


**COUNTY of HIDALGO**  
Precinct No. 2



*Hector "Tito" Palacios*  
County Commissioner

**MEMO**

TO: Commissioner's Court

FROM: Jaime Salinas,   
Hidalgo County Right of Way Department

TE: July 18, 2012

RE: Minnesota Drainage Project (Parcel # 8)  
Laura Lilia Lubin

---

Attached please find letter provide by property owner for above-mentioned project.

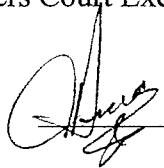
Appraised Value: \$ 17,775.00

Settlement Request: \$ 22,840.87

Difference to Landowner \$ 5,065.87

Commissioners Court Executive Session July 24, 2012

Approved;

 7/24/12

Not Approved;  
Administration Office  
300 West Hall Acres, Suite G  
Pharr, TX 78577  
Tel: 956-787-1891 Fax: 956-787-4683

Precinct 2 Shop  
301 E. State St.  
Pharr, TX 78517

County: Hidalgo

Eng09.001  
September 26, 2011

Ditch: Minnesota Drainage Ditch

Sheet 1 of 3

Project Limits: From the FM 495 Drainage Ditch West Approximately 5025 feet between Lots 1-8, Block 47, Alamo Land and Sugar Company Subdivision

(EXHIBIT-A)  
FIELD NOTES FOR PARCEL -8

Being a 1.198-acre tract of land out of the East 21.09-acres of Lot 2, Block 47, Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas. Said East 21.09-acres is vested to Laura Lilia Lubin from Alamo Heights, LTD., a Texas limited partnership, by virtue of a Special Warranty Deed with Vendor's Lien dated September 28, 2010, recorded in Document No. 2141729, Official Records of Hidalgo County, Texas. Said 1.198-acre tract of land being more particularly described by metes and bounds as follows;

**Beginning** at the Southeast corner of Lot 2, Block 47, Alamo Land and Sugar Company Subdivision for the Southeast corner of this tract of land and the **POINT OF BEGINNING**;

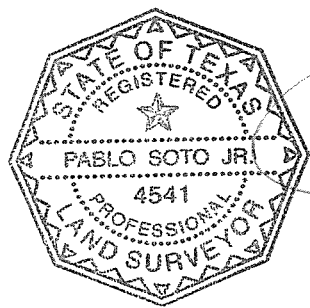
**THENCE**, North 81 degrees 25 minutes 00 seconds West, with the South line of said Lot 2, Block 47, a distance of 695.97 feet to the Southwest corner of the East 21.09-acres of said Lot 2, Block 47 for the Southwest corner of this tract of land;

**THENCE**, North 08 degrees 35 minutes 00 seconds East, with the West line of said East 21.09-acres, a distance of 75.00 feet to a No. 4 rebar set (with a plastic cap stamped RGEC) for the Northwest corner of this tract of land;

**THENCE**, South 81 degrees 25 minutes 00 seconds East, with the Proposed North Right of Way line of the Minnesota Drainage Ditch and parallel to the South line of said Lot 2, Block 47, a distance of 695.97 feet to a No. 4 rebar set (with a plastic cap stamped RGEC) at the East line of said Lot 2, Block 47 for the Northeast corner of said tract of land;

**THENCE**, South 08 degrees 35 minutes 00 seconds West, with the East line of said Lot 2, Block 47, a distance of 10.00 feet passed a No. 4 rebar found (with a plastic cap stamped RGEC) and at a total distance of 75.00 feet to the **POINT OF BEGINNING** and containing 1.198-acres of which 0.202 of an acre of land lies within the existing Drainage Ditch and 0.026 of an acre lies within the existing Hidalgo County Irrigation District No. 2 Irrigation Drainage Easement and leaving a **Net Taking of 0.97** of an acre of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby state that the above metes and bounds are true and are the result of an actual survey performed on the ground under my direction.

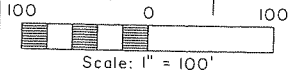


*Pablo Soto, Jr.*  
\_\_\_\_\_  
Pablo Soto, Jr. – R.P.L.S. No. 4541  
Date: 9/26/11

ALAMO LAND AND SUGAR COMPANY SUBDIVISION

VOLUME I, PAGES 24-26, M.R.H.C.

