

PLANNING DEPT. PCTS 2 & 4 CERTIFICATE OF PLAT & UTILITY STATUS		
	APPLICANT	APPLICATION NO.
1.	Sergio Jimenez Jr.	4-11090
2.	Cesar Rodriguez	4-8279
3.	Gilberto Alvarez	4-11139
	COMM. COURT: December 12, 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: 4-11090

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

X-25

WE THE UNDERSIGNED CERTIFY AS FOLLOWS:

Upon the application of:

Name: Sergio Jimenez Jr

Address: 7407 E. Rogers Rd.  
Edinburg Tx 78541

Phone: (956)-331-6790

Approved by Environmental Health:	Temporary Service Authorized Signature	Final Service Authorized Signature
Inspection/Permit No:		Existing System
Date Approved:	<u>1 1</u>	<u>12 15 11</u>

Water Supplier: North Alamo Water Supply

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

Account/ESI No.: 1101392374  
[ ] Temporary Pole [X] Permanent Service

regarding the land described as:

Ranchito Las Palmas Lot #12 Edinburg Tx.

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;
- NO 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;
- YES 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 12-25-07)

(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

Rev. 02-19-10

## County of Hidalgo

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2401 N. Moorefield Rd.  
Mission, TX 78572  
956-205-7045  
956-205-7049

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

Application No: 11-11090 (4)  
K-25

### 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: Sergio Jimenez Jr  
Address: 7407 E. Rogers Rd.  
Edinburg Tx. 78541  
Phone: (956)-331-6790

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

Ranchitos Las Palmas Lot #12 Edinburg Tx

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

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

Sergio Jimenez Jr  
Requesting Party (Signature)

12/6/11  
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:

12-07-11  
Date

Jln Castillo  
County Official

# Chapter 232 Texas LGC Application

APPLICATION NO:

4-11090

Oct. 27, 2011

COUNTY OF HIDALGO  
PLANNING DEPARTMENT

1304 S. 25th Ave EDINBURG TX 78539  
TEL 318-2840 FAX 318-2844

R0942-00-000-0012-00

[ 1 ] OWNER: JIMENEZ, SERGIO JR.

26281 JESUS FLORES  
EDCOUCH, TX. 78538

Telephone No. 331-6790

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
RANCHITOS LAS PALMAS LOT 12

LOCATION: 0 ROGERS & TOWER

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: EXIST

[ 3 ] WATER SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: OTHE

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

[ 10 ] EST. COST OF CONST.: \$50,000

[ 5 ] SIZE OF STRUCTURE: 2,800 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 50' REAR 50' EASTSIDE 10' WESTSIDE 6'  
18" ABOVE CENTERLINE OF STREET

**FOR COUNTY USE ONLY  
APPLICATION FEES**

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

Light [X] Water [X]

Flood Zone: NO X-25 Pct: 4  
Panel No. /Suffix: \_\_\_\_\_

Community No.: 480334-0325D

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.

Edgar Isidro 10-27-11  
Prepared by Date

Aurora Hernandez 10-25-11  
Approved by Date

X Sergio Jimenez Jr 10-27-11  
Signature of Owner or Applicant 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.

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.

WARRANTY DEED WITH VENDOR'S LIEN

Date: October 21, 2011

Grantor: SANTOS CHAPA, JR. and wife, ROSA G. CHAPA

Grantor's Mailing Address (including county): 4009 Country Meadows Drive  
Edinburg, Texas 78541  
Hidalgo County, Texas

Grantee: SERGIO JIMENEZ, JR.

Grantee's Mailing Address (including county): 26281 Jesus Flores  
Edcouch, Texas 78538  
Hidalgo County, Texas

Consideration: Ten Dollars and other valuable consideration to the undersigned paid by the grantee herein named, 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 TWENTY-TWO THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS (\$22,500.00) payable to the order of SANTOS CHAPA, JR. and wife, ROSA G. CHAPA, 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 BYRON JAY LEWIS, Trustee.

Property (including any improvements):

Lot Twelve (12), RANCHITOS LAS PALMAS SUBDIVISION, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 53, Pages 120-122, Map Records, Hidalgo County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

Restrictive covenants recorded in CLERK'S FILE NO. 1738734, CLERK'S FILE NO. 2200874, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS AND IN VOLUME 53, PAGES 120-122,, MAP RECORDS, HIDALGO COUNTY, TEXAS.

