

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

UNITED STATES OF AMERICA, *Plaintiff*,  
v.  
0.951 ACRES OF LAND, MORE OR LESS,  
SITUATE IN STARR COUNTY, STATE OF  
TEXAS; AND UNKNOWN HEIRS OF MARIA  
BARTOLO PENA, ET AL.,  
  
*Defendants.*

CASE NO. 7:25-CV-381

1.779 ACRES OF LAND, MORE OR LESS,,  
SITUATE IN STARR COUNTY, STATE OF  
TEXAS; AND MARINELLA FRIAS, ET AL.,  
  
*Defendants.*

CASE NO. 7:25-CV-423

3.819 ACRES OF LAND, MORE OR LESS,  
SITUATE IN STARR COUNTY, STATE OF  
TEXAS; AND ROLANDO A. RAMIREZ ET AL.,  
  
*Defendants.*

CASE NO. 7:25-CV-439

NOTICE OF CONDEMNATION

TO:

<b>7:25-CV-381</b> Unknown Heirs of Maria Bartolo Pena	<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Enrique de la Garza a/k/a Enrique Garza	<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Paula Garcia Garza
<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Horacio de la Garza a/k/a Horacio Garza	<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Alberto de la Garza a/k/a Alberto Garza	<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Jose de la Garza a/k/a Jose Garza
<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Teresa de la Garza a/k/a Teresa Garza	<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Placido de la Garza a/k/a Placido Garza	<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Justo de la Garza a/k/a Justo Garza a/k/a Justo Garcia
<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Eloy Martinez	<b>7:25-CV-381</b> Unknown Heirs/ Devisees of Eloy Silva	<b>7:25-CV-423</b> Marinella Frias (Partly believed to be deceased) San Antonio, TX
<b>7:25-CV-423</b> Unknown Heirs of Jose M. Perez	<b>7:25-CV-423</b> Unknown Heirs of Maria de los Santos Perez (a/k/a Santos Perez Frias)	<b>7:25-CV-423</b> Unknown Heirs of Martina Perez
<b>7:25-CV-423</b> Unknown Heirs of Juliana Perez	<b>7:25-CV-423</b> Unknown Heirs of Sabas Perez	<b>7:25-CV-423</b> Unknown Heirs of Ramon Garza Perez
<b>7:25-CV-439</b> Unknown Heirs of David H. Guerra 701 South G St. McAllen, TX 78501		

The persons or entities listed above, whose whereabouts cannot be determined or who could not be personally served, their unknown heirs, legatees, successors or assigns, and any unknown owners, **ARE HEREBY NOTIFIED THAT:** a Complaint in Condemnation has been filed in the above-named Court in an action to condemn certain interests or estates in and to the property described in Schedule B, attached hereto, for the public use in connection with the Secure Border Initiative. The authority for the taking is set forth in Schedule A, attached hereto. If you have any defense to the taking of the property in which you claim some interest, you are required to serve your answer upon Plaintiff’s attorney within 20 days after the third publication of this Notice. If you answer, please identify your property, state the nature and extent of your interest, and state all your objections and defenses to the taking, if any. A failure to answer shall constitute a consent to the taking and to the authority of the Court to hear the action and to fix just compensation and shall constitute a waiver of all defenses and objections not so presented. If you have no objection or defense to the taking, you may serve upon Plaintiff’s attorney, a Notice of Appearance, designating the property in which you claim an interest. Thereafter you will receive notice of all proceedings affecting that property. At the trial of the issue of just compensation, whether or not you have appeared or answered, you may present evidence as to the amount of the compensation to be paid and you may share in the distribution of the award of compensation according to the interest in the property which you possess; however, unless you file an Answer or a Notice of Appearance this case will proceed without further notice to you.

Respectfully,

NICHOLAS J. GANJEI  
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Southern District of Texas

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SCHEDULE “A”  
AUTHORITY FOR THE TAKING

WITH RESPECT TO CAUSE NO.: 7:25-CV-381

The real property interest is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September

30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved, December 27, 2020, as Public Law 116-260, div. F, tit. II, 134 Stat. 1452, which appropriated the funds that shall be used for the taking.

WITH RESPECT TO CAUSE NOS.: 7:25-CV-423; and 7:25-CV-439

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved, December 27, 2020, as Public Law 116-260, div. F, tit. II, 134 Stat. 1452, which appropriated the funds that shall be used for the taking.

