

~~SECRET~~  
430, -  
RIO GRANDE

No. 93 - Civil

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION.

-----

THE UNITED STATES

vs.

STEVE M. MARASOVICH, ET. AL.

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RIVERSIDE  
CANAL EXT.

COMPLETE TRANSCRIPT.

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# CERTIFICATION

**The undersigned hereby certifies to the Director of Industry Operations that:**

- (1) He executed the foregoing application on behalf of and by authority of the above named Operator.
- (2) The facts stated above are, to the best of his knowledge and belief, true and correct.
- (3) The quantities and values of Material herein applied for have been arrived at from the books and records of the Operator and have been determined in a reasonable and prudent manner.

- (4) If preference ratings are assigned under the Foreign Petroleum Industry Material Rating Plan, no preference ratings other than those so assigned will be used by the Operator or his agent to obtain deliveries of Materials for Operations specified in Section (b) of the INSTRUCTIONS attached hereto, unless specific authorization by the Director of Industry Operations for the use of such other ratings has been received by the Operator or his agent.

- (5) Preference ratings assigned under the Foreign Petroleum Industry Material Rating Plan will be applied only in accordance with the provisions of Priorities Regulation No. 9.

- (6) The Material herein applied for will be used only for Operations specified in Section (b) of the INSTRUCTIONS attached hereto and in such manner as to insure the greatest practicable supply of unfinished or finished Petroleum possible with the expenditure of such Material.

By \_\_\_\_\_  
Signature of Authorized Official.

**AUTHORIZATION**

Subject to the provisions of Priorities Regulation No. 9 and the INSTRUCTIONS attached hereto, the Director of Industry Operations hereby assigns to the delivery of the quantity of Material shown in Columns 13, 16, 19, 24 and 27, the preference ratings shown in Columns 14, 17, 20, 25 and 28, respectively. Such preference ratings may not be applied to such deliveries except as provided in said Regulation No. 9.

**Director of Industry Operations**



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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVE E. MARASOVICH, ET AL,

Defendants.

No. 93- Civil Action.

Filed September 12, 1940.

PETITION IN CONDEMNATION PROCEEDING

TO THE HONORABLE CHARLES A. BOYNTON, JUDGE OF SAID COURT:

Comes now the United States of America by W. E. Smith, Jr., United States Attorney for the Western District of Texas, and Walter S. Humnicutt and R.Neill Walsh, Assistant United States Attorneys for the Western District of Texas, and respectfully shows to the Court:

I.

1. That the Secretary of the Interior of the United States has determined that certain lands located in El Paso County, Texas, and within the jurisdiction of this Court, are needed by that branch of said Department known as the Bureau of Reclamation of the Department of the Interior, for the purposes of regulation, control and use of the flow of the Rio Grande River by means of an irrigation canal and drainage outlet channel and appurtenant works for the purpose of the reclamation, irrigation and drainage of arid lands within the Rio Grande Federal irrigation project constructed, operated and maintained by the United States under the Reclamation Law hereinafter mentioned.

2. Your petitioner respectfully represents that the application for the condemnation of lands hereinafter described, and of the acquisition by the United States of said lands in fee simple absolute, for the purposes hereinabove stated, is authorized and brought pursuant to (a) the Act of Congress of June 17, 1902, 32 Stat., 388, and all acts amendatory thereof and supplementary thereto, commonly known as the Reclamation Law; (b) the

Act of March 4, 1921, 41 Stat., 1404, and (c) the Act of February 26, 1931, 46 Stat., 1421, and all acts amendatory thereof and supplementary thereto.

3. That the lands needed are more particularly described as follows, to wit:

THREE TRACTS of land lying and situate in El Paso County, Texas, and in the SW<sup>1</sup>/<sub>4</sub> of Section 32, Township 33 South, Range 8 East, Bureau of Reclamation Survey; being also within Tract 1-A, Block 42 of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said County and State; more particularly described as follows:

TRACT 1 Beginning at the point of intersection of the dividing line between Tracts 1-A and 4, Block 42 of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the River Drain said point being the Southeast corner of Tract 2, Block 42 of the said official resurvey of the San Elizario Grant; thence along the southwesterly right of way line of said river drain South 59° 51' East 363.4 feet to a point at the intersection of said line with the north right of way line of the Cuadrilla Drain and from which point the Northwest corner of Tract 13 Block 2 of the said official resurvey of the San Elizario Grant bears North 25° 36' 30" East 1459.1 feet; thence along the north right of way line of said Cuadrilla Drain, South 84° 53' West 318.1 feet to the dividing line between Tract 1-A and Tract 4 Block 42 of said official resurvey of the San Elizario Grant; thence along said dividing line North 0° 42' East 210.9 feet to the point of beginning. Said tract of land containing 0.77 of an acre, more or less. Shown as Tract 1 on plat attached hereto and made a part hereof.

TRACT 2 Beginning at the point of intersection of the dividing line between Tract 1-A and Tract 4 Block 42 of the official resurvey of the San Elizario Grant with the south right of way line of the Cuadrilla Drain and from which point the Southeast corner of Tract 2 Block 42 of the official resurvey of the San Elizario Grant bears North 0° 42' East 291.3 feet; thence along the south right of way line of said Cuadrilla Drain, North 84° 53' East 439.4 feet to a point on the southwesterly right of way line of the River Drain and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizario Grant bears North 20° 14' 30" East 1476.6 feet; thence along the Southwesterly right of way line of said river drain South 59° 51' East 186.7 feet to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the former Rio Grande South 58° 44' West 264.8 feet, South 74° 23' West 311.4 feet and South 66° 57' West 83.2 feet to a point where the said river bank intersects the extension of the dividing line between Tract 1-A and 4, Block 42 of the said official resurvey of the San Elizario Grant; thence along said dividing line as extended North 0° 42' East 3081.5 feet to the point of beginning. Said tract of land containing 2.92 acres, more or less. Shown as Tract 2 on Plat attached hereto and made a part hereof.

TRACT 3 - Beginning at a point on the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2, of the official resurvey of the San Elizario Grant and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizario Grant bears North 2° 58' West 1234.1 feet; thence South 2° 58' East 20 feet to the north right of way line of the Fabens Intercepting Drain Stub; thence along said right of way line South 84° 49' West 220 feet; thence South 5° 11' East 80 feet; thence along the south right of way line of said Fabens Intercepting Drain Stub; North 84° 49' East 216.9 feet to the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2 of the said official resurvey of the San Elizario Grant; thence South 2° 58' East 120.8 feet along said dividing line and an extension thereof to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along said river bank South 89° 24' West 226.7 feet to the northeasterly right of way line of the river drain; thence along the northeasterly right of way line of said River Drain North 59° 51' East 350.3 feet to a point from which the Southeast corner of Tract 2 Block 42 of the said official resurvey of the San Elizario Grant bears North 73° 24' 20" West 511.9 feet; thence North 84° 49' East 520.3 feet to the point of beginning. Said tract of land containing 1.38 acres, more or less. Shown as Tract 3 on plat attached hereto and made a part hereof.

(Parcel II, Marasovich)

Riverside Canal Extension  
No. 20.

A tract of land lying and situate in El Paso County, Texas, and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South and Southwest quarter (SW $\frac{1}{4}$ ) of Section thirty-two (32), Township thirty-three (33) South, Range eight (8) East, Bureau of Reclamation Survey; being also within survey sixty-nine (69) of the Island, San Elizarie Grant and tract eleven (11) Block fifty-four (54) of the official resurvey of the San Elizarie Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 15th day of January, 1930, and of record in the office of the county clerk of said county and state; more particularly described as follows:

Beginning at a point on the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof and from which point the most southerly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Elizarie Grant bears South twenty-one degrees (21°) forty-six minutes (46') eighteen seconds (18") East five thousand one hundred fifty-one and nine tenths (5151.9) feet; thence along the south bank of the said former Rio Grande North fifty-six degrees (56°) forty-four minutes (44') East twenty-eight and nine tenths (28.9) feet North sixty-seven degrees (67°) fourteen minutes (14') East two hundred thirteen and nine tenths (213.9) feet; North eighty-one degrees (81°) forty-four minutes (44') East one hundred sixty-one and one tenth (161.1) feet; South eighty-two degrees (82°) thirty-nine minutes (39') East two hundred one and one tenth (201.1) feet and South seventy-four degrees (74°) twenty minutes (20') East one hundred twenty-three and eight tenths (123.8) feet to a point from which the most easterly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Elizarie Grant bears South thirty-seven degrees (37°) thirty-nine minutes (39') twenty-two seconds (22") East four thousand five hundred eighty-nine and nine tenths (4589.9) feet; thence South eighty-four degrees (84°) fifty-three minutes (53') East seven hundred two and three tenths (702.3) feet to the point of beginning. Said tract of land containing eighty-eight hundredths (0.88) of an acre, more or less, all as shown on plat attached hereto and made a part hereof.

and the United States of America, having appeared before me by S. J. [illegible],



(Parcel III, Hunt)

Riverside Canal Extension  
Plat No. 22 - 26

TWO tracts of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey and within Hunt's Addition to Fabens, Texas, being also within Tract nine (9), Block fifty-four (54) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

TRACT 1 - Being all of lots one (1) to seventy-six (76) both inclusive, Block nine (9) Hunt's Addition to Fabens, Texas, more particularly described as follows: Beginning at a point on the southeasterly line of said tract nine (9) Block fifty-four (54) of said official resurvey of the San Elizario Grant which point is the most southerly corner of Block nine (9) Hunt's addition to Fabens, Texas; thence along the southwesterly line of said block nine (9) which is also the northeasterly right of way line of Canal Drive North forty-seven degrees (47°) fifty-eight minutes (58') West one thousand one hundred forty-four and eight tenths (1144.8) feet, North fifty-nine degrees (59°) eighteen minutes (18') West one hundred sixty-one and seventy-six hundredths (161.76) feet and North sixty-eight degrees (68°) forty-eight minutes (48') West five hundred eighty-seven and two tenths (587.2) feet to the Southwest corner of said Block nine (9) Hunt's Addition to Fabens, Texas and from which point the most southerly corner of said Tract nine (9) Block fifty-four (54) of said official resurvey of the San Elizario Grant bears South thirty-seven degrees (37°) fourteen minutes (14') East one thousand seven hundred seventy-five and seven tenths (1775.7) feet; thence North thirty-seven degrees (37°) fourteen minutes (14') West one hundred sixty-nine and two tenths (169.2) feet along the westerly line and an extension thereof of said Block nine (9) Hunt's Addition to Fabens, Texas to the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the south bank of the said former Rio Grande South seventy degrees (70°) nineteen minutes (19') East six hundred ninety-four and four tenths (694.4) feet; South sixty-three degrees (63°) twenty-three minutes (23') East three hundred forty-eight (348) feet South fifty-six degrees (56°) fifty-eight minutes (58') East three hundred forty-five and fifteen hundredths (345.15) feet, South forty-five degrees (45°) forty-eight minutes (48') East three hundred twenty-eight and sixty-four hundredths (328.64) feet and South thirty-eight degrees (38°) eighteen minutes (18') East four hundred and six hundredths (400.06) feet to the intersection with the southeasterly line of Block nine (9) of Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Block nine (9) South fifty-two degrees (52°) forty-two minutes (42') West one hundred twenty-four (124) feet to the point of beginning. Said tract of land containing six and forty-nine hundredths (6.49) acres, more or less. Shown on Riverside Canal Extension Plat No. 22 attached hereto and made a part hereof.

Riverside Canal Extension - Plat No. 22-26

TRACT 2 - Being fractional parts of lots nine (9) and ten (10), Block two (2), fractional parts of lots eight (8), nine (9), eighteen (18) and nineteen (19), Block three (3) and fractional parts of lots sixteen (16) and seventeen (17), Block six (6), all in Hunt's Addition to Fabens, Texas more particularly described as follows: Beginning at a point on the southwesterly right of way line of the I-243 Lateral, which is the property of the United States, said point being the most northerly corner of Lot sixteen (16) Block six (6) Hunt's Addition to Fabens, Texas; thence along the southwesterly right of way line of the I-243 Lateral being also the northeasterly line of Blocks six (6), three (3) and two (2) Hunt's Addition to Fabens, Texas, South forty-seven degrees (47°) fifty-eight minutes (58') East five hundred seventy-four and ninety-four hundredths (574.94) feet to a point which is the most easterly corner of Lot ten (10), Block two (2), Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Lot ten (10), South fifty-two degrees (52°) forty-two minutes (42') West eleven and seventy-three hundredths (11.73) feet; thence North forty-seven degrees (47°) forty-four minutes (44') West five hundred seventy-four and forty-nine hundredths (574.49) feet to the northwesterly line of Lot sixteen (16) Block six (6) Hunt's Addition to Fabens, Texas; thence along said line North fifty-two degrees (52°) forty-two minutes (42') East nine and thirty-five hundredths (9.35) feet to the point of beginning. Said tract of land containing fourteen hundredths (0.14) of an acre, more or less, of which two hundredths (.02) of an acre is occupied by streets and alleys. Shown on Riverside Canal Extension Plat 26, attached hereto and made a part hereof.

Riverside Canal Extension  
No. 17

(Parcel IV, Whitaker Estate & Tucker)

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter ( $NW\frac{1}{4}$ ) of the Northwest quarter ( $NW\frac{1}{4}$ ) of Section four (4) and Northeast quarter ( $NE\frac{1}{4}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within tract sixteen (16), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

Beginning at the point of intersection of the dividing line between Tracts fifteen (15) and sixteen (16), Block one (1) of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the Fabens Intercepting Drain and from which point the Northeast corner of said Tract sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant bears North sixty-six degrees ( $66^{\circ}$ ) twenty minutes ( $20'$ ) East six hundred thirty-seven (637) feet; thence along said southwesterly right of way line of the Fabens Intercepting Drain South sixty-eight degrees ( $68^{\circ}$ ) forty-five minutes ( $45'$ ) East four hundred eighty-nine (489) feet to a point on the southeasterly line of said Tract sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant and from which point the Southeast corner of said Tract sixteen (16) bears North fifty degrees ( $50^{\circ}$ ) fourteen minutes ( $14'$ ) East three hundred seventy-four and eight tenths (374.8) feet; thence South fifty degrees ( $50^{\circ}$ ) fourteen minutes ( $14'$ ) West three hundred fifty-five and six tenths (355.6) feet along the southeasterly line of said Tract sixteen (16) to the north bank of the former Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the said former Rio Grande North sixty-four degrees ( $64^{\circ}$ ) fifty-nine minutes ( $59'$ ) West five (5) feet; North seventy-two degrees ( $72^{\circ}$ ) fifteen minutes ( $15'$ ) West four hundred eighty-four and five tenths (484.5) feet and North seventy-three degrees ( $73^{\circ}$ ) fifty minutes ( $50'$ ) West one hundred eighty-seven (187) feet to the point of intersection with the dividing line between Tracts fifteen (15) and sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant; thence along said dividing line North sixty-six degrees ( $66^{\circ}$ ) twenty minutes ( $20'$ ) East five hundred five and one tenth (505.1) feet to the point of beginning. Said tract of land containing four and twenty-seven hundredths (4.27) acres, more or less. All as shown on Plat attached hereto and made a part hereof.

Riverside Canal Extension  
Plat No. 14.

x

(Parcel V, Schutten)

A tract of land lying and situate in El Paso County, Texas, and in the Northeast quarter ( $NE\frac{1}{4}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ) of Section five (5) Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; said tract being all of lots eight (8), nine (9), ten (10), eleven (11), and twelve (12) and accretion thereto, Block G of the Riverside Addition to Fabens, Texas and being also within tract fourteen (14), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas the 13th day of January, 1930 and of record in the office of the County Clerk of said county and State; more particularly described as follows:

Beginning at a point on the northerly line of Block G Riverside Addition to Fabens, Texas, said point being the Northeast corner of Lot eight (8), Block G of said Riverside Addition; thence along the easterly line of said lot eight (8), South twenty-three degrees ( $23^{\circ}$ ) forty-two minutes ( $42'$ ) East one hundred twenty-nine (129) feet to a point on the southerly line of said Block G, said point being the Southeast corner of said lot eight (8); thence along the southerly line and an extension thereof of said Block G, Riverside Addition, South sixty-six degrees ( $66^{\circ}$ ) eighteen minutes ( $18'$ ) West one hundred thirty and three tenths (130.3) feet to the east bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the east bank of the said former Rio Grande North fifty-one degrees ( $51^{\circ}$ ) forty-six minutes ( $46'$ ) West one hundred forty-six and two tenths (146.2) feet to a point where the said river bank intersects the extension of the northerly line of Block G of said Riverside Addition; thence along said northerly line as extended North sixty-six degrees ( $66^{\circ}$ ) eighteen minutes ( $18'$ ) East one hundred ninety-nine and one tenth (199.1) feet to the point of beginning. Said tract of land containing forty-nine hundredths (0.49) of an acre, more or less, all as shown on plat attached hereto and made a part hereof.

Riverside Canal Extension  
Plat No. 18

(Parcel VI, Lopez Estate)

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within Tract seventeen (17) Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said County and state; more particularly described as follows:

Beginning at a point on the northwesterly line of said Tract seventeen (17) Block one (1) of said official resurvey of the San Elizario Grant and from which point the most northerly corner of said tract seventeen (17) bears North forty-nine degrees (49°) fifty-seven minutes (57') East three hundred sixteen and two tenths (316.2) feet. Said most northerly corner of Tract seventeen (17) being thirty-five (35) feet from and at right angles to the center line of State Highway No. 1; thence South thirty-nine degrees (39°) thirty-seven minutes (37') East one hundred ninety and eight tenths (190.8) feet to the Southeasterly line of said tract seventeen (17) and from which point the most easterly corner of said tract seventeen (17) bears North fifty degrees (50°) fourteen minutes (14') East three hundred sixteen and six tenths (316.6) feet; thence South fifty degrees (50°) fourteen minutes (14') West one hundred eighty-five and nine tenths (185.9) feet along the southeasterly line of said Tract seventeen (17) to the northeast bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the northeast bank of the said former Rio Grande North sixty degrees (60°) fifty-one minutes (51') West one hundred ninety-nine and nine tenths (199.9) feet and North sixty-four degrees (64°) fifty-nine minutes (59') West three and three tenths (3.3) feet to the intersection with the northwesterly line of said Tract seventeen (17); thence along said northwesterly line of tract seventeen (17) North forty-nine degrees (49°) fifty-seven minutes (57') East two hundred fifty-nine and eight tenths (259.8) feet to the point of beginning. Said tract of land containing ninety-seven hundredths (0.97) of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

Correct as to Engineering Data

4.0.0.

## II.

1. The Petitioner is informed and believes, and therefore alleges upon information and belief, that the following named persons are the owners of the above described tracts of land, owning or claiming to own an interest therein: S. C. Bradley, Steve M. Marasovich, Rudolph G. Schuttan and Mary G. Schuttan, Paul Tucker, Edward Whitaker, Irene Whitaker, Dan Whitaker, Lonnie Whitaker, Willie Tucker, Paul Tucker, Paul Tucker as guardian of Raymond Leon Tucker, a minor, Mrs. Norma Noel Hunt, W. Y. Ellis, Federal Land Bank of Houston, Texas, F. B. Cooke, S. B. Keeler, and El Paso National Bank, guardian of the Estate of Luciane Lopez, a person of unsound mind.

2. The State of Texas and County of El Paso own or claim to own an interest in said land by virtue of a lien for delinquent taxes thereon.

3. The El Paso County Water Improvement District No. 1 owns or claims to own some interest in said property by virtue of the fact that there are water and construction charges due and unpaid thereon.

## III.

1. That under date of July 15, 1940, the Secretary of the Interior, acting through W. C. Mendenhall, Acting Under Secretary of the Department of the Interior of the United States, by written communication of even date, advised the Attorney General of the United States of the facts hereinabove set out, and requested the Attorney General to institute or cause to be instituted appropriate proceedings looking to the acquisition of said lands in fee simple absolute, and the Attorney General requested and directed the counsel first above named to take the necessary steps to acquire the aforesaid lands in fee simple absolute, and that this application is made and this proceeding instituted under the direction of the Attorney General.

## IV.

1. WHEREFORE, your petitioner respectfully prays that the above named defendants be required to appear and set up their respective interests in and to the aforesaid described property, if any they have.

2. That your Honor forthwith name three disinterested freeholders of the County of El Paso, who shall assess the amount of the damages so



sustained by the parties hereinabove named, by the taking of the lands hereinabove described.

3. That upon the filing of said award in this Court, in the manner and form prescribed by law, this Court enter judgment thereon condemning the lands in fee simple absolute to the United States of America.

W. R. Smith, Jr.,  
\_\_\_\_\_  
United States Attorney

By: R. Neill Walshe  
\_\_\_\_\_  
Assistant U. S. Attorney.

is one thousand four hundred Forty-one and no/100 dollars (\$1441.00), which said sum is hereby deposited into the registry of this Honorable Court to the use and for the benefit of the ones entitled thereto; that the following is a description of the lands to which fee simple absolute title is taken under this Declaration, with the estimated value of the same;

THREE TRACTS of land lying and situate in El Paso County, Texas, and in the SW $\frac{1}{4}$  of Section 32, Township 33 South, Range 8 East, Bureau of Reclamation Survey; being also within Tract 1-A, Block 42 of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said County and State; more particularly described as follows:

TRACT 1 Beginning at the point of intersection of the dividing line between Tracts 1-A and 4, Block 42 of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the River Drain said point being the Southeast corner of Tract 2, Block 42 of the said official resurvey of the San Elizario Grant; thence along the southwesterly right of way line of said river drain South 59° 51' East 363.4 feet to a point at the intersection of said line with the north right of way line of the Cuadrilla Drain and from which point the Northwest corner of Tract 13 Block 2 of the said official resurvey of the San Elizario Grant bears North 25° 36' 30" East 1459.1 feet; thence along the north right of way line of said Cuadrilla Drain, South 84° 53' East 318.1 feet to the dividing line between Tract 1-A and Tract 4 Block 42 of said official resurvey of the San Elizario Grant; thence along said dividing line North 0° 42' East 210.9 feet to the point of beginning. Said tract of land containing 0.77 of an acre, more or less. Shown as Tract 1 on plat attached hereto and made a part hereof.

TRACT 2 Beginning at the point of intersection of the dividing line between Tract 1-A and Tract 4 Block 42 of the official resurvey of the San Elizario Grant with the south right of way line of the Cuadrilla Drain and from which point the Southeast corner of Tract 2 Block 42 of the official resurvey of the San Elizario Grant bears North 0° 42' East 291.3 feet; thence along the south right of way line of said Cuadrilla Drain, North 84° 53' East 439.4 feet to a point on the southwesterly right of way line of the River Drain and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizario Grant bears North 20° 14' 30" East 1476.6 feet; thence along the Southwesterly right of way line of said river drain South 59° 51' East 186.7 feet to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the former Rio Grande South 58° 44' West 264.8 feet, South 74° 23' West 311.4 feet and South 66° 57' West 83.2 feet to a point where the said river bank intersects the extension of the dividing line between Tract 1-A and 4, Block 42 of the said official resurvey of the San Elizario Grant; thence along said dividing line as extended North 0° 42' East 30815 feet to the point of beginning. Said tract of land containing 2.92 acres, more or less. Shown as Tract 2 on Plat attached hereto and made a part hereof.

TRACT 3 - Beginning at a point on the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2, of the official resurvey of the San Elizario Grant and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizario Grant bears North 2° 58' West 1234.1 feet; thence South 2° 58' East 20 feet to the north right of way line of the Fabens Intercepting Drain Stub; thence along said right of way line South 84° 49' West 220 feet; thence South 5° 11' East 80 feet; thence along the south right of way line of said Fabens Intercepting Drain Stub; North 84° 49' East 216.9 feet to the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2 of the said official resurvey of the San Elizario Grant; thence South 2° 58' East 120.8 feet along said dividing line and an extension thereof to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along said river bank South 89° 24' West 226.7 feet to the northeasterly right of way line of the river drain; thence along the northeasterly right of way line of said River Drain North 59° 51' East 350.3 feet to a point from which the Southeast corner of Tract 2 Block 42 of the said official resurvey of the San Elizario Grant bears North 73° 24' 20" West 511.9 feet; thence North 84° 49' East 520.3 feet to the point of beginning. Said tract of land containing 1.38 acres, more or less. Shown as Tract 3 on plat attached hereto and made a part hereof.

The sum estimated by me to be just compensation for said last above described three tracts constituting Parcel I, including all buildings, structures and improvements thereon, is one hundred sixty-six and 20/100 dollars (\$166.20).

(Parcel II, Marasovich)

Riverside Canal  
Extension No. 20.

A tract of land lying and situate in El Paso County, Texas, and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South and Southwest quarter (SW $\frac{1}{4}$ ) of Section thirty-two (32), Township thirty-three (33) South, Range eight (8) East, Bureau of Reclamation Survey; being also within survey sixty-nine (69) of the Island, San Elizarie Grant and tract eleven (11) Block fifty-four (54) of the official resurvey of the San Elizarie Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1938, and of record in the office of the county clerk of said county and state; more particularly described as follows:

Beginning at a point on the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof and from which point the most southerly corner of tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Elizarie Grant bears South twenty-one degrees (21°) forty-six minutes (46') eighteen seconds (18") East five thousand one hundred fifty-one and nine tenths (5151.9) feet; thence along the south bank of the said former Rio Grande North fifty-six degrees (56°) forty-four minutes (44') East twenty-eight and nine tenths (28.9) feet North sixty-seven degrees (67°) fourteen minutes (14') East two hundred thirteen and nine tenths (213.9) feet; North eighty-one degrees (81°) forty-four minutes (44') East one hundred sixty-one and one tenth (161.1) feet; South eighty-two degrees (82°) thirty-nine minutes (39') East two hundred one and one tenth (201.1) feet and South seventy-four degrees (74°) twenty minutes (20') East one hundred twenty-three and eight tenths (123.8) feet to a point from which the most easterly corner of tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Elizarie Grant bears South thirty-seven degrees (37°) thirty-nine minutes (39') twenty-two seconds (22") East four thousand five hundred eighty-nine and nine tenths (4589.9) feet; thence South eighty-four degrees (84°) fifty-three minutes (53') East seven hundred two and three tenths (702.3) feet to the point of beginning. Said tract of land containing eighty-eight hundredths (0.88) of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

The sum estimated by me to be just compensation for said last above described lands constituting Parcel II, including all buildings, structures and improvements thereon, is thirty and 80/100 (\$30.80).

(Parcel III, Hunt)

Riverside Canal Extension  
Plat No. 22 - 26

TWO tracts of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section Four (4), Township Thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey and within Hunt's Addition to Fabens, Texas, being also within Tract Nine (9), Block Fifty-four (54) of the official resurvey of the San Eliscario Grant as accepted by the Commissioners' Court of El Paso County, Texas the 15th day of January, 1938 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

**TRACT 1** - Being all of lots one (1) to seventy-six (76), both inclusive, Block nine (9), Hunt's Addition to Fabens, Texas, more particularly described as follows: Beginning at a point on the southeasterly line of said tract nine (9) Block fifty-four (54) of said official resurvey of the San Eliscario Grant which point is the most southerly corner of Block nine (9), Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said block nine (9) which is also the northeasterly right of way line of Canal Drive North forty-seven degrees (47°) fifty-eight minutes (58') West one thousand one hundred forty-four and eight tenths (1144.8) feet. North fifty-nine degrees (59°) eighteen minutes (18') West one hundred sixty-one and seventy-six hundredths (161.76) feet and North sixty-eight degrees (68°) forty-eight minutes (48') West five hundred eighty-seven and two tenths (587.2) feet to the Southwest corner of said Block nine (9) Hunt's Addition to Fabens, Texas and from which point the most southerly corner of said Tract nine (9) Block fifty-four (54) of said official resurvey of the San Eliscario Grant bears South thirty-seven degrees (37°) fourteen minutes (14') East one thousand seven hundred seventy-five and seven tenths (1775.7) feet; thence North thirty-seven degrees (37°) fourteen minutes (14') West one hundred sixty-nine and two tenths (169.2) feet along the westerly line and an extension thereof of said Block nine (9) Hunt's Addition to Fabens, Texas to the south bank of the Rio Grande as the same existed prior to the artificial reconfiguration thereof; thence along the south bank of the said former Rio Grande South seventy degrees (70°) nineteen minutes

(19°) East six hundred ninety-four and four tenths (694.4) feet; South sixty-three degrees (63°) twenty-three minutes (23°) East three hundred forty-eight (348) feet South fifty-six degrees (56°) fifty-eight minutes (58°) East three hundred forty-five and fifteen hundredths (345.15) feet; South forty-five degrees (45°) forty-eight minutes (48°) East three hundred twenty-eight and sixty-four hundredths (328.64) feet and South thirty-eight degrees (38°) eighteen minutes (18°) East four hundred and six hundredths (400.06) feet to the intersection with the southeasterly line of Block nine (9) of Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Block nine (9) South fifty-two degrees (52°) forty-two minutes (42°) West one hundred twenty-four (124) feet to the point of beginning. Said tract of land containing six and forty-nine hundredths (6.49) acres, more or less. Shown on Riverside Canal Extension Plat No. 22, attached hereto and made a part hereof.

**TRACT 2** - Being fractional parts of lots nine (9) and ten (10), Block two (2), fractional parts of lots eight (8), nine (9), eighteen (18) and nineteen (19), Block three (3) and fractional parts of lots sixteen (16) and seventeen (17), Block six (6), all in Hunt's Addition to Fabens, Texas more particularly described as follows: Beginning at a point on the southeasterly right of way line of the I-213 Lateral, which is the property of the United States, said point being the most northerly corner of Lot sixteen (16), Block six (6), Hunt's Addition to Fabens, Texas; thence along the southeasterly right of way line of the I-213 Lateral being also the northeasterly line of Blocks six (6), three (3) and two (2), Hunt's Addition to Fabens, Texas, South forty-seven degrees (47°) fifty-eight minutes (58°) East five hundred seventy-four and ninety-four hundredths (574.94) feet to a point which is the most easterly corner of Lot ten (10), Block two (2), Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Lot ten (10), South fifty-two degrees (52°) forty-two minutes (42°) West eleven and seventy-three hundredths (11.73) feet; thence North forty-seven degrees (47°) forty-four minutes (44°) West five hundred seventy-four and forty-nine hundredths (574.49) feet to the northwesterly line of Lot sixteen (16), Block six (6) Hunt's Addition to Fabens, Texas; thence along said line North fifty-two degrees (52°) forty-two minutes (42°) East nine and thirty-five hundredths (9.35) feet to the point of beginning. Said tract of land containing fourteen hundredths (0.14) of an acre, more or less, of which two hundredths (.02) of an acre is occupied by streets and alleys. Shown on Riverside Canal Extension Plat 26, attached hereto and made a part hereof.

The sum estimated by me to be just compensation for said last above described two tracts of land constituting Parcel III, including all buildings, structures and improvements thereon, is five hundred eighty-two and no/100 dollars (\$582.00).

Riverside Canal Extension  
No. 17

(Parcel IV, Whitaker Estate & Tucker)

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4) and Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within tract sixteen (16), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

Beginning at the point of intersection of the dividing line between Tracts fifteen (15) and sixteen (16), Block, one (1) of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the Fabens Intercepting Drain and from which point the Northeast corner of said Tract sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant bears North sixty-six degrees (66°) twenty minutes (20') East six hundred thirty-seven (637) feet; thence along said southwesterly right of way line of the Fabens Intercepting Drain South sixty-eight degrees (68°) forty-five minutes (45') East four hundred eighty-nine (489) feet to a point on the southeasterly line of said Tract sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant and from which point the Southeast corner of said Tract sixteen (16) bears North fifty degrees (50°) fourteen minutes (14') East three hundred seventy-four and eight tenths (374.8) feet; thence South fifty degrees (50°) fourteen minutes (14') West three hundred fifty-five and six tenths (355.6) feet along the southeasterly line of said Tract sixteen (16) to the north bank of the former Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the said former Rio Grande North sixty-four degrees (64°) fifty-nine minutes (59') West five (5) feet; North seventy-two degrees (72°) fifteen minutes (15') West four hundred eighty-four and five tenths (484.5) feet and North seventy-three degrees (73°) fifty minutes (50') West one hundred eighty-seven (187) feet to the point of intersection with the dividing line between Tracts fifteen (15) and sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant; thence along said dividing line North sixty-six degrees (66°) twenty minutes (20') East five hundred five and one tenth (505.1) feet to the point of beginning. Said tract of land containing four and twenty-seven hundredths (4.27) acres, more or less. All as shown on Plat attached hereto and made a part hereof.

The sum estimated by me to be just compensation for said last above described lands constituting Parcel IV, including all buildings, structures and improvements thereon, is three hundred twenty and 25/100 dollars (\$320.25).



Riverside Canal Extension  
Plat No. 14.

x

(Parcel V, Schutten)

A tract of land lying and situate in El Paso County, Texas, and in the Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section five (5) Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; said tract being all of lots eight (8), nine (9), ten (10), eleven (11), and twelve (12) and accretion thereto, Block G of the Riverside Addition to Fabens, Texas and being also within tract fourteen (14), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas the 13th day of January, 1930 and of record in the office of the County Clerk of said county and State; more particularly described as follows:

Beginning at a point on the northerly line of Block G Riverside Addition to Fabens, Texas, said point being the Northeast corner of Lot eight (8), Block G of said Riverside Addition; thence along the easterly line of said lot eight (8), South twenty-three degrees (23°) forty-two minutes (42') East one hundred twenty-nine (129) feet to a point on the southerly line of said Block G, said point being the Southeast corner of said lot eight (8); thence along the southerly line and an extension thereof of said Block G, Riverside Addition, South sixty-six degrees (66°) eighteen minutes (18') West one hundred thirty and three tenths (130.3) feet to the east bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the east bank of the said former Rio Grande North fifty-one degrees (51°) forty-six minutes (46') West one hundred forty-six and two tenths (146.2) feet to a point where the said river bank intersects the extension of the northerly line of Block G of said Riverside Addition; thence along said northerly line as extended North sixty-six degrees (66°) eighteen minutes (18') East one hundred ninety-nine and one tenth (199.1) feet to the point of beginning. Said tract of land containing forty-nine hundredths (0.49) of an acre, more or less, all as shown on plat attached hereto and made a part hereof.

The sum estimated by me to be just compensation for said last above described lands constituting Parcel V, including all buildings, structures and improvements thereon, is seventy-five and no/100 dollars (\$75.00).

Riverside Canal Extension  
Plat No. 18

(Parcel VI, Lopez Estate)

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within Tract seventeen (17) Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said County and state; more particularly described as follows:

Beginning at a point on the northwesterly line of said Tract seventeen (17) Block one (1) of said official resurvey of the San Elizario Grant and from which point the most northerly corner of said tract seventeen (17) bears North forty-nine degrees (49°) fifty-seven minutes (57') East three hundred sixteen and two tenths (316.2) feet. Said most northerly corner of Tract seventeen (17) being thirty-five (35) feet from and at right angles to the center line of State Highway No. 1; thence South thirty-nine degrees (39°) thirty-seven minutes (37') East one hundred ninety and eight tenths (190.8) feet to the Southeasterly line of said tract seventeen (17) and from which point the most easterly corner of said tract seventeen (17) bears North fifty degrees (50°) fourteen minutes (14') East three hundred sixteen and six tenths (316.6) feet; thence South fifty degrees (50°) fourteen minutes (14') West one hundred eighty-five and nine tenths (185.9) feet along the southeasterly line of said Tract seventeen (17) to the northeast bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the northeast bank of the said former Rio Grande North sixty degrees (60°) fifty-one minutes (51') West one hundred ninety-nine and nine tenths (199.9) feet and North sixty-four degrees (64°) fifty-nine minutes (59') West three and three tenths (3.3) feet to the intersection with the northwesterly line of said Tract seventeen (17); thence along said northwesterly line of tract seventeen (17) North forty-nine degrees (49°) fifty-seven minutes (57') East two hundred fifty-nine and eight tenths (259.8) feet to the point of beginning. Said tract of land containing ninety-seven hundredths (0.97) of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

The sum estimated by me to be just compensation for said last above described lands constituting Parcel VI, including all buildings, structures and improvements thereon, is two hundred sixty-six and 75/100 dollars (\$266.75).

Correct as to Engineering Data  
A. O. D.

