

CAUSE NO. 24CV-07636

CITY OF SAN MARCOS, TEXAS, § EMINENT DOMAIN PROCEEDING
§
§ *Condemnor,* §
§ v. § IN THE COUNTY COURT AT LAW
§
§ MARY BETH HARPER a/k/a MARY §
§ NANCE HARPER, individually and as §
§ Independent Executor of the ESTATE OF §
§ RAY STEWART HARPER, and JAIME §
§ LYNN HARPER, §
§
§ *Condemnees.* § OF CALDWELL COUNTY

CONDEMNOR'S NOTICE OF DEPOSIT

Now comes Condemnor, City of San Marcos, Texas ("Condemnor"), and respectfully files this, its Notice of Deposit (the "Notice of Deposit") of the Award of Special Commissioners in the above-styled proceeding in condemnation, and Condemnor would further show this Honorable Court the following:

I.

The Special Commissioners convened on the 28th day of February 2025, in the above-styled and numbered proceeding in condemnation. After listening to the arguments of all parties present, the Special Commissioners awarded Condemnees, Mary Beth Harper a/k/a Mary Nance Harper and Jaime Lynn Harper, the sum of FOUR HUNDRED EIGHT THOUSAND FIVE HUNDRED and No/100 Dollars (\$408,500.00) as the amount of just compensation for the rights Condemnor seeks in Condemnor's Original Petition in Condemnation.

Pursuant to § 21.021 of the Texas Property Code, Condemnor may take possession of the condemned property pending the results of further litigation by (1) depositing the amount of the Award with the Court; (2) depositing the amount awarded by the Special Commissioners as

damages; and (3) executing two surety bonds conditioned to secure the payment of additional costs that may be awarded to the property owner by the Court or on appeal. TEX. PROP. CODE. §21.021(a)(1)-(3).

II.

Condemnor now deposits the Award amount into the registry of the Court by delivering to the Clerk of the Court the following described check:

Check No. 109399, dated June 6, 2025, payable to Caldwell County, TX in the amount of FOUR HUNDRED EIGHT THOUSAND FIVE HUNDRED and No/100 Dollars (\$408,500.00), being the amount of the Award and the deposit required by § 21.021(a)(1) of the Texas Property Code. A copy of the check is attached hereto as **Exhibit A**.

All parties asserting a claim to all or part of the amount deposited may make written application to the judge of this court seeking disbursement of such sum, and may request a hearing on such application, subject to notice and time requirements as set forth by the Texas Rules of Civil Procedure.

III.

THEREFORE, Condemnor hereby gives notice of its deposit of the Award amount into the registry of the Court, its deposit of the Award amount made to secure any award of damages in excess of the Award, and its posting of the Additional Cost Bond, and Condemnor hereby takes possession of the property that is subject to the condemnation proceeding in the above-styled and numbered cause for the purposes described in Condemnor's Original Petition in Condemnation, pursuant to § 21.021(a) of the Texas Property Code.

Respectfully submitted,

ROSS MOLINA OLIVEROS, P.C.
4118 Pond Hill Road, Suite 100
San Antonio, Texas 78231
(210) 249-3200 – Telephone
(210) 249-3201 – Facsimile

/s/ A.A. Jack Ross, IV

A.A. Jack Ross, IV, Attorney-in-Charge
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**ATTORNEYS FOR CONDEMNOR,
CITY OF SAN MARCOS, TEXAS**

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of June 2025, a true and correct copy of this document is being served on the following pursuant to Rule 21a of the Texas Rules of Civil Procedure:

/s/ A.A. Jack Ross, IV
A.A. Jack Ross, IV

INVOICE DATE	INVOICE NUMBER	DESCRIPTION	INVOICE AMOUNT
06/02/2025	24CV-07636	SUBJECT TO ORDER OF CONDEMNEE CAUSE 24CV-07636	\$408,500.00

EXHIBIT "A"

VENDOR NO.	VENDOR NAME	CHECK NO.	CHECK DATE	CHECK AMOUNT
3309	CALDWELL COUNTY, TX	109399	06/06/2025	\$408,500.00



City of San Marcos
ACCOUNTS PAYABLE
630 E. Hopkins
San Marcos, TX 78666
Ph. (512) 393-8170

Wells Fargo, N.A.
123 N., Edward Gary St
San Marcos, TX

$$\frac{37-65}{1119}$$

Vendor Number Check Number Check Date

109399

06/06/2025

VOID 90 DAYS FROM DATE OF ISSUE

\$408,500.00

Pay ***Four Hundred Eight Thousand Five Hundred Dollars and 00 Cents***

To CALDWELL COUNTY, TX
the 110 S MAIN ST
Order LOCKHART, TX 78644-0000
Of

Signature **MP**
Authorized Signature

MP
Authorized Signature

"00109399" 61119006596

239911020011