

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

SPECIAL WARRANTY DEED

DATE: February 24, 2009

GRANTOR: HIDALGO COUNTY, TEXAS

GRANTOR'S MAILING

ADDRESS (including county): 100 E. Cano
Edinburg, Texas 78539
Hidalgo County, Texas

GRANTEE: The State of Texas, for the use and benefit of the
Department of State Health Services

GRANTEE'S MAILING

ADDRESS (including county): 1100 West 49th Street
Austin, Texas 78756
Travis County, Texas

CONSIDERATION:

Ten Dollars and other good and valuable consideration paid by the Grantee named above, including improvements of the property described below for the public's use as a hospital facility known as the Hidalgo County Primary Care and Substance Abuse Facility (Facility), the receipt and sufficiency of which are acknowledged by Grantor.

PROPERTY (including any improvements):

That certain real property being more particularly described on Exhibit "A" which is attached hereto and incorporated herein for all purposes.

The Property is conveyed to Grantee in fee simple for so long as the Property is owned by Grantee and is used for public purposes as a hospital facility known as the Hidalgo County Primary Care and Substance Abuse Facility, including design, construction, and operation of the Facility, and if the Property is used for any other purpose or is conveyed to another party other than the state agency responsible for construction of the Facility, it shall automatically revert to and be owned by Grantor without the necessity of any further act on the part of Grantor, it being the intent of Grantor to convey a fee simple determinable estate to Grantee.

The Property is conveyed subject to all mineral leases, covenants, reservations, easements, discrepancies in boundary, encroachments, restrictions, statutes, ordinances or exceptions affecting the Property.

Grantor, for the Consideration and subject to the Reservations from and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from and Exceptions to Conveyance and Warranty.

GRANTEE, BY ITS ACCEPTANCE HEREOF, ACCEPTS THE PROPERTY IN ITS PHYSICAL CONDITION AS OF THE DATE HEREOF, AS IS, WHERE IS AND WITH ALL FAULTS, AND ACKNOWLEDGES THAT IT HAS NO RECOURSE WHATSOEVER AGAINST GRANTOR WITH RESPECT TO THE PROPERTY. GRANTEE FURTHER ACKNOWLEDGES AND AGREE THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATION, WARRANTY OR COVENANT OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESSED OR IMPLIED, WITH RESPECT TO THE PHYSICAL CONDITION, USE OR USEFULNESS OF THE PROPERTY OR ANY PORTION THEREOF, AND (1) GRANTOR HEREBY EXPRESSLY DISCLAIMS ANY AND ALL IMPLIED WARRANTIES, INCLUDING, WITHOUT LIMITATION, IMPLIED WARRANTIES OF CONDITION, MERCHANTABILITY, HABITABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND (2) GRANTOR HEREBY DISCLAIMS ANY REPRESENTATION OR WARRANTY WITH REGARD TO COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS, OR REQUIREMENTS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO THE HANDLING, GENERATING, TREATING, STORING OR DISPOSING OF ANY HAZARDOUS WASTE OR SUBSTANCE.

When the context requires, singular nouns and pronouns include the plural.

HIDALGO COUNTY, TEXAS

By: _____
Juan de Dios ("J.D.") Salinas, III,
Hidalgo County Judge

ATTEST:

Arturo Guajardo, Jr.
Hidalgo County Clerk

ACCEPTED AND AGREED:

By: _____
Name: _____
Title: _____

STATE OF TEXAS, for the use and benefit of the
DEPARTMENT OF STATE HEALTH SERVICES

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

This instrument was acknowledged before me on _____, 2009, by Juan de Dios ("J.D.") Salinas, III, Hidalgo County Judge of HIDALGO COUNTY, TEXAS, in the capacity therein stated.

Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on _____, 2009, by _____, _____, for and on behalf of the STATE OF TEXAS, for the use and benefit of the DEPARTMENT OF STATE HEALTH SERVICES, in the capacity therein stated.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Stephen L. Crain
Atlas & Hall, L.L.P.
P. O. Box 3725
McAllen, Texas 78502-3725

Exhibit (A)

METES AND BOUNDS

HIDALGO COUNTY PRIMARY CARE AND SUBSTANCE ABUSE FACILITY FIFTY FOOT ACCESS EASEMENT

A 0.436 ACRE TRACT OF LAND OUT OF MULTI-PURPOSE FACILITY FOR PRECINCT No.4 SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED IN VOLUME 2990, PAGE 579, 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 1/2" IRON ROD FOUND ON THE NORTH RIGHT OF WAY LINE OF F.M. 2128 AND ON THE EAST LINE OF MULTI-PURPOSE FACILITY FOR PRECINCT No.4 SUBDIVISION FOR THE SOUTHEAST CORNER OF THIS TRACT, SAID ROD BEARS NORTH, 50.00 FEET FROM THE SOUTHEAST CORNER OF MULTI-PURPOSE FACILITY FOR PRECINCT No.4 SUBDIVISION.

THENCE; N 89°52'W, ALONG THE NORTH RIGHT OF WAY LINE OF F.M. 2128, A DISTANCE OF 50.00 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET FOR THE SOUTHWEST CORNER OF THIS TRACT.