All the oil, gas and other minerals, in, under or that may be produced from the land are excepted herefrom in instrument(s) dated December 7, 1990, recorded in Volume 3012, Page 488 and

*Sergio Jimenez*  
*Rancho Las Palmas Lot 12*

Volume 3012, Page 491, dated May 29, 1992, recorded in Volume 3267, Page 239, and dated April 14, 2011, recorded under Clerk's File No. 2200874, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

Oil, Gas and Mineral Leases dated June 24, 2003, recorded under Clerk's File No. 1223131, dated June 12, 2003, recorded under Clerk's File No. 1223132, dated June 18, 2003, recorded under Clerk's File No. 1223133 and dated July 24, 2003, recorded under Clerk's File No. 1226444, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

Oil, Gas and Mineral Lease dated June 6, 1951, recorded in Volume 117, Page 526, Oil and Gas Records, Hidalgo County, Texas, and unitized in instrument dated June 27, 1955, recorded in Volume 172, Page 412, Oil and Gas Records, Hidalgo County, Texas, and subsequent transfers thereof.

Right of Way Agreement dated April 18, 1957, recorded in Volume 888, Page 382, Deed Records, Hidalgo County, Texas.

Right of Way Easement dated July 9, 2007, recorded under Clerk's File No. 1781906, Official Records, Hidalgo County, Texas.

Easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 1.

Minimum floor elevation; fifty foot (50') minimum setback line along the front, or greater for easement, whichever is greater; six foot (6') minimum setback line along the sides, or greater for easement, whichever is greater; fifty foot (50') minimum setback line along the rear, or greater for easement, whichever is greater, ten foot (10') electrical and utility easement along the East side; ten foot (10') electrical and utility easement along the North side; the North fifteen feet (15') of the South thirty foot (30') electrical and utility easement along the South side; the South fifteen feet (15') of the North twenty-five foot (25') drainage easement along the North side; the South fifteen feet (15') of the South thirty foot (30') exclusive easement to North Alamo Water Supply Corporation along the South side; as per map or plat recorded in Volume 53, Page 120-122, Map Records, Hidalgo County, Texas.

Easements and reservations as may appear upon the recorded map and dedication of said subdivision.

Easements, or claims of easements, which are not recorded in the public records.

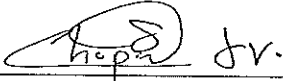
Taxes for the year 2011 and subsequent years.

Grantor, for valuable consideration, the receipt of which is hereby acknowledged, and subject to the reservations from, and exceptions to conveyance and warranty contained in this instrument, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold the Property to Grantee, Grantee's heirs, executors, administrators, successors, and 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 forever, except as to the reservations from, and exceptions to conveyance and warranty herein contained.

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.

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



SANTOS CHAPA, JR.

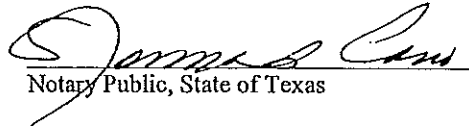
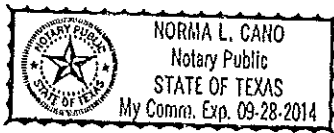


ROSA G. CHAPA

(Acknowledgment)

State of Texas §  
County of Hidalgo §

This instrument was acknowledged before me on the 21<sup>st</sup> of October, 2011,  
by SANTOS CHAPA, JR. and wife, ROSA G. CHAPA.



