

INTERNATIONAL BOUNDARY AND WATER COMMISSION  
UNITED STATES AND MEXICO

El Paso, Texas  
January 28, 1977

MINUTE NO. 255

CONSIDERATION OF POSSIBLE PROPERTY RIGHTS  
OF THE RESIDENTS AND OCCUPANTS  
OF THE HORCON TRACT AND OF BEAVER ISLAND

The Commission met in the offices of the United States Section in El Paso, Texas at 10:00 A.M. on January 28, 1977, to consider such rights as the present residents and occupants of the Horcon Tract and of Beaver Island might have to the ownership of the lands and improvements of those two portions of United States territory, which will be transferred to Mexico in accordance with the Treaty of November 23, 1970.

The Commission considered the information of the United States Commissioner that the residents and occupants of lands and improvements of the Horcon Tract and of Beaver Island might be able to obtain title or ownership that they do not have now of the lands and improvements which they occupy, as a result of legal procedures of the Government of the United States, understanding that upon initiating those procedures, in order to fulfill the provisions of Article VI A. of the Treaty of 1970, the United States would be obliged to await their legal resolution which would delay the transfer to Mexico of those two portions of land.

The Commission considered the report of the United States Commissioner that there is no record of any title to or ownership of the lands of the Horcon Tract nor of Beaver Island in favor of their present residents and occupants in the official land records of the United States, and further, in the official land survey and map records of the United States there is no record of a survey or partition of the lands among the residents and occupants of said tracts.

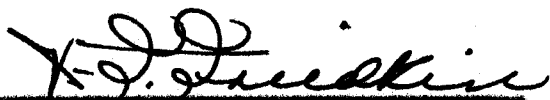
The Commission reviewed Minute No. 251 which provides that the residents of the Horcon Tract not be evacuated for the transfer of that tract from the United States to Mexico and agreed that the provisions of that Minute should also apply to Beaver Island.

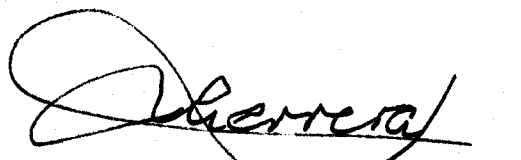
The Commissioners expressed accord that since the residents and occupants of the Horcon Tract and of Beaver Island have no established rights or title to the lands and improvements of those two tracts according to the land and title records in the United States, and since the residents and occupants of Horcon Tract and of Beaver Island will not be evacuated from those lands, the permission that they continue to occupy those two portions of land should not be reason to delay transfer of said tracts to Mexico nor for the United States to have to acquire from, or to compensate, the residents and occupants of Horcon Tract and of Beaver Island, or any other person, for any right, title or interest which is based upon or originates from the occupation or adverse possession of the lands and improvements of said tracts.


Based on the foregoing considerations the Commission adopted the following Resolution:


1. That the residents and occupants of Beaver Island, as well as the residents and occupants of Horcon Tract, not be evacuated as stipulated in Article I D. (2) of the Treaty of November 23, 1970, for the transfer of those two tracts from the United States to Mexico.
2. That the United States not acquire from or compensate the residents and occupants of the Horcon Tract and of Beaver Island, nor any other person, for any right, title or interest which is based upon or originates from the occupation or adverse possession of the lands and improvements of those two tracts as stipulated in Article VI A. of the Treaty of November 23, 1970, for the transfer of those two tracts from the United States to Mexico.
3. That this Minute requires the specific approval of the two Governments.

The meeting was adjourned.

  
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Commissioner of the United States

  
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Commissioner of Mexico

  
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Secretary of the United States  
Section

  
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Secretary of the Mexican Section