LOT 2, BLOCK 47



OWNER: MARIA MELDA GARZA, TRUSTEE.  
WARRANTY DEED  
VOLUME 2592, PAGE 566, O.R.H.C.

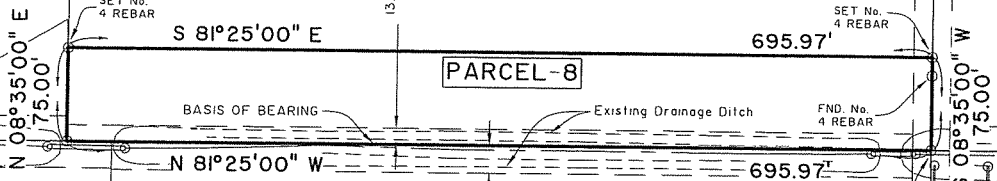
OWNER: LAURA LILIA LUBIN  
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN  
DOC. No. 2141729, O.R.H.C.

OWNER: PHARR-SAN JUAN-ALAMO ISD  
SPECIAL WARRANTY DEED  
DOCUMENT No. 2043295, O.R.H.C.

OWNER: SOLIDA ADMINISTRADORA de  
PORTAFOLIOS, S.A. de C.V. o MEXICO CORP.  
SPECIAL WARRANTY DEED  
DOC. No. 2158186, O.R.H.C.

LOT 7, BLOCK 47  
OWNER: PROPILUSION INVESTMENTS, LLC.  
A TEXAS LIMITED LIABILITY COMPANY  
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN  
DOCUMENT No.: 2119853, O.R.H.C.

OWNER: RUAL GARZA AND CAROLINO LOZANO  
WARRANTY DEED WITH VENDOR'S LIEN  
DOCUMENT No. 888894, O.R.H.C.



ALL CORNER ARE No. 4 REBARS  
SET WITH A PLASTIC CAP  
STAMPED RGEC, UNLESS OTHER-  
WISE NOTED.

OWNER: LAURA LILIA LUBIN, BY VIRTUE OF A SPECIAL  
WARRANTY DEED WITH VENDOR'S LIEN DATED  
SEPTEMBER 28, 2010, RECORDED IN DOCUMENT No.  
2141729, OFFICIAL RECORDS OF HIDALGO COUNTY,  
TEXAS.

DESCRIPTION: THE EAST 21.09-ACRES OF LOT 2,  
BLOCK 47, ALAMO LAND AND SUGAR COMPANY  
SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP  
RECORDED IN VOLUME I, PAGES 24-26, MAP RECORDS  
OF HIDALGO COUNTY, TEXAS.

TOTAL ACREAGE: 21.09-AC.  
TO BE ACQUIRED: 1.198-AC.  
EXISTING DRAINAGE DITCH: 0.202-AC  
EXISTING H.C.I.D. No. IRR. EASEMENT: 0.026-AC  
PROPOSED NET TAKING: 0.97-AC  
REMAINDER: 19.892-AC

DOCUMENT No: \_\_\_\_\_

(EXHIBIT-A)  
PARCEL -8  
SURVEY PLAT  
OF A 1.198-ACRE TRACT OF LAND  
OUT OF THE EAST 21.09-ACRES  
OF LOT 2, BLOCK 47,  
ALAMO LAND AND SUGAR COMPANY SUBDIVISION,  
HIDALGO COUNTY, TEXAS  
AS PER MAP RECORDED IN  
VOLUME I, PAGES 24-26, M.R.H.C.

The undersigned hereby state that this survey,  
as described hereon, was made on the ground  
and that the only improvements on the ground  
are as shown and that there are no visible  
encroachments, visible overlapping, apparent  
conflicts, or visible easements, except as shown  
hereon. This Survey substantially conforms to the  
Minimum Standards of Practice as approved by  
the Texas Board of Professional Land Surveyors.



