SUBDIVISION PLAT OF:

# MONTE ALTO ACRES PHASE V

A 30.00 ACRE TRACT OF LAND OUT OF LOTS 9 AND 16, BLOCK 63, MISSOURI-TEXAS LAND AND IRRIGATION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 29, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 3158, PAGE 366, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

METES AND BOUNDS

A 30.00 ACRE TRACT OF LAND OUT OF LOTS 9 AND 16, BLOCK 63, MISSOURI-TEXAS LAND AND IRRIGATION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 29, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 3158, PAGE 366, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A COTTON PICKER SPINDLE SET ON THE EAST LINE OF LOT 9 AND WITHIN THE RIGHT OF WAY OF F.M. 1015 FOR THE NORTHWEST CORNER OF THIS TRACT, SAID SPINDLE BEARS S 00°00'00"E, 200.00 FEET FROM THE NORTHEAST CORNER OF LOT 9;

THENCE: S 00°00'00"E, ALONG THE EAST LINE OF LOTS 9 AND 16, AND WITHIN THE RIGHT OF WAY OF F.M. 1015 (MILE 2 WEST ROAD), A DISTANCE OF 990.00 FEET TO A COTTON PICKER SPINDLE SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE: N 89°40'00"W, PASSING A 1/2" IRON ROD FOUND AT 30.00 FEET FOR THE WEST POINT OF WAY LINE OF F.M. 1015, A TOTAL DISTANCE OF 1,320.00 FEET TO A 1/2" IRON ROD FOUND ON THE WEST LINE OF LOT 16 FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE: N 00°00'E, ALONG THE WEST LINE OF LOTS 9 AND 16, A DISTANCE OF 990.00 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4858 SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE: S 89°40'E, PASSING A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4858 SET AT 1,290.00 FEET FOR THE WEST POINT OF WAY LINE OF F.M. 1015, A TOTAL DISTANCE OF 1,320.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 30.00 ACRES OF LAND MORE OR LESS.

BEARINGS ARE AS ACCORDANCE WITH LAVERNIA ACRES No.5, RECORDED IN VOLUME 34, PAGES 73-76, MAP RECORDS, HIDALGO COUNTY, TEXAS.

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 BY ME OR UNDER MY SUPERVISION.

ALFONSO QUINTANILLA
R.P.L.S. No. 4858

6-17-08
DATE

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
P.E. No. 66834

DATE

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

I, RICHARD W. RUPPERT, AS OWNER OF THE 30.00 ACRE TRACT OF LAND DESCRIBED HEREIN THE PREVIOUS ... SHOWN HEREON, DO HEREBY DEDICATE TO PUBLIC USE THE STREETS, PARKS, AND EASEMENTS SHOWN HEREON.

I CERTIFY THAT I HAVE COMPLIED WITH THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE §212.010 AND THAT:

(A) THE WATER QUALITY AND CONNECTIONS TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS;
(B) SEWAGE CONNECTIONS TO THE LOTS OR SEPTIC TANKS MEET, OR WILL MEET, THE MINIMUM REQUIREMENTS OF STATE STANDARDS;
(C) ELECTRICAL CONNECTIONS PROVIDED TO THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS; AND
(D) GAS CONNECTIONS, IF AVAILABLE, PROVIDED TO THE THE LOTS MEET, OR WILL MEET, THE MINIMUM STATE STANDARDS.

I ATTEST THAT THE MATERIAL ASSERTED IN THIS PLAT ARE TRUE AND COMPLETE.

RICHARD W. RUPPERT
P.O. BOX 189
EDINBURG, TX. 78539

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, the undersigned notary public, on this day personally appeared RICHARD W. RUPPERT, 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 and that the contents and acknowledged that he executed the same for the purposed and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20__.

