



# HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

JOSE N. PEÑA  
Director

## PAY-MEMO

TO: Comm. Oscar L. Garza, Jr.  
Hidalgo County Pct. # 4  
Attn: Rumaldo Munoz, Jr. Accts. Payable

FROM: Mr. J. Benito Rodriguez  
Right Of Way Agent

Date: September 23, 2008

RE: North "I" Road Project Phase II: Parcel # 24 – R. David Cantu and wife  
Beatrice Cantu



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Comm. Garza,

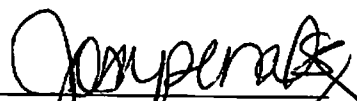
Attached, please find a copy of the unrecorded deed, copy of appraisal report, copy of settlement approval of offer, a signed 1099-S form by landowners, a copy of an executed partial lien release document and a letter from the lien holder requesting a check in the amount of \$2,373.84 be made payable to CitiMortgage, Inc. from the agreed amount of \$16,500.00 on the above-mentioned project. A check in the amount of \$14,126.16 be made payable to R. David Cantu and Beatrice Cantu, both checks will be paid from account # 8-1315-126-30-000-003-0-000 set up for this project. The Original deed will be held by the Right of Way Department and record as soon as payment to the landowner is processed. Please hold check for Agent to pick up.

Commissioner's Court approved this project for acquisition on December 19, 2000 and in closed and open session on April 3, 2007.

Should you have any questions, please feel free to contact our office

Thanks,

Approved   
Commissioner Oscar L. Garza Jr.

Approved   
Jose N. Pena, ROW Director

**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 LICENCE NUMBER.**

**Chapter 11, Sec. 11.008 Texas Property Code**

**North "I" Road Project Phase II**

Parcel: # 24

**RIGHT-OF-WAY DEED**

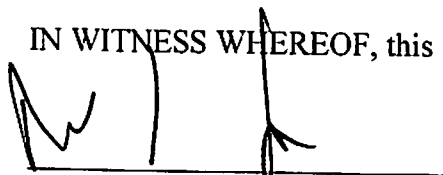
THE STATE OF TEXAS                    §  
                                                  §            **KNOW ALL MEN BY THESE PRESENTS:**  
COUNTY OF HIDALGO                 §


That, We, R. David Cantu and wife Beatrice S. Cantu, 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 Sixteen Thousand Five Hundred and No/100ths Dollars (\$16,500.00) 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.

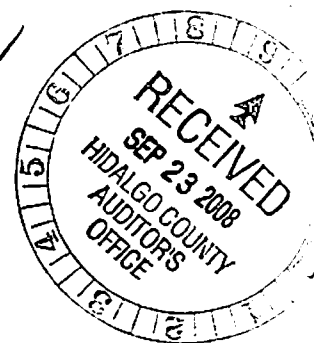
Grantors reserves all of the oil, gas and sulfur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same, however, nothing in this reservation shall affect the title and rights of the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

TO HAVE AND TO HOLD the premises 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 themselves If, there 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 01 day of August, 2008.

  
\_\_\_\_\_  
R. David Cantu

  
\_\_\_\_\_  
Beatrice S. Cantu



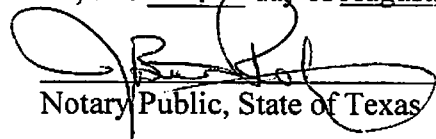
**ACKNOWLEDGMENT**

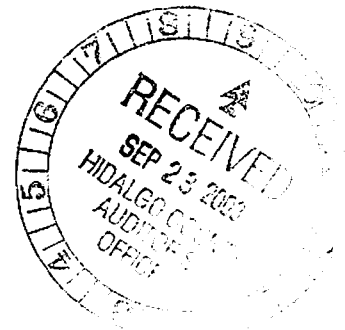
THE STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared R. David Cantu and wife Beatrice S. Cantu, known to me to be the persons whose names are 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 01 day of August, 2008.

