

PLANNING DEPT. PCTS 2 & 4 CERTIFICATE OF PLAT & UTILITY STATUS		
	APPLICANT	APPLICATION NO.
1.	Cesar Cardenas	4-10818
2.	Eliud Becerra	4-10392
3.	Nohemi Y. Sepulveda	4-10686
	COMM. COURT: November 29, 2011	



# PLANNING DEPARTMENT

Rev. 02-19-10

## County of Hidalgo

Main Office  
1304 South 25<sup>th</sup> Street  
Edinburg, Texas 78542  
956-318-2840  
956-318-2844

Precinct No.1 Substation  
1902 Joe Stephens Ave.  
Weslaco, TX 78596  
956-968-4734  
956-973-7850

Precinct No.3 Substation  
2401 N. Moorefield Rd.  
Mission, TX 78572  
956-205-7045  
956-205-7049

Precinct 1 2 3 4

Raul E. Sesin, P.E., CFM  
Planning Administrator

Application No: 4-10818

### HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

X-01

WE THE UNDERSIGNED CERTIFY AS FOLLOWS:

Upon the application of:

Name: CESAR CARDENAS

Address: 3101 TRAPLBAZER  
Lot #75  
Edinburg TX 78542  
Phone: 956-358-3643

Approved by Environmental Health:	Temporary Service	Final Service
	<u>N/A</u> Authorized Signature	<u>Chardo Rame</u> Authorized Signature
Inspection/Permit No:	<u>                    </u>	<u>Sowen</u>
Date Approved:	<u>1 1</u>	<u>11/14/11</u>

Water Supplier: N/A  
Utility Provider:  M.V.E.C.     AEP  
Account/ESI No.: 161309-019  
 Temporary Pole     Permanent Service

regarding the land described as:

LA PUERTA sub Lot-75

on \_\_\_\_\_, 20\_\_\_\_, the Hidalgo County Commissioners Court, at a meeting duly called and noticed in accordance with the Texas Open Meetings Act, made the following determinations regarding plat and utility status of the land herein described pursuant to Texas Local Government Code Section 232,028(b):

Fill in "yes" or "no" in each blank

- yes A plat has been prepared;
- yes A plat has been reviewed and approved by the Commissioners Court;
- yes water service facilities have been constructed or installed to service the subdivision under Local Government Code Section 232.023 and are fully operable;
- yes an organized sewage collection and treatment system is to be used, and under sewer service facilities have been constructed or installed to service the subdivision under Section 232.023 and are fully operable;
- no individual septic systems are to be used, and lots in the subdivision can be adequately and legally served by septic systems under Section 232.023;
- yes electrical and gas facilities, if available, have been constructed or installed to service the subdivision under Section 232.023.

(Date approved 8-10-11);  
(verified by Juan Castillo);  
(verified by Chardo Rame);  
(verified by Chardo Rame);  
(verified by Juan Castillo);

Juan V. Castillo  
Planning Department Authorized Signature

\_\_\_\_\_  
Hidalgo County Judge

\_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Hidalgo County Clerk

\_\_\_\_\_  
Date



# PLANNING DEPARTMENT

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Rev. 02-19-10

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956-205-7045  
956-205-7049

Raul E. Sesin, P.E., CFM  
Planning Administrator

Precinct 1 2 3 4  
Application No: 4-10818

### REQUEST FOR HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

In my status and for the land indicated below, which is located outside of any municipality, I request that the Hidalgo County Commissioners Court make the determinations regarding plat and utility status described in Texas Local Government Code § 232.028(b) and issue a certificate of such determinations:

#### PARTY MAKING REQUEST:

Name: CESAR CARDENAS  
Address: 3101 TRAILBLAZER  
Edinburg TX 78542  
Phone: 956-358-3643

IDENTIFICATION OF LAND (e.g., lot and block number of recorded subdivision, designation on plat, address, description in deed, etc.):

LA Puerta sub Lot-75

#### STATUS OF PERSON OR ENTITY MAKING REQUEST:

- Subdivider
- Owner of lot in subdivision
- Resident of lot in a subdivision
- Entity that provides utility service

[Signature]  
Requesting Party (Signature)

11/14/11  
Date

#### ATTACHED COPY OF VERIFICATION OF OWNERSHIP OR RESIDENCY OF LOT:

- Deed
- Executory Contract
- Lease
- Rent Receipt
- Affidavit
- Other (describe) plat

.....  
This part to be filled out by receiving county official:

Location of land verified and completed request accepted by Hidalgo County for processing on:

11-10-11  
Date

[Signature]  
County Official

CHARGE: VLTC  
GF# 108736

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**SPECIAL  
WARRANTY DEED WITH VENDOR'S LIEN**