CYNTHIA A. GUTIERREZ
Notary Public, State of Texas
My Commission Expires
December 13, 2010

CYNTHIA A. GUTIERREZ, NOTARY PUBLIC

HIDALGO COUNTY
CERTIFICATE OF PLAT APPROVAL
UNDER LOCAL GOVERNMENT CODE § 232.0025(a)

WE THE UNDERSIGNED CERTIFY that this plat of the MONTE ALTO ACRES PHASE V was reviewed and approved by the Hidalgo County Commissioners Court on _____

Hidalgo County Judge — date

ATTEST:
Hidalgo County Clerk — date

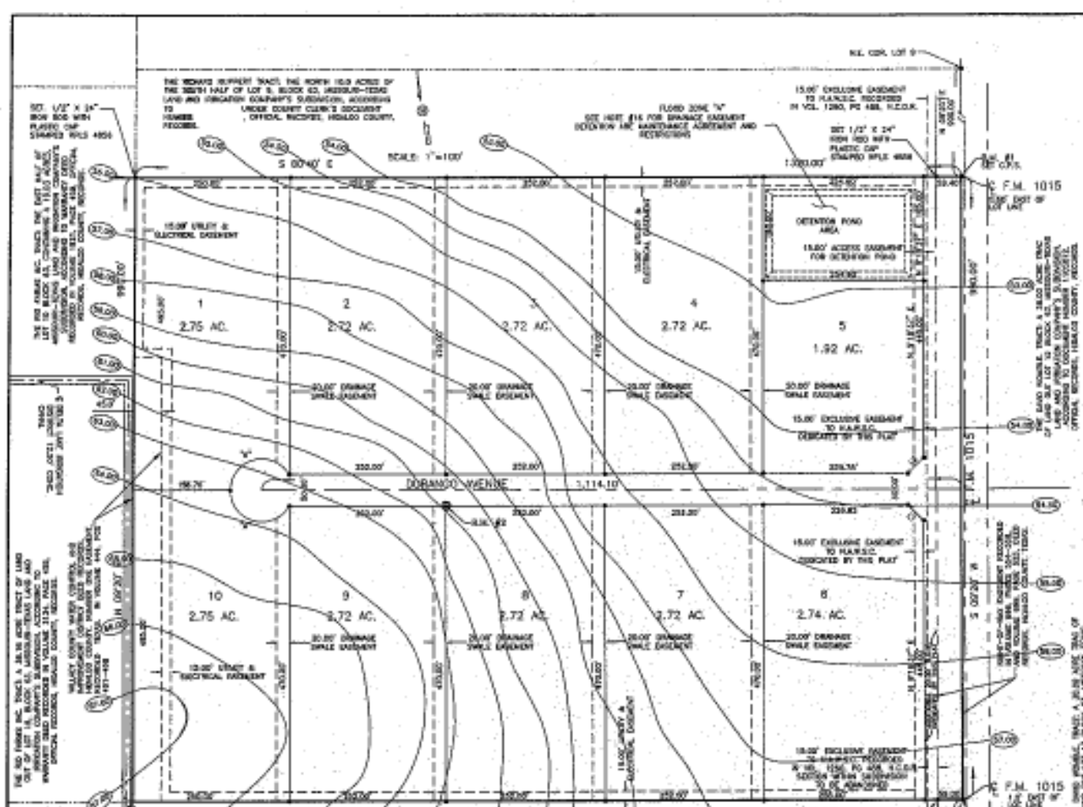
THIS PLAT IS APPROVED BY DELTA LAKE IRRIGATION DISTRICT ON THIS ____ DAY OF _____, 20__.

SECRETARY — PRESIDENT

NOTE:
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE NO. 49.211(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES, DESIGNS, AND APPROACHES FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

_____
_____
By: _____




| CURVE DATA TABLE | | | |
|---|---|---|---|
| CURVE | Δ | RADIUS | LENGTH |
| "A" | 116°00'00" | 50.00' | 120.63' |

| LINE DATA TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L1 | S 32°40'00" E | 25.00' |
| L2 | S 54°20'00" W | 25.00' |

INDEX OF SHEETS

SHEET 1:– HEADING INDEX: LOCATION MAP AND ITS PRINCIPAL CONTACTS MAP, LOT, STREETS, AND EASEMENT LAYOUT, DESCRIPTION NOTES AND REGISTERED ENGINEER AND SURVEYOR CERTIFICATION, PLAT OWNER AND PLAT ENGINEER OWNER'S DEDICATION CERTIFICATION, ATTESTATION COUNTY CLERK RECORDING CERTIFICATE, R.O.D.S. No. 1 AND CITIES LAKE IRRIGATION DISTRICT, HIDALGO COUNTY H.C.W. AND HEALTH NOTE CERTIFICATION REVISION NOTES

SHEET 2:– ENGINEERING REPORT, INCLUDING DESCRIPTION OF WATER AND WASTE WATER/CODE AND ENGINEER'S CERTIFICATION (DRAINAGE AND SPECIFIC VETERINARY REVISION NOTES)

SHEET 3:– DRAINAGE REPORT INCLUDING DESCRIPTION OF DRAINAGE, MAP OF EXPOSEMENT OF DRAINAGE, AND ENGINEERING CERTIFICATION, REVISION NOTES.

