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Dist. Court of the U.S. in
and for the Western District
of Texas El Paso Div.

U.S. vs B.O. Bradley

Declaration of Takings Filed Sept 12, 1940

Deposited Judgment Date of Sec
 AHU's letter +
 Sec of Int

Parcel 1 a } 507 Block 42 Tract 1A B.O. Bradley San Elizario Grant 166.20

Parcel 2 0.88 Block 54 Tract 11 S. Marasovich San Elizario Grant 30.80 30.80 5-14-4

Parcel 3 a } 7.50 Acs Block 54 Tract 9 } N. H. Hunt San Elizario Grant 582.00 582.00 7-13-4

Parcel 3 b } 0.12 Acs Block 54 Tract 9 } " " " " " " 320.25 320.25 9-2-4

Parcel 4 4.27 Acs Block 1 Tract 16 E. Whitaker et al " " " " " " 75.00 90.00 1-2-43

Parcel 5 0.49 Acs ~~Block~~ 1 Tract 14 R.G. Schotten " " " " " " 266.75 266.75 8-27-4

1441.00 *

Parcel 6 0.97 Acs Block 1 Tract 17 L. Lopez San Elizario Grant

Valid Title with right of Possession Sept 16, 1940 See AHU's letter to Sec of Int. dated 9-18-40

* See letter of 9-10-40 from AHU's to Sec of Int.

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.

JUDGMENT ON THE DECLARATION OF TAKING

This day comes the Petitioner in the above entitled cause, the United States of America, by W. R. Smith, Jr., United States Attorney, and R. Neill Walshe, 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.

Thereupon 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. Mendenhall, 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 80/100 dollars (\$30.80); for the lands described therein as Parcel 3, Five hundred eighty-two and no/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 no/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 no/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 26, 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:

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 ($S\frac{1}{4}$) 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:

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°) 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°) 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°) 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°) 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°) 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°) 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°) 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°) 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°) forty-four minutes ($44'$) West two hundred sixty-four and eight tenths (264.8) feet, South seventy-four degrees (74°) twenty-three minutes ($23'$) West three hundred eleven and four tenths (311.4) feet and South sixty-six degrees (66°) 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

Correct as to Engineering Data A. O. D.

Riverside Canal Extension Plat No. 8

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.

Correct as to Engineering Data Q.O.A.

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 $^{\circ}$) 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 $^{\circ}$) forty-four minutes (44') East twenty-eight and nine tenths (28.9) feet, North sixty-seven degrees (67 $^{\circ}$) fourteen minutes (14') East two hundred thirteen and nine tenths (213.9) feet; North eighty-one degrees (81 $^{\circ}$) forty-four minutes (44') East one hundred sixty-one and one tenth (161.1) feet; South eighty-two degrees (82 $^{\circ}$) thirty-nine minutes (39') East two hundred one and one tenth (201.1) feet and South seventy-four degrees (74 $^{\circ}$) 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 $^{\circ}$) 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 $^{\circ}$) 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 Q.C.D.

(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 G. D. A.

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.

Correct as to Engineering Data A. O. D.

x

(Parcel IV, Whitaker Estate & Tucker)

Riverside Canal Extension
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:

Correct as to Engineering Data Q.C.A.

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.

Correct as to Engineering Data G. O. D.

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:

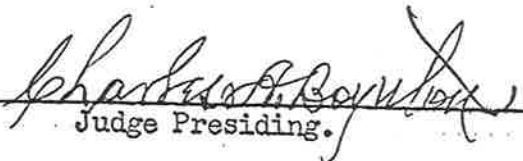
Correct as to Engineering Data A.O.A.

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 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 cause 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.


Judge Presiding.

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

JUDGMENT FOR B. O. BRADLEY
AND RUBY LEE BRADLEY

BE IT REMEMBERED, that on this 16th day of February,
1942, in the above styled and numbered cause, came on to be considered said
condemnation proceeding insofar as same concerns:

PARCEL NO. 1

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' 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 .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 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 Tracts 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.

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.

and the United States of America, having appeared herein by W. C. Peticolas, 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 ^{if not} 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 NO/100 (\$250.00) DOLLARS each to defendant W. Y. 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. Y. Ellis and credited on said notes,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that W. Y. 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. Y. 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.


JUDGE.

APPROVED:



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.

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NO. 93 CIVIL

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:

PARCEL NO. 2

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.

and the United States of America, having appeared herein by W. 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 Guinn, 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

Filed 10th day of April
1942 at _____ o'clock _____ M.
MAXEY HART, Clerk.
By J. F. Caroline
Deputy.

APPROVED:
W.C. Pehil

A true copy of the original, I certify.
MAXEY HART, Clerk,
By _____ Deputy.

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.

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NO. 93 CIVIL.

JUDGMENT IN FAVOR OF PAUL TUCKER, ET AL.

BE IT REMEMBERED, that on this 7th day of July, 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 NO. IV

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 the 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.

and the United States of America, having appeared herein by W. 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, 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
JUDGE.

APPROVED:

*By [Signature],
Attorneys for
Paul Tucker et al.
by [Signature]
W.C. Petros*

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. SPADLEY, ET AL.,

Defendants.

JUDGMENT IN FAVOR OF NORMA NOEL HUNT

BE IT REMEMBERED, that on this 26th 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 (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 re-creation 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.

and the United States of America, having appeared herein by W. 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 defendant, Norma Noel Hunt, a feme sole, having appeared herein by her attorney, R. J. Channell, and the defendant, El Paso County Water Improvement District No. 1, having appeared herein by their attorneys, Burges, Burges, Scott, Raspberry, 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
EIGHTY-TWO
FIVE HUNDRED AND NO./100 (\$582.00) 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 NO/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 NO/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 THEREBY 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 (\$581.41) 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. Boyler
JUDGE

APPROVED:

R. J. Franzen
W. C. Petros

and the United States of America having appeared herein by W. C. Peticolas, 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, 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) 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 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, 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, 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. Bayley

JUDGE

APPROVED:

W. C. Peralta
F. W. Roggin

582.00
38.96
286.29
266.75
1169.00

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.

Y
Y
Y
Y
Y

NO. 93 CIVIL.

JUDGMENT IN FAVOR OF RUDOLPH G. SCHUTTEN AND WIFE

BE IT REMEMBERED, that on this 5th day of December,
1942, in the above styled and numbered cause, came on to be considered said con-
demnation proceeding insofar as same concerns the following described property:

PARCEL NO. V

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 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°) 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°) 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,

and the United States of America having appeared herein by W. 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, Rudolph G. Schutten and wife, Mary C. Schutten, having appeared herein in person, and the defendant, El Paso County Water Improvement District No. 1, having appeared herein by its Attorney, Richard F. Burges, 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 SEVENTY-FIVE AND NO/100 (\$75.00) DOLLARS for the taking of said property and that the United States of America and the defendants, Rudolph G. Schutten and wife, Mary C. Schutten, being the only parties having an interest in the above described property, have stipulated and agreed that the reasonable value of same is NINETY AND NO/100 (\$90.00) 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, Rudolph G. Schutten and wife, Mary C. Schutten, having been settled by agreement of the parties, as evidenced by the Stipulation filed herein, and

IT APPEARING TO THE COURT that Rudolph G. Schutten and wife, Mary C. Schutten, 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 NINETY AND NO/100 (\$90.00) DOLLARS for the taking of said property,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the defendants, Rudolph G. Schutten and wife, Mary C. Schutten, do have and recover judgment against the United States of America in the sum of NINETY AND NO/100 (\$90.00) 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 Rudolph G. Schutten and wife, Mary C. Schutten, 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 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 on the 7th day of May, 1941, upon application of the defendants, Rudolph G. Schutten and wife, Mary C. Schutten, the sum of SEVENTY-FIVE AND NO/100 (\$75.00) DOLLARS was paid to the said defendants, and the Court being of the opinion that said sum should be applied as a credit on the judgment herein awarded to the defendants, Rudolph G. Schutten and wife, Mary C. Schutten.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the sum of SEVENTY-FIVE AND NO/100 (\$75.00) DOLLARS be and the same is hereby credited on the judgment herein awarded to the defendants, Rudolph G. Schutten and wife, Mary C. Schutten.

IT IS FURTHER ORDERED that the difference between said sum so deposited and the amount of this judgment, amounting to FIFTEEN AND NO/100 (\$15.00) DOLLARS, shall bear interest at the rate of six per cent (6%) per annum from December 12, 1940, and it is further ordered by the Court that when Plaintiff shall have paid said sum of FIFTEEN AND NO/100 (\$15.00) DOLLARS, together with interest thereon at the rate of six per cent (6%) per annum from December 12, 1940, into the Registry of this Court, that same shall be forthwith paid by the Clerk to said defendants.

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 P. Bayliss
J U D G E.

APPROVED:

W. E. ...

RECEIPT

6-2

1943

This is to acknowledge receipt of check # 1394, in the amount of \$ 17.16, on the District Clerk of the United States for the Western District of Texas; in favor of Rudolph and Mary C. Schutten, in full satisfaction of ^{deficiency} judgment/entered in favor of the above named person (s) against the United States ^{plus interest} for the taking of certain lands involved in the case of United States of America vs. B. O. Bradley, et al., No. 93 Civil.

*Mr. Rudolph G. Schutten and
Mrs. Mary C. Schutten*

RECEIPT

Aug. 18 1942

This is to acknowledge receipt of check # 1033, in the amount of \$ 266.75, on the District Clerk of the United States for the Western District of Texas, in favor of Candelaria O. Lopez, Pilar Madrid and husband, Marino (Maximo) Madrid, Luciano Lopez & wife, Gregoria Lopez, Guadalupe Lopez & wife Refugio Lopez, Simon Lopez, Donaciano Lopez, & wife, Maria Lopez, Paulina, in full satisfaction of judgment entered in favor of the above named person (s) against the United States for the taking of certain lands involved in the case of United States of America vs. B. O. Bradley, et al., No. 93 Civil.

