

STATE OF TEXAS §

JOINT USE AGREEMENT

COUNTY OF HIDALGO §

This Agreement entered into this the _____ day of December, 2010, by and between Hidalgo County Irrigation No. 2 and the County of Hidalgo as follows:

WHEREAS, Hidalgo County Irrigation District No. 2 has a right of way and across the property described in Exhibit "A" attached, and the **County of Hidalgo** desires to make certain improvements on a portion of said Hidalgo County Irrigation District No. 2 right of way across the property described above; and,

WHEREAS, the parties desires to jointly use the property described above that is situated within the Hidalgo County Irrigation District No. 2's right of way for the purpose of repair and maintenance of a drainage pipeline and have no objection to each other's use; and,

WHEREAS, the parties desire to enter into a Joint Use Agreement in order to utilize the property described above

NOW, THEREFORE, IT IS MUTUALLY AGREED by and between the Hidalgo County Irrigation District No. 2 and the County of Hidalgo that each of the parties may use the property described above for the purposes expressed under the terms, conditions and covenants as follows:

(1) Hidalgo County Irrigation No. 2 hereby consents to the use by the County of Hidalgo of its right of way so that it may utilize its right of way and construct drainage improvements within the Hidalgo County Irrigation District's No. 2 right of way over, under, and across the property described above.

(2) Both, Hidalgo County Irrigation District No. 2 and County of Hidalgo, agree that their joint use of the right of way premises will not interfere with each other's use of right of way and in the event it is necessary for either Hidalgo County Irrigation District No. 2 or the County of Hidalgo to alter, modify, or add to the facilities presently located within the right of way, each party agrees to notify the other party at least sixty (60) days prior to any such activity and furnish necessary plans, specifications, and sketches showing the location and type of construction. Any such alterations, modifications, or additions shall be at the sole expense of the party conducting the same, and, in the event it is necessary to relocate, alter, or modify the other party's improvements situated within the right of way, the party conducting the alteration, modification, or addition activities shall pay for all reasonable costs necessarily incurred by the other party in relocating or altering their improvements to accommodate the new alterations, modifications, or additions to the improvements situated within the right of way.

(3) If in the opinion of either party, such alteration, modification, or new construction will injure, impair, or adversely affect the other party's use of the right of way premises, such party may

prescribe such reasonable regulations as necessary for its protection provided however, that such regulations shall not extend to rerouting or relocation of any lines or improvements outside of the area of joint usage within Hidalgo County Irrigation District No. 2's property described in Exhibit "A".

(4) In the event of any emergency, when immediate action is necessary for the protection of the public and to minimize property damage and loss of investment, either party hereto may make such necessary emergency repairs as required under the circumstances. Immediately following such repairs, the party making same shall notify the other party of its action in writing, as soon as practical.

WITNESS THE HANDS of the parties on this the ____ day of December, 2010.

HIDALGO COUNTY IRRIGATION NO. 2

By: _____
Board President

COUNTY OF HIDALGO

By: _____
Ramon Garcia
Hidalgo County Judge

ATTEST:

By: _____
Arturo Guajardo, Jr.

APPROVED AS TO FORM:

ATLAS & HALL, L. L. P.

By: _____
Steve Crain, Attorney, Atlas & Hall

METES AND BOUNDS

HIDALGO COUNTY PRECINCT No.4
SAN CARLOS DRAINAGE IMPROVEMENTS
TRENTON DRAIN
PARCEL: No.6
OWNER:HIDALGO COUNTY IRRIGATION DISTRICT No.2

A 0.11 OF ACRE TRACT OF LAND OUT OF LOT 8, BLOCK 53, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGES 24-26, MAP 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 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET FOR THE NORTHEAST CORNER OF LOT 8 AND THE NORTHEAST CORNER OF THIS TRACT.

