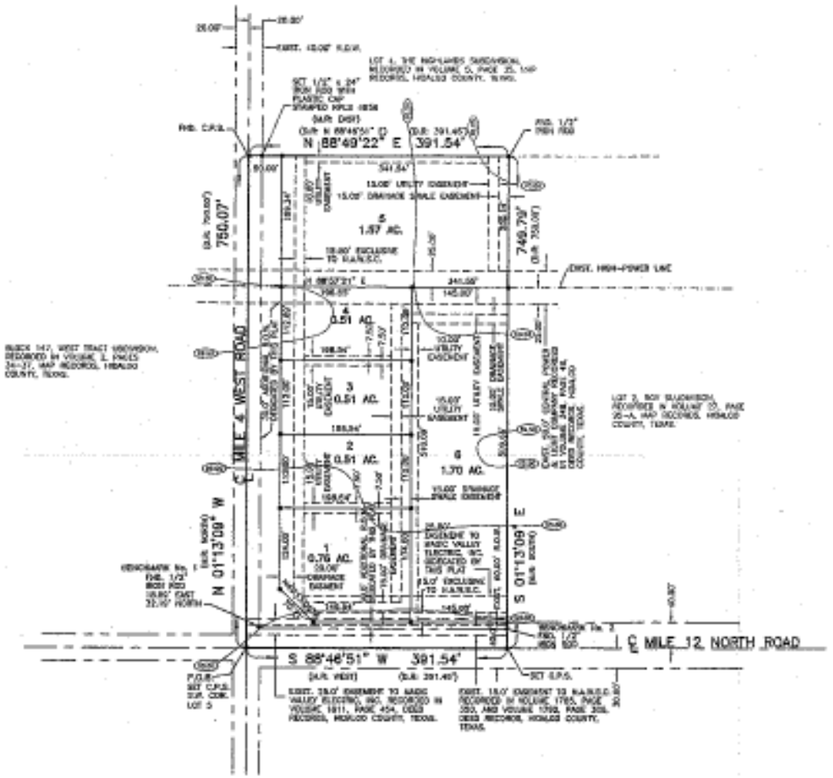
SUBDIVISION PLAT OF:

# WINSTON COMMERCIAL PLAZA SUBDIVISION

A 6.74 ACRE TRACT OF LAND BEING THE WEST 6.74 ACRES OF LOT 5, THE HIGHLANDS SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 35, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1780791, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.




## RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, owner of the property shown on this plat, their successors, assigns, and trustees (hereinafter called "Grantor" whether one or more persons are named), in consideration of one dollar ($1.00) and other good and valuable consideration paid to North Alamo Water Supply Corporation, (hereinafter called "Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer, and convey to said Grantee, its successors, and assigns, an exclusive perpetual easement with the right to work, maintain, repair and inspect the pipeline, valves, manual, meter installation, replace, and remove water distribution lines and appurtenances over and across the lands shown on this plat, together with the right of ingress and egress over Grantor's adjacent lands of the purpose for which the above mentioned rights are granted. The easement hereby granted shall not exceed 15' in width, and Grantee is hereby authorized to designate the course of the easement herein conveyed except that when the pipeline(s) is installed, the easement herein granted shall be limited to a strip of land 15' in width, the center line thereof being the pipeline installed.

In the event the easement hereby granted starts on a public road and the city, county or state hereafter widens or relocates the public road so as to require the relocation of this water line on holdings, Grantor further grants to Grantee an additional easement over and across the land shown on this plat for the purpose of following relocate said water line or pipe as necessary to clear the road improvements, which easement hereby granted shall be limited to a strip of land 15' in width, the center line thereof being the pipeline so relocated.