**R. Gutierrez**  
Engineering  
Corporation

**Professional Engineers & Land Surveyors**

130 E. PARK AVENUE • PHARR, TEXAS 78577  
(TEL) 956 782-2557 • (FAX) 956 782-2558  
ENGINEERING FIRM No. 486 • SURVEYING FIRM No.: 101650-00

GF No.: 125037

PABLO SOTO, JR., R.P.S. No. 4541

Date: 9/26/11

JOB No.: ENG09.001	DATE: SEPT 26, 2011
DRAWN BY: RG	PAGE: 3 OF 3

LOT 3, BLOCK 47

LOT 6, BLOCK 47



**REAL ESTATE APPRAISAL REPORT**  
TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: Located along the southern frontage of  
Owassa Road, East of Apache Drive, San Juan, Texas. District: Pharr  
Property Owner: Laura Lilia Lubin ROW CSJ: N/A  
Address of Property Owner: 101 West Pelican Avenue, Parcel: 8  
McAllen, Texas 78504  
Occupant's Name: Vacant Federal Project No: N/A  
Highway: Minnesota Drain County: Hidalgo  
Ditch

Whole:  Partial:  Acquisition

**Purpose of the Appraisal**

The purpose of this appraisal is to estimate the market value of the fee simple title to the real property to be acquired, encumbered by any easements not to be extinguished, less oil, gas and sulphur. If this acquisition is of less than the whole property, then any special benefits and/or damages to the remainder property must be included in accordance with the laws of Texas.

**Market Value**

Market value is defined as follows: "Market Value is the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."

**Certificate of Appraiser**

I hereby certify that, it is my opinion the total compensation for the acquisition of the herein described property is \$17,775.00 as of February 2, 2012, based upon my independent appraisal and the exercise of my professional judgment; on February 2, 2012, (date)(s), I personally inspected in the field the property herein appraised; I afforded Laura Lilia Lubin, the property owner or the representative (s) of the property owner, the opportunity to accompany me at the time of the inspection. The comparables relied upon in making said appraisal were as represented by the photographs contained in the appraisal report and were inspected on February 2, 2012, I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of the, County of Hidalgo, Texas Department of Transportation, or officials of the Federal Highway Administration until authorized by State officials to do so, or until I am required to do so by due process of law or until I am released from this obligation by having publicly testified to such findings; and, my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result or the occurrence of a subsequent event.

The appraiser has considered access damages in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB18 of the Texas 82<sup>nd</sup> Regular Legislative Session and finds as follows:

1. Is there a denial of direct access of the parcel? No (yes or no)
2. If so, is the denial of direct access material? N/A (yes, no, or not applicable)
3. The lack of any access denial or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of \$0.00.

I certify to the best of my knowledge and belief that the statements of fact contained in this report are true and correct; the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions; I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved; and, my analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the appropriate State laws, regulations, and policies and procedures applicable to the appraisal of right of way for such purposes, and that to the best of my knowledge no portion of the value assigned to such property consists of items which are non-compensable under the established law of said State, and any decrease or increase in the fair market value of subject real property prior to the date of valuation caused by the public improvement other than that due to the physical deterioration within the reasonable control of the owner has been disregarded in estimating the compensation for the property.

Leonel Garza III  
Appraiser Signature

State Certified General Real Estate Appraiser – TX 1328375 – General  
Certification Number

February 6, 2012  
Date

To the best of my knowledge, the value does not include any items which are not compensable under the State law.

\_\_\_\_\_  
District Reviewing Appraiser Date



### **Certificate of Appraisal**

This appraisal report conforms to the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation. The subject property was analyzed utilizing the Cost Approach to value which is a Sales Comparison Approach to the subject as vacant and includes the estimated depreciated market value of real estate improvements and site improvements located within the part to be acquired. This is further explained within each section of the appraisal report.

