

~~MISCELLANEOUS FILE UNDER STAIRS~~

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IN RE:

Authority for Construction and location of the GULF-INTERCOASTAL WATERWAY
through KENEDY & WILLACY COUNTIES.

Copy Public Law 675, 77th Cong. Chapter 520, 2nd. Session (H.R.6999)
Approved 23rd. July 1942.

Also

SPOIL DISPOSAL AND RIGHT-OF-WAY EASEMENT DEED
Executed by the ARROYA COLORADO NAV. DIST.

Kenedy
COUNTY ROLLED SKETCH NO. *15*
Authority for Construction of Gulf Intercoastal Waterway
SURVEYED *July 1942* BY *U.S. Congress*
FILED *3-9-76*

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Kennedy Co. RLD. SK. 15

August 31, 1948

Mr. B. L. Robinson
Colonel, Corps of Engineers
606 Santa Fe Building
Galveston, Texas

Dear Colonel:

Your letter of the 20th enclosing the copy of Public Law 675 of the 77th Congress and a copy of the deed of August 21, 1947, from the Arroyo Colorado Navigation District received for which we thank you.

Sincerely yours,

BASCOM GILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

GWB:nh

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ADDRESS REPLY TO:
DISTRICT ENGINEER
GALVESTON DISTRICT
CORPS OF ENGINEERS
P. O. BOX 1229
GALVESTON, TEXAS

REFER TO FILE NO.

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS
OFFICE OF THE DISTRICT ENGINEER
(GALVESTON DISTRICT)
606 SANTA FE BUILDING
GALVESTON, TEXAS

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20 August 1948

Mr. Bascom Giles, Commissioner
General Land Office
State of Texas
Austin, Texas

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UNDER STAIR.

Dear Sir:

Reference is made to your letter of 9 August 1948 requesting information covering the authority for construction and location of the Gulf Intracoastal Waterway through Kenedy and Willacy Counties, Tex.

The waterway in question was authorized by an act of Congress, namely: "Public Law 675, 77th Cong., Chapter 520, 2d session (H.R. 6999)" approved 23 July 1942. A copy of the act is inclosed.

There is also forwarded herewith a copy of a deed executed by the Arroyo Colorado Navigation District conveying an easement to the United States covering right-of-way and spoil disposal areas between Corpus Christi and the Mexican border.

The authority for execution of the easement deed is described in the body of the document.

Very truly yours,

2 Incl
1 Act of Congress
2 Deed

for *Kenneth Deagy*
B. L. ROBINSON
Colonel, Corps of Engineers
District Engineer

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AUG 21 1948

REFERRED TO *MAP*

See article 8263 i Eemms Statute
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[PUBLIC LAW 675--77TH CONGRESS]

[CHAPTER 520--2D SESSION]

[H. R. 6999]

AN ACT

To promote the national defense and to promptly facilitate and protect the transport of materials and supplies needful to the Military Establishment by authorizing the construction and operation of a pipe line and a navigable barge channel across Florida, and by deepening and enlarging the Intracoastal Waterway from its present eastern terminus to the vicinity of the Mexican border.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote the national defense and to promptly facilitate and protect the transport of materials and supplies needful to the Military Establishment, there is hereby authorized to be constructed under the direction of the Secretary of War and the supervision of the Chief of Engineers a high-level lock barge canal from the Saint Johns River across Florida to the Gulf of Mexico in accordance with the plans set forth in the letter of the Chief of Engineers dated June 15, 1942; and that there is also authorized the enlargement of the present Intracoastal Waterway from the vicinity of Apalachee Bay to Corpus Christi, Texas, and its extension to the vicinity of the Mexican border so as to provide throughout the entire length of the canal a channel twelve feet deep and one hundred and twenty-five feet wide; Provided, That between Mobile, Alabama, and New Orleans, Louisiana, the project shall be modified in accordance with the recommendations of the Chief of Engineers in his report dated April 27, 1942, except that the annual payments to be made by the Government to the Board of Commissioners of the Port of New Orleans are not limited by this act to the amount recommended by the Chief of Engineers but are left open to negotiations between the Board of Commissioners of the Port of New Orleans and the Chief of Engineers; Provided further, That the Chief of Engineers is authorized to expedite the utilization of the facilities herein above authorized by the employment of temporary structures and available materials, and within reasonable limits to vary, in his discretion, the above-prescribed dimensions wherever advisable: And provided further, That subject to the provisions of Public Law 197, Seventy-seventh Congress, there is authorized to be constructed one or more pipe lines, together with all necessary terminal facilities, for the transport of petroleum and its products, from the vicinity of Port Saint Joe and other points on the Gulf Coast of Florida to the Saint Johns River, and a crude-oil pipe line from the Tinsley Oil Field in the vicinity of Yazoo, Mississippi, to Charleston, South Carolina, and/or Savannah, Georgia.

SEC. 2. There is hereby authorized to be appropriated the sum of \$93,000,000 to carry out the provisions of this Act.

Approved, July 23, 1942.

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SPOIL DISPOSAL AND RIGHT-OF-WAY EASEMENT DEED

AUG 31 1948

REFERRED TO ~~MAP~~

THIS DEED made this 21 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 21 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

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

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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.

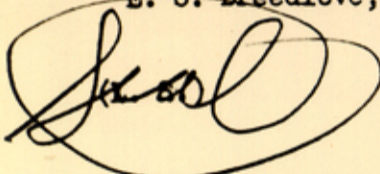
IN WITNESS WHEREOF, the Arroyo Colorado Navigation District has set its hand and seal on the day and year first above written.

ARROYO COLORADO NAVIGATION DISTRICT

ATTEST:

(S) E. C. Breedlove
E. C. Breedlove, Secretary

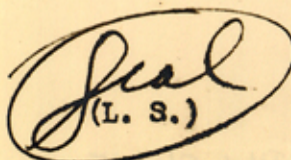
BY Clifford H. Purdy
Clifford H. Purdy, Chairman



THE STATE OF TEXAS |
 | SS
COUNTY OF CAMERON |

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 21 day of August, A.D. 1947.



A TRUE COPY
Raymer H. Miller
RAYMER H. MILLER
Closing Attorney

(S) Hawthorne Phillips
Notary Public in and for Cameron County, Texas.

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Filed for record in the office of the County Clerks of the following counties:

Comarca County, Tex., on 19 November 1947 at 8:05 A.M., Volume 7, pages 320-321.

Willacy County, Tex., on 15 November 1947 at 9:55 A.M., Volume 45 on pages 165-166.

Kenedy County, Texas, on 13 November 1947 at 10:40 A.M., Volume 6, pages 236-237.

Kleberg County, Texas, on 14 November 1947 at 8:05 A.M., Volume 77, pages 118-119.

Brewster County, Texas, on 13 November 1947 at 10:30 A.M., Volume 362 on pages 306-307.

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