*J. H. Loppin, Attorney for
Candelaria O. Lopez, Pilar Madrid, Marino (Maximo) Madrid, Luciano Lopez, Gregoria Lopez, Guadalupe Lopez, Refugio Lopez, Simon Lopez, Donaciano Lopez, Maria Lopez, Paulina Lopez, Antonio Lopez, Cesaria Schutten, Rudolph Schutten.*

RECEIPT

August 7, 1942

This is to acknowledge receipt of check # 997, in the amount of \$ 286.29, on the District Clerk of the United States for the Western District of Texas, in favor of Paul Tucker, Mrs. Willie Tucker, Raymond Leon Tucker, Mrs. Irene Whitaker, Dan W. Whitaker and Mrs. Lonie Whitaker, in full satisfaction of judgment entered in favor of the above named person (s) against the United States for the taking of certain lands involved in the case of United States of America vs. B. O. Bradley, et al., No. 93 Civil.

*By W. H. Attorney
of record for Paul Tucker
Mrs. Willie Tucker, Raymond
Leon Tucker, Mrs. Irene
Whitaker, Dan W. Whitaker
and Mrs. Lonie Whitaker*

~~11086~~
Mrs. Linker

RECEIPT

July 9 1942

This is to acknowledge receipt of check # 996, in the amount of \$ 33.96, on the District Clerk of the United States for the Western District of Texas, in favor of El Paso County Water Improvement District No. 1, in full satisfaction of judgment entered in favor of the above named person (s) against the United States for the taking of certain lands involved in the case of United States of America vs. B. O. Bradley, et al., No. 93 Civil.

Mary B. McCurdy

RECEIPT

El Paso - 6/27 - 1942

This is to acknowledge receipt of check # 994, in the amount of \$ 581⁴¹, on the District Clerk of the United States for the Western District of Texas, in favor of Norma Noel Hunt — — — —, in full satisfaction of judgment entered in favor of the above named person (s) against the United States for the taking of certain lands involved in the case of United States of America vs. B. V. Bradley, et al, No. 93 Civil.

R. L. Lunn

RECEIPT

April 14th 1942

This is to acknowledge receipt of check # 896, in the amount of \$ 30.80, on the District Clerk of the United States for the Western District of Texas, in favor of Steve M. Marasovich and Eva Marasovich, his wife, in full satisfaction of judgment entered in favor of the above named person (s) against the United States for the taking of certain lands involved in the case of United States of America vs. Steve M. Marasovich, et al., No. 93 Civil.

Steve M. Marasovich

RECEIPT

March 10 1942

This is to acknowledge receipt of check # 783, in the amount of \$ 166.20, on the District Clerk of the United States for the Western District of Texas, in favor of W. Y. Ellis, in full satisfaction of judgment entered in favor of the above named person (s) against the United States for the taking of certain lands involved in the case of United States of America vs. Steve Karasovich, et al., No. 93 Civil.

W. Y. Ellis

March 10 1942

This is to acknowledge receipt of check # _____, in the amount of \$ _____, on the District Clerk of the United States for the Western District of Texas, in favor of _____, in full satisfaction of judgment entered in favor of the above named person (s) against the United States

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:

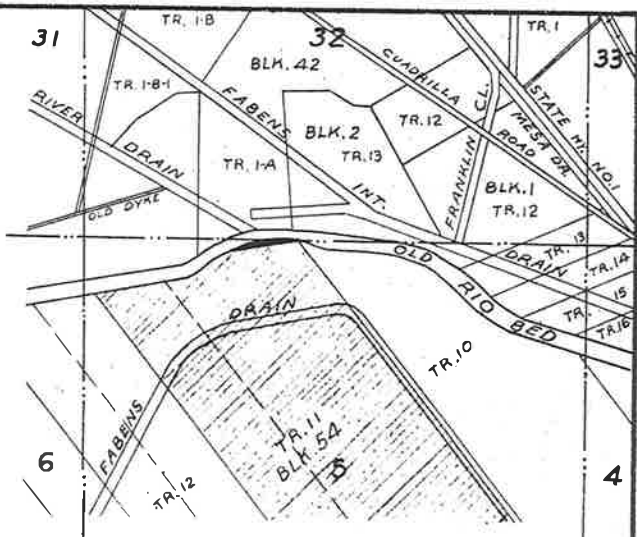
Beginning at a point on the south bank of the Rio Grande as the same existed prior to the artificial rectification thereof and from which point the most southerly corner of Tract eleven (11) Block fifty-four (54) of the said official resurvey of the San Elizario Grant bears South twenty-one degrees (21°) 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. A.O.D.

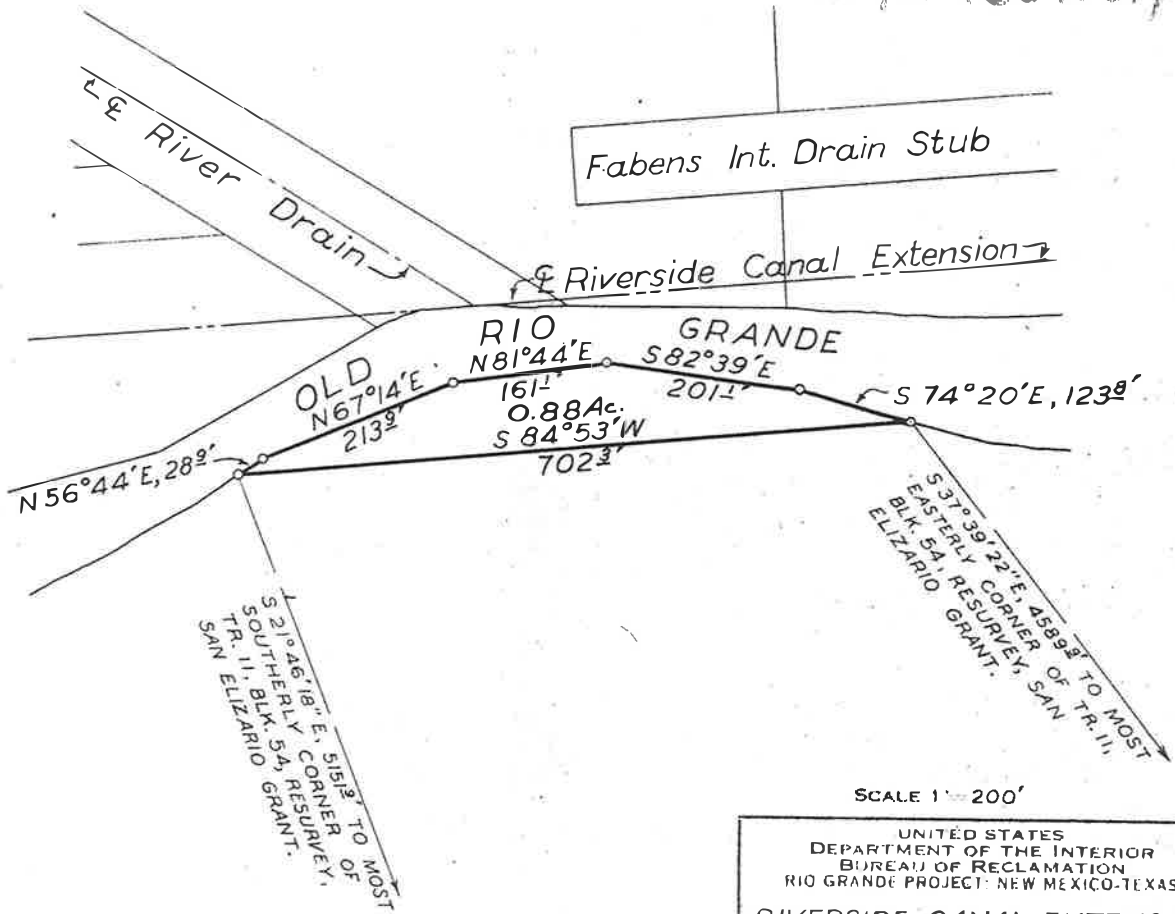
A tract of land lying and situate in El Paso County, Texas and in the Northwest quarter (NW $\frac{1}{4}$) of Section five (5), Township thirty-four (34) South and Southwest quarter (SW $\frac{1}{4}$) of Section thirty-two (32), Township thirty-three (33) South, Range eight (8) East, Bureau of Reclamation 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:

Correct as to Engineering Data A.O.D.

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 $^{\circ}$) 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 $^{\circ}$) forty-four minutes (44') East twenty-eight and nine tenths (28.9) feet, North sixty-seven degrees (67 $^{\circ}$) fourteen minutes (14') East two hundred thirteen and nine tenths (213.9) feet; North eighty-one degrees (81 $^{\circ}$) forty-four minutes (44') East one hundred sixty-one and one tenth (161.1) feet; South eighty-two degrees (82 $^{\circ}$) thirty-nine minutes (39') East two hundred one and one tenth (201.1) feet and South seventy-four degrees (74 $^{\circ}$) 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 $^{\circ}$) 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 $^{\circ}$) 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.



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



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	C.R. CHECKED C.I.O.D.
DRAWN	F.J.G. APPROVED
4080-L-131 | EL PASO TEX 5/17/40	

Revised
 Plat No. 20

8-16

U S BUREAU OF RECLAMATION			
EL PASO, TEXAS			
RECEIVED			
JUN 14 1943			
	NOTE	REPLY	INIT.
CIV. ENG.			
C.E. ENG.	✓		JTS
HYDRO.			

OFFICE OF THE ATTORNEY GENERAL
Washington, D. C.

