

780. MARASOVICH, STEVE M.
RIVERSIDE CANAL EXT
LAND ACQUISITION COPY OF ARCHIVES FILE

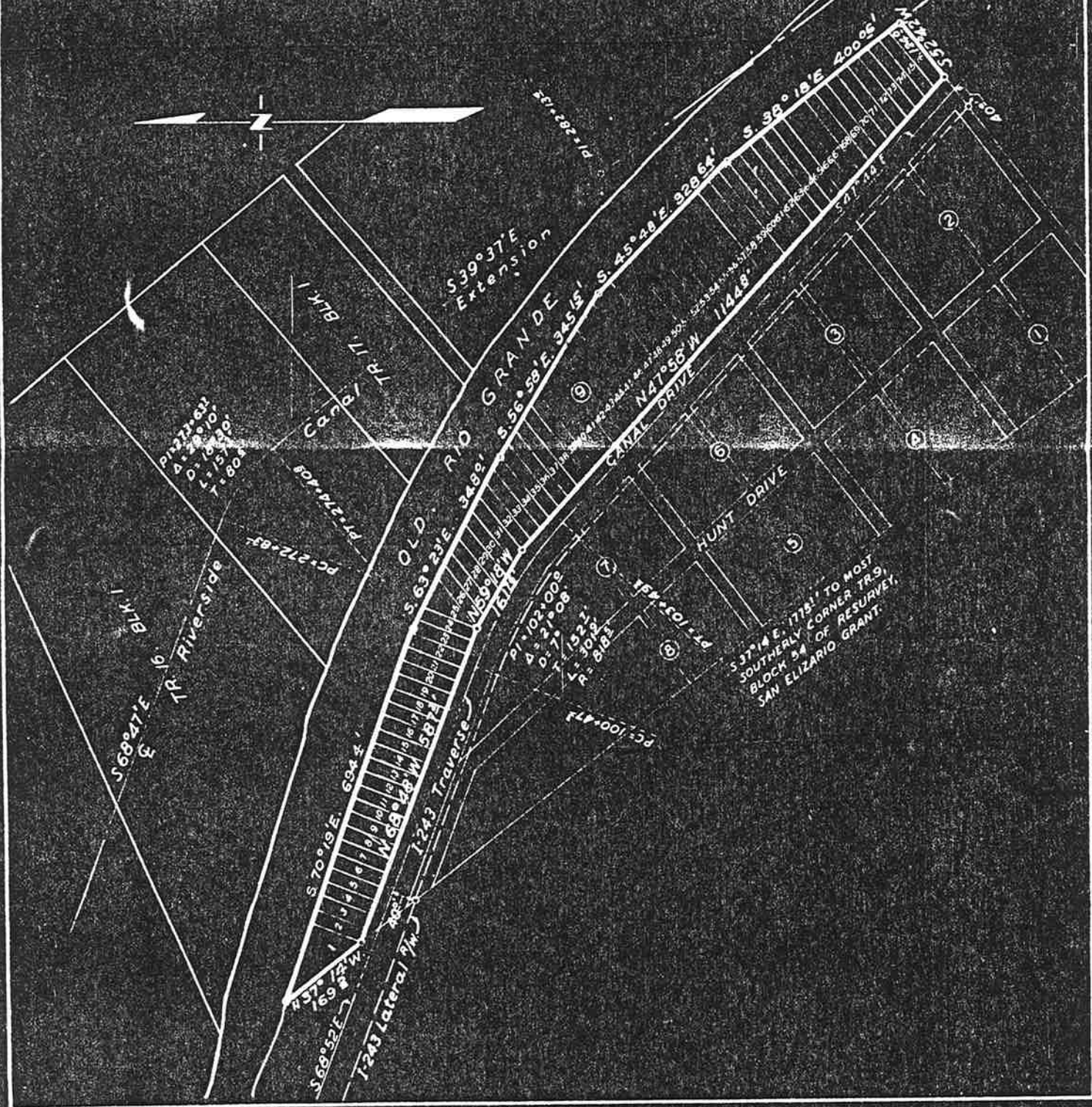
780.



Location Plat
 Section 4, T.34S-R8E, USRS.
 Blk. 9, Lots 1-76, Hunt Addition to Fabians
 Tract 9, Block 54
 Resurvey, San Elizario Grant
 El Paso Co. Texas
 Total R of W. 6.49AC.

SCALE 1"=100'
 DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 RIO GRANDE PROJECT - NEW MEXICO - TEXAS
RIVERSIDE CANAL EXTENSION
 RIGHT OF WAY
 FIELD WORK C.P. CHECKED
 DRAWN A.O.D.-F.V.G. APPROVED
 4080-L.M.I. E. PASO, TEX. OCT. 1935

Revised
 Plat No. 22
 1-13-46





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

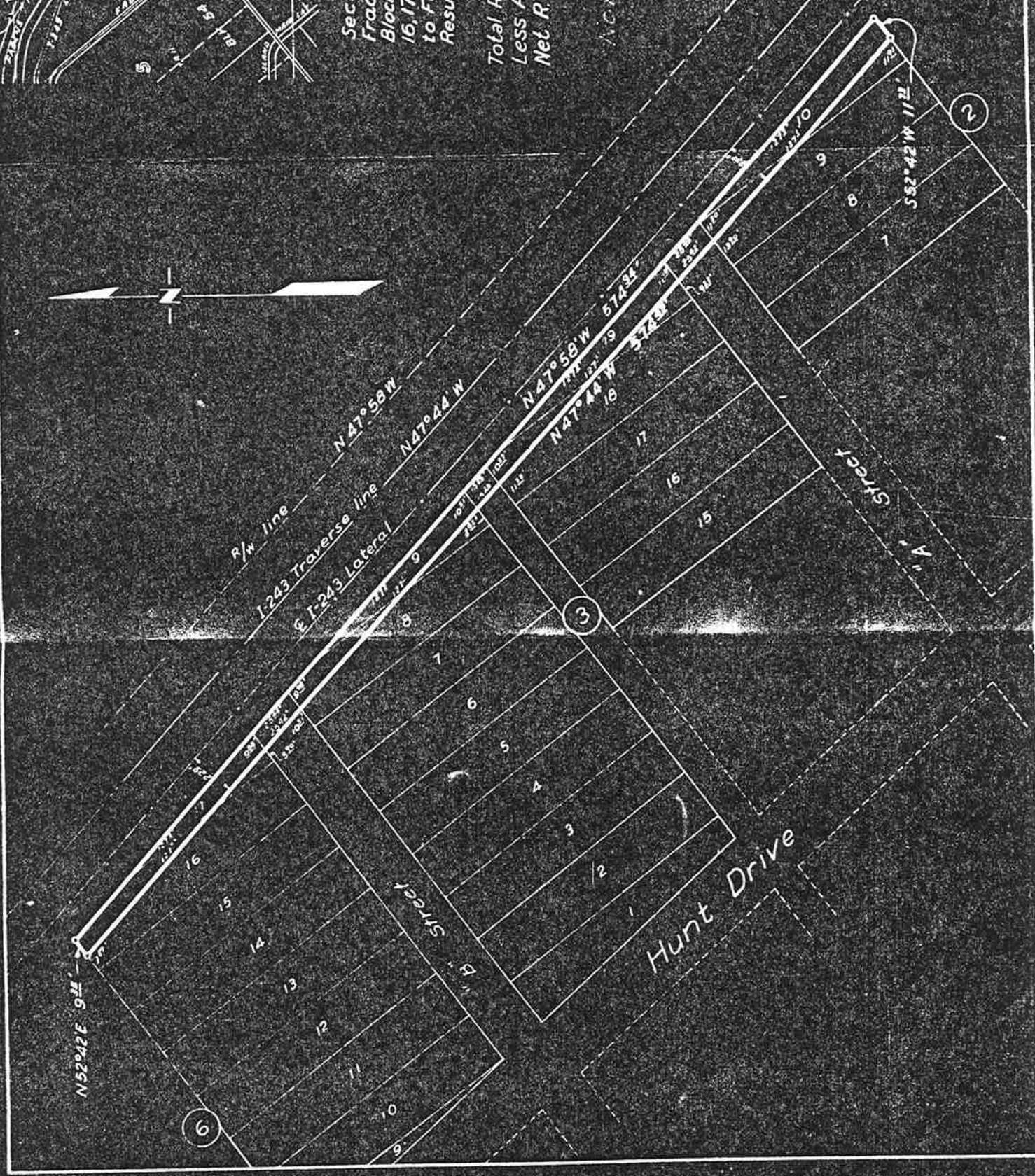
Total R. of W. 0.14 AC.
 Less Alley & Streets .02 "
 Net R. of W. 0.12 "

Norma Hunt

Scale 1" = 30'

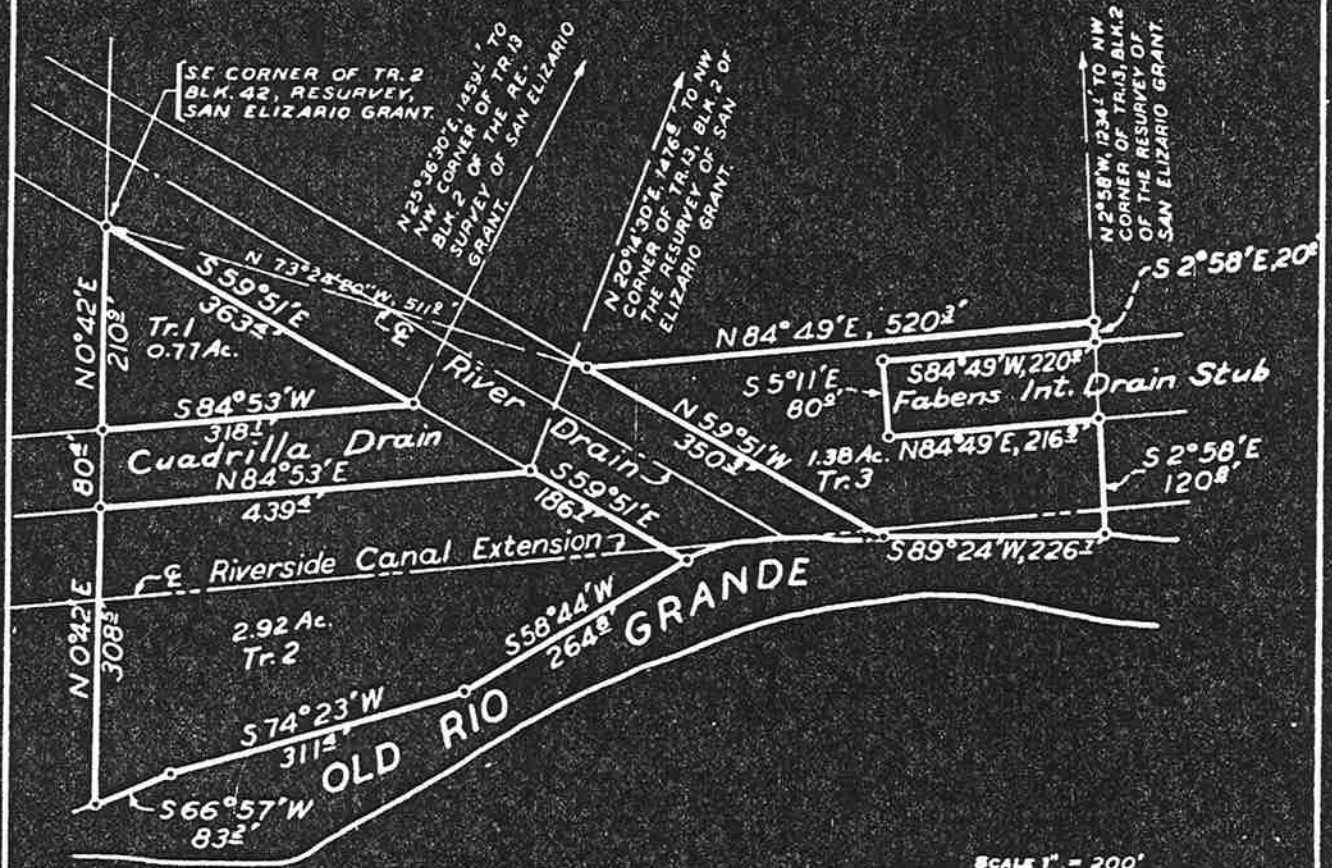
26

DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 RIO GRANDE PROJECT - HERRING MOUNTAIN
 RIVERSIDE CAVAL EXTENSION
 FIELD WORK C.E. CHECKED
 DRAWN A.O.D. P.L.G. APPROVED
 4000-L-10 EL PASO, TEX. 1922



TR. 1-A, BLK. 42
RESURVEY, SAN ELIZARIO GR.

