

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA, *Plaintiff*,
v.

0.118 ACRES OF LAND,
MORE OR LESS, SITUATE IN
STARR COUNTY, STATE OF
TEXAS; AND UNKNOWN
HEIRS OF PEDRO RAMIREZ,
ET AL.,
Defendants.

§ CASE NO. 7:25-CV-091
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1.646 ACRES OF LAND,
MORE OR LESS,
SITUATE IN STARR COUNTY,
STATE OF TEXAS; AND
ALEJO CLARKE, JR.,
ET AL.,
Defendants.

§ CASE NO. 7:25-CV-338
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NOTICE OF CONDEMNATION

TO:		
7:25-CV-091 Maria Del Jesus Campos 5718 10th St. E Bradenton, FL 34203	7:25-CV-091 Concepcion Masias 4150 Heron Way, Apt. 201-B Bradenton, FL 34205	7:25-CV-091 Maria Iris Campos 1508 Woodwinds Ln Bradenton, FL 34208
7:25-CV-091 Francisca Vazquez Campos 820 63rd Ave. E Bradenton, FL 34203	7:25-CV-091 Rebecca Campos 1121 17th St W Bradenton, FL 34205	7:25-CV-091 Sarah Campos Townsend 1121 17th St W Bradenton, FL 34205
7:25-CV-091 Unknown Heirs of Richard V. Campos	7:25-CV-338 Unknown Heirs of Aurora Lopez a/k/a Aurora Rodriguez a/k/a Aurora R. Garcia	7:25-CV-338 Unknown Heirs of Oscar Hector Garcia
7:25-CV-338 Unknown Heirs of Neri Ismelda Garcia de Enriquez	7:25-CV-338 Unknown Heirs of Linda Brown Trent	7:25-CV-338 Unknown Heirs of Eulogio Rodriguez
7:25-CV-338 Unknown Heirs of Evangelina Rodriguez Gonzalez a/k/a Evangelina R. Gonzalez	7:25-CV-338 Unknown Heirs of Manuela “Mamie” Rodriguez Palmer a/k/a Mamie R. Francis	7:25-CV-338 Unknown Heirs of Robert Charles Palmer
7:25-CV-338 Unknown Heirs of Azucena Rodriguez Brown a/k/a Susie Rodriguez Brown	7:25-CV-338 Alejo Clarke, Jr. 49 Wood Road Rio Grande City, TX 78582	7:25-CV-338 Janie Johnston Lopez 2001 Forrest Dr. Edinburg, TX 78539-6055
7:25-CV-338 Rebeca Johnston 6503 N. 28th Ln McAllen, TX 78504-4216	7:25-CV-338 Patricia J. Villarreal 3214 Lerma Dr. Edinburg, Texas 78539-4756	7:25-CV-338 Alma J. Besson 12001 Heatherly Dr., Apt. 9206 Austin, TX 78747-4553
7:25-CV-338 Gonzalo Gonzalez 5853 Railway St. Rio Grande City, TX 78582	7:25-CV-338 Roberto Gonzalez P.O. Box 566 La Grulla, TX 78548	7:25-CV-338 Olga G. Perez 5855 Railway St. Rio Grande City, TX 78582
7:25-CV-338 Elma Gonzalez 1350 W. Malone Avenue San Antonio, TX 78225-1837	7:25-CV-338 Ninfa G. Barrera 14548 County Road 150 Kenedy, TX 78119-5387	7:25-CV-338 William S. Palmer 435 Northpines Dr., Apt. 207 Kingwood, TX 77339-3842
7:25-CV-338 Terry B. Bryan 107 Treybourne Dr. Reidsville, NC 27320-6849	7:25-CV-338 Harden C. Brown, Jr. P.O. Box 243 Ruffin, NC 27326	7:25-CV-338 Gary M. Brown 370 Estes Rd. Ruffin, NC 27326-9117
7:25-CV-338 Sylvia Lopez 4436 E. Mile 13½ North Mercedes, TX 78570		

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
United States Attorney
Southern District of Texas

By:

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SCHEDULE “A”
AUTHORITY FOR THE TAKING

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-091

SCHEDULE “C”
LEGAL DESCRIPTION
Tract: RGV-RGC-8042

Owner: Unknown Heirs of Pedro Ramirez, et al. Acreage: 0.118

Being a 0.118 of one acre (5,155 square feet) parcel of land, more or less, being out of the Nicolas Vela Survey, Abstract No. 179, Porción 82, Starr County, Texas, being out of Share 107-B of the Certified Copy of Final Judgement recorded in Volume 133, Page 1, Deed Records of Starr County, Texas and being out of a called 1.66 acre tract conveyed to America Arredondo by Deed of Gift recorded in Volume 1096, Page 812, Official Records of Starr County, Texas, said parcel of land being more particularly described by metes and bounds as follows;