June 3, 1943

File
gwt

Honorable Harold L. Ickes
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

Enclosed is a certificate of the clerk of the court showing a deposit in the sum of \$17.16 in the registry of the court, pursuant to a deficiency judgment concerning the acquisition of Parcel No. V, Riverside Canal - Rio Grande, included in the condemnation proceeding entitled United States of America v. B. O. Bradley, et al., No. 93 Civil in the United States District Court for the Western District of Texas. *Schuttner*

Title to the above tract has heretofore vested in the United States of America, as stated in the opinion of this Department dated January 2, 1943. The deficiency judgment has been satisfied and the acquisition of this tract is completed.

Respectfully,

(Sgd.) Francis Biddle
Attorney General

CC - CE Denver, Colo.
DC Amarillo, Tex.
CAO Denver, Colo.
Supt., El Paso, Tex. ✓

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.

B. O. BRADLEY, ET AL.,

Defendants.

¶
¶
¶
¶
¶

NO. 93 CIVIL.

Schuttler

CERTIFICATE OF CLERK

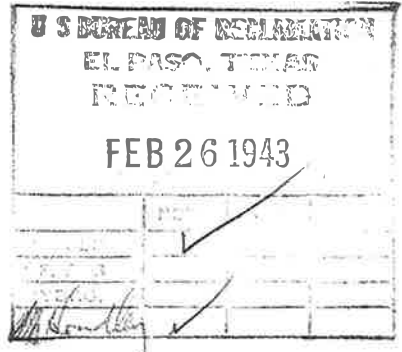
I, MAXEY HART, Clerk of the United States District Court for the Western District of Texas, do hereby certify that on the 24th day of May, 1943, I received from the United States of America, petitioner herein, and deposited in the Registry of the Court, the sum of SEVENTEEN AND 16/100 (\$17.16) DOLLARS, being pursuant to judgment hereinbefore entered confirming the awards as to Parcel No. V.

This the 24th day of May, 1943.

MAXEY HART
DISTRICT CLERK

BY Flora L. Linker (SEAL)
D E P U T Y

12-1 to



General Accounting Office,
Claims Division,
Washington, D. C.

FEB 22 1943

Gentlemen:

Enclosed for direct settlement is claim in the amount of \$15.00 plus interest at six percent per annum from December 12, 1940, until paid, for the Clerk in the United States District Court for the Western District of Texas, to pay final judgment to B. C. Bradley, et al., Civil No. 93, in connection with the acquisition of Parcel No. V, Rio Grande Project.

The claim has received administrative examination, is approved, and I recommend that payment be made from the fund "1418070.010, Reclamation Trust Funds, Rio Grande Project".

It would be appreciated if the issuance of Certificate of Settlement were expedited and check mailed in care of the Attorney General of the United States, Washington, D. C.

For the Commissioner

Very truly yours,



H. W. Bashore,
Assistant Commissioner.

Enclosure 925

Copy for Department of Justice,
Lands Division,
Washington, D. C. (With copy of voucher)

- C.E., Denver, Colo.
- D.C., Amarillo, Texas
- Central Acctg. Office, Denver, Colo. (With copy of voucher)
- Supt., El Paso, Texas (With copy of voucher) ✓

El Paso, Texas

February 12, 1943

From Superintendent

To Commissioner

Subject: Condemnation proceedings - Right of way for Riverside Canal Extension - Rio Grande Project.

1. Reference is made to the Attorney General's letter of January 2, 1943 to the Secretary, copies of which have been furnished, and which pertain to the acquisition of Parcel No. V of the Riverside Canal right of way through condemnation proceedings entitled United States of America v. B. O. Bradley, et al., El Paso County, Civil No. 93 in the United States District Court for the Western District of Texas.

2. The above referred to letter among other things states that as the result of the court awarding \$90.00 instead of \$75.00, which was deposited at the time of the filing of declaration of taking, there is a deficiency judgment in the amount of \$15.00, which should be paid to the court with interest at the rate of 6% per annum from December 12, 1940 until paid. The original voucher and check in the amount of \$1,441.00 in favor of the Clerk of the District Court of the United States for the Western District of Texas, El Paso Division, c/o Attorney General of the United States, Washington, D. C., for the amount deposited in the registry of the court as just compensation in the above referred to suit at the time of the filing of declaration of taking, were drawn in Washington against appropriation 148070.010 Reclamation Contributed Funds, Rio Grande Project.

3. Please advise how or who is to take care of the deficiency by drawing voucher and check to cover same. If any further action is desired of this office, please advise.

- - - -

In duplicate.

L. R. Fieck

cc-Chief Engineer
-District Counsel

C
o
p
y

OFFICE OF THE ATTORNEY GENERAL

WASHINGTON, D. C.

January 2, 1943

U S BUREAU OF RECLAMATION			
EL PASO COUNTY			
RECORDS			
FEB 10 1943			

Honorable Harold L. Ickes
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

I have examined the abstract of title and transcript of record in the condemnation proceeding entitled United States of America v. B. O. Bradley, et al., El Paso County, Civil No. 93 in the United States District Court for the Western District of Texas, pertaining to the acquisition of Parcel No. V of the Riverside Canal - Rio Grande Project.

The certificate of title was prepared by the Pioneer Abstract and Guarantee Title Company and is in satisfactory form.

I find that the condemnation proceeding has been regularly conducted and that a fee simple title is vested in the United States of America as stated in the opinion of this Department dated September 18, 1940. On December 5, 1942 the court entered a judgment determining the just compensation for the land to be the sum of \$90.00. The sum of \$75.00 was deposited in the registry of the court as estimated just compensation at the time of the filing of the declaration of taking.

The sum of \$15.00 plus interest at the rate of 6% per annum from December 12, 1940 until paid should be deposited in the registry of the court in satisfaction of the deficiency judgment.

The land is more fully described in the deficiency judgment, a certified copy of which is enclosed. Also enclosed is the certificate of title.

Respectfully,

(Sgd.) Francis Biddle
Attorney General

Copy to CE, Denver, Colo.
DC, Amarillo, Texas
Supt., El Paso, Texas. ✓

14 X 8070.010
Reclamation Contributed Funds
Rio Grande Project.

Schmitt

8-16

U S BUREAU OF RECLAMATION		
EL PASO, TEXAS		
RECEIVED		
SEP 26 1942		
	NOTE	DEPLY
CH. CLK.		
OF. ENG.		
HYDRO.		

M. Hadley

TO SECRETARY
SEP 1 1942

SEPT. 18, 1942

The Honorable

The Attorney General,

Sir:

Reference is made to the letter dated August 20 (File No. 33-45-344) from Mr. J. Edward Williams, Acting Head, Lands Division, addressed to the Director of the Fish and Wildlife Service, concerning the case of the United States vs. Steve H. Karasovich, et al., Civil No. 93 in the United States District Court for the Eastern District of Texas, pertaining to the Riverside Canal, Rio Grande project.

The recommendation of this Department was requested concerning a proposed stipulation with the former owners of Parcel No. 5 for settlement on the basis of \$90 which amount is \$15 in excess of the amount deposited in court at the time the declaration of taking was filed.

Since the difference between the proposed settlement and the amount already deposited in court would not justify the additional time and expense to the United States probably required to confine the award to the amount deposited, you are advised that the proposed settlement is satisfactory to this Department.

Very truly yours,

/s/ ABE FORTAS

Under Secretary.

Copy to C.E. Denver
D.C. Amarillo, Texas ✓
Supt. El Paso, Texas.

7

El Paso, Texas

September 9, 1942

Airmail

From Superintendent

To Commissioner

Subject: Proposed settlement with former owners of Parcel No. 5 in condemnation proceeding entitled United States v. Steve M. Marasovich, et al., Civil No. 93 in the United States District Court for the Western District of Texas - Rio Grande Project.

1. Reference is made to the Commissioner's letter of September 4, 1942, on the above subject.

2. It is entirely agreeable to this office to stipulate settlement of the acquisition of Parcel No. 5 in the above referred to condemnation proceeding at \$90.00. We believe such action would be preferable to calling of a hearing considering the small amount of difference involved, \$15.00.

Original airmail
Copy regular mail

L. R. Flock

cc-Chief Engineer
-District Counsel

UNITED STATES SLB/yp.
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION
738 Amarillo Building

U S BUREAU OF RECLAMATION			
EL PASO DISTRICT			
RECEIVED			
SEP - 9 1942			
	NOTE	REPLY	
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OF. ENG.			
HYDRO.			

September 8, 1942

AIR MAIL

From District Counsel

To Commissioner

Subject: Proposed settlement with former owners of Parcel No. 5 in condemnation proceeding entitled United States v Steve M. Marasovich, et al., Civil No. 93 in the United States District Court for the Western District of Texas - Rio Grande Project.

1. Reference is made to your air mail letter of September 4;
2. It is regrettable that a copy of your letter of January 23 to Mr. Norman N. Littell, Assistant Attorney General, upon which you had noted a request for advice from this office, was inadvertently filed without having been called to the attention of either Mr. Gray or myself.
3. Since the sum of \$15.00, representing the amount in addition to that already deposited in court, for which the defendants in this action are willing to settle, would not justify the additional time and expense to the United States probably required to hold the award to the amount deposited, in my opinion the settlement proposed is satisfactory from the standpoint of the United States.
4. As I plan on seeing Superintendent Flock in El Paso on Thursday, September 10, unless you receive a wire to the contrary, it may be assumed that my opinion relative to the proposed settlement is satisfactory to the Superintendent.

Spencer L. Baird

CC: Chief Engineer
Superintendent, El Paso, Texas. ✓

Dupl.