### **Client & Intended User**

The client for this report is identified as Hidalgo County Right-of-Way under the direction of Precinct No. 2 Honorable Hidalgo County Commissioner Hector "Tito" Palacios and the Texas Department of Transportation, Southern Region. The part to be acquired is for the expansion of an existing drain ditch centrally located between Owassa Road and Minnesota Road. The intended use of the report is to assist Jaime Salinas, Right-of-Way Agent of Hidalgo County, for future negotiations of acquiring a portion of said property as fee simple in the name of the County of Hidalgo, Texas. This report is not intended for any other use, unless specified by the client. The clients have identified that the report shall be a summary appraisal report, which is to conform to the ROW-A-6 Form Rev. 11/2011. The intended user of the report is defined as Hidalgo County Right-of-Way Department, and may include governmental entities which may be participating in the project. Jaime Salinas shall be the project manager for this project under the direction of Honorable Hector "Tito" Palacios, County Commissioner of Precinct No. 2. Mr. Salinas has a local office located at 301 E. State Street, Pharr, Texas and can be contacted at (956) 283-8134.

### **Scope of the Assignment**

By work order number 667977 dated December 20, 2011 on behalf of the Hidalgo County Right-of-Way Department and Hidalgo County Precinct No. 2, requested for Leonel Garza Jr. & Associates LLC to prepare an appraisal report of the part to be acquired as described by survey and metes and bounds created by R. Gutierrez Engineering Corporation located at 317 East Park Avenue, Pharr, Texas. The scope of the assignment is to appraise the area as fee simple in its present "as is condition" subject to governmental regulation, and in terms of a cash transaction. In addition, the scope is requiring the appraiser to make the extraordinary condition that the subject property is free from contamination of which could affect the overall market value of the subject property as a whole and the part to be acquired. The property owner shall be sent a letter of intent to inspect the subject property and offer any additional inspections on-site and in the presence of the owner(s) and or owner(s) representative (as requested in writing). In the event access is not granted to enter the subject area, the appraiser is to proceed off-site along existing road right-of-way as indicated by survey. The scope of the assignment requires that comparable market sales within the area be identified and analyzed for comparability and for their reliability in determining the estimated market value of the subject property. The sales have been collected, confirmed and analyzed with respect to comparability to the subject property. These comparable sales were gathered through various sources which included the Greater McAllen Multiple Listing Service, local Realtors & Brokers, Real Estate Appraisers, and conversations with various owners along the project. Listings along Minnesota Road, Owassa Road, and the surrounding market area were also reviewed in order to determine the current market asking prices for property along the project. The appraisal report shall indicate the current market value of the subject property as per date of on-site and or off-site inspection without project influence as indicated by scope. The inspection is limited by the permissibility of the subject owner as per date of report. In the event an on-site inspection was not permitted, the appraiser continued the inspection off-site along existing road right of way. The property owner shall always reserve the right for a re-inspection of the subject parcel at a later date if requested in writing.

### **Purpose of the Appraisal Report**

This appraisal is prepared for the purpose of estimating the current market value of the fee simple estate of the subject property in order to determine the value of the proposed right-of-way to be acquired in the name of the County of Hidalgo. This appraisal does not include any enhancement in value resulting from items of intangible personal property such as marketing and management skill, an assembled work force, working capital, trade names, franchises, patents, trademarks, contracts, leases (mineral and or ground lease), or operating agreements and project influence (if any exist). The area to be acquired may contain personal property items which are not compensable and or may be handled through negotiations. These items deemed compensable shall be included within the body of the report and itemized for clarity by the appraiser. Any improvements not located within the part to be acquired and outside of the permissibility of inspection as defined by the subject owner, shall be given a stated value based on the assessment established by the corresponding Appraisal District and or by off-site estimation by appraiser, as they are not affected by the acquisition.

### **Property Rights Appraised**

As per scope of the assignment the property rights being appraised in this report consist of the fee simple estate of the subject property. Fee Simple Estate is defined by the Dictionary of Real Estate Appraisal, Fourth Edition, copyright 2002, page 113, by the Appraisal Institute as being: "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

### **Accessibility**

As per scope of the assignment, the subject property shall be inspected in order to verify any and all improvements affected by the part to be acquired. In the event the remainder after the acquisition is affected by the proposed acquisition, the remainder shall be inspected in order to determine damages (diminution) to market value if any exist. The property owner of record shall be sent a letter of intent to inspect and offer the opportunity for an on-site inspection in the presence of the appraiser, Leonel Garza III. A copy of the certified letter is located within the addenda of this report. The property owner shall always reserve the right to contact the office of Leonel Garza Jr. & Associates LLC (956) 687-7295 or leonel3@garza-associates.com, after the date of inspection for an additional on-site inspection in their presence with appraiser, Leonel Garza III.

