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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

United States District Court  
Southern District of Texas  
FILED

JUN 05 1998

Michael N. Milby, Clerk

UNITED STATES OF AMERICA

v.

155.465 ACRES OF LAND, MORE OR  
LESS, IN SAN PATRICIO COUNTY  
AND NUECES COUNTY, TEXAS;  
MARIE WELDER FORD, ET AL.

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§

CIVIL ACTION NO. C-97-83

SETTLEMENT AGREEMENT AND SATISFACTION OF JUDGMENT

The United States of America, plaintiff, and Marie Welder Ford and husband, Edmond Ford; Hamilton-Ingleside Limited, a Texas Limited Partnership; David Edwards, Trustee of the 1976 Edwards Trust "A"; and Patricia Edwards Carson, Trustee of the 1976 Edwards Trust "B", defendants, agree to the settlement of this case and the satisfaction of the Final Judgment of Condemnation as follows:

1) The defendants agree to forego the filing of a motion for new trial and waive all rights to appeal the Final Judgment of Condemnation entered in this action on May 21, 1998.

2) The defendants will retain all of the \$2,600,000 that was deposited in the Registry of the Court on February 11, 1997, together with any interest thereon.

3) Each side will bear their own costs and attorneys fees.

Date

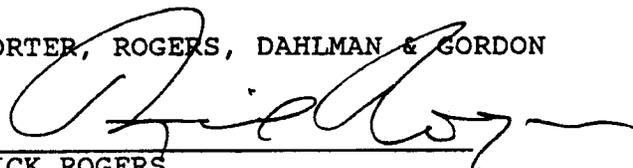
- Entered in Register 24 March 2000 WJW
- Property Record Card Made 24 March 2000 WJW
- Entered on R. E. Summary Map 24 March 2000 WJW
- Microfilmed \_\_\_\_\_
- Other (Specify) file 24 March 2000 WJW

Respectfully submitted,

JAMES H. DeATLEY  
United States Attorney

By:   
CHARLES WENDLANDT  
Assistant United States Attorney  
Admissions I.D. Number: 12172  
State Bar I.D. Number: 21171500  
Wilson Plaza, Suite 1400  
606 No. Carancahua  
Corpus Christi, Texas 78476  
(512) 888-3111-

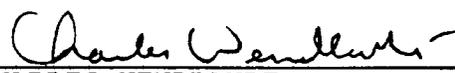
ATTORNEY FOR THE UNITED STATES OF  
AMERICA

PORTER, ROGERS, DAHLMAN & GORDON  
By:   
RICK ROGERS  
Admissions I.D. Number 4531  
State Bar Number 17193000  
One Shoreline Plaza  
800 N. Shoreline, Suite 800 South  
Corpus Christi, Texas 78401-3708  
(512) 880-5808

ATTORNEY-IN-CHARGE FOR DEFENDANTS  
MARIE WELDER FORD, ET AL.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was hand-  
delivered to Rick Rogers on June 5, 1998.

  
CHARLES WENDLANDT

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

United States District Court  
Southern District of Texas  
ENTERED

94. MAY 21 1998  
Michael N. Milby  
Clerk of Court

UNITED STATES OF AMERICA,  
Plaintiff

v.

155.465 ACRES OF LAND, MORE OR  
LESS, IN SAN PATRICIO COUNTY  
AND NUECES COUNTY, TEXAS;  
MARIE WELDER FORD, ET AL.  
Defendants

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§

CIVIL ACTION NO. C-97-83

FINAL JUDGMENT OF CONDEMNATION

The United States of America filed a Declaration of Taking in this proceeding and deposited the sum of \$2,600,000.00 in the registry of the Court as estimated just compensation on February 11, 1997. The case came on for trial on May 11, 1998, at which time the parties stipulated that \$90,975.00 constitutes just compensation for the taking of the easement, and the jury duly rendered its verdict determining that \$2,347,579.00 constitutes just compensation for the taking of the land.