Commencing at a found 2” iron pipe in the north line of the 1.66 acre tract, said point being at the southwest corner of a called 8.280 acre tract described in the Certified Copy of Final Judgement recorded in Volume 133, Page 1, Deed Records of Starr County, Texas (Share 71-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 and an easterly exterior corner of a called 40.533 acre tract described in the Certified Copy of Final Judgement recorded in Volume 133, Page 1, Deed Records of Starr County, Texas (Share 110) and being the same tract of land conveyed to Carmen S. Gonzalez by Special Warranty

Records of Starr County, Texas, being the same tract of land conveyed to Oscar R. Valadez, Executor and Trustee by Probate (Cause No. 11,201) recorded in Volume 406, Page 454, Deed Records of Starr County, Texas, and being the same tract of land conveyed to Armando Valadez, Jr., Diana S. Valadez, Edward Valadez, Jerry Valadez and Brenda Valadez by Affidavit of Facts Concerning the Identity of Heirs recorded in Document No. 2021-362915, Official Records of Starr County, Texas;

Thence: N 80°55'47" W (N 80°45' W, Record), with the south line of Share 1-A and the north line of Share 3-A, passing at 88.80' a found 5/8" rebar at the northwest corner of Share 3-A, the northeast corner of a called 0.950 acre tract described in Final Judgement-Cause No. 2232 recorded in Volume 138, Page 215, Deed Records of Starr County, Texas (Share 2-A) and the northeast corner of a called 0.19 acre tract conveyed to Evelyn Garza by Warranty Deed of Gift recorded in Volume 887, Page 643, Official Records of Starr County, Texas (Tract No. Two), continuing for a total distance of 228.97' to a found 3/4" rebar for the southerly interior corner of Tract RGV-RGC-8019, said point being at the southerly interior corner of Share 1-A, the northwest corner of Share 2-A and the northwest corner of the 0.19 acre tract;

Thence: S 09°04'13" W (S 9°15' W, Record), with the east line of Share 1-A, the west line of Share 2-A and the west line of the 0.19 acre Garza tract, passing at 68.40' the southwest corner of the 0.19 acre tract and the northwest corner of a called 0.76 acre tract conveyed to Leticia Larson by Warranty Deed recorded in Volume 668, Page 736, Official Records of Starr County, Texas, continuing for a total distance of 126.15' to a found 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-8019-7=8021-5" for the south corner of Tract RGV-RGC-8019, said point being in the east line of Share 1-A, the west line of Share 2-A and the west line of the 0.76 acre tract;

Thence: N 47°35'13" W, departing the west line of Share 2-A and the west line of the 0.76 acre tract, over and across Share 1-A, for a distance of 199.84' to a found 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-8011-1-7=8019-8" for the southwest corner of Tract RGV-RGC-8019, said point being in the west line of Share 1-A and the east line of the 582.548 acre tract;

Thence: N 09°20'32" E (N 9°15' E, Record), with the west line of Share 1-A and the east line of the 582.548 acre tract, for a distance of 155.84' to the **Point of Beginning**.

SCHEDULE "C"
LEGAL DESCRIPTION
Tract: RGV-RGC-8056

Owners: Alejo Clarke, Jr., et al.

Being a 0.040 of one acre (1,735 square feet) parcel of land, more or less, being out of the Ventura Vela Survey, Abstract No. 184, Porción 84, Starr County, Texas, being out of Share 1-A as described in the Gift Warranty Deed recorded in Document No. 2020-356371, Official Records of Starr County, Texas, and being out of a called 0.1377 of one acre tract conveyed to Eulogio Rodriguez by Warranty Deed recorded in Volume 363, Page 411, Deed Records of Starr County, Texas, said parcel of land being more particularly described by metes and bounds as follows;

