

CAUSE NO. 23-1002-C

CITY OF SAN MARCOS	§	COUNTY COURT AT LAW
	§	
V.	§	NUMBER ONE (1) OF
	§	
TWO RIVERS INTERESTS, LP	§	HAYS COUNTY, TEXAS

**DEFENDANT’S OBJECTIONS AND EXCEPTIONS  
TO THE AWARD OF SPECIAL COMMISSIONERS**

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant, Two Rivers Interests, LP, files its Objections and to the Award of Special Commissioners and would show this Court as follows:

**I. PARTIES**

Plaintiff, City of San Marcos, has appeared in this lawsuit and may be served through its attorney of record.

Defendant, Two Rivers Interests, LP, has appeared in this lawsuit and may be served through its attorney of record.

**II. OBJECTIONS TO SPECIAL COMMISSIONERS’ AWARD**

Defendant has not been awarded the adequate compensation to which it is entitled pursuant to the Texas Property Code and Article I, Section 17 of the Texas Constitution for its real and personal property interests taken, damaged, or destroyed by Plaintiff’s condemnation.

The Special Commissioners failed to apply the correct measure of damages in determining the adequate compensation to which Defendant is entitled for its real and personal property interests taken, damaged and/or destroyed by Plaintiff’s condemnation, including all damages to the remainder and, consequently, the award is less than the just compensation to which Defendant is entitled, which it now seeks to recover in this proceeding.

Wherefore, Defendant, Two Rivers Interests, LP, respectfully requests that the Court enters judgment against Plaintiff, City of San Marcos, after a jury trial on the merits, awarding Defendant

the full amount of just and adequate compensation to which it is entitled, pre-judgment and post-judgment interest at the maximum amount provided by law, costs of court, and all other relief to which it may show itself justly entitled.

Respectfully submitted,

McFARLAND PLLC

/s/ Charles B. McFarland

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ATTORNEYS FOR DEFENDANT,  
Two Rivers Interests, LP

#### CERTIFICATE OF SERVICE

I certify that on the 18th day of December, 2023, a true and correct copy of the foregoing was forwarded by electronic service to the following:

Scott T. Doggett  
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*Attorney for City of San Marcos*

/s/ Marie D. Harlan

Marie D. Harlan

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Emily Connaway on behalf of Marie Harlan  
Bar No. 24085953  
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Envelope ID: 82673343  
Filing Code Description: Motion (No Fee)  
Filing Description: Defendant's Objections to Award of SC  
Status as of 12/18/2023 3:19 PM CST

Associated Case Party: City of San Marcos, Texas

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Scott T.Doggett		sdoggett@bakermoran.com	12/18/2023 2:18:00 PM	SENT
Marcy Anderson		manderson@bakermoran.com	12/18/2023 2:18:00 PM	SENT
Drenda Roman		droman@bakermoran.com	12/18/2023 2:18:00 PM	SENT

Associated Case Party: Two Rivers Interests, LP by and through its registered agent, Jim R. Smith

Name	BarNumber	Email	TimestampSubmitted	Status
Charles McFarland		cmcfarland@mcfarlandpllc.com	12/18/2023 2:18:00 PM	SENT
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