Date: October 9, 2007

Grantor: LENA DEVELOPMENT, a General Partnership, comprised of BROADWAY HARDWARE, INC., a Texas Corporation and ELCO PARTNERSHIP, LTD., a Texas Limited Partnership

Grantor's Mailing Address (including county): 413 Nightingale  
McAllen, Hidalgo County, Texas 78504

Grantee: ARQCARPA DESIGN MANAGEMENT & CONSTRUCTION, LLC, a Texas Limited Liability Company

Grantee's Mailing Address (including county): 929 E. Esperanza, Suite 11  
McAllen, Hidalgo County, Texas 78501

Consideration: TEN AND NO/100 (\$10.00) DOLLARS and a note of even date executed by Grantee and payable to the order of BANK OF SOUTH TEXAS in the principal amount of TWO HUNDRED SIXTY-EIGHT THOUSAND AND NO/100THS (\$268,000.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to DARRYL K. LEMKE, Trustee.

Property (including any improvements):

All of Lots 68, 69, 70, 71, 72, 75, 76, 98 and 124, LA PUERTA SUBDIVISION PHASE I, Hidalgo County, Texas, according to the map recorded in Volume 51, Page 62, Map Records in the Office of the County Clerk of Hidalgo County, Texas, reference to which is here made for all purposes.

Reservations from Conveyance: NONE

Exceptions to Conveyance and Warranty: To the extent they validly exist:

1. Restrictive covenants set forth in Instrument dated August 25, 2006, filed August 25, 2006, under Document Number 1656038, Official Records and Volume 51, Page 62, Map Records of Hidalgo County, Texas, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
2. Annual maintenance charge and/or current assessments as set forth in Instrument dated August 25, 2006, filed August 25, 2006 under Document Number 1656038, Official Records, Hidalgo County, Texas. However, said lien is subordinated to any Mortgage Vendor's Lien or Deed of Trust filed for record prior to the date payment of such assessments and/or maintenance charges become due.
3. Blanket easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 1 and easements and restrictions as shown on the map of the above described subdivision.
4. Minimum floor elevations, setback lines, easements and restrictions as shown on the map of La Puerta Subdivision Phase I, recorded in Volume 51, Page 62, Map Records of Hidalgo County, Texas.
5. Easement for pipelines and irrigation purposes as shown by instrument dated November 15, 1945, recorded in Volume 567, Page 245, Deed Records of Hidalgo County, Texas. (Covers Lots 70, 71, 72, 75 and 76)
6. Easement and right of way in favor of Maple Valley Electric Cooperative, Inc., a Texas Corporation as shown by instrument dated July 15, 1982, recorded in Volume 1792, Page 240, Deed Records of Hidalgo County, Texas. (Covers Lots 75, 76, 97, 98 and 124)
7. All oil, gas and other minerals have been heretofore reserved by prior grantors and/or predecessors in title as set forth in Deed dated July 3, 1984, recorded in Volume 2006, Page 448 and Deed dated November 22, 1996.

filed November 25, 1996, under Document Number 564395, Official Records of Hidalgo County, Texas.

- 8. Terms, stipulations and conditions contained in Oil, Gas and Mineral Lease executed by Sadie Pearl Glenn, widow of J.T. Glenn, deceased to J.M. Huber Corp., dated March 22, 1976, recorded in Volume 358, Page 198, Oil and Gas Records of Hidalgo County, Texas. (Covers Lots 68, 69, 70, 71, 72, 75 and 76)
- 9. Terms, stipulations and conditions contained in Oil, Gas and Mineral Lease executed by Hugh Kirkpatrick, Individually and as Independent Executor of the Estate of Irene Moncrief Kirkpatrick, deceased to Norman E. Graham, dated March 15, 1977, recorded in Volume 366, Page 283, Oil and Gas Records of Hidalgo County, Texas. Extension as shown by Instrument filed September 21, 1977, recorded under Document Number 28623, Oil and Gas Records of Hidalgo County, Texas. (Covers Lots 75, 76, 97, 98 and 124)
- 10. Terms, stipulations and conditions contained in Oil, Gas and Mineral Lease executed by Sadie Pearl Glenn, widow of J.T. Glenn to J.M. Huber Corporation, dated March 31, 1998, recorded in Volume 403, Page 591, Oil and Gas Records of Hidalgo County, Texas. (Covers Lots 68, 69, 70, 71, 72, 75 and 76)
- 11. Terms, stipulations and conditions contained in Oil, Gas and Mineral Lease executed by James Thomas Glenn, Jr. and wife, Shirley Ann Glenn to J.M. Huber Corporation, dated March 31, 1981, recorded in Volume 404, Page 342, Oil and Gas Records of Hidalgo County, Texas.
- 12. Water Service Agreement in favor of Sharyland Water Supply Corporation as shown by Instrument dated March 21, 2006, filed March 24, 2006 under Document Number 1594175, Official Records of Hidalgo County, Texas.
- 13. Standby fees, taxes and assessments by any taxing authority for the year 2007, and subsequent years, the payment of which Grantee assumes.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property 'AS IS', 'WHERE IS' with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties except for limited warranties of title set forth in this deed.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

BANK OF SOUTH TEXAS, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor' lien against the superior title to the Property are retained for the benefit of BANK OF SOUTH TEXAS and are transferred to BANK OF SOUTH TEXAS without recourse against Grantor.

