



## HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

JOSE N. PEÑA  
Director

### *PAY-MEMO*

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

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

DATE: December 3, 2008

RE: San Carlos Drainage Improvements Project  
Kaylen Heights Unit # 3

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Comm. Garza,

Attached please find a copy of an executed License Agreement, copy of settlement offer approved by Commissioners' Court and a signed 1099-S form by the land owner Norma Mijares on the above-mentioned project. A check in the amount of \$2,400.00 needs to be made payable to Norma Mijares from your Precinct # 4 Account No. \_\_\_\_\_ set it for this project.

Commissioners' Court approved this project on November 12, 2008 and in open and closed executive session on December 2, 2008.

Should you have any questions, please feel free to call.

Approved \_\_\_\_\_  
Comm. Oscar L. Garza Jr.

Approved   
Jose N. Pena, ROW Director

STATE OF TEXAS           §  
  §  
COUNTY OF HIDALGO   §

LICENSE AGREEMENT

THIS AGREEMENT is made this 2 day of December, 2008 by and between Norma Mijares its duly authorized owner, whose address is 111 Grace LN, Edinburg, Tx, 78539, Texas hereinafter called **Licensor**, and the Hidalgo County, acting by and through the Hidalgo County Commissioners Court, whose address is 100 East Cano Street, Edinburg, Texas, hereinafter referred to as **Licensee**.

RECITALS

Licensors are the owners of those certain tracts or parcels of land, hereinafter referred to as the Parcel, which is more fully described in Exhibit "A" which is attached hereto and incorporated herein for any and all purpose.

Licensee intends to occupy all or portions of the Parcel for the purpose of storing drainage construction materials, equipment, vehicles, backhoes, water pumps, and spoil on said Parcel.

Licensor has agreed to allow Licensee access to the Parcel described on Exhibit "A" for the limited purpose and upon the terms and conditions herein expressed.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that Licensor for and in consideration of the sum of Two Thousand Four Hundred and 00/100) Dollars (\$2,400.00) and other good and valuable consideration to them in hand paid by the Hidalgo County, the receipt and sufficiency of which is hereby acknowledged and confessed, have agreed and by these presents agree to extend to Licensee the right and privilege to enter upon the Parcel herein described for the sole purposed herein stated. The right and privilege of entry is conditioned strictly upon the following terms and conditions:

1. The right and privilege of entry shall extend to Hidalgo County and any contractor entering by and through Hidalgo County for the sole purpose of performing any of the work contemplated by this Agreement. Any further attempt to assign this license will terminate the license without notice.
2. The right and privilege to terminate this agreement by either party by giving thirty (30) days notice to the other party. This Agreement shall extend from the Effective Date of this Agreement for six (6) months and at the expiration of six (6) months shall have the option to extend for an additional six (6) months.
3. Licensee shall be solely responsible for restoring the land to it's original stage and any damages to the Property or injury to third parties resulting from or arising from Licensee's exercise of the license under this Agreement.

Licensors:

BY: Norma Mijares  
Norma Mijares

Licensee:  
County of Hidalgo

by: [Signature]  
County Judge

**ACKNOWLEDGMENT**

THE STATE OF TEXAS

COUNTY OF HIDALGO

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

Given under my hand and seal of office, this 2 day of December, 2008.



[Signature]  
Notary Public, State of Texas

**ACKNOWLEDGMENT**

THE STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Juan D. Salinas, County Judge, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and consideration therein expressed.

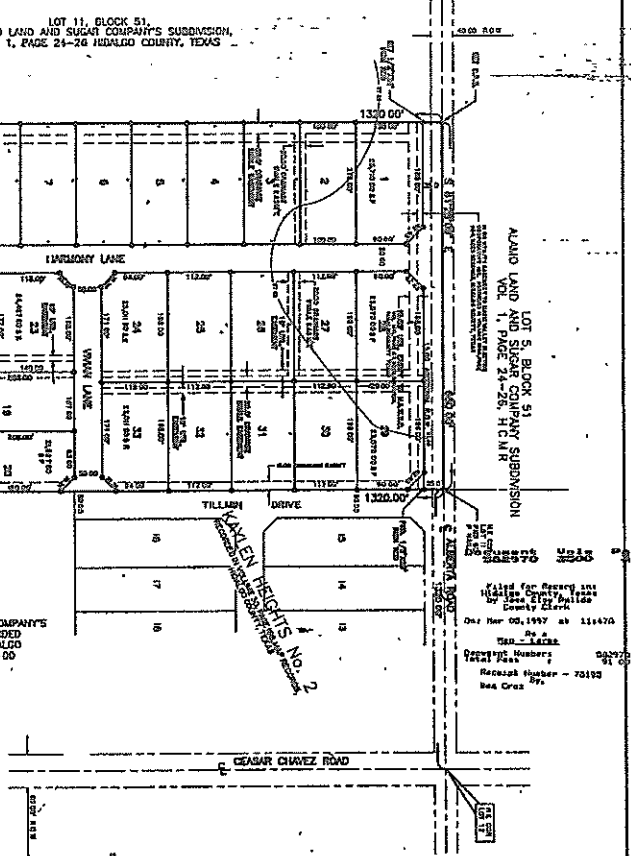
Given under my hand and seal of office, this 2 day of December, 2008.



