

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

CONSTRUCTION CONTRACT
CONTRACT NO: C-CAP-09-130-05-05

This Agreement, entered in to this 05 day of May , 2009 by and between Hidalgo County Precinct No. 3 (hereinafter called the "Owner," and M. Construction, LTD (A Texas corporation), of County of Hidalgo, and State of Texas, hereinafter called "Contractor".

WITNESSETH

That for and in consideration of the payments and agreement hereinafter mentioned, to be made and performed by the OWNER, the CONTRACTOR hereby agrees with the OWNER to commence and complete the construction described as follows:

ROAD AND DRAINAGE CONSTRUCTION FOR RE-SUBDIVISION OF JIMENEZ PLAT

Hereinafter called "the project", for the sum of Seventy Nine Thousand Eight Hundred Fifty Nine and 79/100 (\$79,859.79) and all extra work in connection therewith, under the terms and stated in the General and Special Conditions printed or written explanatory matter thereof, the specifications and contract documents therefore as prepared by Hinojosa Engineering, entitled the Architect/Engineer, and as enumerated in Paragraph 1.01.A.12 of the General Conditions, all of which are made a part hereof and collectively evidence and constitute the contract.

The CONTRACTOR hereby agrees to commence work under this contract on or after a date to be specified in written "Notice to Proceed" of the OWNER and to fully complete the project within 45 consecutive calendar days thereafter. The CONTRACTOR further agrees to pay, as liquidated damages, the sum of \$250.00 for each consecutive calendar day thereafter.

The OWNER agrees to pay the CONTRACTOR in current funds for the performance of the contract, subject to additions and deductions, as provided in the General Conditions of the contract, and to make payments on account thereof as provided in Paragraphs 14.02.C and 14.07.C of the General Conditions.

IN WITNESS WHEREOF, the parties to these present have executed this contract in four (4) counterparts, each of which shall be deemed an original, in year and day first above mentioned.

APPROVED BY COMMISSIONERS COURT ON, _____, 2009.

CONTRACTOR: _____
Print Name & Title: HUGO A MARTINEZ OWNER
Name of Firm: M CONSTRUCTION LTD
Address: P.O BOX 250
MCALEN TX 78505
Fed. I.D. #/ SS#: 20-4037204 635-04-8420

STATE OF TEXAS

COUNTY OF HIDALGO

This instrument was acknowledged before me on this the 13th day of August
2009, by Hugo A. Martinez member of M Construction management LLC
General Partner of M Construction LLC
and on behalf of ATexas Limited Partnership

(Title)



CARMEN D. SOLIS
Notary Public, State of Texas
My Commission Expires
03/09/2013

(A corporation)

[Signature]

Notary Public Signature

APPROVED AS TO FORM:

Atlas & Hall, L.L.P.
800 Pecan
McAllen, Texas 78504

BY: [Signature]

ATTEST:

COUNTY OF HIDALGO:

Arturo Guajardo Jr., County Clerk

Juan D. Salinas III, County Judge