### **Analysis of Subject As A Whole**

A survey of the property owners entire tract was not performed as the part to be acquired incorporates a portion of land located along the southern property line south of the southern frontage of Owassa Road. As per scope of the assignment, the subject property shall be analyzed based on the combined information of several sources including, the survey provided, on-site and or off-site inspection, personal interviews, and information gathered from the local appraisal district. The property was analyzed based on the whole property less any existing road right-of-way. Based on the inspection of the subject property and the evaluation of the subject as a whole, the remainder shall not be affected by the part to be acquired and therefore shall not be included within the valuation of this report.

### **Economic Unit Analysis**

During the analysis of the subject property it was determined that the overall land area of 21.09 acres shall be utilized as the economic unit of the subject property for the analysis of the part to be acquired. This land area is indicative of the market trends within the immediate area and shall be utilized for the direct sales comparison approach to value in order to determine the current market value of the whole. Once the unit rate for the subject is established, a pro-rata part of the whole is applied the determination of the part to be acquired. The comparable sales used for the analysis of the subject property as whole and as the partial acquisition were indicated to have an economic unit range of 10.00 acres to 21.09 acres.

**Part To Be Acquired**

The proposed acquisition is comprised of fee land in which the gross land area to be acquired is 1.198 acres (52,185 square feet). The part to be acquired is encumbered by a 0.202 acre drainage ditch and 0.026 acre within the Hidalgo County Irrigation District No. 2 Drainage Easement, leaving a net 0.97 acre (42,253 square feet) of land. The proposed acquisition has approximately 695.97' lineal feet of frontage along the southern property line of the subject property. The proposed acquisition, which is the subject of this report, shall be evaluated as a whole as determined by the approaches to market value selected. The subject shall be valued based on the highest and best use for single family residential development. This use is based on the local market trends along Minnesota Road and Owassa Road. This highest and best use is further explained on page 3.1 of this report.

<b>To Be Acquired</b>	<b>1.198 Acres</b>
	<b>52,185 Square Feet</b>

**Legal Description: Part To Be Acquired**

Being a 1.198 of an acre of land out of the East 21.09 acres of Lot 2, Block 47, Alamo Land Sugar Company Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas.

**Remainder Before and After Acquisition**

The remainder, before and after the acquisition, is defined as the partial acquisition subtracted from the whole property which is described as the subject property. It is determined at the time of appraisal whether or not damages to the remainder are caused by the proposed part to be acquired. The highest and best use of the subject property before and after the proposed partial acquisition is analyzed to determine whether or not the use of the subject property will be altered as a result of the proposed part to be acquired.

**Property Tax Data**

According to the information provided by the Hidalgo County Appraisal District located at located at 4405 S. Professional Dr., Edinburg, Texas and accessed via internet [www.hidalgoad.org](http://www.hidalgoad.org). The subject property was indicated to be under the ownership of Laura Lilia Lubin. This was found under the tax account A1800-00-047-0002-01.

<b>OWNER OF RECORD</b>	LAURA LILIA LUBIN
PROPERTY TAX IDENTIFICATION NO.	112790
IMPROVEMENT VALUE	\$0
LAND VALUE	\$153,957
ASSESSED VALUE	\$8,457
EXEMPTIONS	AG


**COUNTY of HIDALGO**  
Precinct No. 2



*Hector "Tito" Palacios*  
County Commissioner

**MEMO**

TO: Commissioner's Court

FROM: Jaime Salinas,   
Hidalgo County Right of Way Department

TE: July 18, 2012

RE: Minnesota Drainage Project (Parcel # 10)  
Propulsion Investments

---

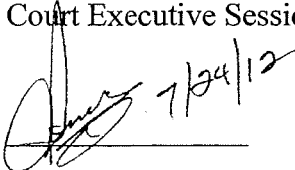
Attached please find letter provide by property owner for above-mentioned project.

