




HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

Jose N. Peña
Director

MEMO

TO: Commissioner's Court

FROM: Carlos "CJ" Moreno Jr.
Right Of Way Agent 

DATE: October 19, 2010

RE: Eldora Road Project (Parcel # 10)
Aurelio & Guadalupe Garza


Attached please find letter provide by property owner for above-mentioned project.

Appraised Value: \$26,589.00

Settlement Offer: \$28,589.00

Differences: \$2,000.00

Approved;

 10/19/10

Not Approved: _____

October 14, 2010

Aurelio & Guadalupe Garza
1210 E Eldora
San Juan TX, 78789

Hidalgo County Right of Way
2401 N. Moorefield Road
Mission, Texas 78572

Re: Eldora Road Project
Parcel # 10

Dear Mr. Moreno,

Pursuant to my earlier conversations with you, we would like to request a counter offer to your earlier proposal concerning the acquisition of the referenced tract. Specifically, I am proposing a price of \$28,589.00 for Parcel # 10. I believe these values are more in line with the recent sales in the immediate vicinity.

I am willing to sign a Warranty Deed upon my receipt of written acceptance of my counter offer, thereby avoiding the delay and expense of formal condemnation proceedings.

This offer will remain open for acceptance for a 30 day period from date hereof. Please contact me at your earliest convenience should you have any questions or comments regarding the above. With best regards, I remain.

Yours truly,


Aurelio & Guadalupe Garza



HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

Jose N. Peña
Director
October 27, 2010,

Aurelio & Guadalupe Garza
RR 4 Box 511
San Juan, Texas 78589-9744

Revised

RE: Eldora Road Project
Parcel: 10

Dear Mr. and Mrs. Garza,

The Commissioners' Court of Hidalgo County has authorized me to make an offer of \$26,589.00 for the property to be acquired under the above captioned parcel for right of way purposes in connection with the Eldora Road Project.

BREAKDOWN

Land:

18,121 SF @ \$ 37,500 per acre \$ 15,600.00

Improvements:

20x10 Open Carport	\$ 4,500.00
Ranch Style Fencing (470' Lineal Feet @ \$4.25/ lf)	\$ 1,998.00
Chain Link Fencing (150' Lineal Feet @ \$8.25/ lf)	\$ 1,238.00
(1) 16' Ranch Style Gates	\$ 300.00
(2) 8' Ranch Style Gates	\$ 300.00
(2) 6' Chain Link Gates (2 @\$150/ gate)	\$ 300.00
Caliche Driveway	\$ 238.00
(1) Large Ash Tree	\$ 500.00
(1) Large Palo Blanco	\$ 500.00
(6) Garden Plants – Vegetables	\$ 36.00
(2) Yucca Plant	\$ 80.00

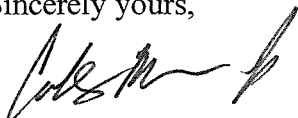
Total Improvements: \$ 9,989.00

Total Estimated Value:	\$24,548.00
Cost of Cure Damages	1,000.00
Total Offer:	<u>\$26,589.00</u>

We would appreciate if you took the time to review the package of information sent. If this offer is not accepted or feel that you may need additional time to consider the offer, please contact our office, otherwise, within ten working days from the date receipt of this letter, condemnation proceedings will be instituted for the acquisition of right of way. Thereafter, the County Court at Law will appoint three disinterested freeholders to serve as Special Commissioners, a date will be set for the hearing and you will be notified of the time and place set for the hearing at which the Special Commissioners will hear the evidence presented and arrive at an award at which will be filed with the court. The Commissioners' Court may then deposit the amount of the award, at which time the County of Hidalgo may take possession of the property involved. If either you or the Commissioners' Court is dissatisfied with the amount of the award, objections may be filed within the time prescribed by law, and the case subsequently tried before the County Court at Law as in other civil cases.

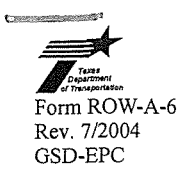
Should you have any questions or comments, please feel free to contact me at (956) 283-8134 Ext. 2412.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Carlos Moreno', with a stylized flourish at the end.

Carlos "CJ" Moreno, Agent
Hidalgo County Right Of Way Department.

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REAL ESTATE APPRAISAL REPORT
TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: Located along the northwestern corner of Cesar Chavez Road and El Dora Road, San Juan, TX.

District: District: Pharr

Property Owner: Aurelio & Guadalupe Garza

ROW CSJ: N/A

Address of Property Owner: 1210 E Eldora San Juan TX 78589

Parcel: 10

Occupant's Name: Aurelio & Guadalupe Garza

Federal Project No: N/A

Whole: **Partial:** **Acquisition**

Highway: El Dora Road **County:** Hidalgo

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 \$26,589.00 as of June 1, 2010, based upon my independent appraisal and the exercise of my professional judgment; on June 1, 2010, (date)(s), I personally inspected in the field the property herein appraised; I afforded Aurelio & Guadalupe Garza, the property owner or the representative (s) 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 June 1, 2010, I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of the, Hidalgo County Precinct #2, Texas Department of Transportation, or officials of the Federal Highway Administration until authorized by State 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 non-compensable 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 _____

State Certified General Real Estate Appraiser – TX 1328375 – General Certification Number _____

October 12, 2010
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