



HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

JOSE N. PEÑA
Director

MEMORANDUM

To: Commissioners' Court

From: Danny Guzman *D.G.*
Right of Way Agent

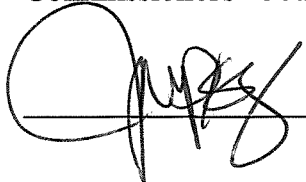
Date: September 22, 2009

Subject: Cesar Chavez Drainage Project
Parcel # 1-B – Thelma Garcia

Appraised Value	\$ 30,345.00
Settlement Demand	\$ 31,000.00 **
Difference	\$ <u>655.00</u> **

**See attached letter

Commissioners' Court Executive Session September 22, 2009.

 Approved

Not Approved

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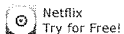
Hi, Danny Sign Out Account Info All-new Mail Help

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What's New? Mobile Mail Options

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- Inbox (38)
- Drafts (5)
- Sent
- Spam (253) [Empty]
- Trash [Empty]

Thelma Trevino

Wednesday, September 16, 2009 10:36 AM

From: "anselmo trevino" <atrevin449@yahoo.com>
To: dannyguzman65@yahoo.com

Dear Mr. Guzman,
I recieved your offer and after carefull consideration I believe I would sell the my property for thirty one thousand dollars (\$31,000). If you agree, please let us proceed with this transaction. Thank you. I await your response.

Chat & Mobile Text [Show]
I am Available
Settings

Thelma Trevino
1240 Cesar Chavez Rd
Alamo, TX 78516

My Folders [Add - Edit]

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REAL ESTATE APPRAISAL REPORT

TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: Located along the eastern frontage of District Pharr

 Cesar Chavez Road, Hidalgo County, ROW CSJ: N/A

 Texas.

Property Owner: Thelma Garcia Parcel: 1B

 Address of Property Owner: 212 Martha Street Weslaco, Texas Federal Project No: N/A

 78596

Occupant's Name: Thelma Garcia

 Whole: Partial: Acquisition Highway: Cesar Chavez Drainage County: Hidalgo

 Project

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.

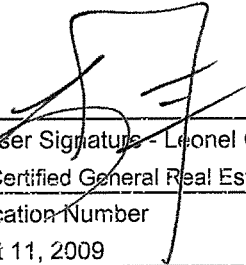
Market Value

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 \$30,345 as of July 8, 2009, based upon my independent appraisal and the exercise of my professional judgment; on July 8, 2009, I personally inspected in the field the property herein appraised; I afforded Thelma Garcia, 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 August 7, 2009, 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 or officials of the Federal Highway Administration until authorized by County 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 11, 2009

 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

Certificate of Appraisal

This appraisal report conforms to the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation. The subject property was analyzed utilizing the Cost Approach to value which is a Sales Comparison Approach to the subject as if vacant and includes the estimated depreciated market value of real estate improvements located within the part to be acquired. This is further explained within each section of the appraisal report.

Identification of Client & Intended User of Appraisal Report

The client for this report is identified as Hidalgo County Precinct No. 2 under the direction of Honorable Hidalgo County Commissioner Hector "Tito" Palacios. Commissioner Palacios and others which would be involved with the acquisition of said proposed right-of-way. The part to be acquired is for the expansion and improvement of an existing drainage canal with the project limits: Being an area of land located between Eldora Road and Sioux Road , from Cesar Chavez Road to east of Alamo Road, in Hidalgo County, Texas.

The intended use of the report is to assist Danny Guzman, Right-of-Way Agent and others involved with the project, for future negotiations of acquiring a portion of said property as fee simple in the name of the County of Hidalgo. This report is not intended for any other use, unless specified by the client. The clients have identified that the report shall be a limited restricted appraisal report, which is to conform with the ROW-A-6 Form Rev. 7/2004. The intended user of the report is defined as Hidalgo County Precinct No. 2 and may include other governmental entities which may be participating in the project. Danny Guzman is the right-of-way agent of which has a local office located at 2401 N Moorefield Road, Mission, Texas. Danny Guzman, Right-of-Way Agent of the Hidalgo County Right-of-Way Department, shall be the project manager for this project under the direction of Commissioner Hector "Tito" Palacios. Mr. Guzman can be contacted at (956) 283-8134.

Scope of the Assignment

By work order date July 7, 2009, on behalf of Hidalgo County Precinct No. 2, Danny Guzman, requested for Leonel Garza Jr. & Associates LLC to prepare an appraisal report of the part to be acquired as described by survey and metes and bounds created by R. Gutierrez Engineering Corporation located at 130 E. Park Avenue, Pharr, Texas. The scope of the assignment is to appraise the area as fee simple, to be acquired as indicated by the survey as of the date of on-site or off-site inspection as permitted by the owner of record. Market sales within the market area and comparable market areas are to be identified and analyzed for comparability and for their reliability in determining the estimated market value of the subject property. The comparables have been collected, confirmed and analyzed with respect to comparability to the subject property. These comparable sales were gathered through various sources which included the Greater McAllen Multiple Listing Service, local Realtors & Brokers, Real Estate Appraisers, and conversations with various owners along the project. The appraisal report shall indicate the current market value of the subject property as per date of on-site and or off-site inspection. This inspection is limited by the permissibility of the subject owner as per date of report. A copy of a certified letter of intent to inspect said property is located within the addenda of this appraisal report. In the event an on-site inspection was not permitted, the appraiser continued the inspection off-site along existing road right of way.

Purpose of the Appraisal Report

This appraisal is prepared for the purpose of estimating the current market value of the fee simple estate of the subject property in order to determined the value of the proposed right-of-way to be acquired by the Hidalgo County Precinct No. 2, as defined within this report. This appraisal does not include any enhancement in value resulting from items of intangible personal property such as marketing and management skill, an assembled work force, working capital, trade names, franchises, patents, trademarks, contracts, leases (mineral and or ground lease), or operating agreements and project influence (if any exist). The area to be acquired may contain personal property items and or real estate items, which may be compensable for the purpose of right-of-way acquisition only. These items deemed compensable shall be included within the body of the report and itemized for clarity. Any improvements not located within the part to be acquired and outside of the permissibility of inspection as defined by the subject owner, shall be given a stated value based on the assessment established by the corresponding Appraisal District and or by off-site estimation by appraiser as they are not affected by the acquisition.

Property Rights Appraised

The property rights being appraised in this report consist of the fee simple estate of the subject property. Fee Simple Estate is defined by the Dictionary of Real Estate Appraisal, Fourth Edition, copyright 2002, page 113, by the Appraisal Institute as being: "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

Accessibility To Subject Property

The owner of record of the subject property, as per the Hidalgo County Appraisal District was sent a letter of intent to inspect the subject property. The letter afforded the property owner the opportunity to accompany the appraiser during the on or off-site inspection of the subject property. A copy of the certified letter is located within the addenda of this report. In the event no written or verbal permission was granted to the office of Leonel Garza Jr. & Associates LLC prior to date of inspection, the inspection proceeded off-site along existing road right-of-way. The property owner shall reserve the right to contact this office after the date of inspection for an additional on-site inspection in their presence.