LOCATION MAP
SCALE: 1" = 4000'

PLAT NOTES AND RESTRICTIONS:

1.– FLOOD ZONE CLASSIFICATION:
FLOOD ZONE DESIGNATION ZONE "X"
AREA DETERMINED TO BE OUTSIDE 500 YEAR FLOOD-PLAIN.
FLOOD ZONE DESIGNATION ZONE "A"
AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARDS NOT DETERMINED.
COMMUNITY-PANEL No. 480334 2000 C, EFFECTIVE DATE: MAY 17, 2000 (LARGE AND SPECIAL FLOOD HAZARD AREA BY PRIVATE ENGINEER BASED ON HURRICANE GILBERT. BASE FLOOD ELEVATIONS-24.38)
CONFIRMATION OF ACCURATE FLOODING MORE THAN ONE AREA OF THE SUBDIVISION THAT IS IN THE 100-YEAR FLOODPLAIN IS PROHIBITED UNLESS THE HIGHER ELEVATION FOR ENGINEERING REPORT FOR BUILDING (FLOOD PROOFING) OUT OF LAND (AS LOCAL SECTIONS 5001 DIVISION 4127).

2.– SETBACKS:
FRONT: ..... 25.00 FEET
SIDE: ..... 20.00 FEET
REAR: ..... 0.00 FEET
OR EASEMENT WHICHEVER IS GREATER OR ALL CASES.

3.– LEGEND: ● = DENOTES 1/2" IRON ROD SET UNLESS OTHERWISE NOTED.

4.– GENERAL NOTE FOR SINGLE FAMILY RESIDENCES:
NO LARGE TRUCK AND/OR SINGLE FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT. NO COMMERCIAL USE SHALL BE ALLOWED ON ALL THE FOLLOWING PERSONAL LOTS 1-10. SAFE WATER USE SHALL REQUIRE PLANNING (REPRESENTATIVE, HEALTH DEPARTMENT) AND THE NATIONAL ARCHIVES) APPLICATIONS FOR CONSTRUCTION AND ACCURATE PRIOR TO OCCUPYING THE LOT.

5.– BENCHMARK NOTE:
THE FOLLOWING BENCHMARK IS CENTERED ON THE FACE OF THE PLAT AND ON THE ATTACHED ENGINEERING PLANS.
B.M. No. 1 ELEV.= 24.00 (U.S.G.S. DATUM) ON THE NORTHEAST CORNER OF THIS SUBDIVISION. (NAVD, 88 DATUM)
B.M. No. 2= ELEV.= 40.00 LOCATED ON 1/2" IRON ROD SET IN CONC. W/ CAP ON THE NORTHWEST CORNER OF LOT 5. (NAVD, 88 DATUM)

6.– MINIMUM FINISH FLOOR NOTE:
MINIMUM FINISH FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURBLINE OF STREET OR 18" ABOVE NATURAL GROUND WHICHEVER IS GREATER.
MINIMUM FOOTPRINT MAY BE REQUIRED FOR LOTS LOCATED OUTSIDE A DESIGNATED FLOOD ZONE AT THE TIME FOR APPLICATION FOR CONSTRUCTION TO VERIFY THE LOW POINT CONSTRUCTION FINISH FLOOR ELEVATIONS.
AN ELEVATION CERTIFICATE SHALL BE REQUIRED FOR ALL
LOTS WITHIN A DESIGNATED FLOOD ZONE AT THE TIME FOR A CONSTRUCTION PERMIT APPLICATION.