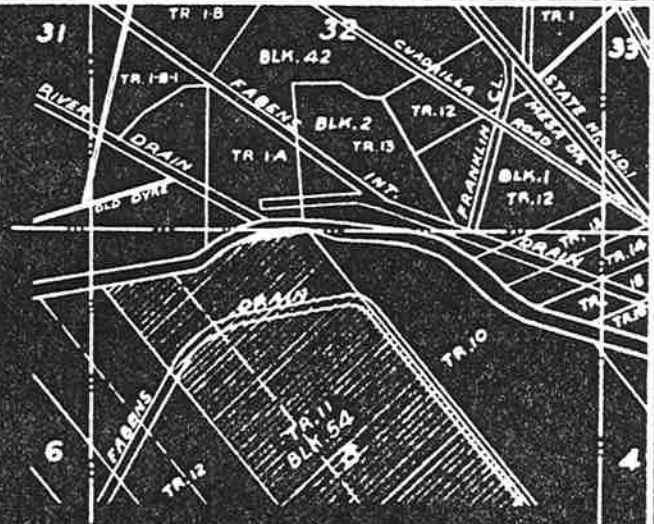
LOCATION PLAT
SECTION 32, T33S-R8E, USRS.
TRACT 1-A, BLOCK 42
RESURVEY, SAN ELIZARIO GRANT
EL PASO CO., TEXAS
Total R/W = 5.07 Ac.



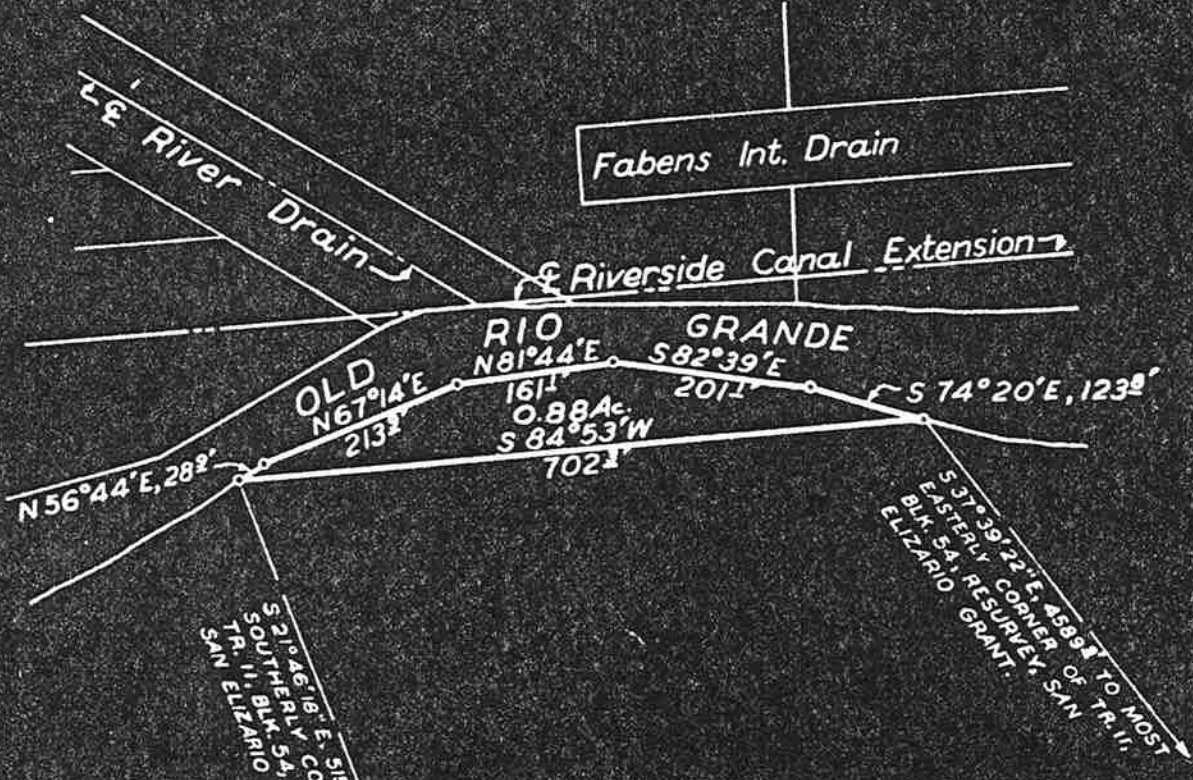
SCALE 1" = 200'

DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION RIO GRANDE PROJECT-NEW MEXICO-TEXAS RIVERSIDE CANAL EXTENSION RIGHT OF WAY	
FIELD WORK	G.P. CHECKED C.P.P.
DRAWN	A.O.D.-F.J.G. APPROVED
4080-L-137	EL PASO, TEX. 5/16/60

Revised
Plat No. 8



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.

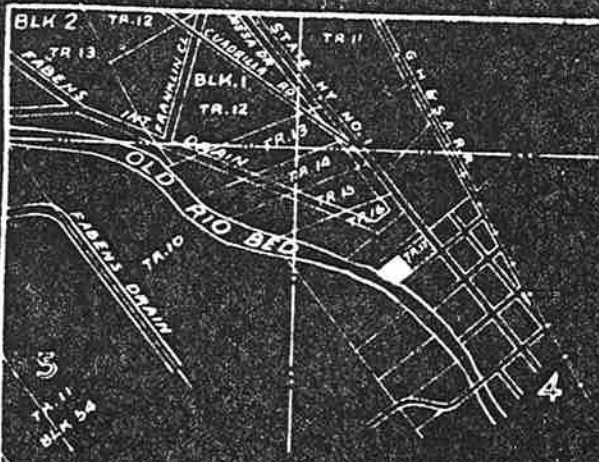


21°46'18" E. SIDE R. OF
 SOUTHERLY CORNER OF
 TR. 11, BLK. 54, RESURVEY,
 SAN ELIZARIO GRANT.

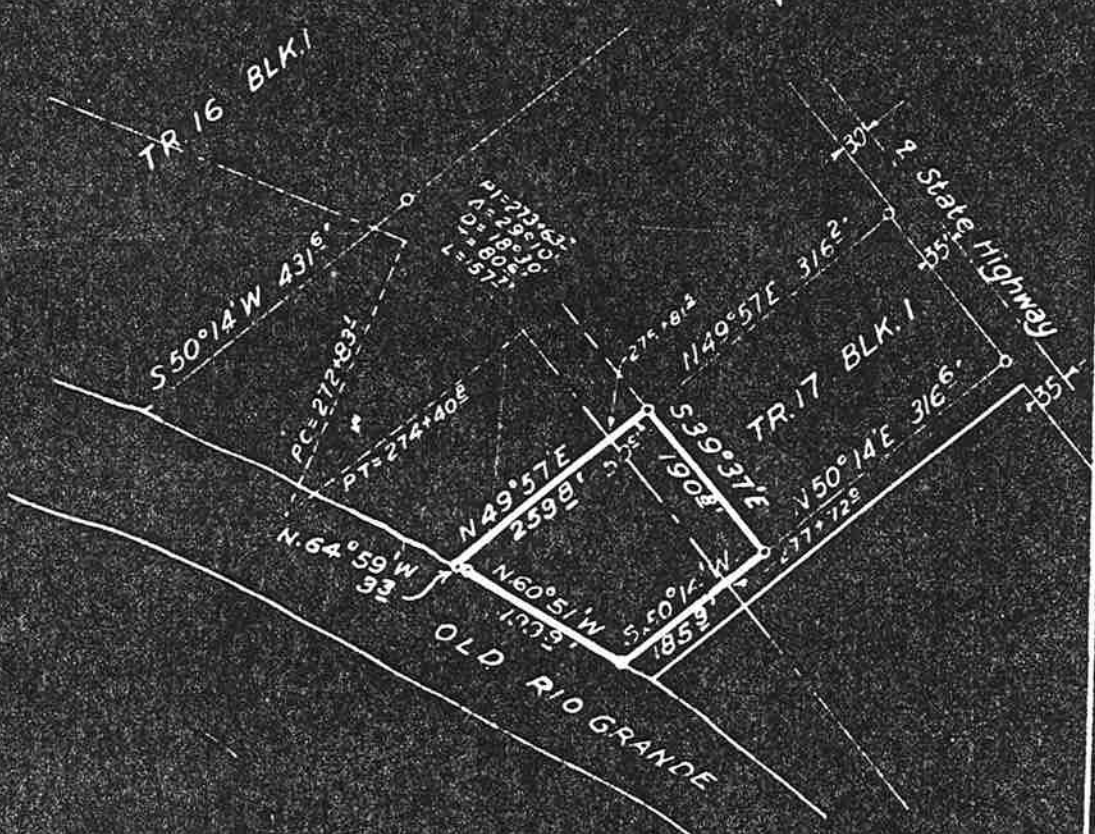
SCALE 1" = 200'

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.A.O.D.
DRAWN	F.J.G.	APPROVED
4080-L-131 EL PASO TEXAS 8/17/64		

Revised
 Plat No. 20



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



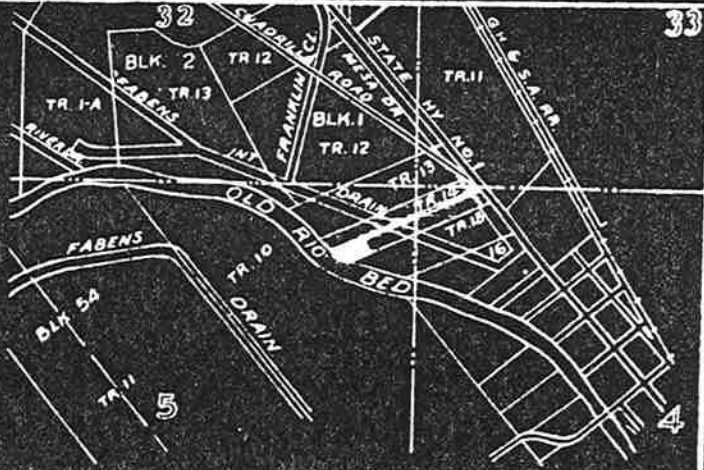
SCALE 1"=200'

UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 RIOGRANDE PROJECT NEW MEXICO, TEXAS
RIVERSIDE CANAL EXTENSION
 RIGHT OF WAY

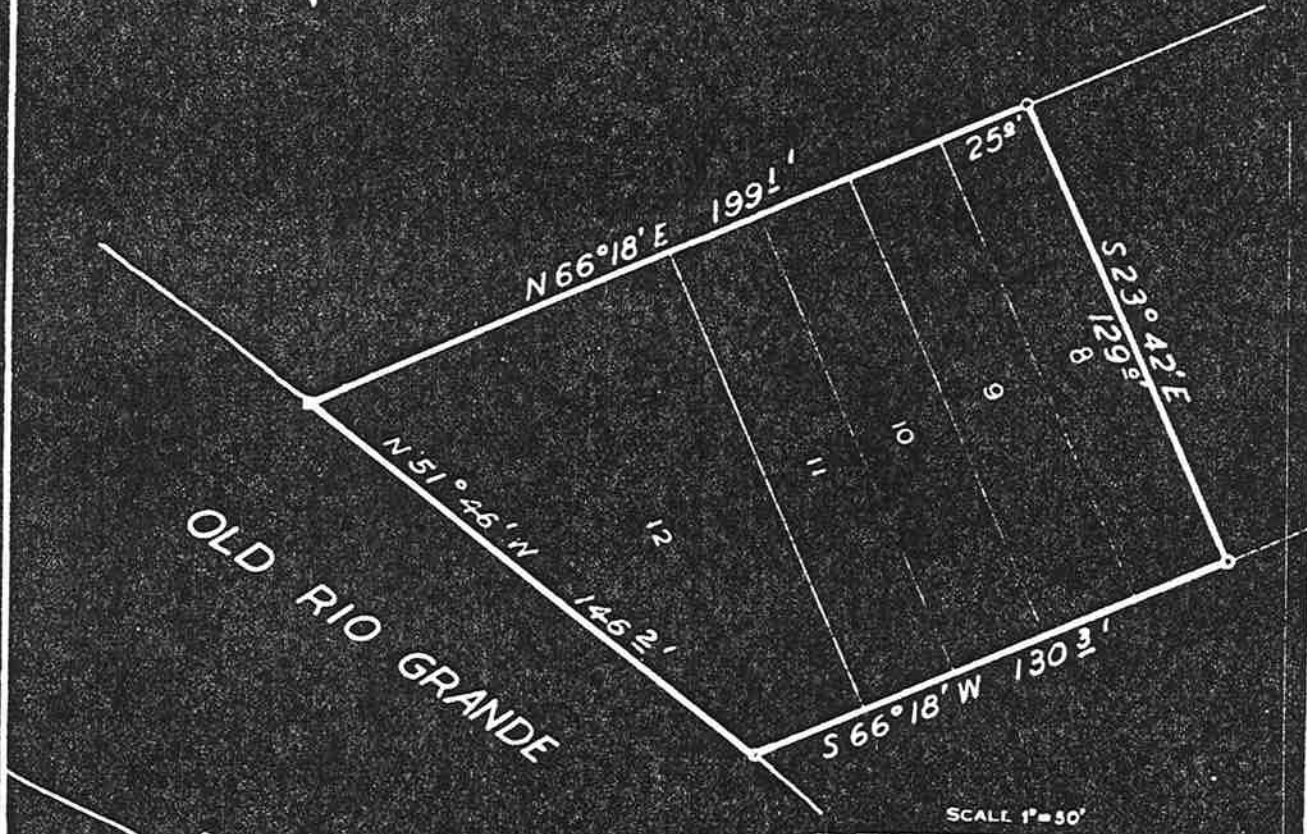
FIELD WORK C.P. CHECKED
 DRAWN A.O.D.-F.J.G. APPROVED

4080-L131 EL PASO, TEX. OCT. 1939.