It is therefore ADJUDGED and DECREED that the fee simple title to the 151.826 acres of land described in the attached Exhibit A and Exhibit B vested in the United States of America upon the filing of the Declaration of Taking on February 11, 1997, subject

TRUE COPY CERTIFY  
ATTEST:  
MICHAEL N. MILBY  
By [Signature] Deputy Clerk  
COURT  
MAY 27 1998

FILE NO.

to existing easements of record for pipelines; and excepting and excluding all oil, gas, and minerals not constituting a part of the surface estate, and any rights relating thereto.

It is further ADJUDGED and DECREED that a perpetual and assignable easement and right-of-way to locate, construct, operate, maintain, and repair a roadway and utility lines in, upon, over and across the 3.639 acres of land described in the attached Exhibit C, together with the right to trim, cut and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way, vested in the United States of America on February 11, 1997; reserving to the landowners, their heirs and assigns, however, the right to relocate said easement and right-of-way at their sole expense, such relocated right-of-way to equal or exceed the improvements made by the United States on said easement and right-of-way.

It is further ADJUDGED that the sum of \$2,438,554.00 constitutes full, just compensation for the taking of the 151.826 acres and the 3.639 acre easement.

It is further ORDERED that within 120 days of this date, or within thirty days of the date that any appeal of this judgment is finally determined by the United States Court of Appeals for the Fifth Circuit, Marie Welder Ford; Hamilton-Ingleside Limited, a Texas Limited Partnership; David Edwards, Trustee of the 1976 Edwards Trust "A"; and Patricia Edwards Carson, Trustee of the 1976 Edwards Trust "B", shall refund into the registry of the Court the sum of \$161,446.00, together with interest thereon from the date of

this judgment at the rate of six percent (6%) per annum.

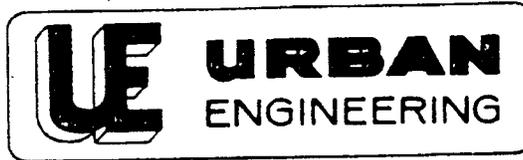
Each party shall bear their own costs.

Dated: May 19, 1998



ADRIAN G. DUPLANTIER  
Senior United States District Judge

462380



Job No. 32098-00-00  
October 11, 1995

(512)854-3101

P.O. BOX 6355 • CORPUS CHRISTI, TEXAS 78466-6355

FAX (512)854-6001

TRACT I

STATE OF TEXAS,  
COUNTY OF NUECES;

Fieldnotes for a 105.477 acre tract of land out of a 171.74 acre tract of submerged lands situated in Nueces County, Texas and recorded in Volume 179, Page 201, Deed Records of San Patricio County, Texas, and also being recorded in Volume 1516, Page 115, Deed Records of Nueces County, Texas; said 171.74 acre tract embracing a portion of the State of Texas submerged tracts Nos. 4 and 5 in Corpus Christi Bay, lying Southwest of the Northeast shoreline of Corpus Christi Bay, between the Southerly shoreline of Donnel Point and a Southwesterly extension of a line from the head of Kinney Bayou, and Northeast of a line crossing Corpus Christi Bay in a general Northwesterly-Southeasterly direction and referred to as the Nueces County Navigation District North Bulkhead line; said 105.477 acre tract being described more particularly by metes and bounds to wit;

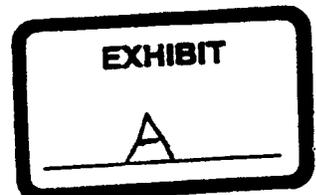
BEGINNING at a point ( 1983 North American Datum- State Plane Coordinates North= 17,196,796.70 East= 1,393835.03) for the intersection point of the Northwest boundary line of the Jewel Fulton Channel and the Northeasterly boundary line of the La Quinta Channel, the most Southerly corner of the said 171.74 acre tract of submerged lands and the POINT OF BEGINNING;