[Signature]  
Notary Public, State of Texas

KAYLIEN HEIGHTS NO. 3

BEING A SUBDIVISION OF THE EAST 20.00 ACRES OF LOT 11, BLOCK 51, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, HUIDALGO COUNTY, TEXAS, ACCORDING TO THE DEED RECORDED IN VOLUME 1419, PAGE 1006, DEED RECORDS - HUIDALGO COUNTY, TEXAS, AND EXCEPT THE SOUTH 235.00 FEET OF THE EAST 335.00 FEET THEREOF.



THE JACK CREER TRACT THE SOUTH 20.00 ACRES OF LOT 12, BLOCK 51, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 1419, PAGE 1006, DEED RECORDS - HUIDALGO COUNTY, TEXAS, SAVE AND EXCEPT THE SOUTH 235.00 FEET OF THE EAST 335.00 FEET THEREOF.

Table with 4 columns: ROAD, LOCATION, DISTANCE, and OTHER. Includes entries for ALAMO ROAD, HATFIELD LANE, WYMAN LANE, and TILLMAN DRIVE.

NOTES: 1. THIS SUBDIVISION IS BEING OFFERED FOR SALE BY THE ALAMO LAND AND SUGAR COMPANY... 2. THE ALAMO LAND AND SUGAR COMPANY... 3. THE ALAMO LAND AND SUGAR COMPANY...

APPROVED FOR RECORDING... QUINTANILLA, HEADLEY AND ASSOCIATES, INC. CONSULTING ENGINEERS AND LAND SURVEYORS 124 E. STUBBS ST., DALLAS, TEXAS 75202 PH (214) 351-4445

NOTES: 1. THIS SUBDIVISION IS BEING OFFERED FOR SALE BY THE ALAMO LAND AND SUGAR COMPANY... 2. THE ALAMO LAND AND SUGAR COMPANY... 3. THE ALAMO LAND AND SUGAR COMPANY...

EXHIBIT "A"

Various stamps and signatures at the bottom of the page, including a circular seal and several handwritten signatures.

To whom it may concern,

It is my understanding my property, lot 12 of Kaylen Hts. Subdivision, is being considered to be used for storing construction equipment, materials and vehicles for the proposes of constructing a drainage system for the surrounding area that includes Kaylen Hits. I have been approached by the County's Right of Way Agents and been offered an amount of \$1,000.00 for a period of six month with an option for more time if needed.

I have discussed this matter with my ex-husband and have agreed to lease it for the amount of \$2,400.00 for a period of 6 months as discussed.

Sincerely,

*Noora Mizar*




# HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

## MEMO

JOSE N. PEÑA  
Director

**To:** Commissioners' Court

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

**Date:** December 2, 2008


**Subject:** San Carlos Drainage Improvements Project: Kaylen Hts.  
License Agreement- Norma Mijares

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Approved Value By CC	\$ 1,500.00
Settlement Demand	\$ 2,400.00 **
Difference	<u>\$ 900.00</u> ***

\*\*\*See attached letter

Commissioners' Court Executive Session December 2, 2008.

 12/2/08 Approved

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

- 6. **Presentation for consideration, discussion, acceptance, and approval of Work Authorization No. 2 in the amount of \$82,124.00 for the "South Tower Estates Subdivision" with R. Gutierrez Engineering to provide engineering services to Hidalgo County Precinct No. 2 in connection with Contract No. 008-381-09-16.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

**D. Pct. 3**

- 1. **Requesting approval of plans and specifications developed and drafted by project architect Alcocer Garcia Associates Design Consulting for Hidalgo County Precinct No. 3- "Construction and Site improvements of Meeting Hall/Pavilion" (RFB No. 2008-406-12-17-MSS)**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

**E. Pct 4**

*11/12/08*

- 1. **Request for consideration, discussion and authorization to proceed with, including, but not limited to the following:**  
**(A) request title reports, appraisals and approval to negotiate possible acquisition;**  
**(B) to enter into a license agreement with lot #12, of Kaylen Heights #3 with legal owner in the amount of \$1,500.00 for Drainage Improvements Project #2008-446-DIP-4.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval on items A & B.

