

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.
6.298 ACRES OF LAND, MORE OR LESS § CASE NO. 7:25-CV-232
SITUATE IN STARR COUNTY, STATE OF §
TEXAS; AND OCIEL MENDOZA,
ET AL., §
§
Defendants. §

0.940 ACRES OF LAND, MORE OR LESS, § CASE NO. 7:25-CV-497
SITUATE IN STARR COUNTY, STATE OF §
TEXAS; AND ESTATE OF MARCELO §
MONTALVO, SR. ET AL., §
§
Defendants. §

17.451 ACRES OF LAND, MORE OR LESS, § CASE NO. 7:25-CV-499
SITUATE IN STARR COUNTY, STATE OF §
TEXAS; AND FELIX LUERA RANCH, LTD., §
ET AL., §
§
Defendants. §

NOTICE OF CONDEMNATION

TO:

7:25-CV-232 Unknown Heirs of Santiago Guerra	7:25-CV-497 Unknown heirs of Juan Perez, Sr.	7:25-CV-497 Unknown heirs of Ramon Perez
7:25-CV-497 Unknown heirs of Martina Perez	7:25-CV-497 Unknown heirs of Juliana Perez	7:25-CV-497 Unknown heirs of Jose Maria Perez
7:25-CV-497 Unknown heirs of Sabas Perez	7:25-CV-499 Unknown heirs of Blas Farias Address Unknown	7:25-CV-499 Unknown heirs of Librado Rodriguez Address Unknown
7:25-CV-499 Unknown heirs of Higinio Rodriguez Address Unknown	7:25-CV-499 Unknown heirs of Valeriano Rodriguez a/k/a Baleriado Rodriguez Address Unknown	7:25-CV-499 Unknown heirs of Celsa Rodriguez Address Unknown
7:25-CV-499 Unknown heirs of Amalia Luera Garcia Address Unknown	7:25-CV-499 Unknown Heirs of Saul Luera Address Unknown	7:25-CV-499 Unknown Heirs of Geronimo Hinojosa Address Unknown
7:25-CV-499 Unknown Heirs of Inez P. Luera Address Unknown	7:25-CV-499 Unknown heirs of Matilda Rodriguez Luera Address Unknown	7:25-CV-499 Unknown heirs of Manuela G. Luera Address Unknown
7:25-CV-499 Unknown Heirs of Herminia Luera Guerra Address Unknown	7:25-CV-499 Unknown heirs of Felix Luera Rodriguez Address Unknown	7:25-CV-499 Unknown heirs of Inez Pena Rodriguez Address Unknown
7:25-CV-499 Unknown heirs of Pamposa Rodriguez Address Unknown	7:25-CV-499 Unknown heirs of Esperanza Rodriguez Pena Address Unknown	7:25-CV-499 Unknown heirs of Efrain Rodriguez Address Unknown
7:25-CV-499 Unknown heirs of Higinio Rodriguez, Jr. Address Unknown	7:25-CV-499 Unknown heirs of Israel Rodriguez and his known heirs Address Unknown	7:25-CV-499 Unknown heirs of Elvira Rodriguez Lopez Address Unknown
7:25-CV-499 Unknown heirs of Arabela Rodriguez Montano and her known heir: Miranda Montano Address Unknown	7:25-CV-499 Unknown heirs of Amador Rodriguez Address Unknown	7:25-CV-499 Unknown heirs of Amadeo Rodriguez and his known successor in interest Address Unknown
7:25-CV-499 Zulema Rodriguez Carmona a/k/a Sulema Carmona Address Unknown	7:25-CV-499 Adrian Rodriguez Address Unknown	7:25-CV-499 Elva Rodriguez Address Unknown
7:25-CV-499 Consuelo Rodriguez Address Unknown	7:25-CV-499 Amelia Pena Rodriguez Address Unknown	7:25-CV-499 Israel Rodriguez, Jr. Address Unknown
7:25-CV-499 Juan Mateo Rodriguez Address Unknown	7:25-CV-499 Jeramias Rodriguez Address Unknown	7:25-CV-499 Balbina Prado Address Unknown
7:25-CV-499 Maria Corina Rodriguez Garcia Address Unknown	7:25-CV-499 Juan Manuel Rodriguez Address Unknown	7:25-CV-499 Sandra Rodriguez Address Unknown
7:25-CV-499 Noe Rodriguez, Jr. Address Unknown	7:25-CV-499 Rene Rodriguez Address Unknown	7:25-CV-499 Brenda Michelle Rodriguez Address Unknown
7:25-CV-499 Ismael Rodriguez Address Unknown	7:25-CV-499 Ismael Rodriguez II Address Unknown	7:25-CV-499 Javier Rodriguez Address Unknown