THENCE; S 08°31'51"W (MAP RECORD: S 09°06'W), ALONG THE EAST LINE OF LOT 8, A DISTANCE OF 30.00 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE NORTH RIGHT OF WAY LINE OF HELEN ROAD FOR THE SOUTHEAST CORNER OF THIS TRACT.

THENCE; N 81°28'09"W (MAP RECORD: N 80°54'E), ALONG THE NORTH RIGHT OF WAY LINE OF HELEN ROAD AND THE NORTH LINE OF LOT 21, ALBERTA ACRES (RECORDED IN VOLUME 21, PAGE 74, MAP RECORDS, HIDALGO COUNTY, TEXAS), A DISTANCE OF 165.00 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE EAST LINE OF THE RODRIGO RAMON, JR. TRACT (THE WEST 5.0 ACRES OF THE EAST 10.0 ACRES OF LOT 8, BLOCK 53, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, ACCORDING TO WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 751168, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) FOR THE SOUTHWEST CORNER OF THIS TRACT.

THENCE; N 08°31'51"E (MAP RECORD: N 09°06'E), ALONG THE EAST LINE OF RODRIGO RAMON, JR. TRACT, A DISTANCE OF 30.00 FEET TO A 1/2" IRON ROD FOUND ON THE NORTH LINE OF LOT 8 FOR THE NORTHEAST CORNER OF SAID TRACT AND THE NORTHWEST CORNER OF THIS TRACT.

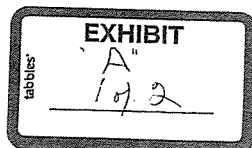
THENCE; S 81°28'09"E (MAP RECORD: S 80°54'E), ALONG THE NORTH LINE OF LOT 8, A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.11 OF AN ACRE OF LAND MORE OR LESS.

BEARINGS ARE IN ACCORDANCE WITH ALAMO ESTATES UNIT No.2, RECORDED IN VOLUME 30, PAGE 153, 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.

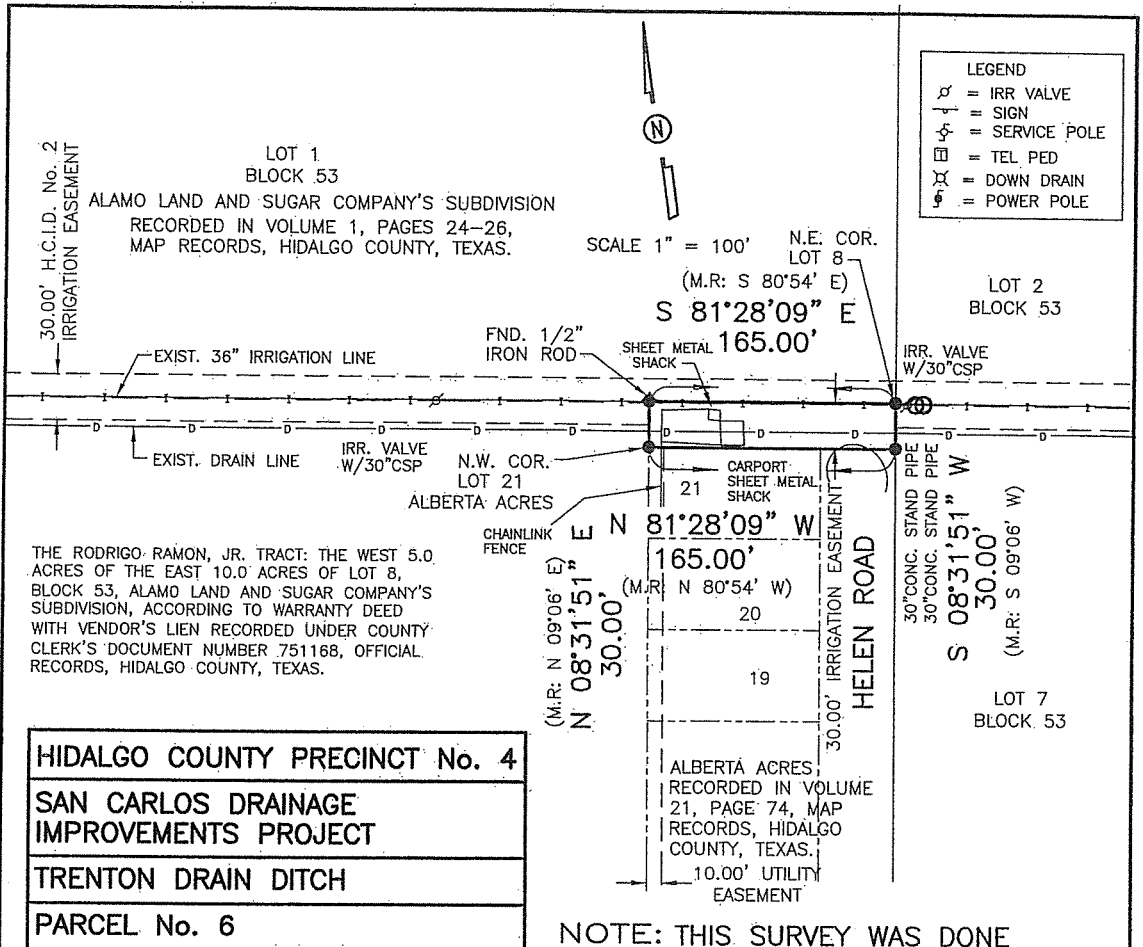
I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THE ABOVE METES AND BOUNDS TO BE TRUE AND CORRECT, AND TO BE THE REPRESENTATION AND RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION.