U S BUREAU OF RECLAMATION	
EL PASO, TEXAS	
RECEIVED	
SEP - 8 1942	
CH. CLK.	
OF. ENG.	
HYDRO.	

AIR MAIL

SEP 4 1942

From: Commissioner
To: District Counsel, Amarillo, Texas.
Subject: Proposed settlement with former owners of Parcel No. 5 in condemnation proceeding entitled United States v. Steve H. Marasovich, et al., Civil No. 93 in the United States District Court for the Western District of Texas - Rio Grande Project.

1. On January 23, 1942, you and the Superintendent at El Paso, Texas, were forwarded a copy of our letter of that date to Assistant Attorney General Littell, regarding a proposed settlement in the above-entitled condemnation proceeding, with a request that you advise this office whether, in your opinion, the proposed settlement, which was \$15 in excess of the amount deposited in Court, would be satisfactory. No reply has been received from either your office or the Superintendent's office.

2. The Department of Justice, by letter dated August 20, copy of which is attached, has again requested our recommendations as to whether or not the \$90 settlement offer is acceptable.

3. In the event that you did not receive a copy of our letter of January 23 and Mr. Littell's letter of January 15, copies are attached for your information.

4. Please advise us by air mail whether the proposed settlement is satisfactory.

John C. Page

Enclosure 898

Copy to CE Denver, Colo.
Supt., El Paso, Texas. ✓
(with copies of enclosures to each)

Copy by regular mail.

D-16

OFFICE OF THE ATTORNEY GENERAL
Washington, D. C.

U S BUREAU OF RECLAMATION			
EL PASO, TEXAS			
RECEIVED			
SEP 14 1942			
	NOTE	FILED	INIT.
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OF. ENG.			
HYDRO.			

COPY

September 2, 1942

Honorable Harold L. Ickes
Secretary of the Interior
Washington, D. C.

Tucker & Whitaker

My dear Mr. Secretary:

I have examined the certificate of title and transcript of record in the condemnation proceeding entitled United States of America v. B. O. Bradley, et al., Civil No. 93 in the United States District Court for the Western District of Texas, pertaining to the acquisition of parcel No. IV of the Riverside Canal Extension project.

The certificate of title was prepared by the Pioneer Abstract and Guarantee Title Company and is in satisfactory form.

In the final judgment entered July 7, 1942, the court awarded the sum of \$320.25 as just compensation for the above parcel. This amount was deposited in the registry of the court on September 12, 1940, at the time of the filing of the declaration of taking. The proceedings are regular, the judgment has been satisfied and a fee simple title to the land has heretofore vested in the United States of America as stated in the opinion of this Department dated September 18, 1940.

The land is more fully described in the final judgment, a certified copy of which is enclosed. Also enclosed are preliminary and final certificates of title.

Respectfully,

Francis Biddle /s/
Attorney General

SEP 4 '42 - 93300

Copy to CE, Denver, Colo.
DC, Amarillo, Texas
Suprv. Engr., El Paso, Texas



COPY

OFFICE OF THE ATTORNEY GENERAL
Washington, D. C.

August 27, 1942

7-12

BUREAU OF RECLAMATION			
SEP - 8 1942			

Mr. Bradley
✓

Honorable Harold L. Ickes
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

I have examined the certificate of title and transcript of record in the condemnation proceeding entitled United States of America v. B. O. Bradley, et al., Civil No. 93 in the United States District Court for the Western District of Texas, pertaining to the acquisition of tract No. VI of the Riverside Canal-Rio Grande project.

The certificate of title prepared by the Stewart Title Company is in satisfactory form.

In the final judgment entered July 16, 1942, the court awarded the sum of \$266.75 as just compensation for the above tract. This amount was deposited in the registry of the court on September 12, 1940, at the time of the filing of the declaration of taking. The proceedings are regular, the judgment has been satisfied and a fee simple title has heretofore vested in the United States of America as stated in the opinion of this Department dated September 18, 1940.

Luciano Lopez Est.
—
—

The land is more fully described in the final judgment, a certified copy of which is enclosed. Also enclosed are preliminary and final certificates of title.

Respectfully

(Sgd.) Francis Biddle,
Attorney General.

CC: CE, Denver, Colo.
DC, Amarillo, Texas
Supt., EL Paso, Texas. ✓

Copy

Address Reply to
"The Attorney General"
and Refer to
Initials and Number

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

August 20, 1942.

RJL-EON

33-45-344

Honorable John C. Page
Commissioner, Bureau of Reclamation
Department of the Interior
Washington, D. C.

Dear Mr. Page:

There is enclosed a copy of a letter from W. C. Peticolas, Special Attorney, dated August 6, 1942, relative to Parcel No. 5, in the case of United States v. Steve M. Marasovich, et al., Civil No. 93 in the United States District Court for the Western District of Texas, pertaining to the Riverside Canal, Rio Grande Project.

The records of this Department show that on January 15, 1942, the settlement offer of \$90.00 was forwarded to your Department for approval. On January 23, 1942, the Department received a letter from you to the effect that you were considering this offer and that we would be subsequently advised.

In view of the fact that Parcel No. 5 is the only parcel remaining unclosed in this case, the Department would appreciate your recommendation as to whether or not the \$90.00 settlement offer is acceptable.

Respectfully,
For the Attorney General

/sgd/ J. Edward Williams

J. EDWARD WILLIAMS
Acting Head, Lands Division

Encl. No. 696474

Copy

316 El Paso National Bank Building
El Paso, Texas

August 6, 1942.

The Attorney General
Lands Division
Condemnation Section
Department of Justice
Washington, D. C.

RE: United States vs. Steve M.
Marasovich, et al., No. 93
Civil; Department of Justice
File No. JEW-CHS 33-45-344.

Sir:

On January 7, 1942, and again on May 13, 1942, I wrote the Department, requesting authority to stipulate with Ralph G. Schutten and wife, Mary C. Schutten, as to Parcel No. 5, involved in the case of United States vs. Steve M. Marasovich, et al, No. 93 Civil.

All of the tracts in this case have been disposed of by final judgment except this tract.

I would appreciate it if you would either secure authorization to stipulate for the sum of \$90.00, or advise me that such authority cannot be secured, in order that I might proceed to have the matter set for hearing before the Special Commissioners and disposed of in the usual manner.

Respectfully,

W. C. Peticolas
Special Attorney
Department of Justice

WCP/ec

COPY

7-16

U S BUREAU OF RECLAMATION			
EL PASO, TEXAS			
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JUL 20 1942			
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OF. ENG.			
HYDRO.			

M. Bradley
File

Office of the Attorney General

Washington, D. C.
July 13, 1942

Honorable Harold L. Ickes
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

I have examined the certificates of title and the transcript of record involving parcel No. III in the condemnation proceeding entitled United States of America v. B. O. Bradley, et al., Civil No. 93 in the United States District Court for the Western District of Texas, pertaining to the Riverside Canal-Rio Grande project.

The certificates of title were prepared by the Pioneer Abstract and Guarantee Title Company and are in satisfactory form.

In the final judgment entered June 26, 1942, the court awarded the amount of \$582.00 as just compensation for the above land. This amount was deposited into the registry of the court on September 18, 1940, at the time of the filing of the declaration of taking. The proceedings are regular, the judgment has been satisfied and a valid fee simple title to the land has heretofore vested in the United States of America.

Enclosed are the certificates of title and a certified copy of the judgment.

Respectfully

(Sgd.) Francis Biddle
Attorney General

CC - CE Denver, Colo.
Supt. El Paso, Texas. ✓
DC Amarillo, Texas.

N. H.
Hunt

COPY

OFFICE OF THE ATTORNEY GENERAL
WASHINGTON, D. C.

May 14, 1942

B-268

U S BUREAU OF RECLAMATION	
EL PASO DIVISION	
RECORDS SECTION	
MAY 22 1942	

✓ *Mr. Bradley*
File

Honorable Harold L. Ickes
Secretary of Interior
Washington, D. C.

My dear Mr. Secretary:

I have examined the certificates of title and the transcript of record involving parcel No. III in the condemnation proceeding entitled United States of America v. Steve Marasovich, et al., Civil No. 93 in the United States District Court for the Western District of Texas, pertaining to the Riverside Canal-Rio Grande project.

The certificates of title were prepared by the Pioneer Abstract and Guarantee Title Company and are in satisfactory form.

In the final judgment entered April 10, 1942, the court awarded the amount of \$30.80 as just compensation for the above land. This amount was deposited into the registry of the court on September 12, 1940, at the time of the filing of the declaration of taking. The proceedings are regular, the judgment has been satisfied and a valid fee simple title to the land has heretofore vested in the United States of America.

Enclosed are the certificates of title and a certified copy of the judgment.

Respectfully,

(Signed) Francis Biddle

Attorney General

Copy to CE Denver, Colorado
DC Amarillo, Texas
Supt., El Paso, Texas ✓

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Reclamation
Washington

January 23, 1942.

Mr. Norman M. Littell,
Assistant Attorney General,
Department of Justice.

Dear Mr. Littell:

I have received your letter of January 15, 1942 (JEW-CHS-33-45-344) regarding a proposed settlement with the former owners of Parcel No. 5, in the condemnation action entitled United States of America v. Steve M. Marasovich, et al., in connection with the Rio Grande Project.

I am requesting the views of the Bureau's District Counsel as to whether the settlement proposed is satisfactory. When his views are received I will advise you whether the settlement is satisfactory.

Very truly yours,

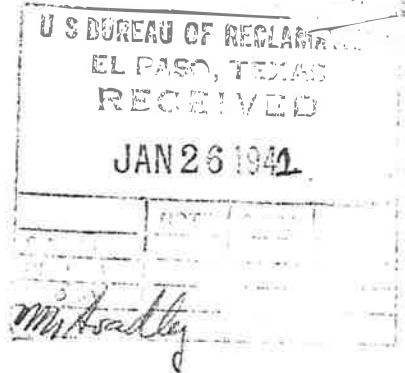
/sgd/ John C. Page

Commissioner.