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. GANJELI
United States Attorney
Southern District of Texas

By:

HILDA M. GARCIA CONCEPCION Assistant United States Attorney Southern District of Texas No. 3399716 1000 Louisiana, Suite 2300 Houston, Texas 77002 Telephone: (713)567-9529 Facsimile: (713) 718-3300	BALTAZAR SALAZAR Assistant United States Attorney Southern District of Texas No. 3135288 Texas State Bar No. 24106385 600 E. Harrison Street, Suite 201 Brownsville, Texas 78520 Telephone: (956) 983-6057 Facsimile: (956) 548-2775	JOSÉ ANGEL FLORES JR. Assistant United States Attorney Southern District of Texas No. 61877 Texas State Bar No. 07164450 11204 McPherson Road, Suite 100A Laredo, TX 78045 Telephone: (956) 723-6523 Facsimile: (956) 790-1789
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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-232

SCHEDULE "C"
LEGAL DESCRIPTION
Tract: RGV-RGC-9000-1

Owner: Ociel Mendoza Acreage: 6.298

Being a 6.298-acre tract (274,323 sq ft) parcel of land, more or less, being out of a called 27.640 acres, out of a calculated 27.482 acres, in Starr County, Texas conveyed to Ociel Mendoza, Volume 1276, Page 711. Said parcel of land more particularly described by metes and bounds as follows:

Starting at COE Project control marker SR-03-2019, having the following NAD83 (2011) Grid Coordinates N=16628622.82, E=931356.63; **Thence** S 42°22'19" W a distance of 1112.01 feet to a found iron rod at a barbed wire fence corner, on the East line of the Ociel Mendoza tract, Volume 1252, Page 52 and on the West line of the Noel A. Guerra ET AL tract, Volume 726, Page 385, for the **Point of Commencement**, having the following coordinates: N=16627801.29, E=930607.20.

Thence: S 54°24'40" E departing said property line, to a barbed wire fence, a distance of 1323.24 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-06-RGC-9000-1-1=9005-1 on the South line of the Irma R. G. Musallam & Imelda G. Munoz Trustship tract, Volume 938, Page 723 and on the North line of the Ociel Mendoza Tract 154, Volume 1276, Page 711, for the **Point of Beginning**, having the following coordinates: N=16627031.21, E=931683.28, said point being on the Western boundary of the parcel herein described;

Thence: S 80°30'08" E departing said Western boundary, along said barbed wire fence, along said property line, a distance of 234.96 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-06-RGC-9000-1-2=9005-4 for angle, said point being the Southeast corner of the Irma R. G. Musallam & Imelda G. Munoz Trustship tract, Volume 938, Page 723 and the Northeast corner of the Ociel Mendoza Tract 154, Volume 1276, Page 711;

Thence: S 22°09'36" E along the East line of the Ociel Mendoza Tract 154, Volume 1276, Page 711, along said barbed wire fence, crossing the center of an existing 24 foot wide gravel road at 37 feet, a distance of 457.21 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-06-RGC-9000-1-2A for a Point on Line;

