

STATE OF TEXAS '

COUNTY OF HIDALGO '

**RESOLUTION AND ORDER
PERTAINING TO NORTH SAN JUAN PARK IMPROVEMENTS**

WHEREAS, the Hidalgo County Commissioners Court (the "Commissioners Court") through Precinct 2, obtained a grant from the Texas Parks and Wildlife Department ("TPWD Grant") for the improvements to a community park known as North San Juan Park (the "Park") in order to increase the quality of public recreation facilities and resources available to the people of central Hidalgo County;

WHEREAS, the County, through Precinct 2, entered into an agreement with TPWD in 2003 (the "Agreement") in which the State of Texas agrees to reimburse the County an amount not to exceed Five Hundred Thousand Dollars and no/100ths (\$500,000.00) for improvements to the Park and in which the County agrees to match the funds dollar for dollar;

WHEREAS, the County purchased 1.277 acres of parkland (the "Land") at a reasonable and fair price and desires to dedicate the Land for the purposes of expanding and improving the Park with additional open space and such dedication fulfills a requirement of the TPWD Grant;

WHEREAS, the County has begun construction of the Park improvements which include but are not limited to, four (4) pavilions, eighteen (18) sheltered picnic tables with grills, a three-fourths mile lighted walking trail with interpretive signs, a wetlands area with interpretive signs, a greenbelt with signs, a fitness station, a playground, a sandbox, two (2) horseshoe pits, two (2) basketball courts, a lighted baseball field, and a sand volleyball court (collectively the "Improvements"); and

WHEREAS, the County expects completion of the Improvements in early 2007.

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE COMMISSIONERS COURT OF HIDALGO COUNTY, TEXAS THAT:

1. In order to fulfill a requirement of the TPWD Grant, the Commissioners Court hereby dedicates 1.277 acres of parkland more particularly described in Exhibit "A" attached hereto, for the purpose of park improvements and open space to be maintained for public recreation in perpetuity.
2. The Commissioners Court authorizes the County to execute the appropriate documents approving the terms and conditions of the Agreement with TPWD.
3. Any prior Resolution and Order of the Commissioner Court in conflict with the

provisions contained in this Resolution and Order are hereby replaced and revoked.

4. Should any part of this Resolution and Order be held invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.
5. This Resolution and Order shall take effect immediately from and after it is passed and is duly resolved and ordered.

PASSED, APPROVED, RESOLVED AND ORDERED, this the _____ day of _____ 2006 by the Commissioners Court of Hidalgo County, Texas.

Ramon Garcia, County Judge

Sylvia Handy, County Commissioner
Precinct 1

Hector Palacios, County Commissioner
Precinct 2

Joe M. Flores, County Commissioner
Precinct 3

Oscar Garza, County Commissioner
Precinct 4

ATTEST:

Eddy Trevino, County Clerk

Approved as to Form:

Atlas & Hall, L.L.P.

By: Stephen L. Crain

EXHIBIT "A"
NORTH SAN JUAN PARK PROJECT

The Property is located south of Earling Road along the west side of an irrigation canal, just east of the Hidalgo County Community Resource Center in San Juan, Texas.

LEGAL DESCRIPTION: Being a 1.277 acre tract of land, more or less, out of Lot 2, Block 43, Alamo Land and Sugar Company's subdivision, Hidalgo County, Texas, as per plat or map recorded in the Hidalgo County records, Volume 1, Page 24.