NOTE for DC and Supt.:

1. Reference is made to the enclosed copy of a letter from Assistant Attorney General Norman M. Littell, wherein he inquires whether a settlement with the former owners of Parcel No. 5, in the condemnation action entitled United States of America v. Steve M. Marasovich, et al., will be satisfactory. Please advise this office whether, in your opinion, the settlement proposed, which is \$15 in excess of the amount deposited in court as estimated compensation, is satisfactory.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
WASHINGTON



OFFICE OF THE COMMISSIONER

JAN 23 1942

*States this is settled
after March 15, 1942*

Mr. Norman M. Littell,
Assistant Attorney General,
Department of Justice.

Dear Mr. Littell:

I have received your letter of January 15, 1942 (JEL-CES-33-45-344) regarding a proposed settlement with the former owners of Parcel No. 5, in the condemnation action entitled United States of America v. Steve M. Marasovick, et al., in connection with the Rio Grande Project.

I am requesting the views of the Bureau's District Counsel as to whether the settlement proposed is satisfactory. When his views are received I will advise you whether the settlement is satisfactory.

Very truly yours,

John C. Page
Commissioner.

CC - C.E., Denver, Colo.
D.C., Amarillo, Tex.
Supt., El Paso, Tex.
(with copy of Mr. Littell's letter to each)

NOTE for D.C. and Supt.:

1. Reference is made to the enclosed copy of a letter from Assistant Attorney General Norman M. Littell, wherein he inquires whether a settlement with the former owners of Parcel No. 5, in the condemnation action entitled United States of America v. Steve M. Marasovick, et al., will be satisfactory. Please advise this office whether, in your opinion, the settlement proposed, which is \$15 in excess of the amount deposited in court as estimated compensation, is satisfactory.

COPY

DEPARTMENT OF JUSTICE

Washington, D. C.

JEM-CHS

33-45-344

January 15, 1942

BY MESSENGER

Honorable John C. Page
Commissioner, Bureau of Reclamation
Department of the Interior
Washington, D. C.

Dear Mr. Page:

Reference is made to the condemnation proceeding entitled United States of America v. Steve M. Marasovich, et al., in the District Court of the United States for the Western District of Texas, El Paso Division.

The Department has been advised that the title evidence covering the land involved in the above proceeding has now been received and the petition has been amended to include parties whom an examination of such evidence disclosed to be interested therein. Certified copies of the amended petition and order granting leave to amend are enclosed.

The former owners of Parcel 5, for which a deposit of estimated compensation in the sum of \$75.00 was made at the time the declaration of taking was filed, state that they entered into an option agreement with the United States to sell said land for \$90.00. The former owners refuse to settle on the basis of the amount deposited but indicate their willingness to stipulate for settlement on the basis of \$90.00. Will you kindly advise the Department whether such settlement is satisfactory to your Bureau.

Respectfully,
For the Attorney General

(Sgd.) Norman M. Littell

NORMAN M. LITTELL,
Assistant Attorney General

Encl. No.
586950

El Paso, Texas.
Sept. 26, 1941.

MEMORANDUM to L. R. Flock, Superintendent

(Geo. W. Hoadley)

Subject - Condemnation suit #93 Civil U. S. vs Steve M.
Marasovich, et al.

L. W. C. Peticolas, Special Attorney in charge
of condemnation proceedings, Department of Justice, states:

That the lands taken have not yet been appraised.
That he cannot say when there will be a hearing until they
have received the abstracts, examined same and court appoints
appraisers.

Geo. W. Hoadley
Geo. W. Hoadley

(COPY)

353 Federal Building,
El Paso, Texas,
Sept. 22, 1941.

Box & Box
Attorneys at Law
Jacksonville, Texas.

Gentlemen:

Your letter of September 16, 1941, addressed to the United States Department of the Interior, Bureau of Reclamation has been referred to me for attention and reply.

The land about which you speak is involved in the case of Steve M. Marasovich, No. 93 Civil on the Docket of the United States District Court for the Western District of Texas, El Paso Division.

I note that in your letter you state that Paul Tucker and Raymond Leon Tucker were the only owners of this property. According to our records this property was owned by the following: Irene Whitaker, an undivided 1/4 interest; Dan Whitaker and wife, Lonnie Whitaker, an undivided 1/4 interest; Paul Tucker and wife, Willie Tucker, an undivided 1/4 interest and Paul Tucker, Guardian of the Estate of Raymond Leon Tucker, a minor, an undivided 1/4 interest. It is noted that in your letter you state that Raymond Tucker is of age and, of course, can contract with the Government as to this property.

If you will advise me as to the correct ownership of this property, and an examination of the abstract discloses that you are correct, then we can enter into a stipulation with your clients and it will not be necessary to have them sign any deed or other contract.

The stipulation is simply an agreement whereby your clients will waive any further notice of the suit and agree to accept the amount deposited by the Government for the taking of the property. The amount deposited by the Government for the taking of this property is \$320.25.

Yours very truly,

W. C. Peticolas
Special Attorney
Department of Justice.

WCP:FD

John C. Box

John C. Box, Jr.

U S BUREAU OF RECLAMATION			
EL PASO, TEXAS			
RECEIVED			
SEP 18 1941			
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C. I. CLK.			
OF. ENG.			
HYDRO.			
<i>Mr. Hordley</i> ✓			

BOX & BOX
Attorneys at Law
 JACKSONVILLE, TEXAS
 Sept. 16, 1941

*Report to me on this
 what is status of suit? JCB*

United States Department of the Interior
 Bureau of Reclamation
 El Paso, Texas

Attention: Mr. L. R. Flock, Supt.

Gentlemen:

Mr. Paul Tucker of Jacksonville, Texas, one of the owners of Tract #16, Block #1, San Elizario Grant in El Paso County, has handed us his file, together with your letter of April 3, 1940, addressed to him, relative to the purchase of a part of the tract owned by him for a canal which crosses his land. With this file is a land purchase contract, pertaining to the Rio Grande Irrigation Project.

Since we are informed that the canal has been dug across the land and is now in operation, and, further, since Mr. Tucker has determined to accept the amount offered by the Government for purchase of this land, regardless of the failure of the Court to notify him of any condemnation proceedings, we beg to inquire whether the purchase contract is the instrument now desired to be executed or the general warranty deed called for in that contract is the instrument to be executed? Mr. Tucker is not the sole owner of this tract, but his son, Raymond Leon Tucker, now of age, is likewise interested. Hence the deed from Mr. Tucker and his wife will have to be joined in by the son, Raymond Leon Tucker.

If you desire general warranty deed executed, please forward such form as is required by the Department, but, on the other hand, if you still desire the contract executed please advise. Expedited action in closing this matter will be appreciated.

Very truly yours,

BOX & BOX,

By *John C. Box, Jr.*

JCBjr.1s

33-45-344

September 18, 1940

D-1 e

U S BUREAU OF RECLAMATION			
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OCT - 1 1940			
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By Messenger

Honorable Harold L. Ickes,
Secretary of the Interior,
Washington, D. C.

My dear Mr. Secretary:

I have examined the certified copies of the petition for condemnation, declaration of taking and judgment on the declaration of taking in the proceeding entitled United States of America v. Steve M. Marasovich, et al., No. 93 Civil, in the District Court of the United States for the Western District of Texas, El Paso Division, pertaining to the acquisition of 18.31 acres of land in El Paso County, Texas, designated in said declaration of taking as Parcel I, Tracts Nos. 1, 2 and 3, Parcel II, Parcel III, Tracts Nos. 1 and 2, Parcel IV, Parcel V and Parcel VI, within the Rio Grande Federal Irrigation project.

The land is described in the certified copy of the declaration of taking.

The sum of \$1,441.00 was deposited into the registry of the court on September 12, 1940, upon the filing of the declaration of taking, as the estimated just compensation for the land.

I find that the condemnation proceeding to the date of the judgment on the declaration of taking, September 12, 1940, is regular and that a valid title to the land is vested in the United States of America, pursuant to the provisions of an Act of Congress approved February 26, 1931, (46 Stat. 1421), with the right of possession of the said property to be delivered to the United States of America on or before September 16, 1940.

One certified and one uncertified each of the petition for condemnation, declaration of taking and judgment on the declaration of taking, together with the receipt of the Clerk of the Court are enclosed.

Respectfully,

Attorney General.

Encl. 177449.

Copies to CE, Denver
DC, El Paso
Supt., El Paso
9/27/40

210 United States Court House
El Paso, Texas

RECEIVED			
AUG 27 1940			
CH. CLK.	NO.	FILED	INIT.
OF. ENG.			
HYDRO.			
August 27, 1940			

Walter S. Hunnicutt, Esq.,
Assistant United States Attorney,
United States Court House,
El Paso, Texas.

For the attention of

Mr. R. Neill Walshe,
Assistant United States Attorney.

Dear Mr. Hunnicutt:

In accordance with recent telephone conversation with Mr. Walshe in connection with the proposed condemnation proceedings for acquisition of parcels of land ostensibly owned respectively by B. O. Bradley, Steve M. Marasovich, Rudolph G. Schutten and Mary C. Schutten, Paul Tucker, Edward Whitaker, Irene Whitaker, Dan Whitaker, Lonnie Whitaker, Willie Tucker, Paul Tucker, Paul Tucker as guardian of Raymond Leon Tucker, a minor; heirs of Luciano Lopez, and Mrs. Norma Noel Hunt, there are transmitted herewith several sheets containing information pertaining to such lands. I am advised by Project Superintendent Flock that the persons indicated on these sheets respectively are in possession of the various parcels of land indicated.