Revised
 Plat No. 18
 4-13-40



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

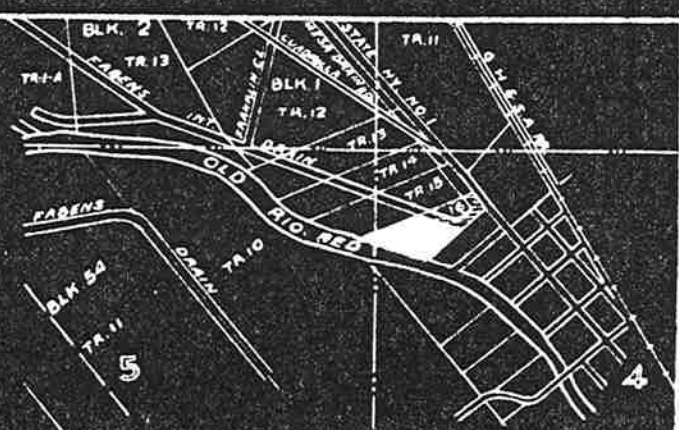


SCALE 1"=50'

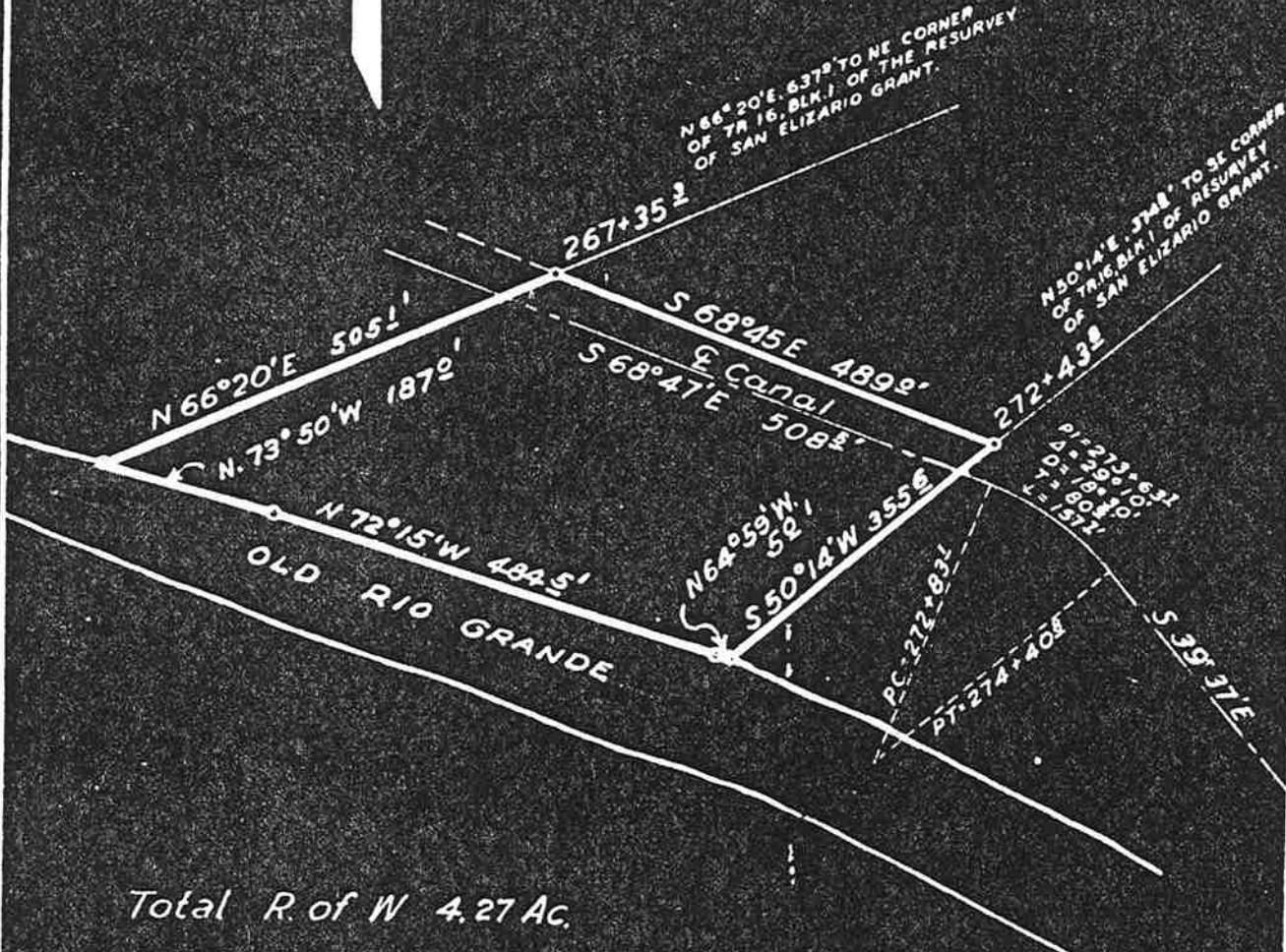
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
RIO GRANDE PROJECT NEW MEXICO-Texas
RIVERSIDE CANAL EXTENSION
RIGHT OF WAY

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

Revised
plat No. 14
4-12-40



Location Plat
Sections 465, T34S-R8E, USRS.
Tract 16, Block 1
Resurvey of San Elizario Grant
El Paso Co., Texas



Total R. of W 4.27 Ac.

SCALE 1" = 200'

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

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

Revised
Plat No. 17
4-12-40

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

The United States of America,

Plaintiff,

vs.

E. O. Bradley, et al.,

Defendants.

No. _____, Law.

DECLARATION OF TAKING

W. W. Mendenhall acting Under Secretary of the Interior of the United States, acting by virtue of the provisions of (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, do hereby make and file this Declaration of Taking pursuant to the provisions of said Act of February 26, 1931, and declare that the lands described in the complaint filed in this cause and shown on the plan hereto annexed and made a part of this Declaration, are hereby taken for the use of the United States and under the authority of and for the purpose set forth in said Acts; that the estate in said lands hereby taken for the public use aforesaid is an estate in fee simple absolute; that the sum estimated by me to be just compensation for said lands, including all buildings, structures and improvements thereon, is one thousand four hundred forty-one and no/100 dollars (\$1441.00), which said sum is hereby deposited into the registry of this Honorable Court to the use and for the benefit of the ones entitled thereto; that the following is a description of the lands to which fee simple absolute title is taken under this Declaration, with the estimated value of the same:

THREE TRACTS of land lying and situate in El Paso County, Texas, and in the 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

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.

Correct as to Engineering Data C.O.A.

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.

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

x

Riverside Canal Extension No. 20

(Parcel II, Marasovich)

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.B.

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.

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

x

Riverside Canal Extension
Plat No. 22 - 26

(Parcel III, Hunt)

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

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

Correct as to Engineering Data 9.0.3

Riverside Canal Extension - Plat No. 22 -26

Correct as to Engineering Data Q.O.A.

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.

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

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 C.O.D.

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

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

Riverside Canal Extension
Plat No. 14

x (Parcel V, Schutten)

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

Correct as to Engineering: Date 7.0.8.

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

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

Riverside Canal Extension
Plat No. 18

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

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

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

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

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

W.C. Caudenhouse
Acting Under Secretary of the Interior
of the United States of America.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

430.

RIO GRANDE

July 15, 1940

The Honorable

The Attorney General.

STEVE MARASOVICH

Sir:

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.

FILE 430.- BRADLEY

There is urgent need for the lands by the United States, and it is desired that suit be filed with the least possibly 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 \$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 of judgment is to be paid is "14,8070.010 Reclamation Contributed Funds, Rio Grande Project, F. I. 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.

BUREAU OF RECLAMATION
COPY FOR THE SECRETARY'S OFFICE

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,

/s/ W. C. MENDENHALL
Acting Under Secretary

Enclosure 2224168.

C
O
P
Y

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVE M. MARASOVICH, ET AL,

Defendants.

NO. 93 CIVIL

PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION

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

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

I.

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

2. Your petitioner respectfully represents that the application for the condemnation of lands hereinafter described, and of the acquisition by

the United States of said lands in fee simple absolute, for the purposes herein-
above stated, is authorized and brought pursuant to (a) the Act of Congress of
June 17, 1902, 32 Stat., 388, and all acts amendatory thereof and supplementary
thereto, commonly known as the Reclamation Law; (b) the Act of March 4, 1921,
41 Stat., 1404, and (c) the Act of February 26, 1931, 46 Stat., 1421, and all
acts amendatory thereof and supplementary thereto.

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

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

Correct as to Engineering Data A.O.D.

TRACT 1 - Beginning at the point of intersection of the dividing line between Tracts one A (1-A) and four (4), Block forty-two (42) of said official resurvey of the San Elizario Grant with the southwesterly right of way line of the River Drain said point being the Southeast corner of Tract two (2), Block forty-two (42) of the said official resurvey of the San Elizario Grant; thence along the southwesterly right of way line of said river drain South fifty-nine degrees (59°) 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

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.

Correct as to Engineering Data Q.O.A.

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.

x

~~Original 13, 1930~~

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.A.

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.

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 Q.O.A.

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 Q. O. D.

x
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 C.O.D.
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

(Barred V, Suburban)

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:

Correct as to Engineering Data G. O. A.

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.

Riverside Canal Extension
Plat No. 18

X
(Parcel 7X, 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 C.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.

IX.

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

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

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

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

(a) The Federal Land Bank of Houston, Texas owns or claims to own some interest in Parcel No. 2 by virtue of the fact that on September 12, 1922 W. J. Stahmann and wife, Anna M. Stahmann, gave a Deed of Trust covering Parcel No. 2 to said bank to secure one (1) note in the sum of FIVE THOUSAND AND NO/100 (\$5,000.00) DOLLARS, and on June 28, 1924, gave another Deed of Trust to secure one (1) note for TWO THOUSAND, SIX HUNDRED AND NO/100 (\$2,600.00) DOLLARS.

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

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

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

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

(a) That the Mutual Federal Savings & Loan Association and H. L. McCune, Trustee, own or claim to own some interest in Parcel No. 6 by virtue of the fact that Luciano Lopes gave a Deed of Trust covering said property to H. L. McCune, Trustee, for said association, to secure one (1) note in the sum of TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS, dated April 27, 1938.

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

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

III.

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

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

IV.

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

V.

1. WHEREFORE, your petitioner respectfully prays that the above named defendants be required to appear and set up their respective interests

in and to the aforesaid described property, if any they have.

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

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

BEN F. FOSTER,
United States Attorney,

R. NEILL WALSH,
Assistant United States Attorney,

W. C. PETICOLAS,
Special Attorney,

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

BY: W. C. Peticolas (S)

7
Kd

Jan

J. E. Harris (S)

Flora Linker

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

JEW-CHS

33-45-344

January 15, 1942

430-
RIO GRANDE

LEGAL COUNSEL

W. Robinson

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

Norman M. Littell

NORMAN M. LITTELL,
Assistant Attorney General

Encl. No.
586950

JAN 16 '42 73159

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 H. Karasovich, 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

NORMAN M. LITTELL,
Assistant Attorney General

Encl. No.
586950

JAN 16 1942 73159

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVE M. MARASOVICH, ET AL,

Defendants.