Appraised Value: \$ 16,845.00

Settlement Request: \$ 20,601.43

Difference to Landowner \$ 3,756.43

Commissioners Court Executive Session July 24, 2012

Approved;  7/24/12

Not Approved; \_\_\_\_\_  
Administration Office  
300 West Hall Acres, Suite G  
Pharr, TX 78577  
Tel: 956-787-1891 Fax: 956-787-4683

Precinct 2 Shop  
301 E. State St.  
Pharr, TX 78517

County: Hidalgo

Eng09.001  
September 26, 2011

Ditch: Minnesota Drainage Ditch

Sheet 1 of 2

Project Limits: From the FM 495 Drainage Ditch West Approximately 5025 feet between Lots 1-8, Block 47, Alamo Land and Sugar Company Subdivision

(EXHIBIT-A)  
FIELD NOTES FOR PARCEL -10

Being a 1.136-acre tract of land out of the East One-Half (E ½) of Lot 7, Block 47, Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas. Said East One-Half (E ½) of Lot 7, Block 47 is vested to Propilusion Investments, LLC, a Texas limited liability company from Alamo Heights, LTD., a Texas Limited Partnership dated July 14, 2010, recorded in Document 2119853, Official Records of Hidalgo County, Texas. Said 1.136-acre tract of land being more particularly described by metes and bounds as follows;

**Beginning** at the Northeast corner of Lot 7, Block 47, Alamo Land and Sugar Company Subdivision for the Northeast corner of this tract of land and the **POINT OF BEGINNING**;

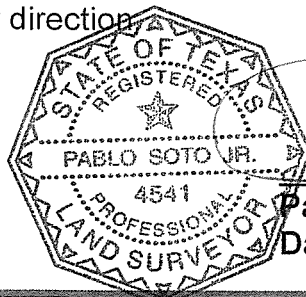
**THENCE**, South 08 degrees 35 minutes 00 seconds West, with the East line of said Lot 7, Block 47, a distance of 75.00 feet to a No. 4 rebar set (with a plastic cap stamped RGEN) for the Southeast corner of this tract of land;

**THENCE**, North 81 degrees 25 minutes 00 seconds West, with the Proposed South Right of Way line of the Minnesota Drainage Ditch and parallel to the North line of said Lot 7, Block 47, a distance of 660.00 feet to a No. 4 rebar set (with a plastic cap stamped RGEN) for the Southwest corner of this tract of land;

**THENCE**, North 08 degrees 35 minutes 00 seconds East, parallel to the East line of said Lot 7, Block 47, a distance of 75.00 feet to the Northwest corner of this tract of land;

**THENCE**, South 81 degrees 25 minutes 00 seconds East, with the North line of said Lot 7, Block 47, a distance of 660.00 to the **POINT OF BEGINNING** and containing 1.136-acres of which 0.326 of an acre of land lies within the existing Drainage Ditch and 0.026 of an acre lies within a Hidalgo County Irrigation District No. 2 Irrigation Easement and leaving a **Net Taking of 0.785** of an acre of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby state that the above metes and bounds are true and are the result of an actual survey performed on the ground under my direction.



*Pablo Soto, Jr.*  
Pablo Soto, Jr. – R.P.L.S. No. 4541  
Date: 9/26/11

County: Hidalgo

Eng09.001  
September 26, 2011

Ditch: Minnesota Drainage Ditch

Sheet 1 of 2

Project Limits: From the FM 495 Drainage Ditch West Approximately 5025 feet between Lots 1-8, Block 47, Alamo Land and Sugar Company Subdivision

(EXHIBIT-A)  
FIELD NOTES FOR PARCEL -10

Being a 1.136-acre tract of land out of the East One-Half (E ½) of Lot 7, Block 47, Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas. Said East One-Half (E ½) of Lot 7, Block 47 is vested to Propulsion Investments, LLC, a Texas limited liability company from Alamo Heights, LTD., a Texas Limited Partnership dated July 14, 2010, recorded in Document 2119853, Official Records of Hidalgo County, Texas. Said 1.136-acre tract of land being more particularly described by metes and bounds as follows;