When the context requires, singular nouns and pronouns include the plural.

LINVA DEVELOPMENT, a Texas General Partnership

By Roberto L. Garcia  
ROBERTO LUIS GARCIA  
His Authorized Agent

(Acknowledgement)

STATE OF TEXAS  
COUNTY OF HIDALGO

This instrument was acknowledged before me on the 10<sup>th</sup> day of October, 2007 by **ROBERTO LUIS GARCIA**, Authorized Agent of **LINVA DEVELOPMENT**, A General Partnership, on behalf of said partnership.



*Patricia Galindo*  
\_\_\_\_\_  
Notary Public, State of Texas

AFTER RECORDING RETURN TO :  
ARQCARPA DESIGN MANAGEMENT  
CONSTRUCTION, LLC  
929 E. Esperanza, Suite 11  
McAllen Texas, 78501

PREPARED IN THE LAW OFFICE OF:  
& L.G. 'JERRY' CANALES  
2406 W. University Drive  
Edinburg, Texas 78539  
File No.: 108736

# Chapter 232 Texas LGC Application

APPLICATION NO:

~~4-10817~~

Jul. 11, 2011

4-10818 *aw*  
corrected.

COUNTY OF HIDALGO  
PLANNING DEPARTMENT  
1304 S. 25th Ave EDINBURG TX 78539  
TEL 318-2840 FAX 318-2844

[ 1 ] OWNER: ARQCARPA DESIGN MANAGEMENT & CONSTRUCTION, LLC  
929 E. ESPERANZA ST.  
MCALLEN, TX. 78504  
Telephone No. 358-3643

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
LA PUERTA LOT 75

07-11-2011

LOCATION: 0 17 1/2 & ROUTH

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: PUBLI

[ 3 ] WATER SYSTEM: SHAR

[ 9 ] CONSTRUCTION TYPE: BRIC

[ 4 ] PURPOSE OF APPLICATION: NEW RESIDENCE  
01- RESIDENTIAL NEW SINGLE DWELLING

[ 10 ] EST. COST OF CONST.: \$170,000

[ 5 ] SIZE OF STRUCTURE: 2,070 Sq. Ft.

[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES

[ 6 ] USE OF BUILDING: RES.HOME.ZONE.X

NO

**Special Conditions: No construction allowed over any easements.**  
MUST COMPLY WALL REGULATIONS AS PER COUNTY STATE  
CITY FEMA & SETBACKS. FRONT 25' SIDE 6; REAR 10'  
CORNER SIDE 10' . 18" ABOVE TOP OF CURB.

### FOR COUNTY USE ONLY APPLICATION FEES

OTHER \_\_\_\_\_  
TOTAL AMOUNT . . . . . \$30.00

Light [X] Water [X]

Flood Zone: NO  
Panel No. /Suffix: 0325 Pct: 4

Community No.: 480334

Certification of Elevation  
Required:  YES  NO  BFE

- A. Setbacks front, side & rear shall be in any deed restrictions.
- B. No more than one single family residence per lot.
- C. Applicant shall comply with all of the plat and/or deed restrictions and requirements affecting the lot.
- D. Permit fee shall be doubled for construction commencing or structures moved in prior to obtaining a permit.
- E. Applicant/owner states that no structures exist on this tract of land. If found in violation, permit may be revoked.

Prepared by

07-11-2011  
Date

Rolando Rios  
Approved by

07/08/11  
Date

[Signature]  
Signature of Owner or Applicant

07/10/11  
Date

### [ NOTICE ]

SEPARATE PERMITS ARE REQUIRED FOR SEPTIC TANKS. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS. OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF ONE YEAR AT ANYTIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND REGULATIONS GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.