  
\_\_\_\_\_  
Notary Public, State of Texas





# HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

JOSE N. PEÑA  
Director

## MEMO

**To:** Commissioners' Court

**From:** J. Benito Rodriguez *JBR*  
Right of Way Agent

**Date:** April 3, 2007

**Subject:** North "I" Road Project-Phase II  
Parcel # 24—R. David Cantu and spouse Beatrice Cantu

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Appraised Value	\$ 14,463.00
Settlement Demand	\$ 16,500.00 **
Difference	<u>\$ 2,037.00</u> ***

\*\*\*See attached letter

Commissioners' Court Executive Session April 3, 2007.

4/3/07 *[Signature]* Approved

\_\_\_\_\_ Not Approved

To whom it may concern,

March 27, 2007

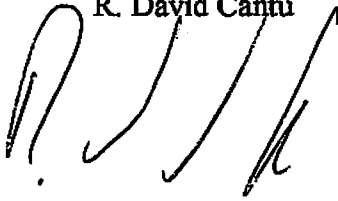
R. David Cantu and Beatrice Cantu  
3505 S. I Road  
Edinburg, Tx 78539-9157

RE: North I Road Project, Phase II  
Parcel: 24

Offer from Hidalgo County           \$14,463.00

We will settle for the amount of       \$16,500.00

R. David Cantu

A handwritten signature in black ink, appearing to read 'R. David Cantu', with a large, sweeping flourish at the end.

Beatrice Cantu

A handwritten signature in black ink, appearing to read 'Beatrice Cantu', written in a cursive style.



CitiMortgage, Inc.  
P.O. Box 9481  
Gaithersburg, MD 20898-9481  
www.citimortgage.com

September 17, 2008

Hidalgo County Right of Way Department  
Attention Jose N. Pena/ ROW Director  
509 East Earling Road  
San Juan, TX 78589

Re: Rodrigo and Beatrice Cantu  
RR 25 Box 111  
Edinburg, TX 78539  
CitiMortgage Loan Number 0004016301

Dear Mr. Pena:

This letter is in response to your request for CitiMortgage, Inc. to release its lien on a portion of the above referenced property.

The partial release has been approved conditional upon the following:

1. A principal pay-down of \$2,373.84 being applied toward the principal balance of the mortgage loan. Please make the check payable to CitiMortgage, Inc. Please send this to my attention at the address below.

Enclosed is the executed Substitution of Trustee and Partial Release of Deed of Trust document.

Under no circumstances are you or your agents to record the document without obtaining the aforementioned principal pay-down in our behalf.

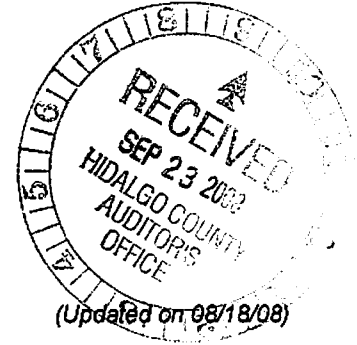
If you need further assistance regarding this partial release please contact me at 301-696-4656. When you call or write to us, please refer to the loan number referenced above.

Sincerely,

Jaimie Wiles  
CitiMortgage, Inc.  
5280 Corporate Dr Dept 0251  
Frederick MD 21703

Enclosure

**REAL ESTATE APPRAISAL REPORT**  
**TEXAS DEPARTMENT OF TRANSPORTATION**



Address of Property:	Located along the west side of I road, just south of the intersection of I Road and Wisconsin Road, Edinburg, Texas.	Account:	N/A
Property Owner:	R. David Cantu & Beatrice Cantu	Parcel:	24
Address of Property Owner:	3505 South I Road, Edinburg, TX. 78539-9157	CSJ:	N/A
Occupant's Name:	R. David Cantu & Beatrice Cantu	Federal Project No:	N/A
Whole: <input type="checkbox"/>	Partial: <input checked="" type="checkbox"/>	Acquisition	Highway: "I" Road

County: Hidalgo County

**Purpose of the Appraisal**

The purpose of this appraisal is to estimate the market value of the fee simple title to the real property to be acquired, encumbered by any easements not to be extinguished, less oil, gas and sulphur. If this acquisition is of less than the whole property, then any special benefits and/or damages to the remainder property must be included in accordance with the laws of Texas.

**Market Value**

Market value is defined as follows: "Market Value is the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."