THENCE; NORTH, A DISTANCE OF 379.88 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET FOR THE NORTHWEST CORNER OF THIS TRACT.

THENCE; EAST, A DISTANCE OF 50.00 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE EAST LINE OF THE MULTI-PURPOSE FACILITY FOR PRECINCT No.4 SUBDIVISION FOR THE NORTHEAST CORNER OF THIS TRACT.


THENCE; SOUTH, ALONG THE EAST LINE OF THE MULTI-PURPOSE FACILITY FOR PRECINCT No.4 SUBDIVISION, A DISTANCE OF 380.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.436 OF AN ACRE OF LAND MORE OR LESS.

BEARINGS ARE IN ACCORDANCE WITH MULTI-PURPOSE FACILITY FOR PRECINCT No.4 SUBDIVISION, RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS, HIDALGO COUNTY, TEXAS.

THE PROPERTY DESCRIBED IN THIS METES AND BOUNDS MAY BE SUBJECT TO THE SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION.

I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THE ABOVE METES AND BOUNDS TO BE TRUE AND CORRECT, AND TO BE THE REPRESENTATION AND RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION.

DATE PREPARED: April 15, 2008


ALFONSO QUINTANILLA
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4856



THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

**TITLE REPORT
NO. 2990579**

Prepared For: **HIDALGO COUNTY PURCHASING DEPARTMENT**

ATTENTION: **MS. OLGA T. MONTERO**

Project Name: { **"PRIMARY CARE AND SUBSTANCE ABUSE"** }

C/o Quintanilla, Headley & Associates, Inc
 Mr. Alfonso Quintanilla, RPLS

TAX ACCOUNT NUMBER: M7020-00-000-0000-00

I, **Jorge A. López**, hereby certify that after a careful search of the records and files in the office of **LandTitleUSA, INC.** formerly, **HIDALGO COUNTY ABSTRACT & TITLE CO., INC.**, and **THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS**, affecting title to the following described tract of land situated in Hidalgo County, Texas to-wit:

THE RECORDS SHOW THE FOLLOWING:

DESCRIPTION: All of **MULTI-PURPOSE FACILITY FOR PRECINCT NO. 4 SUBDIVISION**, being a subdivision out of a **13.30 acre tract** of land out of **Lot Fifteen (15), Section (245)** of the **TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY** of lands in Hidalgo County, Texas, according to the map thereof recorded in **Volume 27, Page 181, Map Records**, Hidalgo County, Texas.

TITLE APPEARS TO BE VESTED IN: **HIDALGO COUNTY, TEXAS**
 13504 W. Pavillion Dr.
 Sun City West, AZ 85375

Warranty Deed dated October 30, 1990, recorded in Volume 2990, Page 579, Official Records, Hidalgo County, Texas, from Oscar L. Garza and Leo Longoria, d/b/a GARZA LONGORIA CATTLE COMPANY, To: COUNTY OF HIDALGO, TEXAS.
{See copy hereto attached}

HIDALGO COUNTY PURCHASING DEPARTMENT

PG. 2

Title Report No. 2990579

SUBJECT TO THE FOLLOWING:

Easements and reservations as may appear upon the recorded map of said subdivision recorded in **Volume 27, Page 181, Map Records** of Hidalgo County, Texas.

{See copy hereto attached}

Subdivision regulations of the County of Hidalgo and/or Ordinances or governmental regulations of the City in which the property may be located or holding extra-territorial jurisdiction of said property.

Rights, rules, regulations easements and Liens in favor of **HIDALGO COUNTY IRRIGATION DISTRICT NO. ONE**

{See copy of map hereto attached}

Warranty Deed dated **October 18, 1935**, recorded in **Volume 379, Page 596, Deed Records**, Hidalgo County, Texas, from **Mrs. James McLeod**, To: **THE STATE OF TEXAS**.

{a strip of land 50 feet wide off of the South side of Lot 15, Block 245, Tex-Mex}

Irrigation Easement reserved in favor of **HIDALGO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE (1)**, as reserved in Deed with Reservation of Right of Way recorded in **Volume 519, Page 167**; and in **Volume 593, Page 498, Deed Records**, Hidalgo County, Texas.

{See copies hereto attached}

Right-of-Way Easement dated **May 24, 1973**, recorded in **Volume 1411, Page 614, Deed Records**, Hidalgo County, Texas, from **Garza-Longoria Cattle Company**, TO: **NORTH ALAMO WATER SUPPLY CORPORATION**.

{See copy hereto attached}

Utility Easement dated **April 13, 1992**, recorded in **Volume 3242, Page 201, Official Records**, Hidalgo County, Texas, from **The County of Hidalgo, Texas**, to: **CENTRAL POWER AND LIGHT COMPANY**.

{Re: a 10 foot wide Utility Easement}

As of the 27TH. Day of February 2008, at 5:00 o'clock P.M.

SOUTH TEXAS LAND INVESTIGATIONS

114 NORTH 12TH. STREET, EDINBURG, TEXAS 78539

PHONE NO.: (956) 383-1657

FAX NO.: (956) 380-1497

E-MAIL: users@landtitleusa.com


JORGE A. LOPEZ Title Examiner

(PHUB CERTIFICATE NO.: 2458135981700)