Please call upon us for any further information or assistance that we may be able to give in this matter.

As mentioned to Mr. Walshe, construction equipment is standing by ready to proceed with construction on these sites and anything which may be done to expedite their acquisition will be much appreciated.

Very truly yours,

H. J. S. Devries,
District Counsel.

Encls.

cc - Supt., El Paso ✓

Plat 8

San Elizario Grant - Blk 42 Tract 1A.

B. O. Bradley - owner

W. Y. Ellis to B. O. Bradley

W.D.V.I. #95634 dated Dec. 23, 1936

Blk. 617 Pg. 617 filed for record Jan. 5, 1937

\$3000.

Consideration -

\$500.00 Cash Balance \$2500.00

10 vendor's lien notes for \$250.00 each payable to
W. Y. Ellis and due respectively in 1,2,3,4,5,6,7,8,9 and
10 years after Jan. 1st, 1937 secured by deed of trust of
even date from said B. O. Bradley to Volney M. Brown, Trustee.
(Deed of Trust not filed for record)

County Tax Assessor Report "All taxes paid."

No releases recorded for paid notes.

Plat No. 20

San Elizario Grant Blk 54, Tract 11

W. J. Stahmann Estate to Steve M. Marasovich
W. D. #88538 1-29-36 filed 1-30-36
Book 609 Pg. 85

Consideration:

The sum of \$8000.00 in cash, the execution of the following described notes for which a vendor's lien is herein expressly retained to secure their payment.

Note No. 1 for \$4360.25 due one year from date. Notes Nos. 2 and 3 for \$4360.26 each due in 2 and 3 years respectively.

The assumption and agreement to pay by Steve M. Marasovich the following described loans being made by the Federal Land Bank of Houston. Loan No. 23678 in the principal amount owing of \$4302.05 and extended installments of \$243.76. The balance of loan 36253 being in the amount of \$1796.70 and extended installments of \$163.80 and the balance of loan No. 36254 in the sum of \$2,211.32 and extended installments of \$201.60 such 3 Federal Land Bank loans being secured by deed of trust liens on the heretofore described property to secure the payment of 3 principal notes dated September 12, 1922, January 28, 1924, June 30, 1924, respectively, signed by W. J. Stahmann and payable to the Federal Land Bank of Houston.

No releases of above notes recorded.

All county taxes paid.

Plat No. 14 San Elizario Blk 1 Tract 14

Riverside Addition
Blk G Lots 8, 9, 10, 11, 12

F. D. Cooke to Rudolph G. Schutten and Mary C. Schutten

W. deed #40359 Bk. 359, Pg. 553

Deed dated July 14, 1921

Consideration.

\$25.00 cash and nine notes \$25.00 each

All county taxes paid.

No recorded mortgages or releases.

Plat No. 17 San Elizario Grant Blk. 1 Tract 16

Title as of Record:

W.M. Wells deeded to S. E. Kesler and Paul Tucker
W. D. # 68782 dated 12-24, 23 filed for record 1-15-24
Book 420 Page 523

S. E. Kesler deeded to Edward Whitaker
Undivided $\frac{1}{2}$ interest
W. D. # 35083 dated 7-20-25 filed for record 1-3-30
Book 5325 Page 327

No other deeds recorded except to U.S.R.C.S. for
Right of way

Signed by the following:

Irene Whitaker, a feme sole
Dan Whitaker and wife Lonnie
Paul Tucker and wife Willie
owners of undivided $\frac{3}{4}$ interest

Paul Tucker, guardian of Raymond Leon Tucker
a minor owner of undiv. $\frac{1}{4}$ interest

Above deeds made in 1932 recorded in Book 571
pages 39 and 41.

All county taxes paid.

Plat No. 18

San Elizario, Blk 1 Tract 17

Luciano Lopez Estate

All County Taxes paid

No deed to Luciano Lopez redorded.

Plats No. 22 and 26

Hunts Addition to Fabens.

Mrs. Norma Noël Hunt (a feme sole)
No mortgages recorded.

All county taxes paid.

El Paso, Texas August 24, 1940

MEMORANDUM to District Counsel
(Superintendent)

Subject: Condemnation Proceedings - Right-of-Way
Riverside Canal Extension

1. Transmitted herewith is the result of investigation of the record owners ^{and holders} of lien on property on which right-of-way is desired for the Riverside Canal extension and which is included in condemnation proceedings which have been instituted, and on which it is desired to obtain an order of taking at the earliest practical date.

L. R. Flock

Enclosures:
Investigation results

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

U S DEPARTMENT OF THE INTERIOR			
JUL 19 1940			
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TO SECRETARY **The Honorable**
JUL 10 1940

JUL 15 1940

The Attorney General.

Sir:

In connection with the construction of the Riverside Canal Extension and the River and West Drain outlet channels and appurtenant works, Rio Grande Project, by the Bureau of Reclamation of the Department of the Interior under authority of existing legislation, I have determined that it is necessary, advantageous and in the interest of the United States to acquire by judicial proceedings fee simple title to six parcels of land situated in El Paso County, Texas. These lands, which are ostensibly owned by B. O. Bradley, et al., are more particularly described in the Declaration of Taking which is enclosed in triplicate.

There is urgent need for the lands by the United States, and it is desired that suit be filed with the least possible delay so that possession may be obtained under the Act of February 26, 1931 (46 Stat., 1431).

A voucher in favor of the Clerk of the District Court of the Western District of Texas, El Paso Division, in the amount of \$1,441.00, the appraised value of the lands to be condemned, is being submitted to the Chief Disbursing Officer of the Treasury Department, who will transmit the check to your Department when issued so that the same may be forwarded to the United States Attorney for filing with the Declaration of Taking as required.

The fund under which the land is to be acquired and from which the award or judgment is to be paid is "148970.010 Reclamation Contributed Funds, Rio Grande Project, F. Y. 1940."

It is recommended that the United States Attorney for the Western District of Texas, El Paso Division, be authorized to file suit for the condemnation of the lands described above and that the Declaration of Taking and check be forwarded to the United States Attorney by air mail.

Mr. H. J. S. Devries, District Counsel, Bureau of Reclamation,
El Paso, Texas, will furnish all necessary information to the
United States Attorney and such assistance as he may desire.

Very truly yours,

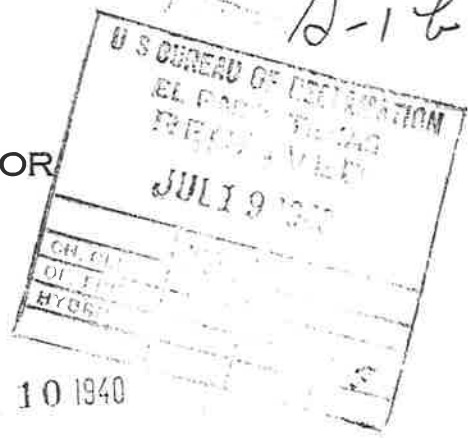
[Handwritten signature]

Acting Under Secretary.

Enclosure 2224168.

cc: CE, Denver, Colo.
Supt., El Paso, Texas ✓
DC, El Paso, Texas

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
WASHINGTON



JUL 10 1940

OFFICE OF THE COMMISSIONER

MEMORANDUM for the Acting Under Secretary.

In connection with the acquisition of rights of way required for Riverside Canal Extension and Hogg and River Drain Outlet channels, Rio Grande Project, Texas, appraisals dated December 9, 1939, which include plats Nos. 8, 14, 17, 18, 20, 22, and 26, were approved by you on February 26.

Since the date of your approval a resurvey has made necessary a revision of the description of the parcels of property set out in plats Nos. 8, 14, 17, 18, 20, 22, and 26, together with a revision of the appraised values of said parcels, which revised appraisals were arrived at by applying the same per acre unit value as that fixed in the original appraisals. Attached to this memorandum are the revised plats Nos. 8, 14, 17, 18, 20, 22, and 26, covering the property of B. G. Bradley, Steve Marasovich, Norma H. Hunt, Edward Whitaker, et al., R. G. Schmitt, and Luciano Lopez, together with a copy of a memorandum from the Bureau's Superintendent at El Paso, Texas, to the Bureau's District Counsel at El Paso, Texas, dated June 6, setting out the basis upon which the reappraisals were determined.

The attached letter to the Attorney General, together with the Declaration of Taking, contemplates the condemnation of the property described in the Declaration of Taking.

I recommend that you approve the revised appraisals of the property described in the Declaration of Taking and that you signify your approval thereon by signing the Declaration of Taking, together with the letter of Transmittal to the Attorney General.

Enclosure 1201903.

Approved by
(stamped signature)

JUL 15 1940

W. Mendenhall

Acting Under Secretary
and returned to the
Bureau of Reclamation.

John C. Page
Acting Commissioner.

cc: CE, Denver, Colo.
Supt., El Paso, Texas
DC, El Paso, Texas

210 United States Court House
El Paso, Texas

June 6, 1940

From: District Counsel

To: Commissioner.

Subject: Land acquisition - Proposed condemnation of lands
for Riverside Canal Extension and Mesa and River
Drain outlet channels - Rio Grande project.

1. The Superintendent by memorandum dated June 5, 1940, a copy of which is enclosed, has requested the acquisition for use in connection with the above named project features, of certain parcels of land in El Paso County, Texas, as more particularly described in the enclosed Declaration of Taking.