Beginning at a 16" mesquite tree for the southwest corner of Tract RGV-RGC-8056, said point being at the southwest corner of the 0.1377 of one acre tract, said point being in the south line of Share 1-A and the north line of a called 1.070 acre tract conveyed to Tomas Valadez, Rita Tamez Vda de Valadez, Victor Valadez, Ventura S. Valadez, Fidela Valadez de Alaniz, wife of Eustolio Alaniz, Melecio Valadez, Encarnacion Valadez, Gustavo Valadez and Guadalupe Garcia de Valadez, wife of Rafael Valadez Soto by Final Judgement-Cause No. 2232 recorded in Volume 138, Page 215, Deed Records of Starr County, Texas (Share 3-A), being the same tract of land conveyed to Sylvia Lopez by Warranty Deed with Vendor's Lien recorded in Volume 886, Page 518, Official Records of Starr County, Texas (Second Tract), being the same tract of land conveyed to Gerarda G. Valadez, Gustavo Valadez, Jr. and Armando Valadez by Affidavit of Heirship recorded in Volume 666, Page 647, Official Records of Starr County, Texas, being the same tract of land conveyed to Rebecca Valadez Montalvo by Deed of Gift recorded in Volume 391, Page 787, Deed Records of Starr County, Texas, being the same tract of land conveyed to Oscar R. Valadez, Executor and Trustee by Probate (Cause No. 11,201) recorded in Volume 406, Page 454, Deed Records of Starr County, Texas, and being the same tract of land conveyed to Armando Valadez, Jr., Diana S. Valadez, Edward Valadez, Jerry Valadez and Brenda Valadez by Affidavit of Facts Concerning the Identity of Heirs recorded in Document No. 2021-362915, Official Records of Starr County, Texas, said point having the coordinates of N=16646063.701, E=899844.016, said point bears S 37°30'58" E, a distance of 962.49' from United States Army Corps of Engineers Control Point No. SS12-2019, said point bears N 80°55'47" W, a distance of 88.80' from a found 5/8" rebar;

Thence: N 09°15'00" E (N 09°15' E, Record), departing the north line of Share 3-A, with the west line of the 0.1377 of one acre tract, over and across Share 1-A, for a distance of 26.67' to a found 5/8" rebar with an MDS LAND SURVEYING aluminum disk

capped survey marker stamped with the following description: "RGV-RGC-8019-4=8056-2" for the northwest corner of Tract RGV-RGC-8056, said point being in the west line of the 0.1377 of one acre tract;

Thence: S 69°25'12" E, departing the west line of the 0.1377 of one acre tract, over and across the 0.1377 of one acre tract and Share 1-A, for a distance of 122.38' to a found 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-8019-4" for the northeast corner of Tract RGV-RGC-8056, said point being in the east line of the 0.1377 of one acre tract, the east line of Share 1-A, the east line of Porción 84, the west line of Porción 85 and the west line of a called 1.88 acre tract conveyed to Victor Vincent Vicinaiz and Ileana Thelma Chapa Vicinaiz by Warranty Deed recorded in Volume 678, Page 104, Official Records of Starr County, Texas;

Thence: S 08°59'45" W (S 09°15' W, Record), with the east line of the 0.1377 of one acre tract, the east line of Share 1-A, the east line of Porción 84, the west line of Porción 85 and the west line of the 1.88 acre tract, for a distance of 2.25' to a calculated point for the southeast corner of Tract RGV-RGC-8056, said point being at the southeast corner of the 0.1377 of one acre tract, the southeast corner of Share 1-A and the northeast corner of Share 3-A, said point being in the east line of Porción 84, the west line of Porción 85 and the west line of the 1.88 acre tract;

Thence: N 80°55'47" W (N 80°45' W, Record), departing the east line of Porción 84, the west line of Porción 85 and the west line of the 1.88 acre tract, with the south line of the 0.1377 of one acre tract, the south line of Share 1-A and the north line of Share 3-A, for a distance of 120.01' to the Point of Beginning.

SCHEDULE "E"
ESTATE TAKEN
FEE, EXCLUDING MINERALS
Tract: RGV-RGC-8019

The estate acquired 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 described in Volume 138, Page 215, Deed Records of Starr County, Texas (Share 1-A), Volume 162, Page 472, Deed Records of Starr County, Texas, and Document No. 2020-356371, Official Records of 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 "E"
ESTATE TAKEN
FEE, EXCLUDING MINERALS
Tract: RGV-RGC-8056

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

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
Tracts: RGV-RGC-8019,
RGV-RGC-8056

The sum estimated as just compensation for the lands being taken is FORTY-SIX THOUSAND, ONE HUNDRED EIGHTY-ONE DOLLARS AND NO/100 (\$46,181.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

WITH RESPECT TO TRACT RGV-RGC-8019:
The sum estimated as just compensation for the land acquired is
FORTY-TWO THOUSAND DOLLARS AND 00/100 (\$42,000.00).

WITH RESPECT TO TRACT RGV-RGC-8056:
The sum estimated as just compensation for the land acquired is FOUR THOUSAND ONE HUNDRED EIGHTY-ONE DOLLARS AND 00/100 (\$4,181.00).