Notary Public, State of Texas

AFTER RECORDING RETURN TO:  
SERGIO JIMENEZ, JR.  
26281 Jesus Flores  
Edcouch, Texas 78538

PREPARED BY:  
Lewis, Monroe & Peña  
Attorneys At Law  
3111 W. Freddy Gonzalez Drive  
Edinburg, Texas 78539  
GF#: 772830;NLC:bc



# PLANNING DEPARTMENT

Rev. 02-19-10

## County of Hidalgo

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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: 4-8279  
1-25

### 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: Cesar Rodriguez

Address: 715 N. Cypress  
Pharr, TX 78577

Phone: 830-752-0815

Approved by Environmental Health:	Temporary Service	Final Service
	Authorized Signature	Authorized Signature
Inspection/Permit No:		<u>48837</u>
Date Approved:	<u>1 1</u>	<u>12 15 11</u>

Water Supplier: North Alamo Water Supply

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

Account/ESI No.: N/A  
[ ] Temporary Pole [x] Permanent Service

regarding the land described as:  
Evergreen Valley Estates Latt 33 Phase 3

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;
- no 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;
- yes 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 4-14-97);  
 (verified by John Castillo);  
 (verified by Raul Sesin 12-5-11);  
 (verified by Raul Sesin 12-5-11);  
 (verified by John Castillo);

Raul E. Sesin  
Planning Department Authorized Signature

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date



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956-205-7045  
956-205-7049

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

Precinct 1 2 3 4  
4-8279

Application No:

X-25

### 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 Rodriguez  
Address: 715 N. Cypress  
Pharr, TX 78577  
Phone: 830-752-0815

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

Evergreen Valley Estates Phase 3 Lot 33 Davis Rd.

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

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

Cesar Rodriguez  
Requesting Party (Signature)

12-5-11  
Date

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

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

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

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

12-07-11  
Date

H. J. Castillo  
County Official

# Chapter 232 Texas LGC Application

APPLICATION NO:  
4-8279  
Feb. 23, 2009

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

E8250-03-000-0033-00

[ 1 ] OWNER: ESTRADA, AXIA  
22513 URESTI  
EDINBURG, TX 78541  
Telephone No.

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
EVERGREEN VALLEY PH 3  
LOT 33

LOCATION: 0 DAVIS & SKINNER

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: INSTA

[ 3 ] WATER SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: WOOD

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

[10] EST. COST OF CONST.: \$70,000

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

[11] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

[ 6 ] USE OF BUILDING: RES ZONE X

**Special Conditions: No construction allowed over any easements.**  
MUST COMPLY W/ALL COUNTY SET BACKS & REGULATIONS.  
FRONT 50' REAR 35' SIDE'S 6' FINISH FLOOR OF ELEV.  
18" CENTERLINE OF STREET.

### FOR COUNTY USE ONLY APPLICATION FEES

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

Light [X] Water [X]

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.

Prepared by \_\_\_\_\_ Date \_\_\_\_\_

Approved by \_\_\_\_\_ Date \_\_\_\_\_

Signature of Owner or Applicant \_\_\_\_\_ 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.

*On-site*

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT 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: February 16, 2009

Grantor: Evergreen Valley Inc., a Texas Corporation  
 Grantor's Mailing Address:  
 3714 S. Exp. 281  
 Edinburg, Texas 78539

Grantee: Cesar Rodriguez  
 Grantee's Phone Number: (830) 752-0815  
 Grantee's Mailing Address (including county):  
 257 Whipf Rd.  
 Eagle Pass, Texas 78852  
 Maverick County, Texas

Consideration: Ten Dollars and other valuable consideration paid by Grantee to Grantor, the receipt of which is hereby acknowledged, and the further consideration of a note of even date that is in the principal amount of Twenty Three Thousand Four Hundred Fifty and no/100's (\$23,450.00), and is executed by Grantee, payable to the order of Grantor (the "Purchase Note"). The Purchase Note is secured by a vendor's lien retained in this deed and by a deed of trust of even date to Nancy Scurlock, Trustee.

Property (including any improvements):

Lot(s) 33, Evergreen Valley Estates, Phase III, as shown by the map or plat thereof recorded in Volume 52, Pages 135-144, Map Records, Hidalgo County, Texas