That said lands are taken under the authority of the Constitution and Laws of the United States for the following purposes:

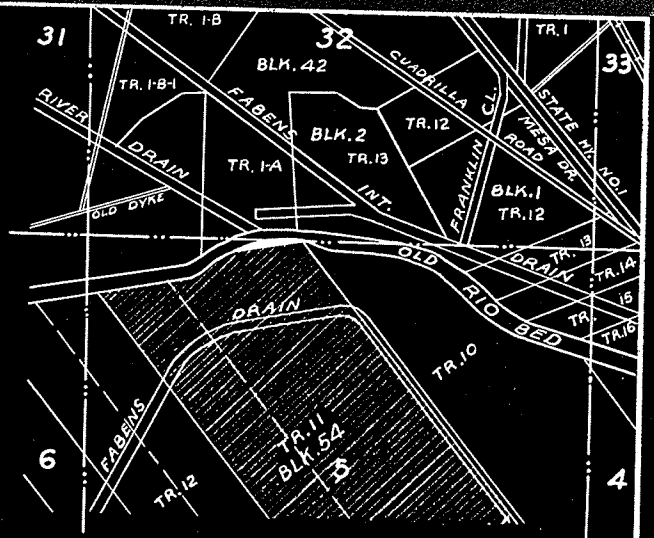
Regulation, control and use of the flow of the Rio Grande by means of an irrigation canal and drainage outlet channel and appurtenant works for the purpose of the reclamation, irrigation and drainage of arid lands within the Rio Grande Federal irrigation project constructed, operated and maintained by the United States under the said Reclamation Law.

That pursuant to the provisions of the said Act of March 4, 1921, funds have been deposited and covered into the Reclamation Fund and by said Act of March 4, 1921, appropriated for the purpose of the construction of said canal and drainage outlet channel and appurtenant works and such funds are available for just compensation for said lands so taken.

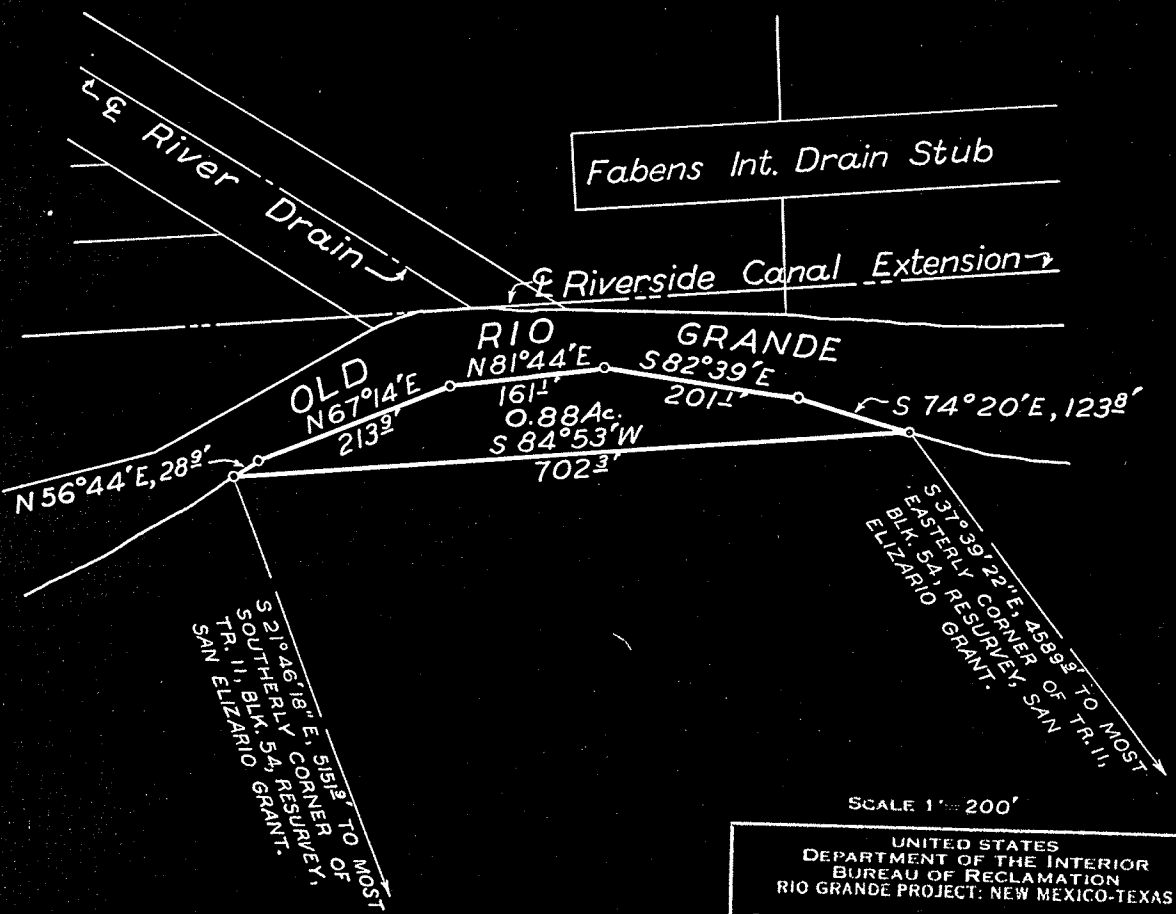
In witness whereof I have hereunto set my hand this 15th day of July, A. D., 1940, in the City of Washington, District of Columbia.

W. C. Mendenhall (signed)  
Acting Under Secretary of the  
Interior of the United States  
of America.





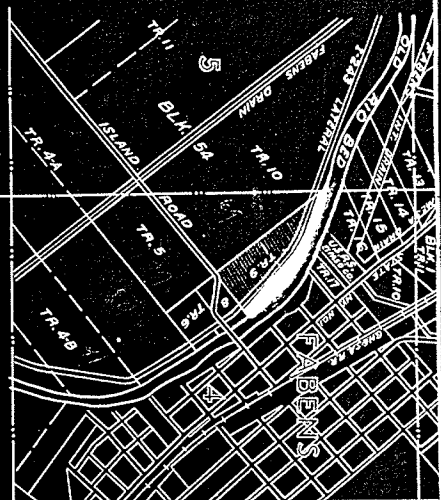
Location Plat  
 Sec. 32, T33S & Sec. 5, T34S-R8E; USRS.  
 Tract 11, Block 54  
 Resurvey, San Elizario Grant  
 El Paso Co., Texas  
 Total R/W = 0.88 Ac.



SCALE 1" = 200'

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION RIO GRANDE PROJECT, NEW MEXICO-TEXAS		
<b>RIVERSIDE CANAL EXTENSION</b>		
RIGHT OF WAY		
FIELD WORK C.R.	CHECKED	<i>A.O.D.</i>
DRAWN	F.J.G.	APPROVED
4080-L-131	EL PASO, TEX. 5/17/44	

Revised  
 Plat No. 20



Accepted 1/4/97

**RIVERSIDE CANAL EXTENSION**  
RIGHT OF WAY  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
RIO GRANDE PROJECT-NEW MEXICO-TEXAS  
FIELD WORK *CR* CHECKED .....  
DRAWN *AKC* *AKC* APPROVED .....  
40804-731 EL PASO, TEX. OCT 1936

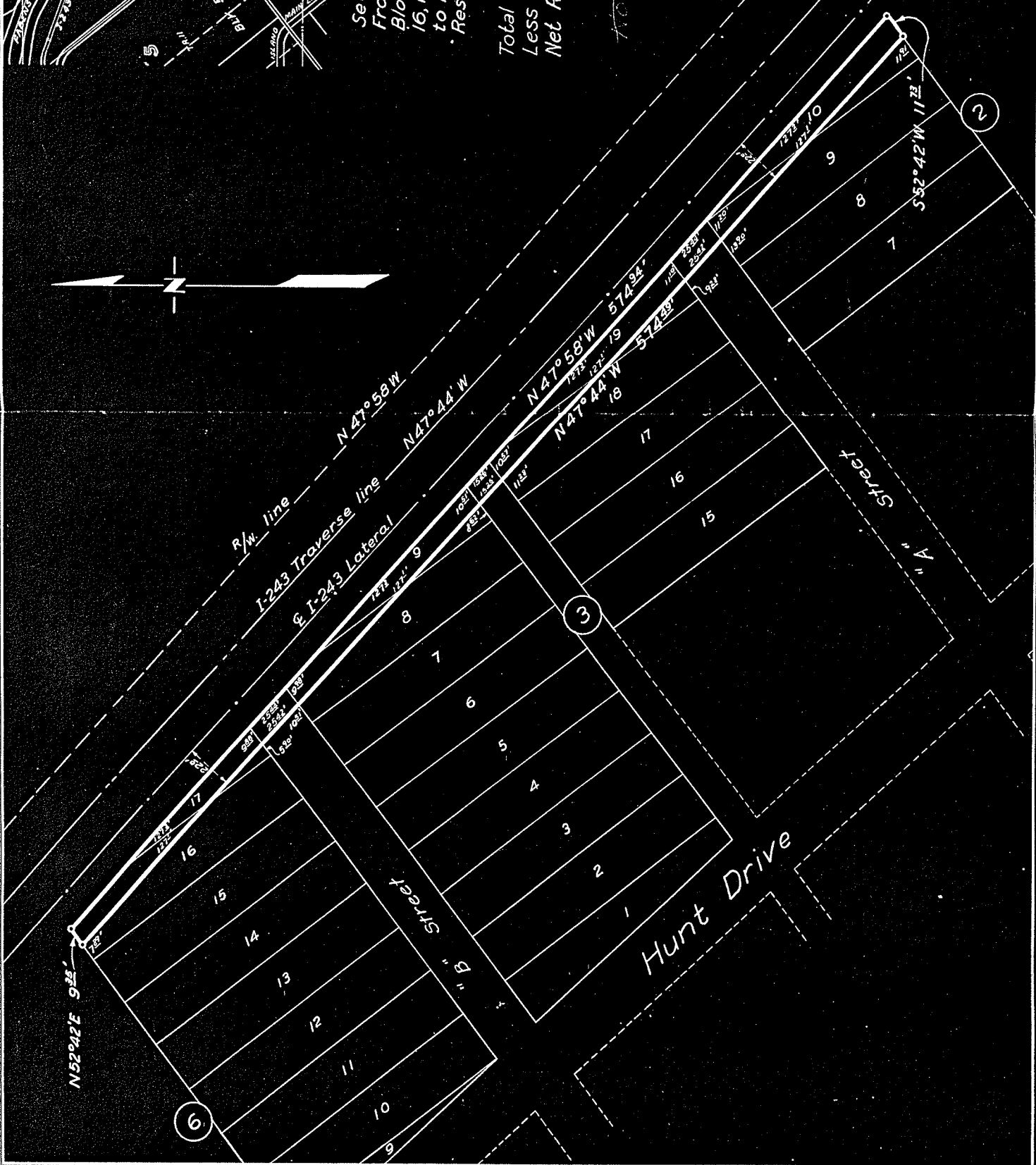
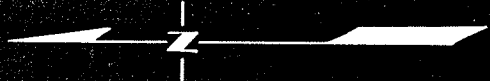




Location Plat  
 Section 4, T34S-R8E, USRS,  
 Fractional parts of Lots 9/10  
 Block 2; 8, 9, 18, 19 of Block 3 and  
 16, 17 of Block 6, Hunt Addition  
 to Fabens; Tract 9, Block 54 of  
 Resurvey, San Elizario Grant.  
 El Paso Co., Texas.

Total R. of W. 0.14 Ac.  
 Less Alley & Streets .02 "  
 Net R. of W. 0.12 "

*Norma*

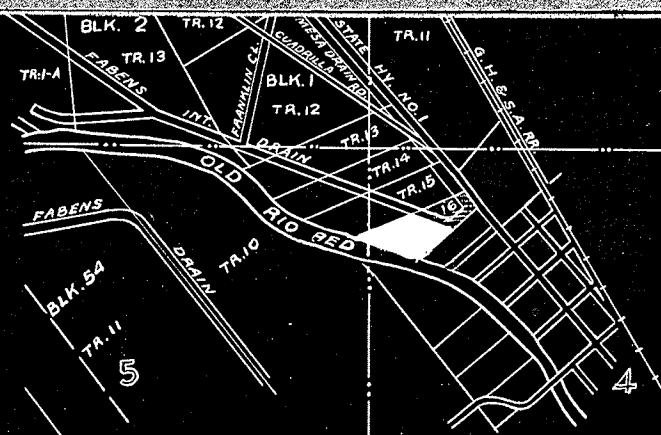


SCALE 1" = 50'

26

DEPARTMENT OF THE INTERIOR  
 BUREAU OF RECLAMATION  
 RIO GRANDE PROJECT-NEW MEXICO-TEXAS  
 RIVERSIDE CANAL EXTENSION

FIELD WORK C.P. CHECKED  
 DRAWN A.C.D. C.A.G. APPROVED  
 4080-4-13 EL PASO, TEX. 1935



Location Plat  
 Sections 4 & 5, T34S-R8E, USRS.  
 Tract 16, Block 1  
 Resurvey of San Elizario Grant  
 El Paso Co., Texas

N 66° 20' E, 637.8' TO NE CORNER  
 OF TR. 16, BLK. 1 OF THE RESURVEY  
 OF SAN ELIZARIO GRANT.

N 50° 14' E, 374.8' TO SE CORNER  
 OF TR. 16, BLK. 1 OF RESURVEY  
 OF SAN ELIZARIO GRANT.

267+35.3

N 66° 20' E 505.1'

N 73° 50' W 187.9'

N 72° 15' W 484.5'

OLD RIO GRANDE

S 68° 45' E 489.2'

S 68° 47' E 508.2'

N 64° 59' W 52.1'

S 50° 14' W 355.6'

272+43.8

PI=273+63.7  
 Δ=190.3  
 LI=157.2

PC=272+83.2  
 PT=274+40.8

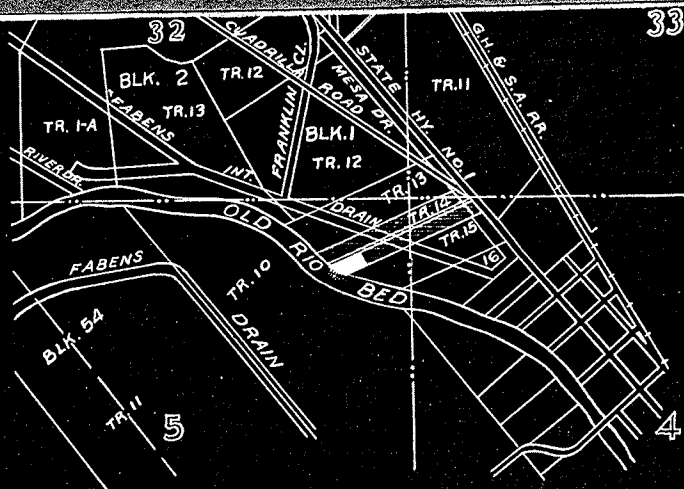
S 39° 37' E

Total R. of W 4.27 Ac.

SCALE 1"=200'

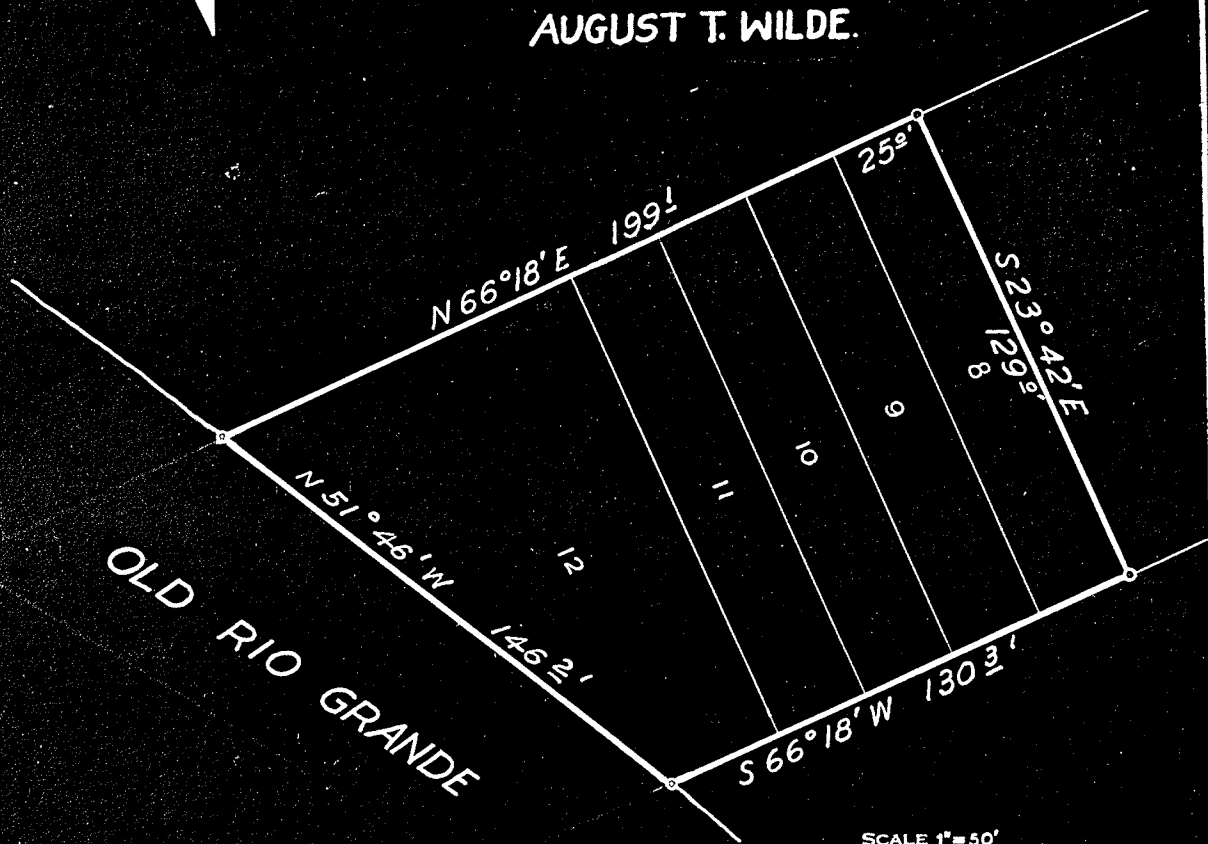
UNITED STATES	
DEPARTMENT OF THE INTERIOR	
BUREAU OF RECLAMATION	
RIO GRANDE PROJECT, NEW MEXICO-Texas	
RIVERSIDE CANAL EXTENSION	
RIGHT OF WAY	
FIELD WORK <u>C.P.</u>	CHECKED _____
DRAWN <u>A.O.D.-F.J.G.</u>	APPROVED _____
4080-L131	EL PASO, TEX. OCT. 1939.

Revised  
 Plat No. 17  
 4-12-40.



Location Plat  
 Section 5, T34S - R8E (U.S.R.S.)  
 Lots 8, 9, 10, 11 and 12 on Block "G" of  
 Riverside Addition, Tract 14, Block 1  
 of the Resurvey of San Elizario Grant.  
 Total R. of W. 0.49Ac.

AUGUST T. WILDE.

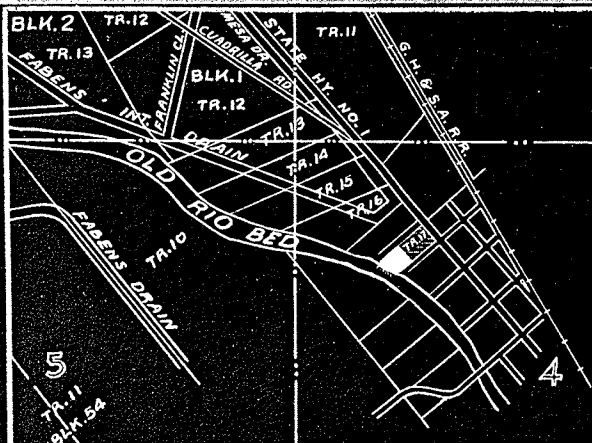


SCALE 1"=50'

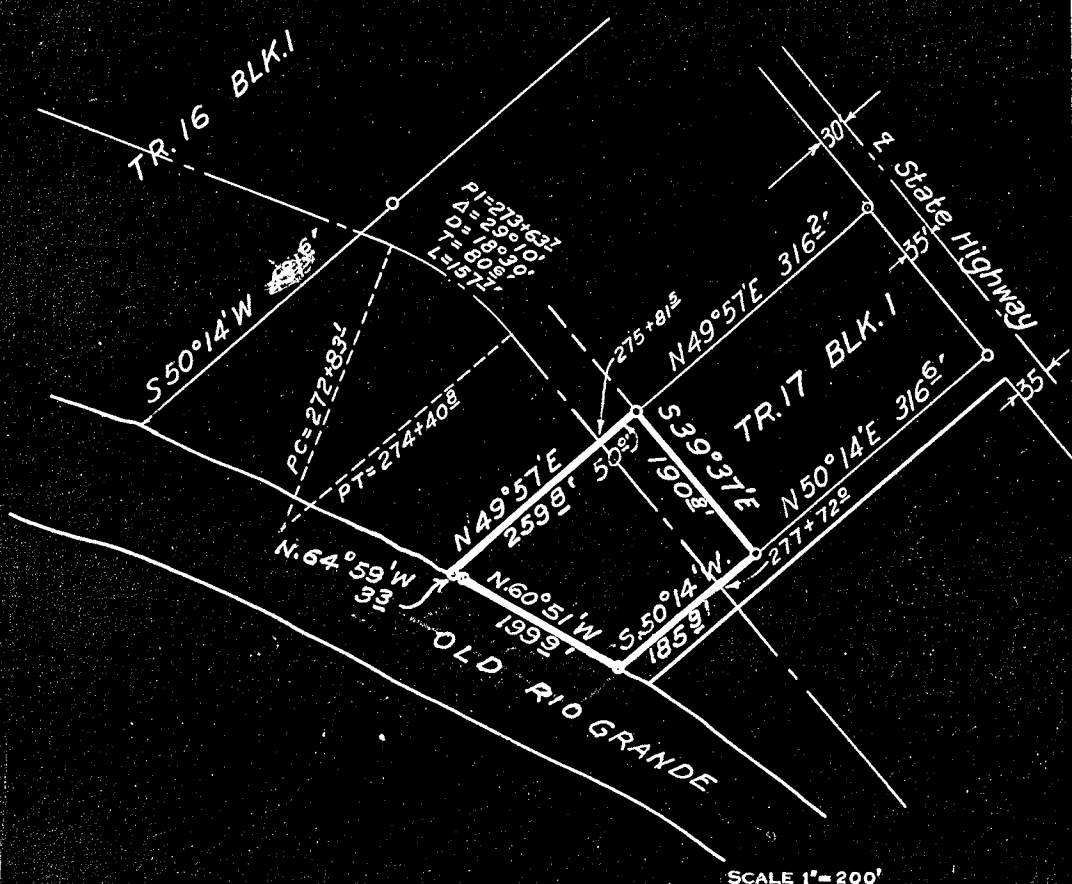
UNITED STATES  
 DEPARTMENT OF THE INTERIOR  
 BUREAU OF RECLAMATION  
 RIO GRANDE PROJECT: NEW MEXICO-Texas  
 RIVERSIDE CANAL EXTENSION  
 RIGHT OF WAY

FIELD WORK C.P. CHECKED \_\_\_\_\_  
 DRAWN A.O.D. F.V.G. APPROVED \_\_\_\_\_  
 4080-L131 | EL PASO, TEX. | OCT. 1939

Revised  
 Plat No. 14  
 4-12-40.



Location Plat  
 Section 4, T34S-R8E, U.S.R.S.  
 Tract 17, Block 1  
 Resurvey of San Elizario Grant  
 El Paso Co., Texas  
 Total R. of W. 0.97 Ac.



SCALE 1"=200'

UNITED STATES  
 DEPARTMENT OF THE INTERIOR  
 BUREAU OF RECLAMATION  
 RIO GRANDE PROJECT: NEW MEXICO-TEXAS  
 RIVERSIDE CANAL EXTENSION  
 RIGHT OF WAY

Revised  
 Plat No. 18  
 4-13-40.

FIELD WORK	C. P.	CHECKED
DRAWN	A. O. D. F. J. G.	APPROVED
4080-L-131	EL PASO, TEX.	OCT. 1939.

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVE M. KARASOVICH, ET AL,

Defendants.

No. 93 Civil action.

Filed September 12, 1940

JUDGMENT ON THE DECLARATION OF TAKING

This day comes the Petitioner in the above entitled cause, the United States of America, by F. E. Smith, Jr., United States Attorney, and E. Neill Walsh, Assistant United States Attorney, and moves the Court to enter judgment vesting title in the United States of America in fee simple absolute in and to the property hereinafter described, and in the Declaration of Taking and in the Condemnation Petition described.

Whereupon the Court proceeded to pass upon said Motion, Petition and Declaration of Taking, and finds as follows:

FIRST: That each and all of the allegations in said petition and declaration are true; and that the United States of America is entitled to acquire property by eminent domain for public purposes, as set out and prayed in said petition.

SECOND: That a Petition in Condemnation was filed at the request of the Acting Under Secretary of the Interior of the United States, the authority empowered by law to acquire the lands described in said petition, and also under the authority of the Attorney General of the United States.

THIRD: That in said Petition and Declaration of Taking a statement of the authority under which, and the public use for which said lands were taken was set out, and that the Honorable W. C. Henderson, Acting Under Secretary of the Interior of the United States, is the person duly authorized and empowered by law to acquire lands such as are described in the petition, for the purpose of regulation, control and use of the flow of the Rio Grande by means of an irrigation canal and drainage outlet channel and appurtenant



works for the purpose of the reclamation, irrigation and drainage of arid lands within the Rio Grande Federal irrigation project constructed, operated and maintained by the United States under the Reclamation Law, pursuant to (a) the Act of Congress of June 17, 1902, 32 Stat., 388, and all acts amendatory thereof and supplementary thereto, commonly known as the Reclamation Law; (b) the Act of March 4, 1921, 41 Stat., 1404, and (c) the Act of February 26, 1931, 46 Stat., 1421, and all acts amendatory thereof and supplementary thereto, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking;

FIFTH: That a statement of the estate and interest in said lands taken for said public use is set out therein.

SIXTH: A plan showing the lands taken is set out therein.

SEVENTH: A statement is contained therein of the sum of money estimated by said acquiring authority to be just compensation for the lands taken, as follows: For the lands described therein as Parcel 1, One hundred sixty-six and 20/100 dollars (\$166.20); for the lands described therein as Parcel 2, Thirty and 00/100 dollars (\$30.00); for the lands described therein as Parcel 3, Five hundred eighty-two and 00/100 dollars (\$582.00); for the lands described therein as Parcel 4, Three hundred twenty and 25/100 dollars (\$320.25); for the lands described therein as Parcel 5, Seventy-five and 00/100 dollars (\$75.00); and for the lands described therein as Parcel 6, Two hundred sixty-six and 75/100 dollars (\$266.75).

That the sum of One thousand four hundred forty-one and 00/100 dollars (\$1,441.00), which is the total amount estimated to be just compensation for said lands, was duly deposited in the registry of this Court to the use of the persons entitled thereto, upon and at the time of the filing of said Declaration of Taking.

EIGHTH: A statement is contained in said Declaration of Taking that the estimated amount of compensation for the taking of said property, in the opinion of the said W. C. Mendenhall, Acting Under Secretary of the Interior of the United States, probably will be within any limits prescribed by Congress as a price to be paid therefor.

And the Court having fully considered said Condemnation Petition and Declaration of Taking, and the statutes in such cases made and provided, is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it, pursuant to the act of Congress approved February 25, 1931.

It is therefore considered by the Court, and it is the order, judgment and decree of the Court, that the title to the following described lands in fee simple absolute was vested in the United States of America, upon the filing of said Declaration of Taking, and the deposit in the registry of this Court, as hereinabove recited, in the sum of One thousand four hundred forty-one and no/100 dollars (\$1,441.00); and said lands are deemed to have been condemned and taken as of the date of said filing and deposit, and are condemned and taken for the use of the United States and the right to just compensation for the same thereby vested in the person or persons entitled thereto, and the amount of said compensation shall be ascertained and awarded in this proceeding, and established by judgment herein, pursuant to law.

The lands are described as follows:



(Parcel I, Bradley)

Riverside Canal  
Extension Plat No. 8

**THREE TRACTS** of land lying and situate in El Paso County, Texas, and in the NW<sup>1</sup>/<sub>4</sub> of Section 32, Township 33 South, Range 8 East, Bureau of Reclamation Survey; being also within Tract 1-A, Block 42 of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said County and State; more particularly described as follows:

**TRACT 1** - Beginning at the point of intersection of the dividing line between Tracts 1-A and 4, Block 42 of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the River Drain said point being the Southeast corner of Tract 2, Block 42 of the said official resurvey of the San Elizario Grant; thence along the southwesterly right of way line of said river drain South 59° 31' East 363.4 feet to a point at the intersection of said line with the north right of way line of the Cuadrilla Drain and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizario Grant bears North 25° 36' 30" East 1459.1 feet; thence along the north right of way line of said Cuadrilla Drain, South 84° 53' East 318.1 feet to the dividing line between Tract 1-A and Tract 4 Block 42 of said official resurvey of the San Elizario Grant; thence along said dividing line North 0° 42' East 210.9 feet to the point of beginning. Said tract of land containing .77 of an acre, more or less. Shown as Tract one (1) on plat attached hereto and made a part hereof.

-1-

**TRACT 2** - Beginning at the point of intersection of the dividing line between Tract 1-A and Tract 4, Block 42 of the official resurvey of the San Elizarrio Grant with the south right of way line of the Cuadrilla Drain and from which point the Southeast corner of Tract 2 Block 42 of the official resurvey of the San Elizarrio Grant bears North  $0^{\circ} 42'$  East 291.3 feet; thence along the south right of way line of said Cuadrilla Drain, North  $84^{\circ} 53'$  East 439.4 feet to a point on the southwesterly right of way line of the River Drain and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizarrio Grant bears North  $20^{\circ} 14'$   $30''$  East 1474.6 feet; thence along the southwesterly right of way line of said river drain South  $59^{\circ} 51'$  East 186.7 feet to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the former Rio Grande South  $58^{\circ} 44'$  East 264.8 feet, South  $74^{\circ} 23'$  East 311.4 feet and South  $66^{\circ} 57'$  East 83.2 feet to a point where the said river bank intersects the extension of the dividing line between Tracts 1-A and 4, Block 42 of the said official resurvey of the San Elizarrio Grant; thence along said dividing line as extended North  $0^{\circ} 42'$  East 308.3 feet to the point of beginning. Said tract of land containing 2.92 acres, more or less, shown as Tract (2) on plat attached hereto and made a part hereof.

**TRACT 1** - Beginning at a point on the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2 of the official resurvey of the San Elizarrio Grant and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizarrio Grant bears North  $2^{\circ} 58'$  East 1234.1 feet; thence South  $2^{\circ} 58'$  East 20 feet to the north right of way line of the Fabens Intercepting Drain Stub; thence along said right of way line South  $84^{\circ} 49'$  East 220 feet; thence South  $5^{\circ} 11'$  East 80 feet; thence along the south right of way line of said Fabens Intercepting Drain Stub; North  $84^{\circ} 49'$  East 216.9 feet to the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2 of the said official resurvey of the San Elizarrio Grant; thence South  $2^{\circ} 58'$  East 120.8 feet along said dividing line and an extension thereof to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along said river bank South  $59^{\circ} 24'$  East 226.7 feet to the northeasterly right of way line of the river drain; thence along the northeasterly right of way line of said River Drain North  $59^{\circ} 51'$  East 350.3 feet to a point from which the Southeast corner of Tract 2 Block 42 of the said official resurvey of the San Elizarrio Grant bears North  $73^{\circ} 24'$   $20''$  East 511.9 feet; thence North  $84^{\circ} 49'$  East 520.3 feet to the point of beginning. Said tract of land containing 1.38 acres, more or less. Shown as Tract

and the said three (3) on plat attached hereto and made a part hereof, Special Surveyor, United States Attorney for the Eastern District of Texas, and Harold L. Sims, Special Assistant to the United States Attorney,

(Parcel II, Marasovich)

Riverside Canal  
Extension No. 20

A tract of land lying and situate in El Paso County, Texas, and in the Northeast quarter (NE $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South and Southeast quarter (SE $\frac{1}{4}$ ) of Section thirty-two (32), Township thirty-three (33) South, Range eight (8) East, Bureau of Reclamation Survey; being also within survey sixty-nine (69) of the Island, San Eliscario Grant and tract eleven (11) Block fifty-four (54) of the official resurvey of the San Eliscario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 15th day of January, 1930, and of record in the office of the county clerk of said county and state; were particularly described as follows:

Beginning at a point on the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof and from which point the most westerly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Eliscario Grant bears South twenty-one degrees (21°) forty-six minutes (46') eighteen seconds (18") East five thousand one hundred fifty-one and nine tenths (5151.9) feet; thence along the south bank of the said former Rio Grande North fifty-six degrees (56°) forty-four minutes (44') East twenty-eight and nine tenths (28.9) feet North sixty-seven degrees (67°) fourteen minutes (14') East two hundred thirteen and nine tenths (213.9) feet; North eighty-one degrees (81°) forty-four minutes (44') East one hundred sixty-one and one tenth (161.1) feet; South eighty-two degrees (82°) thirty-nine minutes (39') East two hundred one and one tenth (201.1) feet and South seventy-four degrees (74°) twenty minutes (20') East one hundred twenty-three and eight tenths (123.8) feet to a point from which the most easterly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Eliscario Grant bears South thirty-seven degrees (37°) thirty-nine minutes (39') twenty-two seconds (22") East four thousand five hundred eighty-nine and nine tenths (4589.9) feet; thence South eighty-four degrees (84°) fifty-three minutes (53') East seven hundred two and three tenths (702.3) feet to the point of beginning. Said tract of land containing eighty-eight hundredths (0.88) of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

(Parcel III, Hunt)

Riverside Canal  
Extension Plat No.  
22 - 26

TWO tracts of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section Four (4), Township Thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey and within Hunt's Addition to Fabens, Texas, being also within Tract Nine (9), Block Fifty-four (54) of the official resurvey of the San Elizarie Grant as accepted by the Commissioners' Court of El Paso County, Texas the 15th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

TRACT 1 - Being all of lots one (1) to seventy-six (76), both inclusive, Block nine (9), Hunt's Addition to Fabens, Texas, more particularly described as follows: Beginning at a point on the southeasterly line of said tract nine (9) Block fifty-four (54) of said official resurvey of the San Elizarie Grant which point is the most southerly corner of Block nine (9), Hunt's addition to Fabens, Texas; thence along the southeasterly line of said block nine (9) which is also the northeasterly right of way line of Canal Drive North forty-seven degrees (47°) fifty-eight minutes (58') West one thousand one hundred forty-four and eight tenths (1144.8) feet. North fifty-nine degrees (59°) eighteen minutes (18') West one hundred sixty-one and seventy-six hundredths (161.76) feet and North sixty-eight degrees (68°) forty-eight minutes (48') West five hundred eighty-seven and two tenths (587.2) feet to the Southwest corner of said Block nine (9) Hunt's Addition to Fabens, Texas and from which point the most southerly corner of said Tract nine (9) Block fifty-four (54) of said official resurvey of the San Elizarie Grant bears South thirty-seven degrees (37°) fourteen minutes (14') East one thousand seven hundred seventy-five and seven tenths (1775.7) feet; thence North thirty-seven degrees (37°) fourteen minutes (14') West one hundred sixty-nine and two tenths (169.2) feet along the westerly line and an extension thereof of said Block nine (9) Hunt's Addition to Fabens, Texas to the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the south bank of the said former Rio Grande South seventy degrees (70°) nineteen minutes

Riverside Canal Extension  
No. 17

(Parcel IV, Whitaker Estate & Tucker)

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4) and Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within tract sixteen (16), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

Beginning at the point of intersection of the dividing line between Tracts fifteen (15) and sixteen (16), Block one (1) of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the Fabens Intercepting Drain and from which point the Northeast corner of said Tract sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant bears North sixty-six degrees (66°) twenty minutes (20') East six hundred thirty-seven (637) feet; thence along said southwesterly right of way line of the Fabens Intercepting Drain South sixty-eight degrees (68°) forty-five minutes (45') East four hundred eighty-nine (489) feet to a point on the southeasterly line of said Tract sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant and from which point the Southeast corner of said Tract sixteen (16) bears North fifty degrees (50°) fourteen minutes (14') East three hundred seventy-four and eight tenths (374.8) feet; thence South fifty degrees (50°) fourteen minutes (14') West three hundred fifty-five and six tenths (355.6) feet along the southeasterly line of said Tract sixteen (16) to the north bank of the former Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the said former Rio Grande North sixty-four degrees (64°) fifty-nine minutes (59') West five (5) feet; North seventy-two degrees (72°) fifteen minutes (15') West four hundred eighty-four and five tenths (484.5) feet and North seventy-three degrees (73°) fifty minutes (50') West one hundred eighty-seven (187) feet to the point of intersection with the dividing line between Tracts fifteen (15) and sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant; thence along said dividing line North sixty-six degrees (66°) twenty minutes (20') East five hundred five and one tenth (505.1) feet to the point of beginning. Said tract of land containing four and twenty-seven hundredths (4.27) acres, more or less. All as shown on Plat attached hereto and made a part hereof.

