

Anstine's Copy

Sketch File No. 52
Nueces
Sept. 14, 1947
Pamela Anstine

SPOIL DISPOSAL AND RIGHT-OF-WAY EASEMENT DEED

VOL 382 PAGE 307

THIS DEED made this 21st day of August, 1947, between the Arroyo Colorado Navigation District of Cameron and Willacy Counties, Texas, a navigation district created under the provisions of Chapter 5 of the Acts of the 39th Legislature in 1925 (Vernon's Texas Civil Statutes, Article 8263h), and Section 59, Article 16 of the Constitution of the State of Texas, composed of parts of Cameron and Willacy Counties, Texas, Cameron County, Texas having one of its boundaries coincident with a part of the international boundary between the United States of America and the Republic of Mexico, acting herein through Clifford H. Purdy, Chairman, and E. C. Breedlove, Secretary, respectively, of the Navigation and Canal Commission, duly authorized by resolution passed on 21st day of August, 1947, duly of record in the minutes of said Commission, party of the first part, and the United States of America, party of the second part, WITNESSETH:

WHEREAS, in the River and Harbor Act of Congress approved March 2, 1945, provision was made for the improvement of the Arroyo Colorado in Cameron and Willacy Counties, Texas, as a part of the Louisiana-Texas Intracoastal Waterway in accordance with the project as set forth in House Document No. 402, 77th Congress, and Public Law No. 675, Act of Congress approved 23 July 1942, subject to the condition that local interests furnish free of cost to the United States suitable right-of-way and spoil disposal areas for said improvement, and

WHEREAS, the extension of the Intracoastal Waterway from Corpus Christi, Texas to the vicinity of the Mexican Border was authorized by an Act of Congress approved 23 July 1942, Public Law No. 675 (HR-6999, Chapter 520, 77th Congress, Second Session, 56 Stat. 703) and the construction and improvement of the Louisiana-Texas Intracoastal Waterway from Corpus Christi, Texas to the Rio Grande, set out in House Document 402, 77th Congress, First Session, was authorized by Act of Congress approved 2 March 1945, Public Law No. 14 (S.35), Chapter 19, 79th Congress, First Session, 59 Stat. 18, and

WHEREAS, by Chapter 163, Acts of the 50th Legislature of Texas (SB No. 318) approved 2 May 1947, Article 8263i, Vernon's Civil Statutes of the State of Texas, the free and uninterrupted use, liberty, and easement in and to all the rivers, streams, bayous, arroyos, resacas, lakes, lagoons, bays, arms of the sea, beds, banks, or shores thereof, mud flats or other lands covered or partly covered by the waters of any of the bays or other arms of the sea and any other submerged land or lands owned by the State of Texas within Cameron County, Willacy County, Kenedy County, Kleberg County, and Nueces County, Texas was granted and conveyed to the said Arroyo Colorado Navigation District of Cameron and Willacy Counties, Texas. The said counties are either counties in which the said district is located, or adjoining counties thereto along the route of the Louisiana-Texas Intracoastal Waterway between Corpus Christi, Texas, and the Mexican Border. A part of said waterway is in said Arroyo Colorado Navigation District within Cameron and Willacy Counties, Texas, and

WHEREAS, the above rights, use and interest in said lands is desired by the United States of America to enable the Corps of Engineers of the United States Army to carry out the provisions of the said Acts of Congress in aid of navigation, and

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WHEREAS, the District Engineer, Corps of Engineers, United States Army, Galveston District, has made request to the party of the first part for conveyance of the title or easement required for the extension and construction of the Louisiana-Texas Intracoastal Waterway from Corpus Christi, Texas to the Mexican Border in Corpus Christi Bay and Laguna Madre, which are arms of the sea, and

WHEREAS, under the provisions of said Chapter 163, 50th Legislature, approved 2 May 1947, Article 8263i, Vernon's Annotated Civil Statutes of Texas, the party of the first part, being the owner of the above rights and easements, is authorized and empowered upon said request by the United States to convey the above title or easement to the United States of America for the construction and operation and maintenance of said works with or without monetary consideration therefor;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and the benefits to the party of

the first part that will result from the proposed improvement and extension of the Louisiana-Texas Intracoastal Waterway from Corpus Christi, Texas, to the Mexican Border, the party of the first part does hereby grant, bargain, sell, and convey unto the party of the second part and its assigns the perpetual right and easement to enter upon, dig or cut away, and remove any and all of the hereinafter described Tract No. 1 as may be required at any time in the prosecution of the aforesaid work of improvement, or any enlargement thereof, and maintain the portion so cut away and removed as a part of the navigable waters of the United States; and further grant, bargain, sell, and convey unto the party of the second part the perpetual right and easement to enter upon and use any portion of said Tract No. 1 not so cut away and converted into public navigable waters as aforesaid, and any portion of Tract No. 2, hereinafter described, for the deposit of dredge material, and for such other purposes as may be needful in the preservation and maintenance of said work of improvement, together with the perpetual right and easement to flow water from spoil areas over and across said Tracts Nos. 1 and 2.

