



## HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

Jose N. Peña  
Director

September 13, 2011

Mr. Antonio Barco  
Hidalgo County Urban County Program  
Pharr, Texas

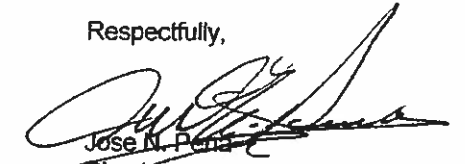
Re: Trenton Drain Project  
Cause # CCD-0046-B  
Hidalgo County vs Sara Ellen and Samuel Children Family Partnership, L. P. et al.

Dear Mr. Barco,

Attached please find a copy of the Award of Special Commissioners executed by Judge Jaime Palacios for the above-mentioned condemnation case. I would appreciate if you could review and present for payment as soon as possible. Based on my experience with these type of cases, I would recommend approval of the \$55,000.00 Award rather than continue spending more money on appeal.

Should you have any questions or need additional information please feel free to call me at the office (283-8134) or my cell (821-4755).

Respectfully,



Jose N. Peña  
Director  
Hidalgo County Right of Way Dept.

cc: Comm. Joseph Palacios

FILED AT 11:56 O'CLOCK *a* M  
 AUG 31 2011  
 ANTONIO GUERRERO JR. COUNTY CLERK  
 COUNTY COURT AT LAW OF HIDALGO CO.  
 DEPUTY

CAUSE NO. CCD-0046-B

HIDALGO COUNTY, TEXAS

VS.

SARA ELLEN AND SAMUEL CHILDRENS  
 FAMILY PARTNERSHIP, L.P. and SARA  
 ELLEN AND SAMUEL CHILDREN'S  
 PARTNERSHIP, L.P.

SEPARATION

IN THE COUNTY COURT

AT LAW NO. 27

OF HIDALGO COUNTY, TEXAS

AWARD OF SPECIAL COMMISSIONERS

On the 30<sup>th</sup> day of August, 2011, in the City of McAllen, Hidalgo County, Texas, the above-styled proceedings in Eminent Domain came on to be heard before the undersigned three disinterested freeholders of Hidalgo County, Texas, heretofore appointed as Special Commissioners by the Judge of the County Court at Law No. Two of Hidalgo County, Texas, to assess the damages caused by these proceedings; and came the Plaintiff, Hidalgo County, Texas, acting herein by and through the Commissioners' Court of said County; and Defendants **SARA ELLEN AND SAMUEL CHILDRENS FAMILY PARTNERSHIP, L.P. and SARA ELLEN AND SAMUEL CHILDREN'S PARTNERSHIP, L.P.**; and Plaintiff having announced ready, the Special Commissioners proceeded to hear evidence, and made the following findings:

I.

That on the 27<sup>th</sup> day of May, 2011, Hidalgo County, Texas, Plaintiff, filed Plaintiff's First Statement in Action for Condemnation, and on the 21<sup>st</sup> day of July, 2011, filed Plaintiff's First Amended Statement in Action for Condemnation, with the Judge of the County Court at Law No. Two of Hidalgo County, Texas, wherein, upon the facts and for the purposes therein stated, Plaintiff sought judgment vesting fee simple to certain land, save and except all oil, gas and sulphur beneath said land, with no right remaining in the owners of said oil, gas and sulphur of ingress or egress to or from the surface of said land for the purpose of exploring, developing, drilling or mining of same, said land being situated in Hidalgo County, Texas and being more particularly described in **Exhibit "A"** attached hereto and incorporated herein for any and all purposes.

II.

That upon consideration of said written statement so filed by Plaintiff, the Judge of the County Court at Law No. Two of Hidalgo County, Texas, did on the 7<sup>th</sup> day of June, 2011, appoint Marcus C. Barrera, Daniel G. Rios and Ricardo Perez, three disinterested freeholders of Hidalgo

DATE 8/31/11  
 A true copy I verify  
 ANTONIO GUERRERO JR.  
 County Clerk, Hidalgo County, TX  
 Deputy

County, Texas, as Special Commissioners, to assess the damages caused by the taking of said property. Thereafter, said Special Commissioners duly qualified as such, each taking the oath prescribed by law, which oaths are on file with the papers in this cause.

III.


