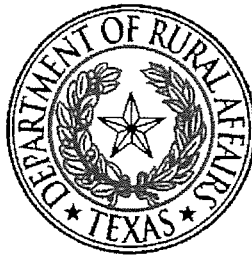


WWW.TDRA.TEXAS.GOV
1701 N. Congress Avenue Suite 220
Austin, Texas 78701
P: 512-936-6701; 800-544-2042
F: 512-936-6776

MISSION:
*To enhance the quality of life
for rural Texans.*



GOVERNOR RICK PERRY

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Interim Executive Director

April 19, 2011

Ms. Diana R. Serna
Director
Hidalgo County Urban County Program
Hidalgo County
1916 Tesoro Blvd.
Pharr, TX 78577
Re: County of Hidalgo DRS010068

Dear Ms. Serna:

This letter is in response to your request for written authorization to proceed with condemnation under the above referenced contract.

As the County of Hidalgo, in accordance with 49 CFR Part 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, has determined condemnation to be necessary, the Texas Department of Rural Affairs (TDRA) recognizes the need for the County of Hidalgo to move forward with condemnation. This letter serves as authorization to proceed with condemnation.

GRANTEE should adhere to the guidance provided in the Disaster Recovery Implementation Manual – Chapter 5, Section 5.4, The Acquisition Process, 5.4.1 Basis Steps for Acquisition, Step 10 CONDEMNATION which states:

If condemnation is determined to be necessary, the following issues must be addressed:

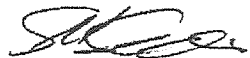
- An attorney must carry out the condemnation proceedings since it is a legal action.
- A resolution authorizing the proceedings must be passed by the grantee.
- File copies of surveys and maps in the office in which instruments affecting real property in the county are recorded.
- Initiation of proceedings in the circuit court of the county in which the property is located.
- A deposit of the amount you determined to be just compensation must be placed in an escrow account with the court.

The court will provide guidance in completing the settlement. Once condemnation proceedings have begun, the purchase must be completed in accordance with the verdict of the court. If the court rules that the property value is greater than the amount placed in escrow, the grantee must pay the deficiency. As with a negotiated sale, the grantee must also pay incidental costs and complete the *Settlement Cost Statement* (Form 5-11) as described above.

The applicant must certify that all current and future actions related to this acquisition process have been and will continue to be in compliance with the Uniform Relocation Act.

The County of Hidalgo may proceed with bidding on this project upon receipt of this written approval. The County may also proceed with awarding a construction project, prior to the completion of the condemnation proceedings, only if the County provides TDRA with signed Right of Entry forms for all parcels undergoing the condemnation process.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Swango", written in a cursive style.

Steve Swango, Director
TDRA Disaster Recovery Services



Urban County Program

1916 Tesoro Blvd. • Pharr, Texas 78577 • Phone: (956) 787-8127 • Fax: (956) 787-5291 • ucp@ucp.co.hidalgo.tx.us

March 01, 2011

Jose N. Pena
Director
Hidalgo County Right of Way Department
2401 N. Moorefield Road
Mission, TX 78572

RE: TDRA Trenton Drain Project Parcel 11
Sara Ellen and Samuel Children's Partnership, L.P.

Dear Mr. Pena:

We have received your request on the above-mentioned project and will be submitting supporting documentation to HNTB for authorization for condemnation. I would like thank you for your efforts and your cooperation on the Trenton Drain Project. Please know that the reviewing process/approval might take some time due to the administrative transitions that the Texas Department of Rural Affairs is currently undergoing.

Should you have any questions please feel free to contact me at (956) 787-8127.

Sincerely,

A handwritten signature in black ink, appearing to read "Antonio Barco", with a stylized flourish at the end.

Antonio "Tony" Barco- Deputy Director
Hidalgo County Urban County Program



HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

CM: 7007 2560 0002 7726 1459

Jose N. Peña
Director

November 1, 2010

Sara Ellen and Samuel
Children's Partnership, L.P.
P. O. Box 191002

RE: San Carlos Drainage Improvements:
Trenton Drain Project
Parcel: # 11

To Whom It May Concern,

The Commissioners' Court of Hidalgo County has authorized me to make an offer for the property to be acquired under the above captioned parcel for right of way purposes in connection with the proposed Trenton Drain as part of the San Carlos Drainage Improvements Project.