Thence: S 22°09'36" E along said property line, along said barbed wire fence, a distance of 457.21 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-06-RGC-9000-1-2B for a Point on Line;

Thence: S 22°09'36" E along said property line, along said barbed wire fence, a distance of 457.21 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-06-RGC-9000-1-3=9007-2 for angle, said point being the Southeast corner of the Ociel Mendoza

Tract 154, Volume 1276, Page 711 and the Northeast corner of the City of LA Grulla tract, Volume 527, Page 822;

Thence: N 80°29'57" W along said barbed wire fence, along the South line of the Ociel Mendoza Tract 154, Volume 1276, Page 711 and the North line of the City of LA Grulla tract, Volume 527, Page 822, a distance of 234.97 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-06-RGC-9000-1-4=9007-1 for angle, said point being on the Western boundary of the parcel herein described;

Thence: N 22°09'36" W departing said barbed wire fence, departing said property line, along said Western boundary, a distance of 457.20 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-06-RGC-9000-1-4A for a Point on Line;

Thence: N 22°09'36" W along said Western boundary, a distance of 457.20 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-06-RGC-9000-1-4B for a Point on Line;

Thence: N 22°09'36" W along said Western boundary, crossing the center of an existing 10 foot wide gravel road at 81 feet, a distance of 457.20 feet returning to the **Place of Beginning**.

SCHEDULE "E"
ESTATE TAKEN
Fee, EXCLUDING MINERALS
Tract: RGV-RGC-9000-1

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 the lands identified in the Warranty Deed Document No. 2022-369055, Official Records of Starr County (O.R.S.C.) 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-9000-1

The sum estimated as just compensation for the land being taken is EIGHTY-FOUR THOUSAND FIVE HUNDRED SEVENTY-ONE DOLLARS AND NO/100 (\$84,571.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

For Cause No.: 7:25-CV-497

SCHEDULE "C"
LEGAL DESCRIPTION
Tract: RGV-RGC-8016

Being a 0.940 of one acre (40,948 square feet) parcel of land, more or less, being out of the Maria Marcela Martinez Survey, Abstract No. 130, Starr County, Texas, being out of the east 1/2 of Porción 83 and being out 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, said parcel of land being more particularly described by metes and bounds as follows;

Commencing at a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "POC RGV-RGC-8016", said point being at an angle in the west line of the 41.15 acre tract and the east line of a called 12.8 acre tract described in Volume 434, Page 207, Deed Records of Starr County, Texas (Tract 2, Alfredo Rodriguez Estate), said point having the coordinates of N=16646882.182, E=895839.911;

Thence: N 09°56'17" E (N 09°40'00" E, Record), with the west line of the 41.15 acre tract and the east line of the 12.8 acre tract, for a distance of 28.92' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC- 8016-1=8038-3" for the **Point of Beginning** and southwest corner of Tract RGV-RGC-8016, said point being in the west line of the 41.15 acre tract and the east line of the 12.8 acre tract, said point having the coordinates of N=16646910.670, E=895844.903, said point bears S 49°29'31" E, a distance of 187.21' from United States Army Corps of Engineers Control Point No. TGT-15;

Thence: N 09°56'17" E (N 09°58'00" E, Record), continuing with the west line of the 41.15 acre tract and the east line of the 12.8 acre tract, passing at 25.17' the northeast corner of the 12.8 acre tract and the southeast corner of a called 4.56 acre tract conveyed to Maria Julia R. Perez, Ascencion R. Chapa, Eva R. Garza, Lazaro Rodriguez, Trinidad Rodriguez Jr. and Encarnacion J. Rodriguez by Partition Deed recorded in Volume 427, Page 502, Deed Records of Starr County, (Second Tract, Tract 7), being the same tract of land conveyed to Lazaro Rodriguez, Eva Rodriguez Garza, Encarnacion J. Rodriguez, Maclovio Perez, Jr., Maria P. Olivo, Jesus Rodriguez, Maria Azucena R. Salinas, Elia R. Zarate, David Rodriguez, Vilma R. Garza and Ascencion R. Chapa (Undivided 1/2 Interest) by Warranty Deed recorded in Volume 1072, Page 825, Official Records of Starr County, Texas and being the same tract of land conveyed to Elena Rodriguez Requenez, Ester Rodriguez Alvarado, Santo Rodriguez Rojas, Alejandro Rodriguez, Alfredo Santos Rodriguez, Roberto Rodriguez, Esperanza Rodriguez, Lucia