That after having so qualified, said Special Commissioners, by written notice, designated and appointed the 23<sup>rd</sup> day of August, 2011, at 10:00 a.m., as the date and time, and Atlas & Hall, L.L.P., 818 Pecan, McAllen, Hidalgo County, Texas 78501, as the place for hearing said statement and parties, said date being the earliest practicable time and such place being in the county in which the land or a part thereof is situated. Said notice was issued, and defendants were duly served with notice and notified in the manner provided by law of such hearing and the time and place thereof. After request received from counsel for Defendants, said Special Commissioners further agreed to pass and continue said hearing setting until the 30<sup>th</sup> day of August, 2011, at 1:30 p.m., as the date and time, and Atlas & Hall, L.L.P., 818 Pecan, McAllen, Hidalgo County, Texas 78501, as the place for hearing said statement.

IV.

That on the 30<sup>th</sup> day of August, 2011, said Special Commissioners did convene, and Plaintiff and Defendants appeared, in person and with counsel, and announced ready for such hearing, and said Special Commissioners proceeded to hear evidence as to the damages which will be sustained by **SARA ELLEN AND SAMUEL CHILDRENS FAMILY PARTNERSHIP, L.P. and SARA ELLEN AND SAMUEL CHILDREN'S PARTNERSHIP, L.P.**, by reason of the taking of said land, and after hearing and considering such evidence, said Special Commissioners did find and determine and accordingly assess damages to be paid by Hidalgo County, Texas, according to the rules of damages set forth in Section 21.042 of the Texas Property Code, as follows:

Damages for Taking: \$ 55,000.00 (n.v.)  
Remainder Damages: \$ 0 (n.v.)  
Total Damages: \$ 55,000.00 (n.v.)

DATE 8/31/11  
I, true copy I certify  
ARTURO GUJARDO, JR.  
County Clerk, Hidalgo County, TX  
By [Signature] Deputy



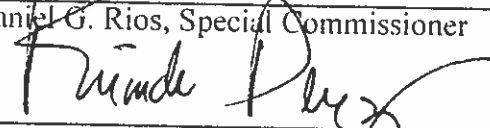
The costs of this proceeding are adjudged against Plaintiff.  
RENDERED this 30<sup>th</sup> day of August, 2011.



Marcus C. Barrera, Special Commissioner

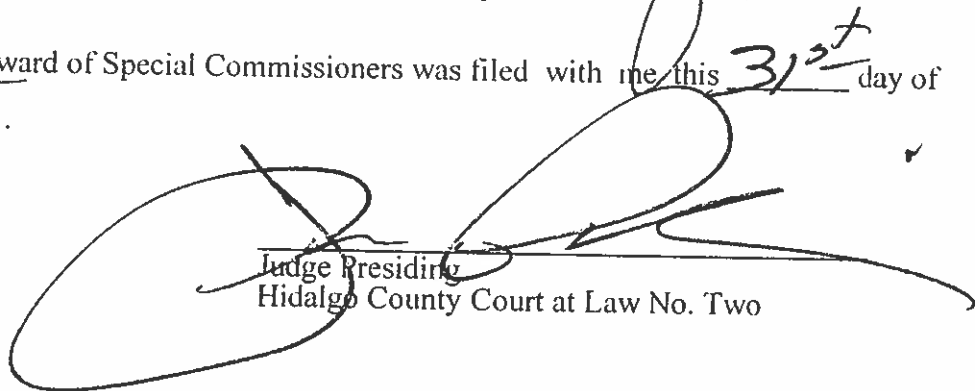


Daniel G. Rios, Special Commissioner



Ricardo Perez, Special Commissioner

The foregoing Award of Special Commissioners was filed with me this 31<sup>st</sup> day of August, 2011.



Judge Presiding  
Hidalgo County Court at Law No. Two



DATE

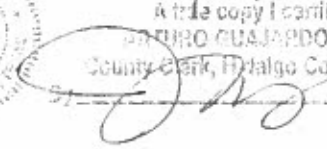
8/31/11

& true copy I certify

PATRICK GUJARDO, JR.

County Clerk, Hidalgo County, TX

Deputy



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 08°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.

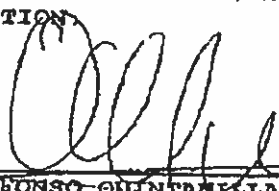
THENCE; S 08°31'51"W, ALONG THE EAST LINE OF LOT 4, A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.50 ACRES OF LAND MORE OR LESS.

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

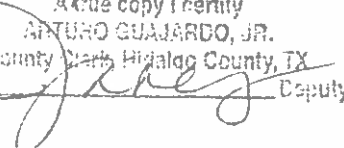
THE PROPERTY DESCRIBED IN THIS METES AND BOUNDS MAY BE SUBJECT TO THE SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION.