**Reservations from and Exceptions to Conveyance and Warranty:**

1. A lien securing a promissory note (the "Prior Note"), dated October 13, 2006, payable to the order of First National Bank which is described in and secured by a Deed of Trust filed for record in the Office of the County Clerk of Hidalgo County, Texas under Clerk's Document Number 1703891. Grantor shall be obligated to obtain a release of the Property from all liens and security interests securing the Prior Note within 30 days of the date Grantee makes final payment on the Purchase Note;
2. A lien securing a promissory note (the "Prior Note"), dated October 13, 2006, payable to the order of Sundown Developments, Ltd., a Texas Limited Partnership which is described in and secured by a Deed of Trust filed for record in the Office of the County Clerk of Hidalgo County, Texas under Clerk's Document Number 1703892. Grantor shall be obligated to obtain a release of the Property from all liens and security interests securing the Prior Note within 30 days of the date Grantee makes final payment on the Purchase Note;
3. Visible and apparent easements on or across the subject property;
4. Rights of parties in possession;
5. Easements, rights-of-way, and prescriptive rights, whether of record or not;
6. All recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property;
7. Rights of adjoining owners in any walls and fences situated on a common boundary;
8. Any discrepancies, conflicts, or shortages in area or boundary lines;
9. Any encroachments or overlapping of improvements;
10. All rights, obligations, and other matters emanating from and existing by reason of the creation, establishment, maintenance, and operation of any Water Improvement District, Irrigation District, or other applicable governmental district, agency, or authority;
11. Taxes for the current year and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership;

*J. C. R.*

- 12. The prior reservation or conveyance of all oil, gas, and other minerals previously reserved or conveyed by any parties having the right to do so;
- 13. All Easements, restrictions, set back lines, drainage swale requirements, and other matters shown on the plat of Evergreen Valley Estates, Phase III, as shown on the plat thereof, recorded in Volume 52, Pages 135-144, Map records of Hidalgo County, Texas; and
- 14. Subdivision Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas affecting the subject property.

**SAVE AND EXCEPT**, and there is hereby reserved unto Grantor, Grantor's successors and assigns, all oil, gas, and other minerals in, on, or under, or that may be produced from the Property, together with the right of ingress and egress at all times for the purpose of mining, drilling, exploring, operating, and developing said Property for oil, gas, and/or other minerals and removing the same there from. If the Property is subject to an existing Lease for oil and gas, or oil, gas and other minerals, Grantor is entitled to receive the royalties and other benefits that are associated with the Property and payable under the Lease.

**SAVE AND EXCEPT**, and there is hereby reserved unto Grantor, Grantor's successors and assigns, (to the fullest extent permitted by law) all water rights and rights to water (whether riparian, appropriative or otherwise) presently appended or annexed to said property.

Grantor, for the consideration 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, 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.

By the acceptance of this Deed, Grantee is taking the Property "as is", "where is" and "with all faults", and without any representations or warranties whatsoever, express or implied, written or oral, it being the intention of Grantor and Grantee to expressly negate and exclude all representations and warranties, including, but not limited to (i) the physical condition of the property or any element thereof, including, without limitation, warranties related to suitability for habitation, merchantability or fitness for a particular purpose; (ii) the nature or quality of construction, structural design and engineering of any improvements; (iii) the quality of the labor and materials included in any improvements; (iv) the soil conditions; drainage or other conditions existing at the property with respect to any particular purpose, developmental potential or otherwise; (v) all warranties created by any affirmation of fact or promise or by any description of the property; and (vi) all other warranties and representations whatsoever, except the warranty of title expressly set forth herein.

The vendor's lien against and superior title to the property are retained until the Purchase Note is fully paid according to its terms, at which time this deed shall become absolute.

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

Evergreen Valley Inc., a Texas Corporation

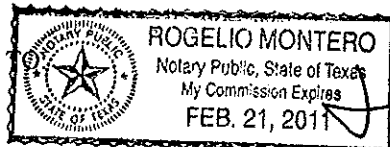
BY: [Signature]  
Herb Scurlock III, Secretary

(Acknowledgment)

State of Texas  
County of Hidalgo

This instrument was acknowledged before me on the 16th day of February 2009, by Herb Scurlock III, Secretary of Evergreen Valley Inc., a Texas Corporation, on behalf of said Texas Corporation.