# PLANNING DEPARTMENT

Rev. 02-19-10

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956-973-7850

Precinct No.3 Substation  
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Mission, TX 78572  
956-205-7045  
956-205-7049

Precinct 1 2 3 4

Raul E. Sesin, P.E., CFM  
Planning Administrator

Application No: 4-10392

03-10-11

### HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

WE THE UNDERSIGNED CERTIFY AS FOLLOWS:

Upon the application of:

Name: Eliud Becerra

Address: 8713 Rhythm Dr.  
Edinburg TX.  
78542

Phone: (956) 387-05-62

Approved by Environmental Health:	Temporary Service	Final Service
<u>[Signature]</u>	<u>[Signature]</u>	<u>Chardo Ram</u>
Inspection/Permit No:	Authorized Signature	Authorized Signature
Date Approved:	<u>1 / 1</u>	<u>Bewov</u>
		<u>11/12/11</u>

Water Supplier: \_\_\_\_\_

Utility Provider: [ ] M.V.E.C. [ ] AEP

Account/ESI No.: \_\_\_\_\_

[ ] Temporary Pole [ ] Permanent Service

regarding the land described as:

Viva las Vegas #2 Lot # 20

on \_\_\_\_\_, 20\_\_\_\_, the Hidalgo County Commissioners Court, at a meeting duly called and noticed in accordance with the Texas Open Meetings Act, made the following determinations regarding plat and utility status of the land herein described pursuant to Texas Local Government Code Section 232.028(b):

Fill in "yes" or "no" in each blank

- yes A plat has been prepared;
- yes A plat has been reviewed and approved by the Commissioners Court;
- yes water service facilities have been constructed or installed to service the subdivision under Local Government Code Section 232.023 and are fully operable;
- yes an organized sewage collection and treatment system is to be used, and under sewer service facilities have been constructed or installed to service the subdivision under Section 232.023 and are fully operable;
- no individual septic systems are to be used, and lots in the subdivision can be adequately and legally served by septic systems under Section 232.023;
- yes electrical and gas facilities, if available, have been constructed or installed to service the subdivision under Section 232.023.

(Date approved [Signature]);

(verified by [Signature]);

(verified by Chardo Ram);

(verified by Chardo Ram);

(verified by [Signature]);

\_\_\_\_\_  
Planning Department Authorized Signature

\_\_\_\_\_  
Hidalgo County Judge

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Hidalgo County Clerk

\_\_\_\_\_  
Date



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Rev. 02-19-10

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Raul E. Sesin, P.E., CFM  
Planning Administrator

Precinct 1 2 3 4

Application No: 4-10392

03-16-11

### REQUEST FOR HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

In my status and for the land indicated below, which is located outside of any municipality, I request that the Hidalgo County Commissioners Court make the determinations regarding plat and utility status described in Texas Local Government Code § 232.028(b) and issue a certificate of such determinations:

#### PARTY MAKING REQUEST:

Name: Elind Beerra

Address: 8713 Rhythm Dr.

Edinburg TX. 78542

Phone: (956) 387-05-62

IDENTIFICATION OF LAND (e.g., lot and block number of recorded subdivision, designation on plat, address, description in deed, etc.):

Viva Las Vegas #2 Lot #70

#### STATUS OF PERSON OR ENTITY MAKING REQUEST:

- Subdivider
- Owner of lot in subdivision
- Resident of lot in a subdivision
- Entity that provides utility service

Elind Beerra  
Requesting Party (Signature)

11-21-11  
Date

#### ATTACHED COPY OF VERIFICATION OF OWNERSHIP OR RESIDENCY OF LOT:

- Deed
- Executory Contract
- Lease

- Rent Receipt
- Affidavit
- Other (describe)

pmt 4-10392

.....  
This part to be filled out by receiving county official:

Location of land verified and completed request accepted by Hidalgo County for processing on:

11/2  
Date

[Signature]  
County Official

# Chapter 232 Texas LGC Application

APPLICATION NO:  
4-10392  
Mar. 16, 2011

COUNTY OF HIDALGO  
PLANNING DEPARTMENT  
1304 S. 25th Ave EDINBURG TX 78539  
TEL 318-2840 FAX 318-2844

V4358-02-000-0070-00

[ 1 ] OWNER: BECERRA, ELIUD  
8713 RHYTHM DR.  
EDINBURG, TX. 78541  
Telephone No. 387-0562

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
VIVA LAS VEGAS #2 LOT 70

LOCATION: 0 2812 & DOOLITTLE

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: PUBLI

[ 3 ] WATER-SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: WOOD

[ 4 ] PURPOSE OF APPLICATION: NEW RESIDENCE  
01- RESIDENTIAL NEW SINGLE DWELLING

[ 10 ] EST. COST OF CONST.: \$5,000

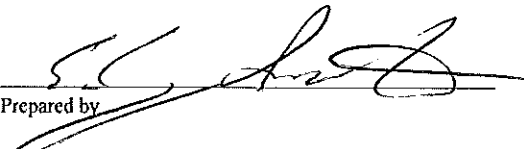
[ 5 ] SIZE OF STRUCTURE: 400 Sq. Ft.