SCHEDULE “B”  
PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain border barrier, including gates and power to operate such gates as well as roads that will be required to construct, operate, and maintain the border barrier.

For Cause No.: 7:25-CV-381

SCHEDULE “C”  
LEGAL DESCRIPTION  
Tract: RGV-RGC-R1023E

Owner: Unknown Heirs of Maria Bartolo Pena, *et al.* Acreage: 0.951

Being a 0.951 acre Access Easement tract (41,438 square feet) parcel of land, more or less, being out of the Maria Bartolo Pena Survey, Abstract No. 283 in Porcion 61 Starr County, Texas owned by the Unknown Heirs of M.B, Pena. Said parcel of land more particularly described by metes and bounds as follows;

Starting at COE Project control marker, said point being a 3 1/2” aluminum cap set in concrete stamped S143 2018, having the following NAD83 (2011) Grid Coordinates: N= 16714178.620, E= 784782.589;

Thence: N87°17’46”W, a distance of 2503.82 feet to a set 5/8” X 36” iron rebar and 3 1/4” aluminum cap stamped RGV-RGC-R1023E-1, being on the North line of The Unknown Heirs of M.B, Pena tract, and on the South line of The Conservation Fund Tract No. 1, Document No. 2022-366921, said point being the **Point of Commencement** and the **Point of Beginning**, having the following coordinates: N= 16714296.700, E= 782281.628 for angle;

Thence: S66°15’51”E, leaving said property lines a distance of 70.58 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-2 for angle;

Thence: S43°26’30”E, a distance of 74.43 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated RGV-RGC-R1023E-3 for angle;

Thence: S50°14’01”E, a distance of 35.67 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated RGV-RGC-R1023E-4 for angle;

Thence: S60°58’58”E, a distance of 38.40 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-5 for angle;

Thence: S14°08’07”W, a distance of 82.84 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-6 for angle;

Thence: S28°04’58”W, a distance of 62.76 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-7 for angle;

Thence: S32°53’12”W, a distance of 29.79 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-8 for angle;

Thence: S43°36’16”W, a distance of 48.39 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-9, for the beginning of a non tangent curve to the left;

Thence: along said curve to the left, with a radius of 42.95 feet, a curve length of 27.71 feet, a chord bearing of S11°52’50”W, a chord length of 27.23 feet and a central angle of 36°58’11”, to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-10, for the ending of a non tangent curve to the left;

Thence: S06°51’12”E, a distance of 26.50 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-11, for the beginning of a non tangent curve to the right;

Thence: along said curve to the right, with a radius of 32.89 feet, a curve length of 50.84 feet, a chord bearing of S38°43’00”W, a chord length of 45.93 feet and a central angle of 88°33’38”, to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-12, for the ending of a non tangent curve to the right;

Thence: S79°18’59”W, a distance of 14.61 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-13, for the beginning of a non tangent curve to the left;

Thence: along said curve to the left, with a radius of 123.87 feet, a curve length of 64.53 feet, a chord bearing of S59°21’38”W, a chord length of 63.80 feet and a central angle of 29°51’00”, to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-14, for the ending of a non tangent curve to the left;

Thence: S42°58’59”W, a distance of 36.95 feet to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-15, for the beginning of a non tangent curve to the left;

Thence: along said curve to the left, with a radius of 10.94 feet, a curve length of 17.82 feet, a chord bearing of S02°32’59”E, a chord length of 15.91 feet and a central angle of 93°20’07”, to a set 5/8” X 36” iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-16, for the ending of a non tangent curve to the left;



**Thence:** S46°27'01"E, a distance of 43.33 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-17 for angle;

**Thence:** S60°13'50"E, a distance of 37.68 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-18 for angle;

**Thence:** S54°30'02"E, a distance of 110.48 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-19 for angle;

**Thence:** S62°56'36"E, a distance of 27.85 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-20, for the beginning of a non tangent curve to the right;

**Thence:** along said curve to the right, with a radius of 64.93 feet, a curve length of 69.33 feet, a chord bearing of S42°31'44"E, a chord length of 66.09 feet and a central angle of 61°10'42", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-21, for the ending of a non tangent curve to the right;

