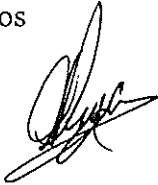


HIDALGO COUNTY RIGHT OF WAY DEPARTMENT



MEMO

TO: Comm. Hector "Tito" Palacios
Hidalgo County Pct. # 2
ATTN: Yolanda Cisneros

FROM: Jose N. Pena
Right Of Way Agent 

DATE: March 1, 2002

RE: Parcel # 47 - North "I" Road Project
William W. & Allen A. Arnold

Comm. Palacios,

Attached please find a copy of the unrecorded deed, copy of the appraisal report, and a copy the 1099S form signed by the landowners on the above-mentioned parcel for the North "I" Road Project. A check in the amount of \$34,507.00 needs to be paid to William & Bette Jean Arnold and Allen & Letitia Arnold: these moneys should come out of your account # 02-020-431-212-87 for Right-of-Way acquisition on this project.

***The check should then be mailed to Dan Worthington at Atlas & Hall so they may secure the original documents for recording.

Commissioner's Court approved this project for acquisition on July 18, 2000 and in executive session on October 16, 2001.

I will forward recorded documents to the auditors office as soon as they are in my possession.

Should you have any questions, please feel free to call.

Thanks,
Joe

Approved _____
Comm. H. Palacios

Approved _____
Godfrey Garza

MORRIS ATLAS
 ROBERT L. SCHWARZ
 GARY GURWITZ
 CHARLES C. MURRAY
 A. KIRBY CAVIN
 MIKE MILLS
 MOLLY THORNBERRY
 FREDERICK J. BIEL
 REX N. LEACH
 LISA POWELL
 STEPHEN L. CRAIN
 O.C. HAMILTON, JR
 YICKI M. SKAGGS
 RANDY CRANE
 DAN K. WORTHINGTON
 VALORIE C. GLASS
 SOFIA A. RAMON
 DANIEL G. GURWITZ
 KECTOR J. TORRES
 RAMONA K. KANTACK
 VELMA O. ANDERSON
 JOSE CANO
 ADRIANA H. CARDENAS
 GREGORY S. KAZEN
 PATRICIA S. RIM
 DARRYL E. STRUTTON
 RICARDO O. BENAVIDES

ATLAS & HALL, L.L.P.
 ATTORNEYS AT LAW
 PROFESSIONAL ARTS BUILDING • 818 PECAN
 P.O. BOX 3725
 MCALLEN, TEXAS 78502-3725
 (956) 662-5501
 FAX (956) 666-6100

March 1, 2002

Mr. Joe Pena
 Hidalgo County Drainage District No. 1
 902 N. Doolittle
 Edinburg, Texas 78539

Via Fax No. 318-2639

Re. Cause No. CON-1211-D; Hidalgo County, Texas, Department of Right-of-Way vs. Toribio Valdez and Zacarias Valdez, Alberto C. Martinez and Maria S. Martinez, William W. Arnold and Allen A. Arnold, Ewell Duane Doss and Pharr, San-Juan, Alamo; In the County Court at Law No. 4 of Hidalgo Co.

Dear Joe:

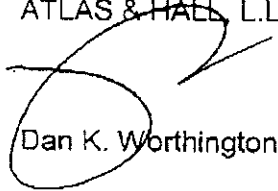
Please forward a check in the sum of \$34,507.00 made payable to the landowners for the purchase of parcel number 47 and mail the check to my attention. We will hold the funds in my office until such time as we receive the executed deed relating to said parcel. As soon as we receive the original executed deed, we will issue the funds to the property owners and forward the original deed to your office.

Should you have any questions, please call.

Very truly yours,

ATLAS & HALL L.L.P.

By:



Dan K. Worthington

DKW/or

MORRIS ATLAS
 ROBERT L. SCHWARZ
 GARY GURWITZ
 CHARLES C. MURRAY
 A. KIRBY CAVIN
 MIKE MILLS
 MOLLY THORNBERRY
 FREDERICK J. BIEL
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 P.O. BOX 3725
 MCALLEN, TEXAS 78502-3725
 (956) 682-5501
 FAX (956) 686-6109

E-mail: DKW@atlashall.com

FAX COVER SHEET

 Important: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you receive the communication in error, please notify us immediately by telephone, and return the original message to us at the above address via the United States Postal Service. Thank you.

Please deliver the following pages to:

Name: MR. JOE PENA

Fax No. 318-2639 Confirmation No. 318-2666

From: DAN K. WORTHINGTON /Olivia (Direct tel. no. 632-8293)

Re: HCDD#1 & Hidalgo Co. Right-of-Way Dept. condemnation cases

Total Number of Pages (Including Cover Sheet): 6

Date: February 28, 2002

Sent by: _____ Time Sent: _____

MESSAGE:



The Arnolds Deed and W9.
Original will follow by Hand Delivery.

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (956) 682-5501.

INFORMATION FOR REAL ESTATE 1099-S REPORT FILING

as Required by the Internal Revenue Service

SOLICITATION

Section 6045 of the Internal Revenue Code, as amended by the Tax Reform Act of 1986, requires the reporting of certain information to the IRS on real estate transactions. The information may also be sent to other third parties. You are required by law to provide HIDALGO COUNTY, with your correct taxpayer identification number. If you do not provide HIDALGO COUNTY, with your correct taxpayer identification number, you may be subject to civil or criminal penalties imposed by law.

SS # 461-54-4828
(His)
SS # 454-46-6617
(Hers)

SS# 461-62-0793
(His)
SS # 464-50-0825
(Hers)

SELLER(S) NAME(S)

William W. Arnold and wife

BA

Betty Jean Arnold

Allen A. Arnold and wife

BA

Letitia L. Arnold

404 W. Nolana Loop

404 W. Nolana Loop

Pharr, Texas 78577-9622

Pharr, Texas 78577-9622

PERMANENT MAILING ADDRESS

404 W. Nolana Loop
Pharr, Texas 78577-9622

TRANSACTION INFORMATION

Closing Date: _____

Description of Property:

**** See Attached Deed

Contract Sales Price: \$34,507.00

If multiple sellers -

Request is hereby made that you allocate the sales price among the sellers (Yes or No)

Has the seller received (or will receive) property (other than cash and consideration treated as cash) or services as part of the consideration for this transaction? (Yes or No)

CERTIFICATION

Under penalties of perjury, I certify that the number shown on this form is my correct Taxpayer Identification number. I also certify that the other information shown herein is correct. I acknowledge receipt of a copy of this form.

William W. Arnold

William W. Arnold (Date)

Allen A. Arnold

Allen A. Arnold (Date)

Betty Jean Arnold

Betty Jean Arnold (Date)

Letitia L. Arnold

Letitia L. Arnold (Date)

BA

SUBSTITUTE FORM 1099

L.L.A.

This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported.

FORM NO. 11104.1

North "T" Road Project
Parcel: # 47
RIGHT-OF-WAY DEED

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

KNOW ALL MEN BY THESE PRESENTS:

BA

That, We, William W. Arnold and wife, ^{Bette} Betty Jean Arnold and Allen A. Arnold and wife, ^{Leticia} Leticia L. Arnold of the County of Hidalgo, State of Texas, hereinafter referred to as Grantor(s), whether one or more, for and in consideration of the sum of Thirty Four Thousand Five Hundred Seven and 00/100 Dollars (\$34,507.00) and other good and valuable consideration to Grantors in hand paid by the County of Hidalgo, receipt of which is hereby acknowledged, for which no lien is retained, either expressed or implied, have this day Sold and by these presents do Grant, Give and Convey unto the County of Hidalgo all that certain tract or parcel of land in Hidalgo County, Texas, more particularly described in Exhibit "A" which is attached hereto and incorporated herein for any and all purposes.

L.L.A.
Leticia

SAVE AND EXCEPT, HOWEVER, it is expressly understood and agreed that Grantors are retaining ownership to the following improvements on the property described in said Exhibit "A", to wit: An Active Irrigation Line within the proposed Right of Way, it being understood that if such improvements are destroyed or required to be relocated, the market value of the line will be paid to Grantors or the cost of the relocation will be borne by those requiring the relocation at time of construction.

Grantors reserve all the oil, gas and sulfur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same, however, nothing in this reservation shall affect the title and rights of the State to take and use all other minerals and materials thereon, therein and thereunder.

TO HAVE AND TO HOLD the premises described and herein conveyed but waive all and singular the rights and appurtenances thereto in any wise belonging unto the County of Hidalgo and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto the County of Hidalgo and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 22 day of February 2002.

William W. Arnold
William A. Arnold
W. W. WFA

Allen Arnold
Allen A. Arnold

Betty Jean Arnold
Betty Jean Arnold
Bette
BA

Leticia L. Arnold
Leticia L. Arnold
Leticia
L.L.A.

ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared William W. Arnold and wife, ^{Beth}~~Betty Jean~~ Arnold, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purpose and consideration therein expresses.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 22 day of February, 2002.



Patricia Kohrt
Notary Public, State of Texas

ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Allen A. Arnold and wife, ^{Leticia}~~Leticia L.~~ Arnold, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purpose and consideration therein expresses.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 22 day of February, 2002.



Patricia Kohrt
Notary Public, State of Texas

COUNTY: HIDALGO

HIGHWAY: "I" ROAD

PROJECT LIMITS: FM 495 TO EXPRESSWAY 281

FIELD NOTES FOR PARCEL - 47

Being a 1.2744-acres tract of land more or less out of a 32.6836-acre tract of land being all of Lot 6, Block 5, John Closner Subdivision, according to the map recorded in Volume 0, Page 4 & 5, Map Records, Hidalgo County, Texas. Said 32.6836-acre tract of land is vested to William W. Arnold and Allen A. Arnold from Francis W. Roby and wife Lurlyn J. Roby by virtue of a Correction Warranty Deed dated October 26, 1989 and recorded in Document No. 135557, Official Records, Hidalgo County, Texas. Said 1.2744-acre tract of land being more particularly described by metes and bounds as follows;

Commencing at a No. 4 set for the Northeast corner of a 0.4871 acre tract of land out of the West half of Lot 1, R & W Incorporated Unit No. 1 Subdivision as per Warranty Deed, Volume 1929, Page 756 and for a point on the South line of said Lot 6;

Thence, North 81 degrees 31 minutes 00 seconds West, with and along the North line of said Lot 1 for a distance of 96.08 feet to a No. 4 rebar set for the Southeast corner of said tract herein described and for the POINT OF BEGINNING;

1. Thence, North 81 degrees 31 minutes 00 seconds West, with and along the South line of said Lot 6 for a distance of 15.00 feet to a point on the existing East Right of Way line of "I" Road, continuing on the same bearing for a total distance of 40.00 feet to a No. 4 rebar set for the Southwest corner of said Lot 6 and of said tract herein described;
2. Thence, North 08 degrees 29 minutes 00 seconds East, with and along the West line of said Lot 6 for a distance of 1320.00 feet to a cotton picker spindle set for the Northwest corner of said Lot 6 and of said tract herein described;
3. Thence, South 81 degrees 31 minutes 00 seconds East, with and along the North line of said Lot 6, for a distance of 75.00 feet to a No. 4 rebar set for the Northeast corner of said tract herein described;
4. Thence, South 08 degrees 29 minutes 00 seconds West, a distance of 60.00 feet to a No. 4 rebar set for a point on the existing East Right of Way line of "I" Road and for an external corner of said tract herein described;
5. Thence, South 53 degrees 29 minutes 00 seconds West, with and along the existing East Right of Way line of "I" Road for a distance of 49.50 feet to a No. 4 rebar set for an internal corner of said tract herein described;

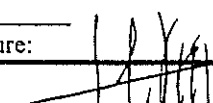


6. Thence, South 08 degrees 29 minutes 00 seconds West, with and along the proposed Right of Way line of "I" Road for a distance of 1225.00 feet to the POINT OF BEGINNING and containing 1.2744-acres of which 0.8551-acres lies in the existing "I" Road Right of Way and leaving a Proposed Net of 0.4192-acres of land more or less.

EXHIBIT
'A'
2 of 2

RIGHT OF WAY
AGENDA REQUEST FORM

"Exhibit" A
No.

Date: July 12, 2000 ✓ Meeting Date Request: July 18, 2000
Deadline for Action: July 12, 2000 Contact Person: JOSE L. VAZQUEZ, ACTING DIRECTOR
Department: Right of Way Phone: 318-2643 Fax: 318-2639
Department Head/Official Signature: 
Caption:

RIGHT OF WAY
REGULAR AGENDA

Background: (Briefly summarize your request, if needed use separate sheet(s) or attach supporting documents).

- A. Authorization for title reports, appraisals and acquisition of additional right-of-way for South McColl Road.
- B. Authorization for land acquisition for North "I" Road Project.

Please initial for approval: County Judge _____ County Attorney _____ Budget _____ Personnel
Purchasing _____ Commissioner Pct. 1 Stana Commissioner Pct. 2 _____ Commissioner Pct. 3
Commissioner Pct. 4 Oh Dept./Fund No. _____ Amt Expended \$ _____ Fnds/Staffing Budgeted:
Yes _____ No _____ Account Code: _____ Impact on Future Budget Yes _____ No _____ Comments: Action
taken Commissioners' Court Approved _____ Tabled _____ Denied _____ Motion made by
Seconded _____ Vote

MEMO

DATE: Oct.16, 2001

TO: Commissioners Court

FROM: Joe Pena - ROW Agent



RE: North "T" Road Project
Parcel # 47 - William & Allen Arnold

Appraised Value: \$28,307.00

Settlement Offer: \$34,507.00 (Theirs)

*** I recommend somewhere between the 2.

up to 10/16/01 CC.

Approved _____

Not Approved _____

ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared William W. Arnold and wife, ^{Betty}~~Betty~~ Jean Arnold, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purpose and consideration therein expresses.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 22 day of February, 2002.



Patricia Kohrt
Notary Public, State of Texas

ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Allen A. Arnold and wife, ^{Leticia}~~Leticia~~ L. Arnold, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purpose and consideration therein expresses.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 22 day of February, 2002.



Patricia Kohrt
Notary Public, State of Texas

COUNTY: HIDALGO

HIGHWAY: "I" ROAD

PROJECT LIMITS: FM 495 TO EXPRESSWAY 281

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