Tract No. 1 is described as a strip of land nine hundred (900) feet wide, being four hundred and fifty (450) feet on each side of the center line of the Louisiana-Texas Intracoastal Waterway as it is to be surveyed and constructed in Corpus Christi Bay and Laguna Madre from a point on the corporate limits of the City of Corpus Christi, Texas, extending southerly through Nueces County, Kleberg County, Kenedy County, Willacy County, and Cameron County to a point near the mouth of the Rio Grande on the Mexican Border between the State of Texas in the United States of America and the State of Tamaulipas in the Republic of Mexico.

Tract No. 2 is described as a strip of land five thousand (5,000) feet wide parallel and contiguous to the eastern boundary line of said Tract No. 1 and extending from the corporate limits of the City of Corpus Christi to the Mexican Border.

TO HAVE AND TO HOLD the said rights and easements unto the party of the second part and its assigns for the purposes aforesaid forever.

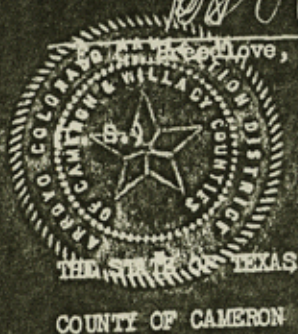
IN WITNESS WHEREOF, the Arroyo Colorado Navigation District has set its hand and seal on the day and year first above written.

ARROYO COLORADO NAVIGATION DISTRICT

ATTEST:

[Signature]
Secretary

BY *[Signature]*
Clifford H. Purdy, Chairman



SS

BEFORE ME, the undersigned authority, a Notary Public in and for Cameron County, State of Texas, on this day personally appeared Clifford H. Purdy and E. C. Breedlove, Chairman and Secretary respectively of the Arroyo Colorado Navigation District, known to me to be the persons whose names are subscribed to the above and foregoing instrument and each acknowledged to me that they executed the same for the purposes and consideration therein expressed and in the capacity therein stated and as the act and deed of the Arroyo Colorado Navigation District.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 21st day of August, A.D. 1947.

Hawthorne Phillips
HAWTHORNE PHILLIPS
 Notary Public in and for Cameron County, Texas.

(L. S.)

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Deed 250737
 Arroyo Colorado Navigation District of Cameron and Wilbrey Counties, Texas
 to
 United States of America

Filed For Record
 At 10:30 O'clock A.M.

NOV 13 1947

MRS. HENRY E. GOUGER
 Clerk, County Court, Nueces County, Texas
 By *Ellen Ann Lawrence* Deputy

*250737, Howard M. Gosh, Engineer
 Arroyo Colorado Navigation District
 P.O. Box # 708
 Harlingen, Texas*

Return to
 DISTRICT ENGINEER
 GALVESTON DISTRICT
 CORPS OF ENGINEERS

RECORDED the 29th day of November A. D. 1947 at 10:25 o'clock a M.

MRS. HENRY E. GOUGER, County Clerk, By *Ellen Ann Lawrence* Deputy.

Faint mirrored text from the reverse side of the page, including "Nueces County" and "August 22nd 1984".

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STATE OF TEXAS)
COUNTY OF NUECES)

I, MARION UEHLINGER, County Clerk in and for Nueces County, Texas, do hereby certify that the above and foregoing is a true and correct Photographic copy of Right of way easement from Arroyo Colorado Navigation Dist. of Cameron and Willacy Counties to The United States of America, as the same appears of record in my office in Volume 382 Page 307-309 Deed Records Record of Nueces County, Texas.

WITNESS my hand and the seal of the County Court of said County at office in Corpus Christi, Texas, this the 22nd day of August, A.D. 19 84.

MARION UEHLINGER
County Clerk, Nueces County, Texas.

BY *Teresa Roach* Deputy.
Teresa Roach

File No. Sketch File No. 52
Nueces County
Filed Sept. 14 19 84
GARRY MAURO, Com'r
By Douglas Howard



STATE OF TEXAS)
COUNTY OF NUECES)
I, MARION UENLINGER, County Clerk in and for Nueces County, Texas, do hereby certify that the above and foregoing is a true and correct photographic copy of the original of _____
_____ from Arroyo Colorado Navigation Dist.
of Cameron and Willacy Counties of the United States of America as the same appears of record in my office in Volume 282, page 307-308, Deed Records
Records of Nueces County, Texas.
WITNESS my hand and the seal of the County Clerk of said County at office in Corpus Christi, Texas, this 22nd day of August, A.D. 19 84

MARION UENLINGER
County Clerk, Nueces County, Texas

By Douglas Howard
Treas. Bond