Rodriguez and Consuelo Hinojosa (Undivided 1/2 Interest) by Quitclaim Deed recorded in Volume 434, Page 214, Deed Records of Starr County, Texas, passing at 119.97' the northeast corner of the 4.56 acre tract, continuing for a total distance of 200.54' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-8016-2" for the northwest corner of Tract RGV-RGC-8016, said point being in the west line of the 41.15 acre tract;

Thence: S 84°16'09" E, over and across the 41.15 acre tract, for a distance of 203.91' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-8016-3" for the northeast corner of Tract RGV-RGC-8016, said point being in the east line of the 41.15 acre tract;

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

- S 10°03'17" W (S 10°05'00" W, Record), for a distance of 135.10' to an angle point in the east line of Tract RGV-RGC-8016;
- S 04°29'17" W (S 04°31'00" W, Record), for a distance of 65.30' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-RGC-8016-5" for the southeast corner of Tract RGV-RGC-8016, said point being in the east line of the 41.15 acre tract;

Thence: N 84°16'09" W, over and across the 41.15 acre tract, for a distance of 209.85' to the **Point of Beginning**.

SCHEDULE "E"
ESTATE TAKEN
Fee, EXCLUDING MINERALS
Tract: RGV-RGC-8016

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 the lands described in Warranty Deed recorded in Volume 357, Page 375, Deed 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 "F"
ESTIMATE OF JUST COMPENSATION
Tract: RGV-RGC-8016

The sum estimated as just compensation for the land being taken is EIGHTEEN THOUSAND FIVE HUNDRED EIGHTY-SIX DOLLARS AND 25/100 (\$18,586.25), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

For Cause No.: 7:25-CV-499

SCHEDULE "C"
LEGAL DESCRIPTION
Tract: RGV-RGC-1015

Being a 1.154 acre tract (50,289 square feet) parcel of land, more or less, being out of a called 73.50 acre tract (First Tract), recorded in Volume 908, Page 370, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., said tract being all of Share No. 7-A, Abstract 326, Porcion 59, Ancient Jurisdiction of Mier, Mexico said 1.154 acre (50,289 square feet) parcel of land being more particularly described as follows;

BEGINNING at the northwest corner of said Felix Luera Ranch, LTD. (First Tract) tract and the southwest corner of a called 3.429 acre tract, recorded in Volume 892, Page 629, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Yolanda L. Barrerra, Araceli L. Perez & Hermelinda L. Gonzalez, being a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1015-1" for the northeast corner of the herein described propose acquisition tract, said point being on the east line of a called 197.20 acre tract, recorded in Volume 771, Page 781, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Servando Luera, said point having a coordinate of N=16719893.938, E=774616.632, said point also being S 26°38'30" W, a distance of 946.00 feet from United States Corps of Engineers Control Point No. S142;

THENCE: S 35°14'13" E, departing the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract and along the north line of said Felix Luera Ranch, LTD. (First Tract) tract and the south line of said Yolanda L. Barrerra, Araceli L. Perez & Hermelinda L. Gonzalez tract, passing at 8.55 feet a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1016-2" for the western most corner of proposed acquisition tract "RGV-RGC-1016", in total a distance of 373.90 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1015-2" for the southeast corner of the herein described proposed acquisition tract;