Analysis of Subject As A Whole

A survey of the property owners entire tract was not performed as the part to be acquired incorporates a portion of land located along southern property boundary of the subject property and does not affect the remainder of the tract in the remainder after state. As per scope of the assignment, the subject property shall be analyzed based on the combined information of several sources including, the survey provided, on-site and or off-site inspection, personal interviews, and information gathered from the local appraisal district. The property was analyzed based on the whole property less any existing road right-of-way. Based on the inspection of the subject property and the evaluation of the subject as a whole, the remainder shall not be affected by the part to be acquired and therefore shall not be included within the valuation of this report.

Economic Unit Analysis

The subject property shall be analyzed based on a 5.0 acre tract of land as described by survey. Any existing road right-of-way indicated along Cesar Chavez Road shall be excluded as per scope of the assignment. The area for the subject property as a whole is indicated as per survey provided by R. Gutierrez Engineering Corporation dated July 6, 2009. The comparable sales used for the analysis of the subject property as whole and as the partial acquisition indicated a range of economic units of 1.6667 acres to 7.68 acres. These indicated economic unit values are used for the valuation of the proposed acquisition as the part to be acquired does constitute an economic unit. Therefore, the pro-rata part of the whole is applied as the market valuation of the whole.

Part To Be Acquired

The proposed acquisition is comprised of fee land in which the net land area to be acquired is 0.884 acres (38,507 square feet) of which 0.017 acres (741 square feet) of which is in a Hidalgo County Drainage District No. 2 drainage ditch easement. Therefore, the net fee land area to be acquired is 0.867 Acres. The proposed acquisition is located east of Cesar Chavez Road. The proposed acquisition, which is the subject of this report, shall be evaluated as a whole as determined by the approaches to market value selected. The subject shall be valued based on the highest and best use as a residential use tract of land, which is based on the local market trends along Cesar Chavez Road. This highest and best use is further explained on page 1.4 of this report.

To Be Acquired (Net)	0.867 Acres
	37,767 S.F.

Legal Description of the Part To Be Acquired

Being a 0.884 acre tract of land out of a 5.0 acre tract out of the Lot 16, Block 44, Alamo Land & Sugar Company's Subdivision, Hidalgo County, Texas as recorded in Volume 1, Page 24-26, Map Records, Hidalgo County, Texas.

Remainder Before and After Acquisition

The remainder before and after the acquisition is defined as the partial acquisition subtracted from the whole property which is described as the subject property. It is determined at the time of appraisal whether or not damages to the remainder are caused by the proposed part to be acquired. The highest and best use of the subject property before and after the proposed partial acquisition is analyzed to determine whether or not the use of the subject property will be altered as a result of the proposed part to be acquired. After a review of the remainder after the acquisition, no damages to the remainder were indicated.

Property Tax Information

This appraiser has examined the property tax information indicated by the Hidalgo County Appraisal District (HCAD) as of the date of appraisal and has found that the subject property is under the ownership of Thelma Garcia. The part to be acquired was identified as the subject whole property which contained tax identification no. A1800-00-044-0016-00. The subject property, which is a residential use tract of land, is assessed at \$101,490 with building and improvements indicated to be \$100,737. The property taxes for the subject appear to be current; however, further research with the Hidalgo County Tax Office shall be required to confirm any outstanding tax liabilities attributable to the subject property.

General Site Assessment Statement

This appraiser has made an off-site inspection of the subject property, and no obvious adverse environmental concerns or potentially hazardous materials were observed. This appraiser is not qualified to make a detailed environmental study and highly recommends that an inspection be made by a qualified environmental engineer if an environmental concerns exists. Leonel Garza Jr. & Associates LLC has performed this appraisal report under the hypothetical condition and extraordinary assumption that the subject property has not experienced any adverse environmental concerns which may influence its marketability and or value. A survey of the remainder of the subject property was not provided nor necessary due to the acquisition size of the partial acquisition. The extraordinary assumption that no adverse easements nor encroachments are located within the subject property which would affect the value of the whole. The subject property was observed that the property is generally level and typical of the surrounding market area. No severe low lying areas were observed, however, this appraiser is not an engineer and cannot certify to the topography nor drainage of the subject property.

Utility Services Available

The subject property is located in a region, which contains, water, water wells, electricity, and phone service, which is typical of the market area.

Identification of Personal Property

As per scope of the assignment, no personal property located within the proposed right-of-way and the remainder before and after the taking shall be included for compensation, unless it was determined by the appraiser that these item shall be affected or damaged by the proposed taking. In the event the selected items are determined to be compensable, then they shall be included within the cost approach section of this report. A value which shall be either the cost to cure and or the cost of replacement shall be delineated for each item for clarity.

Current Listing Status

Based on the off-site inspection of the subject property no visible "For Sale" signs were located on-site indicated the subject property listed for sale. Additional research was conducted with local Realtor's® Multiple Listing Services and the subject property was not listed.

Estimated Marketing Time Period

The indicated marketing period is based on the marketing periods of the comparable sales used in the Sales Comparison Approach and the surrounding sales found. Based on the research performed, a twelve (12) to twenty-four month (24) marketing time period appears to be adequate. This time period was selected after a review of multiple land sales within the Edinburg, San Juan and Alamo markets. The analysis included the indicated "DOM" Days on Market as shown on the McAllen Multiple Listing Service which provides local Realtors an avenue to advertise properties located in the Rio Grande Valley, with its primary focus on properties within Hidalgo County.

Exposure Time

Exposure time is defined as the "length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal." Based on research performed within the market area, an indicated twelve (12) to twenty-four month (24) exposure time is indicated for the subject property. This was estimated based on current and past listings located within the market area which were reviewed during our sales search for comparables similar to the subject property.