THENCE North 23°45'14" West, with said Northeasterly boundary line of the La Quinta Channel, same being the most Southwesterly boundary line of the said 171.74 acre tract of submerged lands, a distance of 3,043.35 feet to a point for a corner of this tract ;

THENCE North 66°14'46" East , leaving said Northeasterly boundary line of the La Quinta Channel, a distance of 873.41 feet to a point on the shoreline as surveyed by this office on September 19, 1995 for the North corner of this tract;

THENCE with the above stated shoreline as follows:

- South 40°45'57" East 26.01 feet;
- South 45°55'27" East 109.54 feet;
- South 48°23'59" East 153.93 feet ;
- South 48°18'27" East 114.14 feet;
- South 42°24'18" East 130.74 feet;
- South 02°38'35" East 75.15 feet;
- South 27°15'19" East 53.87 feet;
- South 52°30'43" East 135.25 feet;
- South 64°17'47" East 55.94 feet;
- South 56°13'00" East 89.85 feet;
- South 51°59'43" East 116.47 feet;
- South 43°01'54" East 63.68 feet;
- South 35°13'18" East 83.12 feet;
- South 49°52'21" East 118.62 feet;
- South 56°10'30" East 76.60 feet;
- South 68°10'31" East 73.10 feet;
- South 83°30'03" East 60.05 feet;
- South 87°38'50" East 77.19 feet;
- North 76°32'51" East 152.96 feet
- North 71°01'23" East 72.00 feet;;



Thence South 77°44'17" East, a distance of 74.62 feet to a point on the water side face of an existing Bulkhead for a point on the above stated shoreline;

Thence with said bulkhead face as follows;

- South 16°38'48" West 4.26 feet;
- South 73°21'12" East 26.53 feet;
- South 31°00'04" East 8.46 feet;
- South 38°18'14" East 39.29 feet;
- South 38°08'47" East 49.61 feet;
- South 75°34'13" East 177.89 feet;
- South 22°28'41" East 12.82 feet;
- South 69°04'24" East 165.55 feet;
- South 81°59'49" East 52.82 feet;
- South 85°12'23" East 50.10 feet;
- North 84°08'12" East 38.27 feet;
- North 51°49'43" East 12.33 feet;

Thence leaving said bulkhead face as follows;

- South 56°59'13" East 117.56 feet;
- South 61°49'04" East 102.82 feet;
- South 60°47'13" East 73.69 feet;
- South 76°33'10" East 73.23 feet;
- North 81°18'50" East 61.57 feet;
- North 58°54'48" East 97.57 feet;
- North 55°59'27" East 60.34 feet;

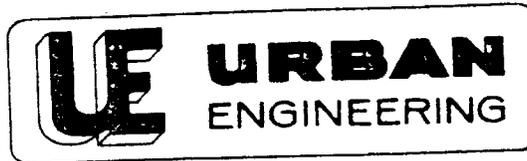
Thence South 39°18'50" East, leaving said shoreline, a distance of 126.63 feet for a point on the Northwest boundary line of Jewel Fulton Channel, the Southeast line of the said 171.74 acre tract and the most Easterly corner of this tract;

THENCE South 50°41'10" West , with said Northwest boundary line of the Jewel Fulton Channel, a distance of 2862.85 feet to the POINT OF BEGINNING and containing 105.477 acres (4,594,575 square feet) of land more or less;

Bearings were based on the 1983 North American Datum , Coordinates were based on State Plane Coordinate System.

