

COUNTY HIDALGO



HIDALGO COUNTY AUDITOR'S OFFICE
Hidalgo County Administration Building
2802 South Highway 281
Edinburg, Texas 78539-3587
PHONE: (956) 318-2511
FAX: (956) 318-2577
WEBPAGE: <http://www.hidalgocountyauditor.org>
E-MAIL: hidalgoauditors@countyofhidalgo.org

MAILING ADDRESS:
HIDALGO COUNTY AUDITOR'S OFFICE
P. O. BOX 689
EDINBURG, TEXAS 78540-0689

OFFICE OF THE COUNTY AUDITOR

NOTICE OF DISCREPANCY AND/OR ADVISORY

DATE: 08/15/2008

TO: EDUARDO GONZALEZ

DEPT: ROW DEPT.

FROM: LUPITA GARZA/ACCOUNTS PAYABLE

PHONE: (956) 318-2511 EXT 4630

REFERENCE: PROJECT SOUTH TOWER RD P#4

THE FOLLOWING DOCUMENT (S), i.e. IS/ARE BEING RETURNED, BECAUSE OF THE REASON (S) INDICATED BELOW AND REQUIRES YOUR IMMEDIATE ATTENTION CORRECTIVE ACTION IS NECESSARY IN ORDER FOR MY OFFICE TO PERFORM ITS DUTIES ACCORDING TO STATUTES, POLICIES, FEDERAL REGULATIONS, AND ACCOUNTING STANDARDS

PAYMENT (S) OF CLAIMS RELATED TO THIS DOCUMENT (S) WILL BE MADE AS SOON AS POSSIBLE AFTER CORRECTIVE ACTIONS HAS BEEN TAKEN AND THE CORRECTED AND PROPER DOCUMENTATION HAS BEEN SUBMITTED/RESUBMITTED TO THE AUDITOR'S OFFICE WITH SUFFICIENT TIME FOR THE AUDITOR TO EXAMINE AND APPROVE BEFORE THE NEXT SCHEDULED MEETING OF THE HIDALGO COUNTY COMMISSIONERS COURT, AS PER LOCAL GOVERNMENT CODE 113.064

EXPENDITURE INCURRED BEFORE PURCHASE ORDER ISSUED - PLEASE FOLLOW PROPER CLAIMS PROCEDURES

PURCHASE ORDER NUMBER IS INCONSISTENT WITH INVOICE

AMOUNT BILLED DOES NOT MATCH THE PURCHASE ORDER AMOUNT

VENDOR ON PURCHASE ORDER DOES NOT MATCH INVOICE

INSUFFICIENT DOCUMENTATION TO PROCESS PAYMENT

SIGNATURE OR DATE NOT PRESENT

SYSTEM SHOWS INVOICE PAID

INSUFFICIENT FUNDING IN ACCOUNT _____ AVAILABLE _____

NEED APPROVAL OF: DEPARTMENT HEAD

NEEDS COMPLIANCE WITH PURCHASING POLICY/STATUTES/CONTRACTS (SEE COMMENTS):

NEEDS CORRECTION (S):

OTHER: SENDING ORIGINAL PAY-MEMO WITH BACKUP

COMMENTS/RECOMMENDATION: As previously discussed with Mr. Pena and yourself, adequate notice should be given to the Public on the actions taken by Commissioners' Court. Since adequate notice was not provided, please place item for approval on the next Commissioners' Court by providing a general description of the property to be acquired. This action is need in accordance with the Open Meetings Act.

Lupita

HIDALGO COUNTY DISTRICT JUDGES

RICARDO P. RODRIGUEZ, JR. JUDGE, 90th D.C. RODOLFO DELGADO JUDGE, 93rd D.C. J. R. "BOBBY" FLORES JUDGE, 112th D.C. ROSE GUERRA REYNA JUDGE, 200th D.C. JUAN R. PARTIDA JUDGE, 275th D.C. MARIO E. RAMIREZ, JR. JUDGE, 312th D.C. NOE GONZALEZ JUDGE, 370th D.C. OVERSEER LETICIA LOPEZ JUDGE, 325th D.C. ADA SALINAS FLORES JUDGE, 333th D.C. THOMAS P. WIGGATE JUDGE, 433th D.C. DANIEL G. ROOS JUDGE, 449th D.C.



HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

JOSE N. PEÑA
Director

PAY-MEMO

To: Commissioner Hector "Tito" Palacios
Hidalgo County Precinct # 2
Attn: Yolanda Cisneros

From: Eddy Gonzalez, ROW Agent *EG*
Hidalgo County Right of Way Department

Date: July 15, 2008

Re: South Tower Road Project
Parcel # 4

07/20/08 11:21:00
RECEIVED

IRV # S Tower Rd # 4

Sec. 0.117 Here tract Lt 2 Alamo Land + Sugar Co.