Statement of Highest & Best Use

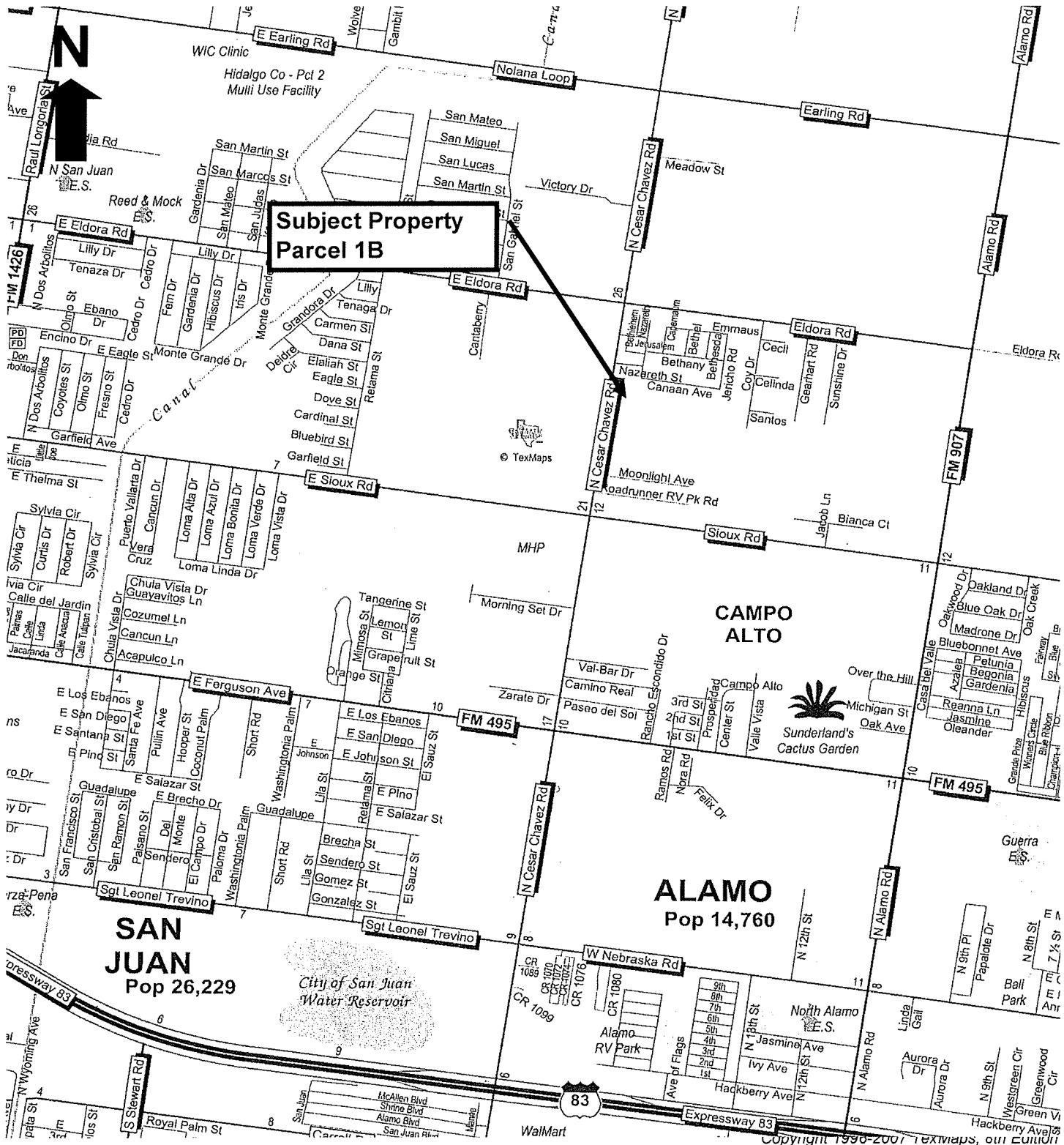
The subjects highest and best use as if vacant and as improved is indicated for continued residential use. This type of use is concurrent with the recent trends located along Cesar Chavez Road within Hidalgo County and nearby municipalities to the project including the City of Edinburg and the City of Alamo. This highest and best use is based on the determined economic unit of the subject property as whole which is being acquired in the name of the County of Hidalgo, Texas.

When a property is evaluated, the highest and best use must always be considered. In the current case, the highest and best use of the whole is determined to be for residential use based on several factors. Factors taken into consideration are defined by The Dictionary of Real Estate Appraisal, Fourth Edition, copyright 2002, page 135, by the Appraisal Institute as being: "The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and there results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."

The scope of the assignment is to evaluate the subject property as a whole, part to be acquired and the remainder before and after the acquisition, excluding project influence as required by Standards Rule 1-4(f) under the Jurisdictional Exception provision as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). The highest and best use is analyzed for each of these scenarios as each parcel shall be evaluated before and after the proposed acquisition if applicable. In order to determine the highest and best use, research was performed within Hidalgo County with the corresponding municipalities located near the subject property. Since the subject lies within the jurisdiction of the County of Hidalgo, Texas municipal zoning ordinance restrictions are not applicable to the subject as per date of appraisal. This office shall evaluate the subject properties based on the continuing trend along Cesar Chavez Road and should continue its use before and after the proposed right-of-way acquisition. Therefore, the highest and best use of single family residential "as if vacant" and "as improved" would therefore be legally permissible as of the date of this report.

The financial feasibility and maximally productive use of the subject property is based on the growth trends along Cesar Chavez Road include agricultural, grazing, residential, and small retail developments. Based on the stable growth along Cesar Chavez Road and nearby Eldora Road and Sioux Road, it is estimated that the subject can be financially feasible to contain residential use "as if vacant" and "as improved". This determination of financial feasibility and productivity is also attributed to the remainder before and after the acquisition which will not be affected nor damaged as a result of the part to be acquired. After careful review of the four approaches to the highest and best use test, it is concluded that the subject property "as if vacant" and "as improved" shall be for continued residential use. This conclusion is correlated to the subject property as a whole and selected economic unit.

LOCATION MAP OF SUBJECT PROPERTY



AERIAL PHOTOGRAPH OF SUBJECT PROPERTY



AERIAL PHOTOGRAPH OF SUBJECT

(Closer View of Subject Property)



NOTE: SUBJECT PROPERTY AS A WHOLE IS ESTIMATED AND DEPICTED BY THE RED DASHED LINE. THIS INCLUDES THE PART TO BE ACQUIRED WHICH IS OUTLINED IN YELLOW. COMPLETE SURVEY OF SUBJECT AS A WHOLE WAS NOT PROVIDED BY R. GUTIERREZ ENGINEERING CORPORATION. AND IS ESTIMATED BASED ON INFORMATION GATHERED DURING THE INSPECTION OF THE SUBJECT PROPERTY OR THE HIDALGO COUNTY APPRAISAL DISTRICT.

FIELD NOTES OF PART TO BE ACQUIRED (Page 1 of 1)

EXHIBIT "A"

COUNTY: HIDALGO

Eng08.024K

June 9, 2009

DITCH: Cesar Chavez Road Drainage Lateral

Parcel 1B

Page 1 of 2

PROJECT LIMITS: From Cesar Chavez Rd. to 1320' East to Alamo Road

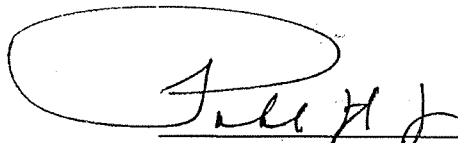
FIELD NOTES FOR PARCEL – 1B

Being a 0.884-acre tract of land out of the South 5.0-acres of the North 10.0-acres of Lot 16, Block 44, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24~26, Map Records of Hidalgo County, Texas. Said 5.0-acre tract of land is vested to Thelma Garcia from Dale L. Jeske and wife, Janet Y. Jeske, by virtue of a Warranty Deed with Vendor's Lien, dated April 13, 1994, recorded in Document No. 381421, Official Records of Hidalgo County, Texas. Said 0.884-acre tract of land being more particularly described by metes and bounds as follows;

Commencing at a 5/8" iron pipe found at the Northeast corner of Lot 16, **THENCE**, South 08 degrees 34 minutes 07 seconds West, with the East line of Lot 16, a distance of 165.00 feet to a No. 4 rebar set at the Northeast corner of said 5.0-acre tract, for the Northeast corner and the **POINT OF BEGINNING** of this tract of land;

1. **THENCE**, South 08 degrees 34 minutes 07 seconds West, with the East line of said Lot 16, a distance of 50.00 feet to a No. 4 rebar set at the Proposed South Right of Way line of Cesar Chavez Road Drainage Lateral, for the Southeast corner of this tract of land;
2. **THENCE**, North 81 degrees 25 minutes 53 seconds West, with said Proposed South Right of Way Line, a distance of 770.00 feet to a No. 4 rebar set at the Proposed West Right of Way line of said Cesar Chavez Road Drainage Lateral, for the Southwest corner of this tract of land;
3. **THENCE**, North 08 degrees 34 minutes 07 seconds East, with said Proposed West Right of Way line, a distance of a 50.00 feet to a No. 4 rebar set at the North line of said 5.0-acres, for the Northwest corner of this tract of land;
4. **THENCE**, South 81 degrees 25 minutes 53 seconds East, with the North line of said 5.0-acres, a distance of 770.00 feet to the **POINT OF BEGINNING**, containing 0.884 acres of land, of which 0.017-acres lies in the Existing Hidalgo County Irrigation District No. 2 Irrigation line Easement, leaving a **Proposed Net Taking** of 0.867-acres of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify the above metes and bounds are true and is the result of an actual survey performed on the ground under my direction.