NO. 93 CIVIL

ORDER

Plaintiff is hereby given leave to amend.

Charles A. Boynton (S)
JUDGE.

Filed 7 Jan
1942 at El Paso Tex.

MAXEN T. O'NEILL

By J. E. Davis (S)

I certify.

By Flores L. Linker
Deputy.

JAN 16 '42 73159

RIO GRANDE

WJR/vt

JAN 23 1942

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

Dear Mr. Littell:

I have received your letter of January 15, 1942 (JEM-GNS-
13-45-244) 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,

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. 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.

*Insulin
Schwab*

*A.C.
1/20*



Office of the Attorney General
Washington, D.C.

430.-
RIO GRANDE COUNSEL

April 22, 1942

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. 1 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 February 16, 1942, the court awarded the amount of \$166.20 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,

Francis Biddle
Attorney General

WJR - April 29, 1942
Copies sent to CE, Denver, Colo.
DC, Amarillo, Texas.
Supt., El Paso, Texas.

APR 28 '42 82746

RJL - EOM

ces

33-45-344

By messenger

April 22, 1942

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. 1 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.

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

Respectfully,

Attorney General

Enclosure
248738

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

STEVE KARASOVICH, ET AL,

Defendants.

NO. 93 CIVIL

JUDGMENT FOR B. O. BRADLEY

AND RUBY LEE BRADLEY

BE IT REMEMBERED, that on this 16 day of Oct

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 SW¹/₄ 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 Eliscario 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 Eliscario 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 Eliscario 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 Eliscario 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 Eliscario 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 Elisario 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 Elisario Grant bears North $0^{\circ} 42'$ East 291.3 feet; thence along the south right of way line of said Cuadrilla Drain, North $84^{\circ} 53'$ East 439.4 feet to a point on the southwesterly right of way line of the River Drain and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elisario Grant bears North $20^{\circ} 14' 30''$ East 1476.6 feet; thence along the southwesterly right of way line of said river drain South $59^{\circ} 51'$ East 186.7 feet to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the north bank of the former Rio Grande South $58^{\circ} 44'$ West 264.8 feet, South $74^{\circ} 23'$ West 311.4 feet and South $66^{\circ} 57'$ 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 Elisario Grant; thence along said dividing line as extended North $0^{\circ} 42'$ 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 Elisario Grant and from which point the Northwest corner of Tract 13, Block 2 of the said official resurvey of the San Elisario Grant bears North $2^{\circ} 58'$ West 1234.1 feet; thence South $2^{\circ} 58'$ East 20 feet to the north right of way line of the Fabens Intercepting Drain Stub; thence along said right of way line South $84^{\circ} 49'$ West 220 feet; thence South $5^{\circ} 11'$ East 80 feet; thence along the south right of way line of said Fabens Intercepting Drain Stub; North $84^{\circ} 49'$ East 216.9 feet to the dividing line between Tract 1-A, Block 42 and Tract 13, Block 2 of the said official resurvey of the San Elisario Grant; thence South $2^{\circ} 58'$ East 120.8 feet along said dividing line and an extension thereof to the north bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along said river bank South $69^{\circ} 24'$ 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 $59^{\circ} 51'$ East 350.3 feet to a point from which the Southeast corner of Tract 2 Block 42 of the said official resurvey of the San Elisario Grant bears North $73^{\circ} 24' 20''$ West 511.9 feet; thence North $84^{\circ} 49'$ East 320.3 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 and County of El Paso, having appeared herein by Ernest Guinn, County Attorney, El Paso County Water Improvement District No. 1, having appeared herein by Burges, Burges, Scott and Hulse, its Attorneys of Record, and W. Y. Ellis, having appeared herein in person, and

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

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

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

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

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

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

IT FURTHER APPEARING TO THE COURT that there is due on said land more than ONE HUNDRED SIXTY-SIX AND 20/100 (\$166.20) DOLLARS on ten (10) notes for TWO HUNDRED FIFTY AND 00/100 (\$250.00) DOLLARS each to defendant W. 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.

By Flora L. Linker
Deputy

APPROVED:
W C Petrusas (S)

Charles A. Bannister (S)
JUDGE.

Filed 16 day of Feb
1942 at _____ o'clock _____ M.

MAXEY HART, Clerk.

By Flora L. Linker (S)

NO. 14593

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY
200 First National Bank Building
El Paso, Texas

CERTIFICATE OF TITLE

TO: UNITED STATES OF AMERICA

THE PIONEER ABSTRACT & GUARANTEE TITLE COMPANY, a Corporation organized and existing under the laws of the State of Texas, with its principal office in the City of El Paso, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 11th day of September, 1940, the title to the above described real estate was indefeasibly vested in fee simple of record in;

B. O. BRADLEY

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendee.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

By

W. W. Newman
President

ATTEST:

By

Tom B. Newman
Asst. Secretary

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

SCHEDULE "A"

The property covered by this certificate is accurately
and fully described as follows:

Riverside Canal Extension
Plat No. 8

~~(Part of the original)~~ land lying and situate in El Paso County, Texas, and in the Southwest quarter ($5\frac{1}{4}$) 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. A.

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.

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

Correct as to Engineering Data C.O.A.

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

SCHEDULE "B"

The property described in SCHEDULE "A" hereof is free and clear from all interests, encumbrances, and defects of title and all other matters whatsoever of record, or which, though not of record, are known to this Corporation to exist impairing or adversely affecting the title to said property, except the following:

NONE.

NO. 14593-A

CERTIFICATE OF TITLE

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

200 First National Bank Building

El Paso, Texas

TO: UNITED STATE OF AMERICA

THE PIONEER ABSTRACT & GUARANTEE TITLE COMPANY, a Corporation
orgained and existing under the laws of the State of Texas, with its
principal office in the City of El Paso, hereby certifies that it has
made a thorough search of the title to the property described in SCHEDULE
"A" hereof, beginning with the 8th day of March, 1853 being the date of
Patent from the State of Texas, and that the title to said property was
indefeasibly vested in fee simple of record in the UNITED STATES OF AMERICA
as of the 16th day of September 1940, free and clear of all encumbrances,
defects, interests, and all other matters whatsoever, either of record or
otherwise known to the corporation, impairing or adversely affecting the
title to said property, except as shown in SCHEDULE "B" hereof,

In consideration of the fee paid, this certificate is issued for the
use and benefit of the UNITED STATES OF AMERICA.

IN WITNESS WHEREOF, said Corporation has caused these presents to be
signed in its name and behalf, sealed with its corporate seal, and deliver-
ed by its proper officers thereunto duly authorized, as of the date last
above mentioned.

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

By

H. S. Newman
President

ATTEST:

By

H. M. Cune
Asst. Secretary

B. O. Bradley

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

SCHEDULE "A"

The property covered by this certificate is accurately and fully described as follows:

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.

x
(Parcel 1, 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 Q. O. D.

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

SCHEDULE "B"

The property described in SCHEDULE "A" hereof is free and clear from all interests, encumbrances, and defects of title and all other matters whatsoever of record, or which, though not of record, are known to this Corporation to exist impairing or adversely affecting the title to said property, except the following:

1. Taxes for the year 1940 and thereafter.
2. Water charges and construction charges for 1940 and thereafter.
3. Rights of parties in possession.
4. The vendor's lien retained in the deed dated Dec. 23, 1936, and filed January 5, 1937 in Book 617, page 617, of the Deed Records of El Paso County, Texas, from W. Y. Ellis, to B. O. Bradley securing ten notes of even date therewith being notes Nos. 1 to 10 inclusive, for \$250.00 each, signed by B. O. Bradley and payable to W. Y. Ellis, due 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 years respectively from date, and being further secured by a deed of trust from B. O. Bradley to Volney M. Brown, Trustee for W. Y. Ellis, which said deed of trust is not of record in the deed of trust records of El Paso County, Texas, but reference is made thereto in said deed.

NOTE:

There is a suit pending in the United States District Court No. 93, Civil, styled United States of America vs B. O. Bradley et al, in which Declaration of Taking was filed September 12, 1940, and Judgment rendered on same stating that possession of the above described property shall be delivered to the United States of America on or before Monday the 16th day of September, 1940, said cause is held open for other and further orders, judgments and decrees as may be necessary in the premises, this 12th day of September, 1940, Commissioners were appointed December 2, 1940, but report of hearing not recorded.

There is a certified copy of Judgment out of Court Suit No.93 United States District Court, styled United States of America vs. B. O. Bradley et al, filed for record September 12, 1940 under Clerk's File No. 14073 of the Deed Records of El Paso County, Texas.



Office of the Attorney General
Washington, D.C.

430-

RIO GRANDE

May 14, 1942

~~SECRET~~
112
B21

TERIOR DEPT.
SECRETARY'S
MAIL CENTER
MAY 16 1942
BUREAU OF
RECLAMATION

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. II 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,

Francis Biddle
Attorney General

Copy to CE Denver, Colorado
DC Amarillo, Texas
Supt., El Paso, Texas
5-19-42 RTV

MAY 18 '42 84346

RJL - EON

ces

33-45-344

By messenger

May 14, 1942

INTERIOR DEPT.
SECRETARY'S
MAIL CENTER

MAY 16 1942
TO BUREAU OF
RECLAMATION

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

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

Respectfully,

Attorney General

Enclosure
No. 696904

MAY 18 '42 84346

NO. 14594

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY
200 First National Bank Building
El Paso, Texas

CERTIFICATE OF TITLE

TO: UNITED STATES OF AMERICA

THE PIONEER ABSTRACT & GUARANTEE TITLE COMPANY, a Corporation organized and existing under the laws of the State of Texas, with its principal office in the City of El Paso, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 11th day of September, 1940, the title to the above described real estate was indefeasibly vested in fee simple of record in:

STEVE M. MARASOVICH

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendee.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

By

D. W. Newman

President

ATTEST:

By

D. W. Newman
Asst. Secretary

33-45344

MAY 18 '42 84346

Riverside Canal Extension No. 20

X (Parcel 11, Survey 11)

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.

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

SCHEDULE "A"

The property covered by this certificate is accurately and fully described as follows:

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

SCHEDULE "B"

The property described in SCHEDULE "A" hereof is free and clear from all interests, encumbrances, and defects of title and all other matters whatsoever of record, or which, though not of record, are known to this Corporation to exist impairing or adversely affecting the title to said property, except the following:

1. Rights of the parties in possession and errors in boundaries which a correct survey would disclose.
2. On September 12, 1922, W. J. Stahmann, et ux Anna M, gave a deed of trust to M. H. Gossett, Trustee for the Federal Land Bank of Houston to secure the payment of one promissory note for \$5000, payable in 69 Semi-annual payments. This deed of trust is recorded in Book 131 at page 606 of the Deed of Trust Records.
3. On June 28, 1924, William H. Stahmann, et ux, gave another deed of trust to the same parties to secure the payment of one promissory note for \$2600, payable in 39 semi-annual payments, also securing the above note. This deed of trust is recorded in Book 165 at page 508 of the Deed of Trust Records of El Paso County. Both of these should be released.
4. On July 5, 1929, W. J. Stahmann, the record owner of the property, died. The property under examination was included in the inventory. The Net value of the Estate for distribution was listed at \$57,209.07. A certificate that no State Taxes are due is recorded among the papers of the estate, but there is no receipt for Federal Estate Taxes. Since the Estate exceeded \$40,000, it would appear that Federal Tax would be due and a receipt or certificate should be obtained.
5. On November 28, 1939 Allen J. Burris filed an affidavit for a Mechanic's Lien on the property for plumbing done on the premises. This was recorded in Book 296 at page 225 of the Deed of Trust Records of El Paso County. On January 24, 1940, Burris brought suit in the 65th D. Ct. against Marasovich, et al, to foreclose the lien. One C. C. Phillips, joined as a defendant, brought a cross-action against Burris and Marasovich. The judgment in this cause, No.47782, was rendered on May 22, 1940 giving Burris judgment against Marasovich for \$600.13 and \$250, foreclosing the lien above mentioned. Phillips took a judgment against Marasovich for \$1222.42. These judgments and the Mechanic's Lien must be released as to this property.
6. This opinion is also subject to all rights of the Elephant Butte Irrigation Project. Water charges and assessments appear to be paid as per statement issued on August 7, 1940.

The above mentioned Notes payable to the Federal Land Bank of Houston were assumed by the present owner.

Taxes due to the County of El Paso, Texas, appear to be paid as shown on Tax Certificate issued on August 7, 1940.