Commissioner Palacios,

Attached please find a copy of the unrecorded deed, copy of the Appraisal Report, and a copy of the 1099S form signed by Federico Garza, Jr. on the above-mentioned parcel. A check in the amount of \$ 51,128.00 needs to be paid to Federico Garza, Jr., individually and as Independent Executor of the Estate of Federico Garza, Sr., out of your account # 8-1202-431-00-122-027-0-711 for Right of Way acquisition on this project. The Original deed will be held by the Right of Way Department and recorded as soon as payment to the landowner is processed.

****PLEASE HAVE THE TREASURER'S OFFICE HOLD THE CHECK****

Commissioners Court approved this project for acquisition on October 18, 2005.

Should you have any questions, please contact our office at 956-283-8134 or (956) 219-9065.

8-1202-431-00-122-027-0-711

Approved *Hector Palacios*
Commissioner Hector "Tito" Palacios

Jose N. Pena
Jose N. Pena

INVOICE RECEIVED BY: *Yolanda Cisneros* ON *7/15/08*
GOODS/SERVICES RECEIVED BY: *Hector Palacios* ON *7/15/08*

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

Chapter 11, Sec. 11.008 Texas Property Code

**South Tower Road Project
Parcel: # 4
RIGHT-OF-WAY DEED**

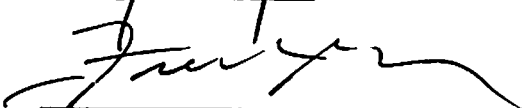
THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HIDALGO §

That, I, Federico Garza, Jr., Individually and as Independent Executor of the Estate of Federico Garza, Sr., of the County of Hidalgo, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of Fifty One Thousand One Hundred Twenty Eight and No/100ths Dollars (\$51,128.00) and other good and valuable consideration to Grantors in hand paid by the County of Hidalgo, 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, 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.

Grantors reserves all of the oil, gas and sulphur 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 County 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 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 15th day of July, 2008.



Federico Garza, Jr.,

11
12
13
14
15

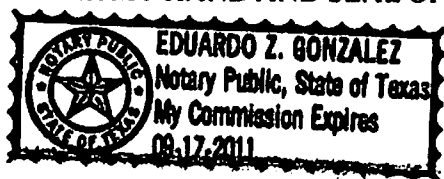
ACKNOWLEDGEMENT

THE STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Federico Garza, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of July, 2008.



E. Z. Gonzalez
Notary Public, State of Texas

RECEIVED
JUL 20 10 2 10

COUNTY: HIDALGO

HIGHWAY: South Tower Road

PROJECT LIMITS: Moore Road to 1320 Feet South of Rancho Blanco

RECEIVED

FEB 20 10 2 13

Eng05.015B

February 12, 2007

Parcel 4

Page 1 of 3

FIELD NOTES FOR PARCEL - 4

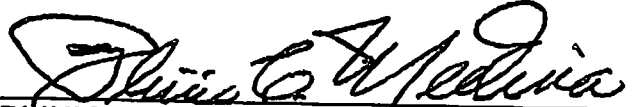
Being a 0.365-acre tract of land out of the East 1.67-acres of the North 10.0-acres of Lot 2, Block 29, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as recorded in Volume 1, Pages 24-26, Map Records, Hidalgo County, Texas. Said 1.67-acre tract of land is vested to Federico Garza, Sr., and Federico Garza, Jr. from Miriam Armas Ferries Snyder, by virtue of a Warranty Deed with Vendor's Lien, dated January 27, 2003, recorded in Document No. 1168528, Official Records, Hidalgo County, Texas. Said 0.365-acre tract of land being more particularly described by metes and bounds as follows;

Beginning at a Cotton Picker Spindle set at the Northeast corner of said Lot 2, for the Northeast corner of the tract herein described; said point being the centerline intersection of Moore Road and South Tower Road;

