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| District:       |
| ROW CSJ No.:       |
| Parcel No.:       |
| Voucher No.:       |

**NOTICE OF DEPOSIT OF SPECIAL COMMISSIONERS’ AWARD PROCEEDS**

**AFTER DEDUCTION OF PREVIOUS POSSESSION AND USE AGREEMENT PAYMENT**

## NO.

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| **STATE OF TEXAS** | **§** | **CONDEMNATION PROCEEDING** |
|  | **§** | **IN THE**  |
| **VS.** | **§** |  |
|  | **§** | **OF**  |
|  | **§** |  |
| **§** | **COUNTY, TEXAS** |
| **§** |  |

TO:

**NOTICE IS HEREBY GIVEN:**

1. That the Award of Commissioners in the captioned matter has been filed with the judge in this proceeding, in which the amount of damages awarded against the State of Texas by the Commissioners is       Dollars ($     ).
2. That the property owner was previously paid       Dollars ($     ) pursuant to a Possession and Use Agreement, resulting in a balance of       Dollars ($     ) to be deposited into the registry of the Court in order for the State to take possession of the parcel pending further litigation. A copy of said Possession and Use Agreement is attached hereto.
3. That the State of Texas desires to enter upon and take possession of the property sought to be condemned in this proceeding pending litigation, and in order to do so, deposits this amount by delivering to the Clerk of this Court the following described State Comptroller of Public Accounts Warrant in the amount described above, to wit: Treasury Warrant No.      .
4. That, by reason of this deposit on      , the State of Texas is now entitled to enter upon and take possession of said property, as provided by Texas Property Code Section 21.021 (“Possession Pending Litigation").
5. That any named defendant asserting a claim to all or part of this amount may make written application to the judge of this court seeking disbursement of such sum, and may request a hearing on such application, subject to notice and time requirements as set forth in Rules 21 and 21a of the Texas Rules of Civil Procedure.

**TEXAS DEPARTMENT OF TRANSPORTATION**

BY:

Name:

Title:

**CERTIFICATE OF SERVICE**

The State of Texas, acting herein by and through the Texas Department of Transportation, hereby certifies that on       a true copy of the above Notice of Deposit was served upon the parties identified below, or their attorney of record so stated, in the manner stated and to the address or telecopier number following each named party or attorney of record, as follows:

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**TEXAS DEPARTMENT OF TRANSPORTATION**

BY: (Signature)

Name:

Title:

Address:

Telephone: