

THE STATE OF TEXAS §

COUNTY OF HIDALGO §

That the County of Hidalgo, Texas, acting by and through its Commissioners' Court, by virtue of motion and resolution introduced and adopted by said Commissioners' Court on the _____ day of _____, 2007 does by these presents **GRANT, GIVE AND RELINQUISH TO:**

Quintanilla, Headley and Associates, Inc.

_____ hereinafter called Permittee, of the County of Hidalgo, Texas, the Right, Privilege and Authority to construct, reconstruct, lay and maintain a 36 inch **/storm sewer line** /water/ gas/ sewer/ irrigation line; said line to be constructed of R.C.P. material along the following public road easement held by the Hidalgo County of Hidalgo, Texas upon the conditions, obligations, and requirements as hereinafter set forth, said public road upon which said water/ gas/ sewer/ irrigation line is to be constructed, reconstructed, laid and maintained, **described as follows:**

The contractor will install a 36-inch R.C.P. Storm Sewer Line across Ingle Road at Kenyon Road. The contractor will saw cut an 8 feet wide trench across Ingle Road. The trench will be backfilled, compacted to 98% standard density and overlaid with 2 inches of Type D, Hot Mix Asphaltic Concrete.

The granting, giving and authorizing of permission for the said aforementioned Permittee to so construct, reconstruct, lay and maintain a 36-inch R.C.P. Storm Sewer line along the above described public road being conditioned that Permittee agrees that:

related structures (including but not limited to the maintenance, construction and reconstruction of ditches, drainage pipes, bridges and paving surfaces) without incurring any liability, obligation or duty to Permittee.

6. In the event that the Commissioners' Court of Hidalgo County gives the Permittee permission to cut, burrow and bore beneath the said public road or roadway, the Permittee will replace the road in the same condition as it was, which will require a refill of the ditch caused by installation of the pipe, tamping, and a waiting period of approximately sixty (60) days to allow for proper settling and then a replacement of the surface, if required. The Permittee will notify the County Commissioner of the Precinct in which the construction project is located upon the completion of the refill above mentioned and the County Commissioner will make such inspections as he deems necessary at that time, at the expiration of said sixty (60) day period and after resurfacing has been made to determine if the work has been done properly. Permittee will comply with such requirements in replacing said road as the County Commissioner concerned may require.

7. In the event Hidalgo County, Texas, the State Department of Highways and Public Transportation or any other municipality then constructing, reconstructing, maintaining or any other municipality then constructing, reconstructing, maintaining and operating said public road should, in the orderly course of its construction, reconstruct and/or repairing and maintaining of said road, deem it advisable to relocate said pipeline or to have same removed from said right of way entirely, then the Permittee covenants and obligates itself to remove and relocate said pipeline or to remove same entirely from right of way at its own expense, such removal or relocation to be done at the will and pleasure of the County of Hidalgo, Texas, the State Highways and Public Transportation or any other municipality that may be constructing, maintaining and operating said public road, which covenants, obligations and agreements shall be binding on Permittee, its successors and assigns and should Permittee, upon being given fifteen (15) days written notice to remove or relocate said pipelines by and of the aforementioned agencies, then the agency constructing, reconstructing, maintaining and operating said public road may thereupon remove same and be absolved

Commissioner of the Precinct in which said roads are situated, which said supervisor, acting as the agent of the County, shall have the right, during the construction, laying installation or in maintenance thereof of said pipeline, to assure the County that said work of constructing, laying or maintaining of said line, including the removal and replacement, is all done in accordance with the provisions of the permit, and failure of Permittee to so perform as provided therein shall constitute grounds, at the election of Permitter, to terminate this contract and agreement instantly.

11. This permit will expire approximately (1) year to the day it was approved through the County Commissioners Court of Hidalgo County, Texas.

WITNESS our hands this the _____ Day of _____, 20_____.

COUNTY JUDGE

COMMISSIONER, PRECINCT NO. 1

COMMISSIONER, PRECINCT NO. 2

STATE OF TEXAS §

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BEFORE ME, the undersigned authority, a Notary Public in and for Hidalgo County, Texas, on this day personally appeared JUAN D. SALINAS, III, County Judge of Hidalgo County, Texas and SYLVIA HANDY, HECTOR PALACIOS, JOE M. FLORES and OSCAR L. GARZA Commissioners of Hidalgo County, Texas known to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2007.

Notary Public, State of Texas

My Commission Expires:

INGLE RD. DRAINAGE CROSSING

KENYON ROAD

LOT 1, BLOCK 14,
SANTA CRUZ GARDENS UNIT No. 2,
RECORDED IN VOLUME 8, PAGES 28 & 29,
MAP RECORDS, HIDALGO COUNTY, TEXAS.

EXIST. 24" R.C.P. STORM
SEWER 84.00 L.F. S=0.10%

A. 0+00

A. 1+00

ST. 24" R.C.P. STORM
/ER 817.50 L.F. S=0.10%

A. 2+00



FORM 48816 ©

Hidalgo County Right of Way

PA. (956) 283-0134

RECEIPT

DATE July 3, 07

NO. 3704

RECEIVED FROM Quintanilla, Hadley + Assoc.

ADDRESS _____

DOLLARS \$ 3.75

FOR pipeline permit - Ingle / Kenyon Rd
CK# 10251

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID		CHECK	<u>3.75</u>
BALANCE DUE		MONEY ORDER	

BY Bucky D.