The consideration recited herein shall constitute payment in full for all damages sustained by Grantor by reason of the installation, maintenance, repair, replacement and relocation of the structures referred to herein. This agreement together with other provisions of this permit shall constitute the entire agreement between the parties of the Grantee, its successors, and assigns. The Grantor covenants that it is the owner of the above-described lands and that said lands are free and clear of all encumbrances and liens except the following:

The easement conveyed herein may be assigned or improved through Federal financial assistance. This easement is subject to the provisions of Title VI of the Civil Rights Act of 1964 and the regulations issued pursuant thereto for as long as the easement continues to be used for the same or similar purpose for which financial assistance was extended or for as long as the Grantee owns it, whichever is longer.

IN WITNESS WHEREOF the said Grantor executed this instrument this____ day of _____, 20__.

JANE POWDEN

| REVISION NOTES | | | | |
|---|---|---|---|---|
| NO. | DATE | REVISION | INIT. | APPROVAL |

LOCATION MAP SCALE: 1" = 1000'

## PLAT NOTES AND RESTRICTIONS:

1.– FLOOD ZONE STATEMENT:
FLOOD ZONE DESIGNATION: ZONE "C"
AREA OF MINIMAL FLOODING (NO DAMAGE)
AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN
COMMUNITY-PANEL NO. 480334 0450 B
EFFECTIVE DATE: JANUARY 2, 1986

THE AREAS WITHIN THE DRAINAGE EASEMENTS AND THE PROPOSED STREET RIGHT-OF-WAY ARE WITHIN THE 100-YEAR FLOOD PLAIN. THE 100-YEAR FLOOD IS EFFECTIVE DATE: JUNE 6, 2000, FIRMETTE MAP NO. 0450 OF THE OFFICIAL DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, HIDALGO COUNTY, TEXAS AND THE LOCAL FLOOD PLAIN ADMINISTRATOR DESIGNATED BY THE CITY OF WESLACO, HIDALGO COUNTY, TEXAS, AS THE WITHIN THE 100-YEAR FLOOD PLAIN.
CONSTRUCTION OF RESIDENTIAL BUILDINGS WITHIN ANY AREA OF THE SUBDIVISION THAT IS IN THE 100-YEAR FLOODPLAIN IS PROHIBITED UNLESS THE HOUSING SUBMITTED FOR ESTIMATED MINIMUM FLOOR ELEVATION, FLOOD CLEARANCE ACT OF 1958 (42 U.S.C. SECTIONS 4001 THROUGH 4128).

2.– SETBACKS:
FRONT FOR LOTS 1-5 30.00 FEET
FRONT FOR LOT 6 40.00 FEET
REAR 15.00 FEET
SIDE 6.00 FEET
CORNER SIDE 20.00 FEET
OR EASEMENT WHICHEVER IS GREATER IN ALL CASES

3.– THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE ROADWAYS ON THIS SUBDIVISION.

4.– MINIMUM FINISH FLOOR NOTE:
MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE CENTER LINE OF STREET OR 18" ABOVE NATURAL GROUND, WHICHEVER IS GREATER.
ELEVATION CERTIFICATE WILL BE REQUIRED FOR LOTS LOCATED OUTSIDE A DESIGNATED FLOOD ZONE AT THE TIME FOR APPLICATION FOR CONSTRUCTION TO VERIFY THE ABOVE FOOT MINIMUM FINISH FLOOR ELEVATION.
AN ELEVATION CERTIFICATE SHALL BE REQUIRED FOR ALL LOTS WITHIN A DESIGNATED FLOOD ZONE AT THE TIME FOR A DEVELOPMENT PERMIT APPLICATION.

5.– BENCHMARK NOTE:
THE FOLLOWING BENCHMARK IS CONTAINED ON THE FACE OF THE PLAT AND ON THE ATTACHED ENGINEERING PLANS.
BENCHMARK No. 1: ELEV. 48.49
FOUND AT AN IRON ROD, 18.00 FEET EAST FROM SOUTHWEST CORNER OF THIS SUBDIVISION, AND 30.18 FEET NORTH OF CENTER LINE OF MILE 12 NORTH ROAD.
N.A.V.D. 88 DATUM.
BENCHMARK No. 2 ELEV. 48.64
FOUND AT AN IRON ROD, 30.0 FEET NORTH FROM SOUTHEAST CORNER OF THE SUBDIVISION.
N.A.V.D. 88 DATUM.