DATE PREPARED: September 10, 2009



ALFONSO QUINTANILLA
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4856





HIDALGO COUNTY PRECINCT No. 4
SAN CARLOS DRAINAGE IMPROVEMENTS PROJECT
TRENTON DRAIN DITCH
PARCEL No. 6

PLAT SHOWING

A 0.11 OF AN ACRE TRACT OF LAND OUT OF LOT 8, BLOCK 53, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGES 24-26, MAP RECORDS, HIDALGO COUNTY, TEXAS.

NOTE:
 ● = SET 1/2" x 24" IRON ROD WITH PLASTIC CAP STAMPED RPLS 4856 UNLESS OTHERWISE NOTED.

EXHIBIT
 A
 2 of 2

VOL. 1 PAGES 24-26
 SURVEYED SEPTEMBER 11, 2009
 ADDRESS _____
 OWNER _____

JOB No. _____
 BOOK No. _____ PAGE _____
 FILENAME: F:\DATA\PROJ.\H.C.\PREC.#4\
 SAN CARLOS\TRENTON DRAIN\PARCEL

NOTE: THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

FLOOD ZONE DESIGNATION: ZONE "B"
 AREAS BETWEEN LIMITS OF THE 100-YEAR AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE (1) SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
 COMMUNITY-PANEL NUMBER 480334 0425 C
 MAP REVISED: NOVEMBER 16, 1982

BEARINGS SHOWN ON THIS SURVEY PLAT ARE IN ACCORDANCE WITH ALBERTA ACRES RECORDED IN VOLUME 21, PAGE 74, MAP RECORDS, HIDALGO COUNTY, TEXAS.

THE PROPERTY SHOWN ON THIS SURVEY PLAT 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, DO HEREBY CERTIFY THE FOREGOING PLAT TO BE A TRUE AND CORRECT REPRESENTATION OF THE LANDS SHOWN AS THE RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION.

[Signature]
 ALFONSO QUINTANILLA
 REGISTERED PROFESSIONAL LAND SURVEYOR
 No. 4856

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
 CONSULTING ENGINEERS • LAND SURVEYORS
 124 E. STUBBS ST. PHONE 956-381-6480
 EDINBURG, TEXAS 78539 FAX 956-381-0527