THENCE: N 68°25'38" W, departing the north line of said Felix Luera Ranch, LTD. (First Tract) tract and over and across said Felix Luera Ranch, LTD. (First Tract) tract, a distance of 563.13 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1013-1=RGV-RGC-1015-3" for the southwest corner of the herein described proposed acquisition tract, said point being on the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract;

THENCE: N 54°31'03" E, along the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract, a distance of 79.24 feet to an angle point designated "RGV-RGC-1013-6=RGV-RGC-1015-4";

THENCE: S 35°41'08" E, along the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract, a distance of 98.59 feet to an angle point designated "RGV-RGC-1013-5=RGV-RGC-1015-5";

THENCE: N 54°32'20" E, along the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract, passing at 222.68 feet a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGVRGC-1013-4" for the northeast corner of proposed acquisition tract "RGV-RGC-1013", in total a distance of 228.25 feet to the **POINT OF BEGINNING** and containing 1.154 acres (50,289 square feet) of land, more or less.

SCHEDULE "C"
LEGAL DESCRIPTION
Tract: RGV-RGC-1016

BEING a 1.315 acre tract (57,276 square feet) parcel of land, more or less, being out of a called 10.2861 acre tract, recorded in Volume 908, Page 372, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., said tract being a part of Share 10 of the partition of Porcion 59, Ancient Jurisdiction of Mier, Mexico, said 1.315 acre (57,276 square feet) parcel of land being more particularly described as follows;

BEGINNING: at a 1/2" rebar, being the southeast corner of said Felix Luera Ranch, LTD. 10.2861 acre tract, the southwest corner of a called 12.5 acre tract, recorded in Volume 909, Page 534, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., a called 16.67 acre tract, recorded in Volume 1398, Page 411, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to the known and unknown heirs of Higinio Rodriguez and a called 16.67 acre tract, recorded in Volume 1476, Page 836, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Argus Resources, Inc., et al, said point being on the north line of a called 73.50 acre tract (First Tract), recorded in Volume 908, Page 370, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., said point having a coordinate of N=16719542.454, E=774864.915, said point also being S 08°21'36" W, a distance of 1209.91 feet from United States Corps of Engineers Control Point No. S142;

THENCE: N 35°14'13" W, along the south line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the north line of said Felix Luera Ranch, LTD. (First Tract) tract, passing at 56.43 feet a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1015-2" for the eastern most corner of proposed acquisition tract "RGV-RGC-1015", in total a distance of 421.78 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGVRGC-1016-2" for the most western corner of the herein described proposed acquisition tract;

THENCE: S 68°25'38" E, departing the south line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the north line of said Felix Luera Ranch, LTD. (First Tract) tract, over and across said Felix Luera Ranch, LTD. 10.2861 acre tract, a distance of 496.13 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1016-3=RGV-RGC-1017-2" for the most eastern corner of the herein described proposed acquisition tract, said point being on the east line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the west line of said Felix Luera Ranch, LTD. 12.5 acre tract, the known and unknown heirs of Higinio Rodriguez tract and the Argus Resources, Inc., et al tract;

THENCE: S 53°22'21" W, along the east line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the west line of said Felix Luera Ranch, LTD. 12.5 acre tract, the known and unknown heirs of Higinio Rodriguez tract and the Argus Resources, Inc., et al tract, passing at 235.32 feet a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-1" for the southwest corner of proposed acquisition tract "RGV-RGC-1017", in total a distance of 271.67 feet to the **POINT OF BEGINNING** and containing 1.315 acres (57,276 square feet) of land, more or less.