[Signature]  
Notary Public, State of Texas



[Signature]

AFTER RECORDING RETURN  
Evergreen Valley Inc.  
3714 S. Exp. 281  
Edinburg, Texas 78539  
Special Warranty Deed  
Page 2



# PLANNING DEPARTMENT

## County of Hidalgo

Rev. 02-19-10

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: 4-11139  
X-20

### 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: Gilberto Alvarez

Address: 8604 Kenyan Rd  
Edinburg, Tx. 78542

Phone: (956) 269-4718

Approved by Environmental Health:	Temporary Service	Final Service
Inspection/Permit No:	Authorized Signature	Authorized Signature
Date Approved:	<u>1 / 1</u>	<u>SEWER</u> <u>12 / 5 / 11</u>

Water Supplier: N.A.W.S.

Utility Provider:  J.M.V.E.C.  MAEP

Account/ESI No.: 100 327 894 796 500 15  
 Temporary Pole  Permanent Service

regarding the land described as: Viva las Vegas #2 B6  
mobile home

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 4-29-09)  
(verified by [Signature])

(verified by [Signature]);

(verified by [Signature]);  
(verified by [Signature])

[Signature]  
Planning Department Authorized Signature

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

\_\_\_\_\_  
Date

ATTEST:

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

\_\_\_\_\_  
Date



# PLANNING DEPARTMENT

Rev. 02-19-10

## County of Hidalgo

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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:

1-1139  
1-20

### 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: Gilberto Alvarez

Address: 8604 Kenyan Rd  
Edinburg, TX 78542

Phone: (956) 569-4718

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 200

#### 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)

10-5-11  
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:

12-07-11  
Date

[Signature]  
County Official

# Chapter 232 Texas LGC Application

APPLICATION NO:

4-11139

Nov. 23, 2011

COUNTY OF HIDALGO  
PLANNING DEPARTMENT

1304 S. 25th Ave EDINBURG TX 78539  
TEL 318-2840 FAX 318-2844

V4358-02-000-0086-00

[ 1 ] OWNER: ALVAREZ, GILBERTO JR.

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
VIVA LAS VEGAS #2 LOT 86

9105 PALM LAKE DR.  
EDINBURG, TX. 78541

Telephone No. 569-4704

LOCATION: 0 FM 2812 & 281

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: PUBLI

[ 3 ] WATER SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: WOOD

[ 4 ] PURPOSE OF APPLICATION: MOBILE HOMES

20- MOBILE HOMES

[ 10 ] EST. COST OF CONST.: \$4,000

[ 5 ] SIZE OF STRUCTURE: 644 Sq. Ft.

[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

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

**Special Conditions: No construction allowed over any easements.**

MUST COMPLY W/ALL REGULATIONS & SETBACKS  
FRONT 25' SIDE'S 6' REAR 15' FINISH FLOOR OF ELEV.  
18" TOP OF CURB.

FOR COUNTY USE ONLY  
APPLICATION FEES

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

Light [X] Water [X]

Flood Zone: NO  
Panel No. /Suffix: 03250 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.

Gerard Castillo 11-23-11  
Prepared by Date

Jonathan Osiedo 11-18-11  
Approved by Date

\_\_\_\_\_  
Signature of Owner or Applicant 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.

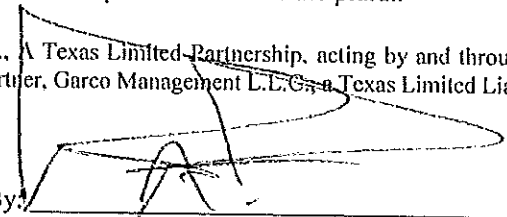
**NOTICE OF CONFIDENTIALITY RIGHTS**  
**IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

Special Warranty Deed with Vendor's Lien

1. Date: October 24, 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: GILBERTO ALVAREZ, JR.
5. Grantee's Mailing Address: 9105 Palm Lake Drive, Edinburg, Hidalgo County, Texas 78541
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 Fourteen Thousand Eight Hundred Ninety Five d and No/100ths Dollars (\$14,895.00) 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 Eighty-Six (86) 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: 

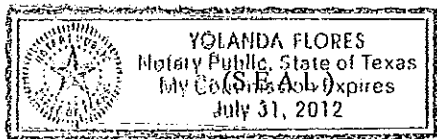
Richard A. Garza, President


The State of Texas

County of Hidalgo

(Acknowledgment)

This instrument was acknowledged before me on the 21<sup>st</sup> day of Oct, 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.



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

After Recording Return To:

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