URBAN ENGINEERING  
*Dan Urban*  
Dan L. Urban, R.P.L.S. No. 4710





Job No. 32098-95-01  
October 11, 1995

(512)854-3101

P.O. BOX 6355 • CORPUS CHRISTI, TEXAS 78466-6355

FAX (512)854-6001

TRACT II

**STATE OF TEXAS,  
COUNTY OF SAN PATRICIO;**

Fieldnotes for a 46.349 acre tract of land out of the T.T. Williamson Survey A-295, the T.T. Williamson Survey A-292 and a 171.74 acre tract of submerged lands recorded in Volume 179, Page 201 Deed Records of San Patricio County, Texas and being described more particularly by metes and bounds to wit;

COMMENCING at a point ( 1983 North American Datum- State Plane Coordinates North= 17,196,796.70 East= 1,393835.03) for the intersection point of the Northwest boundary line of the Jewel Fulton Channel and the Northeasterly boundary line of the La Quinta Channel, the most Southerly corner of the said 171.74 acre tract of submerged lands and the POINT OF COMMENCEMENT;

THENCE North 23°45'14" West, with said Northeasterly boundary line of the La Quinta Channel, same being the most Southwesterly boundary line of the said 171.74 acre tract of submerged lands, a distance of 3,043.35 feet to a point;

THENCE North 66°14'46" East, leaving said Northeasterly boundary line of the La Quinta Channel, a distance of 873.41 feet to a point ( 1983 North American Datum- State Plane Coordinates North= 17,199,934.02 East= 1,393408.57) on the shoreline as surveyed by this office on September 19, 1995 for the Southwest corner of this tract and the POINT OF BEGINNING;

Thence North 66° 14'46" East, at 100.00 feet a 5/8 inch iron rod set for reference, in all a distance of 1,250.93 feet to a 5/8 inch iron rod set for the North corner of this tract;

Thence South 39° 18'50" East, at a distance of 2,135.33 feet pass a 5/8 inch iron rod set for reference, in all a distance of 2,235.33 feet to a point on the shoreline as surveyed by this office on September 19, 1995 and the most Easterly corner of this tract;

THENCE with the above stated shoreline as follows:

South 55° 59'27" West	60.34 feet;
South 58° 54'48" West	97.57 feet;
South 81° 18'50" West	61.57 feet;
North 76° 33'10" West	73.23 feet;
North 60° 47'13" West	73.69 feet;
North 61° 49'04" West	102.82 feet;

Thence North 56° 59'13" West, a distance of 117.56 feet to a point on the water side face of an existing Bulkhead for a point on the above stated shoreline;

South 51° 49'43" West	12.33 feet;
South 84° 08'12" West	38.27 feet;
North 85° 12'23" West	50.10 feet;
North 81° 59'49" West	52.82 feet;
North 69° 04'24" West	165.55 feet;
North 22° 28'41" West	12.82 feet;
North 75° 34'13" West	177.89 feet;
North 38° 08'47" West	49.61 feet;

EXHIBIT

B

North 38° 18'14" West 39.29 feet;  
 North 31° 00'04" West 8.46 feet;

Thence leaving said bulkhead face as follows;

North 73° 21'12" West 26.53 feet;  
 North 16° 38'48" East 4.26 feet;  
 North 77° 44'17" West 74.62 feet;  
 South 71° 01'23" West 72.00 feet;  
 South 76° 32'51" West 152.96 feet;  
 North 87° 38'50" West 77.19 feet;  
 North 83° 30'03" West 60.05 feet;  
 North 68° 10'31" West 73.10 feet;  
 North 56° 10'30" West 76.60 feet;  
 North 49° 52'21" West 118.62 feet;  
 North 35° 13'18" West 83.12 feet;  
 North 43° 01'54" West 63.68 feet;  
 North 51° 59'43" West 116.47 feet;  
 North 56° 13'00" West 89.85 feet;  
 North 64° 17'47" West 55.94 feet;  
 North 52° 30'43" West 135.25 feet;  
 North 27° 15'19" West 53.87 feet;  
 North 02° 38'35" West 75.15 feet;  
 North 42° 24'18" West 130.74 feet;  
 North 48° 18'27" West 114.14 feet;  
 North 48° 23'59" West 153.93 feet;  
 North 45° 55'27" West 109.54 feet;

