

Tuesday, September 25, 2001 8:12 AM

John Albert Williamson 210-805-8050

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**HUNTER SCHUEBLE**

AC 512 436-6381 Ext. 222

COUNTY ATTORNEY

Medina County Courthouse

HONDO, TEXAS 78001

October 17, 1988

George A. Kampmann
Kampmann & Church
Attorneys at Law
P.O. Box 17409
San Antonio, Texas 78217-0409

Re: Fence Controversy - Medina Ranch

Dear Mr. Kampmann:

In answer to your request for clarification of the actions taken by the Commissioners Court concerning the right-of-way on the road adjacent to the Medina Ranch property and in particular, the fencing on each side of the bridge which crosses the Medina River.

I have investigated the records of Medina County and the information submitted by you on behalf of the Medina Ranch, and from such information the county has record title to an 18-foot wide right-of-way and bridge over the Medina River which is also 18 feet wide. It was your contention that the county had no right to tear down the fences on each side of the bridge because such fences were on the property of the Ranch and also had been there for many years. From the records, you are correct that Medina Ranch, Inc. is the owner of the land beyond the 18-foot right-of-way and Medina County would not have title to the land outside the 18-foot right-of-way on either side of the bridge unless and until proper condemnation proceedings are undertaken. A settlement with Medina County was made and the fences were put back along the original lines, except that a two-foot opening was left between the bridge and the fence. The enclosed survey shows the fence as it is at the present time, and follows the agreed settlement.

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It would appear that, although the ranch has record title to all of the land except for the 18-foot right-of-way, that the right-of-way has been expanded over the years and it is my understanding that the Ranch does not contest the county's right to use the right-of-way between the existing fences for road purposes. The settlement which has been worked out seems to be fair to all parties and it is my understanding that from a practical standpoint is working very well.

~~Very truly yours,~~

~~Hunter Schuible
County Attorney
Medina County, Texas~~

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