PABLO SOTO JR. – R.P.L.S.
Date: 7/6/09



PHOTOGRAPHS OF SUBJECT PROPERTY

Parcel No.: 1B

Local Address: Located along the eastern frontage of Cesar Chavez Road, Hidalgo County, Texas.

Date Taken: July 8, 2009

Taken By: Leonel Garza III

1. Point from which taken: Photo 1: Adjacent Property
Photo 2: Adjacent Property

Looking: Photo 1: Eastern View
Photo 2: Eastern View



Photo 1
Eastern view of the subject property.



Photo 2
Eastern view of the part to be acquired taken from adjacent property.

2. Point from which taken: Photo 3: Adjacent Property
Photo 4: Cesar Chavez Road

Looking: Photo 3: Eastern View
Photo 4: Southern View



Photo 3
Additional view of the part to be acquired.



Photo 4
Southern view of Cesar Chavez Road.

DESCRIPTION OF PROPERTY:

The subject property, as a whole, is a 5.0 acre residential use tract of land located along the eastern side of Alamo Road in the County of Hidalgo, Texas. According to the survey provided by R. Gutierrez Engineering Corporation, dated June 6, 2009, the part to be acquired is approximately 0.884 acres (38,507 square feet) gross located along the eastern most property boundary of the subject whole property. This area includes 0.017 acres (741 square feet) of land indicated to be a 30' Hidalgo County Irrigation District No. 2 Easement. As such, the Field Notes and Survey provided indicate a 0.867 acre (377,767 Square Feet) of net land to be acquired. Based on the area indicated by the survey provided the subject of this report shall be utilized as the economic unit of the subject property for valuation. This land area currently in fee simple shall be calculated at 100% of the unit value derived from the sales comparison approach as if vacant. This is performed in order to determine the unit value for the proposed acquisition for the purchase of said tract in the name of the County of Hidalgo, Texas

AREA OR NEIGHBORHOOD ANALYSIS:

The subject neighborhood along Cesar Chavez Road, South of El Dora Road, is a mixture of single family homes, single family residential developments and agricultural uses. Leonel Garza Jr. & Associates LLC has inspected the market area along Cesar Chavez Road and has found that the market contains stable growth as traffic in the immediate area along Cesar Chavez Road, Sioux Road and El Dora Road continues to increase.

SITE ANALYSIS:

Five Year Sales History:

The subject property is indicated to be under the ownership of Thelma Garcia, as indicated by survey and field notes provided by R Gutierrez Engineering Corporation. Further investigation of the subject's ownership history through the Hidalgo County Appraisal District and the Hidalgo County Clerks Office confirmed the current owner of record to be Thelma Garcia. The subject property was transferred from Dale L. Jeske & Janet Y Jeske (Grantor) to Thelma Garcia (Grantee) on April 13, 1994. The subject has been in the name of Thelma Garcia for over fifteen (15) years.

**Legal Description:
(Whole Property)**

Being a 5.0 acre tract out of the Lot 16, Block 44, Alamo Land & Sugar Company's Subdivision, Hidalgo County, Texas as recorded in Volume 1, Page 24-26, Map Records, Hidalgo County, Texas.

**Legal Description:
(Part To Be Acquired)**

Being a 0.884 acre tract of land out of a 5.0 acre tract out of the Lot 16, Block 44, Alamo Land & Sugar Company's Subdivision, Hidalgo County, Texas as recorded in Volume 1, Page 24-26, Map Records, Hidalgo County, Texas.

Improvements:

During the off-site inspection of the subject property no building improvements were indicated within the part to be acquired. The subject remainder contains a single family residential improvement with supporting site improvements. The residence shall not be affected. Any site improvements located within the proposed acquisition shall be itemized on page 5.0 of this report. Site improvements within the acquisition are valued based on their depreciated contributory cost. Any utilities located within the part to be acquired shall be relocated as an item of construction and shall not be included within the compensation of the subject property.

HIGHEST AND BEST USE ANALYSIS: Residential Use

VALUATION OF PART TO BE ACQUIRED

LAND VALUATION

Representative Comparable Sales

Subject	Comp. No. 1	Comp. No. 2	Comp. No. 3
Grantor		Hilda P. Salinas and husband, Roberto Salinas	Nahum Rodriguez and wife, Jaine V. Rodriguez
<u>Dale L. Jeske et al</u>	<u>Johnny J. Harper, Sr.</u>		
Grantee	Jaime J. Munoz, Trustee	Pablo Talavera	Ester A. Salazar
<u>Thelma Garcia</u>			
Date	July 13, 2009	January 18, 2008	May 18, 2007
<u>April 13, 1994</u>			
Unit Price	\$ 22,949 / Ac	\$ 35,999 / Ac	\$ 22,972 / Ac
<u>/ Ac</u>			
Relative Location	Inferior 30%	Inferior 30%	Inferior 10%
<u>Average</u>			
Lot Location	Inferior Tract 0%	Inferior Tract 0%	Inferior Tract 0%
<u>Interior Tract</u>			
Financing	Similar 0%	Similar 0%	Similar 0%
<u>Conventional</u>			
Conditions of Sale	Similar 0%	Similar 0%	Similar 0%
<u>Cash To Seller</u>			
Market Conditions	Similar 0%	Similar 0%	Similar 0%
<u>Average</u>			
Physical Characteristics	Similar 0%	Similar 0%	Inferior 20%
<u>Level</u>			
Available Utilities	All Municipal Utilities Available 0%	Water / Electricity / Phone (Sewer Nearby) 0%	All Municipal Utilities Available 0%
<u>Water / Electricity / Phone</u>			
Street Access / Frontage	Sioux Road East of "I" Road 0%	Sioux Road just east of Tower Road 0%	Sioux Road West of Cesar Chavez Road 0%
<u>Cesar Chavez Road</u>			
Size of Tract	7.68 Acres 0%	1.6667 Acres -25%	7.47 Acres 0%
<u>5.000 Ac</u>			
Net Adjustments	Δ 30%	Δ 5%	Δ 30%
<u></u>			
Indicated Unit Value	\$ 29,834 / Ac	\$ 37,799 / Ac	\$ 29,864 / Ac
<u></u>			
Estimated Unit Value of Fee Simple Area			\$ 35,000 / Acre
Estimated Value by Sales Comparison Approach	(0.867 Acres x \$14,250/Acre)		\$ 30,345
(Includes Part To Be Acquired Only)			

