

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOU DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

**THE STATE OF TEXAS** §  
§  
**COUNTY OF HIDALGO** §

**WHEREAS**, the Texas Transportation Commission has been authorized under the Texas Transportation Code Chapters 203, 224, and 361 to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary and convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any other purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project, and including the acquisition of such other property rights deemed necessary for the purposes of operating a designated state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled access facilities, as well as facilitating the construction, maintenance and operation of designated controlled access highways and turnpike projects;

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

That, COUNTY OF HIDALGO, a Texas Political Subdivision, State of Texas, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of TEN AND NO/100THS Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, in hand paid by the State of Texas, acting by and through the Texas Transportation Commission, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Sold and by these presents do Grant, Bargain, Sell and Convey unto the State of Texas all that certain tract or parcel of land lying and being situated in the County of Hidalgo, State of Texas, more particularly described in Exhibit "A," and subject to the Exceptions to Conveyance and Warranty described in Exhibit "B" both of which are attached hereto and incorporated herein for any and all purposes.

SAVE and EXCEPT, HOWEVER, it is expressly understood and agreed that Grantor is retaining title to the following improvements located on the property described in said Exhibit "A" to wit: None.

Grantor reserves all of the oil, gas and sulphur and other minerals in and under said land but waives 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 Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein and thereunder.

**TO HAVE AND TO HOLD** the premises herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto the State of Texas and its assigns forever; and Grantor does hereby bind itself, its successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto the State of Texas and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof

when the claim is by, through or under Grantor but not otherwise, except as to the Exceptions to Conveyance and Warranty attached hereto as Exhibit "B".

**IN WITNESS WHEREOF**, this instrument is executed on this the \_\_\_\_ day of \_\_\_\_\_, 2008.

COUNTY OF HIDALGO, TEXAS

By: \_\_\_\_\_  
J.D. Salinas, Hidalgo County Judge

ATTEST:

\_\_\_\_\_  
Arturo Guajardo, Jr., Hidalgo County Clerk

**Acknowledgement**

State of Texas                    §  
County of Hidalgo            §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, by J.D. Salinas, County Judge of Hidalgo County, Texas, a political Subdivision of the State of Texas on behalf of said political subdivision.

\_\_\_\_\_  
Notary Public's Signature

### EXHIBIT 'A'

Being 60,476 square feet of land more or less, situated in Hidalgo County, Texas and being a part or portion of Lot 4, Triple "E" Subdivision, (Map Reference: Vol. 41, Pages 67-68, H.C.M.R.) and Lot 6 Section 267, Texas Mexican Railway Company Survey, (Map Reference: Vol. 1, Page 20, H.C.M.R.) and being a part or portion of a tract of land conveyed to Delicia Espinoza in a document recorded in Volume 1697, Page 841, Dated November 20, 1980 of the Hidalgo County Deed Records and by Decree of Divorce under Document No. 1014999, Dated October 9, 2001, Official Records, Hidalgo County, Texas and said 60,476 square feet also being more particularly described by metes and bounds as follows;

COMMENCING on a 1/2" iron rod found on the southwest corner of Lot 1, Triple "E" Subdivision and the East right-of-way line of Tower Road; THENCE as follows;

N 08° 56' 10" E [N 09° 31' 00" E], along the East right-of-way line of Tower Road, a distance of 985.45 feet to a 1/2" iron rod set. THENCE, N 53° 45' 21" E, a distance of 35.36 feet to a 1/2" iron rod set. THENCE, S 81° 04' 24" E [S 80° 57' 30" E] along the south right-of-way line of FM 2128, a distance of 12.14 feet to a 1/2" iron rod set with aluminum disk, for the northwest corner of this tract and the POINT OF BEGINNING;

(1) Thence, continuing along the South right-of-way line of FM 2128 in an easterly direction., S 81° 04' 24" E [S 80° 57' 30" E], a distance of 237.93 feet to a 1/2" iron rod set;

(2) Thence, along the East line of Lot 4, Triple "E" Subdivision in a northerly direction, N 08° 56' 10" E [N 09° 31' 00" E], a distance of 10.03 feet to a 1/2" iron rod set;

(3) Thence, along the south right-of-way line of Richardson Road in a easterly direction, S 81° 04' 24" E [S 80° 57' 30" E] a distance of 341.54 feet to a 1/2" iron rod set with aluminum disk for the northeast corner of this tract.

(4) Thence, continuing in a southwesterly direction a curve to the left with a radius of 235.00 feet, a tangent of 49.31 feet, a delta of 23° 42' 05" a chord length of 96.52 feet, and curve length of 97.21 feet to a 1/2" iron rod set with aluminum disk for the inner corner of this tract,

(5) Thence, S 06° 20' 33" W, a distance of 40.24 feet to a 1/2" iron rod set with aluminum disk for the most inner corner of this tract.

(6) Thence, continuing in a southeasterly direction a curve to the right with a radius of 825.00 feet, a tangent of 83.89 feet, a delta of 11° 36' 43" a chord length of 166.91 feet, and a curve length of 167.20 to a 1/2" iron rod set with aluminum disk for the outer corner of this tract.

(7) Thence, S 70° 49' 09" E, a distance of 43.90 feet to a 1/2" iron rod set with aluminum disk to the north right of way line of SH 107 for the southeast corner of this tract.

(8) Thence, continuing in a southwesterly direction along the existing north right of way line of SH 107 a curve to the left with a radius of 1558.70 feet, a tangent of 90.12 feet, a delta of 06° 37' 04" a chord length of 179.93 feet, and a curve length of 180.03 to a 1/2" iron rod set with aluminum disk for the southwest corner of this tract.

(9) Thence, N 16° 18' 47" E, a distance of 42.88 feet to a 1/2" iron rod set with aluminum disk for the most inner northwest corner of this tract.

(10) Thence, continuing in a northwesterly direction a curve to the left with a radius of 705.00 feet, a tangent of 318.10 feet, a delta of 48° 34' 12" a chord length of 579.90 feet, and a curve length of 597.63 feet to the POINT OF BEGINNING and containing 60,476 square feet of land, more or less,

Note: The Point of Beginning of this description has coordinates of X = 1117621.1821 and Y = 16634710.9490; All bearings are based Texas State Plane Coordinate System, NAD 83 (1.993 Adj.), South Zone 4205. All coordinates shown are surface and may be converted to grid by dividing by TxDOT conversion factor of 1.0000400.

This Company does not represent that the acreage and/or square footage calculations are correct.

## **EXHIBIT "B"**

### **EXCEPTIONS TO CONVEYANCE AND WARRANTY**

1. Easement for RIGHT-OF-WAY granted to SOUTHWESTERN BELL TELEPHONE COMPANY, as set forth in instrument recorded in Volume 727, Page 185, Deed Records, Hidalgo County, Texas.
2. Easement for RIGHT-OF-WAY granted to STATE OF TEXAS, as set forth in instrument recorded in Volume 984, Page 532, Deed Records, Hidalgo County, Texas.
3. Subject to any portion of subject property described herein lying within canal right of way.
4. Easements, Rules, Regulations and Rights in favor of HIDALGO COUNTY IRRIGATION DISTRICT NO. 1.
5. Easement and reservations as may appear upon the recorded map and dedication of said subdivision.