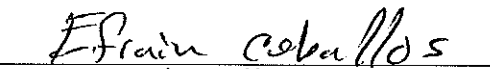
[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

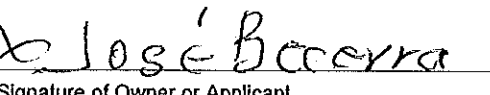
[ 6 ] USE OF BUILDING: RESIDENTIAL X-25

**Special Conditions: No construction allowed over any easements.**  
MUST COMPLY WITH ALL COUNTY SETBACKS & REGULATIONS  
FRONT 25' REAR 15' SIDES 6' 18" TOP OF CURB

### FOR COUNTY USE ONLY APPLICATION FEES

  
Prepared by \_\_\_\_\_ Date 3-16-11

  
Approved by \_\_\_\_\_ Date 3-15-11

  
Signature of Owner or Applicant \_\_\_\_\_ Date 3-16-2011

OTHER \_\_\_\_\_  
TOTAL AMOUNT . . . . . \$30.00

Light  Water

Flood Zone: NO  
Panel No. /Suffix: \_\_\_\_\_ Pct: 4

Community No.: \_\_\_\_\_

Certification of Elevation  
Required:  YES  NO  BFE

- A. Setbacks front, side & rear shall be in any deed restrictions.
- B. No more than one single family residence per lot.
- C. Applicant shall comply with all of the plat and/or deed restrictions and requirements affecting the lot.
- D. Permit fee shall be doubled for construction commencing or structures moved in prior to obtaining a permit.
- E. Applicant/owner states that no structures exist on this tract of land. If found in violation, permit may be revoked.

### [ NOTICE ]

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I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND REGULATIONS GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

**NOTICE OF CONFIDENTIALITY RIGHTS**

**IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

**DEED OF TRUST**

1. Date: March 11, 2011
2. Grantor: ELIUD BECERRA
3. Grantor's Mailing Address: 7904 N. Terry Road, Edinburg, Hidalgo County, Texas 78541
4. Trustee: David Crook
5. Trustee's Mailing Address: 100 Savannah, Suite 380, McAllen, Hidalgo County, Texas 78501
6. Beneficiary: Garco, Ltd., A Texas Limited Partnership
7. Beneficiary's Mailing Address: 3910 W. Freddy Gonzalez Drive, Edinburg, Hidalgo County, Texas 78539
8. Note:
  - A. Date: March 11, 2011
  - B. Amount: Fifteen Thousand Nine Hundred and No/100ths Dollars (\$15,900.00)
  - C. Maker: ELIUD BECERRA
  - D. Payee: GARCO, LTD, A Texas Limited Partnership
  - E. Maturity Date: As therein provided in the Note
  - F. Terms of Payment: As provided in the Note.
9. Property: Lot Seventy (70) Viva Las Vegas Subdivision Phase II , Hidalgo County, Texas, as per map or plat thereof recorded under Document No. 2039371, Official Records of Hidalgo County, Texas.
10. Prior Lien: Deed of Trust recorded under Document No. 1963296 , Official Records, Hidalgo County, Texas
11. Other Exceptions to Conveyance and Warranty: See Exhibit "A".
12. For value received and to secure payment of the note, Grantor conveys the property to Trustee in trust. Grantor warrants and agrees to defend title to the property. If Grantor performs all the covenants and pays the note according to its terms, this deed of trust shall have no further effect, and Beneficiary shall release it at Grantor's expense.
13. Grantor's Obligations: Grantor agrees to:
  - A. keep the property in good repair and condition;
  - B. pay all taxes and assessments on the property when due;

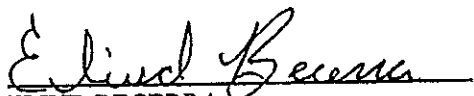
- I. The term "note" includes all sums secured by this deed of trust.
- J. This deed of trust shall bind, inure to the benefit of, and be exercised by successors in interest of all parties.
- K. If Grantor and Maker are not the same person, the term "Grantor" shall include Maker.
- L. Grantor represents that this deed of trust and the note are given for the following purposes:  
 Purpose of Debt: The debt evidenced by the Note is in part payment of the purchase price of the Property; the debt is secured by this Deed of Trust and by a Vendor's Lien on the Property, which is expressly retained in a Deed to Grantor even date. This Deed of Trust does not waive the vendor's lien, and the two liens and the rights created by this instrument shall be cumulative. Beneficiary may elect to foreclose under either of the liens without waiving the other or may foreclose under both. The deed is incorporated into this Deed of Trust.