Riverside Canal Extension  
Plat No. 14.

x

(Parcel V, Schutten)

A tract of land lying and situate in El Paso County, Texas, and in the Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section five (5) Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; said tract being all of lots eight (8), nine (9), ten (10), eleven (11), and twelve (12) and accretion thereto, Block G of the Riverside Addition to Fabens, Texas and being also within tract fourteen (14), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas the 13th day of January, 1930 and of record in the office of the County Clerk of said county and State; more particularly described as follows:

Beginning at a point on the northerly line of Block G Riverside Addition to Fabens, Texas, said point being the Northeast corner of Lot eight (8), Block G of said Riverside Addition; thence along the easterly line of said lot eight (8), South twenty-three degrees (23°) forty-two minutes (42') East one hundred twenty-nine (129) feet to a point on the southerly line of said Block G, said point being the Southeast corner of said lot eight (8); thence along the southerly line and an extension thereof of said Block G, Riverside Addition, South sixty-six degrees (66°) eighteen minutes (18') West one hundred thirty and three tenths (130.3) feet to the east bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the east bank of the said former Rio Grande North fifty-one degrees (51°) forty-six minutes (46') West one hundred forty-six and two tenths (146.2) feet to a point where the said river bank intersects the extension of the northerly line of Block G of said Riverside Addition; thence along said northerly line as extended North sixty-six degrees (66°) eighteen minutes (18') East one hundred ninety-nine and one tenth (199.1) feet to the point of beginning. Said tract of land containing forty-nine hundredths (0.49) of an acre, more or less, all as shown on plat attached hereto and made a part hereof.

Existed prior to the artificial rectification thereof; thence along the north-  
east bank of the said former Rio Grande North sixty degrees (60°)  
thirty minutes (30') West one hundred ninety-nine and nine tenths  
(199.9) feet and North sixty-four degrees (64°) fifty-nine minutes  
(59') East one hundred thirty and three tenths (130.3) feet to the  
intersection with the extension of the northerly line of Block G of  
said Riverside Addition; thence along said northerly line as extended  
North sixty-six degrees (66°) eighteen minutes (18') East one hundred  
ninety-nine and one tenth (199.1) feet to the point of beginning. Said  
tract of land containing forty-nine hundredths (0.49) of an acre, more  
or less, all as shown on plat attached hereto and made a part hereof.

The possession of the above described property shall be delivered to the United States of America on or before Monday, the 16th day of September, A. D. 1940.

This decree is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

Entered on this 12th day of September, A. D. 1940.

(signed) Charles A. Boynton  
\_\_\_\_\_  
Judge Presiding.



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

UNITED STATES OF AMERICA,

Plaintiff,

VS.

STEVE M. MARASOVICH, ET AL.,

**Defendants.**

No. 93 CIVIL ACTION

Filed December 2, 1940.

ORDER APPOINTING SPECIAL COMMISSIONERS

It appearing to the Court that R. E. Sherman  
C. M. Newman, and John R. Ellis are  
disinterested freeholders of El Paso County, Texas:

It is ORDERED, ADJUDGED And DECREED that they be, and they are hereby appointed Special Commissioners to assess the damages in connection with the condemnation of lands taken by the United States of America in the above entitled and numbered cause.

DONE at Waco, Texas, this 2nd day of December, A.  
D. 1940.

Charles A. Boynton  
United States District Judge.

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

UNITED STATES OF AMERICA

-vs-

STEVE M. KARASOVICH

No. 93-Civil Action

Filed December 13, 1940

OATH OF SPECIAL COMMISSIONERS

We, the undersigned appraisers, duly appointed by the Honorable Charles A. Reymont, Judge of the United States District Court for the Western District of Texas, as Special Commissioners to assess the damages to the owners of the land sought to be condemned by the United States of America in the above numbered and entitled cause, do solemnly swear that we will assess said damages fairly and impartially and in accordance with the law.

R. E. Sherman

John R. Ellis,

C. M. Newman

Sworn to and subscribed before me, this 13th day of December,

A. D. 1940.

(Notarial Seal)

Lillian M. Howell,  
Notary Public, El Paso County,  
Texas.

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

UNITED STATES OF AMERICA,  
Plaintiff,

VS.

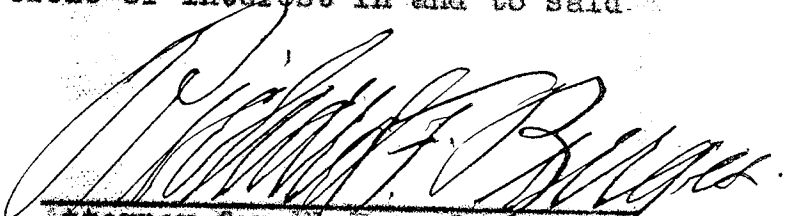
NO. 93 CIVIL

B. C. BRADLEY, ET AL,  
Defendants.

Filed April 23, 1941.

DISCLAIMER OF EL PASO COUNTY WATER IMPROVEMENT DISTRICT #1

Comes now the El Paso County Water Improvement District Number 1, one of the defendants in the above styled and numbered cause, and shows to the Court that all water and construction charges due and owing on Parcel Number Five (5), described in plaintiff's original petition, have been paid, and, therefore, disclaim all right, title or interest in and to said property.

  
Attorney for El Paso County Water  
Improvement District Number 1.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF TEXAS  
SITTING AT EL PASO

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

B. O. BRADLEY, et al.,

Defendants.

No. 193-Civil

Filed May 3, 1941

TO SAID HONORABLE COURT:

COMES NOW the State of Texas by the County Attorney of El Paso County, Texas, and would show the Court that on the land sought to be condemned by the United States of America in this suit, that there are taxes due, delinquent and unpaid on said properties; that on the schedule attached hereto and made a part of this petition, the person to whom the taxes were assessed the years for which they are delinquent and the taxing units to which they are payable, and the penalty, interest and cost due thereon, as to each piece of property separately assessed are shown.

That such items are a constitutional lien on said property prior and superior to the rights of all other persons whomsoever.

WHEREFORE, the State prays that this Court award to the State of Texas, for its own use, and for the use and benefit of the County of El Paso and Fabens Independent School District No. W-10, the sums herein shown to be due them, and that the other parties to this suit take nothing until this claim of the State has been paid in full.

(Signed) Ernest Guinn,  
ERNEST GUINN, County Attorney  
El Paso County, Texas.

SCHEDULE NO. \_\_\_\_\_

DELINQUENT TAX NOTICE, STATEMENT AND SCHEDULE

NO. 82.

TO Heidio Lagood EL PASO, TEXAS, 5-3-41

ADDRESS \_\_\_\_\_

PLEASE RETURN THIS STATEMENT WITH REMITTANCE OR REFER TO NO. OF THIS STATEMENT  
DESCRIPTION OF ACREAGE PROPERTY DESCRIPTION OF CITY PROPERTY

ABST. NO.	SUR. NO.	TRACT NO.	BLOCK NO.	SUB-DIVISION OR GRANT	OTHER DESCRIPTION	ACRES	LOT NUMBER	BLOCK NO.	ADDITION
							8 to 12 incl.	8.	Quiverville CITY OR TOWN Stahene COUNTY OF EL PASO, TEXAS

TO WHOM ASSESSED

ROLL OR FORM

PAGE

LINE

YEAR

STATE TAX

POLL

COUNTY TAX

SCHOOL DISTRICT NO.

10

TOTAL

Heidio Lagood 1940 34 36 70 1 40

TOTAL TAXES

PENALTY, INTEREST & COSTS

GRAND TOTALS

Penalty, interest & cost total 02 36 02 70 04 1 40

Grand total 5/31/41 36 38 74 1 48

Penalties, interest and costs are computable according to law, and are to be apportioned upon collection to the various taxing units as shown on this schedule.  
Texas Laws, Revised Civil Statutes 1925, provide that unless the owner or owners of such lands or lots described herein shall pay to the Assessor and Collector of Taxes, the amount of Taxes, Penalties, interest and Costs as set forth in this notice within thirty days from date of said notice, then and in the event, the County or District Attorney will institute suit for the collection of such money and for the foreclosure of the Constitutional Lien existing against such lands and lots.  
I hereby certify that the above Statement of Delinquent Taxes due and unpaid in this County against the above described lands and lots is true and correct.

Hermand Lagood  
TAX ASSESSOR-COLLECTOR, EL PASO COUNTY, TEXAS

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

UNITED STATES OF AMERICA,  
Plaintiff,

VS.

NO. 93 CIVIL

B. C. BRADLEY, ET AL,  
Defendants.

Filed Mar 7, 1941.

APPLICATION TO WITHDRAW FUNDS

Comes now Rudolph C. Schutten and wife, Mary C. Schutten, defendants in the above styled and numbered cause and file this, their application to withdraw the sum of SEVENTY FIVE AND NO/100 (\$75.00) DOLLARS deposited by the United States as the reasonable compensation for the taking of Parcel Number Five (5) as described in plaintiff's original petition, and in this behalf would respectfully show to the Court:

That these defendants are the owners of Parcel Number Five (5), as described in plaintiff's original petition, and that all taxes, water and construction charges have been paid and that the defendants are entitled to receive said sum of SEVENTY FIVE AND NO/100 (\$75.00) DOLLARS without prejudice to their right to receive more.

That on September 30, 1940, these defendants entered into a contract with the United States of America, under the terms of which the said United States of America agreed to pay to these defendants the sum of NINETY AND NO/100 (\$90.00) for the taking of said property and that by reason of said contract, these defendants are entitled to the sum of NINETY AND NO/100 (\$90.00) DOLLARS.

WHEREFORE, premises considered, these defendants pray that the Court direct the Clerk of this Court to pay to them the sum of SEVENTY FIVE AND NO/100 (\$75.00) DOLLARS, heretofore deposited in

the Registry of the Court for the taking of their land, without prejudice to their right to receive the difference between SEVENTY FIVE AND NO/100 (\$75.00) DOLLARS and NINETY AND NO/100 (\$90.00) DOLLARS.

Rudolph G. Schutten

Mary C. Schutten

State of California,    §

County of Riverside.   §   Ss.

On this 24 day of April, 1941, before me, a Notary Public in and for said county, residing therein, duly commissioned and sworn, personally appeared, Rudolph G. Schutten personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in said county, the day and year in this certificate first above written.

(seal)

R. A. Grant,  
Notary Public, County of Riverside,  
State of Calif.

My commission expires  
April 26, 1944.

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

UNITED STATES OF AMERICA,  
Plaintiff,

Vs.

No. 95 CIVIL

E. C. BRADLEY, ET AL,  
Defendants.

Filed May 7, 1942.

ORDER

This 7th day of May, 1942 came on to be considered the application of the Defendants, Rudolph C. Schotten and Mary C. Schotten, to withdraw the sum of SEVENTY-FIVE AND NO/100 (\$75.00) DOLLARS deposited by the United States of America as the reasonable compensation for the taking of Parcel Number Five (5), as described in plaintiff's original petition, and

It appearing to the Court that the said Rudolph C. Schotten and Mary C. Schotten are the owners of said parcel of land described as Parcel Number Five (5) and that they are entitled to withdraw said sum without prejudice to their right to contest the value of said land, and

It further appearing to the Court that there is due the State of Texas and County of El Paso the sum of ONE AND 48/100 (\$1.48) DOLLARS as taxes on said property,

IT IS, THEREFORE, ORDERED, and the clerk is hereby directed to pay the sum of ONE AND 48/100 (\$1.48) DOLLARS to the State of Texas and County of El Paso, and the balance of the said SEVENTY-FIVE AND NO/100 (\$75.00) DOLLARS, in the sum of SEVENTY-THREE AND 32/100 (\$73.32) DOLLARS, to Rudolph C. Schotten and Mary C. Schotten, which payment shall be made without prejudice to their right to contest the value of said land.

Charles A. Boynton,  
Judge.

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

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
VS.  
  
STEVE M. MARASOVICH, ET AL,  
  
Defendants.

NO. 93 CIVIL

Filed January 7, 1942

ORDER

Plaintiff is hereby given leave to amend.

Charles A. Boynton  
\_\_\_\_\_  
JUDGE.

COPY

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

STEVE M. MARASOVICH, ET AL,

Defendants.

¶

¶

¶

¶

¶

NO 93 CIVIL

Filed January 7, 1942.

PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION

TO THE HONORABLE CHARLES A. BOYNTON, JUDGE OF SAID COURT:

Comes now the United States of America by Ben F. Foster, United States Attorney for the Western District of Texas, R. Neill Walshe, Assistant United States Attorney for the Western District of Texas, W. C. Peticolas, Special Attorney, and Harold L. Sims, Special Assistant to the United States Attorney, and leave of Court having been first had and obtained, files this, its first amended original petition, and respectfully shows to the Court:

I.

1. That the Secretary of the Interior of the United States has determined that certain lands located in El Paso County, Texas, and within the jurisdiction of this Court, are needed by that branch of said Department known as the Bureau of Reclamation of the Department of the Interior, for the purposes of regulation, control and use of the flow of the Rio Grande River by means of an irrigation canal and drainage outlet channel and appurtenant works for the purpose of the reclamation, irrigation project constructed, operated and maintained by the United States under the Reclamation Law hereinafter mentioned.

2. Your petitioner respectfully represents that the application for the condemnation of lands hereinafter described, and of the acquisition by the United States of said lands in fee simple absolute, for the purposes hereinabove stated, is authorized and brought pursuant to (a) the Act of Congress of June 17, 1902, 32 Stat., 388, and all acts amendatory thereof and supplementary thereto, commonly known as the Reclamation Law; (b) the Act of March 4, 1921, 41 Stat., 1404, and (c) the Act of February 26, 1931, 46 Stat., 1421, and all acts amendatory thereof and supplementary thereto.

3. That the lands needed are more particularly described, as follows, to-wit:

x  
(Parcel I, Bradley)

Riverside Canal Extension  
Plat No. 8

THREE TRACTS of land lying and situate in El Paso County, Texas, and in the Southwest quarter ( $SW\frac{1}{4}$ ) of Section thirty-two (32), Township thirty-three (33) South, Range eight (8) East, Bureau of Reclamation Survey; being also within Tract one A (1-A), Block forty-two (42) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said County and State; more particularly described as follows:

Correct as to Engineering Data Q.O.D.  
TRACT 1 - Beginning at the point of intersection of the dividing line between Tracts one A (1-A) and four (4), Block forty-two (42) of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the River Drain said point being the Southeast corner of Tract two (2), Block forty-two (42) of the said official resurvey of the San Elizario Grant; thence along the southwesterly right of way line of said river drain South fifty-nine degrees ( $59^{\circ}$ ) fifty-one minutes ( $51'$ ) East three hundred sixty-three and four tenths ( $363.4$ ) feet to a point at the intersection of said line with the north right of way line of the Cuadrilla Drain and from which point the Northwest corner of Tract thirteen (13), Block two (2) of the said official resurvey of the San Elizario Grant bears North twenty-five degrees ( $25^{\circ}$ ) thirty-six minutes ( $36'$ ) thirty seconds ( $30''$ ) East one thousand four hundred fifty-nine and one tenths ( $1459.1$ ) feet; thence along the north right of way line of said Cuadrilla Drain, South eighty-four degrees ( $84^{\circ}$ ) fifty-three minutes ( $53'$ ) West three hundred eighteen and one tenth ( $318.1$ ) feet to the dividing line between Tract one A (1-A) and tract four (4) Block forty-two (42) of said official resurvey of the San Elizario Grant; thence along said dividing line North no degrees ( $0^{\circ}$ ) forty-two minutes ( $42'$ ) East two hundred ten and nine tenths ( $210.9$ ) feet to the point of beginning. Said tract of land containing seventy-seven hundredths ( $0.77$ ) of an acre, more or less. Shown as Tract one (1) on plat attached hereto and made a part hereof.

TRACT 2 - Beginning at the point of intersection of the dividing line between Tract one A (1-A) and Tract four (4) Block forty-two (42) of the official resurvey of the San Elizario Grant with the south right of way line of the Cuadrilla Drain and from which point the Southeast corner of Tract two (2) Block forty-two (42) of the official resurvey of the San Elizario Grant bears North no degrees ( $0^{\circ}$ ) forty-two minutes ( $42'$ ) East two hundred ninety-one and three tenths ( $291.3$ ) feet; thence along the south right of way line of said Cuadrilla Drain, North eighty-four degrees ( $84^{\circ}$ ) fifty-three minutes ( $53'$ ) East four hundred thirty-nine and four tenths ( $439.4$ ) feet to a point on the southwesterly right of way line of the River Drain and from which point the Northwest corner of Tract thirteen (13), Block two (2) of the said official resurvey of the San Elizario Grant bears North twenty degrees ( $20^{\circ}$ ) fourteen minutes ( $14'$ ) thirty seconds ( $30''$ ) East one thousand four hundred seventy-six and six tenths ( $1476.6$ ) feet; thence along the southwesterly right of way line of said river drain South fifty-nine degrees ( $59^{\circ}$ ) fifty-one minutes ( $51'$ ) East one hundred eighty-six and seven tenths ( $186.7$ ) feet to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the former Rio Grande South fifty-eight degrees ( $58^{\circ}$ ) forty-four minutes ( $44'$ ) West two hundred sixty-four and eight tenths ( $264.8$ ) feet, South seventy-four degrees ( $74^{\circ}$ ) twenty-three minutes ( $23'$ ) West three hundred eleven and four tenths ( $311.4$ ) feet and South sixty-six degrees ( $66^{\circ}$ ) fifty-seven minutes ( $57'$ ) West eighty-three and two tenths ( $83.2$ ) feet to a point where the said river bank intersects the extension of the dividing line between Tracts one A (1-A) and four (4), Block forty-two (42) of the said official resurvey of the San Elizario Grant; thence

along said dividing line as extended North no degrees (0°) forty-two minutes (42') East three hundred eight and five tenths (308.5) feet to the point of beginning. Said tract of land containing two and ninety-two hundredths (2.92) acres, more or less. Shown as Tract two (2) on plat attached hereto and made a part hereof.

TRACT 3 - Beginning at a point on the dividing line between Tract one A (1-A), Block forty-two (42) and Tract thirteen (13), Block two (2) of the official resurvey of the San Elizario Grant and from which point the Northwest corner of Tract thirteen (13), Block two (2) of the said official resurvey of the San Elizario Grant bears North two degrees (2°) fifty-eight minutes (58') West one thousand two hundred thirty-four and one tenth (1234.1) feet; thence South two degrees (2°) fifty-eight minutes (58') East twenty (20) feet to the north right of way line of the Fabens Intercepting Drain Stub; thence along said right of way line South eighty-four degrees (84°) forty-nine minutes (49') West two hundred twenty (220) feet; thence South five degrees (5°) eleven minutes (11') East eighty (80) feet; thence along the south right of way line of said Fabens Intercepting Drain Stub; North eighty-four degrees (84°) forty-nine minutes (49') East two hundred sixteen and nine tenths (216.9) feet to the dividing line between Tract one A (1-A), Block forty-two (42) and Tract thirteen (13) Block two (2) of the said official resurvey of the San Elizario Grant; thence South two degrees (2°) fifty-eight minutes (58') East one hundred twenty and eight tenths (120.8) feet along said dividing line and an extension thereof to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along said river bank South eighty-nine degrees (89°) twenty-four minutes (24') West two hundred twenty-six and seven tenths (226.7) feet to the northeasterly right of way line of the river drain; thence along the northeasterly right of way line of said River Drain North fifty-nine degrees (59°) fifty-one minutes (51') West three hundred fifty and three tenths (350.3) feet to a point from which the Southeast corner of Tract two (2) Block forty-two (42) of the said official resurvey of the San Elizario Grant bears North seventy-three degrees (73°) twenty-four minutes (24') twenty seconds (20") West five hundred eleven and nine tenths (511.9) feet; thence North eighty-four degrees (84°) forty-nine minutes (49') East five hundred twenty and three tenths (520.3) feet to the point of beginning. Said tract of land containing one and thirty-eight hundredths (1.38) acres, more or less. Shown as Tract three (3) on plat attached hereto and made a part hereof.

[illegible]

Riverside Canal Extension No. 20

(Parcel 12, Harrowick)

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South and Southwest quarter (SW $\frac{1}{4}$ ) of Section thirty-two (32), Township thirty-three (33) South, Range eight (8) East, Bureau of Reclamation Survey; being also within survey sixty-nine (69) of the Island, San Elizario Grant and tract eleven (11) Block fifty-four (54) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the county clerk of said county and state; more particularly described as follows:

Beginning at a point on the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof and from which point the most southerly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Elizario Grant bears South twenty-one degrees (21°) forty-six minutes (46') eighteen seconds (18") East five thousand one hundred fifty-one and nine tenths (5151.9) feet; thence along the south bank of the said former Rio Grande North fifty-six degrees (56°) forty-four minutes (44') East twenty-eight and nine tenths (28.9) feet, North sixty-seven degrees (67°) fourteen minutes (14') East two hundred thirteen and nine tenths (213.9) feet; North eighty-one degrees (81°) forty-four minutes (44') East one hundred sixty-one and one tenth (161.1) feet; South eighty-two degrees (82°) thirty-nine minutes (39') East two hundred one and one tenth (201.1) feet and South seventy-four degrees (74°) twenty minutes (20') East one hundred twenty-three and eight tenths (123.8) feet to a point from which the most easterly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Elizario Grant bears South thirty-seven degrees (37°) thirty-nine minutes (39') twenty-two seconds (22") East four thousand five hundred eighty-nine and nine tenths (4589.9) feet; thence South eighty-four degrees (84°) fifty-three minutes (53') West seven hundred two and three tenths (702.3) feet to the point of beginning. Said tract of land containing eighty-eight hundredths (0.88) of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

Correct as to Engineering Data 9.0.8.

x

(Parcel III, Hunt)

Riverside Canal Extension  
Plat No. 22 - 26

TWO tracts of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey and within Hunt's Addition to Fabens, Texas, being also within Tract nine (9), Block fifty-four (54) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

TRACT 1 - Being all of lots one (1) to seventy-six (76) both inclusive, Block nine (9) Hunt's Addition to Fabens, Texas, more particularly described as follows: Beginning at a point on the southeasterly line of said tract nine (9) Block fifty-four (54) of said official resurvey of the San Elizario Grant which point is the most southerly corner of Block nine (9) Hunt's Addition to Fabens, Texas; thence along the southwesterly line of said block nine (9) which is also the northeasterly right of way line of Canal Drive North forty-seven degrees (47°) fifty-eight minutes (58') West one thousand one hundred forty-four and eight tenths (1144.8) feet, North fifty-nine degrees (59°) eighteen minutes (18') West one hundred sixty-one and seventy-six hundredths (161.76) feet and North sixty-eight degrees (68°) forty-eight minutes (48') West five hundred eighty-seven and two tenths (587.2) feet to the Southwest corner of said Block nine (9) Hunt's Addition to Fabens, Texas and from which point the most southerly corner of said Tract nine (9) Block fifty-four (54) of said official resurvey of the San Elizario Grant bears South thirty-seven degrees (37°) fourteen minutes (14') East one thousand seven hundred seventy-five and seven tenths (1775.7) feet; thence North thirty-seven degrees (37°) fourteen minutes (14') West one hundred sixty-nine and two tenths (169.2) feet along the westerly line and an extension thereof of said Block nine (9) Hunt's Addition to Fabens, Texas to the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the south bank of the said former Rio Grande South seventy degrees (70°) nineteen minutes (19') East six hundred ninety-four and four tenths (694.4) feet, South sixty-three degrees (63°) twenty-three minutes (23') East three hundred forty-eight (348) feet South fifty-six degrees (56°) fifty-eight minutes (58') East three hundred forty-five and fifteen hundredths (345.15) feet, South forty-five degrees (45°) forty-eight minutes (48') East three hundred twenty-eight and sixty-four hundredths (328.64) feet and South thirty-eight degrees (38°) eighteen minutes (18') East four hundred and six hundredths (400.06) feet to the intersection with the southeasterly line of Block nine (9) of Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Block nine (9) South fifty-two degrees (52°) forty-two minutes (42') West one hundred twenty-four (124) feet to the point of beginning. Said tract of land containing six and forty-nine hundredths (6.49) acres, more or less. Shown on Riverside Canal Extension Plat No. 22 attached hereto and made a part hereof.

Correct as to Engineering Data 9.0.8.



Correct as to Engineering Data Q. D. D.

TRACT 2 - Being fractional parts of lots nine (9) and ten (10), Block two (2), fractional parts of lots eight (8), nine (9), eighteen (18) and nineteen (19), Block three (3) and fractional parts of lots sixteen (16) and seventeen (17), Block six (6), all in Hunt's Addition to Fabens, Texas more particularly described as follows: Beginning at a point on the southwesterly right of way line of the I-243 Lateral, which is the property of the United States, said point being the most northerly corner of Lot sixteen (16) Block six (6) Hunt's Addition to Fabens, Texas; thence along the southwesterly right of way line of the I-243 Lateral being also the northeasterly line of Blocks six (6), three (3) and two (2) Hunt's Addition to Fabens, Texas, South forty-seven degrees (47°) fifty-eight minutes (58') East five hundred seventy-four and ninety-four hundredths (574.94) feet to a point which is the most easterly corner of Lot ten (10), Block two (2), Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Lot ten (10), South fifty-two degrees (52°) forty-two minutes (42') West eleven and seventy-three hundredths (11.73) feet; thence North forty-seven degrees (47°) forty-four minutes (44') West five hundred seventy-four and forty-nine hundredths (574.49) feet to the northwesterly line of Lot sixteen (16) Block six (6) Hunt's Addition to Fabens, Texas; thence along said line North fifty-two degrees (52°) forty-two minutes (42') East nine and thirty-five hundredths (9.35) feet to the point of beginning. Said tract of land containing fourteen hundredths (0.14) of an acre, more or less, of which two hundredths (.02) of an acre is occupied by streets and alleys. Shown on Riverside Canal Extension Plat 26, attached hereto and made a part hereof.

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x

Riverside Canal Extension

(Parcel IV, Whitaker Estate & Tractor) No. 17

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4) and Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within tract sixteen (16), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

Beginning at the point of intersection of the dividing line between Tracts fifteen (15) and sixteen (16), Block one (1) of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the Fabens Intercepting Drain and from which point the Northeast corner of said Tract sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant bears North sixty-six degrees (66°) twenty minutes (20') East six hundred thirty-seven (637) feet; thence along said southwesterly right of way line of the Fabens Intercepting Drain South sixty-eight degrees (68°) forty-five minutes (45') East four hundred eighty-nine (489) feet to a point on the southeasterly line of said Tract sixteen (16) Block one (1) of the said official resurvey of the San Elizario Grant and from which point the Southeast corner of said Tract sixteen (16) bears North fifty degrees (50°) fourteen minutes (14') East three hundred seventy-four and eight tenths (374.8) feet; thence South fifty degrees (50°) fourteen minutes (14') West three hundred fifty-five and six tenths (355.6) feet along the southeasterly line of said Tract sixteen (16) to the north bank of the former Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the said former Rio Grande North sixty-four degrees (64°) fifty-nine minutes (59') West five (5) feet; North seventy-two degrees (72°) fifteen minutes (15') West four hundred eighty-four and five tenths (484.5) feet and North seventy-three degrees (73°) fifty minutes (50') West one hundred eighty-seven (187) feet to the point of intersection with the dividing line between Tracts fifteen (15) and sixteen (16), Block one (1) of the said official resurvey of the San Elizario Grant; thence along said dividing line North sixty-six degrees (66°) twenty minutes (20') East five hundred five and one tenth (505.1) feet to the point of beginning. Said tract of land containing four and twenty-seven hundredths (4.27) acres, more or less. All as shown on Plat attached hereto and made a part hereof.

~~THE FOLLOWING IS A SUMMARY OF THE CONTENTS OF THE PLAT ATTACHED HERETO:~~

~~1. A TRACT OF LAND Lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4) and Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within tract sixteen (16), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:~~

~~2. A TRACT OF LAND Lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4) and Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within tract sixteen (16), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:~~

~~3. A TRACT OF LAND Lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4) and Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within tract sixteen (16), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:~~

Riverside Canal extension  
Plat No. 14

(Parcel V, Schutten)

A tract of land lying and situate in El Paso County, Texas and in the Northeast quarter ( $NE\frac{1}{4}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ) of Section five (5) Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; said tract being all of lots eight (8), nine (9), ten (10), eleven (11) and twelve (12) and accretion thereto, Block G of the Riverside Addition to Fabens, Texas and being also within Tract fourteen (14), Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas the 13th day of January, 1930 and of record in the office of the County Clerk of said County and State; more particularly described as follows:

Beginning at a point on the northerly line of Block G Riverside Addition to Fabens, Texas, said point being the Northeast corner of Lot eight (8) Block G of said Riverside Addition; thence along the easterly line of said Lot eight (8) South twenty-three degrees ( $23^{\circ}$ ) forty-two minutes ( $42'$ ) East one hundred twenty-nine (129) feet to a point on the southerly line of said Block G, said point being the Southeast corner of said Lot eight (8); thence along the southerly line and an extension thereof of said Block G, Riverside Addition South sixty-six degrees ( $66^{\circ}$ ) eighteen minutes ( $18'$ ) west one hundred eighty-four and one tenth (184.1) feet to the center of what formerly constituted the bed of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the center line of said former river bed North fifty-eight degrees ( $58^{\circ}$ ) nine minutes ( $09'$ ) west one hundred fifty-six and four tenths (156.4) feet to a point where the said center line intersects the extension of the northerly line of Block G of said Riverside Addition; thence along said northerly line as extended North sixty-six degrees ( $66^{\circ}$ ) eighteen minutes ( $18'$ ) East two hundred seventy-two and six tenths (272.6) feet to the point of beginning. Said tract of land containing sixty-eight hundredths (0.68) of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

Correct as to Engineering Data

Riverside Canal Extension  
Plat No. 18

x  
(Parcel VI, Lopez Estate)

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey; being also within Tract seventeen (17) Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

Correct as to Engineering Data  
Beginning at a point on the northwesterly line of said Tract seventeen (17) Block one (1) of said official resurvey of the San Elizario Grant and from which point the most northerly corner of said tract seventeen (17) bears North forty-nine degrees (49°) fifty-seven minutes (57') East three hundred sixteen and two tenths (316.2) feet. Said most northerly corner of Tract seventeen (17) being thirty-five (35) feet from and at right angles to the center line of State Highway No. 1; thence South thirty-nine degrees (39°) thirty-seven minutes (37') East one hundred ninety and eight tenths (190.8) feet to the southeasterly line of said tract seventeen (17) and from which point the most easterly corner of said tract seventeen (17) bears North fifty degrees (50°) fourteen minutes (14') East three hundred sixteen and six tenths (316.6) feet; thence South fifty degrees (50°) fourteen minutes (14') West one hundred eighty-five and nine tenths (185.9) feet along the southeasterly line of said Tract seventeen (17) to the northeast bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the Northeast bank of the said former Rio Grande North sixty degrees (60°) fifty-one minutes (51') West one hundred ninety-nine and nine tenths (199.9) feet and North sixty-four degrees (64°) fifty-nine minutes (59') West three and three tenths (3.3) feet to the intersection with the northwesterly line of said Tract seventeen (17); thence along said northwesterly line of Tract seventeen (17) North forty-nine degrees (49°) fifty-seven minutes (57') East two hundred fifty-nine and eight tenths (259.8) feet to the point of beginning. Said tract of land containing ninety-seven hundredths (0.97) of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

## II.

Petitioner is informed and believes, and therefore alleges upon information and belief:

1. That B. O. Bradley owns or claims to own Parcel No. 1.

(a) That W. Y. Ellis and Volney Brown, Trustee, own or claim to own some interest in Parcel No. 1 by virtue of the fact that B. O. Bradley executed and delivered to W. Y. Ellis ten (10) promissory notes for the sum of TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS each and secured them by a Deed of Trust covering said parcel to Volney Brown, Trustee.

2. That Steve M. Marasovich owns or claims to own Parcel No. 2.

(a) The Federal Land Bank of Houston, Texas owns or claims to own some interest in Parcel No. 2 by virtue of the fact that on September 12, 1922 W. J. Stahmann and wife, Anna M. Stahmann, gave a Deed of Trust covering Parcel No. 2 to said bank to secure one (1) note in the sum of FIVE THOUSAND AND NO/100 (\$5000.00) DOLLARS, and on June 28, 1924 gave another Deed of Trust to secure one (1) note for TWO THOUSAND, SIX HUNDRED AND NO /100 (\$2,600.00) DOLLARS.

3. That Norma Noel Hunt, a feme sole, owns or claims to own Parcel No. 3.

4. That Irene Whitaker, a feme sole, Dan W. Whitaker, Paul Tucker and Raymond L. Tucker own or claim to own Parcel No. 4.

5. That Rudolph G. Schutten and Mary C. Schutten own or claim to own Parcel No. 5.

6. That Candelaria O. Lopez and the unknown heirs of Luciano Lopez, deceased, own or claim to own Parcel No. 6.

(a) That the Mutual Federal Savings & Loan Association and H. L. McCune, Trustee, own or claim to own some interest in Parcel No. 6 by virtue of the fact that Luciano Lopez gave a Deed of Trust covering said property to H. L. McCune, Trustee, for said association to secure one (1) note in the sum of TWO THOUSAND AND NO/100 (\$2000.00) DOLLARS, dated April 27, 1938.

(b) That Antonio Lopez and Tom R. Files, Trustee, own or claim to own some interest in the above described property by virtue of the fact that on March 18, 1941 Donasiano Lopez and wife, Maria Lopez, gave a Deed of Trust covering an undivided one-sixteenth (1/16) interest in Parcel No. 6 to Tom R. Files, Trustee, to secure the payment of one (1) note for FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS of even date of said Deed of Trust.

(c) That Donasiano Lopez, Maria Lopez and Luciano Lopez, a person of unsound mind, own or claim to own some interest in Parcel No. 6, the exact nature of which plaintiff is unable to allege.

### III.

1. That the State of Texas and County of El Paso own or claim to own an interest in all of the above described parcels of land by reason of the fact that there are taxes due and owing on same.

2. That the El Paso County Water Improvement District No. 1 owns or claims to own some interest in all of the above described parcels of land by virtue of the fact that there are water and construction charges due and unpaid on same.

### IV.

That under date of July 15, 1940, the Secretary of the Interior, acting through W. C. Mendenhall, Acting under Secretary of the Department of the Interior of the United States, by written communication of even date, advised the Attorney General of the United States of the facts hereinabove set out, and requested the Attorney General to institute or cause to be instituted appropriate proceedings looking to the acquisition of said lands in fee simple absolute, and the Attorney General requested and directed the counsel first above named to take the necessary steps to acquire the aforesaid lands in fee simple absolute, and that this application is made and this proceeding instituted under the direction of the Attorney General.

### V.

1. WHEREFORE, your petitioner respectfully prays that the above named defendants be required to appear and set up their respective interests in and to the aforesaid described property, if any they have.

2. That upon the filing of said award in this Court, in the manner and form prescribed by law, this Court enter judgment thereon, condemning the lands in fee simple absolute to the United States of America.

3. That a guardian ad litem be appointed to represent the interest of Luciano Lopez, a person of unsound mind.

BEN F. FOSTER,  
United States Attorney,

R. NEILL WALSH,  
Assistant United States Attorney,

W. C. PETICOLAS,  
Special Attorney,

HAROLD L. SIMS,  
Special Assistant to United States Attorney,

BY: (Signed) W. C. Peticolas

C O P Y

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

UNITED STATES OF AMERICA,  
Plaintiff,  
VS.  
STEVE M. MARASOVICH, ET AL.,  
Defendants.

NO. 93 CIVIL

Filed January 8, 1942.

APPLICATION FOR APPOINTMENT OF SUBSTITUTE  
COMMISSIONER

Comes now the United States of America and would respectfully show to the Court that on December 2, 1940 the Court appointed R. E. Sherman, C. M. Newman and John R. Ellis as Special Commissioners to assess the damages in the above styled and numbered cause, and since that date C. M. Newman died, making it necessary to appoint a new Special Commissioner in his place,

WHEREFORE, plaintiff prays for an Order, appointing  
a new Special Commissioner in the place of C. M. Newman.

UNITED STATES OF AMERICA.

BY: W. C. Peticolas

C O P Y

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

VS.

STEVE M. MARASOVICH, ET AL.,  
Defendants.

NO. 93 CIVIL

Filed January 9, 1942

ORDER APPOINTING SPECIAL COMMISSIONER

This 9th day of January, 1942, came on to be considered the Application of the plaintiff herein for the appointment of a Special Commissioner in the place of C. M. Newman, and it appearing to the Court that C. M. Newman is dead, and the Court being of the opinion that a new Special Commissioner should be appointed, and it further appearing to the Court that T. M. Wingo, is a disinterested freeholder of El Paso County, Texas.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that he be, and he is hereby appointed Special Commissioner to assess the damages with the other Commissioners heretofore appointed by the Court in connection with the condemnation of the lands taken by the United States of America in the above entitled and numbered cause.