7.– DRAINAGE:
IN ACCORDANCE WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 AND HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 REGULATIONS, THE LOTS REQUIRED TO DETAIN A TOTAL OF 20,000 CU. FT. (0.460 AC. FT.) OF ... ACRE FEET OF STORM WATER RUNOFF. DRAINAGE RETENTION IS ACCORDANCE WITH THE LOCAL REGULATORY PLAN WILL ACCOMPLISHED AS FOLLOWS:
SEE DRAINAGE REPORT OR SHEET No.3.

8.– DRAINAGE SWALE EASEMENTS NOTE:
ALL PLAT DRAINAGE STRUCTURES SHALL BE ALLOWED WITHIN ANY DRAINAGE SWALE EASEMENT. EACH DRAINAGE SWALE EASEMENT SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS, AND OTHER OBSTRUCTIONS THAT MAY OBSTRUCT THE FLOW OF WATER IN THE DRAINAGE SWALE EASEMENT. THE LOT OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE SWALE.

9.– NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT.
EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, TREES, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW LYING TURF OR INCHES NATURE FEATURE) GROUND COVER) THAT MAY INTERFERE WITH THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.

10.– THERE ARE NO WATER WELLS WITHIN 150 FEET FROM THE BOUNDARIES OF THIS SUBDIVISION.

11.– NON-SITE SEWAGE FACILITIES (SSF) NOTE:
EAC SUBDIVISION SHALL USE ON-SITE SEWAGE FACILITIES IN ACCORDANCE WITH TCEQ AND HIDALGO COUNTY REGULATIONS FOR SEWAGE DISPOSAL.
THE SUBDIVIDER IS RESPONSIBLE FOR PROVIDING AN SSF ON ALL LOTS.
A. SSF SHALL BE SINGLE FAMILY RESIDENTIAL DWELLING UNIT ONLY. A SEPARATE BUILDING SHALL BE SUBMITTED FOR COMMERCIAL AND MULTI-FAMILY USE.
B. EACH LOT ON THIS PLAT COMPLIES WITH THE MINIMUM STATED SQUARE FEET LOT AREA WITH POTABLE WATER SUPPLY.
C. SSF SYSTEM SHALL REQUIRE INSPECTION AND APPROVAL BY HIDALGO COUNTY AUTHORIZED DEPARTMENT.
D. SOIL ANALYSIS HAVE BEEN SUBMITTED TO THE AUTHORIZED HIDALGO COUNTY DEPARTMENT AND DISCRIPTION MAY BE ALSO SEEN ON THE PLAT/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 ABSORPTIVE DRAINFIELD SYSTEM.
E. APPROVED "SSSF" PERMIT APPLICATION IS REQUIRED INCLUDING INDIVIDUAL LOT PLANNING SEWERAGE FARM TO OCCUPYING A LOT.

12.– SELLER NOTICE: THE OWNER & SUBDIVIDER OF MONTE ALTO ACRES PHASE V RESERVE AN EASEMENT UPON EACH LOT FOR THE PURPOSES OF INSTALLING AN APPROVED SSSF ON THE LOT AS REFERRED ON SHEET No. 3 OF THIS PLAT.

13.– EACH PURCHASE CONTRACT MADE BETWEEN A SUBDIVIDER AND PURCHASER OF A LOT IN THIS SUBDIVISION SHALL CONTAIN A SUBSTANTIAL REPRESENTATION OF THE WATER AND SEWER SERVICE, ELEVATION AND GAS SERVICES THAT WILL BE MADE AVAILABLE TO THE SUBDIVISION.

14.– ALL PUBLIC UTILITIES EASEMENTS DEDICATED BY THIS PLAT SHALL BE A MINIMUM WIDTH OF FIFTEEN FEET AS PER THE HIDALGO COUNTY CODE, SUBDIVISION RULES. BY SIGNING THIS PLAT DEVELOPER AND ENGINEER CERTIFY THAT ALL OTHER EASEMENTS (HIDALGO COUNTY WITH THE SIZE REQUIRED BY EACH UTILITY PROVIDER DOCUMENTS AND EASEMENT.

15.– AN SITE-STREET PARKING LOT SITE PLAN & DRAINAGE PLAN APPROVAL BY THE HIDALGO COUNTY PLANNING DEPARTMENT SHALL BE REQUIRED FOR CONSTRUCTION PRIOR TO THE ISSUANCE OF A BUILDING AND/OR DEVELOPMENT PERMIT AND PRIOR TO LOT SUBMISSION SHALL BE ISSUED UNTIL THE SITE PLAN, DRAINAGE PLAN AND SITE PLAN ARE APPROVED AND THE DRAINAGE PLAN IS CONSTRUCTED AND ACCEPTED IN ACCORDANCE WITH COUNTY AND STATE STANDARDS.