NOTE:

There is a suit pending in the United States District Court No. 93, Civil, styled United States of America vs Steve M. Marasovich, et al, in which Declaration of Taking was filed September 12, 1940, and Judgment rendered on same stating that possession of the above described property shall be delivered to the United States of America on or before Monday the 10th day of September 1940, said cause is held open for other and further orders, judgments and decrees as may be necessary in the premises, this 12th day of September 1940. Commissioners were appointed December 2, 1940, but no report of hearing of record.

There is a certified copy of Judgment out of Court Suit No.93, United States District Court, styled United States of America vs. Steve M. Marasovich, et al, filed for record September 12, 1940 under Clerk's File No. 14073 of the Deed Records of El Paso County, Texas.

By Release dated May 23, 1940 and recorded in Book 682, Page 460, Deed Records of El Paso County, Texas, Allen J. Burris and C. C. Phillips fully releases to S. M. Marasovich the Affidavit for Mechanic's Lien, recorded in Book 296, Page 225, of the Deed of Trust Records of El Paso County, Texas, and also releases Judgment in Cause #47782 styled Burris vs. Marasovich et al wherein judgment was rendered on May 23, 1940 in favor of Burris.

NO. 14594-A

CERTIFICATE OF TITLE

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

200 First National Bank Building

El Paso, Texas

TO: UNITED STATES OF AMERICA

THE PIONEER ABSTRACT & GUARANTEE TITLE COMPANY, a Corporation organized and existing under the laws of the State of Texas, with its principal office in the City of El Paso, hereby certifies that it has made a thorough search of the title to the property described in SCHEDULE "A" hereof, beginning with the 8th day of March, 1853, being the date of patent from the State of Texas, and that the title to said property was indefeasibly vested in fee simple of record in the UNITED STATES OF AMERICA, as of the 16th day of September, A. D. 1940, free and clear of all encumbrances, defects, interests, and all other matters whatsoever, either of record or otherwise known to the corporation, impairing or adversely affecting the title to said property, except as shown in SCHEDULE "B" hereof.

In consideration of the fee paid, this certificate is used for the use and benefit of the UNITED STATES OF AMERICA.

IN WITNESS WHEREOF, said Corporation has caused these presents to be signed in its name and behalf, sealed with its corporate seal, and delivered by its property officers thereunto duly authorized, as of the date last above mentioned.

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

By

S. S. Newman
President

ATTEST:

By

H. M. Cune
Asst. Secretary

Steve M. Marasovich,

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

SCHEDULE "A"

The property covered by this certificate is accurately and fully described as follows:

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.

PIONEER ABSTRACT & GUARANTEE TITLE COMPANY

SCHEDULE "B"

The property described in SCHEDULE "A" hereof is free and clear from all interests, encumbrances, and defects of title and all other matters whatsoever of record, or which, though not of record, are known to this Corporation to exist impairing or adversely affecting the title to said property, except the following:

NONE.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

NO. 93 CIVIL

STEVE M. MARASOVICH, ET AL.,

Defendants.

JUDGMENT AS TO STEVE M. MARASOVICH AND WIFE

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

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 Elisario Grant and tract eleven (11) Block fifty-four (54) of the official resurvey of the San Elisario Grant as accepted by the Commissioners' Court of El Paso County, Texas, the 15th day of January, 1939, 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 Elisario 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 Elisario Grant bears South thirty-seven degrees (37°) thirty-nine minutes (39') twenty-two seconds (22") East four thousand five hundred eighty-nine and nine tenths (4589.9) feet; thence South eighty-four degrees (84°) fifty-three minutes (53') East seven hundred two and three tenths (702.3) feet to the point of beginning. Said tract of land containing eighty-eight hundredths (0.88) of an acre, more or less.

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

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

APPROVED:

W.C. Peticola

A true copy of the original, I certify.

MAXEY HART, Clerk,

By Florence L. Luiker
Deputy.

Filed 10th day of April
19 42 at _____ o'clock M.

MAXEY HART, Clerk.

By J. F. Caroline
Deputy.

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

RJL-EON

33-45-344

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

August 20, 1942

Reclamation

430
RIO GRANDE
RTV

9/22 (7)

1942

Dr. Ira N. Gabrielson
Director, Fish and Wildlife Service
Department of Interior
Washington, D. C.

Dear Dr. Gabrielson:

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

J. Edward Williams
J. EDWARD WILLIAMS
Acting Head, Lands Division

Encl. No. 696474



AUG28'42 92680

RJL-ECH

33-65-366

August 20, 1942

HFK

Dr. Ira H. Gabrielson
Director, Fish and Wildlife Service
Department of Interior
Washington, D. C.

Dear Dr. Gabrielson:

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

J. EDWARD WILLIAMS
Acting Head, Lands Division

Encl. No. 696674

AUG28'42 92680

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. Peticoles
Special Attorney
Department of Justice

WCP/ee

AUG28'42 92680

UNITED STATES
DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

WASHINGTON

REC. COPY

TO SECRETARY
SEP 18 1942

BUREAU OF RECLAMATION
MAILS AND FILES
SEP 19 1942
WASHINGTON, D. C.

SEP 18 1942

9/22
S. B.

The Honorable

The Attorney General.

Sir:

CEF:NB.

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 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 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,

SGM. Abe Fortas

Under Secretary.

TO SECRETARY
SEP 1 1942

CEF:
WB :msu

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 E. Kerasovich, 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 recommendation of this Department was requested concerning a proposed stipulation with the former owners of Parcel No. 5 for settlement on the basis of \$7) 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,

Under Secretary.

Copy to C.E. Denver) Sent--9/22/42
D.C. Amarillo, Texas) kk
Supt. El Paso, Texas.)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

430, -

RIO GRANDE

El Paso, Texas

September 9, 1942

[Handwritten initials]

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.

9/22

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.

[Handwritten signature]

Original airmail
Copy regular mail

cc-Chief Engineer
-District Counsel

SEP 11 '42 93761

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
738 Amarillo Building

430
CHIEF ENGINEER

RIO GRANDE

w.B.

September 8, 1942

AIR MAIL

From District Counsel
To Commissioner

9/22

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 Fiock 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
Spencer L. Baird

CC: Chief Engineer
Superintendent, El Paso, Texas.

Encl.

SEP10'42 93701

4301-

RIO GRANDE

AIR MAIL

RTV:kak

From: Commissioner
To: District Counsel, Amarillo, Texas.

SEP 4 1942

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.

W
74

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 Littall, 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. Littall's letter of January 15, copies are attached for your information.

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

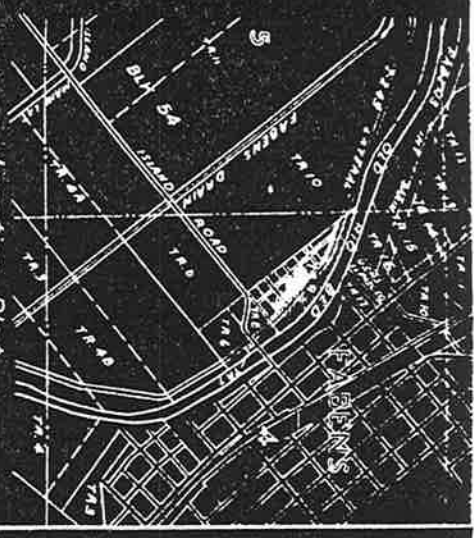
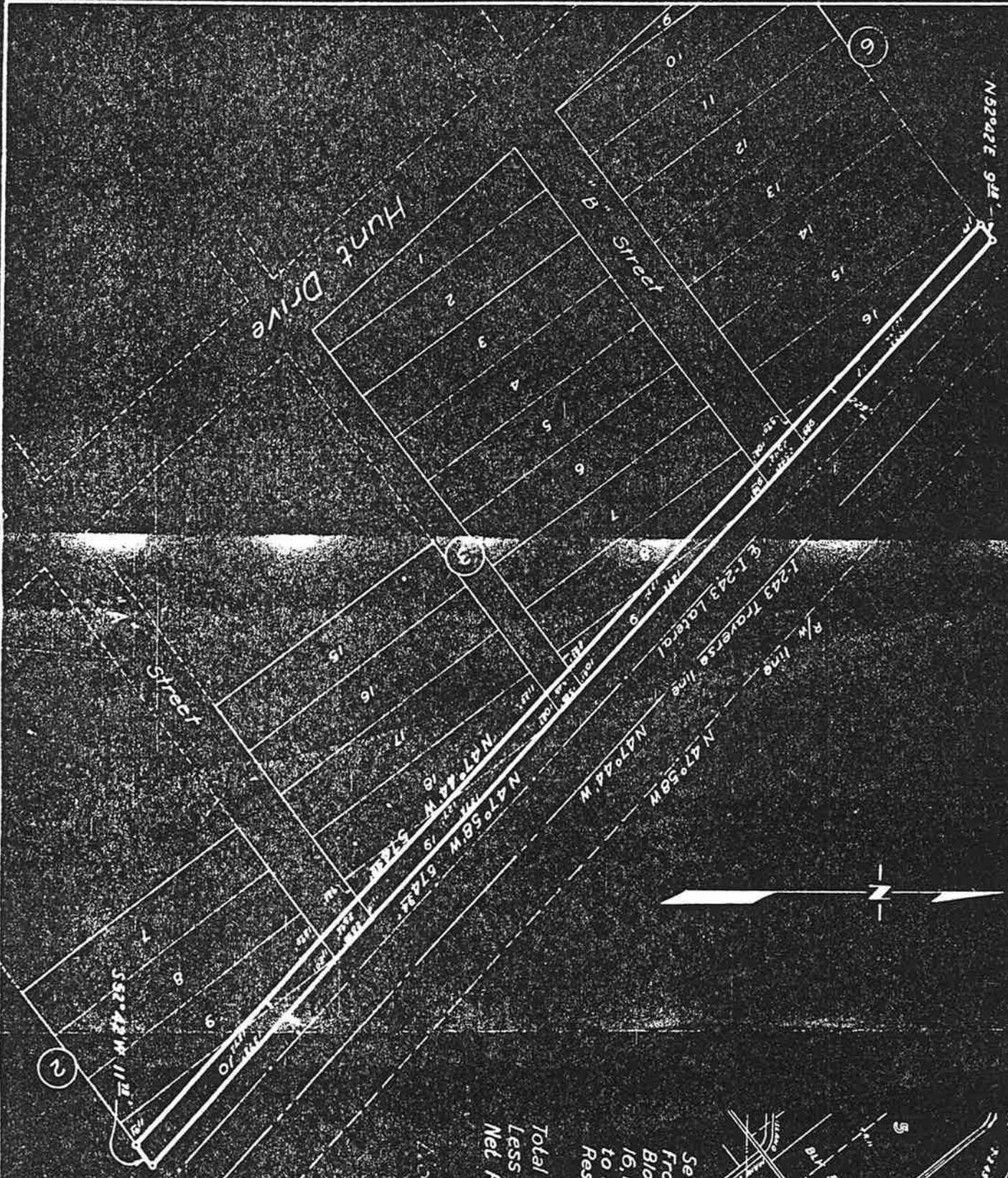
John C. Page

Enclosure 898

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

Copy by regular mail.

