

185602

WARRANTY DEED

no. 2880 page 579

Date: October 26, 1990

Grantor: OSCAR L. GARZA and LEO LONGORIA, d/b/a GARZA LONGORIA CATTLE COMPANY

Grantor's Mailing Address (including county): 1111 S. 15th  
Edinburg, Hidalgo County, Texas 78539

Grantee: COUNTY OF HIDALGO, TEXAS

Grantee's Mailing Address (including county): 111 S. 10th Street  
Edinburg, Hidalgo County, Texas 78539

Consideration: Ten and NO/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

Property (including any improvements):

Being (579,711.68 square feet) or 13.30 gross acres of land, more or less, out of and forming a part of Lot 15, Section 245, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 1, Page 16, Map Records of Hidalgo County, Texas; said 13.30 gross acre tract is more particularly described by metes and bounds as follows:

COMMENCING at a 60-D nail set on the Southwest corner of said Lot 15 lying in F.M. 2128 for the Southwest corner and point of beginning of this herein described tract;

THENCE, North, coincident with the West line of said Lot 15, a distance of 49.18 feet to a 60-D nail set in Doolittle Road for an outside corner of this herein described tract;

THENCE, South 89 degrees 52 minutes 40 seconds East, along a line parallel to and 35.0 feet South at a right angle from the Westerly centerline projection of an existing 4.0 foot concrete canal whose total right-of-way is 70.0 feet being 35.0 feet each side from said canal centerline, a distance of 33.0 feet pass a 1/2 inch diameter iron rod set on the apparent East right of way line of Doolittle Road, at 215.69 feet to a 1/2 inch diameter iron rod set on for an inside corner of this herein described tract; said inside corner lies within the 50.0 foot road right-of-way easement of F.M. 2128 granted to the State of Texas by instrument recorded in Volume 412, page 382 and Volume 379, Page 596, Deed Records, Hidalgo County, Texas;

THENCE, along a curve to the left whose radius is 62.82 feet and being along a line parallel to and 35.0 feet Southeasterly from said canal centerline, an arc length distance of 92.05 feet to a 1/2 inch diameter iron rod set at the end of said arc for an inside corner of this herein described tract;

THENCE, North 06 degrees 10 minutes 10 seconds East, along a line parallel to and 35.0 feet Southeasterly from said canal centerline, a distance of 174.42 feet to a 1/2 inch diameter iron rod set for an inside corner of this herein described tract;

THENCE, along a curve to the right whose radius is 417.50 feet and being along a line parallel to and 35.0 feet Southeasterly from said canal centerline, an arc length distance of 218.65 feet to a 1/2 inch diameter iron rod set at the end of said arc for an inside corner of this herein described tract;

THENCE, North 36 degrees 11 minutes 47 seconds East, along a line parallel to and 35.0 feet Southeasterly from said canal centerline, a distance of 917.64 feet to a 1/2 inch diameter iron rod set for an inside corner of this herein described tract;

THENCE, along a curve to the left whose radius is 76.44 feet and being along a line parallel to and 35.0 feet Southeasterly from said canal centerline, an arc length distance of 37.04 feet to a 1/2 inch diameter iron rod set on intersection with the South line of an 80.0 foot Southern Pacific Railroad strip of land for the Northwest corner of this herein described tract; said rod lies 40.0 feet at a right angle from the North line of said Lot 15 being the center of said 80.0 foot strip of land and bears East, coincident with the South line of said railroad strip of land, a distance of 931.62 feet from the intersection of the South line of said railroad strip of land with the West line of said Lot 15;

THENCE, East, coincident with the South line of said railroad strip of land, a distance of 41.20 feet to a 1/2 inch diameter iron rod set for the Northeast corner of this herein described tract; said Northeast corner bears West, coincident with the South line of said railroad strip of land, a distance of 347.18 feet from a 1/2 inch diameter iron pipe found on the intersection of the East line of said Lot 15 with the South line of said railroad strip of land;

THENCE, South, along a line parallel to the East line of said Lot 15, a distance of 1,204.26 feet pass a 1/2 inch diameter iron rod set on the North right-of-way line of said F.M. 2128, at 1,254.26 feet in all to a 60-D nail set in asphalt on the South line of said Lot 15 for the Southeast corner of this herein described tract;

THENCE, North 89 degrees 52 minutes West, coincident with the South line of said Lot 15 lying in said F.M. 2128, a distance of 399.78 feet to a 60-D nail set on an outside corner of said Lot 15 and this herein described tract;  
 THENCE, South 89 degrees 56 minutes West, continuing with the South line of said Lot 15, a distance of 573.03 feet to the place of beginning, containing 13.30 gross acres of land, more or less, of which approximately 1.16 acres lie in F.M. 2128 and Doolittle Roads.

