

Highway 80 Project
Tract 16.0003

CAUSE NO. 24CV-07635

CITY OF SAN MARCOS, TEXAS,	§	EMINENT DOMAIN PROCEEDING
	§	
<i>Condemnor,</i>	§	
	§	
v.	§	IN THE COUNTY COURT AT LAW
	§	
JAIME LYNN HARPER,	§	
	§	
<i>Condemnee.</i>	§	CALDWELL COUNTY, TEXAS

DEFENDANT'S OBJECTIONS TO THE AWARD OF SPECIAL COMMISSIONERS

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW JAIME LYNN HARPER, Defendant in the above entitled and numbered cause, and files this, her Objection to the decision and award of the special commissioners appointed to assess the damages done to Defendant by the proposed taking of Defendant's interest in the tract of land described in Plaintiff's Petition for Condemnation (and all amendments thereto) for the purposes stated in said Petition (and all amendments thereto), and such award having been previously filed herein, as grounds therefor says:

1. That the total amount of the damages awarded to the Defendant for the taking of Defendant's interest in the tract of land described in the Plaintiff's Petition for Condemnation (and all amendments thereto) is wholly insufficient and does not represent the true and proper amount of damages suffered by the Defendant by reason of this taking of Defendant's interest in said land by these condemnation proceedings.

2. That the award does not take into consideration actual market value of the estate taken, and other factors and evidence which properly constitute the measure of the damages

sustained by Defendant, and said damages are wholly insufficient in all respects, at law and in equity, to constitute proper damage to Defendant.

3. Defendant herein requests a jury trial and tender payment herewith.

WHEREFORE, PREMISES CONSIDERED, Defendant, JAIME LYNN HARPER, prays that the petition be decided as required by law, and that upon trial, Defendant recover Defendant's damages and all costs of suit, including, but not limited to, any administrative and trust fund fee assessed on the award deposited by Plaintiff into the registry of the court, interest on the total judgment from the date of taking at the rate prescribed by law, and for all such other and further relief, both general and special, at law or in equity, to which Defendant may be justly entitled, including, but not limited to, the right to have the Plaintiff not take the property herein involved, and Defendant's right, upon dismissal, to reimbursement of fees, expenses, and damages allowed under Sections 21.019 and 21.044 of the Texas Property Code.

Respectfully submitted,

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By: /s/ Nicholas P. Laurent
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ATTORNEYS FOR DEFENDANT,
JAIME LYNN HARPER

CERTIFICATE OF SERVICE

This is to certify that on this 30th day of January, 2025, a true and correct copy of the foregoing “Defendant’s Objections to the Award of Special Commissioners” has been e-filed. Based on the records currently on file, the Clerk of Court will transmit a “Notice of Electronic Filing” to all registered counsel of record. All other parties were served via certified mail, return receipt requested, first class mail and/or fax as follows:

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CITY OF SAN MARCOS

/s/ Nicholas P. Laurent

Nicholas P. Laurent

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Ellen Schneider on behalf of Nicholas Laurent

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Envelope ID: 96779986

Filing Code Description: Answer/Response

Filing Description: DEFENDANTS OBJECTIONS TO THE AWARD OF SPECIAL COMMISSIONERS

Status as of 1/30/2025 10:37 AM CST

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