C
Call

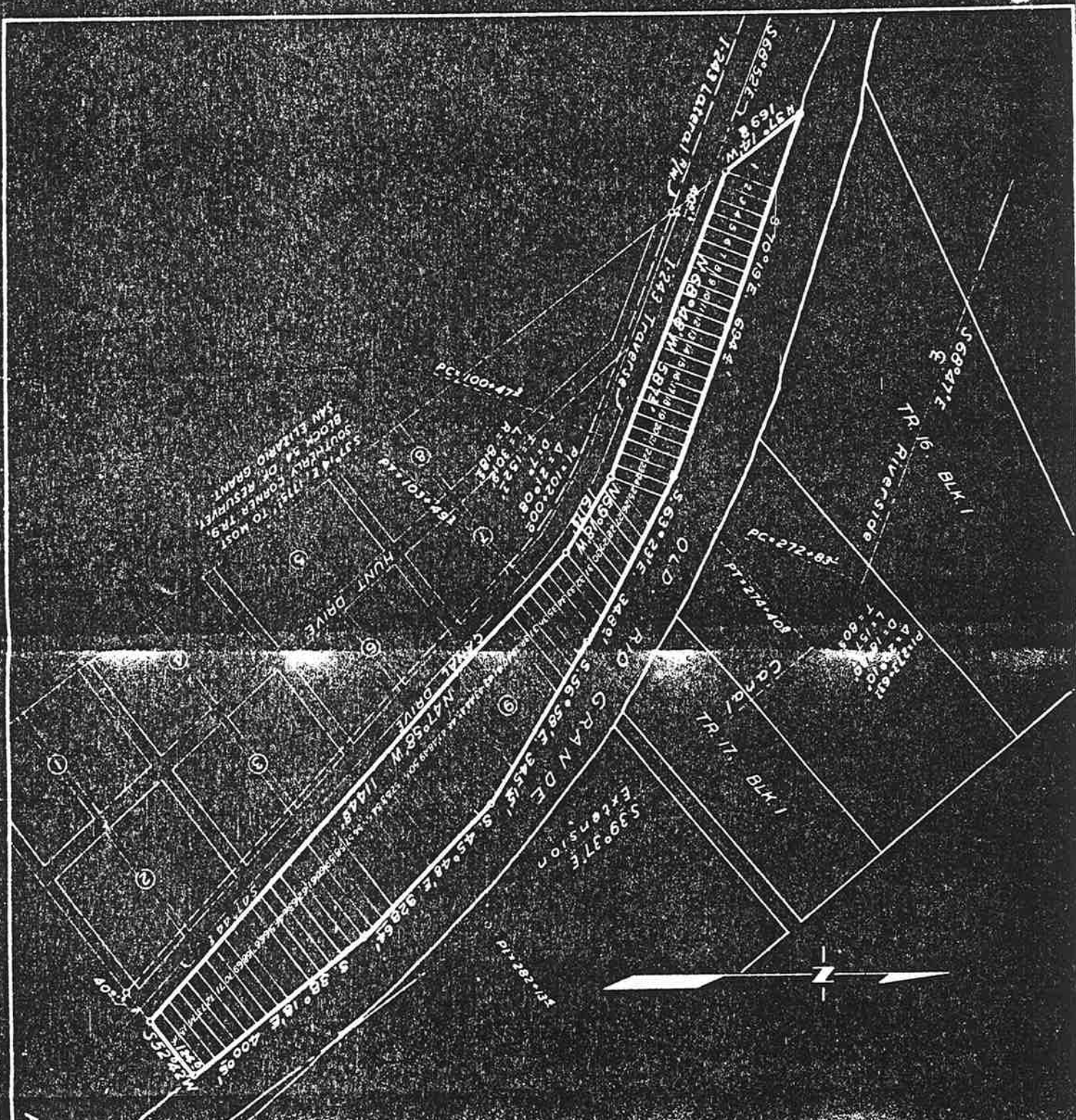


Location Plat
 Section 4, T34S-R8E, USRS
 Fractional parts of Lots 9/10
 Block 2, 8, 9, 16, 17 of Block 3 and
 16, 17 of Block 6, Hunt Addition
 to Fabens Tract 9, Block 54 of
 Resurvey, San Elizario Grant,
 El Paso Co, Texas.

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

LOTTING 11673

SCALE 1" = 50'
 DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 RIO GRANDE PROJECT-NEW MEXICO-TEXAS
RIVERSIDE CANAL EXTENSION
 UNIT OF WAY
 FIELD WORK, C. B. QUIGLEY
 DRAWN, A. G. O. F. G. APPROVED
 40004-10 EL PASO, TEX. 79705



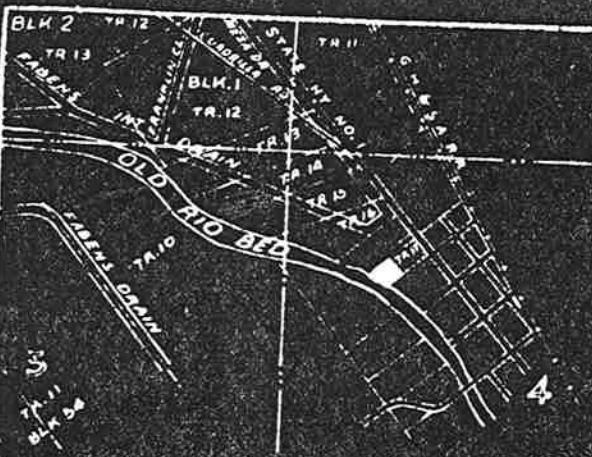
Location Plat
 Section 4, T34S-R8E, USRS,
 Blk. 9, Lots 1-76, Hunt Addition to Fabens
 Tract 9, Block 54
 Resurvey, San Elizario Grant
 El Paso Co. Texas
 Total R of W. 649Ac.



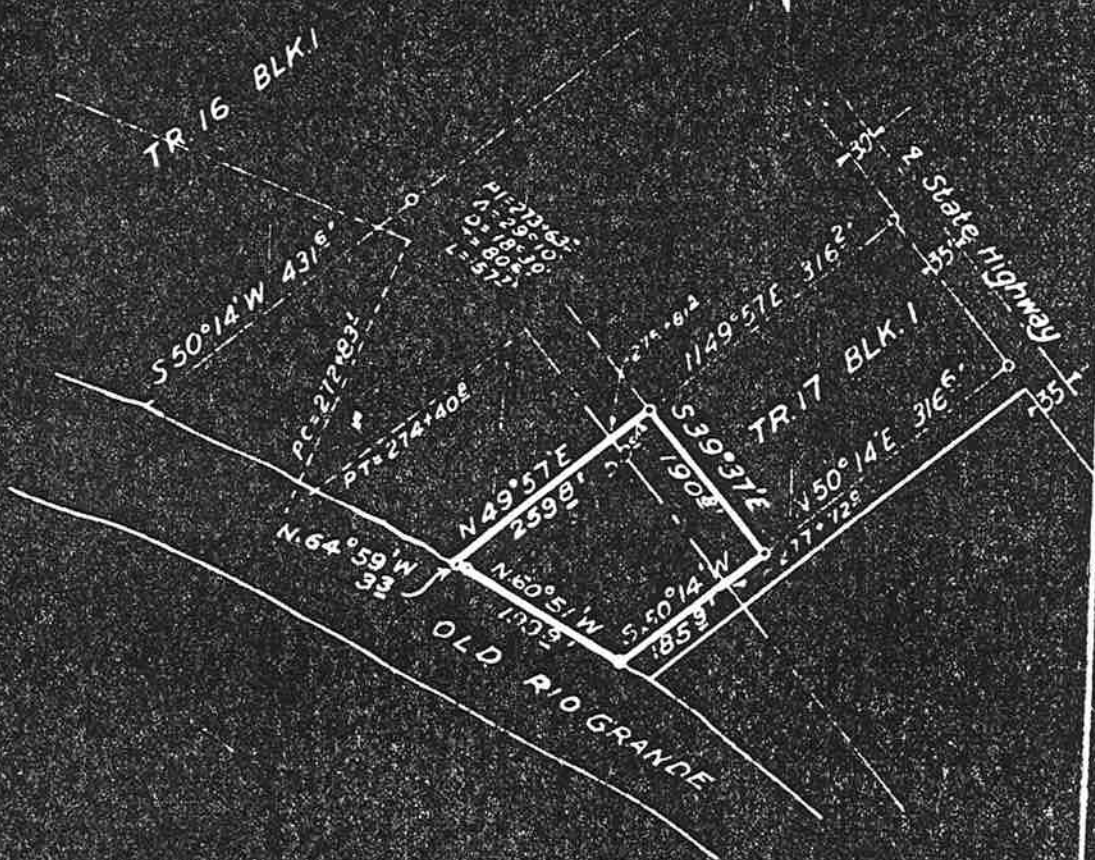
Revised 22
 Plat No. 22
 1-15-90

DEPARTMENT OF THE INTERIOR	
BUREAU OF RECLAMATION-Texas	
RIO GRANDE PROJECT-NEW MEXICO-Texas	
RIVERSIDE CANAL EXTENSION	
RIGHT OF WAY	
FIELD WORK	C.P. CHECKED
DRAWN	A.O.D. F.V.G. APPROVED
40804-101	EL PASO, TEX. 1939

SCALE: 1" = 200'

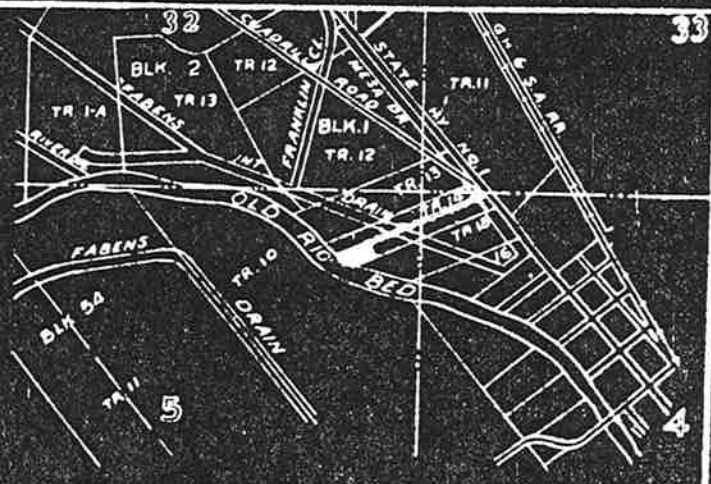


Location Plat
 Section 4, T34S-R8E, USRS.
 Tract 17, Block 1
 Resurvey of San Elizario Grant
 El Paso Co., Texas
 Total R of W. 0.97Ac

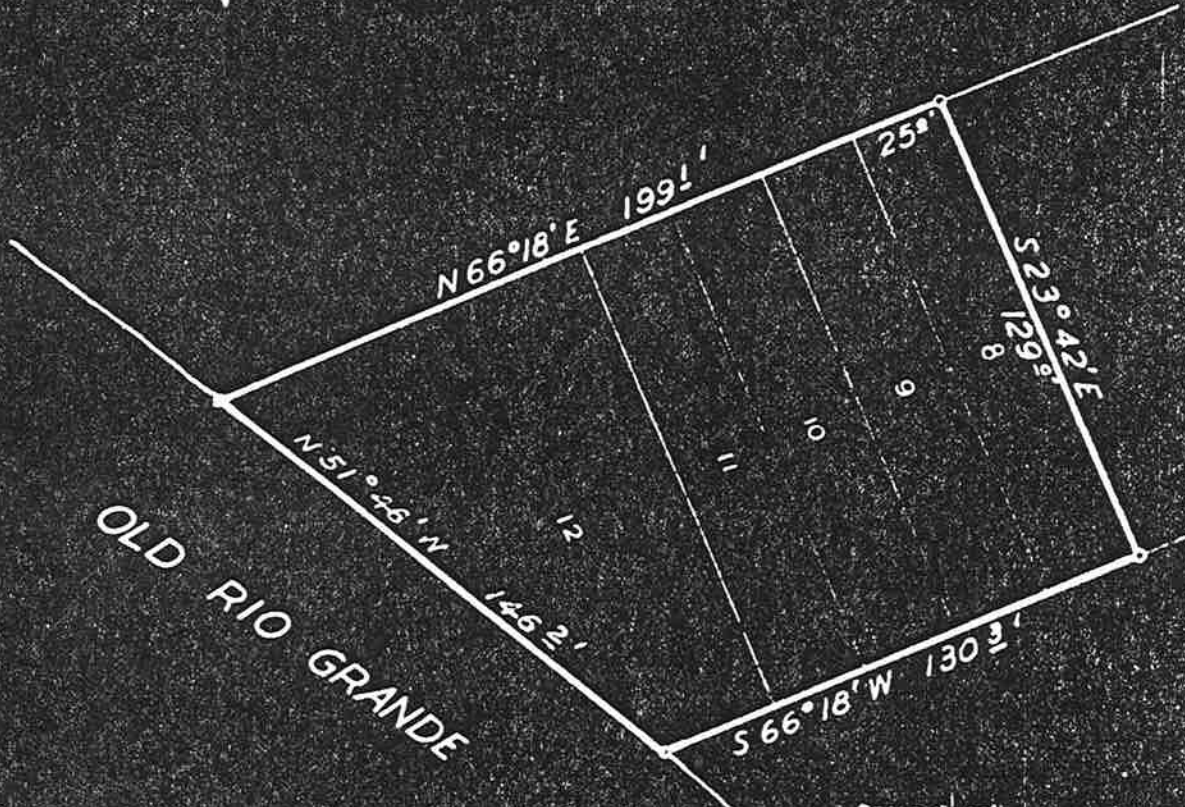


UNITED STATES	
DEPARTMENT OF THE INTERIOR	
BUREAU OF RECLAMATION	
RIO GRANDE PROJECT, NEW MEXICO, TEXAS	
RIVERSIDE CANAL EXTENSION	
RIGHT OF WAY	
FIELD WORK C.P.	CHECKED ...
DRAWN A.O.D.-F.J.G.	APPROVED ...
4080-L131	OCT. 1939
EL PASO, TEX.	