SCHEDULE "C"
LEGAL DESCRIPTION
Tract: RGV-RGC-1017

BEING a 6.045 acre tract (263,334 square feet) parcel of land, more or less, being out of a tract conveyed to The Unknown and Known Heirs of Amador Rodriguez recorded in Volume 275, Page 492, Deed Records of Starr County (D.R.S.C.), Texas, being out of a called 45.84 acre tract, recorded in Volume 821, Page 829, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Argus Resources, Inc., et al, being out of a tract conveyed to Miranda Montano recorded in Document Number 1996-554067, Deed Records of Hidalgo County, Texas, being out of the tract conveyed to Brenda Michelle Rodriguez recorded in Document Number 2023-375290, Deed Records of Starr County (D.R.S.C.), Texas, being out of the tract conveyed to Sandra Rodriguez recorded in Volume 788, Page 650, Deed Records of Starr County (D.R.S.C.), Texas, being out of the tract conveyed to Ismael Rodriguez, II recorded Volume 1476, Page 836, Deed Records of Starr County (D.R.S.C.), Texas, being out of the tract conveyed to Javier Rodriguez recorded in Volume 686, Page 801, Deed Records of Starr County (D.R.S.C.), Texas, being out of the tract conveyed to The Unknown Heirs of Esperanza Pena and Juan Manuel Rodriguez recorded in Volume 1398, Page 408, Deed Records of Starr County (D.R.S.C.), Texas, being out of the tract conveyed to Israel Rodriguez, Jr. recorded in Volume 1398, Page 411, Deed Records of Starr County (D.R.S.C.), Texas, being out of the tract conveyed to Zulema Rodriguez Carmona, The Unknown Heirs of Higinio Rodriguez, Jr., Elva Rodriguez, The Unknown Heirs of Efrain Rodriguez, Adrian Rodriguez, The Unknown Heirs of Elvira Rodriguez Lopez, Consuelo Rodriguez, Balbina Prado, and Maria Corina Rodriguez recorded in Volume 516, Page 143, Deed

Records of Starr County (D.R.S.C.), Texas, said tract being a part of Share 10 of the partition of Porcion 59, Ancient Jurisdiction of Mier, Mexico, said 6.045 acre tract (263,334 square feet) parcel of land being more particularly described as follows;

COMMENCING at a found 1/2" rebar, being the southeast corner of a called 10.2861 acre tract, recorded in Volume 908, Page 372, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., the southwest corner of said Known and Unknown Heirs of Amador Rodriguez, et al tract, said point also being on the north line of a called 73.50 acre tract (First Tract), recorded in Volume 908, Page 370, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., said point having a coordinate of N=16719542.454, E=774864.915;

THENCE: N 53°22'21" E, departing the north line of said Felix Luera Ranch, LTD. (First Tract) tract and along the east line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the west line of said Known and Unknown Heirs of Amador Rodriguez, et al tract, a distance of 36.35 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-1" for the **POINT OF BEGINNING**, said point having a coordinate of N=16719564.140, E=774894.086, said point being the southwest corner of the herein described proposed acquisition tract, said point also being S 07°06'59" W, a distance of 1184.49 feet from United States Corps of Engineers Control Point No. S142;

THENCE: N 53°22'21" E, along the east line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the west line of said Known and Unknown Heirs of Amador Rodriguez, et al tract, a distance of 235.32 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1016-3=RGV-RGC-1017-2" for the northwest corner of the herein described proposed acquisition tract;

THENCE: S 68°25'38" E, departing the east line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the west line of said Known and Unknown Heirs of Amador Rodriguez, et al tract, over and across said Known and Unknown Heirs of Amador Rodriguez, et al tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-2A" for a point on tangent;

THENCE: S 68°25'38" E, over and across said Known and Unknown Heirs of Amador Rodriguez, et al tract, a distance of 306.09 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-2B" for a point on tangent;

THENCE: S 68°25'38" E, over and across said Known and Unknown Heirs of Amador Rodriguez, et al tract, a distance of 306.09 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-3=RGV-RGC-1040-2" for the northeast corner of the herein described proposed acquisition tract, said point being on the north line of said Known and Unknown Heirs of Amador Rodriguez, et al tract, and the south line of a called 49.73 acre tract, recorded in Document No. 1941-17206, Official Records of Starr County (O.R.S.C.), Texas, conveyed to the unknown and known heirs of Higinio Rodriguez;