2. Since the pertinent land appraisal was approved on February 26, 1940, by the Under Secretary of the Interior the Superintendent, as explained in his memorandum, has found it desirable to revise the land descriptions and plats upon which the original appraisal was made and to eliminate certain areas, in some cases making a recomputation of areas and reclassification of particular parcels of land now considered necessary for acquisition, and the Superintendent has recommended that the estimated value thereof be fixed in the amounts as also set forth in relation to each parcel of land in the enclosed Declaration of Taking. The Superintendent advises that these amounts were arrived at by applying the same per acre unit value as that fixed in the original appraisal, to the areas of land in the various classifications as computed, based upon the revised descriptions and plats.

3. There is transmitted in quintuplicate, with appropriate plats attached, a proposed Declaration of Taking prepared for the signature of the Under Secretary of the Interior, covering the parcels of land which it will be necessary to acquire. It is recommended that the Declaration of Taking be executed and that the Attorney General be requested to institute condemnation proceedings. For such possible use as you may find it desirable to make of the same there is also enclosed a suggested draft letter to the Attorney General.

4. Abstracts of title covering these parcels of land are not available but the Superintendent advises that the lands

are ostensibly in possession, under claim of ownership, of persons respectively shown in the Declaration of Taking in relation to the corresponding tracts of land. It is my intention, upon receipt of advice from the local United States Attorney that he has been instructed to file proceedings, to procure a certificate of title from a reputable title company such as is contemplated by the provisions of Title 40, United States Code, Sec. 255.

5. The Superintendent has advised that the title of the appropriation from which awards or judgments in connection with acquisition of these parcels of land will be paid is "14X8070.010 Reclamation Contributed Funds, Rio Grande project, F. Y. 1940". This information, it is understood, is desired by the Department of Justice in cases where the Attorney General is requested to institute condemnation proceedings.

6. Your attention is invited to the fact that the authority for, purposes of, and funds available for payment of awards as set forth in the enclosed draft Declaration of Taking, although the same as in the case which was the subject of my letter of April 26, 1940, pertaining to acquisition of other parcels for the same work as that here involved, differ somewhat from those involved in such proceedings heretofore generally brought in connection with the Rio Grande project, which, for the most part, involved allotments of P.W.A., relief or regularly appropriated funds. In the instant case there is involved only the authority of the Reclamation Law and the Act of March 4, 1921 (41 Stat. 1404), as the funds here in contemplation have been advanced by the El Paso County Water Improvement District No. 1.

H. J. S. Devries.

Encls.

cc - Chief Engineer
Supt., El Paso ✓

(Suggested draft letter to the Attorney General)

The Honorable

The Attorney General.

My dear Mr. Attorney General:

In connection with the construction of the Riverside Canal Extension and the River and Mesa Drain outlet channels and appurtenant works, Rio Grande Project, by the Bureau of Reclamation of the Department of the Interior under authority of existing legislation, I have determined that it is necessary, advantageous and in the interest of the United States to acquire by judicial proceedings fee simple title to six parcels of land situated in El Paso County, Texas. These lands, which are ostensibly owned by B. O. Bradley, et al., are more particularly described in the declaration of taking which is enclosed in triplicate.

There is urgent need for the lands by the United States and it is desired that suit be filed with the least possible delay so that possession may be obtained under the Act of February 26, 1931 (46 Stat., 1421).

A voucher in favor of the Clerk of the District Court of the Western District of Texas, El Paso Division, in the amount of \$1441.00, the appraised value of the lands to be condemned, is being submitted to the Chief Disbursing Officer of the Treasury Department, who will transmit the check to your department when

issued so that the same may be forwarded to the United States Attorney for filing with the declaration of taking as required. The title of the appropriation under which the property is to be acquired and from which the award or judgment is to be paid is "1408070,010 Reclamation Contributed Funds, Rio Grande Project, F. Y. 1940."

It is recommended that the United States Attorney for the Western District of Texas, El Paso Division, be authorized to file suit for the condemnation of the lands described above and that the declaration of taking and check be forwarded to the United States Attorney by air mail.

Mr. H. J. S. Devries, District Counsel, Bureau of Reclamation, El Paso, Texas, will furnish all necessary information to the United States Attorney and such assistance as he may desire.

Sincerely yours,

Under Secretary.

Enclosure _____

CC - CE Denver
Supt., El Paso
DC El Paso

El Paso, Texas

June 6, 1940

MEMORANDUM to District Counsel

(Superintendent)

Subject - Acquisition of Right of Way for Riverside Canal Extension and Mesa and River Drain Outlet channels and appurtenant works by condemnation - Rio Grande Project.

1. Since my memorandum of April 26th on this subject it has developed, after efforts to negotiate land purchase contracts based on original descriptions and approved appraisals have failed, that it will be necessary to start condemnation proceedings through six other properties; namely, property owned by E. C. Bradley, Steve Marasovich, Mrs. Norma Hunt, Edward Whitaker heirs and Paul Tucker, E. C. Schuttan and the Luciano Lopez estate, as shown on the attached descriptions and plats.

2. There have been deposited by the El Paso County Water Improvement District funds for the acquisition of lands and accomplishment of the construction of the works for which these lands are needed, available for expenditure by the United States pursuant to the Act of March 4, 1921 (41 Stat. 1404; Sec. 395, Title 43, United States Code), adequate, in amount, in my opinion, for making the appropriate deposits of the estimated value of the lands to be taken by eminent domain and to pay such awards as may be made therefor in such proceedings.

3. Reference is made to the appraisal approved February 26, 1940, by the Under Secretary of the Interior, which covered appraisals of tracts of land corresponding in general to, but differing in some particulars as explained below, from those tracts described in the descriptions and plats attached hereto, now sought to be acquired by condemnation.

4. The lands of the above named owners and corresponding plat numbers, land area and value, as covered by the original approved appraisal as well as area and value as now proposed for acquisition are set forth on the attached table, a brief summary of which is as follows:

<u>Name</u>	<u>Plat No.</u>	<u>Original Appraisal</u>		<u>Revised Plats</u>	
		<u>Acreage</u>	<u>Value</u>	<u>Acreage</u>	<u>Est. Value</u>
B. O. Bradley	8	9.36	\$147.05	5.07	\$166.80
H. G. Schutten (erroneously shown in orig. appraisal as Rudolph Schuster)	14	.69 A. being 5 lots & river bed	75.00	.69 being 5 lots	75.00
Edward Whitaker Estate & Paul Tucker	17	5.21	523.80	4.87	520.25
Inciano Lopez Estate	18	1.25	266.75	.97	266.75
Steve Marasovich	20	1.59	57.15	.88	50.80
Mrs. Norma Hunt	23	(76 lots 570.00)		(76 lots 570.00)	
	24	2.77 A. .12	0.00 12.00	(0.00 .12)	0.00 12.00

5. Since the appraisal was made it has been determined that in acquisition of the needed lands by condemnation there should be eliminated from those tracts respectively, as originally platted and described, certain portions thereof which are already occupied by existing project works or which are within the old bed of the Rio Grande which is still a natural water course for local drainage runoff.

6. The preparation of new descriptions and plats necessitated a recomputation of areas resulting in increases or decreases both as to the area under a specific classification of land within such respective parcels and in each case in a decrease in total areas described and platted for acquisition in comparison with the areas and classification shown on individual sheets, plats and summary sheets of the original approved appraisal as to the lands corresponding to those here involved. This office has prepared revised individual sheets corresponding to plat number references and related sheets of the original appraisal, which revised sheets show the recomputation and classification of areas now involved. While the revised sheets which are attached hereto are made for convenient comparison with the original appraisal sheets and have not been acted upon by the appraisal board, it should be noted that exactly the same per acre unit value as

these fixed by the appraisers in the approved appraisal for the corresponding class of land, in each case, has been used in arriving at the amounts determined to be the estimated value of the lands now to be acquired.

7. It is necessary to acquire these lands by eminent domain either for the reason, as to the various parcels, that the lands are involved in estates of deceased persons or incompetents or the owners have declined to accept the amounts fixed by the original approved appraisals and there is no reason to believe these owners would accept the estimated value of the areas revised as hereinabove set forth.

8. No abstracts of title are available but these lands appear to be in possession, under claim of ownership, of the persons listed in paragraph 4 hereof.

9. The amounts shown above under "estimated value" in paragraph 4, in my opinion, represent in each case the full value of the property to be acquired and it is recommended that those amounts be deposited in court upon institution of the condemnation proceedings as the estimated value of the lands to be taken. Funds for this purpose are deposited to the credit of the Bureau of Reclamation and are available for expenditure under appropriation symbol number "14XB070.010 Reclamation Contributed Funds; Rio Grande Project, F. Y. 1940".

L. H. Flick

Encls-

6 Land Descriptions

6 Prints

Revised sheets showing estimated value.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Land Classification and Valuation Report

Plat #23
Revised

Feature Riverside Canal Extension Date June 5, 19 40

We, the undersigned appraisers, do hereby certify that we have carefully examined the tract or tracts of land, together with the improvements thereon, if any, and believed to belong to

Norma H. Hunt

lying and situate in the County of El Paso State of Texas
and located in:

R.	T.	Sec.	Subdiv.	Meridian
R.	T.	Sec.	Subdiv.	Meridian
R.	T.	Sec.	Subdiv.	Meridian
R.	T.	Sec.	Subdiv.	Meridian

County Plat # Blk 54, San Elizario Grant Tract # 9
Containing _____ Acres more or less, under
(not under) the Rio Grande Texas-New Mexico Irrigation Project.