Charles A. Boynton  
JUDGE.



C O P Y

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

UNITED STATES OF AMERICA,

PLAINTIFF,

VS.

STEVE M. MARASOVICH, ET AL.,

DEFENDANTS.

NO. 93 CIVIL

Filed January 27, 1942

DISCLAIMER

Comes now the FEDERAL LAND BANK OF HOUSTON, TEXAS, AND  
enters its appearance herein for all purposes, and would respectfully show  
to the Court that it has no interest in the subject matter of this suit  
and hereby disclaims all right, title and interest in and to the property  
which is the subject of this suit and being described as Parcel No. 1 in  
plaintiff's first amended original petition.

WHEREFORE, premises considered, this defendant prays that  
it go hence with its costs.

FEDERAL LAND BANK OF HOUSTON, TEXAS,

BY: J. L. Murray

Attorney of Record

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

UNITED STATES OF AMERICA,  
Plaintiff,

VS.

STEVE MARASOVICH, ET AL,  
Defendants.

NO. 93 CIVIL

Filed February 2, 1942

DISCLAIMER OF EL PASO COUNTY WATER IMPROVEMENT  
DISTRICT NO. 1 AS TO PARCEL NO. 1

Comes now El Paso County Water Improvement District No. 1  
by its duly authorized representative and disclaims all right, title and  
interest in and to the property described in plaintiff's original petition  
described as Parcel No. 1.

EL PASO COUNTY WATER IMPROVEMENT DIST. #1

BY: Richard F. Burges

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

SITTING AT EL PASO

THE UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

No. 93-Civ11

B. O. BRADLEY, et al., )

Defendants. )

TO SAID HONORABLE COURT:

COME NOW the State of Texas, County of El Paso,  
and Fabens Independent School District No. W-10, by Ernest  
Guinn, County Attorney of El Paso County, Texas, defendants  
in the above entitled and numbered cause, and do hereby  
waive and disclaim any and all interest in and to the real  
estate described as follows:

Tract 1-A, Block 42, San Elizario Grant.

Ernest Guinn

FEB 2-1942

Filed \_\_\_\_\_ day of \_\_\_\_\_

19\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

MAXEY HART, Clerk.

By Margaret Cameron  
Deputy.

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

UNITED STATES OF AMERICA,  
Plaintiff,

VS.

STEVE W. KARASOVICH, ET AL,  
Defendants.

NO. 93 CIVIL

Filed February 5, 1942

ANSWER OF W. Y. ELLIS

Comes now W. Y. Ellis, one of the defendants in the above styled and numbered cause, and waives service of citation upon him and enters this, his appearance, for all purposes and files this, his answer, and respectfully shows to the Court:

That on December 23, 1936, this defendant conveyed to B. O. Bradley the property described as Parcel No. 1, described in plaintiff's petition herein, and obtained a Vendor's Lien to secure the payment of ten (10) notes for TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS each. That there is still due more than ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS on said notes and that said sum of ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS has been deposited as the reasonable compensation for the taking of said property, and that the defendant, B. O. Bradley, has agreed to accept said amount. That said amount should be paid to this defendant on his notes.

THEREFORE, premises considered, this defendant prays that said sum of ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS be paid to him as a credit on the above described notes.

W. Y. Ellis

W. Y. ELLIS

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

UNITED STATES OF AMERICA, :

Plaintiff, :

vs. :

No. **92** Civil.

**STEVE M. MARASOVICH, ET AL :**

Filed February 16, 1942.

Defendants. :

It is hereby stipulated and agreed by and between the United States of America, hereinafter called the Plaintiff, and **D. O. Bradley and wife Ruby Lee Bradley**

hereinafter called Defendant **S**, that

WHEREAS, an action in condemnation was commenced in the above court on the **12** day of ~~September~~, 19**40**, by filing of a Petition in Condemnation and a Declaration of Taking on behalf of the United States of America at the request of the Secretary of War for the United States of America, and

WHEREAS, in accordance therewith on the **12** day of ~~September~~, 19**40**, a Judgment on said Declaration of Taking was duly made and entered in the above named Court in favor of the United States of America and against the above named person and the following described property:

THREE TRACTS of land lying and situate in El Paso County, Texas, and in the SW<sup>1</sup>/<sub>4</sub> of Section 32, Township 33 South, Range 8 East, Bureau of Reclamation Survey; being also within Tract 1-A, Block 42 of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said County and State; more particularly described as follows:

TRACT 1 Beginning at the point of intersection of the dividing line between Tracts 1-A and 4, Block 42 of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the River Drain said point being the Southeast corner of Tract 2, Block 42 of the said official resurvey of the San Elizario Grant; thence along the southwesterly right of way line of said river drain South 59° 51' East 363.4 feet to a point at the intersection of said line with the north right of way line of the Cuadrilla Drain and from which point the Northwest corner of Tract 13 Block 2 of the said official resurvey of the San Elizario Grant bears North 25° 36' 30" East 1459.1 feet; thence along the north right of way line of said Cuadrilla Drain, South 84° 53' West 318.1 feet to the dividing line between Tract 1-A and Tract 4 Block 42 of said official resurvey of the San Elizario Grant; thence along said dividing line North 0° 42' East 210.9 feet to the point of beginning. Said tract of land containing 0.77 of an acre, more or less. Shown as Tract 1 on plat attached hereto and made a part hereof.

TRACT 2 Beginning at the point of intersection of the dividing line between Tract 1-A and Tract 4 Block 42 of the official resurvey of the San Elizario Grant with the south right of way line of the Cuadrilla Drain and from which point the Southeast corner of Tract 2 Block 42 of the official resurvey of the San Elizario Grant bears North 0° 42' East 291.3 feet; thence along the south right of way line of said Cuadrilla Drain, North 84° 53' East 439.4 feet to a point on the southwesterly right of way line of the River Drain and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizario Grant bears North 20° 14' 30" East 1476.6 feet; thence along the Southwesterly right of way line of said river drain South 59° 51' East 186.7 feet to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the former Rio Grande South 58° 44' West 264.8 feet, South 74° 23' West 311.4 feet and South 66° 57' West 83.2 feet to a point where the said river bank intersects the extension of the dividing line between Tract 1-A and 4, Block 42 of the said official resurvey of the San Elizario Grant; thence along said dividing line as extended North 0° 42' East 308.5 feet to the point of beginning. Said tract of land containing 2.92 acres, more or less. Shown as Tract 2 on Plat attached hereto and made a part hereof.

TRACT 3 - Beginning at a point on the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2, of the official resurvey of the San Elizario Grant and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizario Grant bears North 2° 58' West 1234.1 feet; thence South 2° 58' East 20 feet to the north right of way line of the Fabens Intercepting Drain Stub; thence along said right of way line South 84° 49' West 220 feet; thence South 5° 11' East 80 feet; thence along the south right of way line of said Fabens Intercepting Drain Stub; North 84° 49' East 216.9 feet to the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2 of the said official resurvey of the San Elizario Grant; thence South 2° 58' East 120.8 feet along said dividing line and an extension thereof to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along said river bank South 89° 24' West 226.7 feet to the northeasterly right of way line of the river drain; thence along the northeasterly right of way line of said River Drain North 59° 51' West 350.3 feet to a point from which the Southeast corner of Tract 2 Block 42 of the said official resurvey of the San Elizario Grant bears North 73° 24' 20" West 511.9 feet; thence North 84° 49' East 520.3 feet to the point of beginning. Said tract of land containing 1.38 acres, more or less, Shown as Tract 3 on plat attached hereto and made a part hereof.

and under the provisions of the Declaration of Taking Act (46 Stat. 1421), the title to the above described land in fee simple was vested in the United States of America and the right to just compensation for the same was likewise, under the provisions of said Act, vested in the person \_\_\_\_\_ thereto entitled, and the sum of \$ **166.20** was deposited in the Registry of said Court for the use of the person s entitled thereto at the time of the filing of said Declaration of Taking, and

WHEREAS, **B. O. Bradley and wife Ruby Lee Bradley**

(claims) ~~xxxxxx~~ to be the owners s in fee simple of the above described property, subject only to the following:

**State and County taxes which may be due and owing on said property. Also subject to lien in favor of W. I. Ellis to secure ten notes for \$250.00 each, dated December 23, 1936.**

and

WHEREAS, the undersigned defendant and the United States of America have agreed that the reasonable value of the above described property is the sum of \$166.20, and the said defendant is willing to accept said sum in full satisfaction of any claims against the United States of America for the taking of said land,

NOW, THEREFORE, it is hereby stipulated and agreed by and between

**B. O. Bradley  
and wife Ruby Lee Bradley**

Defendant s,  
and United States of America that said Defendant s, do hereby enter ~~the~~ his appearance in this action, and expressly waive \_\_\_\_\_ service of summons, petition, order of taking, notice of Special Commissioners, or any and all other process and proceedings, hereby expressly waiving any and all rights affected thereby, and hereby expressly waive \_\_\_\_\_ a hearing before the Special Commissioners appointed by the Court, and hereby further stipulating and agreeing that the Honorable United States District Court for the Western District of Texas, El Paso Division, is hereby authorized and petitioned to enter without further notice a final judgment and decree in said

action in accordance with the prayer of Plaintiff's Petition herein reciting the vesting of the title to the above described property in the United States of America pursuant to the filing of said Declaration of Taking and deposit thereunder, and adjudging just compensation for the lands taken to be the amount deposited by the United States of America for the use of the person s entitled thereto, as hereinabove set forth, and the Court is authorized and petitioned to include a provision in the final judgment and decree for the disbursements of the funds so deposited in the following manner, to wit:

First: To the payment of a sum sufficient to discharge and satisfy all mortgages, encumbrances, and other liens against the above described property, including the State debt and all taxes due and owing on said property.

Second: To the expense for recording all copies of judgments, releases or other instruments necessary to perfect the title in United States of America.

Third: The balance, if any, to the above named defendant s.

The foregoing stipulation is made in view of the fact that said Declaration of Taking was filed to expedite the vesting of the title and possession in the United States of America, and it is the purpose and intent hereof to vest in the Court, without any further proceeding or notice, full authority to close said action by final judgment and disburse the funds in accordance therewith.

IN WITNESS WHEREOF, the parties hereunto set their names, this  
14th day of February, A. D. 19 <sup>42</sup>.

UNITED STATES OF AMERICA,

By Ben F. Foster  
United States Attorney, Plaintiff,

By W. C. Peticolas  
Special Attorney.

B. O. Bradley

~~B. O. BRADLEY~~

Ruby Lee Bradley

~~RUBY LEE BRADLEY~~

Defendant s



IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO. 93 CIVIL

STEVE KARASOVICH, ET AL,

Filed February 16, 1942.

Defendants.

JUDGMENT FOR B. G. BRADLEY  
AND RUBY LEE BRADLEY

BE IT REMEMBERED, that on this 6th day of February,

1942, in the above styled and numbered cause, came on to be considered said  
condemnation proceeding insofar as same concern:

PARCEL NO. 1

THREE TRACTS of land lying and situate in El Paso County, Texas, and in the SW<sup>1</sup>/<sub>4</sub> of Section 32, Township 33 South, Range 8 East, Bureau of Reclamation Survey; being also within Tract 1-A, Block 42 of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said County and State; more particularly described as follows:

TRACT 1 - Beginning at the point of intersection of the dividing line between Tracts 1-A and 4, Block 42 of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the River Drain said point being the Southeast corner of Tract 2, Block 42 of the said official resurvey of the San Elizario Grant; thence along the southwesterly right of way line of said river drain South 59° 51' East 363.4 feet to a point at the intersection of said line with the north right of way line of the Cuadrilla Drain and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizario Grant bears North 25° 36' 30" East 1459.1 feet; thence along the north right of way line of said Cuadrilla Drain, South 84° 53' East 318.1 feet to the dividing line between Tract 1-A and Tract 4 Block 42 of said official resurvey of the San Elizario Grant; thence along said dividing line North 0° 42' East 210.9 feet to the point of beginning. Said tract of land containing .77 of an acre, more or less.

TRACT 2 - Beginning at the point of intersection of the dividing line between Tract 1-A and Tract 4 Block 42 of the official resurvey of the San Elizarie Grant with the south right of way line of the Cuadrilla Drain and from which point the Southeast corner of Tract 2 Block 42 of the official resurvey of the San Elizarie Grant bears North 0° 42' East 291.3 feet; thence along the south right of way line of said Cuadrilla Drain, North 84° 53' East 439.4 feet to a point on the southwesterly right of way line of the River Drain and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizarie Grant bears North 20° 14' 30" East 1476.6 feet; thence along the southwesterly right of way line of said river Drain South 59° 51' East 186.7 feet to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the former Rio Grande South 58° 44' East 264.6 feet, South 74° 23' East 311.4 feet and South 66° 57' East 83.2 feet to a point where the said river bank intersects the extension of the dividing line between Tracts 1-A and 4, Block 42 of the said official resurvey of the San Elizarie Grant; thence along said dividing line as extended North 0° 42' East 308.5 feet to the point of beginning. Said tract of land containing 2.92 acres, more or less.

TRACT 1 - Beginning at a point on the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2 of the official resurvey of the San Elizarie Grant and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elizarie Grant bears North 2° 58' West 1234.1 feet; thence South 2° 58' East 20 feet to the north right of way line of the Fabens Intercepting Drain Stub; thence along said right of way line South 84° 49' West 220 feet; thence South 5° 11' East 80 feet; thence along the south right of way line of said Fabens Intercepting Drain Stub; North 84° 49' East 216.9 feet to the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2 of the said official resurvey of the San Elizarie Grant; thence South 2° 58' East 120.8 feet along said dividing line and an extension thereof to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along said river bank South 89° 24' West 226.7 feet to the north-easterly right of way line of the river drain; thence along the northeasterly right of way line of said River Drain North 59° 51' East 350.3 feet to a point from which the Southeast corner of Tract 2 Block 42 of the said official resurvey of the San Elizarie Grant bears North 73° 24' 20" West 511.9 feet; thence North 84° 49' East 520.3 feet to the point of beginning. Said tract of land containing 1.38 acres, more or less.

and the United States of America, having appeared herein by W. C. Feticolas, Special Attorney, Ben F. Foster, United States Attorney for the Western District of Texas, and Harold L. Sims, Special Assistant to the United States Attorney,

and the defendants, B. O. Bradley and wife, Ruby Lee Bradley, having appeared herein in person, and the defendants, State of Texas and County of El Paso, having appeared herein by Ernest Guinn, County Attorney, El Paso County Water Improvement District No. 1, having appeared herein by Burges, Burges, Scott and Hulse, its Attorneys of Record, and W. Y. Ellis, having appeared herein in person, and

IT APPEARING TO THE COURT that heretofore a judgment of Condemnation has been entered by the Court, condemning the above described property for the use and benefit of the United States of America, and that the United States of America has deposited in the Registry of the Court the sum of ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS as the reasonable value of said property, and that the United States of America and the defendants, B. O. Bradley and Ruby Lee Bradley, being the only parties having an interest in the above described property, have stipulated and agreed that the value of same is ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS, and a hearing before the Special Commissioners and a Jury having been waived and all matters of controversy between the United States of America and the said defendants, B. O. Bradley and Ruby Lee Bradley, having been settled by agreement of the parties, as evidenced by the Stipulation filed herein, and

IT APPEARING TO THE COURT that the defendants, B. O. Bradley and Ruby Lee Bradley were the owners of the above described property at the time of the filing of the Declaration of Taking herein, and the Court being of the opinion that said defendants are entitled to the compensation deposited by the United States of America for the taking of said property, which amount is ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the defendants, B. O. Bradley and wife, Ruby Lee Bradley, do have and recover judgment against the United States of America for the sum of ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS, the same being the stipulated value of said property taken by the United States of America in this proceeding,

and that such judgment be a full and complete satisfaction of all claims of the said B. O. Bradley and Ruby Lee Bradley against the United States of America by reason of the condemnation of the above described property, and

IT FURTHER APPEARING TO THE COURT that the State of Texas and County of El Paso and the El Paso County Water Improvement District No. 1 have filed disclaimers as to this property,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the State of Texas and County of El Paso and the El Paso County Water Improvement District No. 1 recover nothing from the United States of America or any party to this cause insofar as this tract of land is concerned.

IT FURTHER APPEARING TO THE COURT that there is due on said land more than ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS on ten (10) notes for TWO HUNDRED FIFTY AND 00/100 (\$250.00) DOLLARS each to defendant W. I. Ellis, and the Court being of the opinion that the sum of ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS should be paid to W. I. Ellis and credited on said notes,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that W. I. Ellis do have and recover judgment over against B. O. Bradley and Ruby Lee Bradley for the sum of ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS and that said sum so recovered shall be applied as a credit on the above described notes.

IT IS, THEREFORE, ORDERED, and the Clerk is hereby directed to pay the sum of ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS, heretofore deposited in the Registry of the Court by plaintiff, to W. I. Ellis.

IT IS FURTHER ORDERED that jurisdiction of this cause be retained as to all other tracts of land and parties interested therein, not specifically mentioned and disposed of by this order or other orders of the Court for such other and further proceedings as may seem proper to the Court.

Charles A. Boynton  
\_\_\_\_\_  
JUDGE.

APPROVED:

W. C. Peticolas

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

UNITED STATES OF AMERICA, :

Plaintiff, :

vs. :

No. 93 Civil.

STEVE M. MARASOVICH, ET AL.,:

Filed April 10, 1942.

Defendants. :

It is hereby stipulated and agreed by and between the United States of America, hereinafter called the Plaintiff, and **Steve M. Marasovich and Eva Marasovich, his wife**

hereinafter called Defendants, that

WHEREAS, an action in condemnation was commenced in the above court on the **12th** day of **September**, 19**40**, by filing of a Petition in Condemnation and a Declaration of Taking on behalf of the United States of America at the request of the Secretary of War for the United States of America, and

WHEREAS, in accordance therewith on the **12** day of **September**, 19**40**, a Judgment on said Declaration of Taking was duly made and entered in the above named Court in favor of the United States of America and against the above named person and the following described property:

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section five (5), Township thirty-four (34) South and Southwest quarter (SW $\frac{1}{4}$ ) of Section thirty-two (32), Township thirty-three (33) South, Range eight (8) East, Bureau of Reclamation Survey; being also within survey sixty-nine (69) of the Island, San Elizario Grant and tract eleven (11) Block fifty-four (54) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the county clerk of said county and state; more particularly described as follows:

Beginning at a point on the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof and from which point the most southerly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Elizario Grant bears South twenty-one degrees (21°) forty-six minutes (46') eighteen seconds (18") East five thousand one hundred fifty-one and nine tenths (5151.9) feet; thence along the south bank of the said former Rio Grande North fifty-six degrees (56°) forty-four minutes (44') East twenty-eight and nine tenths (28.9) feet North sixty-seven degrees (67°) fourteen minutes (14') East two hundred thirteen and nine tenths (213.9) feet; North eighty-one degree (81°) forty-four minutes (44') East one hundred sixty-one and one tenth (161.1) feet; South eighty-two degrees (82°) thirty-nine minutes (39') East two hundred one and one tenth (201.1) feet and South seventy-four degrees (74°) twenty minutes (20') East one hundred twenty-three and eight tenths (123.8) feet to a point from which the most easterly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Elizario Grant bears South thirty-seven degrees (37°) thirty-nine minutes (39') twenty-two seconds (22") East four thousand five hundred eighty-nine and nine tenths (4589.9) feet; thence South eighty-four degrees (84°) fifty-three minutes (53') West seven hundred two and three tenths (702.3) feet to the point of beginning. Said tract of land containing eighty-eight hundredths (0.88) of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

and under the provisions of the Declaration of Taking Act (46 Stat. 1421), the title to the above described land in fee simple was vested in the United States of America and the right to just compensation for the same was likewise, under the provisions of said Act, vested in the person\_\_\_\_ thereto entitled, and the sum of \$ **30.80** was deposited in the Registry of said Court for the use of the person\_\_\_\_ entitled thereto at the time of the filing of said Declaration of Taking, and

WHEREAS, **Steve H. Marasovich and Eva Marasovich, his wife**

~~(XXXXXX)~~ (claim) to be the owner\_\_\_\_ in fee simple of the above described property, subject only to the following:

**State and County taxes which may be due and owing on said property:**

and

WHEREAS, the undersigned Defendants and the United States of America have agreed that the reasonable value of the above described property is the sum of \$ 30.80, and the said Defendants are willing to accept said sum in full satisfaction of any claims against the United States of America for the taking of said land.

NOW, THEREFORE, it is hereby stipulated and agreed by and between **Steve H. Marasovich and Eva Marasovich, his wife**

Defendant<sup>s</sup>\_\_\_\_,

and United States of America that said Defendant<sup>s</sup>\_\_\_\_, do hereby enter their appearance in this action, and expressly waive\_\_\_\_ service of summons, petition, order of taking, notice of Special Commissioners, or any and all other process and proceedings, hereby expressly waiving any and all rights affected thereby, and hereby expressly waive\_\_\_\_ a hearing before the Special Commissioners appointed by the Court, and hereby further stipulating and agreeing that the Honorable United States District Court for the Western District of Texas, El Paso Division, is hereby authorized and petitioned to enter without further notice a final judgment and decree in said

action in accordance with the prayer of Plaintiff's Petition herein reciting the vesting of the title to the above described property in the United States of America pursuant to the filing of said Declaration of Taking and deposit thereunder, and adjudging just compensation for the lands taken to be the amount deposited by the United States of America for the use of the person     entitled thereto, as hereinabove set forth, and the Court is authorized and petitioned to include a provision in the final judgment and decree for the disbursements of the funds so deposited in the following manner, to wit:

First: To the payment of a sum sufficient to discharge and satisfy all mortgages, encumbrances, and other liens against the above described property, including the State debt and all taxes due and owing on said property.

Second: To the expense for recording all copies of judgments, releases or other instruments necessary to perfect the title in United States of America.

Third: The balance, if any, to the above named defendants    .

The foregoing stipulation is made in view of the fact that said Declaration of Taking was filed to expedite the vesting of the title and possession in the United States of America, and it is the purpose and intent hereof to vest in the Court, without any further proceeding or notice, full authority to close said action by final judgment and disburse the funds in accordance therewith.

IN WITNESS WHEREOF, the parties hereunto set their names, this  
9th day of April , A. D. 1942 .

UNITED STATES OF AMERICA,

By Ben F. Foster  
United States Attorney, Plaintiff,

By W. C. Peticolas  
Special Attorney.

Steve M. Marasovich

Steve M. Marasovich

For

WITNESS TO NAME

Charles B. Stevens

For

X

Marasovich

Defendant S



IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF TEXAS  
SITTING AT EL PASO

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

B.O. BRADLEY, et al.,

Defendants.

No. 93-Civil

Filed April 10, 1942

TO SAID HONORABLE COURT:

COMES NOW the State of Texas, County of El Paso, and Fabens Independent School District No. W-10, by Ernest Guinn County Attorney of El Paso County, Texas, defendants in the above entitled and numbered cause, and do hereby waive and disclaim any and all interest in and to the real estate described as follows:

Tract 11, Block 54, San Elizario Grant, 210.15 acres.

Ernest A. Guinn  
Ernest Guinn, County Attorney

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

NO. 93 CIVIL

STEVE M. MARASOVICH, ET AL.,

Filed April 10, 1942

Defendants.

JUDGMENT AS TO STEVE M. MARASOVICH AND WIFE

BE IT REMEMBERED, that on this 10th day of April, 1942, in the above styled and numbered cause, came on to be considered said condemnation proceeding insofar as same concerns the following described property:

PACER NO. 2

A tract of land lying and situate in El Paso County, Texas, and in the Northwest quarter (25%) of Section Five (5), Township thirty-four (34) South and Southwest quarter (SW%) of Section thirty-two (32), Township thirty-three (33) South, Range eight (8) East, Bureau of Reclamation Survey; being also within survey sixty-nine (69) of the Island, San Eliazario Grant and tract eleven (11) Block fifty-four (54) of the official resurvey of the San Eliazario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930, and of record in the office of the county clerk of said county and state; were particularly described as follows:

Beginning at a point on the south bank of the Rio Grande on the same existed prior to the artificial rectification thereof and from which point the most southerly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Eliazario Grant bears South twenty-one degrees (21°) forty-six minutes (46') eighteen seconds (18") East five thousand one hundred fifty-one and nine tenths (5151.9) feet; thence along the south bank of the said former Rio Grande North fifty-six degrees (56°) forty-four minutes (44') East twenty-eight and nine tenths (28.9) feet North sixty-seven degrees (67°) fourteen minutes (14') East two hundred thirteen and nine tenths (213.9) feet; North eighty-one degrees (81°) forty-four minutes (44') East one hundred sixty-one and one tenth (161.1) feet; South eighty-two degrees (82°) thirty-nine minutes (39') East two hundred one and one tenth (201.1) feet and South seventy-four degrees (74°) twenty minutes (20') East one hundred twenty-three and eight tenths (123.8) feet to a point from which the most easterly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Eliazario Grant bears South thirty-seven degrees (37°) thirty-nine minutes (39') twenty-two seconds (22") East four thousand five hundred eighty-nine and nine tenths (4589.9) feet; thence South eighty-four degrees (84°) fifty-three minutes (53') East seven hundred two and three tenths (702.3) feet to the point of beginning. Said tract of land containing eighty-eight hundredths (0.88) of an acre, more or less. 211

and the United States of America, having appeared herein by H. C. Peticolas,

Special Attorney, Ben F. Foster, United States Attorney for the Western District of Texas, and H. L. Sims, Special Assistant to the United States Attorney, and the Defendants, Steve M. Marasovich and Eva Marasovich, his wife, having appeared herein in person, and the Defendants, State of Texas and County of El Paso, having appeared herein by Ernest Quinn, County Attorney, and the Federal Land Bank of Houston, having appeared herein by its attorney of record, J. R. Murray, and

IT APPEARING TO THE COURT that heretofore a Judgment of Condemnation has been entered by the Court, condemning the above described property for the use and benefit of the United States of America, and that the United States of America has deposited in the Registry of the Court the sum of THIRTY AND 80/100 (\$30.80) DOLLARS for the taking of said property, and that the United States of America and the Defendants, Steve M. Marasovich and Eva Marasovich, his wife, being the only parties having an interest in the above described property, have stipulated and agreed that the reasonable value of same is THIRTY AND 80/100 (\$30.80) DOLLARS, and a hearing before the Special Commissioners and a Jury having been waived, and all matters of controversy between the United States of America and the said Defendants having been settled by agreement of the parties, as evidenced by the Stipulation filed herein, and

IT APPEARING TO THE COURT that Steve M. Marasovich and Eva Marasovich, his wife, were the owners of the above described property at the time of the filing of the Declaration of Taking herein, and the Court being of the opinion that said Defendants are entitled to the sum of THIRTY AND 80/100 (\$30.80) DOLLARS for the taking of said property,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Defendants, Steve M. Marasovich and Eva Marasovich, his wife, do have and recover judgment against the United States of America in the sum of THIRTY AND 80/100 (\$30.80) DOLLARS, the same being the stipulated value of said property taken by the United States of America in this proceeding; and that such judgment, when paid, be a full and complete satisfaction of all claims of the said Steve M. Marasovich and Eva Marasovich, his wife, against the United States of America by reason of the condemnation of the above described property, and

IT FURTHER APPEARING TO THE COURT that the State of Texas and County of El Paso and the Federal Land Bank of Houston have filed disclaimers as to this property,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the State of Texas and County of El Paso and Federal Land Bank of Houston recover nothing from the United States of America or any party to this cause insofar as this tract of land is concerned.

IT IS FURTHER ORDERED, and the Clerk is hereby directed to pay the sum of THIRTY AND 80/100 (\$30.80) DOLLARS, heretofore deposited in the Registry of the Court by the Plaintiff for the taking of the above described property, to said Defendants, Steve M. Marasovich and Eva Marasovich, his wife.

IT IS FURTHER ORDERED that jurisdiction of this cause be retained as to all other tracts of land and parties interested therein not specifically mentioned and disposed of by this order or other orders of the Court for such other and further proceedings as may seem proper to the Court.

Charles A. Boynton  
\_\_\_\_\_  
JUDGE

APPROVED:

W. C. Peticolas.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF TEXAS  
SITTING AT EL PASO

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

B. C. BRADLEY, et al.

Defendants.

No. 93-Civil

Filed May 26, 1942.

TO SAID HONORABLE COURT:

COME NOW the State of Texas, County of El Paso,  
and Sebens Independent School District No. W-10, by Ernest  
Guinn, County Attorney of El Paso County, Texas, defenants  
in the above entitled and numbered cause, and do hereby  
waive and disclaim any and all interest in and to the real  
estate described as follows:

Tract 16, Block 1, San Elizario Grant.

Ernest Guinn

ERNEST GUINN, County Attorney  
El Paso County, Texas.

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

The United States of America:

To the Marshal for the ~~Western~~ District of ~~Texas~~ :

GREETING: You are hereby commanded to notify ~~Werns Isla Sant, a free sole,~~  
~~and the El Paso County Water Improvement District No. 1~~

that

WHEREAS, on the ~~12th~~ day of ~~September~~, 194<sup>0</sup>, the United States filed in the District Court of the United States, for the Western District of Texas, a proceeding to condemn certain lands in El Paso County, Texas, being docketed as No. ~~93~~ on the Civil Docket in the office of the United States District Clerk, in the El Paso Division of the Western District of Texas, said land being described as follows:

TWO tracts of land lying and situate in El Paso County, Texas, and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section four (4), Township thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey and within Hunt's Addition to Fabens, Texas, being also within Tract 9, Block 54 of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

TRACT 1 - Being all of lots 1 to seventy-six (76) both inclusive, Block 9 Hunt's Addition to Fabens, Texas, more particularly described as follows: Beginning at a point on the southeasterly line of said tract 9 Block 54 of said official resurvey of the San Elizario Grant which point is the most southerly corner of Block nine (9) Hunt's addition to Fabens, Texas; thence along the southwesterly line of said block 9 which is also the northeasterly right of wayline of Canal Drive North 47° 58' West one thousand one hundred forty-four and eight tenths (1144.8) feet, North 59° eighteen minutes (18') West 161.76 feet and North 68° 48' West 587.2 feet to the Southwest corner of said Block 9 Hunt's Addition to Fabens, Texas and from which point the most southerly corner of said Tract 9 Block 54 of said official resurvey of the San Elizario Grant bears South 37° 14' East 1775.7 feet; thence North 37° fourteen minutes (14') West 169.2 feet along the westerly line and an extension thereof of said Block 9 Hunt's Addition to Fabens, Texas to the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the south bank of the said former Rio Grande South 70° 19' East 694.4 feet; South 63° 23' East 348 feet South 56° 58' East 345.15 feet, South 45° 48' East 328.64 feet and South 38° 18' East 400.06 feet to the intersection with the southeasterly line of Block 9 of Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Block 9 South 52° 42' West 124 feet to the point of beginning. Said tract of land containing 6.49 acres, more or less. Shown on Riverside Canal Extension Plat No. 22 attached hereto and made a part hereof.

TRACT 2 - Being fractional parts of lots 9 and 10, Block 2, fractional parts of lots 8, 9, 18 and 19, Block 3 and fractional parts of lots 16 and 17, Block 6, all in Hunt's Addition to Fabens, Texas more particularly described as follows: Beginning at a point on the southwesterly right of way line of the I-243 Lateral, which is the property of the United States, said point being the most northerly corner of Lot 16, Block 6, Hunt's Addition to Fabens, Texas; thence along the southwesterly right of way line of the I-243 Lateral being also the northeasterly line of ~~Blocks~~ Blocks 6, 3 and 2 Hunt's Addition to Fabens, Texas, South 47° 58' East 574.94 feet to a point which is the most easterly corner of Lot 10, Block 2, Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Lot 10, South 52° 42' West eleven and seventy-three hundredths (11.73) feet; thence North 47° 44' West 574.49 feet to the northwesterly line of Lot 16, Block 6, Hunt's Addition to Fabens, Texas; thence along said line North 52° 42' East 9.35 feet to the point of beginning. Said tract of land containing fourteen hundredths (0.14) of an acre, more or less, of which two hundredths (0.02) of an acre is occupied by streets and alleys. Shown on Riverside Canal Extension Plat 26, attached hereto and made a part hereof.

AND WHEREAS, the undersigned ~~R. E. Sherman~~ , ~~John E. Ellis~~ ,  
and ~~T. M. Wingo~~ , having been appointed by the United States District  
Court as Special Commissioners to assess the damages to the owners of the above  
described lands by reason of the condemnation thereof by the United States of  
America and said Commissioners having duly sworn to assess the damages fairly  
and impartially and in accordance with law:

NOW, THEREFORE, you are hereby commanded to notify each of the parties  
above named by delivering a true copy of this notice to each of said parties,  
or their agents, attorneys, or legal representatives, to appear on the ~~15th~~  
day of ~~June~~ , 1942, at El Paso, Texas, in the Grand Jury Room of  
the United States Courthouse in said city, at 9:30 o'clock A. M., for the pur-  
pose of offering any evidence which they, or any of them, may desire to offer  
on the issue as to the damages to be assessed against the United States of  
America by reason of the taking of said lands and to be paid to the owners of  
said lands and the persons having interest therein, the undersigned Commission-  
ers having theretofore duly selected such time and place for hearing, as re-  
quired by law.

HEREIN FAIL NOT, but have you before the Special Commissioners on the  
~~15th~~ day of ~~June~~ , 1942, this notice with your return thereon,  
showing how you have executed the same.

WITNESS our hands this 30th day of ~~May~~ , 1942 .

John R. Ellis

T. M. Wingo

R. E. Sherman  
Special Commissioners.

#### MARSHAL'S RETURN.

Received this writ at El Paso, Texas, on the 30th day of May, 1942, and  
at El Paso in El Paso County, Texas, on June 5, 1942, I executed the same  
by serving Norma Noel Hunt by serving Robt. J. Channell, Atty. in fact for  
Norma Noel Hunt and at the same time and place I left with him a true copy  
of this writ. I further executed this writ by serving the El Paso County  
Water Improvement District No. 1 by serving Mr. Roland Harwell, Mgr. of  
the above named El Paso County Water Improvement District No. 1 in El Paso  
County, Texas and at the same time and place I left with him a true copy  
of this writ as within I am commanded.

Fees \$4.00

Guy McNamara, U. S. Marshal,

By George A. Brown, Deputy.

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

UNITED STATES OF AMERICA,	0	
	:	
Plaintiff,	:	
	:	
VS.	:	NO. 93 CIVIL.
	:	
B. C. BRADLEY, ET AL.,	:	
	:	Filed June 15, 1942
Defendants.	:	

FINDINGS OF SPECIAL COMMISSIONERS

We, the undersigned Commissioners, appointed to assess the damages to the owners of the land hereinafter described by reason of the condemnation and taking of said land, which land is described, as follows:

PARCEL III

TWO tracts of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section Four (4), Township Thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey and within Hunt's Addition to Fabens, Texas, being also within Tract Nine (9), Block Fifty-four (54) of the official resurvey of the San Elizarie Grant as accepted by the Commissioners' Court of El Paso County, Texas the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

TRACT 1 - Being all of lots one (1) to seventy-six (76), both inclusive, Block nine (9), Hunt's Addition to Fabens, Texas, more particularly described as follows: Beginning at a point on the southeasterly line of said tract nine (9) Block fifty-four (54) of said official resurvey of the San Elizarie Grant which point is the most southerly corner of Block nine (9), Hunt's addition to Fabens, Texas; thence along the southwesterly line of said block nine (9) which is also the northeasterly right of way line of Canal Drive North forty-seven degrees (47°) fifty-eight minutes (58') West one thousand one hundred forty-four and eight tenths (1144.8) feet, North fifty-nine degrees (59°) eighteen minutes (18') West one hundred sixty-one and seventy-six hundredths (161.76) feet and North sixty-eight degrees (68°) forty-eight minutes (48') West five hundred eighty-seven and two tenths (587.2) feet to the Southwest corner of said Block nine (9) Hunt's Addition to Fabens, Texas and from which point the most southerly corner of said Tract nine (9) Block fifty-four (54) of said official resurvey of the San Elizarie Grant bears South thirty-seven degrees (37°) fourteen minutes (14') East one thousand seven hundred seventy-five and seven tenths (1775.7) feet; thence North thirty-seven degrees (37°) fourteen minutes (14') West one hundred sixty-nine and two tenths (169.2) feet along the westerly line and an extension thereof of said Block nine (9) Hunt's Addition to Fabens, Texas to the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the south bank of the said former Rio Grande South seventy degrees (70°) nineteen minutes

(19') East six hundred ninety-four and four tenths (694.4) feet; South sixty-three degrees (63°) twenty-three minutes (23') East three hundred forty-eight (348) feet South fifty-six degrees (56°) fifty-eight minutes (58') East three hundred forty-five and fifteen hundredths (345.15) feet, South forty-five degrees (45°) forty-eight minutes (48') East three hundred twenty-eight and sixty-four hundredths (328.64) feet and South thirty-eight degrees (38°) eighteen minutes (18') East four hundred and six hundredths (400.06) feet to the intersection with the southeasterly line of Block nine (9) of Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Block nine (9) South fifty-two degrees (52°) forty-two minutes (42') West one hundred twenty-four (124) feet to the point of beginning. Said tract of land containing six and forty-nine hundredths (6.49) acres, more or less. Shown on Riverside Canal Extension Plat No. 22.