**Thence:** S20°34'52"E, a distance of 14.84 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-22 for angle;

**Thence:** S34°03'57"E, a distance of 86.03 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-23, for the beginning of a non tangent curve to the right;

**Thence:** along said curve to the right, with a radius of 99.75 feet, a curve length of 68.12 feet, a chord bearing of S09°43'54"E, a chord length of 66.80 feet and a central angle of 39°07'31", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-24, for the ending of a non tangent curve to the right;

**Thence:** S11°53'39"W, a distance of 20.82 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-25, for the beginning of a non tangent curve to the left;

**Thence:** along said curve to the left, with a radius of 25.19 feet, a curve length of 32.77 feet, a chord bearing of S15°25'58"E, a chord length of 30.51 feet and a central angle of 74°33'06", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-26, for the ending of a non tangent curve to the left;

**Thence:** S39°18'42"E, a distance of 18.36 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-27 for angle;

**Thence:** S26°21'42"E, a distance of 81.01 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-28 for angle;

**Thence:** S19°44'04"E, a distance of 48.32 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-29 for angle;

**Thence:** S10°55'26"E, a distance of 51.75 feet to a set 5/8" X 36" iron rebar and 3 1/4" aluminum cap stamped RGV-RGC-R1023E-30=R1045E-11, being on the South line of The Unknown Heirs of M.B, Pena tract, and on the North line of The Guillermo Castillo Estate, Volume 365, Page 749, for angle;

**Thence:** S56°01'48"W, continuing along said property lines a distance of 32.60 feet to a set 5/8" X 36" iron rebar and 3 1/4" aluminum cap stamped RGV-RGC-R1023E-31=R1045E-10 for angle;

**Thence:** N10°55'26"W, leaving said property lines a distance of 62.20 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-32 for angle;

**Thence:** N19°44'04"W, a distance of 44.27 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-33 for angle;

**Thence:** N26°21'42"W, a distance of 75.87 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-34 for angle;

**Thence:** N39°18'42"W, a distance of 12.12 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-35, for the beginning of a non tangent curve to the right;

**Thence:** along said curve to the right, with a radius of 55.19 feet, a curve length of 64.50 feet, a chord bearing of N14°52'12"W, a chord length of 60.89 feet and a central angle of 66°57'42", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-36, for the ending of a non tangent curve to the right;

**Thence:** N11°53'39"E, a distance of 18.13 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-37, for the beginning of a non tangent curve to the left;

**Thence:** along said curve to the left, with a radius of 69.75 feet, a curve length of 46.00 feet, a chord bearing of N09°27'58"W, a chord length of 45.17 feet and a central angle of 37°47'09", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-38, for the ending of a non tangent curve to the left;

**Thence:** N34°03'57"W, a distance of 88.21 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-39 for angle;

**Thence:** N20°34'52"W, a distance of 21.00 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-40, for the beginning of a non tangent curve to the left;

**Thence:** along said curve to the left, with a radius of 34.93 feet, a curve length of 41.49 feet, a chord bearing of N42°48'38"W, a chord length of 39.09 feet and a central angle of 68°02'26", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-41, for the ending of a non tangent curve to the left;

**Thence:** N62°56'36"W, a distance of 33.15 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-42 for angle;

**Thence:** N54°30'02"W, a distance of 111.19 feet to a set 5/8" X 36" iron

rebar and plastic easement cap, designated as RGV-RGC-R1023E-43 for angle;

**Thence:** N60°13'50"W, a distance of 39.80 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-44 for angle;

**Thence:** N46°27'01"W, a distance of 46.46 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-45, for the beginning of a non tangent curve to the right;

**Thence:** along said curve to the right, with a radius of 40.94 feet, a curve length of 65.34 feet, a chord bearing of N02°09'19"W, a chord length of 58.63 feet and a central angle of 91°27'01", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-46, for the ending of a non tangent curve to the right;

**Thence:** N42°58'59"E, a distance of 37.10 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-47, for the beginning of a non tangent curve to the right;

**Thence:** along said curve to the right, with a radius of 153.87 feet, a curve length of 81.95 feet, a chord bearing of N59°32'40"E, a chord length of 80.99 feet and a central angle of 30°30'59", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-48, for the ending of a non tangent curve to the right;