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

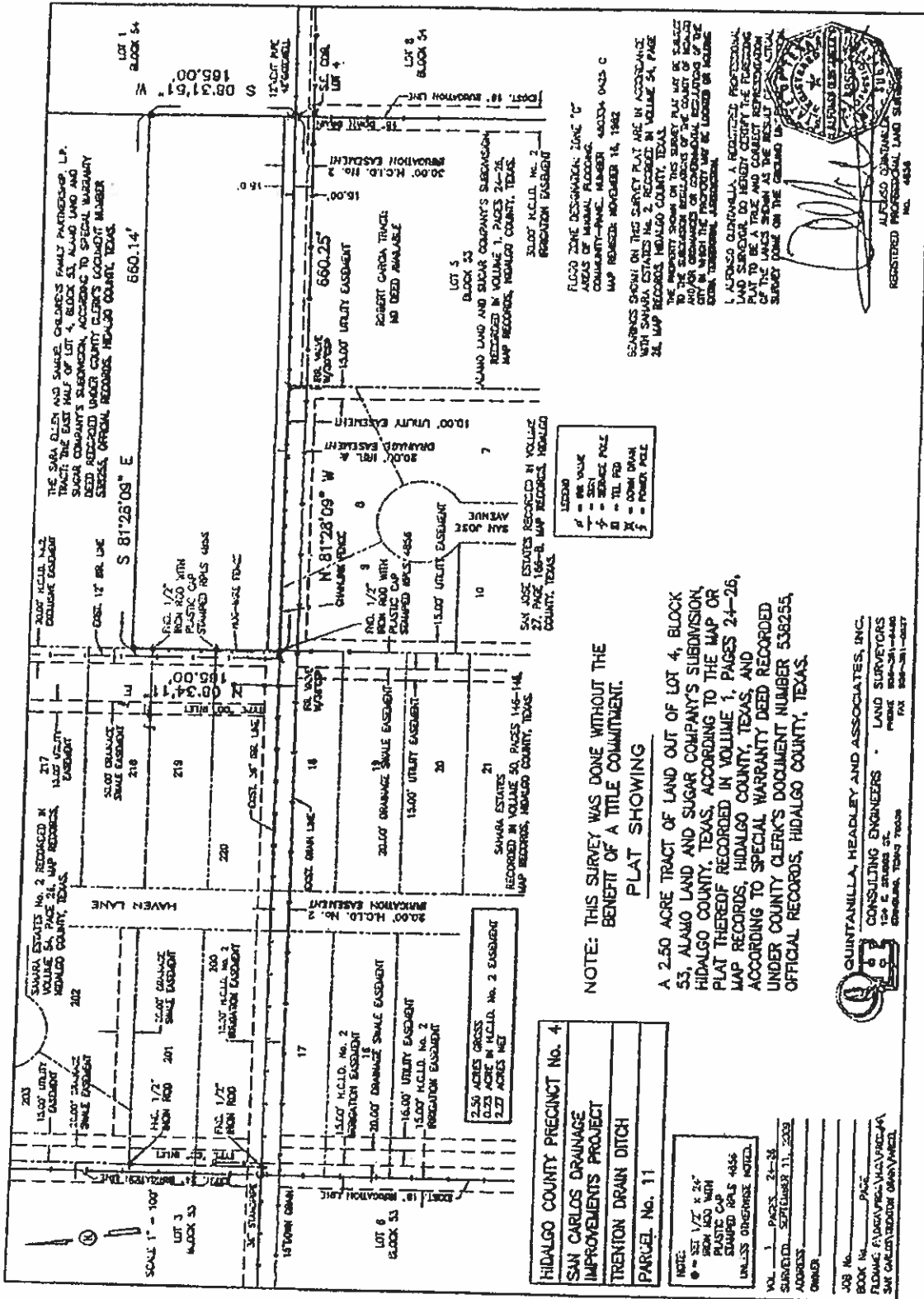
DATE PREPARED: September 11, 2009

  
ALFONSO QUINTANILLA  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4856



COUNTY CLERK  
COUNTY OF HIDALGO, TEXAS  
DATE 8/31/11  
A true copy I certify  
ARTURO GUAJARDO, JR.  
County Clerk, Hidalgo County, TX  
By  Deputy

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



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

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.