Vol. 2990 PAGE 580

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

**SAVE AND EXCEPT** all oil, gas and other minerals.

**SUBJECT TO THE FOLLOWING:**

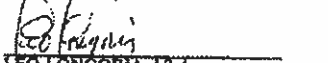
- (1) Easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 1 and easements for roadways as shown on the recorded map of the above described subdivision.
- (2) Highway easement in favor of the State of Texas as shown by instrument dated December 13, 1932, recorded in Volume 379, Page 596, Deed Records of Hidalgo County, Texas.
- (3) Highway easement in favor of the State of Texas as shown by instrument dated February 21, 1936, recorded in Volume 412, Page 382, Deed Records of Hidalgo County, Texas.
- (4) Irrigation line easement in favor of Hidalgo County Water Control and Improvement District No. 1 as shown by instrument dated March 31, 1939, recorded in Volume 519, Page 167 and dated September 5, 1946, recorded in Volume 593, Page 498, both in the Deed Records of Hidalgo County, Texas.
- (5) Water Line easement in favor of North Alamo Water Supply Corporation as shown by instrument dated May 24, 1973, recorded in Volume 1411, Page 614, Deed Records of Hidalgo County, Texas.
- (6) Terms, stipulations and conditions contained in Oil, Gas and Mineral Lease executed by C. O. Hagan to Peter Verbalem, dated November 3, 1981, recorded in Volume 423, Page 964, Oil and Gas Records of Hidalgo County, Texas. Said lease has been assigned to PYRO Energy Corp..
- (7) Rights of parties in possession.
- (8) Visible or apparent easements on or across the property herein described.
- (9) Subject to the subdivision regulations of the County of Hidalgo and/or Ordinances or governmental regulations of the City holding extra-territorial jurisdiction of said property.
- (10) Grantors, their heirs, executors, administrators, successors or assigns, warrant, represent and agree that any mineral deed or mineral lease executed in the future, conveying any mineral interest they may have in the above described property, shall contain and shall be subject to the following provision:

Notwithstanding any provisions contained herein to the contrary and without impairment of the validity of this lease/deed in any respect, it is agreed and understood that lessee/grantee, its successors or assigns or heirs and assigns shall not use all or any part of the surface of the above described lands for the purposes of mining, exploring or drilling, in the production of oil, gas and other minerals, laying of pipe lines, building of tanks, power stations or other structures thereon, to produce, save, take care of, treat, transport or any other activities that may have anything to do with the mining, drilling for oil, gas, or any other operations. It is the intention of the parties hereto that lessee/grantee, his heirs and assigns, its successors or assigns shall not have the right to use the surface of the above described land or any part thereof nor have the right of ingress and egress upon described land. This prohibition with respect to the use of the surface of said land shall in no way impair the right of lessee to produce oil, gas or other mineral from said land, either by directional drilling from a well located on adjacent land or by some other method which will not require entry upon the surface of the above described leased premises or by including the land or a portion thereof with a pooled unit or units pursuant to the terms hereof.

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, 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 conveyance and warranty.

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

  
 OSCAR V. GARZA d/b/a  
 GARZA-LONGORIA CATTLE COMPANY

  
 LEO LONGORIA d/b/a  
 GARZA-LONGORIA CATTLE COMPANY

STATE OF TEXAS

(Acknowledgment)

Vol. 2990 Page 581

COUNTY OF HIDALGO

This instrument was acknowledged before me on the 30th day of October, 1990, by OSCAR L. GARZA and LEO LONGORIA, d/b/a GARZA LONGORIA CATTLE COMPANY.



*Shirley Clancey*  
Notary Public, State of Texas  
Notary's name (printed): Shirley Clancey

Notary's commission expires: June 1, 1993

Charge to: Valley Land  
AFTER RECORDING RETURN TO  
ATLAS & HALL  
P. O. Drawer 3725  
McAllen, Texas 78502

PREPARED IN THE LAW OFFICE OF:  
L. G. "JERRY" CANALES  
1238 East McIntyre  
Edinburg, Texas 78539  
GF# 32798