16.– NO PERMANENT STRUCTURES, EXAMPLE, FENCES OF ANY CONSTRUCTION WILL BE ALLOWED TO BE CONSTRUCTED OF EXIST ON ANY DISTRICT EASEMENT OR RIGHT OF WAY WITHOUT WRITTEN APPROVAL OF THE DISTRICT. ANY UNAUTHORIZED STRUCTURE IN THE EASEMENT AREA IS SUBJECT TO REMOVAL.

17.– LOTS 3 & 5 SHALL NOT HAVE ACCESS/DRIVEWAY ONTO F.M. 1015.

18.– ALL LOTS IN MONTE ALTO ACRES PHASE V ARE HEREBY GRANTED A DRAINAGE EASEMENT WITH RESPECT TO SURFACE WATER RUN - OFF FROM ALL LOTS IN MONTE ALTO ACRES PHASE V TO THE AREA DEPICTED ON THE SUBDIVISION PLAT AS THE "DETENTION PONDS" AREA. HOME OWNERS' ASSOCIATION OF MONTE ALTO ACRES PHASE V, ITS ASSIGNS AND ANY SUBSEQUENT OWNER OF THE REAL PROPERTY DESIGNATED ON THE SUBDIVISION PLAT AS THE DETENTION PONDS AREA, ARE RESPONSIBLE FOR THE MAINTENANCE OF THE DETENTION PONDS. IF THE DEVELOPER FAILS TO PERFORM SUCH MAINTENANCE ON THE DETENTION PONDS AREA, THE OWNER'S ASSOCIATION, CONSISTING OF ALL THE LOT OWNERS OF LOTS IN MONTE ALTO ACRES PHASE V, HAVING OWNER'S ASSOCIATION WAS CREATED IN THE RESTRICTIVE COVENANTS EXECUTED IN CONJUNCTION WITH THE APPROVAL OF THE SUBDIVISION PLAT, AND RECORDED IN THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, HAS THE RESPONSIBILITY FOR ADDITIONAL SUCH MAINTENANCE. BUT THE OWNER'S ASSOCIATION MAY SEEK REIMBURSEMENT FOR MAINTENANCE COSTS AND ANY ENFORCEMENT COSTS FROM THE DEVELOPER, THE COUNTY OF HIDALGO, IDAHO ("COUNTY"), HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 ("DRAINAGE DISTRICT") AND / OR THE OWNERS' ASSOCIATION, MAY ENTERTAIN THIS PLAT NOTE BY INJUNCTION OR ANY OTHER REMEDY PROVIDED BY LAW, AND THE COUNTY AND / OR THE DRAINAGE DISTRICT ARE ALSO ENTITLED TO RECOVER ALL ENFORCEMENT COSTS AND / OR MAINTENANCE COSTS FROM THE OWNERS' ASSOCIATION. IN THE EVENT THE DEVELOPER PROVIDES THE COUNTY AND THE DRAINAGE DISTRICT WRITTEN EVIDENCE, IN A FORM ACCEPTABLE TO THE COUNTY AND THE DRAINAGE DISTRICT, IN ITS SOLE AND ABSOLUTE DISCRETION, THAT THE DETENTION PONDS AREA DEPICTED ON THE SUBDIVISION PLAT ARE NO LONGER NECESSARY FOR DRAINAGE OF THE LOTS COMPRISING MONTE ALTO ACRES PHASE V BECAUSE AN ALTERNATE DRAINAGE SYSTEM, CONSTRUCTED AND MAINTAINED BY A PHYSICAL SUBDIVISION IN ACCORDANCE WITH ALL APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS, IS FULLY OPERATIONAL AND ACTUALLY SERVICING ALL THE LOTS IN MONTE ALTO ACRES PHASE V, THE COUNTY AND THE DRAINAGE DISTRICT IS HEREBY GRANTED THE RIGHT AND THE AUTHORITY ( AND EACH LOT OWNER, BY THE ACCEPTANCE OF A DEED TO LOT IN MONTE ALTO ACRES PHASE V ACKNOWLEDGES AND AGREES THAT THE COUNTY AND THE DRAINAGE DISTRICT HAS THE RIGHT AND AUTHORITY ), TO RELEASE THE DRAINAGE EASEMENT BURDENING THE DETENTION PONDS PURSUANT TO THIS PLAT NOTE, BY AN INSTRUMENT IN WRITING RECORDED IN THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