6.– DRAINAGE:
IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 AND HIDALGO COUNTY REQUIREMENTS, THIS DEVELOPMENT WILL BE REQUIRED TO RETAIN A TOTAL OF 10.19 A.F. (1,000 CUBIC FEET - D.M. ACRE FEET) OF STORM WATER RUNOFF. DRAINAGE PROVIDED IN ACCORDANCE WITH THE LOCAL REQUIREMENTS WILL BE ACCOMPLISHED AS FOLLOWS:
SEE DRAINAGE REPORT ON SHEET No.3.

7.– JANE POWDEN _____ THE OWNER & SUBDIVIDER OF WINSTON COMMERCIAL PLAZA SUBDIVISION, HEREBY AN EASEMENT UPON EACH LOT FOR THE PURPOSES OF HIDALGO AS APPROVED DEEP ON THE LOT AS DESCRIBED ON SHEET No. 2 OF THIS PLAT.

8.– LEGEND -- FOUND 1/2"x24" IRON ROD SET WITH PLASTIC CAP STAMPED RPLS 4836, UNLESS OTHERWISE NOTED.

9.– ON-SITE SEWAGE FACILITIES (OSSF) NOTE:
THE SUBDIVISION DEVELOPER WILL INSTALL SEWAGE FACILITIES IN ACCORDANCE WITH TCEQ AND HIDALGO COUNTY REGULATIONS FOR SEWAGE DISPOSAL.
THE SUBDIVIDER IS RESPONSIBLE FOR PROVIDING AN OSSF ON ALL LOTS.
A. OSSF SYSTEM IS SEPTIC DESIGNED BASED ON THE LOT SIZE, SOIL TYPE, AND SEWAGE FLOW. A TEXAS DESIGNED SYSTEM SHALL BE REQUIRED FOR ALL LOTS.
B. EACH LOT ON THIS PLAT COMPLIES WITH THE MINIMUM 21,780 SQUARE FOOT LOT SIZE AND WITH PUBLIC WATER SUPPLY.
C. OSSF SYSTEM SHALL REQUIRE INSPECTION AND APPROVAL BY HIDALGO COUNTY AUTHORIZED DEPARTMENT.
D. SOIL ANALYSIS HAVE BEEN SUBMITTED TO THE AUTHORIZED HIDALGO COUNTY DEPARTMENT AND EVIDENCE MAY BE ALSO SEEN ON THE ATTACH LAYOUT FOR THIS SUBDIVISION AS SUBMITTED TO THE HIDALGO COUNTY PLANNING DEPARTMENT. THE ENGINEER HAS DETERMINED THAT THE SOIL IS SUITABLE FOR A STANDARD SEPTIC TANK AND ABSORPTION DRAINFIELD SYSTEM.
E. APPROVED "OSSF PERMIT APPLICATION" IS REQUIRED INCLUDING REMOVAL FOR PLANNING MATERIALS PRIOR TO OCCUPYING A LOT.

10.– NO CONCRETE SHALL BE POURED INTO ANY DRAINAGE EASEMENT WITHIN THE ROAD RIGHT OF WAY, BUILDINGS, FENCES, GARDEN WALLS, AND OTHER PLANTINGS (EXCEPT LOW LYING SOD THAT IS NOT MORE THAN 12 INCHES HIGHER THAN GROUND LEVEL) OR BUSHES, AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATION AND MAINTENANCE OF THE DRAINAGE.

11.– EACH PURCHASE CONTRACT MADE BETWEEN A SUBDIVIDER AND PURCHASER OF A LOT IN THE SUBDIVISION SHALL CONTAIN A STATEMENT REGARDING HOW AND WHEN WATER, SEWER, ELECTRICITY AND GAS SERVICES WILL BE MADE AVAILABLE TO THE SUBDIVISION.