**Beginning** at the Northeast corner of Lot 7, Block 47, Alamo Land and Sugar Company Subdivision for the Northeast corner of this tract of land and the **POINT OF BEGINNING**;

**THENCE**, South 08 degrees 35 minutes 00 seconds West, with the East line of said Lot 7, Block 47, a distance of 75.00 feet to a No. 4 rebar set (with a plastic cap stamped RGEC) for the Southeast corner of this tract of land;

**THENCE**, North 81 degrees 25 minutes 00 seconds West, with the Proposed South Right of Way line of the Minnesota Drainage Ditch and parallel to the North line of said Lot 7, Block 47, a distance of 660.00 feet to a No. 4 rebar set (with a plastic cap stamped RGEC) for the Southwest corner of this tract of land;

**THENCE**, North 08 degrees 35 minutes 00 seconds East, parallel to the East line of said Lot 7, Block 47, a distance of 75.00 feet to the Northwest corner of this tract of land;

**THENCE**, South 81 degrees 25 minutes 00 seconds East, with the North line of said Lot 7, Block 47, a distance of 660.00 to the **POINT OF BEGINNING** and containing 1.136-acres of which 0.326 of an acre of land lies within the existing Drainage Ditch and 0.026 of an acre lies within a Hidalgo County Irrigation District No. 2 Irrigation Easement and leaving a **Net Taking of 0.785** of an acre of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby state that the above metes and bounds are true and are the result of an actual survey performed on the ground under my direction.

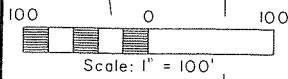


*Pablo Soto, Jr.*  
Pablo Soto, Jr. - R.P.L.S. No. 4541  
Date: 9/26/11

ALAMO LAND AND SUGAR COMPANY SUBDIVISION

VOLUME I, PAGES 24-26, M.R.H.C.

LOT 2, BLOCK 47



OWNER: LAURA LILIA LUBIN  
SPECIAL WARRANTY DEED  
WITH VENDOR'S LIEN  
DOC. No. 2141729, O.R.H.C.

OWNER: MARIA IMELDA GARZA, TRUSTEE,  
WARRANTY DEED  
VOLUME 2592, PAGE 566, O.R.H.C.

30.00' H.C.I.D. No. 2  
IRR. DRAINAGE EASEMENT

OWNER: PHARR-SAN JUAN-ALAMO ISD  
SPECIAL WARRANTY DEED  
DOCUMENT No. 2043295, O.R.H.C.