**Thence:** N79°18'59"E, a distance of 17.35 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-49, for the beginning of a non tangent curve to the left;

**Thence:** along said curve to the left, with a radius of 2.89 feet, a curve length of 4.76 feet, a chord bearing of N44°37'32"E, a chord length of 4.24 feet and a central angle of 94°15'18", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-50, for the ending of a non tangent curve to the left;

**Thence:** N06°51'12"W, a distance of 26.03 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-51, for the beginning of a non tangent curve to the right;

**Thence:** along said curve to the right, with a radius of 72.95 feet, a curve length of 51.08 feet, a chord bearing of N13°23'48"E, a chord length of 50.04 feet and a central angle of 40°07'03", to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-52, for the ending of a non tangent curve to the right;

**Thence:** N43°36'16"E, a distance of 48.60 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-53 for angle;

**Thence:** N32°53'12"E, a distance of 25.71 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-54 for angle;

**Thence:** N28°04'58"E, a distance of 57.83 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-55 for angle;

**Thence:** N14°08'07"E, a distance of 56.10 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-56 for angle;

**Thence:** N60°58'58"W, a distance of 18.15 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-57 for angle;

**Thence:** N50°14'01"W, a distance of 40.27 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-58 for angle;

**Thence:** N43°26'30"W, a distance of 70.15 feet to a set 5/8" X 36" iron rebar and plastic easement cap, designated as RGV-RGC-R1023E-59 for angle;

**Thence:** N66°15'51"W, a distance of 64.03 feet to a set 5/8" X 36" iron rebar and 3 1/4" aluminum cap stamped RGV-RGC-R1023E-60, being on the North line of The Unknown Heirs of M.B, Pena tract, and on the South line of The Conservation Fund, Tract No. 1, Document No. 2022-366921, for angle;

**Thence:** N18°19'21"E, continuing along said property lines a distance of 15.07 feet to a found 5/8" X 36" iron rebar 3 1/4" aluminum cap stamped RGV-RGC-1020-2-3=1023-6, designated as RGV-RGC-R1023E-61 for angle;

**Thence:** N27°17'37"E, continuing along said property lines a distance of 15.03 feet returning to the **Point of Beginning**.

**SCHEDULE “E”  
ESTATE TAKEN  
PERPETUAL ROAD EASEMENT  
Tract: RGV-RGC-R1023E**

The estate taken is a non-exclusive, perpetual and assignable easement and right-of-way in, on, over, under and across the land described in Schedule C, for use by the United States, its representatives, agents, and contractors, for the location, construction, operation, maintenance, alteration and replacement of a road and aboveground and/or underground utility lines and appurtenances thereto; together with the right to trim, cut, fell and remove any vegetative or structural obstacles that interfere with the right-of-way; subject to existing easements for public roads and highways, public utilities, railroads and pipelines, if any; reserving however, to the owners, their heirs and assigns, the right to use the surface of such land as access to their adjoining land or for any other use consistent with its use as a road and utility easement.

**SCHEDULE “F”  
ESTIMATE OF JUST COMPENSATION  
Tract: RGV-RGC-R1023E**

The sum estimated as just compensation for the land being taken is FOUR THOUSAND SIXTY-SIX DOLLARS AND NO CENTS (\$4,066.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.



SCHEDULE “C”  
LEGAL DESCRIPTION  
Tract: RGV-RGC-8043

**Being** a 1.779 acre (77,472 square feet) parcel of land, more or less, being out an unknown tract of land located in the Maria Marcela Martinez Survey, Abstract No. 130, East ½ of Porción 83, ancient jurisdiction of Camargo, Mexico, now Starr County, Texas, said parcel of land being more particularly described by metes and bounds as follows;

**Commencing** at a found U.S. Fish and Wildlife Service aluminum disk at an angle in the west line of a called 582.548 acre tract conveyed to the United States of America by Warranty Deed recorded in Volume 609, Page 258, Official Records of Starr County, Texas “Tract (620)”, said point being in the west line of Porción 84 and the east line of Porción 83, said point having the coordinates of N=16646752.764, E=896418.846, said point bears S 79°44’12” E, a distance of 2693.72’ from United States Army Corps of Engineers Control Point No. SS14-2019, and N 08°54’12” E, a distance of 169.33’ from a found U.S. Fish and Wildlife Service aluminum disk at an angle in the west line of the 582.548 acre tract;

