



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
FORT WORTH DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 17300  
FORT WORTH, TEXAS 76102-0300

December 7, 2007

Real Estate Division

Ms. Eloisa G. Tamez  
PO Box 1737  
San Benito, TX 78586

Dear Ms. Tamez:

Border security infrastructure, such as barriers, fencing, lighting, and roads, are critical elements to gain effective control of our Nation's borders. The U.S. Congress recognized this when it enacted the Secure Fence Act, which mandates fencing along parts of the Southwest border. Increased border security infrastructure will prevent drug smuggling, border violence, and illegal immigration.

Preliminary assessments have identified your property, described below, as a potential site for border security infrastructure. We need to access your property in order to perform necessary surveys and site evaluations to determine if it is suitable for this use.

This letter follows recent requests by U.S. Customs and Border Protection (CBP) and the U.S. Army Corps of Engineers (USACE) to secure a voluntary right of entry to your property known as the USACE Parcel Identification Number RGV-HRL-5014, located in Cameron County, further identified as Tax Parcel Identification Number CAD #195480 on the attached exhibit.

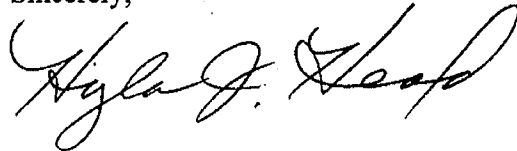
As of December 7, 2007, we have not received your permission, and because the Government has an immediate need to enter your property to conduct the necessary surveys and site evaluations, we have determined that it will be necessary to file an action in federal court to allow us to enter for these purposes for a limited period of 180 days. We anticipate seeking this temporary right of entry within the next 30 days in the U.S. District Court for the Southern District of Texas, Brownsville Division. You will be served with notice upon the filing of the case. (The pleading is called a "Declaration of Taking and Complaint in Condemnation.") Funds will be deposited into the registry of the court as just compensation, and supplemented if necessary, to cover any potential damage caused by the Government during site assessment work.

After a survey and site evaluation, CBP will decide whether to build border infrastructure on your property. If we do so, we will make an offer to purchase the property necessary for the infrastructure, based on the property's fair market value. Although the right of entry for surveys and evaluations may include the entire property, the Government may ultimately determine that only part of the property is needed for actual construction of border security infrastructure.

If, after negotiations with you, we are unable to agree on a price for the necessary property, the Government will return to court to seek title and possession, and the court will determine fair market value.

This border security infrastructure project is managed by CBP pursuant to its critical mission to secure our Nation's borders. CBP has chartered the USACE to obtain the real estate necessary to support this project. If you have signed and mailed an ROE and believe you received this letter in error, or if you would like to sign an ROE to allow our access to the land prior to the filing of an action in court, please contact the USACE representative listed below. Should you have any questions, please contact Ms. Kendra McCown by phone at 1-888-467-2372 or email at [Kendra.B.McCown@swf02.usace.army.mil](mailto:Kendra.B.McCown@swf02.usace.army.mil) or please contact the undersigned by phone at 817-886-1096.

Sincerely,

A handwritten signature in black ink, appearing to read "Hyla J. Head". The signature is written in a cursive style with a large initial "H".

Hyla J. Head  
Chief, Real Estate Division

Enclosures

**U.S. CUSTOMS AND BORDER PROTECTION**

**DEPARTMENT OF HOMELAND SECURITY**

**Right-of-Entry for Survey and Site Assessment**

The undersigned, hereinafter called the "Owner", hereby grants to the United States of America, hereinafter called the "Government", a temporary right-of-entry upon Owner's property described below, hereinafter called the "Property". This right-of-entry is granted upon the following terms and conditions:

1. The Government's employees and contractors shall have the right to enter upon Owner's Property for the purpose of conducting environmental assessments and property surveys, including the right to temporarily store, move and remove necessary equipment and supplies; survey, stake out, appraise, bore and take soil and/or water samples, and perform any other such work which may be necessary and incidental to the Government's assessment of the Property for proposed construction and installation of border security infrastructure and technology (including but not limited to fences, roads, towers, communications equipment and any other border security related-equipment).
2. This right-of-entry is irrevocable for a period of 180 days from the date of this instrument.
3. The rights granted herein include the right of ingress and egress on other lands of the Owner not described below, provided such ingress and egress is necessary to access the Property and is not otherwise conveniently available to the Government.
4. All tools, equipment, and other property taken upon or placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a reasonable period after the expiration of this right-of-entry.
5. If any action of the Government's employees or agents in the exercise of this right-of-entry results in damage to the real property, the Government will, at its option, either repair such damage or make an appropriate settlement with the Owner. In no event shall such repair or settlement exceed the fair market value of the fee interest of the real property at the time immediately preceding such damage. The Government's liability under this clause may not exceed appropriations available for such payment and nothing contained herein may be considered as implying that Congress will at a later date appropriate funds sufficient to meet deficiencies. The provisions of this clause are without prejudice to any rights the Owner may have to make a claim under applicable laws for any other damages than provided herein.

6. The Property that is subject to this right-of-entry is located in the State of Texas, County of Cameron, and is described as follows:

Project Description/Identifier: RGV-HRL-5014

LINK 55999, 195480

7. I affirm that I have the authority to grant this right-of-entry onto the Property described above.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the undersigned officer on behalf of the United States of America hereby accepts the rights granted by the Owner in the foregoing instrument/document.

**ACCEPTED**

**UNITED STATES OF AMERICA**

By: \_\_\_\_\_

Hyla J. Head  
Chief, Real Estate Division

Date: \_\_\_\_\_

**TaxNetUSA : Cameron County Property Information**

PIDN: 195480 GEO: 90-9000-2040-0520-00

Owner Name **CASTANEDA GUADALUPE R**  
 Mailing Address PO BOX 286  
 SAN BENITO, TX 78586-0286  
 Location  
 Legal ABST26 - UNSUBDIVIDED TR D BETWEEN F/W&M/R  
 CENTER .401 STRIP, 0.4010 ACRES

Entity Code	Entity Name	Tax Rate 2007
ISB	San Benito ISD	1.240000
SST	South Texas ISD	0.049200
GCC	Cameron County	0.343191
SES	Cameron Co EMSD #1	0.100000
CAD		
SPN		

Data up to date as of Jul 26, 2007 including 2007 Certified values.

Total 1.732391

**Document Images (Index)**

\*Total Estimated Taxes **\$381.28**

The Total Estimated Taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. \*Tax amount does not include any exemptions.

**Property Details**

Deed Date 01/01/2000  
 Deed Volume  
 Deed Page  
 Docket No.  
 Exemptions  
 Freeze Exempt F  
 ARB Protest F  
 Agent Code 0  
 Land Acres 0.4010  
 Block 2040  
 Tract or Lot 0520  
 Abstract Code 909000  
 Neighborhood Code 909000

**Value Information 2007 Certified**

Land Value \$22,009.00  
 Improvement Value \$0.00  
 AG Value \$0.00  
 AG Productivity Value \$0.00  
 Timber Value \$0.00  
 Timber Productivity Value \$0.00  
 Assessed Value \$22,009.00  
 Total Value **\$22,009.00**

**Improvement Information**

Improvement ID	State Category	Description
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**Segment Information**

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
						Total Living Area 0

**Land Information**

Land ID	Type Code	SPTB Code	Homestead	Size-Acres	Front	Depth	Size-SQFT
174806	ISB-050	C	F	0.401	0	0	17,468

**Improvement Sketch**

There is no sketch data available for this parcel.