

SK. File 47

For original See Chief Clerk's Office

NO. 638

CITY OF ARANSAS PASS, TEXAS	I	FILED WITH THE COUNTY JUDGE
VS.	I	OF THE COUNTY COURT AT LAW NUMBER ONE
THE STATE OF TEXAS	I	NUECES COUNTY, TEXAS

A W A R D

WHEREAS on the 20th day of August, 1970, the City of Aransas Pass, San Patricio, Aransas and Nueces County, Texas, a municipal corporation created under the laws of the State of Texas, and being a governmental agency and body politic and corporate with powers of government and authority to exercise the rights, privileges and functions according to the laws under which it is incorporated, as Petitioner did file a certain statement or petition with the County Judge of the County Court at Law Number One, Nueces County, Texas, where, upon the facts therein alleged, the City of Aransas Pass sought condemnation of all of the rights, title, claim and interest of the State of Texas in and to that certain land and real estate which said property and premises are more particularly described in the statement or petition on file to which reference is made for more particular description of said land and premises, and which said land was sought to be condemned because the same was necessary for the construction of a public park facility and the use of said property was alleged to be necessary for the establishment location, construction, maintenance and operation of a public park facility to which statement and petition reference is here made for all purposes and the same is embodied herein by reference as if copied in full at this point, and,

WHEREAS, upon consideration of such statement and forthwith upon its filing of the County Judge of the County Court at Law Number One of Nueces County, Texas, appointed the undersigned being three disinterested free holders of Nueces County, Texas, as special commissioners to assist the damage occasioned by the condemnation of the fee simple title, right, claim and interest of the above named State of Texas in and to the surface and bay bottom estate of said tract of land in said petition or statement and reference is here now made to said statement and petition and all orders of the Court appointing said Commissioners

and the same are embodied completely herein by reference as if copied in full at this point and,

WHEREAS, the undersigned Commissioners so appointed duly qualified as such by taking the oath prescribed by law before the proper official, which oath is on file herein and reference is made hereto, and the same is incorporated herein by reference as if copied in full herein, and

WHEREAS, by order duly issued and signed by each of us, we designated and appointed the 3rd day of December, 1970, at 10 o'clock a.m. at County Court at Law Number One of Hueacas County, Texas, as the day and place of hearing said parties, such day being the earliest practical time and such place being in the County of which said property in question is located of which time and place of hearing the Petitioner and the Defendant and those claiming an interest in said property were duly served with notice as required by law.

On the 3rd day of December, 1970, upon the date and at the place so appointed for such hearing, service of notice having been had upon all parties to the preceding, and said parties each appearing in person or by representative, and offering evidence we proceeded to hear the evidence as to the value of the full fee simple title to the surface estate and bay bottom and all the right, title, claim and interest of all of the Defendants named herein in and to said land and premises more particularly described as follows:

NO. 638

CITY OF ARANSAS PASS

VS.

THE STATE OF TEXAS

I

I

I

FILED WITH THE COUNTY JUDGE

OF COUNTY COURT AT LAW NUMBER ONE

NEUBOS COUNTY, TEXAS

Proceedings in eminent domain

J U D G M E N T

BE IT REMEMBERED:

THAT on this date there came on to be heard and considered the Award of the Special Commissioners filed on the 3rd day of December, 1970 with the Judge of said Court aforesaid under the above styled and numbered proceedings in eminent domain, in which the City of Aransas Pass, Texas is Plaintiff and the State of Texas is the Defendant.

It appears to the Court, and it is so found, that no objections to said award were filed within the time prescribed by law and that said award has been filed with the Clerk of this Court.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That said award of said special commissioners be, and the same is hereby, made the judgment of this Court.
2. That the Clerk of this Court record said award in the minutes of this Court.
3. That by virtue of said award of said special commissioners, The City of Aransas Pass, Texas is entitled to obtain and does hereby have judgment against the above named Defendant, the State of Texas for the full fee simple title to all of the surface and bay bottom of the hereinafter described property including all of the right, title, claim and interest of The State of Texas in and to said surface and bay bottom which full fee simple title and interest hereby granted to the City of Aransas Pass shall endure only so long as such property and real estate hereinafter described is used for a public park facility for public park purposes and the purposes set out in the original and amended statement and pleadings of the City of Aransas Pass on file in this cause said property being more specifically described as follows:

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There is reserved, however, to the defendant, all oil, gas and sulphur, under the above described premises, and all other materials and minerals subject, however, to the right of the City of Aransas Pass and its ordinances regarding such mining and exploring operations and the right of the City of Aransas Pass or any other public entity to use the property herein condemned for the purposes set out above.