**Certificate of Appraiser**

I hereby certify that, it is my opinion the total compensation for the acquisition of the herein described property is \$14,463 as of August 18, 2008 based upon my independent appraisal and the exercise of my professional judgment; on August 3, 2006, & August 18, 2008 (date)(s), I personally inspected in the field the property herein appraised; I afforded R. David Cantu & Beatrice Cantu, the property owner or the representative of the property owner, the opportunity to accompany me at the time of the inspection.

The comparables relied upon in making said appraisal were as represented by the photographs contained in the appraisal report and were inspected on September 29, 2006 (date)(s), I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of the, County of Hidalgo, Texas Department of Transportation or officials of the Federal Highway Administration until authorized by State officials to do so, or until I am required to do so by due process of law or until I am released from this obligation by having publicly testified to such findings; and, my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result or the occurrence of a subsequent event.

I certify to the best of my knowledge and belief that the statements of fact contained in this report are true and correct; the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions; I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved; and, my analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the appropriate State laws, regulations, and policies and procedures applicable to the appraisal of right of way for such purposes, and that to the best of my knowledge no portion of the value assigned to such property consists of items which are noncompensable under the established law of said State,

and any decrease or increase in the fair market value of subject real property prior to the date of valuation caused by the public improvement other than that due to the physical deterioration within the reasonable control of the owner has been disregarded in estimating the compensation for the property.

\_\_\_\_\_  
Appraiser Signature - Leonel Garza III

\_\_\_\_\_  
State Certified General Real Estate Appraiser - TX 1328375-General  
Certification Number

\_\_\_\_\_  
August 18, 2008  
Date

To the best of my knowledge, the value does not include any items which are not compensable under the State law.	
_____ District Reviewing Appraiser	_____ Date

**FOR AUDITOR'S OFFICE USE ONLY!**

**AGENDA**  
**(continuation – Budget & Management)**

**PAGE 10**

**APRIL 03, 2007**

- M. Approval of interdepartmental transfer from County Wide Administration to County Clerk Department in the amount of \$65,225.00. – **APPROVED!**
  - N. Approval to appropriate \$21,893.93 for the Bail Bond Board. Funds will be unreserved from acct. 7-1100-250-10-000-008-0-000. – **APPROVED!**
  - O. Approval of 2007 appropriation of funds for Precinct 1 Parks in the amount of \$33,855.50. (1211) – **APPROVED!**
  - P. Approval of 2007 appropriation for Precinct 1 Paved & Unpaved Roads (1201) in the amount of \$8,899.82. – **APPROVED!**
  - Q. IT Dept.-Justice Crt. Tech.:  
Approval of 2007 appropriation of funds for (1242) Justice Court Technologies in the amount of \$100,000.00. – **APPROVED!**
  - R. Approval of interfund transfer from County Wide Administration (1100) to Court Reporter Fund (1239) in the amount of \$10,050.00. – **APPROVED!**
22. **Closed Session:**  
Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:
- A. Real Estate Acquisition
  - B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project
  - C. Pending and/or potential litigation
  - D. M- 05-082; Jorge Alberto Martinez v. Eduardo Garcia, individually, Eduardo Garcia, Then Deputy, Accomplice Adrian Padilla, Accomplice Maria Asusana Padilla, Accomplice Belinda Padilla & Hidalgo County Sheriff's Department Insurance
23. **Open Session:**
- A. Real Estate Acquisition – **APPROVED! (North "I" Road Parcel appraisal \$14,626)**
  - B. Consultation with Attorney on litigation associated with New Adult Detention Facility & Law Enforcement Center Project – **NO ACTION!**
  - C. Pending and/or potential litigation – **NO ACTION!**
  - D. M- 05-082; Jorge Alberto Martinez v. Eduardo Garcia, individually, Eduardo Garcia, Then Deputy, Accomplice Adrian Padilla, Accomplice Maria Asusana Padilla, Accomplice Belinda Padilla & Hidalgo County Sheriff's Department Insurance – **APPROVED!**  
**(Exempt from competitive bidding; engage Atlas & Hall)**
24. **Closed Session:**  
Commissioners' Court may reconvene into Closed Session for the discussion regarding the agenda items listed
25. **Open Session:**  
Commissioners' Court may reconvene into Open Session for the discussion regarding the agenda items listed
26. **Adjourn**