Based on an Appraisal by Mr. Leonel Garza, III with Leonel Garza, Jr., & Associates LLC, a State Certified General Real Estate Appraiser, Commissioners' Court have authorized me to make an offer of \$ **41,895.00** for a taking of your property. The offer represents total compensation for land and improvements. We are prepared to negotiate with you to acquire this parcel of land at its full-appraised value.

BREAKDOWN

Land:

2.27 Acres @ \$ 18,000.00 Per Ac. (As Fee Simple)	\$ 40,860.00
0.23 Acres @ \$ 4,500.00 Per Ac. (As Easement)	\$ 1,035.00

Improvements: N/A

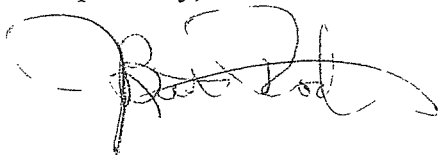
Total Improvements: \$ 00.00

Total Estimated Value:	\$ 41,895.00
Cost to Cure Damages	\$ 0.00
Total Offer:	<u>\$ 41,895.00</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.

Respectfully,

A handwritten signature in black ink, appearing to read "Benito Rodriguez", with a large, sweeping flourish extending to the right.

Mr. J. Benito Rodriguez, Agent
Hidalgo County Right Of Way Dept.

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

METES AND BOUNDS

HIDALGO COUNTY PRECINCT No.4
SAN CARLOS DRAINAGE IMPROVEMENTS
TRENTON DRAIN

PARCEL: No.11

OWNER: SARA ELLEN AND SAMUEL CHILDRENS FAMILY PARTNERSHIP

A 2.50 ACRE TRACT OF LAND OUT OF LOT 4, 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, AND ACCORDING TO SPECIAL WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 538255, 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 POINT FOR THE SOUTHEAST CORNER OF LOT 4 AND THE SOUTHEAST CORNER OF THIS TRACT.

THENCE; N 81°28'09"W, ALONG THE SOUTH LINE OF LOT 4, A DISTANCE OF 660.25 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 FOUND FOR THE SOUTHEAST CORNER OF SAHARA ESTATES No.2 (RECORDED IN VOLUME 54, PAGE 26, MAP RECORDS, HIDALGO COUNTY, TEXAS) AND THE SOUTHWEST CORNER OF THIS TRACT.

THENCE; N 88°34'11"E, ALONG THE EAST LINE OF SAHARA ESTATES No.2, A DISTANCE OF 165.00 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; S 81°28'09"E, A DISTANCE OF 660.14 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE EAST LINE OF LOT 4 FOR THE NORTHEAST CORNER OF THIS TRACT.

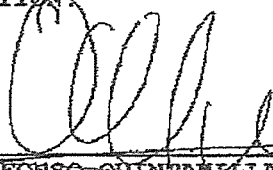
THENCE; S 08°31'51"W, ALONG THE EAST LINE OF LOT 4, A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.50 ACRES OF LAND MORE OR LESS.

BEARINGS ARE IN ACCORDANCE WITH SAHARA ESTATES No.2, RECORDED IN VOLUME 54, PAGE 26, MAP RECORDS, HIDALGO COUNTY, TEXAS.

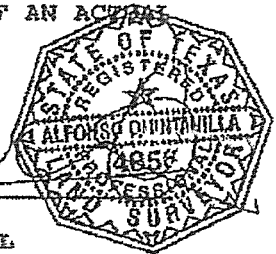
THE PROPERTY DESCRIBED IN THIS METES AND BOUNDS MAY BE SUBJECT TO THE SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION.

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.

