

CITY OF HOUSTON

IN THE COUNTY COURT

VS.

AT LAW OF

C. R. GODLIN, ET UX

HARRIS COUNTY, TEXAS

JUDGMENT

768-19-3588

This cause having come on for hearing in its regular order on the jury docket in this court on the 3rd day of December, 1956, the plaintiff City of Houston, having appeared by its attorneys and announced ready for trial, and the defendants, C. R. Godlin and wife, Alma Godlin, having likewise appeared and announced ready, and a stipulation having been entered into in open court to the effect that all preliminary matters had been disposed of by orders of the Court heretofore entered herein, and that the only issue remaining to be determined by the Court is the value of the property sought to be condemned; and a jury composed of Mrs. Lona V. Osterloh and five others having been duly selected, impaneled and sworn, and the pleadings having been read, and the introduction of evidence having been begun and having continued until the 4th day of December, 1956, and the Court having submitted to the jury one special issue reading as follows:

"From a preponderance of the evidence, what do you find to have been the market value of the 11,303 acres tract of land condemned by the City of Houston immediately before the taking of such land on April 24, 1952?"

"Answer in Dollars and Cents."

And the jury having retired to consider its verdict, and having on the 5th day of December, 1956, returned into open court its answer to the special issue as follows:

"We, the jury, find the following answer to the special issue submitted to us:

\$22,235.00.

"The above answer constitutes our verdict.

Lona Osterloh, Foreman"

Said verdict and answer of the jury having been received and accepted by the Court, and the jury having been polled, and each of the jurors having declared that said verdict was his or her verdict, and the verdict having been duly filed, and the Court having discharged the jury on the 5th day of December, 1956, now, in accordance with the motion of the defendants, C. R. Goslin and wife, to enter judgment in accordance with the evidence, the stipulations and said verdict and answer of the jury to such special issues, accordingly orders, adjudge and decrees, that the plaintiff, City of Houston, do have and recover of and from the defendants, C. R. Goslin and wife, Anna Goslin, the fee simple title to the tract of land described in its statement in condemnation on file herein as follows:

76C-13-0589

A tract of land containing 11.303 acres, being all of the said C. R. Goslin tract, being part of and out of a 4-acre tract and a 25-acre tract conveyed by S. H. Dickerson, et al., to S. H. Dickerson, by Partition Deed recorded in Vol. 121A, Page 677, of the Deed Records of Harris County, Texas, out of the Landmaster 251-acre tract in the J. T. Harrell Survey in Houston, Harris County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1-inch iron pipe the southeasterly corner of the said C. R. Goslin 11.303-acre tract, said 1-inch iron pipe being also the northwesterly corner of the Willis Hausman 4-acre tract;

Thence N 89 deg. 42' W, along the southerly line of the said 11.303-acre tract as fenced, a distance of 451.12 feet to a 1-inch galvanized iron pipe the southwesterly corner of said tract, on the easterly right-of-way line of the I. G. N. Railroad;

Thence N 11 deg. 17' W along the easterly right-of-way line of the said I. G. N. Railroad, a distance of 242.77 feet to a 1-inch galvanized iron pipe;

Thence S 69 deg. 30' E, a distance of 102.17 feet to a 1-inch galvanized iron pipe in the easterly line of the Houston Lighting & Power Company right-of-way;

Thence N 11 deg. 17' W along the easterly line of the said Houston Lighting & Power Company right-of-way, a distance of 357.44 feet to a point;

Thence S 89 deg. 30' E, a distance of 80.75 feet to a point;

Thence N 0 deg. 30' E, a distance of 444.44 feet to a point, the northwesterly corner of the said 11.303-acre tract, on the southerly side of Groesbeurn Road;

Thence S 89 deg. 51' E along the northerly line of the said 11.303 acre tract, on the southerly side of Cross Timbers Road, a distance of 739.9 feet to a point the north-easterly corner of said tract, at the southwesterly intersection of Cross Timbers Road and Schneider Street;

Thence S 0 deg. 44' 30" W along the easterly line of the said 11.303 acre tract, on the westerly side of Schneider Street, a distance of 123.17 feet to a point;

Thence N 80 deg. 33' 30" W following a fence, a distance of 335.0 feet to a 1-inch galvanized iron pipe an interior corner of the said 11.303 acre tract;

Thence S 0 deg. 44' 30" W along an easterly line of the said 11.303 acre tract, as fenced, a distance of 911.0 feet to the place of beginning.

763-19-0590

The Court finds from the uncontradicted evidence that the City of Houston has been in actual possession, control and dominion of the above described property since April 24, 1952, and therefore no writs are necessary to place the plaintiff, City of Houston, in possession.