COMPARABLE DATA SUPPLEMENT

District: Pharr Parcel No.: 1B Highway: Cesar Chavez County: Hidalgo ROW CSJ N/A

Land Sale

Improved Sale

Rental Data



Grantor/Lessor: Johnny J. Harper, Sr. Grantee/Lessee: Jaime J. Munoz, Trustee
 Date: July 13, 2009 Recording Information: Doc# 2018724 Key Map: N/A
 Address: Located along the northern frontage of Sioux Road, East of "I" Road, San Juan, Texas Zip Code: 78589
 Legal Description: A 7.68 acre tract of land out of Lot 9, Block 6, John Closner et al Subdivision, Hidalgo County, Texas, according to the map recorded in Volume 0, Page 4, Map Records in the Office of the County Clerk of Hidalgo County, Texas.
 Confirmed Price \$: 176,250 Verified with: MLS# A117671s
 Terms and Conditions of Sale: Cash to Seller
 Rental Data: N/A
 Land Size: 7.68 Acres Unit Price as Vacant \$: 29,834 per acre
 Type Street: Asphalt Paved – Sioux Road Utilities: All Municipal Utilities Available
 Improvement(s) Description: None
 Improvement(s) Size: NA (GBA) NA (NRA) Unit Price as Improved \$: NA
 Condition and Functional Design: NA
 Current Use: Vacant Highest & Best Use: Single Family Residential Development
 Date of Inspection: August 7, 2009 Zoning: N/A Flood Plain:
 Attach additional information as necessary.

Appraiser: Leonel Garza III August 11, 2009
 (Typed, not signed) Date

COMPARABLE DATA SUPPLEMENT

District: Pharr Parcel No.: 1B Highway: Cesar Chavez County: Hidalgo ROW CSJ N/A

Land Sale Improved Sale Rental Data



Grantor/Lessor: Hilda P. Salinas and husband, Roberto Salinas Grantee/Lessee: Pablo Talavera
 Date: February 13, 2008 Recording Information: Doc# 1859418 Key Map: N/A

Address: Located along the southern side of Sioux Road, east of Tower Road, Alamo, Texas. Zip Code: 78516

Legal Description: A 1.6667 acres tract of land, more or less, out of the North Ten (10) Acres of Lot Three (3), Block Forty-one (41), Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 1, Page 24, Map Records of Hidalgo County, Texas.

Confirmed Price \$: 60,000 Verified with: MLS# A107139s

Terms and Conditions of Sale: Cash to Seller

Rental Data: N/A

Land Size: 1.6667 acres Unit Price as Vacant \$: 35,999 per acre

Type Street: Asphalt Paved – Sioux Road Utilities: Water, Electricity, and Phone

Improvement(s) Description: N/A

Improvement(s) Size: N/A (GBA) N/A (NRA) Unit Price as Improved \$: N/A

Condition and Functional Design: NA

Current Use: Auto Sales Yard Highest & Best Use: Single Family Residential Use

Date of Inspection: August 7, 2009 Zoning: N/A Flood Plain: N/A

Attach additional information as necessary.

Appraiser: Leonel Garza III August 11, 2009
 (Typed, not signed) Date

COMPARABLE DATA SUPPLEMENT

District: Pharr Parcel No.: 1B Highway: Cesar Chavez County: Hidalgo ROW CSJ N/A

Land Sale Improved Sale Rental Data



Grantor/Lessor: Nahum Rodriguez and wife, Jaine V. Rodriguez Grantee/Lessee: Ester A. Salazar

Date: May 18, 2007 Recording Information: Doc# 1761468 Key Map: N/A

Address: Located along the southern side of Sioux Road, west of Cesar Chavez Road, San Juan, Texas. Zip Code: 78589

Legal Description: A tract consisting of 7.47 gross acres (or 325,314 square feet), more or less, out of and forming a part of Lot Four (4), Block Thirty-nine (39), Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 1, Page 24-27, Map Records of Hidalgo County, Texas. (7.40 Acres Net)

Confirmed Price \$: 170,000 Verified with: MLS# A100415S

Terms and Conditions of Sale: Cash to Seller

Rental Data: N/A

Land Size: 7.40 acres Unit Price as Vacant \$: 22,972 per acre

Type Street: Asphalt Paved – Sioux Road Utilities: All Municipal Utilities Available

Improvement(s) Description: N/A

Improvement(s) Size: N/A (GBA) N/A (NRA) Unit Price as Improved \$: N/A

Condition and Functional Design: NA

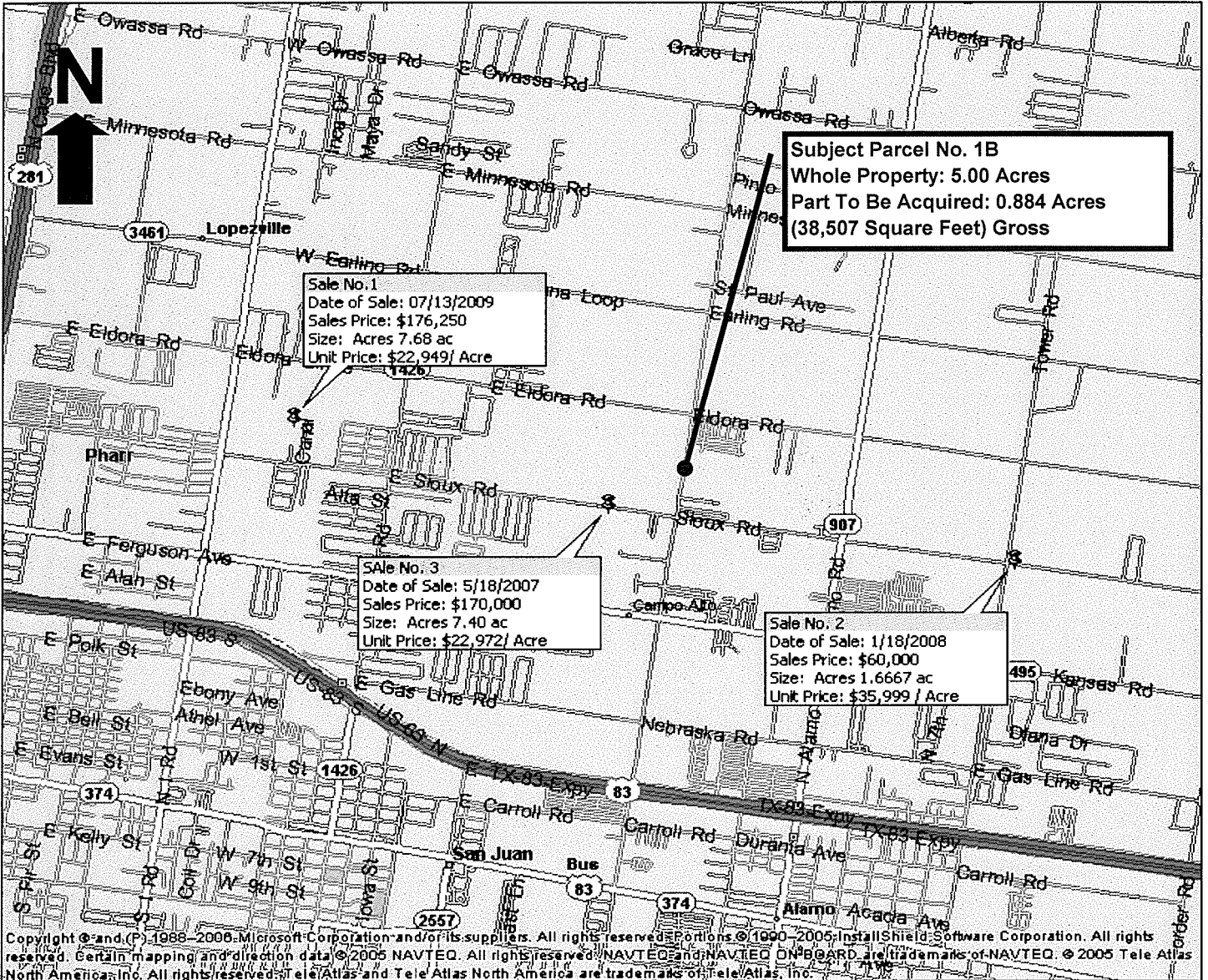
Current Use: Vacant Highest & Best Use: Single Family Residential Development