**Thence:** N 09°20’32” E, with the west line of the 582.548 acre tract, the west line of Porción 84 and the east line of Porción 83, for a distance of 100.00’ to a found 5/8” rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: “RGV-RGC-8011-1-1” for the **Point of Beginning** and southeast corner of Tract RGV-RGC-8043, said point being in the west line of the 582.548 acre tract, the west line of Porción 84 and the east line of Porción 83, said point having the coordinates of N=16646851.442, E=896435.080;

**Thence:** N 84°16’09” W, departing the west line of the 582.548 acre tract and the west line of Porción 84, for a distance of 383.29’ to a found 5/8” rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: “RGV-RGC-8016-5” for the southwest corner of Tract RGV-RGC-8043, said point being in the east line of a called 41.15 acre tract conveyed to Marcelo Montalvo by Warranty Deed recorded in Volume 357, Page 375, Deed Records of Starr County, Texas;

**Thence:** with the east line of the 41.15 acre tract, the following courses and distances:

- N 04°29’17” E, for a distance of 65.30’ to an angle point in the west line of Tract RGV-RGC-8043;
- N 10°03’17” E, for a distance of 135.10’ to a found 5/8” rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: “RGV-RGC-8016-3” for the northwest corner of Tract RGV-RGC-8043, said point being in the east line of the 41.15 acre tract;

**Thence:** S 84°16’09” E, departing the east line of the 41.15 acre tract, for a distance of 387.15’ to a found 5/8” rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: “RGV-RGC-8011-1-2” for the northeast corner of Tract RGV-RGC-8043, said point being in the east line of Porción 83, the west line of Porción 84 and the west line of the 582.548 acre tract;

**Thence:** S 09°20’32” W, with the east line of Porción 83, the west line of Porción 84 and the west line of the 582.548 acre tract, for a distance of 200.40’ to the **Point of Beginning**.

SCHEDULE “E”  
ESTATE TAKEN  
FEE, EXCLUDING MINERALS  
Tract: RGV-RGC-8043

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of lands identified in Volume D, Page 469, being a tract of land located in the Maria Marcela Martinez Survey, Abstract No. 130, East ½ of Porción 83, Starr County, Texas, reasonable access to and from the owners’ lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled “Beginning” and easternmost mark labeled “Ending” depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States’ construction, operation and maintenance of the border barrier.

SCHEDULE “F”  
ESTIMATE OF JUST COMPENSATION  
Tract: RGV-RGC-8043

The sum estimated as just compensation for the land being taken is TWENTY-THREE THOUSAND SEVEN HUNDRED SEVENTY-SEVEN DOLLARS AND NO/100 (\$23,777.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE “C”  
LEGAL DESCRIPTION  
Tract: RGV-RGC-8009

**Being** a 3.819 acre (166,377 square feet) parcel of land, more or less, being out of the Nicolas Vela Survey, Abstract No. 179, Porción 82, ancient jurisdiction of Camargo, Mexico, now Starr County, Texas, being out of Share 70-B as described in the Certified Copy of Final Judgement recorded and Volume 133, Page 1, Deed Records of Starr County, Texas and being out of a called 9.81 acre tract conveyed to Rolando A. Ramirez by Partition Deed recorded in Volume 843, Page 622, Official Records of Starr County, Texas (Tract No. 2), said parcel of land being more particularly described by metes and bounds as follows;

**Beginning** at a set 5/8” rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: “RGV-RGC-8009-1” for the northeast corner of Tract RGV-RGC-8009, said point being in the east line of the 9.81 acre Rolando A. Ramirez tract, the

east line of Porción 82, the west line of Porción 83 and the west line of a called 11.13 acre tract conveyed to Ryan Guillen by Special Warranty Deed recorded in Instrument No. 2018-346725, Official Records of Starr County, Texas, said point having the coordinates of N=16647540.562, E=892900.598, said point bears N 70°27’53” W, a distance of 920.62’ from United States Army Corps of Engineers Control Point No. SS14-2019;