Revised
 Plat No. 18
 4-13-40



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



SCALE 1"=50'

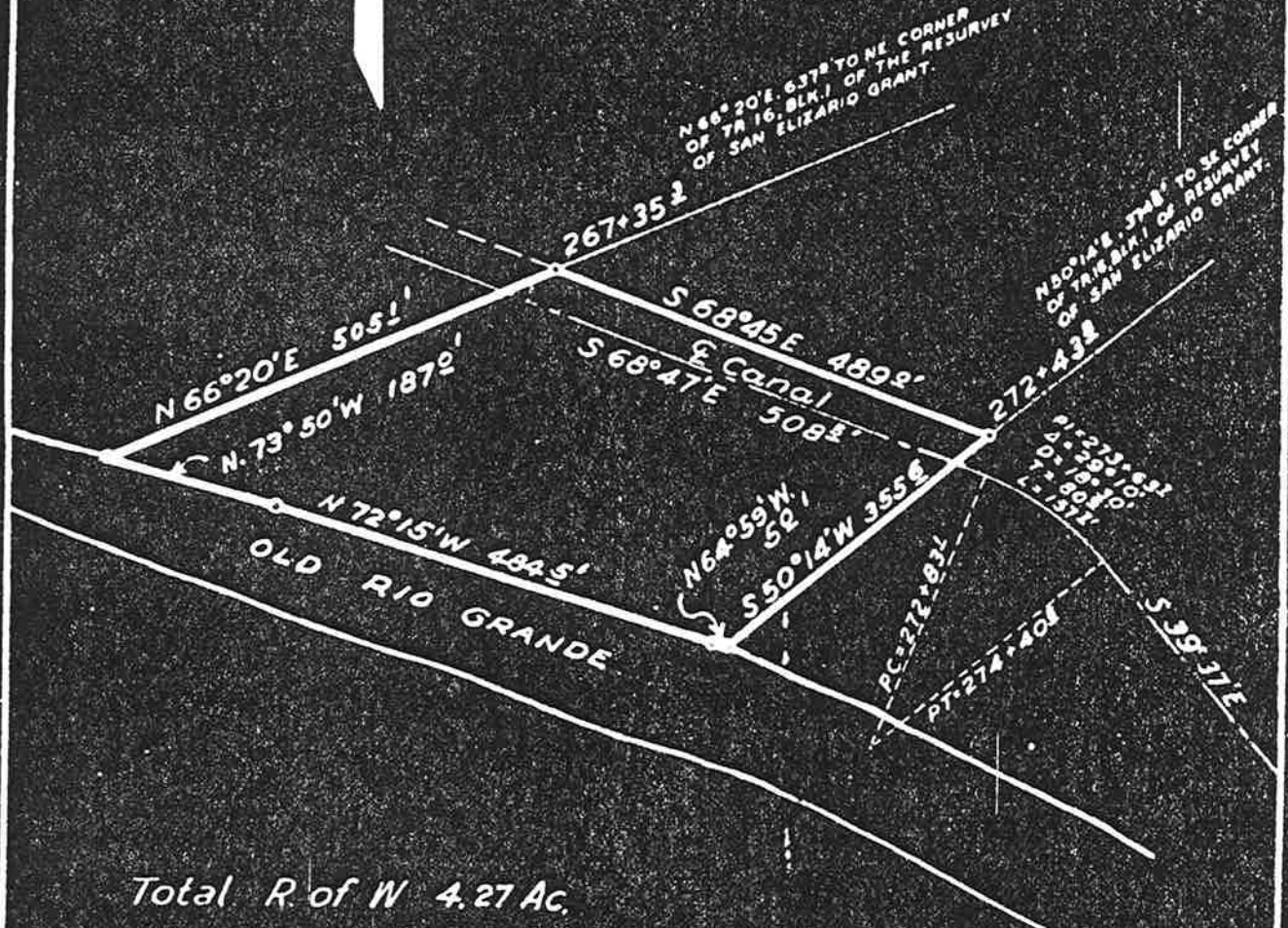
UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 RIO GRANDE PROJECT, NEW MEXICO-TEXAS
RIVERSIDE CANAL EXTENSION
 RIGHT OF WAY

FIELD WORK S.P. CHECKED
 DRAWN A.O.D. F.V.G. APPROVED
 4080-131 | EL PASO, TEX. OCT. 1939

Revised
 Plat No. 14
 4-13-40



Location Plat
 Sections 465, T34S-R8E, USRS.
 Tract 16, Block 1
 Resurvey of San Elizario Grant
 El Paso Co., Texas



Total R. of W 4.27 Ac.

SCALE 1" = 300'

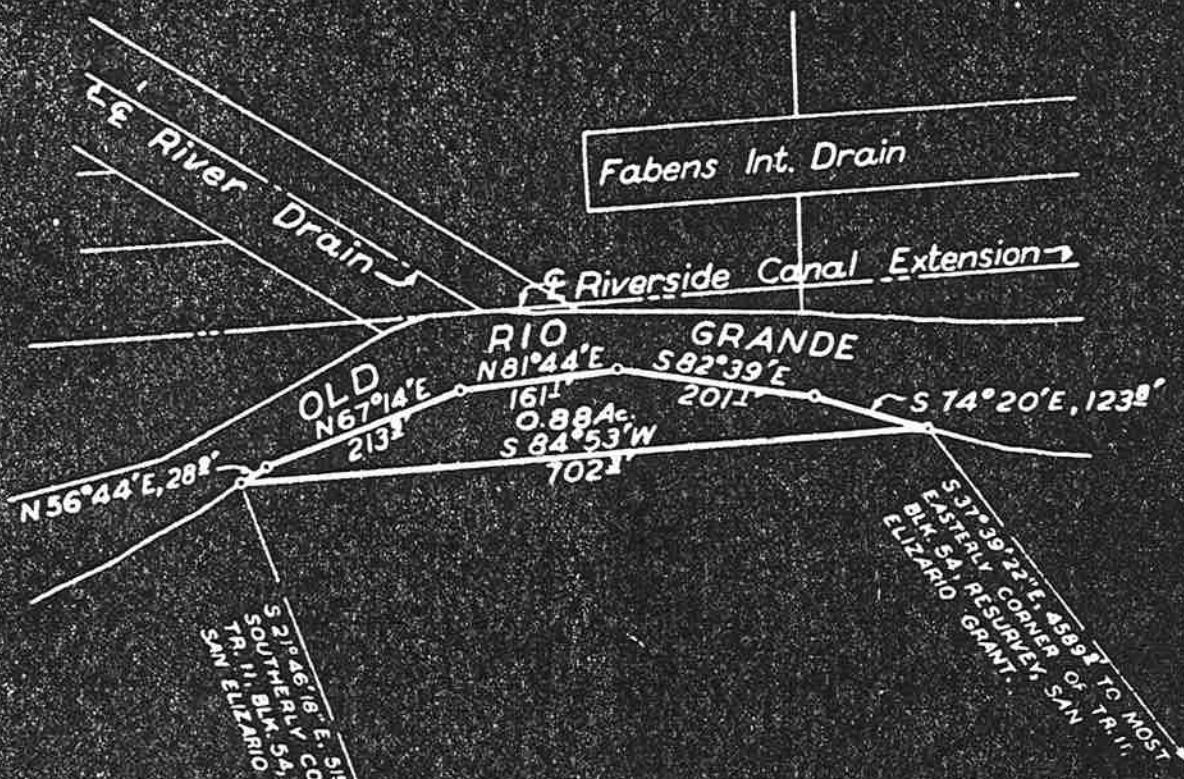
UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 RIO GRANDE PROJECT, NEW MEXICO-Texas
RIVERSIDE CANAL EXTENSION
 RIGHT OF WAY

FIELD WORK	C.P.	CHECKED
DRAWN	A.O.D. F.J.S.	APPROVED
4080-L131	EL PASO, TEX.	1939

Revised
 Plat No. 17
 4-12-40



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

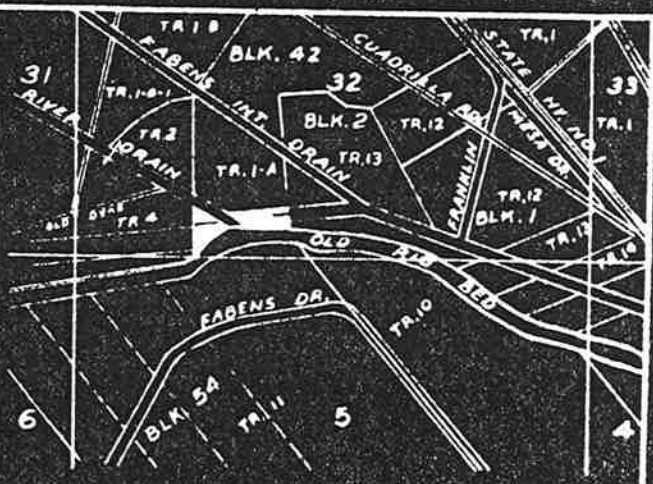


S 21°46'18" E, 515.8' TO MOST
 SOUTHERLY CORNER OF
 TR. 11, BLK. 54, RESURVEY,
 SAN ELIZARIO GRANT.

SCALE 1" = 200'

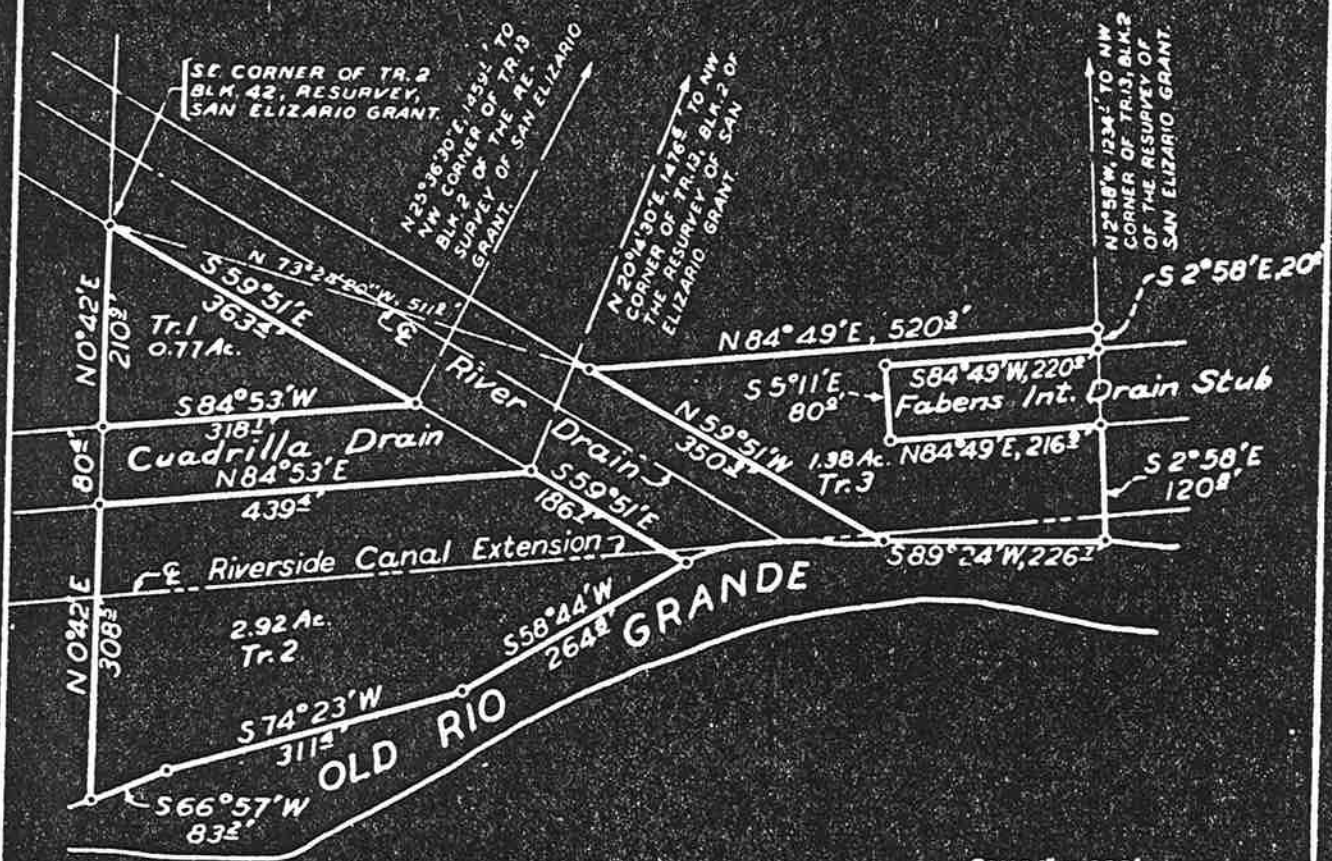
UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION RIO GRANDE PROJECT, NEW MEXICO TEXAS			
RIVERSIDE CANAL EXTENSION RIGHT OF WAY			
FIELD WORK	C.R.	CHECKED	A.O.D.
DRAWN	F.J.G.	APPROVED	
4080-L-131	EL PASO, TEXAS	5/17/64	

Revised
 Plat No. 20



TR. 1-A, BLK. 42
RESURVEY, SAN ELIZARIO GR.