It further appearing to the Court that under the answer of the jury to the special issue submitted to it, the defendants, C. R. Coslin and wife, are entitled to have and recover of and from the condemnor, City of Houston, the sum of Eighty-two Thousand Two Hundred Thirty-six Dollars (\$82,236.00) in cash; and that the City of Houston did heretofore on the 24th day of April, 1952, deposit in this cause the sum of \$51,697.45 to the order of the defendants, as provided by law, and that the defendants, Coslin and wife, thereafter duly filed their application to withdraw said fund, and pursuant to the order of this Court, the Clerk of this court did on the 28th day of January, 1955 pay over to the defendants, Coslin and wife, the amount of said deposit which sum should be credited against the amount of the compensation and damages fixed by the jury in its answer to the special issue, the City of Houston having taken possession of said property on the 24th day of April, 1952, and is hereby ordered, adjudged and decreed, that the said C. R. Coslin and wife, Anna Coslin, do have and recover of and from the plaintiff, City of Houston, the balance of Thirty Thousand Five hundred and thirty-six and 35/100 (\$30,538.55) Dollars, together with interest thereon at the rate of

...shall have been deposited with the Clerk of this court in cash, the City of Houston shall be discharged from any further liability herein. If the City shall fail to make said deposit immediately upon this judgment becoming final, the defendants, Joseph and wife, may apply to the Court for such writs as are necessary to enforce the judgment. When said sum of money is deposited by the City of Houston, the Clerk shall be authorized, upon application of the defendants in writing, to pay said sum over to them in full settlement and satisfaction of all compensation due them hereunder.

When said additional sum and interest thereon as above decreed shall have been deposited with the Clerk of this court in cash, the City of Houston shall be discharged from any further liability herein. If the City shall fail to make said deposit immediately upon this judgment becoming final, the defendants, Joseph and wife, may apply to the Court for such writs as are necessary to enforce the judgment. When said sum of money is deposited by the City of Houston, the Clerk shall be authorized, upon application of the defendants in writing, to pay said sum over to them in full settlement and satisfaction of all compensation due them hereunder.

Rendered and entered this 7th day of December, 1956.

763-19-0591

Phil. B. ...
Judge, County Court at Law,
Harris County, Texas

Approved as to form:

GEORGE B. REAL, City Attorney

By Harriet T. ...
Assistant City Attorney
Attorney for Plaintiff, City of Houston

Charles H. ...
Attorney for Defendants, C. K. Conley
and wife, Alma Conley

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NO. 44,011

CITY OF HOUSTON

VS.

C. R. GOSLIN, ET UX.

IN THE COUNTY COURT

AT LAW OF

HARRIS COUNTY, TEXAS

J U D G M E N T

768-17-1052

17-189

KNIPP AND ASSOCIATES
ATTORNEYS AT LAW
200 CITIZENS BANK BLDG.
MAY 1, 1968
HOUSTON 2, TEXAS

NO. 64,011

CITY OF HOUSTON

IN THE COUNTY COURT

VS.

AT LAW OF

C. R. GOSLIN, ET UX

HARRIS COUNTY, TEXAS

768-19-0615

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes C. R. Goslin and wife, Alma Goslin, defendants in the above entitled and numbered cause, and respectfully show to the Court that the City of Houston on the 6th day of August, 1957, deposited the additional sum of Forty Thousand Two Hundred Twenty One and 93/100 Dollars (\$40,221.93), which is the additional sum provided in the judgment, plus interest. The defendants accordingly pray that the Clerk be authorized to pay said sum to them.

Conrad Thomas
Attorney for the Defendants

ORDER

On this the 8th day of August, 1957, the foregoing application of the defendants, C. R. Goslin and wife, for payment of the additional amount of the money deposited by the City of Houston in the above entitled and numbered cause having come on for consideration, it is accordingly ordered that the Clerk, W. D. Miller, shall be and he is hereby authorized and directed to pay over to the defendants the sum of \$40,221.93 in full settlement and satisfaction of the judgment, the said defendants having heretofore withdrawn from the registry of the court the sum of \$51,697.63.

Rendered and entered this 8th day of August, 1957.

Phil Butler
JUDGE

NO. 64,811

CITY OF HOUSTON

VS.

G. R. COSLIN, ET UX

IN THE COUNTY COURT AT LAW

OF

HARRIS COUNTY, TEXAS

APPLICATION FOR PAYMENT OF
FUNDS

FILED

AUG 7 2 14 PM '37

WILLIAM C. KINER, JR.
COUNTY CLERK

768-19-0518

15-204

KINER AND ASSOCIATES
ATTORNEYS AT LAW
500 CHURCH STREET, SUITE 1100
HOUSTON 2, TEXAS

8-8-37