**Thence:** S 09°22’57” W (S 09°49’06” W, Record), with the east line of the 9.81 acre Rolando A. Ramirez tract, the east line of Porción 82, the west line of Porción 83 and the west line of the 11.13 acre tract, passing at 15.45’ a found 5/8” rebar at the southwest corner of the 11.13 acre tract and the northwest corner of a called 127.941 acre tract conveyed to the United States of America by Warranty Deed recorded in Volume 709, Page 477, Official Records of Starr County, Texas “Tract (626)”, continuing for a total distance of 223.61’ to a set 5/8” rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: “RGV-RGC-8009-2=8011-8” for the southeast corner of Tract RGV-RGC-8009, said point being in the east line of the 9.81 acre Rolando A. Ramirez tract, the east line of Porción 82, the west line of Porción 83 and the west line of the 127.941 acre tract;

**Thence:** departing the west line of the 127.941 acre tract and the west line of Porción 83, over and across the 9.81 acre Rolando A. Ramirez tract, the following courses and distances:

- N 73°01’27” W, for a distance of 25.84’ to a set 5/8” rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: “RGV-RGC-8009-3” for an angle point in the southwest line of Tract RGV-RGC-8009;
- N48°25’55” W, for a distance of 848.65’ to a set 5/8” rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: “RGV-RGC-8004-2-3=8009-4” for the southwest corner of Tract RGV-RGC-8009, said point being in the west line of the 9.81 acre Rolando A. Ramirez tract and the east line of a called 9.81 acre tract conveyed to Tiburcia G. Ramirez by Partition Deed recorded in Volume 843, Page 622, Official Records of Starr County, Texas (Tract No. 1);

**Thence:** N 08°47’28” E (N 09°06’51” E, Record), with the west line of the 9.81 acre Rolando A. Ramirez tract and the east line of the 9.81 acre Tiburcia G. Ramirez tract, for a distance of 130.27’ to a point for the northwest corner of Tract RGV-RGC-8009, said point being at the northwest corner of the 9.81 acre Rolando A. Ramirez tract and a northeasterly exterior corner of the 9.81 acre Tiburcia G. Ramirez tract, said point being in the south line of a called 7.000 acre tract recorded in Volume 133, Page 1, Deed Records of Starr County, Texas (Share 118-B) and being the same tract of land conveyed to Carmen S. Gonzalez by Special Warranty Deed recorded in Volume 1083, Page 784, Official Records of Starr County, Texas;

**Thence:** with the north line of the 9.81 acre Rolando A. Ramirez tract and the south line of the 7.000 acre tract, the following courses and distances:

- S 79°02’46” E (S 78°43’23” E, Record), for a distance of 143.25’ to an angle point in the north line of Tract RGV-RGC-8009;
- S 80°47’50” E (S 80°28’27” E, Record), for a distance of 32.72’ to a set 5/8” rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: “RGV-RGC-8006-1-3=8009-7” for a northerly corner of Tract RGV-RGC-8009, said point being in the north line of the 9.81 acre Rolando A. Ramirez tract and the south line of the 7.000 acre tract;

**Thence:** S 48°25’55” E, departing the south line of the 7.000 acre tract, over and across the 9.81 acre Rolando A. Ramirez tract, for a distance of 672.64’ to the **Point of Beginning**.

SCHEDULE “E”  
ESTATE TAKEN  
FEE, EXCLUDING MINERALS  
Tract: RGV-RGC-8009

The estate acquired is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to the mineral interests of third parties; excepting and reserving to the Grantor all interests in minerals and appurtenant rights for the exploration, development, production and removal of said minerals;

Reserving to the owner of a parcel of land, more or less, being out of the Nicolas Vela Survey, Abstract No. 179, Porción 82, ancient jurisdiction of Camargo, Mexico, now Starr County, Texas, being out of Share 70-B as described in the Certified Copy of Final Judgement recorded and Volume 133, Page 1, Deed Records of Starr County, Texas and being out of a called 9.81 acre tract conveyed in Partition Deed recorded in Volume 843, Page 622, Official Records of Starr County, Texas (Tract No. 2), reasonable access to and from the owners’ lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled “Beginning” and easternmost mark labeled “Ending” depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States’ construction, operation, and maintenance of the border barrier.

SCHEDULE “F”  
ESTIMATE OF JUST COMPENSATION  
Tract: RGV-RGC-8009

The sum estimated as just compensation for the land being taken is ONE HUNDRED THIRTY THOUSAND DOLLARS AND NO/100 (\$130,000.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.