Date of Inspection: August 7, 2009 Zoning: N/A Flood Plain: N/A

Attach additional information as necessary.

Appraiser: Leonel Garza III August 11, 2009
(Typed, not signed) Date

COMPARABLE SALES MAP



Explanation of Adjustments with Reconciliation:

During the analysis of the acquisition area, the value for the subject property as a whole or economic unit was determined. This determination of market value is utilized for the valuation of the proposed acquisition which is a pro-rata part of the whole. The local market and extended market was searched for comparable sales of which contained similar frontage along Cesar Chavez Road and other similar and intersecting thoroughfares. Each of the sales utilized are located within Hidalgo County and are the most comparable located in the market place of which all information pertinent to the transaction could be verified. Several sales were located within this parameter of which had occurred within the past three years. Three sales were selected which were the most comparable to the subject property and required the least number of adjustments. The following three comparable sales were reviewed for location, available utilities, financing, site utility, topography and other factors of which the real estate market shall recognized for the purchase of said tracts.

Sale No. 1 is located along the northern frontage of Sioux Road, east of "I" Road within San Juan, Texas. The property was purchased for \$176,250 for 7.68 acres which equates to a unit rate of \$22,949 per acre. The sale is located in an area inferior to the subject as such an upward adjustment of +30% was indicated. Due to the sales similar lot location, financing, marketing conditions, physical characteristics, and access as compared to the subject property, no adjustments for these items of comparison were indicated. No other adjustments were indicated. After adjustments a unit value for the subject property is indicated to be \$29,834 per acre.

Sale No. 2 is located at the along the southern side of Sioux Road, east of Tower Road in Alamo, Texas. The property was purchased for \$60,000 for 1.6667 acres which equates to a unit rate of \$35,999 per acre. The sale is located in an area inferior to the subject as such an upward adjustment of +30% was indicated. Due to the sales similar lot location, financing, marketing conditions, physical characteristics, and access as compared to the subject property, no adjustments for these items of comparison were indicated. However, an additional adjustment of -25% is indicated for a size adjustment as the sale is a smaller tract of land as compared to the subject. No other adjustments were indicated. After adjustments a unit value for the subject property is indicated to be \$37,799 per acre.

Sale No. 3 is located at the along the southern side of Sioux Road, west of Cesar Chavez Road in San Juan, Texas. The property was purchased for \$170,000 for 7.40 acres which equates to a unit rate of \$22,972 per acre. The sale is located in an area inferior to the subject as such an upward adjustment of +10% was indicated. An adjustment of +20% were indicated for sales inferior physical characteristics. Due to the sales similar lot location, financing, marketing conditions, and access as compared to the subject property, no adjustments for these items of comparison were indicated. No other adjustments were indicated. After adjustments a unit value for the subject property is indicated to be \$32,195 per acre.

Reviewing the comparable sales selected, an unadjusted range of market unit value of \$22,949 per acre to \$35,999 per acre is indicated. After applicable adjustments were made in a paired sales analysis of the comparables to the subject property, an adjusted range of unit market value of \$29,834 per acre to \$37,799 per acre was determined. Based on the subject property location along Cesar Chavez Road. A value near the upper end of the adjusted unit rates was selected for the subject property, \$35,000 per acre.

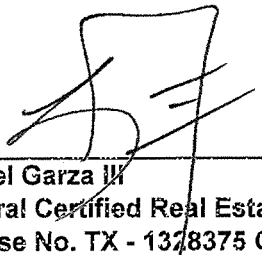
ADDENDUM

1. Certification of Appraisal
2. Assumption & Limiting Conditions
3. Qualification of Appraiser
4. Letter of Inspection Sent To Owner of Record Via Certified Mail
5. Certified Letter Tracking Information
6. Warranty Deed


Certification of Appraisal

I, **Leonel Garza III**, certify that, to the best of my knowledge and belief:

- 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, impartial, and unbiased professional analyses, opinions, and conclusions.
- The employment and compensation of this appraiser in completing this appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice (2006 Edition)*.
- I have made a personal on-site visit of the property that is the subject of this report.
- Luis C. Garza, State Certified General Real Estate Appraiser with Leonel Garza Jr. & Associates who provided significant professional assistance in the preparation of this report not limited to a physical inspection, taking of photographs of the subject property and value analysis. Personal Assistant Adrian Perez, aided in the physical measuring of the subject property only.
- No one other than those mentioned within this certification provided significant real property appraisal assistance to the person(s) signing this certification.
- The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute;
- I certify that the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives. I also acknowledge that Leonel Garza III is an associate member of the Appraisal Institute and is not an MAI Designated Appraiser, however is currently seeking designation. Leonel Garza is designated as a Master Real Estate Appraiser through the National Association of Master Appraisers.
- The employment and compensation of this appraiser in completing this appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.



Leonel Garza III
General Certified Real Estate Appraiser
License No. TX - 1378375 General



Luis Carlos Garza
General Certified Real Estate Appraiser
License No. TX - 1338051 - General

ASSUMPTIONS AND LIMITING CONDITIONS

This report has been prepared with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.
5. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or un-apparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that the property is in full compliance with all applicable federal, state, and local environmental regulations and laws unless the lack of compliance is stated, described, and considered in the appraisal report.
8. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
9. It is assumed that the use of the land and improvements is confined within the boundaries or property line of the property described and that there is no encroachment or trespass unless noted in the report.
11. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by this appraiser. The appraiser does not have any knowledge of the existence of such material on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

General Limiting Conditions:

1. Any allocation of the total value of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication.
3. The appraiser, by reason of this appraisal, is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all or any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.
5. If the property rights appraised are the "Leased Fee Estate", then the Final Indicated Market Value Estimate is based on the continued performance under the lease terms.
6. The original and one copy of this report have been signed in blue ink. Any other copy, which is not signed in blue may have been altered, and this appraiser is not responsible for its contents or value indicated.