12.– ALL PUBLIC UTILITIES EASEMENTS DEDICATED BY THIS PLAT SHALL BE A MINIMUM WIDTH OF 15.00 FEET AT FOR THE HIDALGO COUNTY MODEL SUBDIVISION RULES BY DIRECTIVE THIS RULE IS ENGINEER CERTIFY THAT ALL OTHER EASEMENTS SHOWN CONFLICT WITH THE SITE RECORDED BY EACH UTILITY PROVIDER OCCUPYING AN EASEMENT.

13.– AN OFF-STREET PARKING LOT SITE-PLAN AND DRAINAGE PLAN APPROVAL BY THE HIDALGO COUNTY PLANNING DEPARTMENT SHALL BE REQUIRED ON COMMERCIAL, INDUSTRIAL & MULTIFAMILY USE AT THE TIME OF APPLICATION FOR CONSTRUCTION PERMIT TO THE COUNTY OF A BUILDING AND/OR DEVELOPMENT PERMIT. NO PERMIT OR LOAN CLEARANCE SHALL BE ISSUED UNTIL THE SITE PLAN, DRAINAGE PLAN AND GRADE PLAN ARE APPROVED, AND CONSTRUCTED IN ACCORDANCE WITH STATE AND COUNTY REGULATIONS.

14.– FIRE HYDRANTS ARE PLACED IN THIS SUBDIVISION AT THE DISCRETION OF THE CITY OF WESLACO.
THE FIRE HYDRANTS ARE PLACED ON A 300-FOOT RATED SYSTEM.
THE PROPERTY OF THIS SUBDIVISION DOES NOT GUARANTEE THAT THE SERVICES PROVIDED DURING A FIRE AND THE ENGINEER DOES NOT WARRANT THE SERVICES PROVIDED.

15.– ALL LOTS SHALL BE FOR COMMERCIAL USE ONLY. THERE SHALL BE NO OTHER USE OTHER THAN COMMERCIAL. ALL LOTS ARE FOR NONRESIDENTIAL USE. THIS MUST BE STIPULATED ON ALL DEEDS AND CONTRACT FOR SALES. APPLICATIONS FOR CONSTRUCTION APPROVED BY THE PLANNING DEPARTMENT, HEALTH DEPARTMENT AND FIRE MARSHALL ARE REQUIRED PRIOR TO OCCUPANCY THE LOT.

16.– SIDE SIDEWALK IS REQUIRED ALONG MILE 4 WEST ROAD AND MILE 12 NORTH ROAD AT TIME OF BUILDING PERMIT BY LOT OWNER.

17.– THE DEVELOPER WILL BE RESPONSIBLE FOR THE STREET LIGHT INSTALLATION.

18.– LOTS 1-3 AND 3-4 WILL HAVE SHARED ACCESS TO MILE 4 WEST ROAD, A 24 FOOT SHARED DRIVEWAY DRIVEWAY WITH CULVERT AND SAFETY ENDS SHALL BE CONSTRUCTED CONFORM BETWEEN LOTS 1&2 AND 3&4 TO PROVIDE INGRESS AND EGRESS FROM MILE 4 WEST ROAD OF CONVEYANCE PRIOR TO ITEM APPROVAL. SEE SHEET No. 2 FOR DRIVEWAY DETAIL.

19.– DRAINAGE SWALE EASEMENTS NOTE: NO FILL OR PERMANENT OBSTRUCTIONS OTHER THAN VEGETATION AND DRAINAGE SWALE EQUIPMENT UNDER DRAINAGE SWALE SHALL BE KEPT CLEAR OF FENCES, BUILDING, PLANTINGS AND OTHER OBSTRUCTIONS THAT WOULD INTERFERE WITH THE OPERATION OF THE DRAINAGE SWALE DRAINAGE SWALE EASEMENTS. THE LOT OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE SWALE.

20.– ANY PARKING LOT CONSTRUCTION OVER THE H.A.N.G.C. (NORTH ALAMO WATER SUPPLY CORPORATION) EASEMENT SHALL BE REQUIRED IN WRITING APPROVAL FROM H.A.N.G.C. BEFORE A BUILDING PERMIT MAY BE ISSUED.