TRACT 2 - Being fractional parts of lots nine (9) and ten (10), Block two (2), fractional parts of lots eight (8), nine (9), eighteen (18) and nineteen (19), Block three (3) and fractional parts of lots sixteen (16) and seventeen (17), Block six (6), all in Hunt's Addition to Fabens, Texas more particularly described as follows: Beginning at a point on the southwesterly right of way line of the I-243 Lateral, which is the property of the United States, said point being the most northerly corner of Lot sixteen (16), Block six (6), Hunt's Addition to Fabens, Texas; thence along the southwesterly right of way line of the I-243 Lateral being also the northeasterly line of Blocks six (6), three (3) and two (2), Hunt's Addition to Fabens, Texas, South forty-seven degrees (47°) fifty-eight minutes (58') East five hundred seventy-four and ninety-four hundredths (574.94) feet to a point which is the most easterly corner of Lot ten (10), Block two (2), Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Lot ten (10), South fifty-two degrees (52°) forty-two minutes (42') West eleven and seventy-three hundredths (11.73) feet; thence North forty-seven degrees (47°) forty-four minutes (44') West five hundred seventy-four and forty-nine hundredths (574.49) feet to the northwesterly line of Lot sixteen (16), Block six (6) Hunt's Addition to Fabens, Texas; thence along said line North fifty-two degrees (52°) forty-two minutes (42') East nine and thirty-five hundredths (9.35) feet to the point of beginning. Said tract of land containing fourteen hundredths (0.14) of an acre, more or less, of which two hundredths (.02) of an acre is occupied by streets and alleys. Shown on Riverside Canal Extension Plat 26.

do hereby assess the damages occasioned by the taking of the above described property at the sum of \$ 582.00.

DONE this 15th day of June, 1942.

R. E. Sherman

R E Sherman

T. M. Wingo

T M Wingo

John R. Ellis

John R Ellis

**EL PASO DIVISION**

Filed June 15, 1942

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

The United States of America:

Filed June 16, 1942

To the Marshal for the ~~Western~~ District of ~~Texas~~ :

GREETING: You are hereby commanded to notify ~~Candelaria G. Lopez, Pilar Madrid~~  
~~and husband, Marino Madrid, Luciano Lopez and wife, Gregoria Lopez, Guadalupe~~  
~~Lopez and wife, Nefegio Lopez, Simon Lopez, Romaniano Lopez and wife Maria Lopez,~~  
~~Indilina Lopez, a feme sole, Cesarin Schottan and husband, Rudolph Schottan, H.~~  
~~L. McGinnis, Trustee, Mutual Federal Savings and Loan Association of El Paso, Texas~~  
~~Tom R. Piles, Trustee, Antonio Lopez, individually and as Administrator of the~~  
~~Estate of Luciano Lopez, deceased.~~

that

WHEREAS, on the ~~12th~~ day of ~~September~~, 194~~0~~, the United States  
filed in the District Court of the United States, for the Western District of  
Texas, a proceeding to condemn certain lands in El Paso County, Texas, being  
docketed as No. ~~93~~ on the Civil Docket in the office of the United States  
District Clerk, in the El Paso Division of the Western District of Texas, said  
land being described as follows:

~~PARCEL NO. 6~~

(Parcel VI, Lopez Estate)

Riverside Canal Extension  
Plat No. 18.

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section 4, Township 34 South, Range 8 East, Bureau of Reclamation Survey; being also within Tract 17 Block one of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said County and State, more particularly described as follows:

Beginning at a point on the northwesterly line of said Tract 17 Block one of said official resurvey of the San Elizario Grant and from which point the most northerly corner of said tract 17 bears North 49° 57' East 316.2 feet. Said most northerly corner of Tract 17 being 35 feet from and at right angles to the center line of State Highway No. one; thence South 39° 37' East 190.8 feet to the Southeasterly line of said tract 17 and from which point the most easterly corner of said tract 17 bears North 50° 14' East 316.6 feet; thence South 50° 14' West 185.9 feet along the southeasterly line of said Tract 17 to the northeast bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the northeast bank of the said former Rio Grande North 60° 51' West one hundred ninety-nine and nine tenths (199.9) feet and North 64° 59' West 3.3 feet to the intersection with the northwesterly line of said Tract 17; thence along said northwesterly line of tract 17 North forty-nine degrees 49° 57' East 259.8 feet to the point of beginning. Said tract of land containing 0.97 of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

AND WHEREAS, the undersigned R. E. Sherman, John R. Ellis, and T. M. Wingo, having been appointed by the United States District Court as Special Commissioners to assess the damages to the owners of the above described lands by reason of the condemnation thereof by the United States of America and said Commissioners having duly sworn to assess the damages fairly and impartially and in accordance with law:

NOW, THEREFORE, you are hereby commanded to notify each of the parties above named by delivering a true copy of this notice to each of said parties, or their agents, attorneys, or legal representatives, to appear on the 1st day of June, 1942, at El Paso, Texas, in the Grand Jury Room of the United States Courthouse in said city, at 9:30 o'clock A. M., for the purpose of offering any evidence which they, or any of them, may desire to offer on the issue as to the damages to be assessed against the United States of America by reason of the taking of said lands and to be paid to the owners of said lands and the persons having interest therein, the undersigned Commissioners having theretofore duly selected such time and place for hearing, as required by law.

HEREIN FAIL NOT, but have you before the Special Commissioners on the 1st day of June, 1942, this notice with your return thereon, showing how you have executed the same.

WITNESS our hands this 30th day of May, 1942.

John R. Ellis

T. M. Wingo,

R. E. Sherman  
Special Commissioners.

MARSHAL'S RETURN.

Received this writ at El Paso, Texas, on the 30th day of May, 1942, and I have executed the same in part on the dates and at the places herein after shown: by serving Candelaria Lopez, Pilar Madrid and husband Maximo Madrid and Paulina Lopez each in person at the Candelaria Lopez Ranch in the lower El Paso Valley on the 4th day of June, 1942, Luciano Lopez and wife Gregoria Lopez, each in person at San Elizario, Texas, on the 4th day of June, 1942, and Guadalupe Lopez and wife Refugio Lopez each in person at Fabens, Texas, on June 4, 1942, and June 5, 1942 respectively. On June 5, 1942, I served Antonio Lopez individually and as administrator of the Estate of Luciano Lopez, deceased by serving J. M. Goggin, Atty. in fact for Antonio Lopez and the Estate of Luciano Lopez, deceased at El Paso in El Paso County, Texas, on the 5th day of June, 1942, and on the same date and also in El Paso, El Paso County, Texas, I served H. L. McCune as Trustee and also as Vice-President of the Mutual Federal Savings and Loan Association of El Paso, Texas. I served Tom R. Files in person on June 5, 1942, in El Paso, El Paso County, Texas. On June 9, 1942, I served Simon Lopez at the Lopez Ranch in the Lower El Paso Valley, each of the above named persons were served in person and at the same time and place I left a true copy of this writ with each of them as within I am commanded. This writ is hereby returned unexecuted as to Donaciano Lopez and wife Maria Lopez, Rudolph Schutten and wife Cesaria Schutten for the reason that after diligent search they are not to be found in the Western District of Texas or the El Paso Division thereof. Guy McNamara, U. S. Marshal, by George A. Brown, Deputy.

Fees.....28.00  
Expense..... 7.44  
\$35.44

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

\*\*\*\*\*

UNITED STATES OF AMERICA,	)	
Plaintiff	(	
vs.	(	NO. 93 - CIVIL ACTION.
STEVE M. MARASOVICH, et al,	(	Filed June 18, 1942
Defendants.	)	

ANSWER AND CROSS-PETITION OF DEFENDANT, EL PASO  
COUNTY WATER IMPROVEMENT DISTRICT NO. 1.

TO THE HONORABLE CHARLES A. BOYNTON, JUDGE OF SAID COURT:

Comes now El Paso County Water Improvement District No. 1,  
one of the defendants in this cause, and represents to the court  
that it is interested in the subject of this suit in that there are  
delinquent taxes owing to this defendant on the land designated in  
the petition in condemnation as "Parcel IV, Whitaker Estate and  
Tucker".

I.

That this defendant is and at all times mentioned herein has  
been a quasi-municipal corporation and a political subdivision of the  
State of Texas, organized under Section 59 of Article 16 of the  
Constitution of Texas, and Chapter 2 of Title 128 of the Revised  
Civil Statutes of Texas, 1925.

II.

That as to the land designated as "Parcel IV, Whitaker Es-  
tate and Tucker" in the petition in condemnation, namely, Tract 16,  
in Block 1, of the San Elizario Grant, in El Paso County, Texas,  
according to the official resurvey of said lands for tax purposes,  
there are delinquent taxes justly due, owing and unpaid to this defen-  
dant, for the following years and in the amounts stated:

<u>YEARS DELINQUENT</u>	<u>TO WHOM ASSESSED</u>	<u>AMOUNT</u>
1937	Ed Whitaker and Paul Tucker	\$ 5.87

<u>YEARS DELINQUENT</u>	<u>TO WHOM ASSESSED</u>	<u>AMOUNT</u>
1938	Ed Whitaker and Paul Tucker	\$ 5.88
1939	" " " " "	5.37
1940	" " " " "	5.37
1941	" " " " "	5.60

together with penalties, interest and costs provided by law and legally accruing thereon in the total amount of \$33.96.

### III.

That all of said taxes were authorized by law, and El Paso County Water Improvement District No. 1 was legally constituted and authorized to levy, assess and collect same, and all of said taxes were duly and legally levied and assessed against said real property and the owners thereof, and this defendant now has and asserts a lien on the land involved in this suit to secure the payment of all taxes, penalties, interest and costs due thereon, and asserts said lien is of equal dignity, force and effect with the lien or liens of any other taxing unit which is or may become a party to this suit, and all things required by law to be done have been duly and legally performed by the proper officials of El Paso County Water Improvement District No. 1.

### IV.

That all of said real estate was, at the time said taxes were assessed, located within the boundaries of El Paso County Water Improvement District No. 1.

### V.

That by reason of all of the foregoing, said taxes, penalties, interest and costs are just and valid obligations and claims against said land, and a liability of each and all of the defendants claiming or asserting any title or interest therein, and are secured by liens upon said land, which liens this defendant asserts as hereinbefore alleged.

### VI.

This defendant alleges that the lands involved in this



suit are under what is known as the Rio Grande Federal Irrigation Project, which consists, in general, of the Elephant Butte Dam, reservoir, canals, laterals, drainage ditches and all other appurtenances forming said project and system; that said system was constructed and is operated and maintained by the United States Government, and on or about January 17, 1920, El Paso County Water Improvement District No. 1, acting under statutory authority, entered into a written contract with the United States Government, whereby this District assumed and agreed to pay construction costs in the amount of \$4,941,000.00; that later extensions and improvements were made to said irrigation system, and by supplementary contracts between the United States Government and this District the total obligations of this District to be repaid to the United States Government amounted to \$6,106,000.00; that credits against said debt have been allowed until the present debt amounts to \$4,270,456.00.

Under the terms of said contract, all lands within the District are charged with the obligation to refund to the United States Government the money expended by it in constructing and maintaining the irrigation works, and under Article 7653 of the Revised Statutes of Texas, 1925, it is the duty of the Board of Directors of this District to make an assessment against lands within the District of an amount sufficient to meet each year all payments accruing under the contracts. All amounts stated under Paragraph II of this answer and cross-petition were duly and lawfully assessed against the lands herein described for each of the years shown by the Board of Directors of this District to meet payment of construction and for maintenance and operation costs, as provided and required in said contract.

#### VII.

That each of the named defendants is asserting some title, claim or interest in and to said tract of land, but this defendant

avers that such title, claim or interest as the other defendants, or either of them, may have is subject and inferior to the liens of this defendant.

WHEREFORE, El Paso County Water Improvement District No. 1 prays judgment for the total amount of said taxes, together with all penalties and interest; for costs and other charges and expenses that may be or become legally due and owing; that the liens of this District be adjudged equal to the liens of all other taxing units which are or may become parties to this suit, and that this District have general relief.

Louis A. Scott \_\_\_\_\_ of  
BURGES, BURGESS, SCOTT, RASBERRY  
& HULSE, Attorneys for El Paso  
County Water Improvement District  
No. 1.

C O P Y  
~~Photocopy~~

IN THE DISTRICT COURT OF THE UNITED STATES

IN AND FOR THE WESTERN DISTRICT OF

TEXAS, EL PASO DIVISION

UNITED STATES OF AMERICA /

v. /

NO. 93 CIVIL

ANSWER IN CONDEMNATION  
PROCEEDING

STEVE N. MARASOVICH,  
ET AL. /

Filed June 23, 1942

TO SAID HONORABLE COURT:

Now come Candelaria O. Lopez, feme sole, surviving widow of Luciano Lopez, deceased, Pilar Madrid, Marino (Maximo) Madrid, Luciano Lopez, Gregoria Lopez, Guadalupe Lopez, Refugion Lopez, Simon Lopez, Donasiano Lopez, Maria Lopez, Paulina Lopez, feme sole, Cesaria Schutten, Rudolph Schutten, Antonio Lopez, individually and as administrator of the estate of Luciano Lopez, deceased, and Tom Files, Trustee, defendants in the above styled and numbered cause, and file this their answer to plaintiff's petition in condemnation and state as follows:

I

Defendants admit the allegations contained in the plaintiff's petition, with the exception of those allegations as to the value of the land that has heretofore been condemned, and state that such values are not fair, reasonable market values of the land condemned, and do not represent the damage that has been incurred by these defendants by virtue of such condemnation.

II

Defendants show and represent that all that certain property described in plaintiff's petition as Parcel Six (6), Lopez Estate, comprising ninety-seven one-hundredths (.97) of an acre, located in the San Elizario Grant, El Paso County, Texas, and being part of what is known as Tract Seventeen (17), Block One (1), of the San Elizario Grant, El Paso County, Texas, containing two and thirty-four hundredths (2.34) acres more or less, is owned and held by defendants Candelaria O. Lopez, feme sole, Pilar Madrid, Luciano Lopez, Guadalupe Lopez, Simon Lopez, Donasiano Lopez, Paulina Lopez, feme sole, Cesaria Schutten and Antonio Lopez, and is subject to a mortgage held by Mutual

Federal Savings & Loan Association, of El Paso, Texas, upon which remains due and owing a balance of approximately Thirteen Hundred Dollars (\$1300.00).

### III

Defendants show and represent that the said .97 of an acre condemned by plaintiff, and described as Parcel 6 in plaintiff's petition, was of the reasonable market value of One Thousand Dollars (\$1,000.00) at the time of said condemnation, and these defendants allege that they have been damaged in such amount on account of said condemnation, and in being deprived of the ownership and use of said land condemned, and in which amount they are entitled to recover of the plaintiff.

### IV

Defendants further show and represent that said .97 of an acre condemned by plaintiff comprises a part of a larger tract which is owned by the defendants above named, - the whole tract originally containing two and thirty-four hundredths (2.34) acres, more or less. All of said tract is located within the Fabens Townsite, immediately adjacent to the business district of the Fabens Townsite, so situated that the said property was suitable for residential purposes, and said land was held by the defendants for the purpose of selling the same in small lots or areas for residential purposes, and by virtue of said condemnation and use made of the land condemned the balance of the tract, now held by the defendants above listed, has been damaged in the amount of Five Hundred Dollars (\$500.00). That plaintiff has excavated a canal immediately adjacent to the property still owned by said defendants with the result that any buildings or residences sought to be erected on said land that is owned by the defendants would necessarily have to face on said canal, and as a result of which the reasonable market value of said land has been greatly depreciated, at least in the amount of Five Hundred Dollars (\$500.00) and which sum defendants, above named, are entitled to recover of plaintiff, in addition to the amount of One Thousand Dollars (\$1,000.00) the value of the land condemned by the plaintiff. That prior to said condemnation the reasonable fair market value of said land, still owned by defendants, amounted to Eight Thousand Two hundred Fifty Dollars (\$8250.00), and that since such condemnation by virtue of the damage done to said tract the reasonable fair market value thereof is Seven Thousand Seven Hundred Fifty dollars (\$7750.00).

WHEREFORE, premises considered, these defendants pray that they recover of the plaintiff the sum of Fifteen Hundred Dollars (\$1500.00) for and on account of the condemnation of said .97 acre tract, and the damage defendants have incurred to the balance of their property located adjacent and contiguous to said .97 acre tract condemned, and that they further recover their costs of court, and that they have all such other and further relief as they may show themselves justly entitled to receive, whether general or special, legal or equitable.

(Sgd.) A. L. Carlton

A. L. CARLTON,  
Attorneys for Luciano Lopez and  
Gregoria Lopez.

KEMP, SMITH, GOGGIN & WHITE

By J. A. GOGGIN

Attorneys for Candelaria O. Lopez,  
feme sole, Pilar Madrid, Mariann  
(Maximo) Madrid, Guadalupe Lopez,  
Refugio Lopez, Simon Lopez, Donasiano  
Lopez, Maria Lopez, Paulina Lopez,  
feme sole, Cesaria Schutten, Rudolph  
Schutten, Antonio Lopez individually  
and as administrator of the estate of  
Luciano Lopez, deceased, and Tom Files,  
Trustee.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

B. C. BRADLEY, ET AL.,

Defendants.

NO. 93 CIVIL.

Filed June 23, 1942

FINANCING OF SPECIAL COMMISSIONERS

We, the undersigned Commissioners, appointed to assess the damages to the owners of the land hereinafter described by reason of the condemnation and taking of said land, which land is described, as follows:

PARCEL VI

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section Four (4), Township Thirty-four (34) South, Range Eight (8), East, Bureau of Reclamation Survey; being also within Tract seventeen (17) Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930, and of record in the office of the County Clerk of said County and State; more particularly described as follows:

Beginning at a point on the northwesterly line of said Tract seventeen (17) Block one (1) of said official resurvey of the San Elizario Grant and from which point the most northerly corner of said tract seventeen (17) bears North forty-nine degrees (49°) fifty-seven minutes (57') East three hundred sixteen and two tenths (316.2) feet. Said most northerly corner of Tract seventeen (17) being thirty-five (35) feet from and at right angles to the center line of State Highway No. 1; thence South thirty-nine degrees (39°) thirty-seven minutes (37') East one hundred ninety and eight tenths (190.8) feet to the southeasterly line of said tract seventeen (17) and from which point the most easterly corner of said tract seventeen (17) bears North fifty degrees (50°) fourteen minutes (14') East three hundred sixteen and six tenths (316.6) feet; thence South fifty degrees (50°) fourteen minutes (14') East one hundred eighty-five and nine tenths (185.9) feet along the southeasterly line of said Tract seventeen (17) to the northeast bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the northeast bank of the said former Rio Grande North sixty degrees (60°) fifty-one minutes (51') East one hundred ninety-nine and nine tenths (199.9) feet and North sixty-four degrees (64°) fifty-nine minutes (59') East three and three tenths (3.3) feet to the intersection with the northwesterly line of said Tract seventeen (17); thence along said northwesterly line of tract seventeen (17) North forty-nine degrees (49°) fifty-seven minutes (57') East two hundred fifty-nine and eight tenths

(259.8) feet to the point of beginning. Said tract of land containing ninety-seven hundredths (0.97) of an acre, more or less. Shown on Riverside Canal Extension Plat No. 18.

do hereby assess the damages occasioned by the taking of the above described property at the sum of \$ 266.75.

DONE this 23rd day of June, 1942.

R. E. Sherman

T. M. Wingo

John R. Ellis

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

UNITED STATES OF AMERICA,

Plaintiff,

VS.

F. G. BRADLEY, ET AL.,

Defendants.

NO. 95 CIVIL.

Filed June 25, 1942.

DISCLAIMER OF EL PASO COUNTY WATER IMPROVEMENT  
DISTRICT NO. 1 AS TO PARCEL III

Comes now the El Paso County Water Improvement District No. 1, one of the defendants in the above styled and numbered cause and would respectfully show to the Court that it has no interest in the tract of land described in the Plaintiff's Petition as Parcel No. III and therefore disclaims all right, title, and interest in and to said property.

WHEREFORE, premises considered, this defendant prays that it be dismissed and that no costs be adjudged against it.

EL PASO COUNTY WATER IMPROVEMENT DIST. #1

BY: Richard F. Burges,

its Atty.



IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF TEXAS  
SITTING AT EL PASO.

THE UNITED STATES OF AMERICA,     :  
   :  
                                  Plaintiff,     :  
   :  
                                  v.             :  
   :  
B. C. BRADLEY, et al.,             :  
   :  
                                  Defendants.     :

No. 93-Civil

Filed June 26, 1942

TO SAID HONORABLE COURT:

COMET NOW the State of Texas, County of El Paso,  
and Fabens Independent School District No. 3-10, by Ernest  
Guinn, County Attorney of El Paso County, Texas, defendants  
in the above entitled and numbered cause, and do hereby  
waive and disclaim any and all interest<sup>in</sup> and to the real  
estate described as follows:

Lots 9 and 10, Block 2, Hunts Addition to Fabens,

Lots 8, 9, 18 and 19 in Block 3 of the Hunts Addition  
to Fabens,

Lots 16 and 17 in Block 6 of the Hunts Addition  
to Fabens

Ernest Guinn

ERNEST GUINN, County Attorney  
El Paso County, Texas.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

E. C. READLEY, ET AL.,

Defendants.

No. 93 CIVIL.

Filed June 26, 1942.

JUDGMENT IN FAVOR OF ROSA MOEL HUNT

AS IT REMEMBERED, that on this 26 day of June, 1942,

in the above styled and numbered cause, came on to be considered said condemnation proceeding insofar as same concerns the following described property:

PARCEL III

TWO tracts of land lying and situate in El Paso County, Texas and in the Northwest quarter (30) of Section Four (4), Township Thirty-four (34) South, Range eight (8) East, Bureau of Reclamation Survey and within Hunt's Addition to Fabens, Texas, being also within Tract Nine (9), Block Fifty-four (54) of the official resurvey of the San Eliscario Grant as accepted by the Commissioners' Court of El Paso County, Texas the 15th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described as follows:

TRACT 1 - Being all of lots one (1) to seventy-six (76), both inclusive, Block nine (9), Hunt's Addition to Fabens, Texas, more particularly described as follows: Beginning at a point on the southeasterly line of said tract nine (9) Block fifty-four (54) of said official resurvey of the San Eliscario Grant which point is the most southerly corner of Block nine (9), Hunt's addition to Fabens, Texas; thence along the southwesterly line of said block nine (9) which is also the northeasterly right of way line of Canal Drive North forty-seven degrees (47°) fifty-eight minutes (58') West one thousand one hundred forty-four and eight tenths (1144.8) feet. North fifty-nine degrees (59°) eighteen minutes (18') West one hundred sixty-one and seventy-six hundredths (161.76) feet and North sixty-eight degrees (68°) forty-eight minutes (48') West five hundred eighty-seven and two tenths (587.2) feet to the Southwest corner of said Block nine (9) Hunt's Addition to Fabens, Texas and from which point the most southerly corner of said Tract nine (9) Block fifty-four (54) of said official resurvey of the San Eliscario Grant bears South thirty-seven degrees (37°) fourteen minutes (14') East one thousand seven hundred seventy-five and seven tenths (1775.7) feet; thence North thirty-seven degrees (37°) fourteen minutes (14') East one hundred sixty-nine and two tenths (169.2) feet along the westerly line and an extension thereof of said Block nine (9) Hunt's Addition to Fabens, Texas to the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the south bank of the said former Rio Grande South seventy degrees (70°) nineteen minutes

(12') East six hundred ninety-four and four tenths (694.4) feet; South sixty-three degrees (63°) twenty-three minutes (23') East three hundred forty-eight (348) feet South fifty-six degrees (56°) fifty-eight minutes (58') East three hundred forty-five and fifteen hundredths (345.15) feet, South forty-five degrees (45°) forty-eight minutes (48') East three hundred twenty-eight and sixty-four hundredths (328.64) feet and South thirty-eight degrees (38°) eighteen minutes (18') East four hundred and six hundredths (400.06) feet to the intersection with the southeasterly line of Block nine (9) of Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Block nine (9) South fifty-two degrees (52°) forty-two minutes (42') East one hundred twenty-four (124) feet to the point of beginning. Said tract of land containing six and forty-nine hundredths (6.49) acres, more or less. Shown on Riverside Canal Extension Plat No. 22.

TRACT 2 - Being fractional parts of lots nine (9) and ten (10), Block two (2), fractional parts of lots eight (8), nine (9), sixteen (16) and nineteen (19), Block three (3) and fractional parts of lots sixteen (16) and seventeen (17), Block six (6), all in Hunt's Addition to Fabens, Texas more particularly described as follows: Beginning at a point on the southwesterly right of way line of the I-35 Lateral, which is the property of the United States, said point being the most northerly corner of Lot sixteen (16), Block six (6), Hunt's Addition to Fabens, Texas; thence along the southwesterly right of way line of the I-35 Lateral being also the northeasterly line of Blocks six (6), three (3) and two (2), Hunt's Addition to Fabens, Texas, South forty-seven degrees (47°) fifty-eight minutes (58') East five hundred seventy-four and ninety-four hundredths (574.94) feet to a point which is the most easterly corner of Lot ten (10), Block two (2), Hunt's Addition to Fabens, Texas; thence along the southeasterly line of said Lot ten (10), South fifty-two degrees (52°) forty-two minutes (42') East eleven and seventy-three hundredths (11.73) feet; thence North forty-seven degrees (47°) forty-four minutes (44') East five hundred seventy-four and forty-nine hundredths (574.49) feet to the northeasterly line of Lot sixteen (16), Block six (6) Hunt's Addition to Fabens, Texas; thence along said line North fifty-two degrees (52°) forty-two minutes (42') East nine and thirty-five hundredths (9.35) feet to the point of beginning. Said tract of land containing fourteen hundredths (0.14) of an acre, more or less, of which two hundredths (.02) of an acre is occupied by streets and alleys. Shown on Riverside Canal Extension Plat 24.

and the United States of America, having appeared herein by W. C. Petricolas, Special Attorney, Ben F. Foster, United States Attorney for the Western District of Texas, and H. L. Sims, Special Assistant to the United States Attorney, and the defendant, Norma Beal Hunt, a feme sole, having appeared herein by her attorney, E. J. Channell, and the defendant, El Paso County Water Improvement District No. 1, having appeared herein by their attorneys, Burges, Burges, Scott, Seaberry, and Hulse, and the defendants, State of Texas and County of El Paso, having appeared herein by Ernest Guinn, County Attorney; and

IT APPEARING TO THE COURT that heretofore a Judgment of Condemnation has been entered by the Court, condemning the above described property for the use and benefit of the United States of America, and that the United States of America has deposited in the Registry of the Court the sum of <sup>EIGHTY-TWO</sup> FIV HUNDRED AND NO/100 (\$982.00) DOLLARS for the taking of said property, and

a hearing before the Special Commissioners was held on the 15th day of June, 1942, at which time the Commissioners made their findings that the value of the above described property was the sum of FIVE HUNDRED EIGHTY-TWO AND 80/100 (\$582.00) DOLLARS and more than ten (10) days have expired since the findings of the Special Commissioners and no appeal having been taken by any party to this cause and the Court being of the opinion that the findings of the Special Commissioners be confirmed.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Findings of the Special Commissioners that Parcel No. III was of the reasonable value of FIVE HUNDRED EIGHTY-TWO AND 80/100 (\$582.00) DOLLARS be and the same is hereby confirmed.

IT FURTHER APPEARING TO THE COURT that at the time of the filing of the Declaration of Taking herein, the defendant, Norma Noel Hunt, a feme sole, was the owner of Parcel No. III, and the Court being of the opinion that Norma Noel Hunt, a feme sole, is entitled to recover judgment against the United States of America for the sum of FIVE HUNDRED EIGHTY-TWO (\$582.00) DOLLARS.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that the defendant Norma Noel Hunt, a feme sole, do have and recover judgment against the United States of America for the sum of FIVE HUNDRED EIGHTY-TWO (\$582.00) DOLLARS, which judgment, when paid, shall be a full and complete satisfaction of all claims which said defendant may have had against the United States of America by reason of the taking of the above described property, and

IT FURTHER APPEARING TO THE COURT that the El Paso County Water Improvement District No. 1 has filed a disclaimer herein disclaiming all right, title, and interest in and to the above described property, and the Court being of the opinion that said defendant is entitled to recover nothing from the United States of America or any party to this cause.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that the El Paso Water Improvement District No. 1 recover nothing from the United States of America or any party to this cause insofar as the above described property is concerned.

IT FURTHER APPEARING TO THE COURT that there is due the State of Texas and County of El Paso the sum of FIFTY-NINE (\$0.59) CENTS as taxes due and owing on the above described property, and the Court being of the opinion that the State of Texas and County of El Paso are entitled to judgment over against the defendant Norma Noel Hunt, a feme sole, for the sum of FIFTY-NINE (\$0.59) CENTS.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED by the Court that the State of Texas and County of El Paso do have and recover judgment over against

the defendant Norma Noel Hunt for the sum of FIFTY-NINE (\$0.59) CENTS.

IT IS FURTHER ORDERED, and the Clerk is hereby directed to pay the sum of FIFTY-NINE (\$0.59) CENTS to the State of Texas and County of El Paso, and the sum of FIVE HUNDRED EIGHTY-ONE AND 41/100 (\$501.41) DOLLARS to the defendant, Norma Noel Hunt, a feme sole, this total being the amount heretofore deposited in the Registry of the Court by the Plaintiff.

IT IS FURTHER ORDERED that the jurisdiction of this cause be retained as to all other tracts of land and parties interested therein not specifically mentioned and disposed of by this order or other orders of the Court for such other and further proceedings as may seem proper to the Court.

Charles A. Boynton

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APPROVED:

R. J. Channell,

W. C. Peticolas.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

SITTING AT EL PASO

THE UNITED STATES OF AMERICA.

Plaintiff.

Y.

No. 93-Civil

B. C. BRADLEY, et al.,

Defendants.

Filed June 26, 1942

TO SAID HONORABLE COURT:

COMES NOW the State of Texas by the County Attorney of El Paso County, Texas, and would show the Court that on the land sought to be condemned by the United States of America in this suit, that there are taxes due, delinquent and unpaid on said properties; that on the schedules attached hereto and made a part of this petition, the person to whom the taxes were assessed, the years for which they are delinquent and the taxing units to which they are payable, and the penalty, interest and cost due thereon, as to each piece of property separately assessed are shown.

That such items are a constitutional lien on said property prior and superior to the rights of all other persons whomsoever.

WHEREFORE, the State prays that this Court award to the State of Texas, for its own use, and for the use and benefit of the County of El Paso and Fabens Independent School District No. 3-10, the sums herein shown to be due them, and that the other parties to this suit take nothing until this claim of the State has been paid in full.

Ernest K. Guinn

IRBERT GUINN, County Attorney  
El Paso County, Texas.



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

UNITED STATES OF AMERICA, :  
Plaintiff, :  
vs. : No. 93 Civil.  
B. C. BRADLEY, ET AL, : Filed July 7, 1942  
Defendants. :

It is hereby stipulated and agreed by and between the United States of America, hereinafter called the Plaintiff, and Irene Whitaker, San Whitaker and wife, Louie Whitaker, Paul Tucker and wife, Willie Tucker, and Raymond Leon Tucker

hereinafter called Defendant 2, that

WHEREAS, an action in condemnation was commenced in the above court on the 12th day of September, 1940, by filing of a Petition in Condemnation and a Declaration of Taking on behalf of the United States of America at the request of the Secretary of War for the United States of America, and

WHEREAS, in accordance therewith on the 12th day of September, 1940 a Judgment on said Declaration of Taking was duly made and entered in the above named Court in favor of the United States of America and against the above named person 2 and the following described property:

Riverside Canal Extension No. 17

A tract of land lying and situate in El Paso County, Texas and in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 4 and NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 5, Township 34 South, Range 8 East, Bureau of Reclamation Survey; being also within Tract 16, Block 1 of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930 and of record in the office of the County Clerk of said county and state; more particularly described, as follows:

Beginning at the point of intersection of the dividing line between Tracts 15 and 16, Block 1 of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the Fabens Intercepting Drain and from which point the Northeast corner of said Tract 16 Block 1 of the said official resurvey of the San Elizario Grant bears North 66° 20' East 637 feet; thence along said southwesterly right of way line of the Fabens Intercepting Drain 68° 45' East 489 feet to a point on the southeasterly line of said Tract 16 Block 1 of the said official resurvey of the San Elizario Grant and from which point the Southeast corner of said Tract 16 bears North 50° 14' East 374.8 feet; thence South 50° 14' West 355.6 feet along the southeasterly line of said Tract 16 to the north bank of the former Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the said former Rio Grande North 64° 59' West 5 feet; North 72° 15' West 484.5 feet and North 73° 50' West 187 feet to the point of intersection with the dividing line between Tracts 15 and 16, Block 1 of the said official resurvey of the San Elizario Grant; thence along said dividing line North 66° 20' East 505.1 feet to the point of beginning. Said tract of land containing 4.27 acres, more or less.

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and under the provisions of the Declaration of Taking Act (46 Stat. 1421), the title to the above described land in fee simple was vested in the United States of America and the right to just compensation for the same was likewise, under the provisions of said Act, vested in the person ~~there~~ thereto entitled, and the sum of \$ ~~320.25~~ was deposited in the Registry of said Court for the use of the person ~~entitled~~ entitled thereto at the time of the filing of said Declaration of Taking, and

WHEREAS, ~~Irene Whitaker, Dan Whitaker and wife, Lonnie Whitaker, Paul Tucker and wife, Willie Tucker, and Raymond Leon Tucker~~

(claims) (claim) to be the owner ~~of~~ in fee simple of the above described property, subject only to the following:

~~State and County taxes due and owing on said property~~

and

WHEREAS, ~~the undersigned defendants and the United States of America have agreed that the reasonable value of the above described property is the sum of \$320.25, and the said defendants are willing to accept said sum in full satisfaction of any claims against the United States for the taking of said land,~~

NOW, THEREFORE, it is hereby stipulated and agreed by and between

~~Irene Whitaker, Dan Whitaker and wife, Lonnie Whitaker, Paul Tucker and wife, Willie Tucker and Raymond Leon Tucker~~

Defendant ~~and~~,

and United States of America that said Defendant ~~and~~, do hereby enter ~~their~~ appearance in this action, and expressly waive ~~the~~ service of summons, petition, order of taking, notice of Special Commissioners, or any and all other process and proceedings, hereby expressly waiving any and all rights affected thereby, and hereby expressly waive ~~the~~ a hearing before the Special Commissioners appointed by the Court, and hereby further stipulating and agreeing that the Honorable United States District Court for the Western District of Texas, El Paso Division, is hereby authorized and petitioned to enter without further notice a final judgment and decree in said

action in accordance with the prayer of Plaintiff's Petition herein reciting the vesting of the title to the above described property in the United States of America pursuant to the filing of said Declaration of Taking and deposit thereunder, and adjudging just compensation for the lands taken to be the amount deposited by the United States of America for the use of the person            entitled thereto, as hereinabove set forth, and the Court is authorized and petitioned to include a provision in the final judgment and decree for the disbursements of the funds so deposited in the following manner, to wit:

First: To the payment of a sum sufficient to discharge and satisfy all mortgages, encumbrances, and other liens against the above described property, including the State debt and all taxes due and owing on said property.

Second: To the expense for recording all copies of judgments, releases or other instruments necessary to perfect the title in United States of America.

Third: The balance, if any, to the above named defendant           .

The foregoing stipulation is made in view of the fact that said Declaration of Taking was filed to expedite the vesting of the title and possession in the United States of America, and it is the purpose and intent hereof to vest in the Court, without any further proceeding or notice, full authority to close said action by final judgment and disburse the funds in accordance therewith.

IN WITNESS WHEREOF, the parties hereunto set their names, this  
21st day of ~~October~~           , A. D. 19 41 .

UNITED STATES OF AMERICA,

By Ben F. Foster  
United States Attorney, Plaintiff,

By W. C. Peticolas  
Special Attorney.

Paul Tucker

Mrs. Willis Tucker

Raymond Leon Tucker

Mrs. Irene (Ed) Whitaker

Defendant

C O P Y

AFFIDAVIT OF PAUL TUCKER.

STATE OF TEXAS

Filed July 7, 1942.