Class 1. Subject to Construction Charges

-----	Acres	-----	at	\$	-----	per acre	\$	-----
-----	Acres	-----	at	\$	-----	per acre	\$	-----
-----	Acres	-----	at	\$	-----	per acre	\$	-----
-----	Acres	-----	at	\$	-----	per acre	\$	-----
-----	Acres	-----	at	\$	-----	per acre	\$	-----

Class 2. Suspended

<u>Block 2, Hunts</u>	Acres	at	\$	-----	per acre	\$	-----
<u>Addition to Fabens,</u>	Acres	at	\$	-----	per acre	\$	-----
<u>Texas. Lots 1 to 96</u>	Acres	at	\$	-----	per acre	\$	-----
<u>both inclusive</u>	Acres	at	\$	<u>9.00</u>	per acre	\$	<u>570.00</u>
-----	Acres	at	\$	-----	per acre	\$	-----
-----	Acres	at	\$	-----	per acre	\$	-----
-----	Acres	at	\$	-----	per acre	\$	-----
-----	Acres	at	\$	-----	per acre	\$	<u>570.00</u>

Land not under the Project:

Improvements:

Grand Total \$ 570.00

We furthermore individually certify that neither of us is in any manner related to the herein named owner, by marriage or otherwise, and that neither of us is in any manner financially interested in the herein described property.

Appraisers

Approved: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Land Classification and Valuation Report

Plat #26

Feature Riverside Canal Extension Date June 5, 1940

We, the undersigned appraisers, do hereby certify that we have carefully examined the tract or tracts of land, together with the improvements thereon, if any, and believed to belong to

Norma H. Hunt

lying and situate in the County of El Paso State of Texas
and located in:

R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____

County Plat # Block 54, San Elizario Grant Tract # 9
Containing .12 Acres more or less, under
(not under) the Rio Grande Texas-New Mexico Irrigation Project.

Class 1. Subject to Construction Charges

.04	Acres	at \$	300.00	per acre	\$	12.00
-----	Acres	at \$	-----	per acre	\$	-----
-----	Acres	at \$	-----	per acre	\$	-----
-----	Acres	at \$	-----	per acre	\$	-----
-----	Acres	at \$	-----	per acre	\$	-----
						\$ 12.00

Class 2. Suspended

-----	Acres	at \$	-----	per acre	\$	-----
1.243 Interl	.08	Acres at \$	0.00	per acre	\$	0.00
-----	Acres	at \$	-----	per acre	\$	-----
-----	Acres	at \$	-----	per acre	\$	-----
-----	Acres	at \$	-----	per acre	\$	-----
-----	Acres	at \$	-----	per acre	\$	-----
						\$ 0.00

Land not under the Project:

Improvements: -----

\$ -----

Grand Total \$ 12.00

We furthermore individually certify that neither of us is in any manner related to the herein named owner, by marriage or otherwise, and that neither of us is in any manner financially interested in the herein described property.

Appraisers

Approved: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Land Classification and Valuation Report

Plat #17
Revised

Feature Riverside Canal Extension Date June 5, 19 40

We, the undersigned appraisers, do hereby certify that we have carefully examined the tract or tracts of land, together with the improvements thereon, if any, and believed to belong to

Edward Whitaker et. al.

lying and situate in the County of El Paso, State of Texas
and located in:

R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____

County Plat # Block 1, San Elizario Tract # 16
Containing 4.27 acres more or less, under
(not under) the Rio Grande Texas-New Mexico Irrigation Project.

Class 1. Subject to Construction Charges

(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____

Class 2. Suspended

(	Acres	at	\$	per acre	\$	_____
(	Pasture	4.27	at	\$	per acre	\$ 390.25
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	\$ 390.25

Land not under the Project:

Improvements: _____

Grand Total \$ 390.25

We furthermore individually certify that neither of us is in any manner related to the herein named owner, by marriage or otherwise, and that neither of us is in any manner financially interested in the herein described property.

Appraisers

Approved: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Land Classification and Valuation Report

Plat #8
Revised

Feature Riverside Canal Extension Date June 5, 19 40

We, the undersigned appraisers, do hereby certify that we have carefully examined the tract or tracts of land, together with the improvements thereon, if any, and believed to belong to

D. O. Bradley

lying and situate in the County of El Paso, State of Texas and located in:

R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____

County Plat # Block 42, San Elizario Grant Tract # 1A
Containing 5.07 acres more or less, under (not under) the Rio Grande Texas-New Mexico Irrigation Project.

Class 1. Subject to Construction Charges

(	Acres	at \$	per acre	\$	
)	Acres	at \$	per acre	\$	
)	Acres	at \$	per acre	\$	
)	Acres	at \$	per acre	\$	
)	Acres	at \$	per acre	\$	

Class 2. Suspended

(	Acres	at \$	per acre	\$	
)	<u>Salt Grass pasture 4.38</u>	at \$ <u>35.00</u>	per acre	\$ <u>151.20</u>	
)	Acres	at \$	per acre	\$	
)	<u>Borrow Pits .75</u>	at \$ <u>20.00</u>	per acre	\$ <u>15.00</u>	
)	Acres	at \$	per acre	\$	
)	Acres	at \$	per acre	\$	
)	Acres	at \$	per acre	\$	<u>\$ 166.20</u>

Land not under the Project:

Improvements: _____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Grand Total \$ 166.20

We furthermore individually certify that neither of us is in any manner related to the herein named owner, by marriage or otherwise, and that neither of us is in any manner financially interested in the herein described property.

appraisers

Approved: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Land Classification and Valuation Report

Plat #20
Revised

Feature Riverside Canal Extension Date June 5, 19 40

We, the undersigned appraisers, do hereby certify that we have carefully examined the tract or tracts of land, together with the improvements thereon, if any, and believed to belong to

Steve Marasovich

lying and situate in the County of El Paso, State of Texas
and located in:

R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____

County Plat # Block 54, San Elizario Grant Tract # 11
Containing .88 acres more or less, under
(not under) the Rio Grande Texas-New Mexico Irrigation Project.

Class 1. Subject to Construction Charges

(	_____	acres	at	\$ _____	per acre	\$ _____	
)	_____	acres	at	\$ _____	per acre	\$ _____	
(	_____	acres	at	\$ _____	per acre	\$ _____	
)	_____	acres	at	\$ _____	per acre	\$ _____	
(	_____	acres	at	\$ _____	per acre	\$ _____	\$ _____

Class 2. Suspended

(	_____	acres	at	\$ _____	per acre	\$ _____	
)	<u>Pasture</u>	<u>.88</u>	acres	at	<u>\$ 35.00</u>	per acre	<u>\$ 30.80</u>
(	_____	acres	at	\$ _____	per acre	\$ _____	
)	_____	acres	at	\$ _____	per acre	\$ _____	
(	_____	acres	at	\$ _____	per acre	\$ _____	
)	_____	acres	at	\$ _____	per acre	\$ _____	\$ <u>30.80</u>

Land not under the Project:

Improvements: _____ \$ _____
_____ \$ _____
_____ \$ _____
_____ \$ _____

Grand Total \$ 30.80

We furthermore individually certify that neither of us is in any manner related to the herein named owner, by marriage or otherwise, and that neither of us is in any manner financially interested in the herein described property.

Appraisers

Approved: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Land Classification and Valuation Report

Plat #14
Revised

Feature Riverside Canal Extension Date June 5, 19 40

We, the undersigned appraisers, do hereby certify that we have carefully examined the tract or tracts of land, together with the improvements thereon, if any, and believed to belong to

R. G. Schutte

lying and situate in the County of El Paso State of Texas
and located in:

R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____

County Plat # Block 1, San Elivario Grant Tract # 14
Containing .49 Acres more or less, under
(not under) the Rio Grande Texas-New Mexico Irrigation Project.

Class 1. Subject to Construction Charges

(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____
(	Acres	at	\$	per acre	\$	_____

Class 2. Suspended

(	Lots 8 to 12 both	Acres	at	\$	per acre	\$	_____
(	inclusive, Block #5	Acres	at	\$	per acre	\$	_____
(	Riverside Addition	Acres	at	\$	per acre	\$	_____
(	to Fabens, Texas	Acres	at	\$	per acre	\$	_____
(	5 Lots	Acres	at	\$	15.00	per acre	\$ 75.00
(		Acres	at	\$	per acre	\$	\$ 75.00

Land not under the Project:

Improvements:

Grand Total \$ 75.00

We furthermore individually certify that neither of us is in any manner related to the herein named owner, by marriage or otherwise, and that neither of us is in any manner financially interested in the herein described property.

appraisers

Approved: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Land Classification and Valuation Report

Plat #18
Revised

Feature Riverside Canal Extension Date June 5, 19 40

We, the undersigned appraisers, do hereby certify that we have carefully examined the tract or tracts of land, together with the improvements thereon, if any, and believed to belong to

Luciano Lopez

lying and situate in the County of El Paso, State of TEXAS
and located in:

R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____
R. _____	T. _____	Sec. _____	Subdiv. _____	Meridian _____

County Plat # Block 1, San Elizaro Grant Tract # 17
Containing .97 Acres more or less, under
(not under) the Rio Grande Texas-New Mexico Irrigation Project.

Class 1. Subject to Construction Charges

()	Acres	at \$	per acre	\$
()	Acres	at \$	per acre	\$
()	Acres	at \$	per acre	\$
()	Acres	at \$	per acre	\$
()	Acres	at \$	per acre	\$

Class 2. Suspended

()	Acres	at \$	per acre	\$
()	<u>Town Lot</u>	<u>.97</u>	Acres at \$ <u>275.00</u>	per acre \$ <u>266.75</u>
()	Acres	at \$	per acre	\$
()	Acres	at \$	per acre	\$
()	Acres	at \$	per acre	\$
()	Acres	at \$	per acre	\$
()	Acres	at \$	per acre	\$ <u>266.75</u>

Land not under the Project:

Improvements:	\$
_____	\$
_____	\$
_____	\$
_____	\$
Grand Total	\$ <u>266.75</u>

We furthermore individually certify that neither of us is in any manner related to the herein named owner, by marriage or otherwise, and that neither of us is in any manner financially interested in the herein described property.

appraisers

Approved: _____