4. That by virtue of said award of said special commissioners the Defendant, State of Texas, in said cause is entitled to recover from the City of Aransas Pass the sum of Three Thousand Eight Hundred Fifteen And 40/100 (\$3,815.40) Dollars.

5. That a Writ of Possession issue in behalf of the City of Aransas Pass, Texas.

6. That the amount of said judgment be paid by the City of Aransas Pass into the registry of this Court and that the Clerk of this Court pay the same to the Defendant, The State of Texas, according to its interests.

7. That the costs of said proceedings are to be paid by the City of Aransas Pass, Texas as provided in said award of said special commissioners.

REPORTED AND ORDERED, WILLIAM C. BROWN, Clerk of Court, this the 16<sup>th</sup> day of

December, 1970.

W. C. Brown  
JUDGE OF THE COUNTY COURT AT LAW IN AND FOR  
NUECES COUNTY, TEXAS

81.95 Acres, More or Less  
Part of State Tract No. 307-B

Corpus Christi Bay Area  
Nueces County, Texas

THE STATE OF TEXAS     §

COUNTY OF NUECES     §

FIELDNOTE DESCRIPTION of a tract or parcel of land containing 81.95 acres, more or less, situated in and a part of State Tract No. 307-B of Corpus Christi Bay and Redfish Bay, Nueces County, Texas, as shown on a Map of Corpus Christi Bay in Nueces County Showing Subdivision For Mineral Development By The General Land Office, Austin, Texas, dated May 5, 1950. Said 81.95 acres, more or less, encompasses part of Ransom Island and is more particularly described by metes and bounds as follows, to wit:

BEGINNING at a point for a N.W. corner of the herein described tract located in the West line of State Tract No. 307-B, same being the East line of State Tract No. 324. Said corner bears S 14° 09' 57" W for 136.80 varas from an interior West corner of State Tract No. 307-B and has the following Texas Grid Coordinates, X = 878,489.62, Y = 289,931.28;

THENCE, N 48° 30' E for a distance of 216.00 varas to a point for the most Northern corner of this 81.95 acre tract;

THENCE, S 41° 30' E for a distance of 320.40 varas to a point for corner having the following Grid Coordinates; X = 878,863.70, Y = 282,834.44, and bears N 89° 50' 34" W 688.51 varas from the East corner of State Tract No. 307-B;

THENCE, S 27° 30' W for a distance of 331.20 varas to a point for corner;

THENCE, S 31° 00' E for a distance of 889.20 varas to a point for the most Eastern corner of the herein described tract of land;

THENCE, S 55° 45' W for a distance of 705.60 varas to a point for the most Southern corner of this 81.95 acre tract; said corner has the following Grid Coordinates; X = 878,585.50, Y = 288,381.36, and bears N 71° 54' 15" W 626.17 varas from the Southeast corner of State Tract No. 307-B;

THENCE, N 55° 45' W for a distance of 288.00 varas to a point for corner having the following Grid Coordinates; X = 878,347.44, Y = 233,543.45, and bears N 72° 13' 27" E 237.80 varas from the Southwest corner of said State Tract No. 307-B;

THENCE, N 55° 45' E for a distance of 504.00 varas to a point for corner;

THENCE, N 11° 45' 54" E for a distance of 175.20 varas to a point for corner;

THENCE, N 29° 00' W for a distance of 640.80 varas to a point for corner;

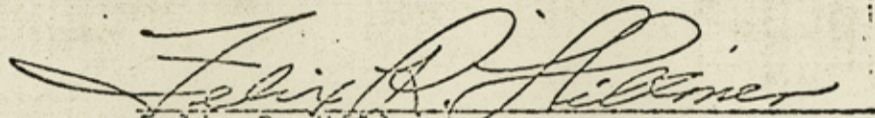
THENCE, N 27° 30' E for a distance of 264.60 varas to a point for corner;

Counter 32659

TRENCE, N 41° 30' W for a distance of 183.60 varas to the PLACE OF BEGINNING; CONTAINING within these metes and bounds 81.95 acres of land, more or less, situated entirely within State Tract No. 307-B, Nueces County, Texas.

The foregoing fieldnote description and attached plat was prepared from an actual survey on the ground under my direction in May, 1969, in conjunction with information furnished by maps from the Texas General Land Office, Austin, Texas, and is true and correct to the best of my knowledge and belief.

In witness thereof I sign and affix my seal this 5th day of June, 1969, A.D.

  
Felix R. Hillmer  
Registered Public Surveyor No. 157

All bearings shown herein are Grid Bearings based on the Texas Grid Coordinate System, South Zone, with all distances and Coordinates given in varas.