17. Due on Sale Clause: Any sale or conveyance or transfer is made of all or any portion of the property without prior written consent of beneficiary, then beneficiary may, at its election, accelerate the maturity of the note and demand full payment of the balance of all principal and interest remaining due thereon.

18. Escrows for Taxes : Grantor agrees to make an initial deposit in a reasonable amount to be determined by Beneficiary and then monthly payments to a fund for taxes on the property. Monthly payment will be made the payment dates specified in the note, and each payment will be one-twelfth of the amount that Beneficiary estimates will be required annually for payment of taxes. The fund will accrue no interest and Beneficiary will hold it without bond in escrow and use it to pay the taxes. If Grantor has complied with the requirements of this paragraph, Beneficiary must pay taxes before the end of the calendar year. Grantor agrees to make additional deposits on demand if the funds is ever insufficient for its purpose. If an excess accumulates in the fund, Beneficiary may either credit it to future monthly deposits until the excess is exhausted or refund it to Grantor. Before Grantor makes the final payment on the note, Beneficiary will credit to that payment the whole amount then in the fund, or at Beneficiary's option, refund it after the note is paid. If this deed of trust is foreclosed, any balance in the fund over that needed to pay taxes, including taxes accruing but not yet payable, under Paragraph 3, "Trustee's Duties". If the property is transferred, any balance then in the fund will still be subject to the provisions of this paragraph and will inure to the benefit of the transferee. Deposits to the fund described in this paragraph are in addition to the monthly payments provided for in the note.

19. AD VALOREM TAXES: Without the express written consent of Beneficiary, the owner shall not enter into any arrangements with any third party for the payment of AD VALOREM TAXES that would grant that third party a lien on the property.

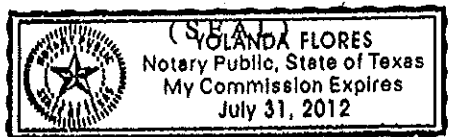
20. Signatures of Grantors:

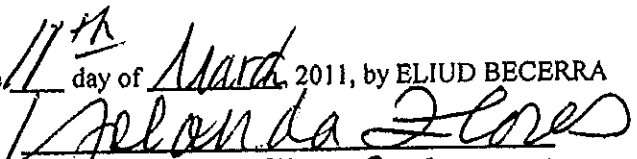
  
 ELIUD BECERRA

The State of Texas  
 County of Hidalgo

(Acknowledgment)

This instrument was acknowledged before me on the 11<sup>th</sup> day of March, 2011, by ELIUD BECERRA



  
 Notary Public, State of Texas  
 My Commission Expires: 7-31-2012



# PLANNING DEPARTMENT

Rev. 02-19-10

## County of Hidalgo

Main Office  
1304 South 25<sup>th</sup> Street  
Edinburg, Texas 78542  
956-318-2840  
956-318-2844

Precinct No.1 Substation  
1902 Joe Stephens Ave.  
Weslaco, TX 78596  
956-968-4734  
956-973-7850

Precinct No.3 Substation  
2401 N. Moorefield Rd.  
Mission, TX 78572  
956-205-7045  
956-205-7049

Precinct 1 2 3 4

Raul E. Sesin, P.E., CFM  
Planning Administrator

Application No: 4-0688  
1-01

### HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

WE THE UNDERSIGNED CERTIFY AS FOLLOWS:

Upon the application of:

Name: Nohemi Y Sepulveda

Address: 8715 Rhythm Dr  
Edinburg TX 78542

Phone: 956-429-18-12

Approved by Environmental Health:	Temporary Service _____	Final Service <u>[Signature]</u>
Inspection/Permit No:	Authorized Signature _____	Authorized Signature <u>SEWER</u>
Date Approved:	<u>1 / 1</u>	<u>11 / 21 / 11</u>

Water Supplier: \_\_\_\_\_

Utility Provider: [ ] M.V.E.C. [X] AEP

Account/ESI No.: 10032789420080208  
[ ] Temporary Pole [X] Permanent Service

Regarding the land described as:

La Las Vegas #2 Lote #71

On \_\_\_\_\_, 20\_\_\_\_, the Hidalgo County Commissioners Court, at a meeting duly called and noticed in accordance with the Texas Open Meetings Act, made the following determinations regarding plat and utility status of the land herein described pursuant to Texas Local Government Code Section 232.028(b):

All in "yes" or "no" in each blank

- A plat has been prepared;
- A plat has been reviewed and approved by the Commissioners Court;
- water service facilities have been constructed or installed to service the subdivision under Local Government Code Section 232.023 and are fully operable;
- an organized sewage collection and treatment system is to be used, and under sewer service facilities have been constructed or installed to service the subdivision under Section 232.023 and are fully operable;
- individual septic systems are to be used, and lots in the subdivision can be adequately and legally served by septic systems under Section 232.023;
- electrical and gas facilities, if available, have been constructed or installed to service the subdivision under Section 232.023.