COUNTY OF CHEROKEE

PAUL TUCKER, being first duly sworn on oath, deposes and says:

Raymond Leon Tucker is now over the age of twenty-one (21) years, having become twenty-one (21) on the 10th day of Sept., 1941.

I was formerly Guardian of the Estate of Raymond Leon Tucker, a minor, but have now been discharged as Guardian as Raymond Leon Tucker is no longer a minor.

(Sgd.) PAUL TUCKER

Sworn to and subscribed before me this 20 day of May, 1942.

(seal)

(Sgd.) JOHN BOX, JR.

Notary Public in and for the  
County of Cherokee  
Texas.

STATE OF TEXAS

COUNTY OF Cherokee

BEFORE ME, the undersigned authority, on this day personally appeared PAUL TUCKER, 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 and in the capacity therein stated.

Given under my hand and seal of office this 20th day of May, 1942.

(seal)

(Sgd.) JOHN C. BOX, JR.

Notary Public in and for the  
County of Cherokee  
Texas.



West one hundred eighty-seven (187) feet to the point of intersection with the dividing line between Tracts fifteen (15) and sixteen (16), Block one (1) of the said official resurvey of the San Elizario Grant; thence along said dividing line North sixty-six degrees (66°) twenty minutes (20') East five hundred five and one tenth (505.1) feet to the point of beginning. Said tract of land containing four and twenty-seven hundredths (4.27) acres, more or less.

and the United States of America, having appeared herein by W. C. Petisolas, Special Attorney, Ben F. Foster, United States Attorney for the Western District of Texas, and H. L. Sims, Special Assistant to the United States Attorney, and the defendants, Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker, and Mrs. Lonie Whitaker, having appeared herein in person; and the defendant, El Paso County Water Improvement District No. 1, having appeared herein by its attorneys, Burges, Burges, Scott, Raspberry & Hulse; and the defendants, State of Texas and County of El Paso, having appeared herein by Ernest Guinn, County Attorney; and

IT APPEARING TO THE COURT that heretofore a Judgment of Condemnation has been entered by the Court, condemning the above described property for the use and benefit of the United States of America, and that the United States of America has deposited in the Registry of the Court the sum of THREE HUNDRED TWENTY AND 25/100 (\$320.25) DOLLARS for the taking of said property and that the United States of America and the defendants, Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker and Mrs. Lonie Whitaker, being the only parties having an interest in the above described property, have stipulated and agreed that the reasonable value of same is THREE HUNDRED TWENTY AND 25/100 (\$320.25) DOLLARS, and a hearing before the Special Commissioners and a Jury having been waived, and all matters of controversy between the United States of America and the said defendants, Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker and Mrs. Lonie Whitaker, having been settled by agreement of the parties, as evidenced by the Stipulation filed herein; and

IT APPEARING TO THE COURT that Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker and Mrs. Lonie Whitaker, were the owners of the above described property at the time of the filing of the Declaration of Taking herein, and the Court being of the opinion that said defen-

dants are entitled to the sum of THREE HUNDRED TWENTY AND 25/100 (\$320.25) DOLLARS for the taking of said property.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the defendants, Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker and Mrs. Lonie Whitaker, do have and recover judgment against the United States of America in the sum of THREE HUNDRED TWENTY AND 25/100 (\$320.25) DOLLARS, the same being the stipulated value of said property taken by the United States of America in this proceeding; and that such judgment, when paid, be a full and complete satisfaction of all claims of the said Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker, and Mrs. Lonie Whitaker against the United States of America by reason of the condemnation of the above described property.

IT FURTHER APPEARING TO THE COURT that there is due to the El Paso County Water Improvement District No. 1 as water charges on the above described property the sum of THIRTY-THREE AND 96/100 (\$33.96) DOLLARS, and the Court being of the opinion that the El Paso County Water Improvement District No. 1 is entitled to judgment over against the defendants, Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker and Mrs. Lonie Whitaker for said amount.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the El Paso County Water Improvement District No. 1 do have and recover judgment over against Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker and Mrs. Lonie Whitaker for the sum of THIRTY-THREE AND 96/100 (\$33.96) DOLLARS, which judgment, when paid, shall be a full and complete satisfaction of the amount due and owing on said property and of all claims of the El Paso County Water Improvement District No. 1 against the United States of America by reason of the condemnation of the above described property.

IT FURTHER APPEARING TO THE COURT that the State of Texas and County of El Paso have filed a disclaimer as to this property.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the State of Texas and County of El Paso recover nothing from the United States of America or any party to this cause insofar as this tract of land is concerned.

IT IS FURTHER ORDERED, and the Clerk is hereby directed to pay the

sum of THIRTY-THREE AND 96/100 (\$33.96) DOLLARS to the El Paso County Water Improvement District No. 1, and the sum of TWO HUNDRED EIGHTY-SIX AND 29/100 (\$286.29) DOLLARS, to the defendants, Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker and Mrs. Lonie Whitaker, the total amount being the amount heretofore deposited in the Registry of the Court by the Plaintiff for the taking of the above described property.

IT IS FURTHER ORDERED that jurisdiction of this cause be retained as to all other tracts of land and parties interested therein not specifically mentioned and disposed of by this order or other orders of the Court for such other and further proceedings as may seem proper to the Court.

Charles A. Boynton

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J U D G E.

**APPROVED:**

Box & Box,  
Attorneys for Paul Tucker, et al.,

By John C. Box, Jr.,

J. C. Peticolas.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF TEXAS  
SITTING AT EL PASO

THE UNITED STATES OF AMERICA,     §

Plaintiff,     §

v.     §

B. O. BRADLEY, et al.     §

Defendants.     §

No. 93-Civil

Filed July 16, 1942

TO SAID HONORABLE COURT:

COMES NOW the State of Texas, County of El Paso, and Fabens Independent School District No. W-10, by Ernest Guinn, County Attorney of El Paso County, Texas, defendants in the above entitled and numbered cause, and do hereby waive and disclaim any and all interest in and to the real estate described as follows:

Part of Tract 17, Block 1, in the San Elizario Grant, El Paso County, Texas containing .97 acres,

Ernest Guinn

ERNEST GUINN, County Attorney  
El Paso County, Texas.



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

UNITED STATES OF AMERICA,  
Plaintiff,

VS.

B. O. BRADLEY, ET AL.,  
Defendants.

NO. 93 CIVIL.

Filed July 16, 1942

DISCLAIMER

Comes now the El Paso County Water Improvement District No. 1 and would respectfully show to the Court that it has no interest in Parcel No. VI, described in Plaintiff's Petition herein, and therefore disclaims all right, title and interest in and to said property, and prays that it be discharged with its costs.

Richard F. Burges.  
Attorneys for El Paso County Water  
Improvement District No. 1.

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

UNITED STATES OF AMERICA,  
Plaintiff,

VS.

NO. 93 CIVIL.

B. O. BRADLEY, ET AL.,  
Defendants.

Filed July 16, 1942

JUDGMENT AS TO LOPEZ ESTATE

BE IT REMEMBERED, that on this 16th day of July, <sup>1942</sup>, came on to be considered the above styled and numbered cause insofar as the same concerns the following described property:

PARCEL NO. VI.

A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$ ) of Section Four (4), Township Thirty-four (34) South, Range Eight (8) East, Bureau of Reclamation Survey; being also within Tract seventeen (17) Block one (1) of the official resurvey of the San Elizario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 13th day of January, 1930, and of record in the office of the County Clerk of said County and State; more particularly described as follows:

Beginning at a point on the northwesterly line of said Tract seventeen (17) Block one (1) of said official resurvey of the San Elizario Grant and from which point the most northerly corner of said Tract seventeen (17) bears North forty-nine degrees (49°) fifty-seven minutes (57') East three hundred sixteen and two tenths (316.2) feet. Said most northerly corner of Tract seventeen (17) being thirty-five (35) feet from and at right angles to the center line of State Highway No. 1; thence South thirty-nine degrees (39°) thirty-seven minutes (37') East one hundred ninety and eight tenths (190.8) feet to the southeasterly line of said tract seventeen (17) and from which point the most easterly corner of said tract seventeen (17) bears North fifty degrees (50°) fourteen minutes (14') East three hundred sixteen and six tenths (316.6) feet; thence South fifty degrees (50°) fourteen minutes (14') West one hundred eighty-five and nine tenths (185.9) feet along the southeasterly line of said Tract seventeen (17) to the northeast bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the northeast bank of the said former Rio Grande North sixty degrees (60°) fifty-one minutes (51') West one hundred ninety-nine and nine tenths (199.9) feet and North sixty-four degrees (64°) fifty-nine minutes (59') West three and three tenths (3.3) feet to the intersection with the northwesterly line of said Tract seventeen (17); thence along said northwesterly line of tract seventeen (17) North forty-nine degrees (49°) fifty-seven minutes (57') East two hundred fifty-nine and eight tenths (259.8) feet to the point of beginning. Said tract of land containing ninety-seven hundredths (0.97) of an acre, more or less. Shown on Riverside Canal Extension Plat No. 18.

and the United States of America having appeared herein by W. C. Peticoles, Special Attorney, Ben F. Foster, United States Attorney for the Eastern District of Texas, and Harold L. Sims, Special Assistant to the United States Attorney, and the Defendants, Candelaria O. Lopez, a feme sole, Pilar Madrid and husband, Marino (Maximo) Madrid, Luciano Lopez and wife, Gregoria Lopez, Guadalupe Lopez and wife, Refugio Lopez, Simon Lopez, a single man, Donasiano Lopez and wife, Maria Lopez, Paulina Lopez, a single woman, Antonio Lopez, Cesaria Schutten and husband, Rudolph Schutten, and Tom Files, Trustee, having appeared herein by Kemp, Smith, Goggin and White, their attorneys, and the State of Texas and County of El Paso having appeared herein by Ernest Guinn, County Attorney, and the El Paso County Water Improvement District No. 1, having appeared herein by Burges, Burges, Scott, Raspberry & Hulse, their attorneys of record; and

IT APPEARING TO THE COURT that heretofore a Judgment of Condemnation has been entered by the Court condemning the above described property for the use and benefit of the United States of America and that the United States of America has deposited in the Registry of the Court the sum of TWO HUNDRED SIXTY-SIX AND 75/100 (\$266.75) DOLLARS as the reasonable value of said property, and all the Defendants having either been served with notice of the Special Commissioners or made their appearance herein, and a Hearing before the Special Commissioners was held on the 23rd day of June, 1942, at which time the Commissioners made their findings that the value of the above described property was the sum of TWO HUNDRED SIXTY-SIX AND 75/100 (\$266.75) DOLLARS, and more than ten (10) day have expired since the Findings of the Special Commissioners and no Appeal having been taken by any party to this cause, and the Court being of the opinion that the Findings of the Special Commissioners should be confirmed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Findings of the Special Commissioners that Parcel No. VI was of the reasonable value of TWO HUNDRED SIXTY-SIX AND 75/100 (\$266.75) DOLLARS be and the same is hereby confirmed.

IT FURTHER APPEARING TO THE COURT that at the time of the filing of the Declaration of Taking herein, the Defendants, Candelaria O. Lopez, a feme sole, Pilar Madrid and husband, Marino (Maximo) Madrid, Luciano Lopez and wife, Gregoria Lopez, Guadalupe Lopez and wife, Refugio Lopez, Simon Lopez, a single man, Donasiano Lopez and wife, Maria Lopez, Paulina Lopez, a single woman, Antonio Lopez, Cesaria Schutten

and husband, Rudolph Schutten, were the sole surviving heirs at law of Luciano Lopez, deceased, and were the owners of the above described property, and that by reason of said facts are entitled to recover the compensation awarded by the Special Commissioners for the taking of said property.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Defendants, Candelaria O. Lopez, a feme sole, Pilar Madrid and husband, Marino (Maximo) Madrid, Luciano Lopez and wife, Gregoria Lopez, Guadalupe Lopez and wife, Refugio Lopez, Simon Lopez, a single man, Donasiano Lopez and wife, Maria Lopez, Paulina Lopez, a single woman, Antonio Lopez, Cesaria Schutten and husband, Rudolph Schutten, do have and recover judgment against the United States of America for the sum of TWO HUNDRED SIXTY-SIX AND 75/100 (\$266.75) DOLLARS, which judgment shall be a full and complete satisfaction of any and all claims which said Defendants may have had against the United States of America by reason of the taking of said property.

IT FURTHER APPEARING TO THE COURT that the State of Texas and County of El Paso, and the El Paso County Water Improvement District No. 1 have filed disclaimers herein disclaiming all right, title and interest in and to the above described property, and the Court being of the opinion that they are entitled to recover nothing from the United States of America or any party to this cause insofar as the above described property is concerned.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the State of Texas and County of El Paso, and the El Paso County Water Improvement District No. 1 recover nothing from the United States of America or any party to this cause insofar as the above described property is concerned.

IT FURTHER APPEARING TO THE COURT that the Mutual Federal Savings and Loan Association of El Paso was duly cited to appear herein but came not and wholly defaulted and

IT FURTHER APPEARING TO THE COURT that the Mutual Federal Savings and Loan Association of El Paso, and Tom Files, Trustee, have no interest in the above described property and are not entitled to recover anything from the United States of America or any party to this cause.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Defendants, Mutual Federal Savings and Loan Association of El Paso, and Tom Files, Trustee, recover nothing from the United States of America or any party to this cause.

IT IS FURTHER ORDERED, and the Clerk is hereby directed to pay the sum of

TWO HUNDRED SIXTY-SIX AND 75/100 (\$266.75) DOLLARS to the Defendants, Candelario O. Lopez, a feme sole, Pilar Madrid and husband, Marino (Maximo) Madrid, Luciano Lopez and wife, Gregoria Lopez, Guadalupe Lopez and wife, Refugio Lopez, Simon Lopez, a single man, Benasiano Lopez, and wife, Maria Lopez, Paulina Lopez, a single woman, Antonio Lopez, Cesaria Schutten and husband, Rudolph Schutten, this sum being the amount heretofore deposited in the Registry of the Court, and being the amount found by the Special Commissioners.

IT IS FURTHER ORDERED that jurisdiction of this cause be retained as to all other tracts of land and parties interested therein not specifically mentioned and disposed of by this order or other orders of the Court for such other and further proceedings as may seem proper to the Court.

Charles A. Boynton

JUDGE.

APPROVED:

W. C. Peticolas,  
J. M. Goggin.

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Clerk's Certificate.

United States of America  
Western District of Texas.

I, Maxey Hart, Clerk of the United States District Court for the Western District of Texas, hereby certify that the foregoing on 122 pages is a true and correct transcript of all the instruments filed and orders entered in cause No. 93-Civil, styled The United States of America versus Steve M. Marasovich, et al., as the same appear on file and of record in this office.

WITNESS my hand and seal of said court  
hereto affixed at office in  
the City of El Paso, Texas,  
this 14th day of August,  
A. D. 1942.



Maxey Hart, Clerk,

By Margarita Sameros,  
Deputy Clerk.

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THE STATE OF TEXAS )  
COUNTY OF EL PASO )

QUITCLAIM AND BOUNDARY LINE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, S. M. MARASOVICH, (also known as Steve Marasovich), and MIKE MARASOVICH held and owned lands adjacent one to the other prior to the death of MIKE MARASOVICH whereby, although the boundary lines between the two may or may not have been correct, they were agreed as between themselves as to the location of such common boundary lines and had made exchanges for the purpose of straightening the boundary lines by reason of the existence of old river beds of irregular shape and design; that subsequent to the death of the said MIKE MARASOVICH his widow STEFA MARASOVICH remarried and her name is now STEFA MARASOVICH HAND, her husband being Hugh Hand; that the arrangement as to the boundary line continued in use, on the ground and one attempt was made by and between the parties to reduce the boundary line to writing whereby instruments were given by the respective parties, but for reasons unknown, only one of said instruments was actually recorded being one from S. M. MARASOVICH, et al. to STEFA MARASOVICH HAND, recorded in Book 1571, Page 339, of the Deed Records of El Paso County, Texas, which is hereinafter included within the various surveys;

WHEREAS, the records are incomplete and inadequate insofar as the establishment of said boundary line and mutual releases and/or quitclaims, one to the other of the respective parties, it is therefore the desire of the parties to resolve the problem and the matter; and

WHEREAS, the property of STEFA MARASOVICH HAND, joined by her husband pro forma Hugh Hand, has subsequently been transferred and sold by deeds and/or made the subject matter of a Trust Indenture and substantially all transferred to certain Trustees, which property is now the subject matter of a sale to Robert L. Butchofsky and wife, Jackie B. Butchofsky; and

WHEREAS, a re-survey of the lands has been made by Basil R. Smith, R.P.E., of Basil Smith Engineering Co., El Paso, Texas, dated



December 18, 1964, showing the various parcels of land traded between the parties; in accordance with the actual use of the land and the boundaries established for more than twenty-five (25) years, recognized and used by and between the parties; and

WHEREAS, copies of each of said maps and plats involved herein are attached hereto and described by metes and bounds;

NOW, THEREFORE, IN CONSIDERATION of TEN DOLLARS (\$10.00), each to the other in hand paid, the mutual agreement by and between the parties and other good and valuable consideration, receipt of all of which is hereby acknowledged, the parties each agree that the division of lands as hereinafter set forth shall henceforth be, belong and remain the property of the respective parties hereto as shall be indicated herein:

THAT S. M. MARASOVICH (also known as Steve Marasovich), MIKE MAROS, Individually and as Independent Executor of the Will and Estate of EVA MARASOVICH, Deceased, STEVE A. MARASOVICH, JOSEPHINE M. CAPLES joined pro forma by her husband, Ozzie Caples, ANN MARASOVICH LONG, a feme sole, MILDRED MAE MARASOVICH, a feme sole, MARY M. SUGGS, joined pro forma by her husband Kenneth Suggs, FOR THE CONSIDERATION aforesaid in hand by ROBERT L. BUTCHOPSKY and wife, JACKIE B. BUTCHOPSKY, STEFA MARASOVICH HAND, STEVE V. SREDANOVICH, as Trustee, SAMUEL V. SREDANOVICH, as Trustee, and FRANK OWEN III, as Trustee, receipt of which is acknowledged, have GRANTED, SOLD and CONVEYED, and by these Presents do GRANT, SELL, CONVEY and QUITCLAIM unto the said ROBERT L. BUTCHOPSKY and wife, JACKIE B. BUTCHOPSKY, of the County of El Paso, State of Texas, all that certain land, tracts or parcels of land, lying in El Paso County, State of Texas, and more particularly described as follows, to-wit:

1. Tract 4C, Block 42, SAN ELIZARIO GRANT, El Paso County, Texas, according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 1" and "Plat No. 1".

62 1945



- 8 A  
1.456 A
2. Tract 8, Block 42, SAN ELIZARIO GRANT, El Paso County, Texas, according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 2" and "Plat No. 2".

Said property also being described as Tract 8-A, Block 42, according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 3" and "Plat No. 3".

- 20A 1.527  
20B 1.129
3. Tract 20, Block 54, SAN ELIZARIO GRANT, El Paso County, Texas, according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 4" and "Plat No. 4", and said property also being described as Tract 20A, and Tract 20B, according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 5" and "Plat No. 5".

- 13 A  
77.680
4. Tract 13, Block 54, SAN ELIZARIO GRANT, El Paso County, Texas, according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 6" and "Plat No. 6", and said property also being described as Tract 13A, Block 54, according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 7" and "Plat No. 7".

- 6 B  
0.023
5. Tract 6, Block 42, SAN ELIZARIO GRANT, El Paso County, Texas, according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 8" and "Plat No. 8", and said property also being described as Tract 6B, Block 42, according to the Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 9" and "Plat No. 9".

- 42  
TV 5A  
0.010  
42
6. Tract 5, Block 54, SAN ELIZARIO GRANT, El Paso County, Texas, according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 10" and "Plat No. 10", and said property also being described as Tract 5A, Block 54, according to the Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 11" and "Plat No. 11".

62-1916

7. All of the foregoing Tracts or Parcels of land are now included in Block 54 and are a part thereof, being all of Tract 4C, a portion of Tracts 5, 6 and 8, in Block 42, and a portion of Tracts 13 and 20, in Block 54, SAN ELIZARIO GRANT, El Paso County, Texas, according to the Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co. which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 12" and "Plat No. 12".

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 ROBERT L. BUTCHOWSKY and wife, JACKIE B. BUTCHOWSKY, their heirs and assigns forever.

THAT the property hereinafter described has been conveyed by unrecorded deed from STEFA PALETA MARASOVICH HAND, joined pro forma by her husband Hugh R. Hand, to ROBERT L. BUTCHOWSKY and wife, JACQUELINE BUTCHOWSKY (also known as JACKIE B. BUTCHOWSKY) by Warranty Deed dated December 30, 1964, which property is included in the Survey and by reference made a part of this instrument; said property being described as follows, to-wit:

Tract Thirteen (13), Block Fifty-Four (54), SAN ELIZARIO GRANT, El Paso County, Texas;

and,

Tract Twenty (20), Block Fifty-Four (54), SAN ELIZARIO GRANT, El Paso County, Texas, containing 4.213 acres, more or less;

and,

Tract 4C, Block Forty-Two (42), SAN ELIZARIO GRANT, El Paso County, Texas, containing 0.542 acres, more or less;

and,

Tract Five (5), Block Forty-Two (42), SAN ELIZARIO GRANT, El Paso County, containing 0.042 acres, more or less;

and,

Tract Eight (8), Block Forty-Two (42), SAN ELIZARIO GRANT, El Paso County, containing 1.574 acres, more or less;

IT IS THE INTENTION of the parties that all of said property be and the same is hereby included as a part of this Agreement.

THAT ROBERT L. BUTCHOWSKY and wife, JACQUELINE BUTCHOWSKY, (also known as JACKIE B. BUTCHOWSKY), STEVE V. SREDANOVICH, as Trustee, SAMUEL V. SREDANOVICH, as Trustee, and FRANK OWEN III, as Trustee), for the consideration aforesaid in hand paid by S. M. MARASOVICH (also known



as Steve Marasovich), MIKE MAROS, Individually and as Independent Executor of the Will and Estate of EVA MARASOVICH, Deceased, STEVE A. MARASOVICH, JOSEPHINE M. CAPLES, as her sole and separate property, ANN MARASOVICH LONG, as her sole and separate property, MILDRED MAE MARASOVICH, as her sole and separate property, and MARY M. SUGGS, as her sole and separate property, receipt of which is acknowledged, have GRANTED, SOLD and CONVEYED, and by these Presents do GRANT, SELL and CONVEY and QUITCLAIM unto the said S. M. MARASOVICH (also known as Steve Marasovich), MIKE MAROS, Individually and as Independent Executor of the Will and Estate of EVA MARASOVICH, Deceased, STEVE A. MARASOVICH, JOSEPHINE M. CAPLES, as her sole and separate property, ANN MARASOVICH LONG, as her sole and separate property, MILDRED MAE MARASOVICH, as her sole and separate property, and MARY M. SUGGS, as her sole and separate property, of the County of El Paso, State of Texas, all of that certain land, tract or parcels of land, lying in El Paso County, State of Texas, and more particularly described as follows, to-wit:

- 8B  
0-1184
- 20C  
0-958
- 20-D  
0-548
- 13-B  
0-900
- 6A  
2-939
1. Tract 8B, Block 42, SAN ELIZARIO GRANT, (formerly being a portion of Tract 8, Block 42, San Elizario Grant) according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co., which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 3" and "Plat No. 3".
  2. Tract 20C, Block 54, and Tract 20D, Block 54, SAN ELIZARIO GRANT, (formerly being a portion of Tract 20, Block 54, San Elizario Grant) according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co., which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 5" and "Plat No. 5".
  3. Tract 13B, Block 54, SAN ELIZARIO GRANT, (formerly being a portion of Tract 13, Block 54, San Elizario Grant) according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co., which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 7" and "Plat No. 7".
  4. Tract 6A, Block 42, SAN ELIZARIO GRANT, (formerly Tract 6, Block 42, San Elizario Grant) according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co., which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 9" and "Plat No. 9".

62 1943

42  
2 5-B  
0.032  
a1  
5. Tract 5-B, Block 54, SAN ELIZARIO GRANT, (formerly Tract 5, Block 54, San Elizario Grant), according to Survey dated January 11, 1965, showing metes and bounds and map and plat made by Basil R. Smith, R.P.E., Basil Smith Engineering Co., which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 11" and "Plat No. 11";

6. Tract of land being expressed as an exception and containing 0.0312 acres of land excepted from Tract 4-C and a portion of Tracts 5, 6 and 8, Block 42, and a portion of Tracts 13 and 20, Block 54, SAN ELIZARIO GRANT, El Paso County, Texas, and being a rectification of the Northwesterly line of said Tract and in modification of "Property Description No. 12" and "Plat No. 12", being the intention to except therefrom a narrow wedge shaped piece of property, all according to Survey dated February 5, 1965, showing metes and bounds, and Map and Plat dated February 6, 1965, all made by Basil R. Smith, R.P.E., Basil Smith Engineering Company, which is attached hereto, incorporated by reference, and made a part hereof for all purposes and designated as "Property Description No. 13" and "Plat No. 13".

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 S. M. MARASOVICH (also known as Steve Marasovich), MIKE MAROS, Individually and as Independent Executor of the Will and Estate of EVA MARASOVICH, Deceased, STEVE A. MARASOVICH, JOSEPHINE M. CAPLES, as her sole and separate property, ANN MARASOVICH LONG, as her sole and separate property, MILDRED MAE MARASOVICH, as her sole and separate property, and MARY M. SUGGS, as her sole and separate property, their heirs and assigns forever.

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All of the hereinabove referred to tracts of land are described by metes and bounds together with map and plat, which are attached hereto as aforesaid, incorporated by reference and made a part hereof and designated by their respective numbers.

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PROPERTY DESCRIPTION NO. 1

Tract 4C, Block 42, San Elizario Grant,  
El Paso County, Texas

Description of a tract of land being in Block 42, San  
Elizario Grant, El Paso County, Texas and being more par-  
ticularly described by metes and bounds as follows to wit;

From a point, said point being a common  
corner of Tract 12 and Tract 8, Block 54,  
San Elizario Grant and being in the center  
line of a paved road known as Island Road  
(Farm Road #76);

Thence North  $37^{\circ} 14'$  West along the  
easterly line of Tract 13 and a distance  
of 5242.12 feet to the Point of Beginning  
of the property to be described;

Thence North  $53^{\circ} 54'$  West a distance of  
100.54 feet to a point;

Thence North  $62^{\circ} 13'$  West a distance of  
231.80 feet to a point;

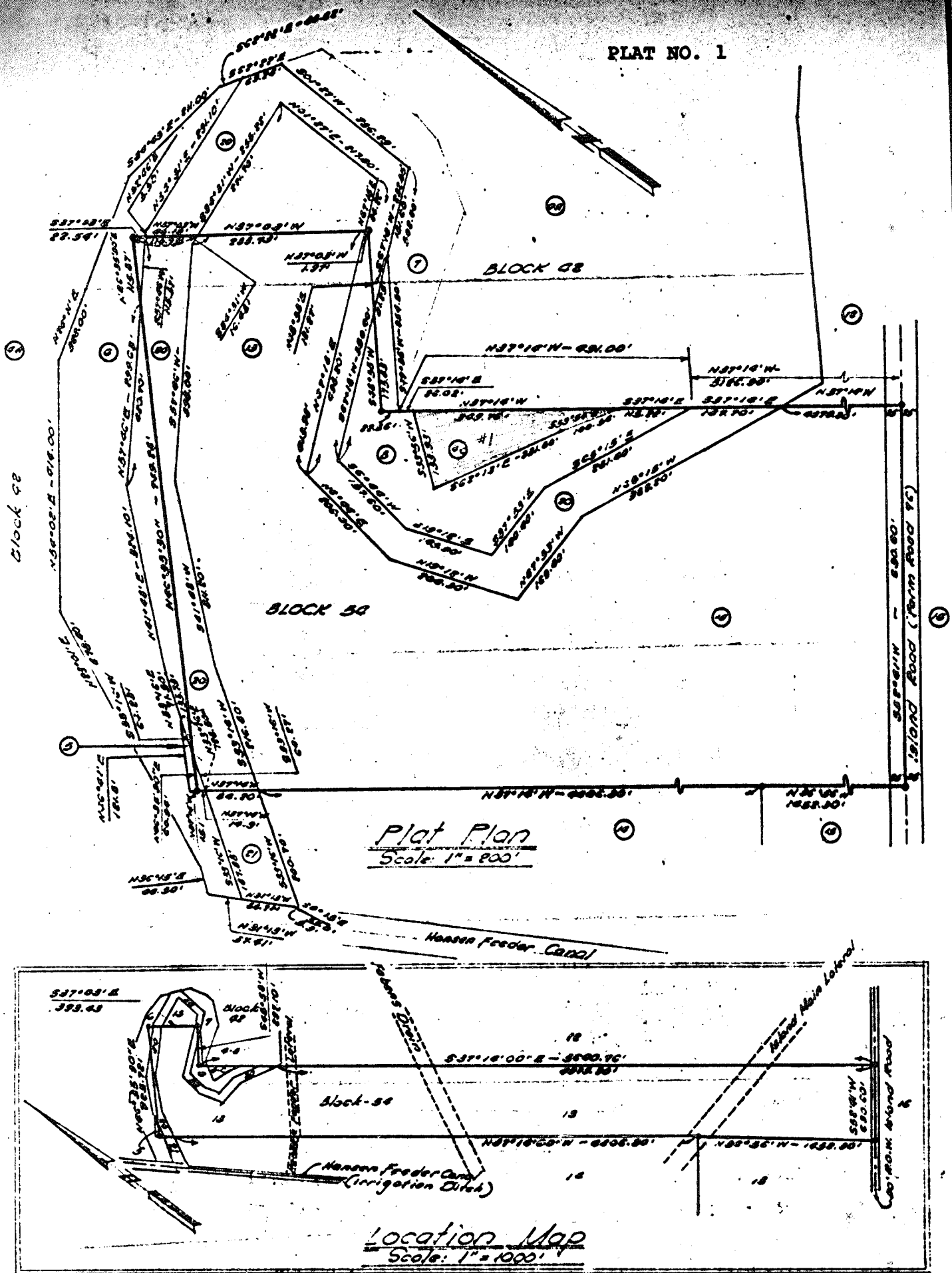
Thence North  $33^{\circ} 56'$  East a distance of  
133.93 feet to a point;

Thence South  $37^{\circ} 14'$  East a distance of  
349.76 feet to the Point of Beginning.

The above described parcel of land containing 0.548  
acres of ground more or less.

January 11, 1965

Basil R. Smith R.P.E.  
Basil Smith Engineering Company



### "Certificate"

"This to certify that I am a Registered Professional Civil Engineer and that this map was prepared from field notes of an actual survey made by me or under my direction and that it is true and correct to the best of my knowledge and belief."

### Plot of Survey

All of Tract 9C and portion of Tracts 5, 6 & 8, Block 48, and portion of Tracts 13 and 20 Block 50, San Eliseo Grant, El Paso County, Texas

January 11, 1951

*Basil R. Smith*  
Basil R. Smith, R.C.E.

Basil Smith Engineering Co.  
51 Main Street

62 1951

PROPERTY DESCRIPTION NO.2

Tract 8, Block 42, San Elizario Grant,  
El Paso County, Texas

Description of a tract of land, with an exception, being in block 42, San Elizario Grant, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit;

From a point, said point being a corner common to tracts 12 and 13, also being the most easterly corner of tract 13, Block 54, San Elizario Grant, also said point being in the center line of a paved road known as Island Road (Farm Road #7E);

Thence North  $37^{\circ} 14'$  West a distance of 5126.90 feet to the point of beginning of the tract to be described, and being the most easterly corner of said tract 8;

Thence North  $65^{\circ} 15'$  West a distance of 281.40 feet to a point;

Thence North  $87^{\circ} 53'$  West a distance of 140.40 feet to a point;

Thence North  $19^{\circ} 12'$  West a distance of 149.50 feet to a point;

Thence North  $06^{\circ} 44'$  East a distance of 157.60 feet to a point;

Thence North  $67^{\circ} 18'$  East a distance of 350.40 feet to a point;

Thence South  $49^{\circ} 35'$  West a distance of 254.50 feet to a point;

Thence South  $37^{\circ} 14'$  East a distance of 26.02 feet to a point;

Thence South  $33^{\circ} 56'$  West a distance of 133.93 feet to a point;

Thence South  $62^{\circ} 13'$  East a distance of 231.80 feet to a point;

Thence South  $53^{\circ} 54'$  East a distance of 100.54 feet to a point;

Thence South  $37^{\circ} 14'$  East a distance of 115.22 feet to the point of beginning.

The above described tract of land containing 1,574 acres of ground more or less.

Excepting that portion of tract 8, Block 42, San Elizario Grant, El Paso County, Texas, being more particularly described by metes and bounds as follows to wit;

(2)

From a point, said point being the most easterly corner of tract 8, Block 54, San Elizario Grant;

Thence North  $37^{\circ} 14'$  West a distance of 491.00 feet to the point of beginning of the parcel to be described;

Thence North  $37^{\circ} 14'$  West a distance of 22.86 feet to a point;

Thence North  $48^{\circ} 58'$  East a distance of 175.83 feet to a point;

Thence North  $67^{\circ} 18'$  East a distance of 81.25 feet to a point;

Thence South  $49^{\circ} 35'$  West a distance of 254.50 feet to the point of beginning.

The above described parcel of land containing 0.118 acres of ground more or less as shown on attached plat.

January 11, 1965

Basil R. Smith R.P.E.  
Basil Smith Engineering Company

62 1953



~~PLAT NO: 2~~



Plot of Survey

January 11, 1965

David Smith Engineering Co  
51 Ave. 22nd

62 1954

PROPERTY DESCRIPTION NO.3

Tract 8, Block 42, San Elizario Grant  
El Paso County, Texas.

This tract shall be now and hence forth separated into two tracts known as tract 8A, and tract 8B, and being more particularly described by metes and bounds as follows to wit;

Tract 8A shall be described from a point, said point being a common corner of tracts 12 and 13, also being the most easterly corner of tract 13, block 54, San Elizario Grant, also said point being in the center line of a paved road known as Island Road (Farm Road #76);

Thence North 37° 14' West a distance of 5126.90 feet to the Point of Beginning of the tract to be described, and being the most easterly corner of said tract 8;

Thence North 65° 15' West a distance of 281.40 feet to a point;

Thence North 19° 12' West a distance of 149.50 feet to a point;

Thence North 06° 44' East a distance of 157.60 feet to a point;

Thence North 67° 18' East a distance of 269.15 feet to a point;

Thence South 48° 58' West a distance of 175.83 feet to a point;

Thence South 37° 14' East a distance of 48.88 feet to a point;

Thence South 33° 96' West a distance of 133.93 feet to a point;

Thence South 62° 13' East a distance of 231.80 feet to a point;

Thence South 53° 54' East a distance of 100.54 feet to a point;

Thence South 37° 14' East a distance of 115.22 feet to the Point of Beginning.

The above described tract of land containing 1.456 acres of ground more or less.

Tract 8B shall be described from a point, said point being a common corner of tracts 12 and 13, also being the most easterly corner of tract 13, block 54, San Elizario Grant, also said point being in the center line of a paved road known as Island Road (Farm Road #76);

Thence North  $37^{\circ} 14'$  West a distance of 5617.90 feet to the Point of Beginning to be described;

Thence North  $37^{\circ} 14'$  West a distance of 22.86 feet to a point;

Thence North  $48^{\circ} 58'$  East a distance of 175.83 feet to a point;

Thence North  $67^{\circ} 18'$  East a distance of 81.25 feet to a point;

Thence South  $49^{\circ} 35'$  West a distance of 254.50 feet to the Point of Beginning.