299.59 Acres, More or Less  
Part of State Tract Nos. 307-B,  
307-C, 334, 335 and 336

Corpus Christi Bay Area  
Nueces County, Texas

THE STATE OF TEXAS ↓

COUNTY OF NUECES ↓

FIELDNOTE DESCRIPTION of a tract or parcel of land containing 299.59 acres, more or less, situated principally in State Tract No. 307-C and partly in State Tract Nos. 307-B, 334, 335 and 336 of Corpus Christi Bay and Redfish Bay, Nueces County, Texas, as shown on a map of Corpus Christi Bay in Nueces County Showing Subdivision for Mineral Development by the General Land Office, Austin, Texas, dated May 5, 1950. Said 299.59 acres, more or less, encompasses part of Ransom Island and is more particularly described by metes and bounds as follows, to wit:

BEGINNING at a point for a N.E. corner of the herein described tract, said corner bears N 71° 54' 15" W for 626.17 varas from the S.E. corner of State Tract No. 307-B and has the following Texas Grid Coordinates, X = 879,180.70, Y = 288,186.87;

THENCE, S 5° 00' E for a distance of 1989.00 varas to a point for the S.E. corner of this 299.59 acre tract having the following Grid Coordinates, X = 878,758.85, Y = 286,399.93 and bears S 19° 34' 32" W 150.90 varas from S.E. corner of State Tract No. 307-C;

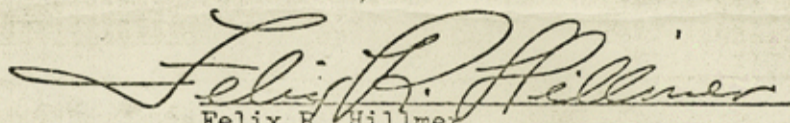
THENCE, S 85° 00' W for a distance of 1353.60 varas to a point for the S.W. corner of this 299.59 acre tract having the following Grid Coordinates, X = 877,410.40, Y = 286,281.96, and bears S 81° 38' 44" W 166.49 varas from S.W. corner of State Tract No. 307-C;

THENCE, N 22° 30' 23" E for a distance of 2447.93 varas to a point for the N.W. corner of this 299.59 acre tract being described, having the following Grid Coordinates, X = 878,347.44, Y = 288,543.45, and bears N 72° 13' 27" E 237.80 varas from N.W. corner of State Tract No. 307-C;

THENCE, S 55° 45' E a distance of 288.00 varas to the point of beginning; containing within these metes and bounds 299.59 acres of land, more or less, situated in and a part of State Tract Nos. 307-B, 307-C, 334, 335 and 336, Nueces County, Texas.

The foregoing fieldnote description and attached plat was prepared from a partial survey on the ground under my direction in May, 1969, in conjunction with information furnished by maps from the Texas General Land Office, Austin, Texas, and recent aerial photographs furnished by A.S.C.S. Office, Sinton, Texas, and is true and correct to the best of my knowledge and belief.

In witness thereof I sign and affix my seal this 17th day of August, 1970, A.D.

  
Felix R. Hillmer  
Registered Public Surveyor No. 157

All bearings shown herein are Grid Bearings based on the Texas Grid Coordinate System, South Zone, with all distances and Coordinates given in varas.

and the Commissioners having heard evidence as to the damages which will be sustained by the Defendant and all of them, by reason of the condemnation of the full fee simple title to all of the surface and bay bottom of said property described hereinabove and by reason of the condemnation of all of the other property, right, title, claim and interest of each and all of the Defendants in and to said land and premises described hereinabove such condemnation being for the purposes set out in the petition and statement referred to above and in the order of the Court incorporated herein, all is required by law, and having estimated the injuries and damages sustained by the Defendant, the State of Texas, by reason of such condemnation of the property hereinabove described, we do accordingly assess the actual total damages which will accrue to the Defendant as owner of and claimant of said property above described and a total of \$10.00 per acre or a total amount of \$3815.00 and we do now on this 3rd day of December, 1970 reduce this our decision to writing and do hereby so decide and order that the total amount of actual damages due the Defendant, the State of Texas, named hereinabove is the owner and claimant of said property described herein of such condemnation of the full fee simple title of the surface and bay bottom to said property is the total sum of \$3815.00 and we do further decide and adjudged that the City of Arkansas Pass should pay all costs of these proceedings for the reasons provided by law.

It is further found by the Commissioners that the rights and interests condemned by the City of Arkansas Pass in and to the surface and bay bottom of the above described premises and real estate shall endure so long as such property and real estate is used for the purposes herein condemned.

A statement in writing of all costs that have accrued certified to by us is required by law as hereto attached and made a part hereof.

In testimony whereof, we have signed this decision.

Dated the 3rd day of December, 1970.

George Callicott  
CLERK

Mrs. C. S. Brown  
MRS. C. S. BROWN

Loretta Coons  
LORETTA COONS