THENCE: S 35°23'01" E, along the north line of said Known and Unknown Heirs of Amador Rodriguez, et al tract, and the south line of said known and unknown heirs of Higinio Rodriguez 49.73 acre tract, a distance of 283.75 feet to a point designated "RGV-RGC-1017-4= RGV-RGC-1018-1=RGV-RGC-1040-1" for an exterior corner of the herein described proposed acquisition tract, said point being the southeast corner of said known and unknown heirs of Higinio Rodriguez 49.73 acre tract and the northeast corner of said Known and Unknown Heirs of Amador Rodriguez, et al tract, and on the west line of a called 127.71 acre tract, recorded in Document No. 2001-217848, Official Records of Starr County (O.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD.;

THENCE: S 54°48'00" W, departing the south line of said known and unknown heirs of Higinio Rodriguez 49.73 acre tract and along the east line of said Known and Unknown Heirs of Amador Rodriguez, et al tract and the west line of said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 54.13 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-5=RGV-RGC-1018-5" for the southeast corner of the herein described proposed acquisition tract;

THENCE: N 68°25'38" W, departing the east line of said Felix Luera Ranch, LTD. 2.214 acre tract, The Known and Unknown Heirs of Amador Rodriguez, et al tract, and the west line of said Felix Luera Ranch, LTD. 127.71 acre tract, over and across said Known and Unknown Heirs of Amador Rodriguez, et al tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-5A" for a point on tangent;

THENCE: N 68°25'38" W, over and across said Known and Unknown Heirs of Amador Rodriguez, et al tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-5B" for a point on tangent;

THENCE: N 68°25'38" W, over and across said Known and Unknown Heirs of Amador Rodriguez, et al tract, a distance of 444.37 feet to the **POINT OF BEGINNING** and containing 6.045 acres (263,334 square feet) of land, more or less.

SCHEDULE "C"
LEGAL DESCRIPTION
Tract: RGV-RGC-1018

BEING a 8.937 acre tract (389,314 square feet) parcel of land, more or less, being out of a called 127.71 acre tract, recorded in Document No. 2001-217848, Official Records of Starr County (O.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., said tract lying in and forming a part of Porcion 60, Ancient Jurisdiction of Mier, Mexico, now Starr County, Texas, which tract is set forth and identified as Tract No. 1 in the Homer Trimble d/b/a Cameron Engineering Company, for Cause No. 3058, District Court of Starr County, Texas, said 8.937 acre tract (389,314 square feet) parcel of land being more particularly described as follows;

BEGINNING at a point designated "RGV-RGC-1017-4=RGV-RGC-1018-

1=RGVRGC-1040-1", said point being the southeast corner of a called 49.73 acre tract, recorded in Document No. 1941-17206, Official Records of Starr County (O.R.S.C.), Texas, conveyed to Known and Unknown Heirs of Higinio Rodriguez and the northeast corner of a called 12.5 acre tract, recorded in Volume 909, Page 34, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., a called 16.67 acre tract, recorded in Volume 1398, Page 411, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to The Known and Unknown Heirs of Higinio Rodriguez and a called 16.67 acre tract, recorded in Volume 1476, Page 836, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Argus Resources, Inc., et al, said point being on the west line of said Felix Luera Ranch, LTD. 127.71 acre tract, said point having a coordinate of N=16719064.270, E=776281.511, said point also being S 36°31'26" E, a distance of 2084.63 feet from United States Corps of Engineers Control Point No. S142;

THENCE: N 54°58'33" E, along the west line of said Felix Luera Ranch, LTD. 127.71 acre tract and the east line of said Known and Unknown Heirs of Higinio Rodriguez tract, a distance of 185.34 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-2= RGV-RGC-1040-3" for the northwest corner of the herein described proposed acquisition tract;