(Date approved 9-29-09);

(verified by [Signature]);

(verified by [Signature]);

(verified by [Signature]);

(verified by [Signature]);

\_\_\_\_\_  
Planning Department Authorized Signature

\_\_\_\_\_  
Hidalgo County Judge

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Hidalgo County Clerk

\_\_\_\_\_  
Date



# PLANNING DEPARTMENT

## County of Hidalgo

Rev. 02-19-10

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956-205-7045  
956-205-7049

Precinct 1 2 3 4

Raul E. Sesin, P.E., CFM  
Planning Administrator

Application No: 4-10686

### REQUEST FOR HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

In my status and for the land indicated below, which is located outside of any municipality, I request that the Hidalgo County Commissioners Court make the determinations regarding plat and utility status described in Texas Local Government Code § 232.028(b) and issue a certificate of such determinations:

#### PARTY MAKING REQUEST:

Name: Nohemi Y Sepulveda

Address: 8715 Rhythm Dr

Edinburg TX 78542

Phone: 956-429-18-12

IDENTIFICATION OF LAND (e.g., lot and block number of recorded subdivision, designation on plat, address, description in deed, etc.):

Vualas Vegas #2 Lote # 71

#### STATUS OF PERSON OR ENTITY MAKING REQUEST:

- Subdivider
- Owner of lot in subdivision
- Resident of lot in a subdivision
- Entity that provides utility service

Nohemi Y Sepulveda  
Requesting Party (Signature)

11-21-2011  
Date

#### ATTACHED COPY OF VERIFICATION OF OWNERSHIP OR RESIDENCY OF LOT:

- Deed
- Executory Contract
- Lease
- Rent Receipt
- Affidavit
- Other (describe) Permit

.....  
This part to be filled out by receiving county official:

Location of land verified and completed request accepted by Hidalgo County for processing on:

11-21-11  
Date

Raul E. Sesin  
County Official

RE: Lot 71, Viva Las Vegas Subd Phase II, Hidalgo County, Texas, Doc No. 2039371, Official Rec Hid Cty TX

### NOTICE OF CONFIDENTIALITY RIGHTS

**IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

#### Special Warranty Deed with Vendor's Lien

1. Date: February 9, 2011
2. Grantor: Garco, Ltd., A Texas Limited Partnership
3. Grantor's Mailing Address: 3910 W. Freddy Gonzalez, Edinburg, Hidalgo County, Texas 78539
4. Grantee: NOHEMI YOLANDA SEPULVEDA
5. Grantee's Mailing Address: P.O. Box 791, Edinburg, Hidalgo County, Texas 78539
6. Consideration: Ten and No/100THS (\$10.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by Grantee of Grantee's one certain promissory note of even date herewith, in the principal sum of Sixteen Thousand Nine Hundred and No/100ths Dollars (\$16,900.00) payable to the order of Grantor and bearing interest as therein provided; containing the usual clauses providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to David Crook, Trustee.
7. Property: Lot Seventy-One (71) Viva Las Vegas Subdivision Phase II, Hidalgo County, Texas, as per map or plat thereof recorded under Document No. 2039371, Official Records of Hidalgo County, Texas.
8. Reservations from and Exceptions to Conveyance and Warranty: This conveyance is made by Grantor and accepted by Grantee subject to the following, only to the extent that same exist and affect the property, to-wit:
  - A. Any and all restrictions, reservations, rights, covenants, conditions, oil and gas and/or mineral reservations and leases thereof, and easements (including, but not limited to easements for utilities, irrigation lines, high pressure gas pipe lines and Irrigation District No. 1 drainage ditch), all of the foregoing and all items listed on Exhibit "A" attached hereto and made a part hereof for all purposes.
  - B. All zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, relating to the property, or any part hereof.
  - C. Anything an on-the-ground A-1 survey would reveal.
  - D. The taxes for the year 2011 and subsequent years.
  - E. Save and Except Grantor reserves for himself and his heirs and assigns all oil, gas and other minerals in, on, under or that may be produced from the above described property, including but not limited to groundwater rights.
  - F. **Right of First Refusal.** If Grantee desires to sell or otherwise transfer any interest in the property herein described, Grantor shall have the right of first refusal to meet any bona fide offer of sale on the same terms and conditions of such offer. Upon Grantor's failure to meet such offer in writing within 30 days after written notice thereof from Grantor to Grantee, Grantee may sell the property to the third party in accordance with his offer.
9. Condition of the Property: This Property is sold in its "As Is" condition as set out in Exhibit "B" hereto attached and made a part hereof for all purposes.

