



U.S. Department of Justice

*United States Attorney's Office
Southern District of Texas*

600 E. Harrison Street, Suite 201 Phone (956) 548-2554
Brownsville, Texas 78520 Fax (956) 548-2776

January 12, 2017

Via First Class U.S. Mail, Postage Prepaid

Maria Del Rosario Flores Salinas



RE: *United States of America v. 1.22 Acres of Land, More or Less, Situate in Hidalgo County, Texas; and Maria Pena Flores, et al., Case No. 7:08-cv-206, pending in the United States District Court for the Southern District of Texas, McAllen Division*

Dear Ms. Salinas,

The United States of America is acquiring property along its border with Mexico in order to construct a fence and related improvements designed to secure the border, as required by the Secure Fence Act of 2006, Pub.L. 109-367.

The purpose of this letter is to confer about the amount of just compensation in this case. The United States has estimated the value of the property taken to be two thousand nine hundred dollars and 00/100 (\$2,900.00). If you agree that this is the proper amount of just compensation for the taking of the entirety of Tracts RGV-MCS-1022E-1, RGV-MCS-1022E-2, RGV-MCS-1022E-3 and RGV-MCS-1022E-4, the United States requests that you review the enclosed proposed unsworn declaration. If you agree that the statements contained in the proposed unsworn declaration are factually accurate as to you, the United States requests that you: (a) print your name in the first line of Paragraph (1), (b) print the month and day on which you are executing the declaration, (c) sign where indicated, (d) print your name below the signature line where indicated, and (e) return the executed declaration to the undersigned by mail using the enclosed stamped addressed envelope on or before February 13, 2017.

Also, if you determine that you do not have an interest in the case or if you will not make a claim for just compensation in this case, we are enclosing a Disclaimer for your consideration to be signed and returned to our office by mail using the enclosed stamped addressed envelope.

A copy of the original Declaration of Taking, as well as, Amendment to Declaration of Taking filed in this case are enclosed so that you may review them both for your information and for consideration of the proposed unsworn declaration. If you have any questions, you may contact either

Thank you for your attention to this matter.

Sincerely,

KENNETH MAGIDSON
United States Attorney
Southern District of Texas

By: 

LESLIE C. DELGADO,
Paralegal to AUSA, Richard A. Kincheloe

LCD
Encls.

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS - MCALLEN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	DECLARATION OF TAKING
)	
vs.)	
)	
1.22 ACRES OF LAND, MORE OR LESS, SITUATE)	CIVIL NO. 08-cv-206
)	
IN HIDALGO COUNTY, STATE OF TEXAS; AND)	
)	
ESTATE OF MARIA PENA FLORES, ET AL.,)	
)	
Defendants.)	
)	

I, Robert Janson, Acting Executive Director, Facilities Management and Engineering, Department of Homeland Security, U.S. Customs and Border Protection, under the authority delegated to me by the Act of Congress approved November 25, 2002, as Public Law 107-296, 116 Stat. 2311 and codified at 6 U.S.C. Sections 202, 251, 551, and 557, which transferred certain authorities of the Attorney General to the Secretary of Homeland Security; and by DHS Delegation No. 7010.3(II)(B), which delegated land acquisition authority from the Secretary of Homeland Security to the Commissioner of U.S. Customs and Border Protection; and by CBP Delegation 08-004, which delegated land acquisition authority to the Acting Executive Director, Facilities Management and Engineering, do hereby make the following declaration:

1. The property is hereby taken under and in accordance with the authorities set forth in Schedule "A" attached hereto and made a part hereof.

2. The public purpose for which said property is taken is set forth in Schedule "B" attached hereto and made a part hereof. The said land has been selected under my direction for acquisition by the United States for the above-referenced project in Hidalgo County, State of Texas.

3. A general description of the land being taken is set forth in Schedule "C" attached hereto and made a part hereof.

4. A plan showing the property being taken is shown on Schedule "D" attached hereto and made a part hereof.

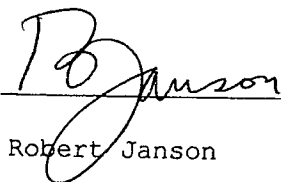
5. The estate taken is described on Schedule "E" attached hereto and made a part hereof.

6. The sum estimated by the undersigned as just compensation for the land being taken is set forth in Schedule "F" attached hereto and made a part hereof. The undersigned is of the opinion that the ultimate award for said land probably will be within any limits prescribed by law to be paid therefor.

7. The names and addresses of known parties having or claiming an interest in said property are set forth in Schedule "G" attached hereto and made a part hereof.

8. The United States made best efforts to negotiate purchase of the property interest sought prior to filing this condemnation action.

IN WITNESS WHEREOF, the undersigned, Acting Executive Director, Facilities Management and Engineering, Department of Homeland Security, U.S. Customs and Border Protection, hereunto subscribes his name by direction of the Secretary of the Department of Homeland Security, this 26th day of JUNE, 2008 in the City of Washington, District of Columbia.



Robert Janson

Acting Executive Director

Facilities Management and Engineering

Department of Homeland Security

U.S. Customs and Border Protection