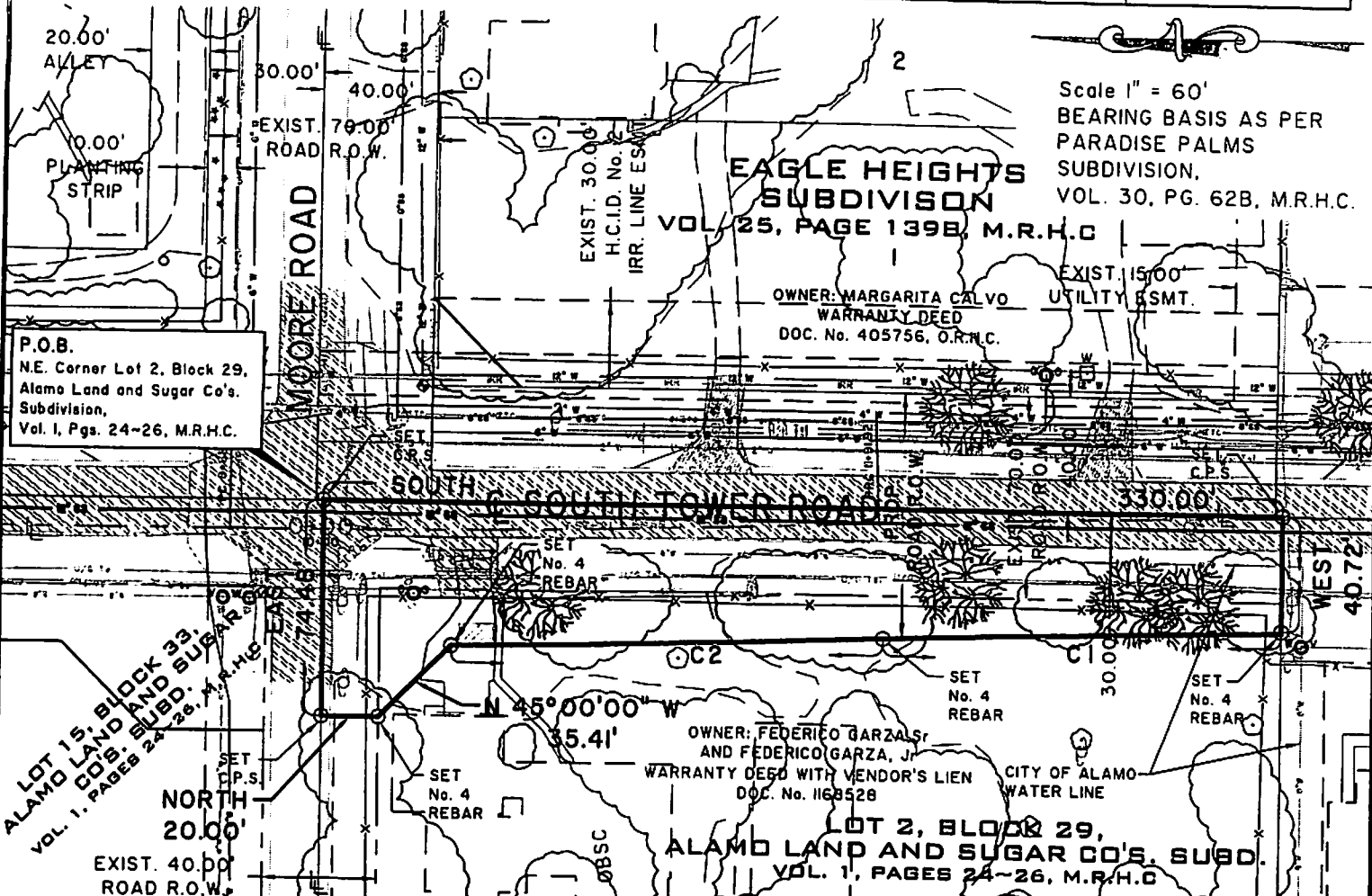
1. **THENCE, SOUTH**, along the East line of said Lot 2, in Tower Road Right of Way, a distance of 330.00 feet to a Cotton Picker Spindle set at the Southeast corner of said 1.67-acre tract, for the Southeast corner of the tract herein described;
2. **THENCE, WEST**, along the South line of said 1.67-acre tract, at a distance of 30.00 feet pass the Existing West Right of Way line of South Tower Road, and at a total distance of 40.72 feet to a No. 4 rebar set on the Proposed West Right of Way line of South Tower Road, for the Southwest corner of the tract herein described, said point being on a curve to the left;
3. **THENCE**, in a Northwesterly direction, along said Proposed Right of Way, with said curve to the left, an arc angle of 01 degrees 35 minutes 07 seconds, a radius of 4960.00 feet, a tangent of 68.62 feet, an arc length of 137.23 feet, a chord bearing of North 01 degrees 46 minutes 12 seconds West, and a chord length of 137.23 feet to a No. 4 rebar set at the point of the reverse curve, for an exterior corner of the tract herein described;
4. **THENCE**, in a Northwesterly direction, continuing along said Proposed Right of Way, with said curve to the right, an arc angle of 01 degrees 40 minutes 53 seconds, a radius of 5040.00 feet, a tangent of 73.96 feet, an arc length of 147.91 feet, a chord bearing of North 01 degrees 43 minutes 19 seconds West, and a chord length of 147.91 feet to a No. 4 rebar set at the end of curve, for an interior corner of the tract herein described;
5. **THENCE**, North 45 degrees 00 minutes 00 seconds West, continuing with said Proposed Right of Way line, a distance of 35.41 feet to a No. 4 rebar set on the South Right of Way line of Moore Road, for an exterior corner of the tract herein described;