GF 38,798

Vol. 2990 Page 582

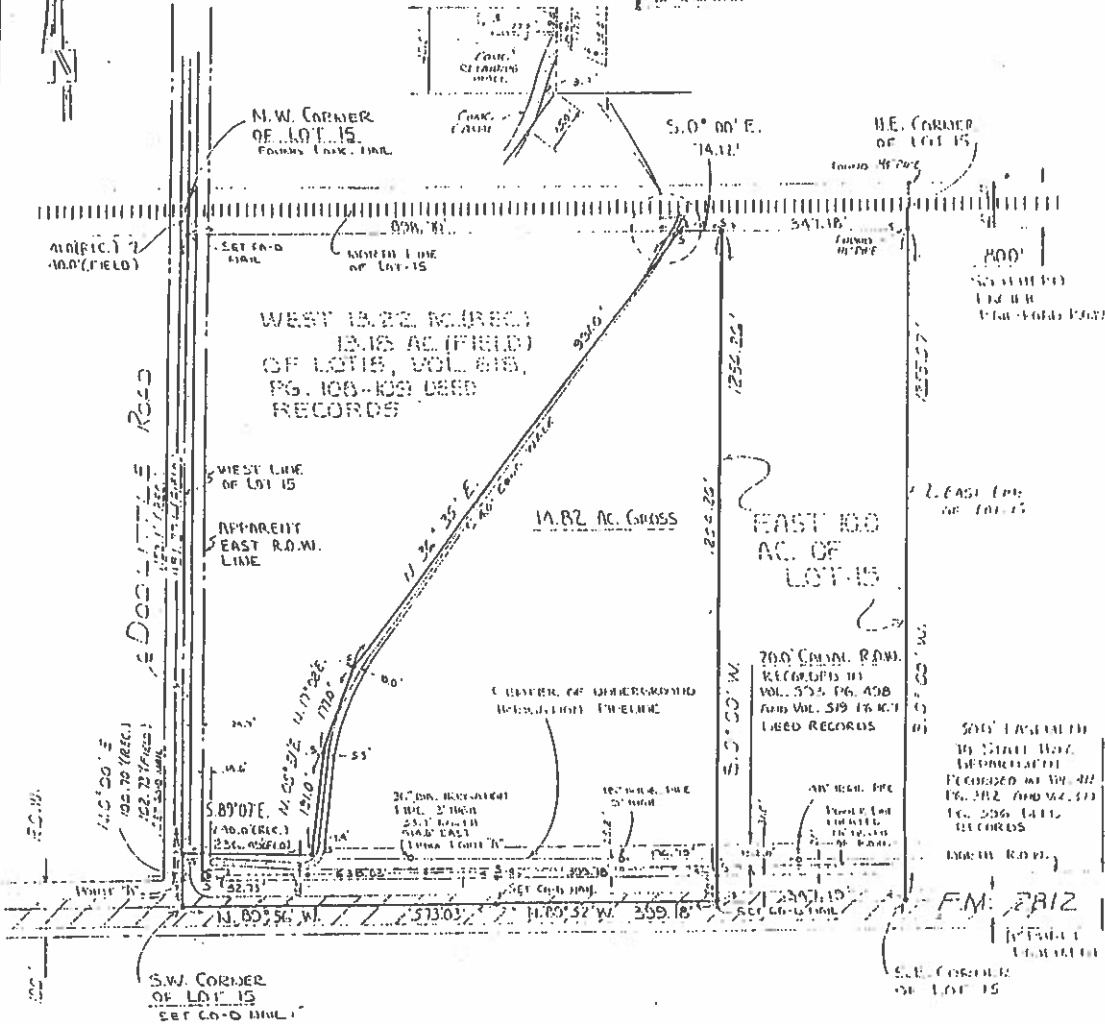
FILED FOR RECORD  
NOV 5 PM 2:33  
WILLIAM KELLY LEO  
CLERK  
HIDALGO COUNTY TEXAS

185602

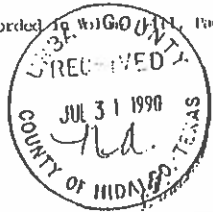
**SALINAS & ASSOCIATES, INC.**  
**CONSULTING ENGINEERS & SURVEYORS**  
 1013 SYCAMORE - McALLEN, TEXAS  
 682 - 9081

SCALE  
 1" = 100'

DETAIL SCALE 1" = 30'  
 of Railroad



- PLAT NOTES:
1. There is a conflict in distances between the south line of Lot 15 shown on the plat of Texas-Mexican Railway Company's Survey and what is actually on the ground.
  2. Blanket Easement in favor of North Alamo Water Supply Corporation recorded in Hidalgo County, Texas, Page 614, Deed Records.



WITNESSES:  
 S. - LEVIAS NEHRD RND SET

This is to certify that I have, this date, made a careful and accurate standard land survey on the ground of property which is located at SALINAS PLANT in HIDALGO COUNTY Texas, described as follows: TRACT OUT OF LOT 15, SECTION 29S (SEE METES AND BOUNDS DESCRIPTION) Lot       , Block       , of TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY Texas, according to the plat recorded in Volume 1, Page 16, of the MAP Records of Hidalgo County, Texas.



07-25-90 15481  
 Date JOB No.

*Ricardo A. Ralbio*  
 Professional Land Surveyor No. 2909