LOCATION PLAT
SECTION 32, T33S-R8E, USRS.
TRACT 1-A, BLOCK 42
RESURVEY, SAN ELIZARIO GRANT
EL PASO CO., TEXAS
Total R/W = 5.07 Ac.



SCALE 1" = 200'

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

FIELD WORK G.R. CHECKED A.G.D.
DRAWN ADD.-F.V.G. APPROVED _____

4080-L-131 EL PASO, TEX. 5/16/44

Revised
Plat No. 8

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

The United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 E. O. Bradley, et al.,)
)
 Defendants.)

No. _____, Law.

DECLARATION OF TAKING

~~W. W. Henderson~~ Under Secretary of the Interior of the United States, acting by virtue of the provisions of (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, do hereby make and file this Declaration of Taking pursuant to the provisions of said Act of February 26, 1931, and declare that the lands described in the complaint filed in this cause and shown on the plan hereto annexed and made a part of this Declaration, are hereby taken for the use of the United States and under the authority of and for the purpose set forth in said Acts; that the estate in said lands hereby taken for the public use aforesaid is an estate in fee simple absolute; that the sum estimated by me to be just compensation for said lands, including all buildings, structures and improvements thereon, is one thousand four hundred forty-one and no/100 dollars (\$1441.00), which said sum is hereby deposited into the registry of this Honorable Court to the use and for the benefit of the ones entitled thereto; that the following is a description of the lands to which fee simple absolute title is taken under this Declaration, with the estimated value of the same:

THREE TRACTS of land lying and situate in El Paso County, Texas, and in the 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 tenth (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 Q. O. A.

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.

Correct as to Engineering Data Q.O.A.

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.

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

(Parcel II, Marasovich)

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°) 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.

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

(Parcel III, Hunt)

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

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

Correct as to Engineering Data 9.0.A.

Correct as to Engineering Data O.O.D.

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

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

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 O. O. D.

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

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

Riverside Canal Extension
Plat No. 14

x (Parcel V, Schutten)

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

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

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

Correct as to Engineering Data G. O. S.

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

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

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

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

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

W. C. Caudenhouse
Acting Under Secretary of the Interior
of the United States of America.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

430.

RIO GRANDE

July 15, 1940

The Honorable

The Attorney General.

Sir:

STEVE MARASOVICH

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 \$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 of judgment is to be paid is "14X8070.010 Reclamation Contributed Funds, Rio Grande Project, F. I. 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.

BUREAU OF RECLAMATION
COPY FOR THE SECRETARY'S OFFICE

FILE 700-11111

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,

/s/ W. C. MENDENHALL
Acting Under Secretary

Enclosure 2224168.

C
O
P
Y

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

UNITED STATES OF AMERICA,
Plaintiff,

vs.

STEVE M. MARASOVICH, ET AL,
Defendants.

NO. 93 CIVIL

PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION

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

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

I.

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

2. Your petitioner respectfully represents that the application for the condemnation of lands hereinafter described, and of the acquisition by

the United States of said lands in fee simple absolute, for the purposes herein-
above stated, is authorized and brought pursuant to (a) the Act of Congress of
June 17, 1902, 32 Stat., 388, and all acts amendatory thereof and supplementary
thereto, commonly known as the Reclamation Law; (b) the Act of March 4, 1921,
41 Stat., 1404, and (c) the Act of February 26, 1931, 46 Stat., 1421, and all
acts amendatory thereof and supplementary thereto.

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

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

Correct as to Engineering Data A. O. A.

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

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.

Correct as to Engineering Data G.O.A.

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.

(Plat II, thereon)

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

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

Correct as to Engineering Data 9.0.8.

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:

Correct as to Engineering Data Q.D.A.

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 A.O.D.

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

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. C. O. O.

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
(Barcel V. Soboten)

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:

Correct as to Engineering Data A.O.D.

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

Riverside Canal Extension
Plat No. 18

(Parcel VZ, 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 0.0.0.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) from which point the most easterly corner of said tract seventeen (17) bears North fifty degrees (50°) fourteen minutes (14') East three hundred sixteen and six tenths (316.6) feet; thence South fifty degrees (50°) fourteen minutes (14') West one hundred eighty-five and nine tenths (185.9) feet along the southeasterly line of said Tract seventeen (17) to the northeast bank of the Rio Grande as the same existed prior to the artificial rectification thereof; thence along the Northeast bank of the said former Rio Grande North sixty degrees (60°) fifty-one minutes (51') West one hundred ninety-nine and nine tenths (199.9) feet and North sixty-four degrees (64°) fifty-nine minutes (59') West three and three tenths (3.3) feet to the intersection with the northwesterly line of said Tract seventeen (17); thence along said northwesterly line of Tract seventeen (17) North forty-nine degrees (49°) fifty-seven minutes (57') East two hundred fifty-nine and eight tenths (259.8) feet to the point of beginning. Said tract of land containing ninety-seven hundredths (0.97) of an acre, more or less. All as shown on plat attached hereto and made a part hereof.

II.

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

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

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

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

(a) The Federal Land Bank of Houston, Texas owns or claims to own some interest in Parcel No. 2 by virtue of the fact that on September 12, 1922 W. J. Stahmann and wife, Anna M. Stahmann, gave a Deed of Trust covering Parcel No. 2 to said bank to secure one (1) note in the sum of FIVE THOUSAND AND NO/100 (\$5,000.00) DOLLARS, and on June 28, 1924 gave another Deed of Trust to secure one (1) note for TWO THOUSAND, SIX HUNDRED AND NO/100 (\$2,600.00) DOLLARS.

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

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

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

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

(a) That the Mutual Federal Savings & Loan Association and H. L. McCune, Trustee, own or claim to own some interest in Parcel No. 6 by virtue of the fact that Luciane Lopez gave a Deed of Trust covering said property to H. L. McCune, Trustee, for said association, to secure one (1) note in the sum of TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS, dated April 27, 1936.

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

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

III.

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

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

IV.

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

V.

1. WHEREFORE, your petitioner respectfully prays that the above named defendants be required to appear and set up their respective interests

in and to the aforesaid described property, if any they have.

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

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

BEN F. FOSTER,
United States Attorney,

R. NEILL WALSH,
Assistant United States Attorney,

W. C. PETICOLAS,
Special Attorney,

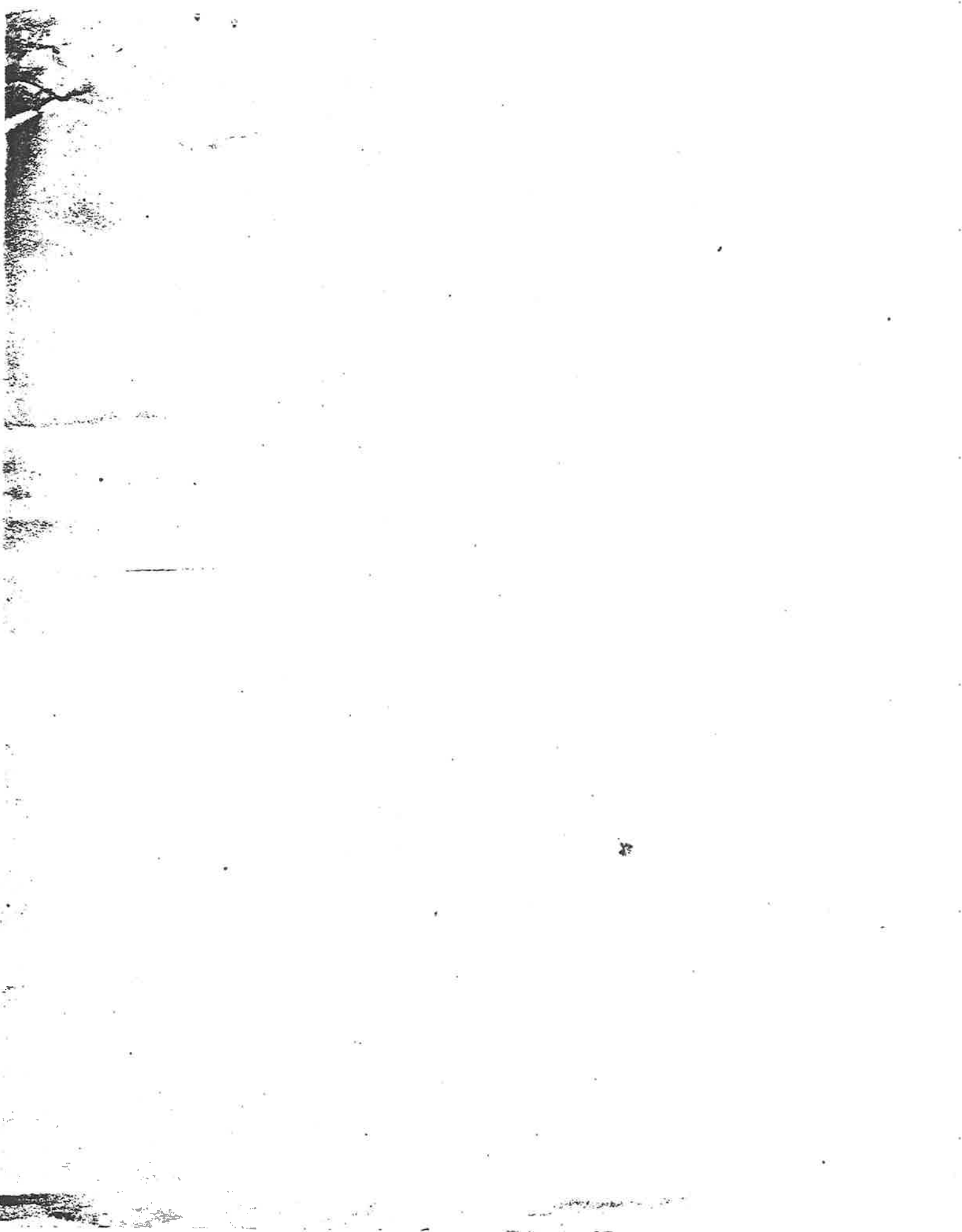
HAROLD L. SIMS,
Special Assistant to United States Attorney,

BY: W. C. Peticolas (S)

Jan 7
kd

J. E. Davis (S)

Flora Linker



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2

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DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

JEW-CHS

33-45-344

January 15, 1942

430-
RIO GRANDE

CHIEF COUNSEL

1/16 Robinson

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

Norman M. Littell

NORMAN M. LITTELL,
Assistant Attorney General

Encl. No.
586950

JAN 16 '42 73159

33-45-344

January 15, 1942

NY MESSENGER

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

Dear Mr. Page:

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Respectfully,
For the Attorney General

NORMAN M. LITTELL,
Assistant Attorney General

Encl. No.
586950

JAN 16 '42 73159

ENCLOSURE

Nº 586950

FROM

Department of Justice

7-249

U. S. GOVERNMENT PRINTING OFFICE

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

UNITED STATES OF AMERICA,
Plaintiff,

VS.

STEVE M. MARASOVICH, ET AL,
Defendants.

NO. 93 CIVIL

ORDER

Plaintiff is hereby given leave to amend.

Charles A. Boynton (S)
JUDGE.

Filed 7 Jan
19 42 at El Paso TX.
MAXLEY
By J. E. Sears (S)

A TRUE COPY of the above is certified.

By Flores L. Linker
Clerk

JAN1642 73159

4 30
RIO GRANDE

WJR/vt

JAN 23 1942

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

Dear Mr. Littell:

*Robinson
Schwab*

I have received your letter of January 15, 1942 (JMW-CH-33-45-244) 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 Council 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. 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.

Date Jan. 15, 1942, 194

BY MESSENGER

FROM THE DEPARTMENT OF JUSTICE

To Honorable John C. Page

Petition and order granting leave to amend, U. S. v.
(Description of material)

Steve M. Marasovich

Division Lands Received by _____

File No. 33-45-344 Time of delivery _____