6. **THENCE, NORTH**, continuing along said Proposed Right of Way line, a distance of 20.00 feet to a Cotton Picker Spindle set on the North line of Lot 2, for the Northwest corner of the tract herein described;
7. **THENCE, EAST**, along the North line of Lot 2, in Moore Road Right of Way, a distance of 74.48 feet to the **POINT OF BEGINNING** and containing 0.365-acres, of which 0.248-acres lies in the Existing Road Right of Way, leaving a **Proposed Net Taking** of 0.117-acres of land, more or less.




PLINIO C. MEDINA - R.P.L.S. No. 1590
DATE: 10-08-07

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C1	01°35'07"	N 01°46'12" W	68.62	4960.00	137.23	137.23
C2	01°40'53"	N 01°43'19" W	73.96	5040.00	147.91	147.91



Scale 1" = 60'
 BEARING BASIS AS PER
 PARADISE PALMS
 SUBDIVISION,
 VOL. 30, PG. 62B, M.R.H.C.

P.O.B.
 NE Corner Lot 2, Block 29,
 Alamo Land and Sugar Co.'s
 Subdivision,
 Vol. 1, Pgs. 24-26, M.R.H.C.

LOT 15, BLOCK 33,
 ALAMO LAND AND SUGAR CO.'S SUBD.
 VOL. 1, PAGES 24-26, M.R.H.C.

**PROPOSED SOUTH TOWER ROAD
 PARCEL 4
 A 0.365 ACRE TRACT OF LAND
 OUT OF LOT 2, BLOCK 29,
 ALAMO LAND AND SUGAR
 COMPANY'S SUBDIVISION,
 HIDALGO COUNTY, TEXAS.
 VOLUME I, PAGES 24-26, M.R.H.C.**

SUBJECT TO:
 CENTRAL POWER AND LIGHT COMPANY
 BLANKET EASEMENT AND RIGHT OF
 WAY - dated May 21, 1952, recorded in
 Volume 747, Page 484, Deed Records,
 Hidalgo County, Texas.

PARCEL 4

OWNER: Federico Garza, Sr., and
 Federico Garza, Jr., by a Warranty
 Deed with Vendor's Lien recorded in
 Document No. 1168528, Official
 Records, Hidalgo County, Texas.

DESCRIPTION: The East 1.67-acres of
 the North 10.0-acres of Lot 2, Block
 29, Alamo Land and Sugar Company's
 Subdivision, Hidalgo County, Texas,
 according to the map thereof
 recorded in Volume I, Pages 24-26,
 Map Records, Hidalgo County, Texas.

Total acreage: 1.67 ac.
 To be acquired: 0.365 ac.
 Exist. Road Right of Way: 0.248 ac.
 Proposed Net taking: 0.117 ac.
 Remainder: 1.305 ac.
 Document: _____

The undersigned hereby certifies that
 this survey, as described hereon, was
 made on the ground and that the only
 improvements on the ground are as
 shown and that there are no visible
 encroachments, visible overlapping,
 apparent conflicts, or visible
 easements, except as shown hereon.
 This survey substantially conforms to
 the Minimum Standards of Practice as
 approved by the Texas Board of
 Professional Land Surveyors.



Plinio C. Medina

PLINIO C. MEDINA - R.P.L.S. No. 1590
 DATE: 10-08-07



HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

JOSE N. PEÑA
Director

MEMO

To: Commissioners' Court

From: Eddy Gonzalez *EJG*
Right of Way Agent

Date: February 15, 2008

Subject: South Tower Road Project
Parcel # 4 – Federico Garza, Sr. and Federico Garza, Jr.

Appraised Value	\$ 48,754.00
Settlement Demand	\$ 51,128.00
Difference	(\$ 2,374.00) ***

***See attached letter

Commissioners' Court Executive Session February 20, 2008.

[Signature] *2/20/08* Approved

Not Approved

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 #

SELLER

Federico Garza, Sr.
and as

Estate of Federico Garza, Sr.
Rt. 25, Box 5320
Mission, Texas 78572

PERMANENT MAILING ADDRESS

Rt. 25, Box 5320
Mission, Texas 78572

TRANSACTION INFORMATION

Closing Date: 07/15/08

Description of Property: (SEE ATTACHED DEED)

Contract Sales Price: \$ 51,128.00


If multiple sellers -

Request is hereby made that you allocate the sales price among the sellers

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.



Federico Garza, Jr.,

07/15/08
Date

SUBSTITUTE FORM 1099

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