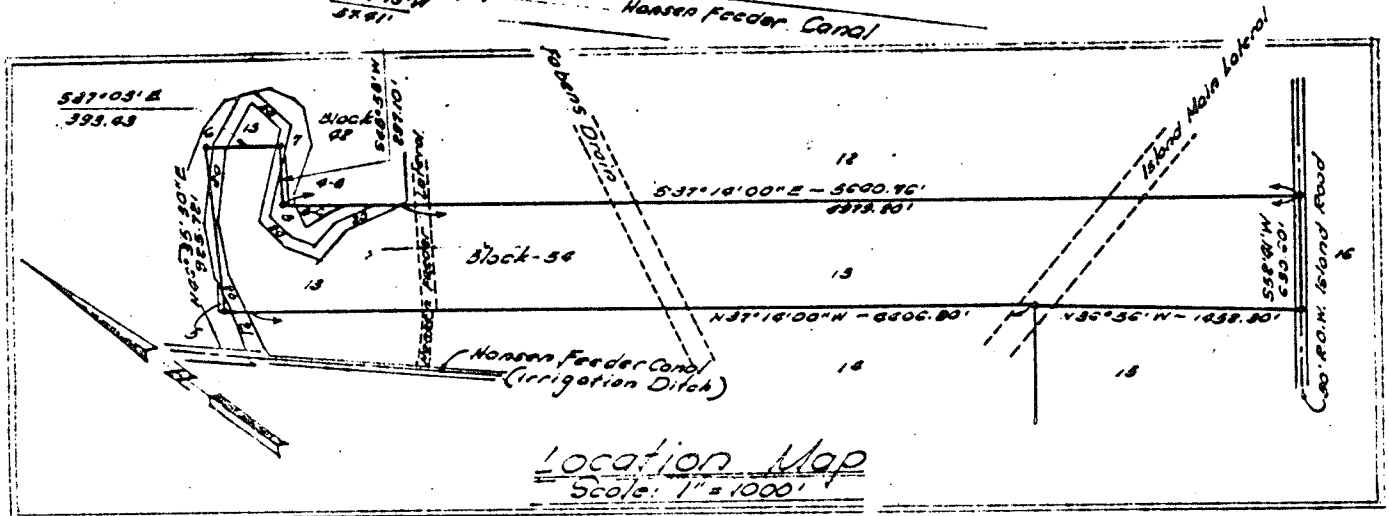
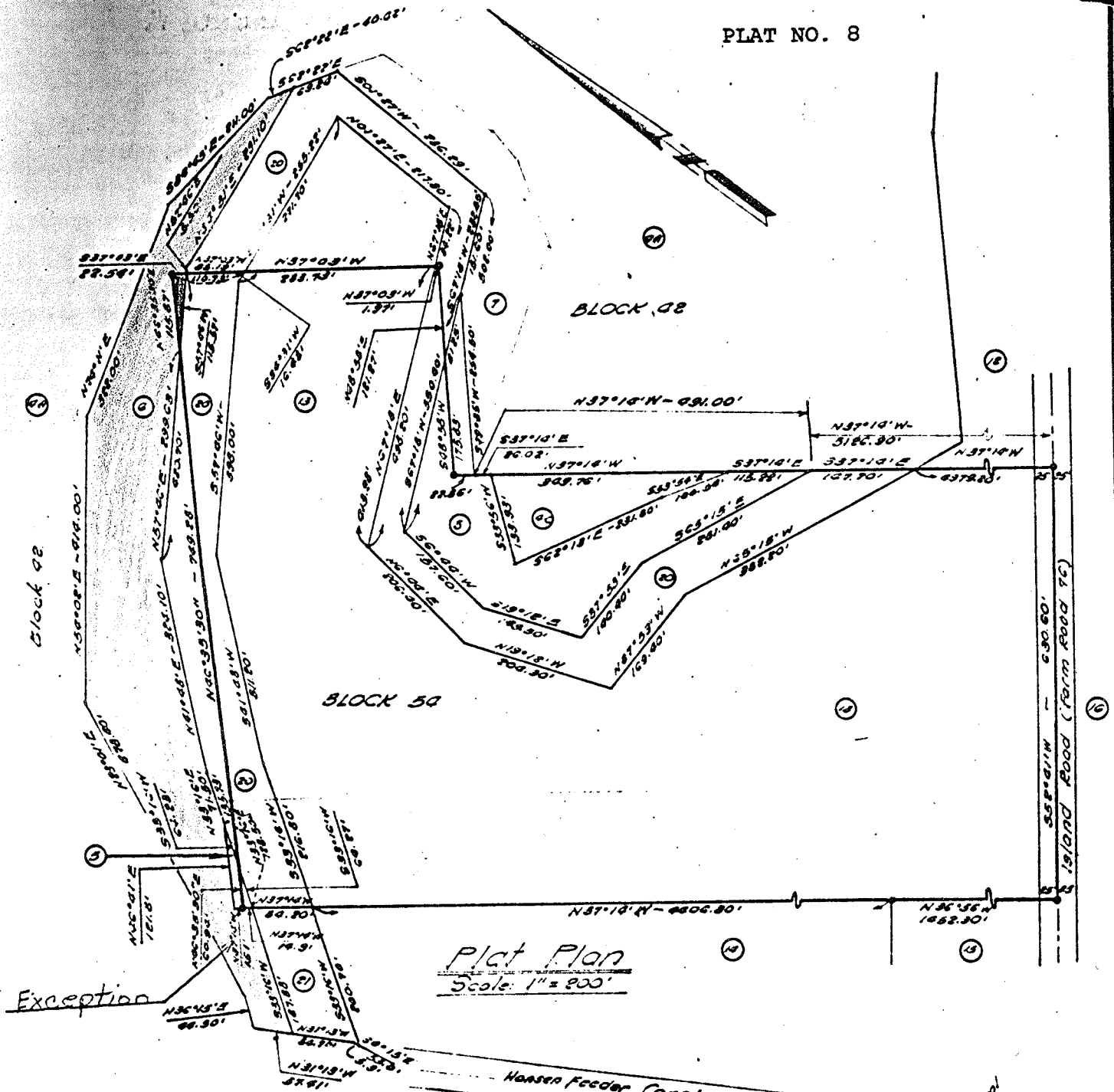
The above described parcel of land containing 0.118 acres of ground more or less as shown on attached plat.

January 11, 1965

Basil R. Smith  
Basil Smith Engineering Company

R.P.E.

62 - 1956



"Certificate"

"This to certify that I am a Registered Professional Civil Engineer and that this map was prepared from field notes of an actual survey made by me or under my direction and that it is true and correct to the best of my knowledge and belief."

Plot of Survey

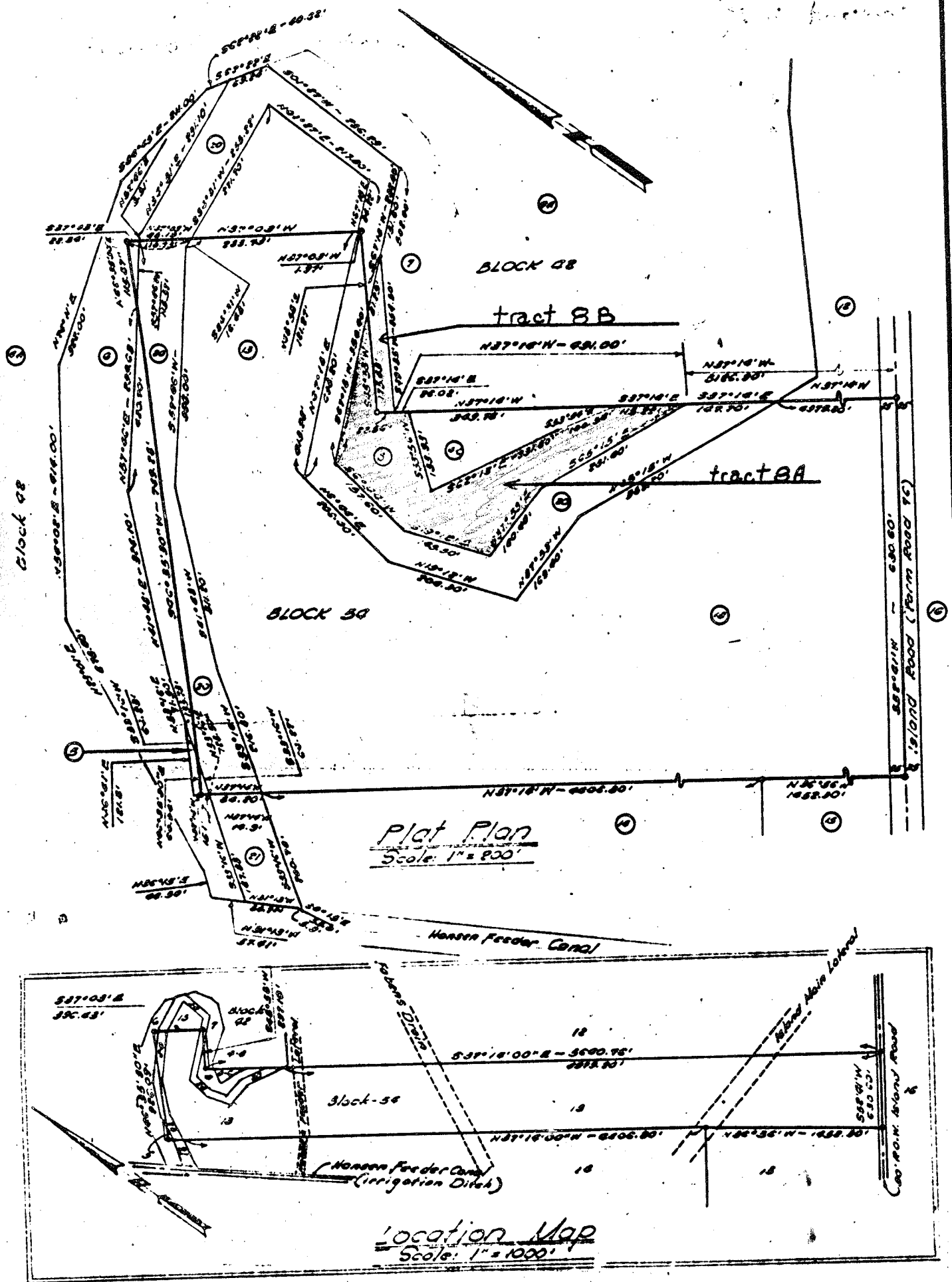
All of Tract 4-C and portion of Tracts 5, 6 & 8, Block 28, and portion of Tracts 13 and 20 Block 59, San Eliscario Grant, El Paso County Texas  
January 11, 1965

*Basil R. Smith*  
Basil R. Smith, P.E.

Basil Smith Engineering Co.  
El Paso, Texas

62 1974

Note: Block Boundary Line - Outside Line of Tract 80. PLAT NO. 3



"Certificate"

"This to certify that I am a Registered Professional Civil Engineer and that this map was prepared from Field Notes of an actual survey made by me or under my direction and that it is true and correct to the best of my knowledge and belief."

*Basil R. Smith*  
Basil R. Smith, R.P.E.

Basil Smith Engineering Co.  
P.O. Box 7208

Plot of Survey

All of Tract 4-C and portion of Tracts 5, 6 & 8, Block 48, and portion of Tracts 13 and 20 Block 54, San Eliscario Grant, El Paso County, Texas

January 11, 1958

62 1958

PROPERTY DESCRIPTION NO.4

Tract 20, Block 54, San Elizario Grant  
El Paso County, Texas

Description of a tract of land, with exceptions, being in Block 54, San Elizario Grant, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit;

From a point, said point being a common corner of tract 12 and tract 13, Block 54, San Elizario Grant and also being in the center line of a paved road known as Island Road (Farm Road #76);

Thence North 37° 14' West along the easterly line of tract 13 a distance of 4,979.2 feet to the point of beginning of the property to be described, said point being the most southeasterly point of tract 20, block 54, San Elizario Grant;

Thence North 65° 15' West a distance of 382.2 feet to a point;

Thence North 87° 53' West a distance of 169.4 feet to a point;

Thence North 19° 12' West a distance of 204.3 feet to a point;

Thence North 6° 44' East a distance of 206.4 feet to a point;

Thence North 67° 18' East a distance of 498.2 feet to a point;

Thence North 1° 27' East a distance of 217.8 feet to a point;

Thence South 84° 31' West a distance of 271.7 feet to a point;

Thence South 57° 46' West a distance of 398.0 feet to a point;

Thence South 41° 48' West a distance of 311.2 feet to a point;

Thence South 33° 16' West a distance of 216.8 feet to a point, said point being a common corner of tracts 13, 14, 20, and 21 of Block 54;

Thence North 37° 14' West a distance of 84.2 feet to a point, said point being a common corner of tracts 20 and 21, block 54, and tracts 5 and 6, Block 42;

Thence North 33° 16' East a distance of 200.0 feet to a point;

Thence North 41° 48' East a distance of 324.1 feet to a point;

(2)

Thence North 57° 46' East a distance of 420.7 feet to a point;

Thence North 84° 31' East a distance of 291.1 feet to a point;

Thence South 62° 22' East a distance of 69.24 feet to a point;

Thence South 1° 27' West a distance of 286.29 feet to a point;

Thence South 67° 18' West a distance of 502.0 feet to a point;

Thence South 6° 44' West a distance of 157.6 feet to a point;

Thence South 19° 12' East a distance of 149.5 feet to a point;

Thence South 87° 53' East a distance of 140.4 feet to a point;

Thence South 65° 15' East a distance of 281.4 feet to a point;

Thence South 37° 14' East a distance of 147.7 feet to the Point of Beginning.

The above described parcel of land containing 4.213 acres of ground more or less.

Excepting that portion of tract 20, block 54, San Elizario Grant being more particularly described as follows to wit;

Commencing at a point, said point being the most southeasterly corner of tract 20, block 54, San Elizario Grant;

Thence North 65° 15' West a distance of 382.2 feet to a point;

Thence North 87° 53' West a distance of 169.4 feet to a point;

Thence North 19° 12' West a distance of 204.3 feet to a point;

Thence North 6° 44' East a distance of 206.4 feet to a point;

Thence North 67° 18' East a distance of 413.98 feet to the Point of Beginning of the parcel to be described;

Thence North 67° 18' East a distance of 84.22 feet to a point;

Thence North 1° 27' East a distance of 217.8 feet to a point;

(3)

Thence South  $84^{\circ} 31'$  West a distance of 255.22 feet to a point;

Thence North  $37^{\circ} 03'$  West a distance of 88.19 feet to a point;

Thence North  $57^{\circ} 46'$  East a distance of 5.50 feet to a point;

Thence North  $84^{\circ} 31'$  East a distance of 291.1 feet to a point;

Thence South  $62^{\circ} 22'$  East a distance of 69.24 feet to a point;

Thence South  $1^{\circ} 27'$  West a distance of 286.29 feet to a point;

Thence South  $67^{\circ} 18'$  West a distance of 232.85 feet to a point;

Thence North  $48^{\circ} 58'$  East a distance of 121.27 feet to a point;

Thence North  $37^{\circ} 03'$  West a distance of 1.97 feet to the point of beginning.

The above described parcel of land containing 0.989 acres of ground more or less, as shown on attached plat.

Excepting that portion of tract 20, block 54, San Elizario Grant being more particularly described as follows to wit;

Commencing at a point, said point being the most westerly corner of tract 20, block 54, San Elizario Grant;

Thence North  $33^{\circ} 16'$  East a distance of 64.27 feet to the point of beginning of the parcel of land to be described;

Thence North  $33^{\circ} 16'$  East a distance of 135.73 feet to a point;

Thence North  $41^{\circ} 48'$  East a distance of 324.10 feet to a point;

Thence North  $57^{\circ} 46'$  East a distance of 299.63 feet to a point;

Thence South  $46^{\circ} 35' 30''$  West a distance of 749.28 feet to the point of beginning.

The above described parcel of land containing 0.594 acres of ground more or less as shown on attached plat.

January 11, 1965

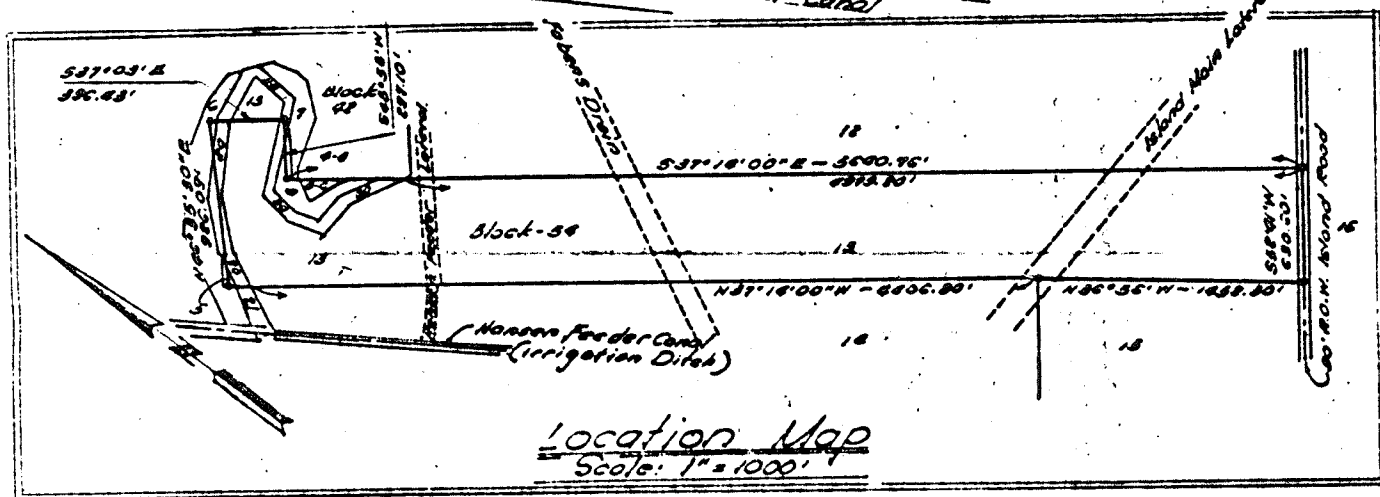
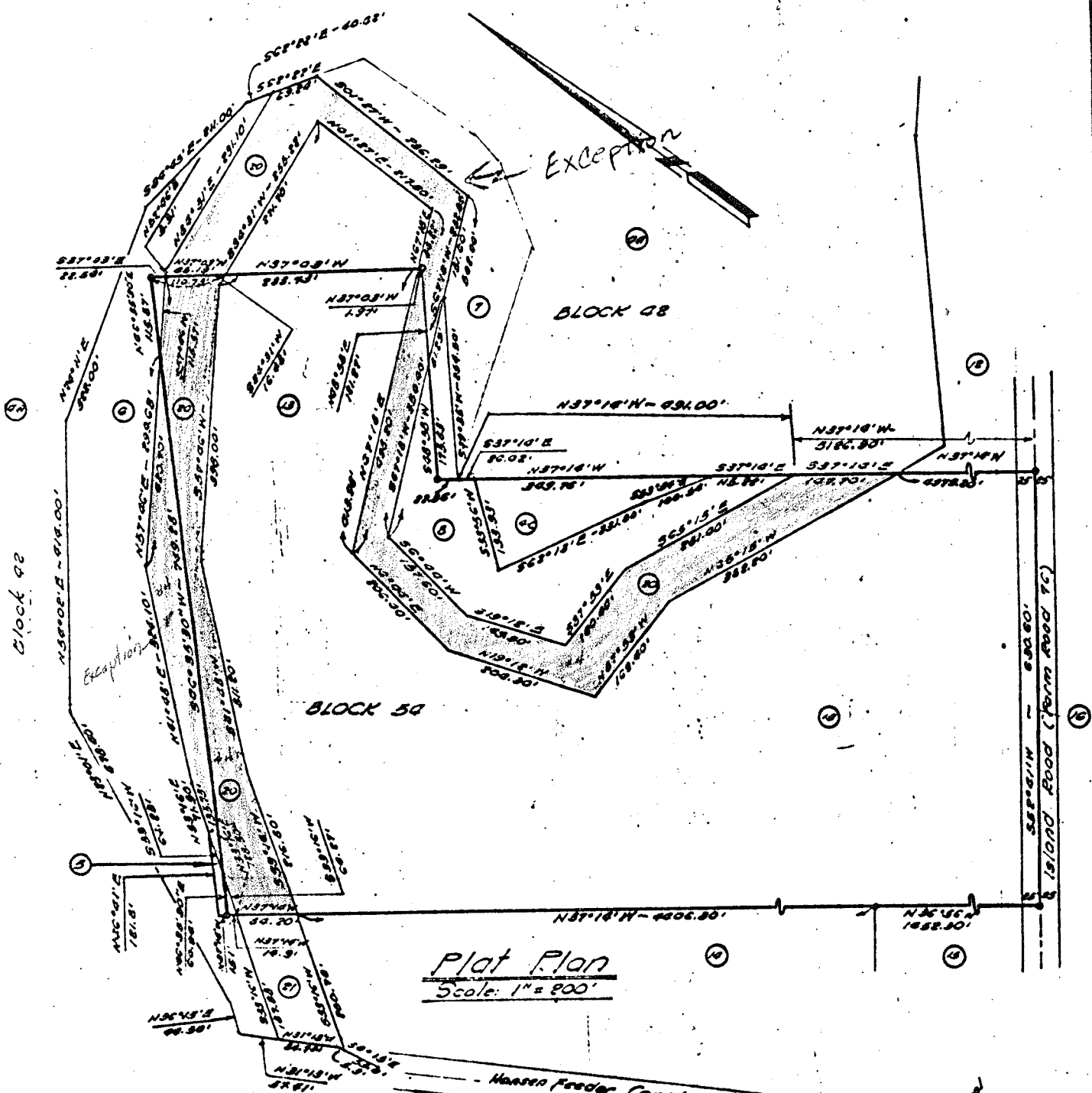
Basil R. Smith R.P.E.  
Basil Smith Engineering Company

62 1960



Note: B & Boundary Line - Outside Line of Tract 20.

PLAT NO. 4



"Certificate"

"This to certify that I am a Registered Professional Civil Engineer and that this map was prepared from field notes of an actual survey made by me or under my direction and that it is true and correct to the best of my knowledge and belief."

Plot of Survey

All of Tract 4-C and portion of Tracts 5, 6 & 8, Block 48, and portion of Tracts 13 and 20 Block 50, San Eliseo Grant, El Paso County Texas  
January 11, 1965

*Basil R. Smith*  
Basil R. Smith, R.P.E.

Basil Smith Engineering Co.  
21 Park Texas

62 1960

PROPERTY DESCRIPTION NO.5

Tract 20, Block 54, San Elizario Grant,  
El Paso County, Texas.

This tract shall be now and hence forth separated into four tracts know as tract 20A, tract 20B, tract 20C, and tract 20D, and being more partucularly described by metes and bounds as follows to wit;

Tract 20A shall be described from a point said point being a common corner of tract 12 and 13, Block 54, San Elizario Grant and also being in the center line of a paved road known as Island Road (Farm Road #76);

Thence North 37° 14' West along the easterly line of tract 13 a distance of 4,989.2 feet to the point of beginning of the property to be described, said point being the most southeasterly point of tract 20, block 54, San Elizario Grant;

Thence North 65° 15' West a distance of 382.2 feet to a point;

Thence North 87° 53' West a distance of 169.4 feet to a point;

Thence North 19° 12' West a distance of 204.3 feet to a point;

Thence North 6° 44' East a distance of 206.4 feet to a point;

Thence North 67° 18' East a distance of 413.98 feet to a point;

Thence South 37° 03' East a distance of 1.97 feet to a point;

Thence South 48° 58' West a distance of 121.27 feet to a point;

Thence South 67° 18' West a distance of 269.15 feet to a point;

Thence South 6° 44' West a distance of 157.6 feet to a point;

Thence South 19° 12' East a distance of 149.5 feet to a point;

Thence South 87° 53' East a distance of 140.4 feet to a point;

Thence South 65° 15' East a distance of 281.4 feet to a point;

Thence South 37° 14' East a distance of 147.7 feet to the Point of Beginning.

The above described parcel of land containing 1.475 acres of ground more or less.

Tract 20B shall be described from a Point of Beginning, said point being the most westerly corner of tract 20, block 54, San Elizario Grant;

Thence North 33° 16' East a distance of 64.27 feet to a point;

Thence North 46° 35' 30" East a distance of 749.28 feet to a point;

Thence North 57° 46' East a distance of 115.57 feet to a point;

Thence South 37° 03' East a distance of 88.19 feet to a point;

Thence South 84° 31' West a distance of 16.48 feet to a point;

Thence South 57° 46' West a distance of 398.0 feet to a point;

Thence South 41° 48' West a distance of 311.2 feet to a point;

Thence South 33° 16' West a distance of 216.8 feet to a point;

Thence North 37° 14' West a distance of 84.2 feet to the Point of Beginning.

The above described parcel of land containing 1.155 acres of ground more or less and as shown on attached plat.

Tract 20C shall be described from a point said point being the most southeasterly corner of tract 20, block 54, San Elizario Grant;

Thence North 65° 15' West a distance of 382.2 feet to a point;

Thence North 87° 53' West a distance of 169.4 feet to a point;

Thence North 19° 12' West a distance of 204.3 feet to a point;

Thence North 6° 44' East a distance of 206.4 feet to a point;

Thence North 67° 18' East a distance of 413.98 feet to the Point of Beginning of the parcel to be described;

Thence North 67° 18' East a distance of 84.22 feet to a point;

Thence North 1° 27' East a distance of 217.8 feet to a point;

Thence South 84° 31' West a distance of 255.22 feet to a point;

Thence North 37° 03' West a distance of 88.19 feet to a point;

Thence North 57° 46' East a distance of 5.5 feet to a point;

62 1963

XERO COPY XERO COPY XERO COPY XERO COPY

Thence North  $84^{\circ} 31'$  East a distance of 291.1 feet to a point;

Thence South  $62^{\circ} 22'$  East a distance of 69.24 feet to a point;

Thence South  $1^{\circ} 27'$  West a distance of 286.29 feet to a point;

Thence South  $67^{\circ} 18'$  West a distance of 232.85 feet to a point;

Thence North  $48^{\circ} 58'$  East a distance of 121.27 feet to a point;

Thence North  $37^{\circ} 03'$  West a distance of 1.97 feet to the Point of Beginning.

The above described parcel of land containing 0.989 acres of ground more or less, as shown on attached plat.

Tract 20D shall be described from a point, said point being the most westerly corner of tract 20, block 54, San Elizario Grant;

Thence North  $33^{\circ} 16'$  East a distance of 64.27 feet to the Point of Beginning of the parcel of land to be described;

Thence North  $33^{\circ} 16'$  East a distance of 135.73 feet to a point;

Thence North  $41^{\circ} 48'$  East a distance of 324.10 feet to a point;

Thence North  $57^{\circ} 46'$  East a distance of 299.63 feet to a point;

Thence South  $46^{\circ} 35' 30''$  West a distance of 749.28 feet to the Point of Beginning.

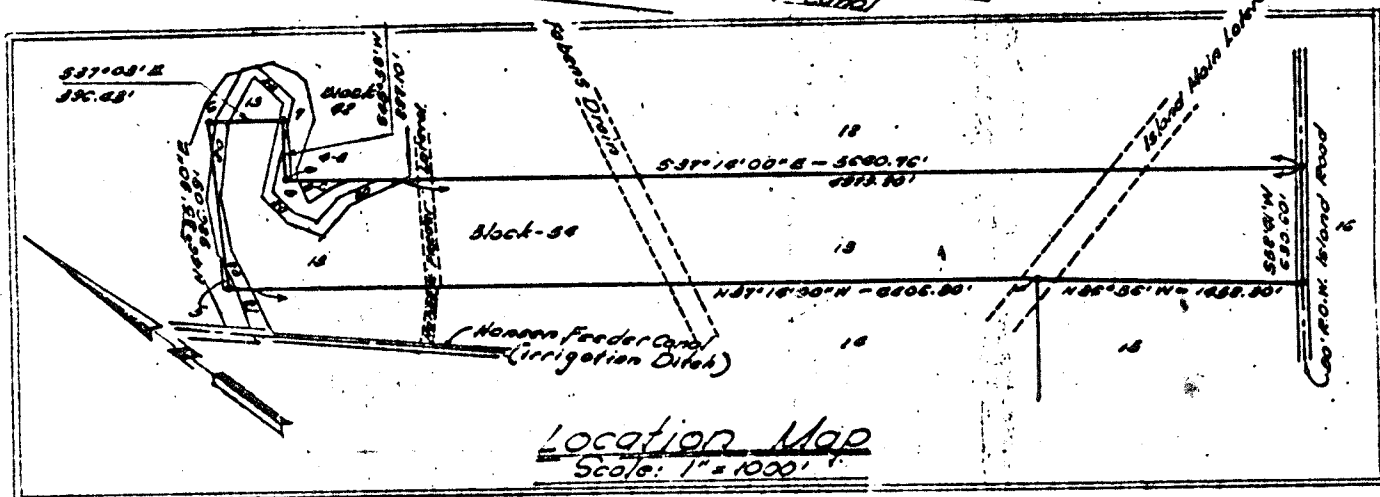
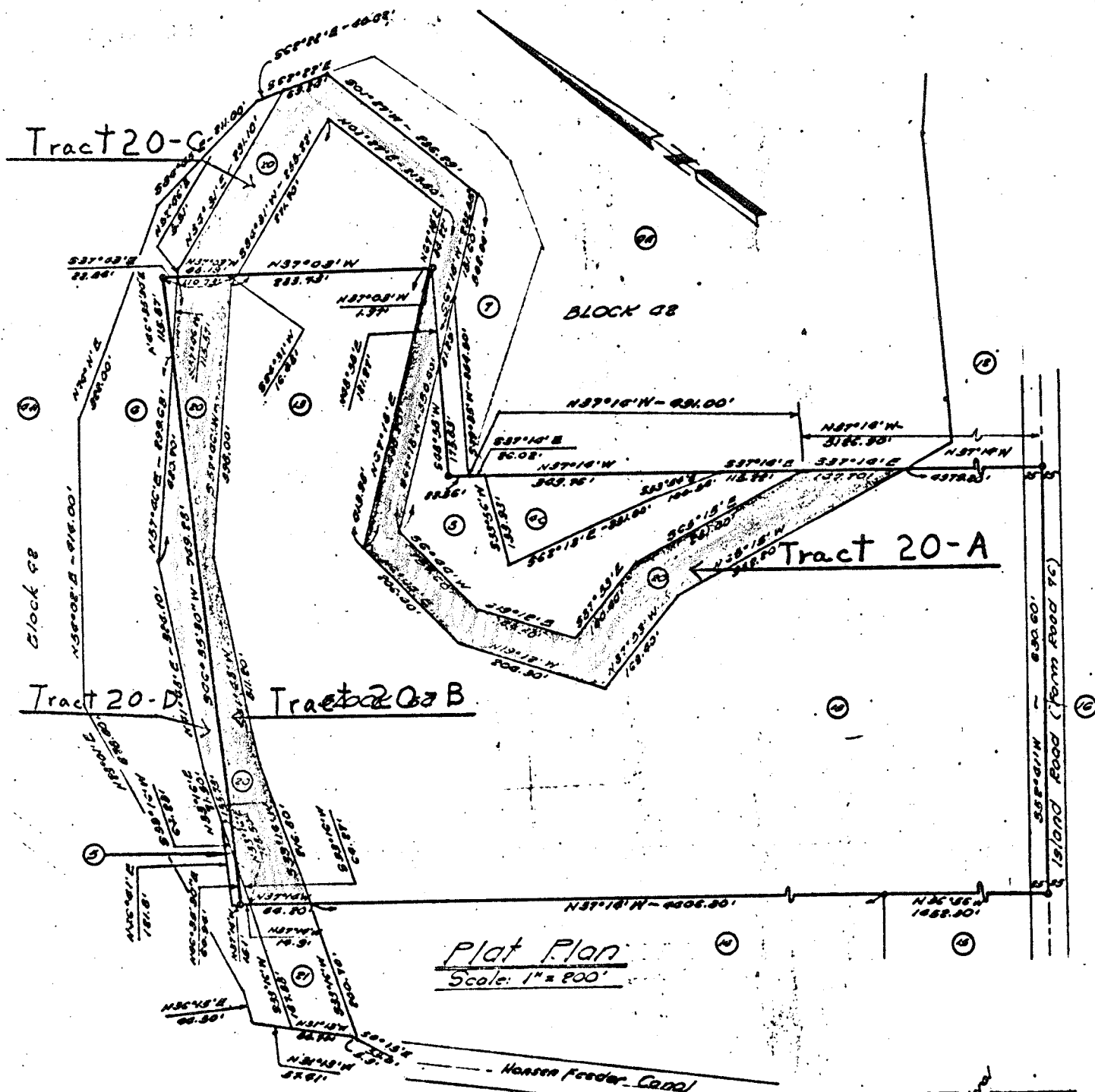
The above described parcel of land containing 0.594 acres of ground more or less as shown on attached plat.

January 11, 1965

Basil O. Smith R.P.E.  
Basil Smith Engineering Company

Note: B & Boundary Line - Outside Line of Tract 80.

PLAT NO.5



"Certificate"

"This to certify that I am a Registered Professional Civil Engineer and that this map was prepared from field notes of an actual survey made by me or under my direction and that it is true and correct to the best of my knowledge and belief."

Plot of Survey

All of Tract 9C and portion of Tracts 5, 6 & 8, Block 88, and portion of Tracts 13 and 80 Block 89, San Eliscario Grant, El Paso County, Texas  
January 11, 1965

*Basil R. Smith*  
Basil R. Smith, R.P.E.

Basil Smith Engineering Co.  
P.O. Box 1000, El Paso, Texas

62 1965



PROPERTY DESCRIPTION NO. 6

Tract 13, Block 54, San Elizario Grant  
El Paso County, Texas

Description of a tract of land, with an exception, being in Block 54, San Elizario Grant, El Paso County, Texas, and being more particularly described by metes and bounds as follows to wit;

From the point of beginning of the property to be described, said point being a common corner of tract 12 and tract 13, Block 54, San Elizario Grant, and also being in the center line of a paved road having a right of way of 25.0 feet on either side of said center line and being known as Island Road (Farm Road #76);

Thence South  $52^{\circ} 41'$  West along said center line of road a distance of 630.60 feet to a point;

Thence North  $36^{\circ} 56'$  West a distance of 1452.30 feet to a point;

Thence North  $37^{\circ} 14'$  West a distance of 4406.80 feet to a point;

Thence North  $33^{\circ} 16'$  East a distance of 216.80 feet to a point;

Thence North  $41^{\circ} 48'$  East a distance of 311.20 feet to a point;

Thence North  $57^{\circ} 46'$  East a distance of 398.00 feet to a point;

Thence North  $84^{\circ} 31'$  East a distance of 271.70 feet to a point;

Thence South  $01^{\circ} 27'$  West a distance of 217.80 feet to a point;

Thence South  $67^{\circ} 18'$  West a distance of 498.20 feet to a point;

Thence South  $06^{\circ} 44'$  West a distance of 206.40 feet to a point;

Thence South  $19^{\circ} 12'$  East a distance of 204.30 feet to a point;

Thence South  $87^{\circ} 53'$  East a distance of 169.40 feet to a point;

Thence South  $65^{\circ} 15'$  East a distance of 382.20 feet to a point;

Thence South  $37^{\circ} 14'$  East a distance of 4979.20 feet to the point of beginning.

The above described tract of land containing 84.72 acres of ground more or less.



(2)

Excepting that portion of tract 13, Block 54, San Elizario Grant being more particularly described by metes and bounds as follows, to wit;

Commencing at a point, said point being a common corner of tracts 12, 13, 20 and 21, Block 54, San Elizario Grant, and said point being the most westerly corner of tract 13;

Thence North  $33^{\circ} 16'$  East a distance of 216.80 feet to a point;

Thence North  $41^{\circ} 48'$  East a distance of 311.20 feet to a point;

Thence North  $57^{\circ} 46'$  East a distance of 398.00 feet to a point;

Thence North  $84^{\circ} 31'$  East a distance of 16.48 feet to the point of beginning of the property to be described;

Thence North  $84^{\circ} 31'$  East a distance of 255.22 feet to a point;

Thence South  $01^{\circ} 27'$  West a distance of 217.80 feet to a point;

Thence South  $67^{\circ} 18'$  West a distance of 84.22 feet to a point;

Thence North  $37^{\circ} 03'$  West a distance of 283.73 feet to the point of beginning.

The above described parcel of land containing 0.918 acres of ground more or less as shown on attached plat.