THENCE North 40° 45'57" West , continuing with said shoreline, a distance of 26.01 feet to the POINT OF BEGINNING and containing 46.349 acres (2,018,956 square feet) of land more or less;

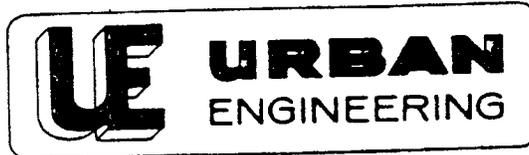
Bearings were based on the 1983 North American Datum , Coordinates were based on State Plane Coordinate System.

URBAN ENGINEERING



Dan L. Urban, R.P.L.S. No. 4710





Job No. 32098-95-01  
October 11, 1995

(512)854-3101

P.O. BOX 6355 • CORPUS CHRISTI, TEXAS 78466-6355

FAX (512)854-6001

TRACT III

**STATE OF TEXAS,  
COUNTY OF SAN PATRICIO;**

Fieldnotes for a 3.639 acre tract of land out of the T. T. Williamson Survey A-295 and being described more particularly by metes and bounds to wit;

COMMENCING at a point ( 1983 North American Datum- State Plane Coordinates North= 17,196,796.70 East= 1,393,835.03) for the intersection point of the Northwest boundary line of the Jewel Fulton Channel and the Northeasterly boundary line of the La Quinta Channel, the most Southerly corner of a 171.74 acre tract of submerged lands recorded in Volume 179, Page 201 of Deed Records of San Patricio County, Texas and the POINT OF COMMENCEMENT;

THENCE North 50°41'10" East, with said Northwesterly boundary line of the Jewel Fulton Channel, same being the most Southeasterly boundary line of the said 171.74 acre tract of submerged lands, a distance of 4,544.66 feet to a point ;

THENCE North 52°18'14" West, leaving said Northwesterly boundary line of the Jewel Fulton Channel, a distance of 216.07 feet to a point;

THENCE North 35°43'51" East, a distance of 294.00 feet to a point;

THENCE North 05°09'09" West, a distance of 150.00 feet to a 5/8 inch iron rod found;

THENCE South 76°41'09" East, a distance of 480.00 feet to a concrete monument found for a point in the Northwesterly right-of-way line of F.M. Highway No. 1069;

THENCE North 15°48'51" East, with said Northwesterly right-of-way line of F.M. Highway No. 1069, a distance of 14.63 feet to 5/8 inch iron rod set ( 1983 North American Datum- State Plane Coordinates North= 17,200,100.05 East= 1,397809.91) for a corner of this tract and the POINT OF BEGINNING;

THENCE North 78°21'08" West, leaving said Northwesterly right-of-way line of F.M. Highway No. 1069, a distance of 716.96 feet to a 5/8 inch iron rod set for the point of curvature of a circular curve to the left whose radius point bears South 11°38'52" West at a distance of 343.95 feet and for a corner of this tract;

THENCE in an Westerly direction with said circular curve to the left, having a central angle of 53°36'54", a radius length of 343.95 feet, a chord bearing of South 74°50'24" West, a chord length of 310.24 feet, a tangent length of 173.80 feet, an arc distance of 321.85 feet to a 5/8 inch iron rod set for a corner of this tract;

THENCE South 48°01'57" West, a distance of 162.72 feet to a 5/8 inch iron rod set for the point of curvature of a circular curve to the right whose radius point bears North 41°58'03" West at a distance of 6,086.26 feet and for a corner of this tract;

THENCE in an Southwesterly direction with said circular curve to the right, having a central angle of 02°49'10", a radius of 6,086.26 feet, a chord bearing of South 49°26'32" West, a chord length of 299.47 feet, a tangent length of 149.78 feet an arc distance of 299.50 feet to a 5/8 inch iron rod set for the point of reverse curvature of a circular curve to the left whose radius point bears South 39° 08'53" East at a distance of 2,958.28 feet and for a corner of this tract;

