same in fee simple That the fee simple title to said tract of land be and the same is hereby divested out of the defendant and that said fee simple title be and the same is hereby vested in the plaintiff, The United States of America.

It is further Ordered, Adjudged and Decreed that the Clerk of this Court, after the deposit with him of said sum of money awarded to the defendants as herein provided, shall and he is hereby directed that after deducting all costs of Court in this behalf expended by

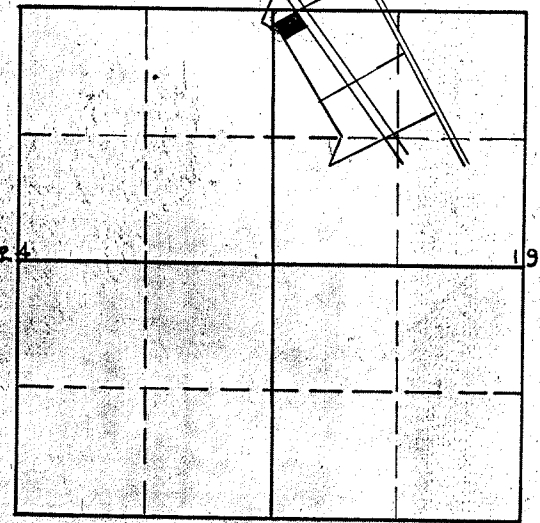
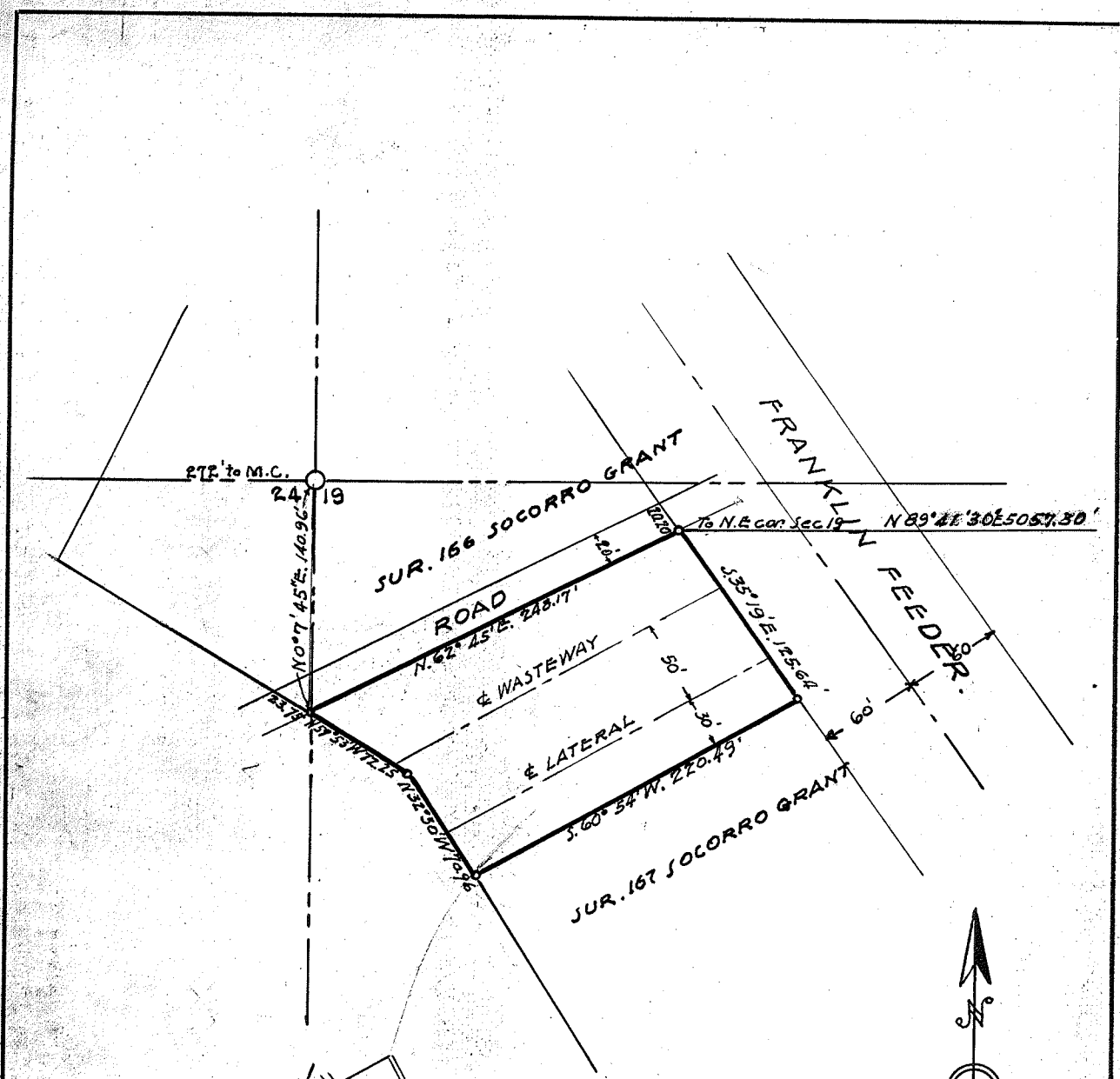
plaintiff, The United States of America, he pay the balance thereof over to said defendant by the issuance of check therefor in the name of the said defendant and by delivering said check to said defendant or to any one duly authorized to receive same for him, taking due and proper receipt therefor.

It is further Ordered by the Court that all costs in this behalf incurred, including the compensation fixed by law for the Special Commissioners, who have acted herein, be assessed against and paid by the defendant as provided by law.

Done at El Paso, Texas, this 2nd day of October, A. D. 1923.

W. R. Austin
J u d g e.

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SECTION 19 T. 32 S. R. 1 E.
 " 24 " " R. 6 E
 U.S.R.S. SUR.

H.S. BOZARTH
 R. of W. 0.66 A.



SCALE: 1" = 100'

DEPARTMENT OF THE INTERIOR.
 UNITED STATES RECLAMATION SERVICE.
 RIO GRANDE PROJECT- NEW MEXICO- TEXAS
EL PASO VALLEY
 RIO LAT. & LEYEE & FRANKLIN FED W/W
 RIGHT OF WAY

FIELD WORK: J.A.C.	CHECKED: G.W.H.
DRAWN: G.H.	APPROVED:
L-122	EL PASO, TEX. 6-24-23