THENCE: S 68°25'38" E, departing the west line of said Felix Luera Ranch, LTD. 127.71 acre tract and the east line of said Known and Unknown Heirs of Higinio Rodriguez tract and over and across said Felix Luera Ranch, LTD. 127.71 acre tract, passing at 54.69 feet the north line of Easement Tract RGV-RGCR1102, passing at 102.88 feet the south line of Easement Tract RGV-RGC-R1102, in total a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-2A" for a point on tangent;

THENCE: S 68°25'38" E, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-2B" for a point on tangent;

THENCE: S 68°25'38" E, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-2C" for a point on tangent;

THENCE: S 68°25'38" E, over and across said Felix Luera Ranch LTD. 127.71 acre tract, a distance of 355.80 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-3=RGV-RGC-1019-8" for the northeast corner of the herein described proposed acquisition tract, said point being on the east line of said Felix Luera Ranch, LTD. 127.71 acre tract and the west line of a called 89.90 acre tract, recorded in Volume 823, Page 543, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to United States of America (U.S. Fish and Wildlife Service);

THENCE: S 07°37'07" W, along the east line of said Felix Luera Ranch, LTD. 127.71 acre tract and the west line of said United States of America (U.S. Fish and Wildlife Service) tract, a distance of 206.08 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4=RGV-RGC-1019-7" for the southeast corner of the herein described proposed acquisition tract;

THENCE: N 68°25'38" W, departing east line of said Felix Luera Ranch, LTD. 127.71 acre tract and the west line of said United States of America (U.S. Fish and Wildlife Service) tract and over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 405.49 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4A" for a point on tangent;

THENCE: N 68°25'38" W, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4B" for a point on tangent;

THENCE: N 68°25'38" W, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4C" for a point on tangent;

THENCE: N 68°25'38" W, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4D" for a point on tangent;

THENCE: N 68°25'38" W, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, passing at 31.51 feet the south line of Easement Tract RGV-RGCR1102, passing at 79.70 feet the north line of Easement Tract RGV-RGC-R1102, in total a distance of 131.69 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGVRGC-1017-5=RGV-RGC-1018-5" for the southwest corner of the herein described proposed acquisition tract, said point being on the west line of said Felix Luera Ranch, LTD. 127.71 acre tract and the east line of said Felix Luera Ranch, LTD. 12.5 acre tract, The Known and Unknown Heirs of Higinio Rodriguez tract and the Argus Resources, Inc., et al Tract;

THENCE: N 54°48'00" E, along the west line of said Felix Luera Ranch, LTD. 127.71 acre tract and the east line of said Felix Luera Ranch, LTD. 12.5 acre tract, The Known and Unknown Heirs of Higinio Rodriguez 16.67 acre tract and the Argus Resources, Inc., et al 16.67 acre tract, a distance of 54.13 feet to the **POINT OF BEGINNING** and containing 8.937 acre tract (389,314 square feet) of land, more or less.

SCHEDULE "E" **ESTATE TAKEN** **FEE, EXCLUDING MINERALS**

Tract: RGV-RGC-1015

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 the lands identified in conveyance recorded in Deed Records, Starr County, Texas, on 10 September 2001, volume 908, page 370, document number 2001-217846, 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-1016

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 the lands identified in conveyance recorded with Deed Records, Starr County, Texas, on 10 September 2001, volume 908, page 370, document number 2001-217846, 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-1017

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 the land described in conveyances recorded in Volume 909, Page 534, in Volume 75, Page 212, and in Volume 821, Page 829, Deed Records of Starr County (D.R.S.C.), 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-1018

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 the lands identified in conveyance recorded in Deed Records, Starr County, Texas, on 10 September 2001, volume 908, page 370, document number 2001-217846, 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**

Tracts: RGV-RGC-1015, 1016, 1017, 1018

The sum estimated as just compensation for the lands being taken is ONE HUNDRED, THIRTY FIVE THOUSAND, SIX HUNDRED SIXTY SEVEN DOLLARS AND NO/100 (\$135,667.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.