THENCE in a Southwesterly direction with said circular curve to the left, having a central angle of 05°44'50", a radius of 2,958.28 feet, a chord bearing of South 47°58'42" West, a chord length of 29

2725 SWANTNER DR. • CORPUS CHRISTI, TEXAS 78404

EXHIBIT

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feet, a tangent length of 148.49 feet, an arc distance of 296.74 feet to a 5/8 inch iron rod set for the point of reverse curvature of a circular curve to the right whose radius point bears North 44° 53'43" West at a distance of 33,873.57 feet and for a corner of this tract;

THENCE in an Southwesterly direction with said circular curve to the right, having a central angle of 01°04'41", a radius of 33,873.57 feet, a chord bearing of South 45°38'38" West, a chord length of 637.30 feet, a tangent length of 318.66 feet an arc distance of 637.31 feet to a 5/8 inch iron rod set for a corner of this tract;

THENCE South 46°10'58" West, a distance of 178.25 feet to a 5/8 inch iron rod set for a corner of this tract;

THENCE North 39°18'50" West, a distance of 60.19 feet to a 5/8 inch iron rod set for a corner of this tract;

THENCE North 46°10'58" East, a distance of 173.53 feet to a point on a circular curve to the left whose radius point bears North 43° 49'02" West at a distance of 33,813.57 feet and for a corner of this tract;

THENCE in an Northeasterly direction with said circular curve to the left, having a central angle of 01°04'41", a radius of 33,813.57 feet, a chord bearing of North 45°38'38" East, a chord length of 636.17 feet, a tangent length of 318.10 feet an arc distance of 636.18 feet to a 5/8 inch iron rod set for the point of reverse curvature of a circular curve to the right whose radius point bears South 44° 53'43" East at a distance of 3,018.28 feet and for a corner of this tract;

THENCE in an Northeasterly direction with said circular curve to the right, having a central angle of 05°44'50", a radius of 3,018.28 feet, a chord bearing of North 47°58'42" East, a chord length of 302.63 feet, a tangent length of 151.51 feet, an arc distance of 302.76 feet to the point of reverse curvature of a circular curve to the left whose radius point bears North 39° 08'53" West at a distance of 6,026.26 feet and for a corner of this tract;

THENCE in an Northeasterly direction with said circular curve to the left, having a central angle of 02°49'10", a radius of 6,026.26, a chord bearing of North 49°26'32" East, a chord length of 296.51 feet, a tangent length of 148.30 feet, an arc distance of 296.54 feet to a 5/8 inch iron rod set for a corner of this tract;

THENCE North 48°01'57" East, a distance of 162.72 feet to a 5/8 inch iron rod set for the point of curvature of a circular curve to the right whose radius point bears South 41° 58'03" East at a distance of 403.95 feet and for a corner of this tract;

THENCE in an Northeasterly direction with said circular curve to the right, having a central angle of 53°36'54", a radius of 403.95 feet, a chord bearing of North 74°50'24" East, a chord length of 364.36 feet, a tangent length of 204.12 feet an arc distance of 378.00 feet to a 5/8 inch iron rod set for a corner of this tract;

THENCE South 78°21'08" East, a distance of 721.34 feet to a 5/8 inch iron rod set on the said Northwesterly right-of-way line of F.M. Highway No. 1069 for a corner of this tract;

THENCE South 15°48'51" West, with said Northwesterly right-of-way line of F.M. Highway No. 1069, a distance of 60.16 feet to the POINT OF BEGINNING and containing 3.639 acres (158,532 square feet) of land more or less;

Bearings were based on the 1983 North American Datum, Coordinates were based on State Plane Coordinate System.



URBAN ENGINEERING

Dan L. Urban, R.P.L.S. No. 4710