## LOCATION OF SUBDIVISION WITH RESPECT TO THE EXTRATERRITORIAL JURISDICTION OF A MUNICIPALITY:

WINSTON COMMERCIAL PLAZA SUBDIVISION, IS LOCATED IN THE EAST HIDALGO COUNTY ON THE NORTHEAST CORNER OF MILE 4 WEST ROAD AND MILE 12 NORTH ROAD. THE EXIST NEARBY MUNICIPALITY IS THE CITY OF WESLACO ACCORDING TO THE OFFICIAL MAP IN THE OFFICE OF THE SECRETARY OF THE CITY OF WESLACO (INCORPORATION 30.1442). WINSTON COMMERCIAL PLAZA SUBDIVISION, LIES APPROXIMATELY 1.75 MILES FROM THE CITY LIMITS AND IT IS WITHIN THE CITY'S FIVE-MILE EXTRA TERRITORIAL JURISDICTION (ETJ) UNDER LOCAL GOVERNMENT CODE § 212.001 AND LIES IN PRECINCT No. 1.

## PRINCIPAL CONTACTS:

| | Name | Address | City & Zip | Phone | Fax |
|---|---|---|---|---|---|
| OWNER: | JANE POWDEN | 1205 N. WORTH ST. W. | HARLINGEN, TX 78550 | (956) 428-8500 | |
| OWNER: | ALFONSO QUINTANILLA | 124 E. STARRS | EDINBURG, TX 78539 | (956)381-0981 | 381-0987 |
| SURVEYOR: | ALFONSO QUINTANILLA | 124 E. STARRS | EDINBURG, TX 78539 | (956)381-0981 | 381-0987 |

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS · LAND SURVEYORS
124 E. STARRS ST.
EDINBURG, TEXAS 78539
PHONE 956-381-0981
FAX 956-381-0987

| SHEET No. 1 OF 3 SHEETS | SCALE: 1" = 100' | | | |
|---|---|---|---|---|
| | DATE PREPARED | PREPARED BY | CHECKED BY | APPROVED ON |
| | 12-6-07 | AQ/FC | | |
| | FIELD BOOKS | DRAWN BY | CHECKED BY | APPROVED BY |

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, AND WAS MADE AND PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY DONE ON THE GROUND UNDER MY SUPERVISION.

ALFONSO QUINTANILLA
R.P.L.S. No. 4836

12-6-07
DATE

NOTE:
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT AS ADOPTED UNDER TEXAS WATER CODE 49. HOWEVER, THE DISTRICT HAS NOT REVIEWED OR DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE ADEQUATE FOR THE INTENDED PURPOSE. BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA, IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MEET THESE REQUIREMENTS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: _____

## HIDALGO COUNTY
## CERTIFICATE OF PLAT APPROVAL

I THE UNDERSIGNED CERTIFY THAT THIS PLAT OF WINSTON COMMERCIAL PLAZA SUBDIVISION AND REVISIONS ARE APPROVED BY THE HIDALGO COUNTY HIGHWAY RIGHT OF WAY DEPARTMENT OF _____

HIDALGO COUNTY HIGHWAY RIGHT OF WAY DIRECTOR — DATE

## HIDALGO COUNTY
## CERTIFICATE OF PLAT APPROVAL

I THE UNDERSIGNED CERTIFY THAT THIS PLAT OF WINSTON COMMERCIAL PLAZA SUBDIVISION HAVE REVIEWED AND APPROVED BY THE HIDALGO COUNTY HEALTH DEPARTMENT ON _____

HIDALGO COUNTY ASSISTANT CHIEF INSPECTOR — DATE

STATE OF TEXAS
COUNTY OF HIDALGO
OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

I, JANE POWDEN, AS OWNER OF THE 6.74 ACRE TRACT OF LAND ENCOMPASSED WITHIN THE PROPOSED WINSTON COMMERCIAL PLAZA SUBDIVISION, HEREBY SUBDIVIDE THE LAND AS DEPICTED IN THIS SUBDIVISION PLAT AND DEDICATE TO PUBLIC USE THE STREET, PARK, AND EASEMENTS SHOWN HEREON.