- 2. **Presentation for consideration, discussion, and approval of Work Authorization #1 in the amount of \$ 99,095.00 with QUINTANILLA, HEADLEY & ASSOCIATES, INC. to provide "surveying services" in connection with Contract No. C-08-433-11-04 - "PAVED/UN-PAVED ROAD CONSTRUCTION/DRAINAGE PROJECTS" (on an as needed basis) for (SAN CARLOS DRAINAGE IMPROVEMENTS) within Hidalgo County Precinct No.4**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

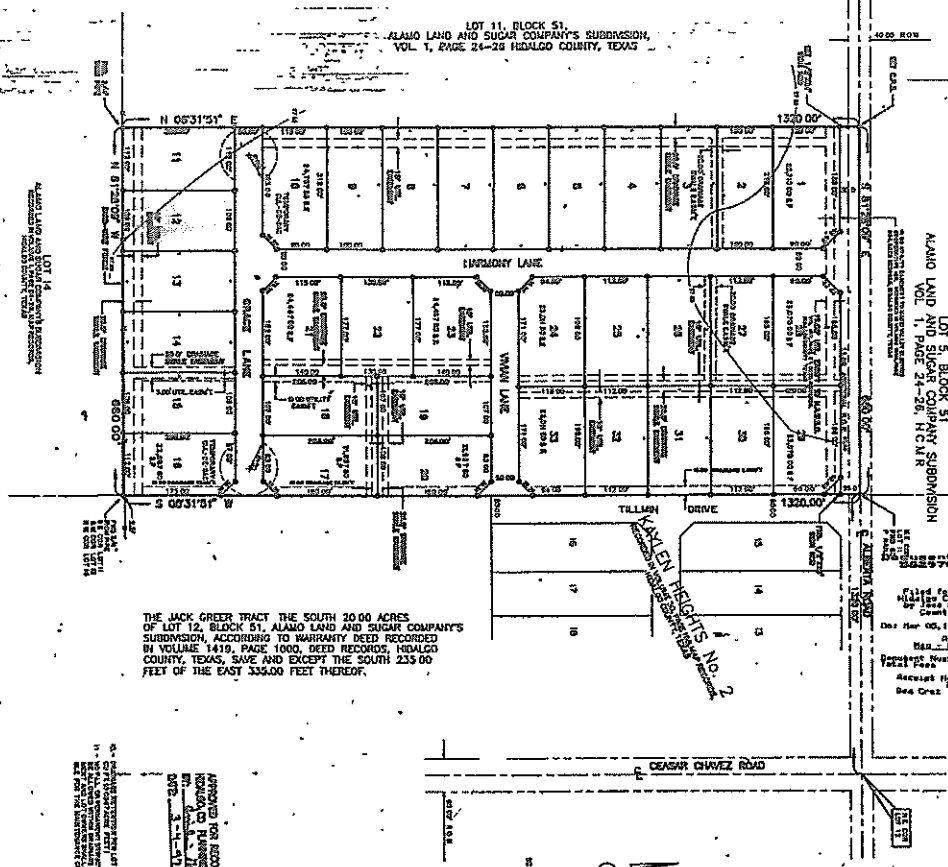
**F. Buildings & Grounds**

- 1. **Presentation for discussion, consideration and approval to award proposal received (through Hidalgo County's membership/participation with state, cooperative purchasing programs or interlocal awarded jobs or construction services vendors) from Clean Air Solutions for the provision of labor, materials and related accessories, to include but not limited to Retrofit to Mechanic Shop for use of Elections Department in an amount not to exceed \$240,000.00 under project #2008-300-11-06-MSS.**

On motion of Commissioner Flores, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

LOT 5, BLOCK 51, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, VOL. 1, PAGE 24-25, H.C.N.R.

LOT 11, BLOCK 51, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, VOL. 1, PAGE 24-25, HEDLGO COUNTY, TEXAS



THE JACK GREER TRACT THE SOUTH 20.00 ACRES OF LOT 12, BLOCK 51, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 1419, PAGE 1000, DEED RECORDS, HEDLGO COUNTY, TEXAS, SAVE AND EXCEPT THE SOUTH 235.00 FEET OF THE EAST 335.00 FEET THEREOF.

KAYLEN HEIGHTS NO. 3

BEING A SUBDIVISION OF THE EAST 20.00 ACRES OF LOT 11, BLOCK 51, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, HEDLGO COUNTY, TEXAS, ACCORDING TO THE MAP ON PAGE THREE RECORDED IN VOLUME 1, PAGES 24-25, DEED RECORDS, HEDLGO COUNTY, TEXAS.

1. BE THE LAND SURVEY OF KAYLEN HEIGHTS NO. 3, BEING THE EAST 20.00 ACRES OF LOT 11, BLOCK 51, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, HEDLGO COUNTY, TEXAS, ACCORDING TO THE MAP ON PAGE THREE RECORDED IN VOLUME 1, PAGES 24-25, DEED RECORDS, HEDLGO COUNTY, TEXAS.

Table with 4 columns: NAME, DIMENSION, AREA, and REMARKS. It lists various lots and their corresponding measurements.

tabbles EXHIBIT "A"

QUINTANILLA, HEADLEY AND ASSOCIATES, INC. CONSULTING ENGINEERS AND LAND SURVEYORS 124 E. STIVERS ST., DUNWORTH, TEXAS 76839 TEL (817) 231-5400

APPROVED FOR RECORDATION

NOTES: 1- THIS SURVEY WAS MADE BY THE SURVEYOR ON THE GROUND AND BY THE USE OF THE FOLLOWING DATA...

APPROVED FOR RECORDATION: [Signatures and stamps]

1. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK OF HEDLGO COUNTY, TEXAS, AND HAS FOUND NO RECORDS OF ANY OTHER SURVEY...