January 11, 1965

*Basil R. Smith*  
Basil Smith Engineering Company

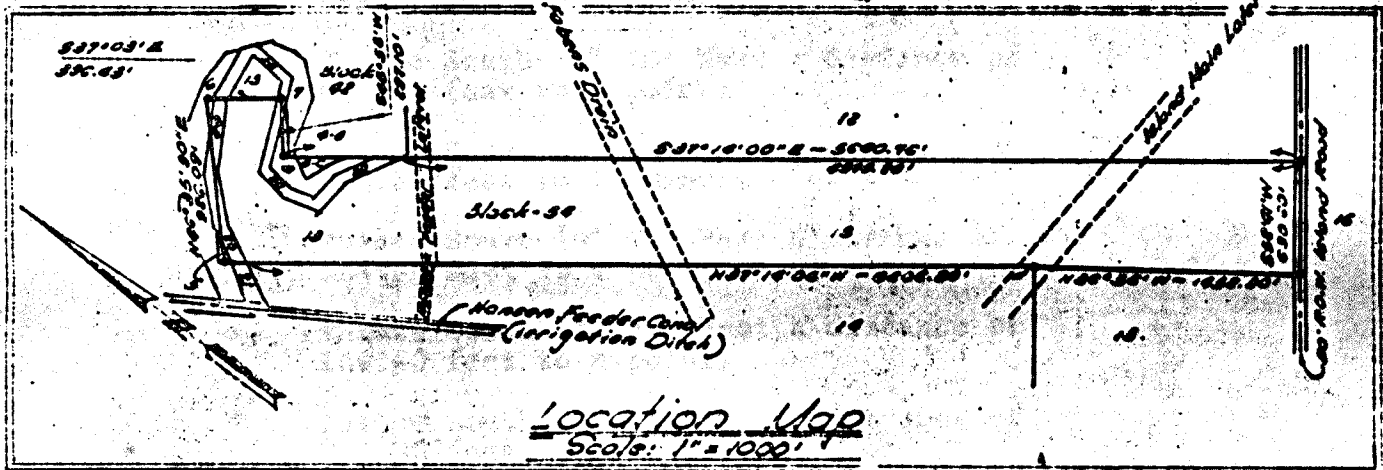
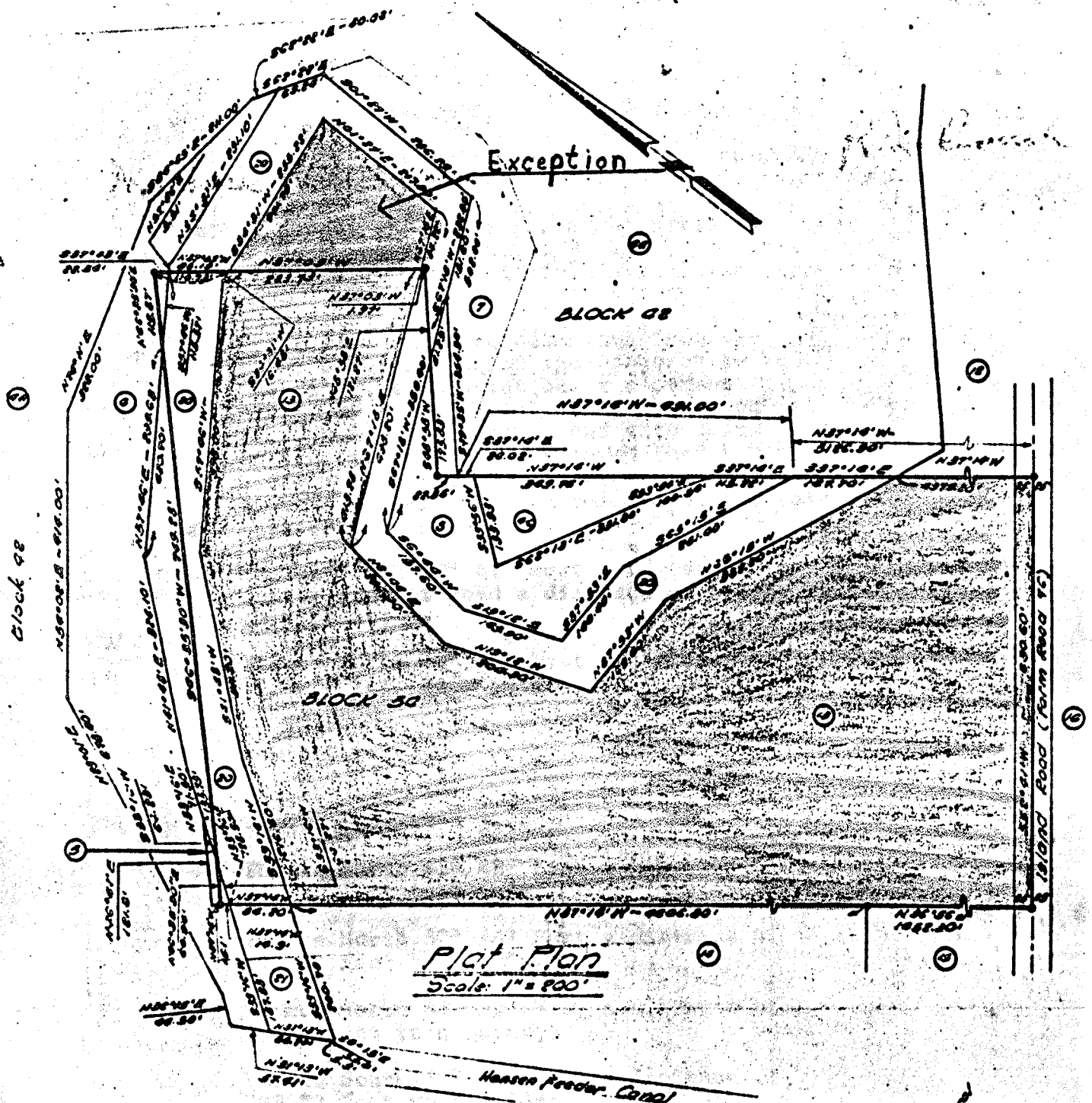
R.P.B.

62 1967



Note: E & Boundary Line - Outside Line of Tract 80.

PLAT NO. 6



### "Certificate"

"This to certify that I am a Registered Professional Civil Engineer and that this map was prepared from field notes of an actual survey made by me or under my direction and that it is true and correct to the best of my knowledge and belief."

*Basil E. Smith*  
Basil E. Smith, R.E.

Basil Smith Engineering Co.

### Plot of Survey

All of Tract 80 and portion of Tracts 8, 6 & 8, Block 58, and portion of Tracts 18 and 80 Block 59, San Eliseo Grant, El Paso County, Texas

January 11, 1968

62 1968



PROPERTY DESCRIPTION NO.7

Tract 13, Block 54, San Elizario Grant, El Paso County, Texas.

This tract shall bennow and hence forth separated into two tracts known as tract 13A and tract 13B, and being more particularly described by metes and bounds as follows to wit;

Tract 13A shall be described from the point of beginning of the property to be described, said point being a common corner of tract 12 and tract 13, block 54, San Elizario Grant, and also being in the center line of a paved road having a right of way of 25.0 feet on either side of said center line and being known as Island Road (Farm Road #76);

Thence South 52° 41' West along said center line of road a distance of 630.60 feet to a point;

Thence North 36° 56' West a distance of 1452.30 feet to a point;

Thence North 37° 14' West a distance of 4406.80 feet to a point;

Thence North 33° 16' East a distance of 216.80 feet to a point;

Thence North 41° 48' East a distance of 311.20 feet to a point;

Thence North 57° 46' East a distance of 398.00 feet to a point;

~~Thence North 84° 31' East a distance of 16.48 feet to a point;~~

Thence South 37° 03' East a distance of 283.73 feet to a point;

Thence South 67° 18' West a distance of 413.98 feet to a point;

Thence South 06° 44' West a distance of 206.40 feet to a point;

Thence South 19° 12' East a distance of 204.30 feet to a point;

Thence South 87° 53' East a distance of 169.40 feet to a point;

~~Thence South 65° 15' East a distance of 382.20 feet to a point;~~

Thence South 37° 14' East a distance of 4979.20 feet to the Point of Beginning.

The above described tract of land containing 83.802 acres of ground more or less.

Tract 13B shall be described from a point, said point being a common corner of tract 12 and tract 13, block 54, San Elizario Grant, and also being in the center line of a paved road having a right of way of 25.0 feet on either side of said center line and being known as Island Road

62 1969

(Farm Road #76);

Thence South  $52^{\circ} 41'$  West along said center line of road a distance of 630.60 feet to a point;

Thence North  $36^{\circ} 56'$  West a distance of 1452.30 feet to a point;

Thence North  $37^{\circ} 14'$  West a distance of 4406.60 feet to a point;

Thence North  $33^{\circ} 16'$  East a distance of 216.80 feet to a point;

Thence North  $41^{\circ} 48'$  East a distance of 311.20 feet to a point;

Thence North  $57^{\circ} 46'$  East a distance of 398.00 feet to a point;

Thence North  $84^{\circ} 31'$  East a distance of 16.48 feet to the Point of Beginning of the property to be described;

Thence North  $84^{\circ} 31'$  East a distance of 255.22 feet to a point;

Thence South  $01^{\circ} 27'$  West a distance of 217.80 feet to a point;

Thence South  $67^{\circ} 18'$  West a distance of 84.22 feet to a point;

Thence North  $37^{\circ} 03'$  West a distance of 283.73 feet to the Point of Beginning;

The above described parcel of land containing 0.918 acres of ground more or less as shown on attached plat.

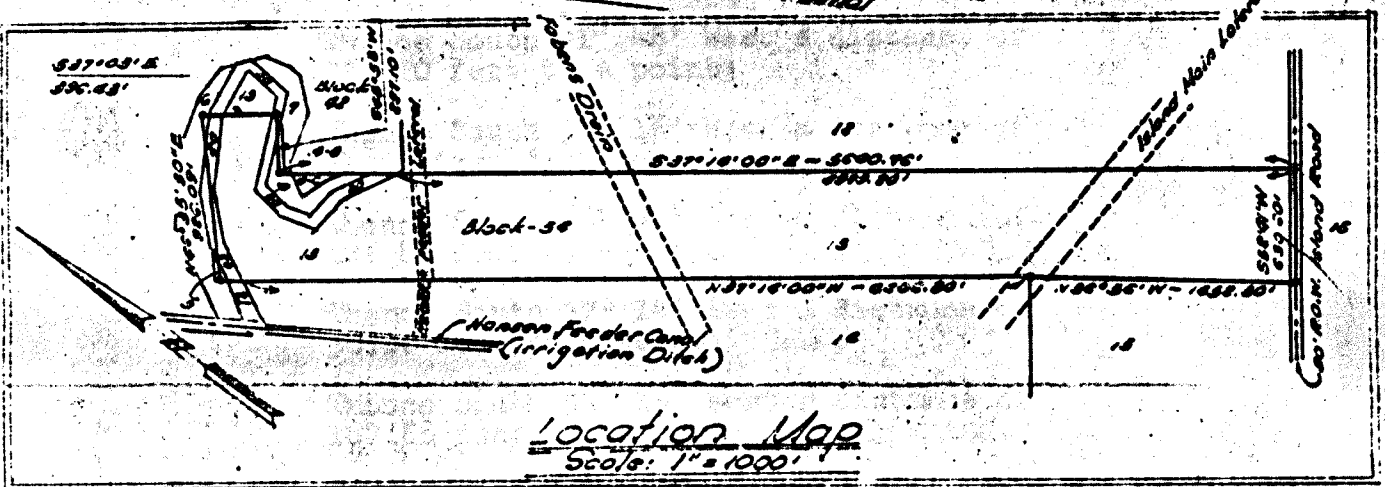
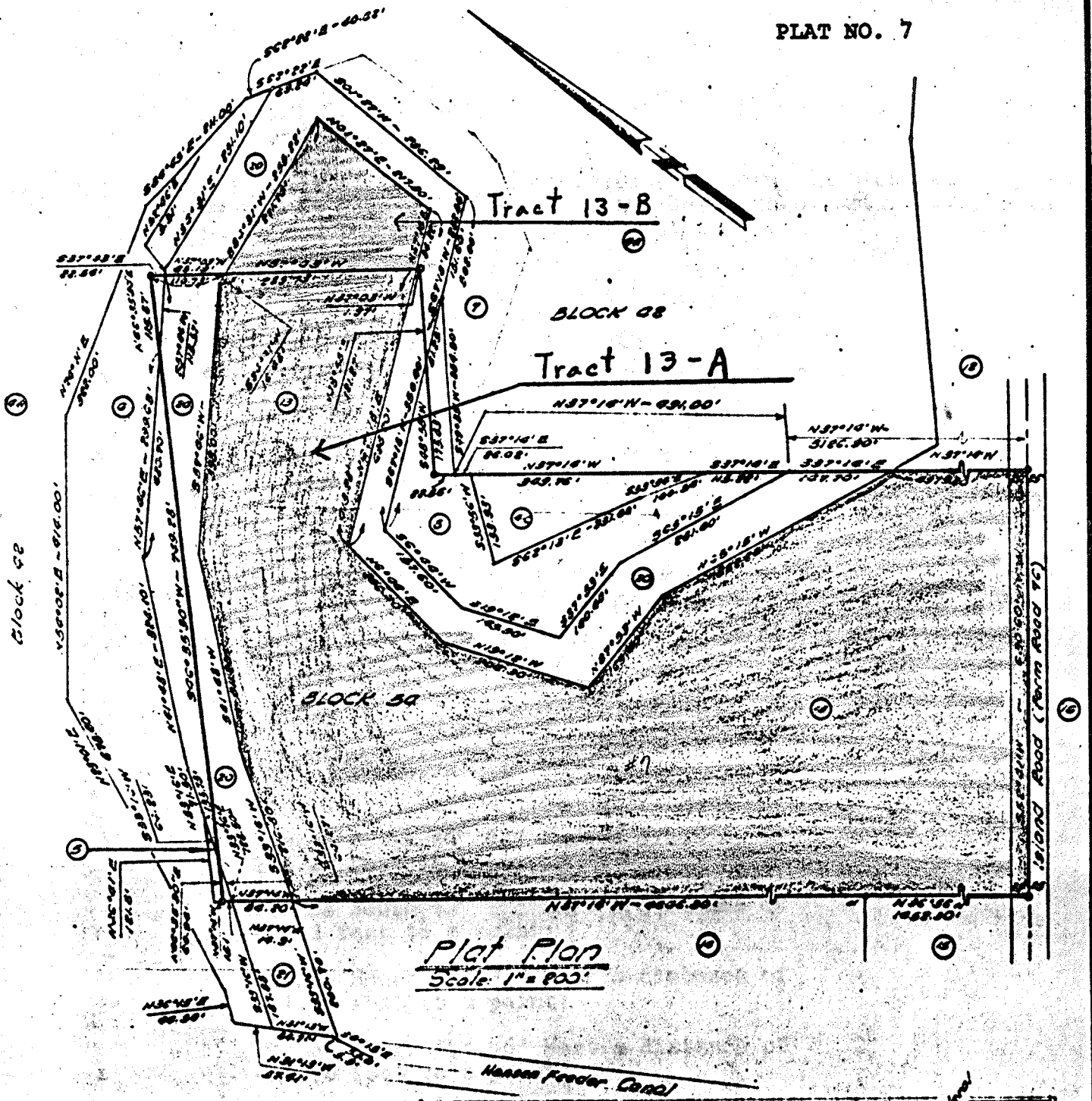
January 11, 1965

Basil R. Smith  
Basil Smith Engineering Company

R.P.E.

Note: B k Boundary Line - Outside Line of Tract 80. 7

PLAT NO. 7



### "Certificate"

"This to certify that I am a Registered Professional Civil Engineer and that this map was prepared from field notes of an actual survey made by me or under my direction and that it is true and correct to the best of my knowledge and belief."

Plot of Survey  
All of Tract 80 and portion of Tracts 5, 6 & 8, Block 28, and portion of Tracts 13 and 20 Block 29, San Eliseo Grant, El Paso County, Texas  
January 11, 1963

*Basil R. Smith*  
Basil R. Smith, R.P.E.

Basil Smith Engineering Co.  
El Paso, Texas

62 1974



PROPERTY DESCRIPTION NO.8

Tract 6, Block 42, San Elizario Grant, El Paso, County Texas.

Description of a tract of land, with an exception, being in Block 42, San Elizario Grant, El Paso County, Texas; and being more particularly described by metes and bounds as follows to wit;

From the point of beginning of the property to be described, said point being a common corner of tract 21, block 54, San Elizario Grant, and the most southerly corner of Tract 6, Block 42, also being the easterly right of way line of an irrigation canal known as "Hansen Feeder".;

Thence North  $31^{\circ} 13'$  West along the easterly right of way of "Hansen Feeder" irrigation canal a distance of 57.41 feet to a point;

Thence North  $36^{\circ} 15'$  East a distance of 44.50 feet to a point;

Thence North  $23^{\circ} 01'$  East a distance of 478.40 feet to a point;

Thence North  $54^{\circ} 02'$  East a distance of 414.00 feet to a point;

Thence North  $74^{\circ} 11'$  East a distance of 322.00 feet to a point;

Thence South  $84^{\circ} 45'$  East a distance of 211.00 feet to a point;

Thence South  $62^{\circ} 22'$  East a distance of 40.42 feet to a point;

Thence South  $84^{\circ} 31'$  West a distance of 291.10 feet to a point;

Thence South  $57^{\circ} 46'$  West a distance of 420.70 feet to a point;

Thence South  $41^{\circ} 48'$  West a distance of 324.10 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 71.50 feet to a point;

Thence South  $46^{\circ} 41'$  West a distance of 121.80 feet to a point;

Thence South  $37^{\circ} 14'$  East a distance of 30.00 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 187.88 feet to the Point of Beginning.

The above described tract of land containing 2.962 acres of ground more or less.

Excepting that portion of tract 6, block 42, San Elizario Grant being more particularly described by metes and bounds as follows to wit;

Commencing at a point, said point being the most southerly corner of tract 6;

Thence North  $31^{\circ} 13'$  West along the easterly right of way of "Hansen Feeder" irrigation ditch a distance of 57.41 feet to a point;

Thence North  $36^{\circ} 15'$  East a distance of 44.50 feet to a point;

Thence North  $23^{\circ} 01'$  East a distance of 478.40 feet to a point;

Thence North  $54^{\circ} 02'$  East a distance of 414.00 feet to a point;

Thence North  $74^{\circ} 11'$  East a distance of 322.00 feet to a point;

Thence South  $84^{\circ} 45'$  East a distance of 211.00 feet to a point;

Thence South  $62^{\circ} 22'$  East a distance to of 40.42 feet to a point;

Thence South  $84^{\circ} 31'$  West a distance of 291.10 feet to a point;

Thence South  $57^{\circ} 46'$  West a distance of 5.50 feet to a point;

Thence North  $37^{\circ} 03'$  West a distance of 22.54 feet to a point;

Thence South  $46^{\circ} 35' 30''$  West a distance of 115.87 feet to a point;

Thence South  $57^{\circ} 46'$  West a distance of 299.63 feet to a point;

Thence South  $41^{\circ} 48'$  West a distance of 324.10 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 71.50 feet to a point;

Thence South  $46^{\circ} 41'$  West a distance of 121.80 feet to a point;

Thence South  $37^{\circ} 14'$  East a distance of 30.00 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 187.88 feet to the Point of Beginning.

The above described parcel of land containing 2.932 acres of ground more or less.

January 13, 1965

*Basil R. Smith* R.P.E.  
Basil Smith Engineering Company

62 1973

PROPERTY DESCRIPTION NO.9

Tract 6, Block 42, San Elizario Grant, El Paso County, Texas.

This tract shall be now and hence forth separated into two tracts known as tract 6A and tract 6B and being more particularly described by metes and bounds as follows to wit;

Tract 6A shall commence from a Point of Beginning, said point being a common corner of tract 21, block 54, San Elizario Grant and the most southerly corner of tract 6 also being in the easterly right of way line of an irrigation canal known as "Hansen Feeder";

Thence North  $31^{\circ} 13'$  West along the easterly right of way of "Hansen Feeder" irrigation ditch a distance of 57.41 feet to a point;

Thence North  $36^{\circ} 15'$  East a distance of 44.50 feet to a point;

Thence North  $23^{\circ} 01'$  East a distance of 478.40 feet to a point;

Thence North  $54^{\circ} 02'$  East a distance of 414.00 feet to a point;

Thence North  $74^{\circ} 11'$  East a distance of 322.00 feet to a point;

Thence South  $84^{\circ} 45'$  East a distance of 211.00 feet to a point;

Thence South  $62^{\circ} 22'$  East a distance of 40.42 feet to a point;

Thence South  $84^{\circ} 31'$  West a distance of 291.10 feet to a point;

Thence South  $57^{\circ} 46'$  West a distance of 5.50 feet to a point;

Thence North  $37^{\circ} 03'$  West a distance of 22.54 feet to a point;

Thence South  $46^{\circ} 35' 30''$  West a distance of 115.87 feet to a point;

Thence South  $57^{\circ} 46'$  West a distance of 299.63 feet to a point;

Thence South  $41^{\circ} 48'$  West a distance of 324.10 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 71.50 feet to a point;

Thence South  $46^{\circ} 41'$  West a distance of 121.80 feet to a point;

Thence South  $37^{\circ} 14'$  East a distance of 30.00 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 187.88 feet to the Point of Beginning.

The above described tract of land containing 2.932 acres of ground more or less.

62 - 1975

Tract 6B shall be described from a point,  
said point being the most southerly corner  
of tract 6;

Thence North  $33^{\circ} 16'$  East a distance of  
387.88 feet to a point;

Thence North  $41^{\circ} 48'$  East a distance of  
324.10 feet to a point;

Thence North  $57^{\circ} 46'$  East a distance of  
299.63 feet to the Point of Beginning  
of the property to be described;

Thence North  $46^{\circ} 35' 30''$  East a distance of  
115.87 feet to a point;

Thence South  $37^{\circ} 03'$  East a distance of  
22.54 feet to a point;

Thence South  $57^{\circ} 46'$  West a distance of  
115.57 feet to the Point of Beginning.

The above described parcel of land containing 0.030 acres  
of ground more or less as shown on attached plat.

January 11, 1965

Basil R. Smith R.P.E.  
Basil Smith Engineering Company



PROPERTY DESCRIPTION NO.10

Tract 5, Block 54, San Elizario Grant  
El Paso County, Texas

Description of a tract of land with an exception, being in Block 42, San Elizario Grant, El Paso County, Texas, and being more particularly described as follows to wit;

From the point of beginning of the property to be described, said point being the most southerly point of tract 5 and being a common corner for tracts 20 and 21 in Block 54, San Elizario Grant and tracts 5 and 6 in Block 42, San Elizario Grant;

Thence North  $37^{\circ} 14'$  West a distance of 30.0 feet to a point;

Thence North  $46^{\circ} 41'$  East a distance of 121.80 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 128.5 feet to the point of beginning.

The above described tract of land containing 0.042 acres of ground more or less.

Excepting that portion of tract 5, block 42, San Elizario Grant being more particularly described as follows to wit;

From a point, said point being the most southerly corner of tract 5, Block 42, San Elizario Grant;

Thence North  $37^{\circ} 14'$  West a distance of 14.9 feet to the point of beginning of the parcel to be described;

Thence North  $37^{\circ} 14'$  West a distance of 15.1 feet to a point;

Thence North  $46^{\circ} 41'$  East a distance of 121.8 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 64.23 feet to a point;

Thence South  $46^{\circ} 35' 30''$  West a distance of 60.94 feet to the point of beginning.

The above described parcel of land containing 0.031 acres of ground more or less as shown on attached plat.

January 11, 1965

Basil R. Smith R.P.E.  
Basil Smith Engineering Company

62 1978

XERO  
COPY

XERO  
COPY

XERO  
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PROPERTY DESCRIPTION NO.11

Tract 5, Block 54, San Elizario Grant,  
El Paso County, Texas.

This tract shall be now and hence forth separated into two tracts known as Tract 5A and Tract 5B and being more particularly described by metes and bounds as follows to wit;

Tract 5A shall be described from the Point of Beginning of the property, said point being the most southerly point of Tract 5 and being a common corner for tracts 20 and 21 in Block 54, San Elizario Grant, and tracts 5 and 6 in Block 42, San Elizario Grant;

Thence North  $37^{\circ} 14'$  West a distance of 14.9 feet to a point;

Thence North  $46^{\circ} 35' 30''$  East a distance of 60.94 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 64.27 feet to the Point of Beginning.

The above described parcel of land containing 0.011 acre of ground more or less.

Tract 5B shall be described from a point, said point being the most southerly corner of tract 5, Block 42, San Elizario Grant;

Thence North  $37^{\circ} 14'$  West a distance of 14.9 feet to the Point of Beginning of the property to be described;

Thence North  $37^{\circ} 14'$  West a distance of 15.1 feet to a point;

Thence North  $46^{\circ} 41'$  East a distance of 121.8 feet to a point;

Thence South  $33^{\circ} 16'$  West a distance of 64.23 feet to a point;

Thence South  $46^{\circ} 35' 30''$  West a distance of 60.94 feet to the Point of Beginning.

The above described parcel of land containing 0.031 acres of ground more or less as shown on attached plat.

January 14, 1964

Basil R. Smith R.P.E.  
Basil Smith Engineering Company

PROPERTY DESCRIPTION NO.12

All of Tract 4C, a portion of Tracts 5, 6, and 8 Block 42, and a portion of Tracts 13 and 20 of Block 54, San Elizario Grant, El Paso County Texas.

Description of a parcel of land being in Tracts 4C, 5, 6, and 8 of Block 42, and Tracts 13 and 20 of Block 54 of San Elizario Grant, El Paso County, Texas, and being more particularly described by metes and bounds as follows to wit;

From a point, said point being a monument at the intersection of the center lines of a paved road known as Island Road (Farm to Market Road # 76) and a paved road known as Island Tornillo Road as shown on a plat of Block 54, San Elizario Grant and said point being the common corner of tracts 4A and 16 and also a point in the easterly line of tract 12, Block 54, San Elizario Grant;

Thence South  $52^{\circ} 41'$  West along the center line of paved road known as Island Road (Farm to Market # 76) a distance of 922.20 feet to the Point of Beginning of the property being described;

Thence South  $52^{\circ} 41'$  West along the Center line of Island Road (Farm to Market #76) a distance of 630.60 feet to a point;

Thence North  $36^{\circ} 56'$  West a distance of 25.00 feet to a point, said point being in the westerly right of way of Island Road (Farm to Market #76);

Thence North  $36^{\circ} 56'$  West a distance of 1427.30 feet to a point;

Thence North  $37^{\circ} 14'$  West a distance of 4505.90 feet to a point, said point being on the easterly edge of an unimproved gravel access road;

Thence North  $46^{\circ} 35' 30''$  East along the easterly edge of an unimproved gravel access road a distance of 926.09 feet to a point, said point being 20.70 feet to a point, said point being 20.70 feet southerly from a five foot high chain link fence and said point being the point of intersection of a curve to the right of mentioned easterly side of gravel road;

Thence South  $37^{\circ} 03'$  East along the southerly edge of an unimproved gravel access road an parallel to and 20.70 feet southerly from a five foot high chain link fence a distance of 396.43 feet to a point;

Thence South 48° 58' West a distance of 297.10 feet to a point;

Thence South 37° 14' East a distance of 5615.76 feet to a point, said point being in the westerly right of way line of Island Road (Farm to Market #76);

Thence South 37° 14' East a distance of 25.00 feet to the Point of Beginning.

The above described parcel of land containing 88.4767 acres of ground more or less.

#### EXCEPTIONS FOR EASEMENTS

An easement 150.00 feet wide for an irrigation canal known as Island Main Lateral. Center line of Easement bearing in an easterly direction across tract 13 of Block 54, San Elizario Grant and being 1404.60 feet westerly along the southerly property line of Tract 13 from the southeasterly corner of tract 13, and said center line being 901.88 feet westerly along the northerly property line from the northeasterly corner of tract 13.

The above described easement containing 2.80 acres of ground more or less.

An easement 120.00 wide for a drainage ditch known as Fabens Drain. Center line of easement bearing in an northeasterly direction across tract 13 of Block 54, San Elizario Grant and said center line being 3478.00 feet westerly along the southerly property line from the southeasterly property corner of tract 13 and said center line being 3765.00 feet westerly along northerly property line from the northeasterly property corner of tract 13.

The above described easement containing 1.90 acres of ground more or less.

An easement 75.00 wide for an irrigation canal known as Hansen Feeder Lateral. Center line of easement bearing in an northeasterly direction across tract 13, Block 54 of San Elizario Grant, and said center line being 4702.05 feet westerly along the southerly property line from the southeasterly property corner of tract 13, and said center line being 4739.08 feet westerly along the northerly property line from the northeasterly property corner of tract 13.

The above described easement containing 1.08 acres of ground more or less.

An easement for a roadway known as Island Road (Farm to Market #76) being in tract 13 of Block 54, San Elizario Grant and more particularly described as follows to wit;

A strip of ground being 25.00 feet in width and being parallel to and lying westerly of the most easterly property line of said tract 13, bearing South 52° 41' West a distance of 630.60 feet.

The above described parcel of land containing 0.36 acres of ground more or less.

December 18, 1964

Basil R. Smith R.P.E.  
Basil Smith Engineering Company

62 1983

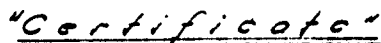
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PLAT NO.12



Plot of Survey

January 11, 1965

*Basil Smith Engineering Co.*  
51 2nd Ave. N.E.

62 1984

PROPERTY DESCRIPTION

All of Tract 4C, and a portion of Tracts 5, 6, and 8, Block 42, and a portion of Tracts 13 and 20 of Block 54, San Elizario Grant, El Paso County, Texas.

Description of a parcel of a land being in Tracts 4C, 5, 6, and 8 of Block 42, and Tracts 13 and 20 of Block 54 of San Elizario Grant El Paso County, Texas, and being more particularly described by metes and bounds as follows to wit;

From a point, said point being a monument at the intersection of the center lines of a paved road known as Island Road (Farm to Market Road # 76) and a paved road known as Island Tornillo Road as shown on a plat of Block 54, San Elizario Grant and said point being the common corner of tracts 4A and 16 and also a point in the easterly line of tract 12, Block 54, San Elizario Grant;

Thence South  $52^{\circ} 41'$  West along the center line of a paved road known as Island Road (Farm to Market #76) a distance of 922.20 feet to the Point of Beginning of the property being described;

Thence South  $52^{\circ} 41'$  West along the Center line of Island Road (Farm to Market #76) a distance of 630.60 feet to a point;

Thence North  $36^{\circ} 56'$  West a distance of 25.00 feet to a point, said point being in the westerly right of way of Island Road (Farm to Market #76);

Thence North  $36^{\circ} 56'$  West a distance of 1427.30 feet to a point;

Thence North  $37^{\circ} 14'$  West a distance of 4505.90 feet to a point, said point being on the easterly edge of an unimproved gravel access road;

Thence North  $46^{\circ} 35' 30''$  East along the easterly edge of an unimproved gravel access road a distance of 926.09 feet to a point, said point being 20.70 feet to a point, said point being 20.70 feet southerly from a five foot high chain link fence and said point being the point of intersection of a curve to the right of mentioned easterly side of gravel road;

Thence South  $37^{\circ} 03'$  East along the southerly edge of an unimproved gravel access road an parallel to and 20.70 feet southerly from a five foot high chain link fence a distance of 396.43 feet to a point;

Thence South  $48^{\circ} 58'$  West a distance of 297.10 feet to a point;

Thence South  $37^{\circ} 14'$  East a distance of 5615.76 feet to a point, said point being in the westerly right of way line of Island Road (Farm to Market #76);



Thence South 37° 14' East a distance of 25.00 feet to the Point of Beginning.

The above described parcel of land containing 88.4767 acres of ground more or less.

#### EXCEPTION

That portion of the above described property being along the northwesterly property line and more particularly described by metes and bounds as follows to wit;

From the southerly point of property, said point being on the center line of Island Road (Farm to Market #76);

Thence North 36° 56' West a distance of 25.00 feet to a point, said point being in the westerly right of way of Island Road (Farm to Market #76);

Thence North 36° 56' West a distance of 1427.30 feet to a point;

Thence North 37° 14' West a distance of 4505.90 feet to a Point of Beginning, said point being on the easterly edge of an unimproved gravel farm road;

Thence North 46° 35' 30" East along the easterly edge of an unimproved gravel farm road a distance of 926.09 feet to a point, said point being 20.70 feet southerly from a five foot high chain link fence and said point being the point of intersection of a curve to the right of mentioned easterly side of unimproved gravel farm road;

Thence South 37° 03' East along the southerly edge of an unimproved gravel farm road and parallel to and 20.70 feet southerly from a five foot high chain link fence, a distance of 3.00 feet to a point;

Thence South 46° 46' 30" West a distance of 925.72 feet to the Point of Beginning.

The above described exception containing 0.0312 acres of ground more or less.

#### EXCEPTIONS FOR EASEMENTS

An easement 150.00 feet wide for an irrigation canal known as Island Main Lateral. Center line of Easement bearing in an easterly direction across tract 13 of Block 54, San Elizario Grant and being 1404.60 feet westerly along the southerly property line of Tract 13 from the southeasterly corner of tract 13, and said center line being 901.88 feet westerly along the northerly property line from the northeasterly corner of tract 13.

The above described easement containing 2.80 acres of ground more or less.

An easement 120.00 wide for a drainage ditch known as Fabens Drain. Center line of easement bearing in an northeasterly direction across tract 13 of Block 54, San Elizario Grant

and said center line being 3478.00 feet westerly along the southerly property line from the southeasterly property corner of tract 13 and said center line being 3765.00 feet westerly along northerly property line northeasterly property corner of tract 13.

The above described easement containing 1.90 acres of ground more or less.

An easement 75.00 feet wide for an irrigation canal known as Hansen Feeder Lateral. Center line of easement bearing in an northeasterly direction across tract 13, Block 54, of San Elizario Grant, and said center line being 4702.05 feet westerly along the southerly property line from the southeasterly property corner of tract 13, and said center line being 4739.08 feet westerly along the northerly property line from the northeasterly property corner of tract 13.

The above described easement containing 1.08 acres of ground more or less.

An easement for a roadway known as Island Road (Farm to Market #76) being in tract 13 of Block 54, San Elizario Grant and more particularly described as follows to wit;

A strip of ground being 25.00 feet in width and being parallel to and lying westerly of the most easterly property line of said tract 13, bearing South 52° 41' West a distance of 630.60 feet.

The above described parcel of land containing 0.36 acres of ground more or less.

TOTAL ACREAGE

Therefore, the total acres of ground described in this instrument contains a net total acreage of 82.3055 acres of ground more or less after exceptions.

February 5, 1965

Basil R. Smith R.P.E.  
Basil Smith Engineering Company



"PLAT NO. 13"

Exception  
0.0318 Acres

Old Line -  $S37^{\circ}03'E - 396.43$

New Line -  $S37^{\circ}03'E - 393.48$   
(No Change on Bearing)

Old Line -  $N66^{\circ}33'30"E - 986.09$

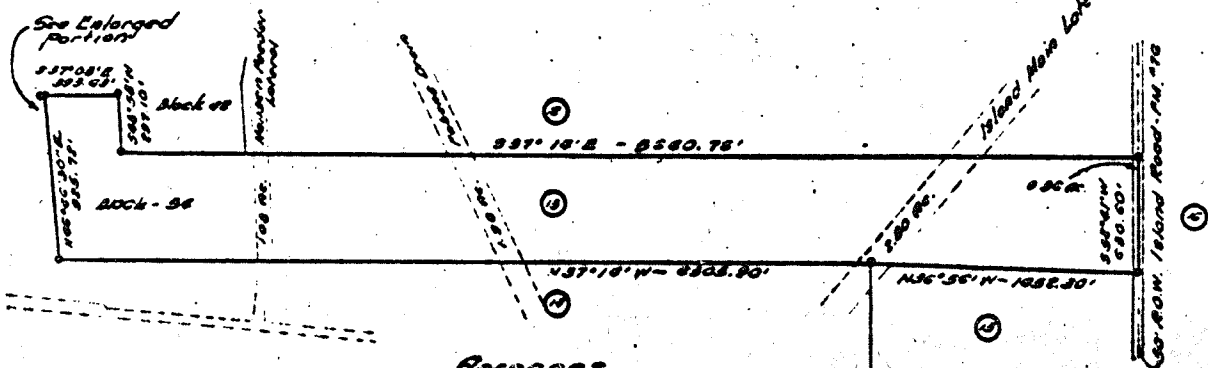
New Line -  $N66^{\circ}06'30"E - 983.78$

No Change

No Change

No Change

No Scale



Averages	
Total Area	= 63.4787 Acres
R.O.W. etc.	= 6.1000 "
Total Net	= 57.3787 "
Exception	= 0.0318 "
	<u>57.3469</u> "

"Certificate"

"This is to certify that I am a Registered Professional Civil Engineer and that this map was prepared from Field Notes of an actual Survey made by me or under my direction and that it is true and correct to the best of my knowledge and belief."

Plot of Survey

Being a Replot of a Portion of Block 39, San Elisario Grant, El Paso County, Texas

Feb. 5, 1968 Scale: 1" = 1000'

Basil R. Smith  
Basil R. Smith, R.P.E.

Basil Smith Engineering Company  
El Paso, Texas

62 1988

IT IS AGREED by and between the parties hereto that the common boundary lines as set forth in accordance with the maps and plats and metes and bounds descriptions hereinbefore referred to, and particularly as set forth by metes and bounds and described in Plat No. 12 as Amended by Plat No. 13 shall be and hereafter constitute the common boundary lines between the parties, and that the corners and calls thereby and therein established shall be common to the parties insofar as their properties are bounded, and that this Agreement shall inure to and be binding upon the heirs, executors and assigns of the respective parties.

WITNESS our hands at El Paso, Texas, this 9th day of February, A. D. 1965.

*S. M. Marasovich*

S. M. Marasovich (also known as Steve Marasovich)

*Mike Maros*

Mike Maros, Individually and as Independent Executor of the Will and Estate of Eva Marasovich, Deceased

*Steve A. Marasovich*