REVISION NOTES

| No. | Date | Description | Drawn | Approved |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

HIDALGO COUNTY
CERTIFICATE OF PLAT APPROVAL

I, THE UNDERSIGNED, CERTIFY THAT THIS PLAT OF ( _____ ) WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY RIGHT OF WAY DEPARTMENT ON _____

HIDALGO COUNTY RIGHT OF WAY DIRECTOR — DATE

HIDALGO COUNTY
CERTIFICATE OF PLAT APPROVAL

I, THE UNDERSIGNED, CERTIFY THAT THIS PLAT OF ( MONTE ALTO ACRES PHASE V ) WAS REVIEWED AND APPROVED BY THE HIDALGO COUNTY HEALTH DEPARTMENT ON _____

HIDALGO COUNTY ASSISTANT CHIEF SANITARIAN — DATE

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 transferees ( hereinafter called "Grantor"whether one or more persons are referred), in consideration of one dollar ($1.00) and other good and valuable consideration paid by North Alamo Water Supply Corporation, (hereinafter called "Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby grant, transfer, and convey unto the said Grantee, its successors, and assigns, an exclusive perpetual easement with the right to erect, construct, install and thereafter use, operate, inspect, repair, maintain, 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 and 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 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 shall cause an a public road and the city, county or state hereafter widens or relocates the public road so as to require the relocation of the water line on Grantee's, Grantee further agrees to license an additional easement over and across the land shown on this plat for the purpose of locating mains, and water line as may be 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 as 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 grant shall constitute an easement for the benefit 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 was obtained 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__.

RICHARD W. RUPPERT

FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUAJARDO, JR.
HIDALGO COUNTY CLERK

ON: _____ AT _____ AM/PM
INSTRUMENT NUMBER _____
RECORDED IN VOLUME _____ PAGE _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

PRINCIPAL CONTACTS:

| | Name | Address | City & Zip | Phone | Fax |
|---|---|---|---|---|---|
| OWNER: | RICHARD W. RUPPERT | P.O. BOX 189 | EDINBURG, TX. 78539 | (956) 383-8888 | (956) 383-3301 |
| ENGINEER: | ALFONSO QUINTANILLA | 124 E. STUBBS | EDINBURG, TX. 78539 | (956) 381-6450 | (956) 381-0827 |
| SURVEYOR: | ALFONSO QUINTANILLA | 124 E. STUBBS | EDINBURG, TX. 78539 | (956) 381-6450 | (956) 381-0827 |

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

MONTE ALTO ACRES PHASE V IS LOCATED IN EAST HIDALGO COUNTY ON THE WEST SIDE OF F.M. 1015 AND APPROXIMATELY 990.00 FEET NORTH OF MILE 21 NORTH ROAD. THE ONLY NEARBY MUNICIPALITY IS THE CITY OF EDINBURG. ACCORDING TO THE OFFICIAL MAP IN THE OFFICE OF THE SECRETARY OF THE CITY OF EDINBURG (POPULATION 43,021), MONTE ALTO ACRES PHASE V IS APPROXIMATELY 3.75 MILES FROM THE CITY LIMITS AND IS NOT WITHIN THE CITY'S TWO-MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) UNDER LOCAL GOVERNMENT CODE 42.021, USD 84 FOR, No.1.

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS · LAND SURVEYORS
124 E. STUBBS ST.
EDINBURG, TEXAS 78539
PHONE 956-381-6450
FAX 956-381-0827

| SHEET NO. 1 OF 3 SHEETS | REVISION - FOR DRAFTING USE ONLY | | | COUNTY USE ONLY |
|---|---|---|---|---|
| | DATE REVISED | REVISED BY | REVIEWED BY | APPROVED BY |
| | 06-17-2008 | | | |
| | JOB NUMBER | SCALE BY | DRAWN BY | APPROVED BY |