- 10. Prior Liens: Deed of Trust recorded under Document No. 1963296, Official Records, Hidalgo County, Texas
- 11. Granting Clause: Grantor, for valuable consideration the receipt of which is hereby acknowledged, and subject to the reservations from, and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging (continue below):
- 12. Special Warranty of Title: To have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty, when the claim is by, through or under Grantor, but not otherwise.
- 13. Vendor's Lien: The vendor's lien against and superior title to the Property are retained until the note described above is fully paid according to its terms, at which time this deed will become absolute.
- 14. Non-examination of Title: **NO TITLE EXAMINATION WAS REQUESTED IN CONNECTION WITH THE PREPARATION OF THIS DOCUMENT NOR WAS ANY MADE. THE PREPARER EXPRESSES NO OPINION AS TO THE TITLE TO THIS PROPERTY.**
- 15. Miscellaneous: When the context requires, singular nouns and pronouns include the plural.

16. Signature:

Garco, Ltd., A Texas Limited Partnership, acting by and through its General Partner, Garco Management L.L.C., a Texas Limited Liability Company

By:

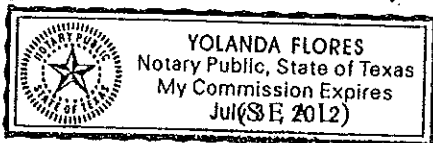
*Richard A. Garza*  
Richard A. Garza, President

The State of Texas

(Acknowledgment)

County of Hidalgo

This instrument was acknowledged before me on the 9<sup>th</sup> day of Feb, 2011, by Richard A. Garza, President of Garco Management L.L.C., a Texas Limited Liability Company, General Partner, on behalf of Garco, Ltd., A Texas Limited Partnership.



*Yolanda Flores*  
Notary Public, State of Texas  
My Commission Expires: 7-31-2012

After Recording Return To:

GARCO, LTD  
3910 W. Freddy Gonzalez  
Edinburg, Texas 78539

# Chapter 232 Texas LGC Application

APPLICATION NO:  
4-10686  
May. 26, 2011

COUNTY OF HIDALGO  
PLANNING DEPARTMENT  
1304 S. 25th Ave EDINBURG TX 78539  
TEL 318-2840 FAX 318-2844

 **COPY**  
V4358-02-000-0071-00

[ 1 ] OWNER: SEPULVEDA, NOHEMI YOLANDA  
  
8715 RYTHEM DR.  
EDINBURG, TX. 78542  
Telephone No. 904-6522

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
VIVA LAS VEGAS #2 LOT 71  
3/10/11AG.WATER/E

[ 2 ] CONTRACTOR: SELF

LOCATION: 0 2812 & DOOLITTLE

[ 3 ] WATER SYSTEM: N AL

[ 8 ] SEWAGE: PUBLI

[ 4 ] PURPOSE OF APPLICATION: NEW RESIDENCE  
01- RESIDENTIAL NEW SINGLE DWELLING

[ 9 ] CONSTRUCTION TYPE: WOOD

[ 5 ] SIZE OF STRUCTURE: 400 Sq. Ft.

[ 10 ] EST. COST OF CONST.: \$3,000

[ 6 ] USE OF BUILDING: RES. ZONE-X

[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

**Special Conditions: No construction allowed over any easements.**  
MUST COMPLY W/ALL COUNTY SETBACKS & REGULATIONS  
FRONT 25' REAR 15' SIDES 6'  
MINIMUM ELEV. 18" ABOVE TOP OF CURB

**FOR COUNTY USE ONLY  
APPLICATION FEES**

OTHER \_\_\_\_\_  
TOTAL AMOUNT . . . . . **\$30.00**

Light [X] Water [X]

Flood Zone: NO  
Panel No. /Suffix: 0325 D Pct: 4

Community No.: 480334

Certification of Elevation  
Required: YES  NO  BFE

- A. Setbacks front, side & rear shall be in any deed restrictions.
- B. No more than one single family residence per lot.
- C. Applicant shall comply with all of the plat and/or deed restrictions and requirements affecting the lot.
- D. Permit fee shall be doubled for construction commencing or structures moved in prior to obtaining a permit.
- E. Applicant/owner states that no structures exist on this tract of land. If found in violation, permit may be revoked.

*Juan Ceballos* \_\_\_\_\_  
Prepared by Date 5-26-11

*Edgar Isidro* \_\_\_\_\_  
Approved by Date 5-12-11

*Nohemi Sepulveda* \_\_\_\_\_  
Signature of Owner or Applicant Date 5-26-11

**[ NOTICE ]**

SEPARATE PERMITS ARE REQUIRED FOR SEPTIC TANKS. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS. OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF ONE YEAR AT ANYTIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND REGULATIONS GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.