I HEREBY CERTIFY THAT I HAVE COMPLIED WITH THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE §232.032 AND THAT:
(1) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS;
(2) SEWER CONNECTIONS TO THE LOTS ON SEPTIC TANKS MEET, OR WILL MEET, THE MINIMUM REQUIREMENTS OF STATE STANDARDS;
(3) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS;
(4) GAS CONNECTIONS, IF AVAILABLE, PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS;
I ATTEST THAT THE MATTERS REFERRED IN THIS PLAT ARE TRUE AND COMPLETE.

JANE POWDEN
1205 N. WORTH ST. W.
HARLINGEN, TEXAS 78550

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, the undersigned notary public, on this day personally appeared JANE POWDEN, proved to me through his Texas Department of Public Safety Driver License to be the person whose name is subscribed to the foregoing instrument, who, being by me first duly sworn, declared that the statements therein are true and correct and acknowledged that he executed the same for the purposes and consideration therein expressed.
Given under my hand and seal of office this _____ day of _____, 20__.

ELIA A. GUERRERO
Notary Public, State of Texas
My Commission Expires
July 13, 2008

ELIA A. GUERRERO– NOTARY PUBLIC

CITY OF WESLACO
## CERTIFICATE OF PLAT APPROVAL
## UNDER LOCAL GOVERNMENT CODE §212.009(c) AND §212.0115(b)

WE THE UNDERSIGNED CERTIFY that this plat of the WINSTON COMMERCIAL PLAZA SUBDIVISION, was reviewed and approved by the City Council of the City of WESLACO, on_____.

Mayor of the City of Weslaco — Date

ATTEST:
Secretary of the City of Weslaco — Date

CITY OF WESLACO
## CERTIFICATE OF PLANNING AND ZONING APPROVAL

I THE UNDERSIGNED CERTIFY that this plat of the WINSTON COMMERCIAL PLAZA SUBDIVISION, was reviewed and approved by the Planning and Zoning of the City of WESLACO, on_____.

Chairperson of the City of Weslaco — Date

ATTEST:
Secretary of the City of Weslaco — Date

HIDALGO COUNTY
## CERTIFICATE OF PLAT APPROVAL
## UNDER LOCAL GOVERNMENT CODE § 232.028(a)

WE THE UNDERSIGNED CERTIFY that this plat of the WINSTON COMMERCIAL PLAZA SUBDIVISION, was reviewed and approved by the Hidalgo County Commissioners Court on _____.

Hidalgo County Judge — Date

ATTEST:
Hidalgo County Clerk — Date

## COUNTY CLERK'S RECORDING CERTIFICATE

_____ COUNTY CLERK OF HIDALGO COUNTY, certify that the plat herein is certificate was filed for record on _____ o'clock ____ M. on _____, and duly recorded in Book _____, Volume(s) _____ the Plat Records of Hidalgo County in _____ Volume _____ on _____.

Hidalgo County Clerk

THIS PLAT APPROVED BY THE HIDALGO AND CAMERON COUNTY IRRIGATION DISTRICT # 9, DATED THIS _____ DAY OF _____, 20__.

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON HIDDEN OR BURIED-BY-WAY OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF H.C.C.I.D. #9.
NOTE: IT IS UNDERSTOOD THAT THE RATE OF FLOW OF STORM WATER WILL BE NO GREATER THAN THE RATE OF FLOW OF STORM WATER WHICH THE LAND WAS IN AGRICULTURAL USE.

GENERAL MANAGER

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.

ALFONSO QUINTANILLA
No. 85884
STATE OF TEXAS

ALFONSO QUINTANILLA
P.E. No. 85884

5-12-08
DATE