HIDALGO COUNTY PRECINCT No. 4  
SAN CARLOS DRAINAGE IMPROVEMENTS PROJECT  
TRENTON DRAIN DITCH  
PARCEL No. 11

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

VOL. 1 PAGES 24-26  
SURVEYED: SEPTEMBER 31, 2020  
ADDRESS: \_\_\_\_\_  
OWNER: \_\_\_\_\_  
JOB No. \_\_\_\_\_  
BOOK No. \_\_\_\_\_ PAGE \_\_\_\_\_  
FLOWING: FLORENCE M. VANCE  
SAF: CALCULATOR: GARY W. WELLS

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.  
CONSULTING ENGINEERS • LAND SURVEYORS  
150 E. STANLEY ST.  
DALLAS, TEXAS 75201  
PHONE 972-381-4400  
FAX 972-381-4827

ALFREDO QUINTANA, III  
REGISTERED PROFESSIONAL LAND SURVEYOR  
No. 4654

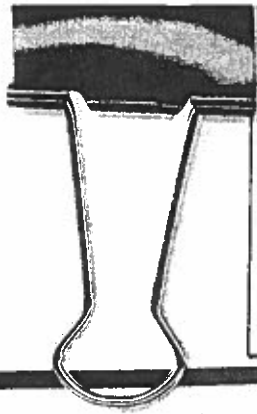
FLOOD ZONE DESIGNATION: ZONE "C"  
ALLS UP: MINIMAL FLOODING.  
COUNTY: HIDALGO. NUMBER: 48334-0433-C  
MAP REVISION: NOVEMBER 14, 1982

SCANNING SHOWN ON THIS SURVEY PLAT ARE IN ACCORDANCE WITH SAN CARLOS ESTATES No. 2, RECORDED IN VOLUME 54, PAGE 24, MAP RECORDS, HIDALGO COUNTY, TEXAS. THE PROPERTY SHOWN ON THIS SURVEY PLAT MAY BE SUBJECT TO THE SUBSEQUENT REVISIONS OF THE COUNTY OF HIDALGO CITY IN WHICH THE CITY OF TRENTON IS LOCATED. THE CITY OF TRENTON, TEXAS, ADDRESS: \_\_\_\_\_

LEGEND  
① = IRON ROD  
② = SET  
③ = SERVICE POLE  
④ = TELL ROD  
⑤ = DOME BRUSH  
⑥ = POWER POLE

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

DATE: 8/31/20  
By: \_\_\_\_\_  
ARTURO QUANTANA, JR.  
County Clerk, Hidalgo County, TX  
Deputy



# URBAN COUNTY PROGRAM

Hidalgo County Commissioner's Court  
Agenda Request Form

No. 28357

Date: August 30, 2011

Meeting Date Request: September 13, 2011

Deadline for Action: A.S.A.P

Contact Person: DIANA R. SERNA, DIRECTOR

Department: HOME Program

Phone: (956) 787-8127 Fax: (956) 787-5291

*Diana R. Serna, Urban County Director* *DRS*

### Caption:

Requesting approval to authorize County Judge as the County's Chief Executive Officer to act in all matters in connection with this Grant and the County's participation in the Texas General Land Office "GLO" Contract No 10-5287-000-5293.

Previous agenda item #15188 submitted on April 28, 2009 for the County Judge to act in all matters in connection with the TDHCA Contract # 70090019.

### Back ground:

Signature is required for the Community Development Block Grant Disaster Recovery Program - Notice of change in contract administration to Texas General Land Office "GLO Contract No 10-5287-000-5293" from (TDHCA Contract No 70090019).

Deputy Dir. \_\_\_\_\_ Finance \_\_\_\_\_

### Please initial for approval:

Legal Council \_\_\_\_\_ Budget \_\_\_\_\_ Human Resources \_\_\_\_\_ Dept./Fund No. \_\_\_\_\_ Amt. \_\_\_\_\_  
Expended: \$ \_\_\_\_\_ Funds/ Staffing Budgeted: Yes \_\_\_\_\_ No \_\_\_\_\_ Amount \_\_\_\_\_ Code: \_\_\_\_\_  
Impact on Future Budget: Yes \_\_\_\_\_ No \_\_\_\_\_

### Comments:

APPROVED Co. Comm. Ct.  
DATE 9-13-11 *DRS*

### Action taken by Commissioner's Court:

Approved \_\_\_\_\_ Tabled \_\_\_\_\_ Denied \_\_\_\_\_ Motion made by \_\_\_\_\_ Seconded \_\_\_\_\_ Vote \_\_\_\_\_