Assumptions and Interpretations Made by Appraiser of the Marketing Period

1. Indicated Marketing Time: Begins with the date of value estimate and the exposure time indicated.
2. Exposure to the Open Market: Listing the property on the market for sale with a Realtor, member of Multiple Listing Service, or a licensed Real Estate Broker, that will properly expose the property to the Market. This appraiser does not consider a sign placed by a bank on the property as proper marketing. If the property is presently listed for sale on the market, this appraiser must be notified prior to the completion of the appraisal.
3. Exposure Time: The length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

QUALIFICATIONS OF APPRAISER - LEONEL GARZA III

Education

Graduate, 1995, Texas A&M University, College Station, Texas (Bachelor of Science in Biomedical Science)

Graduate, 1991 McAllen Memorial High School, McAllen, Texas

Licenses

State Certified General Real Estate Appraiser

Number TX - 1328375-General

Licensed Since December 31, 1998

Expires: December 31, 2010 (Active)

State Certified Property Tax Consultant

Number TX – 00003181

Licensed Since May 20, 2002

June 16, 2008 through June 16, 2010 (Active)

Public Service Organizations

Associate Member of the Appraisal Institute (Not MAI Designated)

Currently taking courses toward the designation of MAI through the Appraisal Institute.

National Association of Master Appraisers

Designated as a Master Senior Appraiser in 2006 by the National Association of Master Appraisers. This designation is obtained through educational requirements and experience.

Associate Member of the International Right of Way Association (IRWA) (Member # 7899430)

Former Chairman of the City of McAllen Zoning Board of Adjustments and Appeals

This city board has the duty to hear and decide appeals where it is alleged there is error in any requirement, or determination made administratively in the enforcement of the Zoning Ordinance. The Board hears appeals that grant variances to setback requirements and special exceptions to reconstruction of nonconforming buildings.

Chairman of the Hidalgo County Subdivision Advisory Board

This county board on subdivision reviews primary goal is to ensure that proper standards, set by Texas Water Development Board and the Texas Subdivision Model Rules and or opinions from the Texas State Attorney Generals Office, are conducted in the development of proposed subdivision within the County of Hidalgo and or Extraterritorial Jurisdiction of municipalities throughout the County of Hidalgo. The board's secondary function is to review applications for variances against the Flood Plain Administrators decisions of the base flood elevations throughout the County of Hidalgo.

Chairman of the Hidalgo County Building Line of Adjustments

This county board reviews applications of variances to general set-back regulations set forth by the County of Hidalgo. This review includes the review of existing and or proposed encroachments into set-backs, easements, road right-of-way set-back, subdivision plat requirements and or requirements set forth by adjoining municipalities of which the subject is within the extraterritorial jurisdiction.

Member of The McAllen Palm City Lions Club

Direct the fund raising for the annual Thanksgiving Drive on behalf of Lion Leonel Garza Jr. who founded the drive more than 20 years ago. In 2005 & 2006, the club raised funds to feed 60 family's throughout the City of McAllen.

Former Executive Board Member of the Lower Rio Grande Valley Boy Scouts Council

The goal of the council is to maintain membership and the continued progress of the boy scouts within the Lower Rio Grande Valley. The council shall maintain progress reports of financial status of the council and plan for events world wide which local children may participate as a representative of the council. These events include the World Jamboree and the National Jamboree.

Former Vice Chairman of the City of McAllen Ambulance Advisory Committee

Evaluates and reports to the City Commission on the operation of the emergency ambulance service rendered by company or companies rendering such service.

Former Member of the City of McAllen Building Board of Adjustments and Appeals

The BBOA reviews the decision of City Staff for the demolition of properties deemed unsafe through the City for a variety of reasons. The board review all facts and concerns and make the decision to secure or proceed with demolition based upon the safety of the neighboring property owners and occupants. The greatest concern for the commission is the safety of the surrounding neighborhood occupants.

Former Member of the Pharr Municipal Park Charter Committee

Appointed in 1998-1999, our goal was to establish a 103 acre master planned recreational park to the City of Pharr during our membership with the City of Pharr Leadership Class X.

Work Experience

- *Employee of Leonel Garza Jr. & Associates since 1990*
- *State Certified General Real Estate Appraiser since December 31, 1998*
- *Owner of G-3 Construction which primary focus is custom commercial and multifamily residential construction.*
- *Commercial and residential property manager throughout the City of McAllen & Pharr, Texas.*
- *Licensed Property Tax Consultant Since 2000.*
- *Appraiser Trainee from 1995 thru 1998 under the sponsorship of Leonel Garza Jr. who was a State Certified General Real Estate Appraiser & Board Member of the Texas State Appraisal Review Board from October 23, 1995 Through September 15, 1998. Appointed by Governor George W. Bush for two (2) terms.*

Clients For Which Appraisals Have Been Prepared By This Appraiser

Banks	Bankruptcy Courts	Cities of:	
Attorneys	Homeowners	Alamo	Cameron County
Retailers	Rancher	Alton	Hidalgo County
Doctors	National Franchises	Edinburg	Starr County
Oil Companies	Estate Planners	Hidalgo	
Farmers	Texas Department of	Mercedes	
Mortgage Companies	Transportation	Mission	
Hotel Franchises		McAllen	
US Department of Interior		Pharr	
		San Juan	
		Progresso	

Type of Appraisals Which Have Been Prepared By This Office

Caliche Pits / Land Fills	Apartment Complexes	Agricultural Land
Commercial Lots	Automobile Agencies	Bar / Lounges
Convenience Stores	Mini-Storage Units	Grocery Stores
Farms & Ranches	Mobile Home Park Subdivision	Multi-Tenant Retail
Industrial (McAllen Foreign Trade Zone)	Motels / Hotels	Multi-Tenant Offices
Industrial Subdivisions	Ranches	Residential
Medical Offices	Residential Subdivisions	Vacant Residential Lots
Retail Commercial Strips	Restaurants	Veterinary Clinics
Warehouses	Right of Way Acquisitions	
	Truck Stops	

Areas Where Appraised Properties Have Been Performed By This Office

Alamo	Edcouch	Alice	Austin
Beeville	Hargill	Georgewest	Donna
Elsa	Harlingen	Kingsville	Edinburg
Mission	Hidalgo	McAllen	La Feria
New Braunfels	Los Ebanos	Palmview	La Joya
Progresso	Port Isabel	San Antonio	Mercedes
Rio Grande City	South Padre Island	Sullivan City	San Juan
Roma	Zapata	McCook	Weslaco

QUALIFICATIONS OF APPRAISER - LUIS CARLOS GARZA

Education

- Graduate 2002 University of Texas Pan American, Edinburg, Texas
Bachelor of Business Administration
- Graduate 1995 McAllen High School, McAllen, Texas

Licenses Held

- State Certified General Real Estate Appraiser
Number TX – 1338051-General
Licensed since July 28, 2008
Expires: July 31, 2010 (Active)

Public Service Organization

- McAllen Palm City Lions Club
- Associate Member of the International Right of Way Association (IRWA) (Member # 78992)

Work Experience

- Employee of Leonel Garza Jr. and Associates since 2004

CERTIFIED LETTER OF INSPECTION SENT TO PROPERTY OWNER OF RECORD

Leonel Garza Jr. & Associates LLC
Appraisal Services

1419 Dove, Suite 1 - McAllen, Texas 78504
(956) 687-7295 (24 hour answering service) Fax (956) 687-9236

July 7, 2009

Project: Cesar Chavez Drain Project

The South 5.0 acres of the North 10 acres of Lot 16, Block 44, Alamo Land & Sugar Company's Subdivision, according to the map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas.