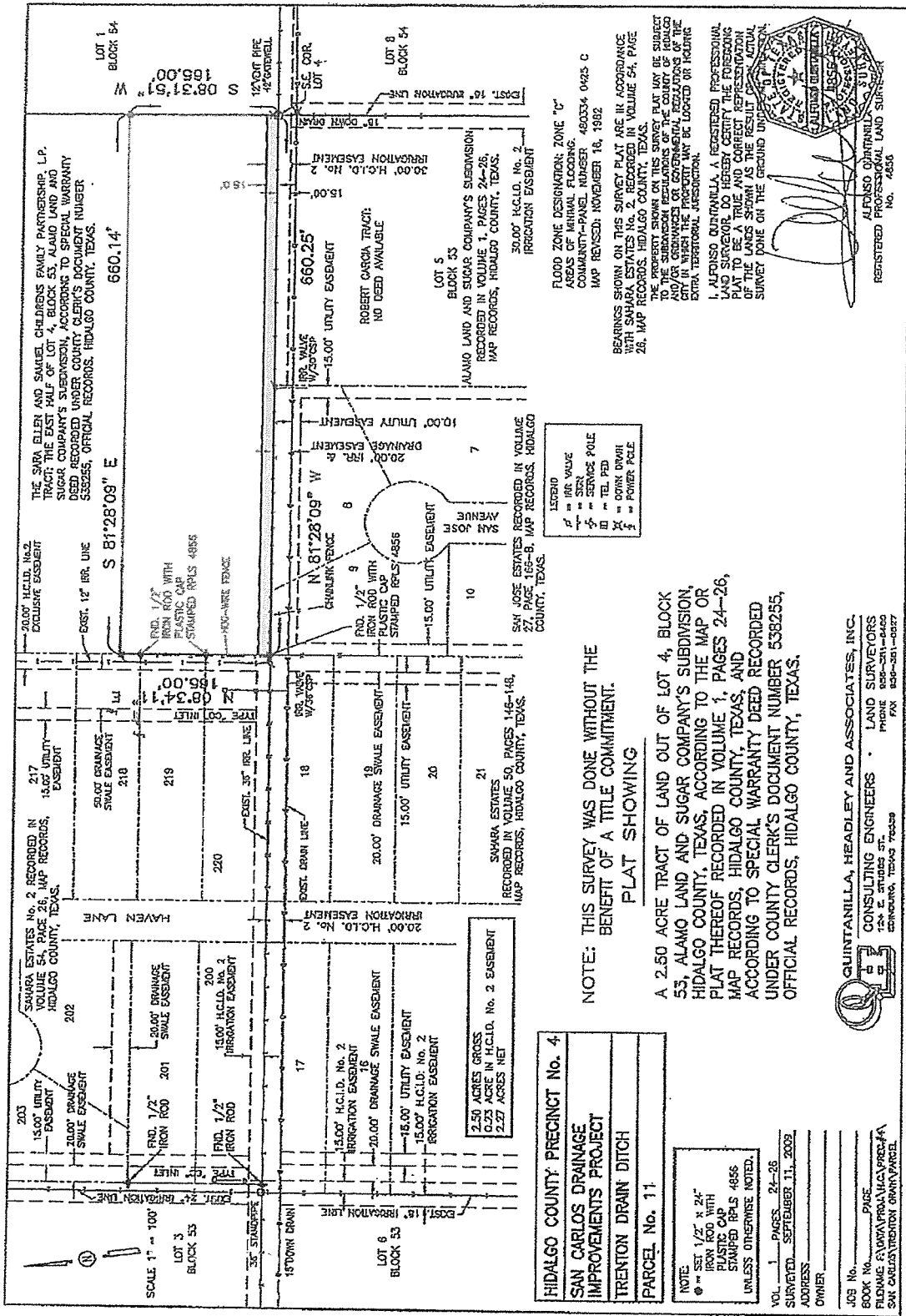
DATE PREPARED: September 11, 2009



ALFONSO QUINTANILLA
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4856



SURVEY OF PART TO BE ACQUIRED (Page 1 of 1)



Yellow Highlight = Fee Simple; Green Highlight = Hidalgo County Irrigation District Easement