Parcel No. 1B
Thelma Garcia
212 Martha Street
Weslaco, Texas 78596-4208

To Whom It May Concern:

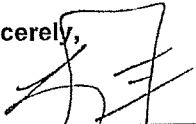
Leonel Garza Jr. & Associates LLC has been contracted by Hidalgo County Precinct No. 2, to appraise various properties within your market area for the purpose of acquiring either land in fee simple or as an easement. This proposed acquisition is for the purpose of creating a master plan drainage system for the County of Hidalgo. A survey of the property is currently underway and shall be provided within the coming weeks as this project progresses. This office shall be inspecting the subject property from existing road right-of-way until verbal or written permission from you is granted to enter the subject property. We would like to extend the opportunity to meet with our office at your site at a later date in order to explain the project and the purpose of the appraisal report requested by Hidalgo County Precinct No. 2.

The Hidalgo County Precinct No. 2 is interested in acquiring said property believed to be in the name of Thelma Garcia. This is the beginning process for future negotiations to acquire the all or a portion of the subject property. If you or your representative wish to meet with us to discuss the purpose of the appraisal and join me for an on-site inspection of your land, I can be reached at (956) 687-7295. I will be researching the market area for any and all real estate sales, and would appreciate any leads or information in which you may have. If this letter does not pertain to you and you have sold said property, please notify our office as soon as possible so that the proper ownership identification can be preformed.

If you have any questions please call the office of Leonel Garza Jr. & Associates LLC at (956) 687-7295.

With this letter I request permission to perform an on-site inspection and photograph your property. If you have any objections to our inspection of your property please call the office of Leonel Garza Jr. and Associates LLC at (956) 687-7295 as soon as possible. Thank you.

Sincerely,



Leonel Garza III
State Certified General
Real Estate Appraiser
TX1328375-General

Cc: Hidalgo County Right-of-Way Department
Danny Guzman, Right-of-Way Agent
509 East Earling
San Juan, Texas 78589
(956) 283-8134

Leonel Garza Jr. & Associates LLC

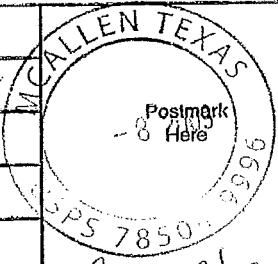
CERTIFIED LETTER TRACKING INFORMATION

7009 0080 0000 5956 8526

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Cesar Chavez

Sent To *Shelma Garcia*
 Street, Apt. No.; or PO Box No. *212 Martha Street*
 City, State, ZIP+4 *Weslaco Texas 78596*

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *Parcel 1B*

Shelma Garcia
212 Martha Street
Weslaco, Texas 78596
Cesar Chavez Drain

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
[Signature]
 B. Received by (Printed Name) C. Date of Delivery
[Signature] *7-9-04*
 D. Is delivery address different from Item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7009 0080 0000 5956 8526**

WARRANTY DEED WITH VENDOR'S LIEN

Date: April 13, 1994

DOC# 381421

Grantor: Dale L. Jeske and wife, Janet Y. Jeske

Grantor's Mailing Address (including county):

Grantee: Thelma Garcia

Grantee's Mailing Address (including county):

212 Martha Street
Weslaco, Texas 78596
Hidalgo County, Texas

Consideration: Ten Dollars and other valuable consideration paid by Grantee to Grantor, the receipt of which is hereby acknowledged, and the further consideration of a note of even date that is in the principal amount of Five Thousand and 00/100 Dollars (\$5,000.00), and is executed by Grantee, payable to the order of Grantor. It is secured by a vendor's lien retained in this deed and by a deed of trust of even date from Grantee to Robert V. Case, Trustee.

Property (including any improvements):

The South Five (5) acres of the North Ten (10) acres of Lot Sixteen (16), Block Forty-Four (44), ALAMO LAND AND SUGAR COMPANY SUBDIVISION, Hidalgo County, Texas, according to the map or plat of record in Volume 1, Pages 24, 25 and 26, Map Records, Hidalgo County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

Easements and reservations as shown according to the map and plat thereof recorded in Volume 1, Page 24, 25 and 26, Map Records, Hidalgo County, Texas.

Zoning and Building Ordinances in favor of the County of Hidalgo.

Statutory rights, rules, regulations, easements and liens in favor of Hidalgo County Irrigation District No. 2.

Subdivision regulations of the County of Hidalgo and/or ordinances or regulations of the City holding extra-territorial jurisdiction of said property.

WARRANTY DEED (Page 2 of 4)

SAVE AND EXCEPT all Oil, Gas and Other Minerals as reserved in Deed to Insured.

Estate created in Oil and Gas Leases recorded in Volume R, Page 339, Miscellaneous Records and Volume 263, Page 96, Volume 306, Page 384, Volume 362, Page 712, Volume 364, Page 675, Volume 415, Page 477, Oil and Gas Lease Records, Hidalgo County, Texas, together with all terms, conditions and stipulations contained therein. Title to said Lease has not been investigated subsequent to the date thereof.

Visible and apparent easements on or across subject property.

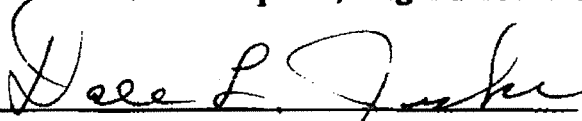
The rights of adjacent property owners and the public to ingress or egress along the roadway that lies on subject property.

Any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.

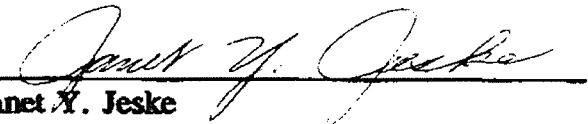
Grantor, for the consideration and subject to the reservations from, and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

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



Dale L. Jeske



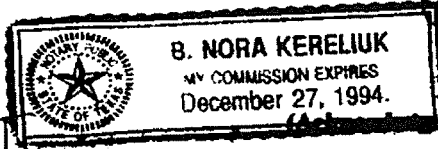
Janet X. Jeske

WARRANTY DEED (Page 3 of 4)

(Acknowledgment)

State of Texas
County of Hidalgo

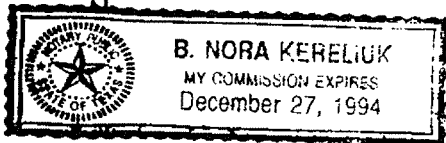
This instrument was acknowledged before me on the 13 day of April, 1994, by Dale L. Jeske.



B. Nora Kereliuk
Notary Public, State of TX

State of TX
County of Hidalgo

This instrument was acknowledged before me on the 14 day of April, 1994, by Janet Y. Jeske.



B. Nora Kereliuk
Notary Public, State of TX

AFTER RECORDING RETURN TO:

Hidalgo County Abstract & Title Co., Inc.
114 N. 12th Street, Edinburg, Texas 78539

PREPARED BY:

RAMON & CANTU
Attorneys At Law
7417 N. Tenth Street
McAllen, Texas 78504

File/GF Number: 94-595

WARRANTY DEED (Page 4 of 4)

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04-19-1994 03:44:35
WILLIAM (BILLY) LEO
HIDALGO COUNTY