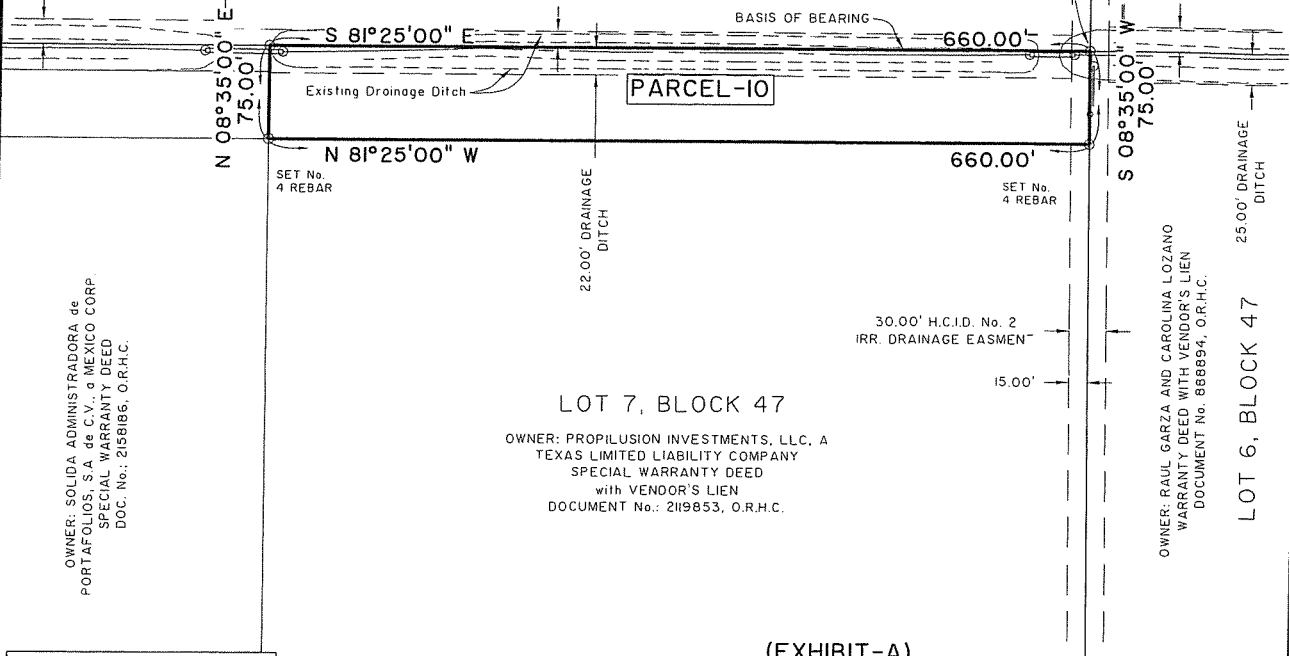
LOT 3, BLOCK 47

P.O.B.  
N.E. CORNER OF  
LOT 7, BLOCK 47,  
ALAMO LAND & SUGAR Co.  
SUBDIVISION,  
VOL. I, PAGES 24-26  
M.R.H.C.

20.00' DRAINAGE  
DITCH

13.00' DRAINAGE  
DITCH

20.00'



OWNER: SOLIDA ADMINISTRADORA de  
PORTAFOLIOS, S.A. de C.V., a MEXICO CORP.  
SPECIAL WARRANTY DEED  
DOC. No.: 2158186, O.R.H.C.

LOT 7, BLOCK 47  
OWNER: PROPILUSION INVESTMENTS, L.L.C., A  
TEXAS LIMITED LIABILITY COMPANY  
SPECIAL WARRANTY DEED  
with VENDOR'S LIEN  
DOCUMENT No.: 2119853, O.R.H.C.

30.00' H.C.I.D. No. 2  
IRR. DRAINAGE EASEMENT

OWNER: RAUL GARZA AND CAROLINA LOZANO  
WARRANTY DEED WITH VENDOR'S LIEN  
DOCUMENT No. 888694, O.R.H.C.

LOT 6, BLOCK 47

ALL CORNER ARE No. 4 REBARS  
SET WITH A PLASTIC CAP  
STAMPED RGEC, UNLESS OTHER-  
WISE NOTED.

OWNER: PROPILUSION INVESTMENTS, L.L.C., A TEXAS  
LIMITED LIABILITY COMPANY BY VIRTUE OF A  
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN  
DATED JULY 14, 2010, RECORDED IN DOCUMENT No.  
2119853, OFFICIAL RECORDS OF HIDALGO COUNTY,  
TEXAS.

DESCRIPTION: THE EAST ONE-HALF (E 1/2) OF LOT 7,  
47, ALAMO LAND AND SUGAR COMPANY SUBDIVISION,  
HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN  
VOLUME I, PAGES 24-26, MAP RECORDS OF HIDALGO  
COUNTY, TEXAS.

TOTAL ACREAGE: 20.00-AC.  
TO BE ACQUIRED: 11.36-AC.  
EXISTING DRAINAGE DITCH: 0.326-AC  
EXISTING H.C.I.D. No. 2 IRR. ESMT.: 0.026-AC  
PROPOSED NET TAKING: 0.785-AC  
REMAINDER: 18.864-AC

DOCUMENT No: \_\_\_\_\_

(EXHIBIT-A)  
PARCEL -10  
SURVEY PLAT  
OF A 1.136-ACRE TRACT OF LAND  
OUT OF THE EAST ONE-HALF (E 1/2) OF  
LOT 7, BLOCK 47,  
ALAMO LAND AND SUGAR COMPANY  
SUBDIVISION,  
HIDALGO COUNTY, TEXAS  
AS PER MAP RECORDED IN  
VOLUME I, PAGES 24-26, M.R.H.C.

The undersigned hereby state that this survey,  
as described hereon, was made on the ground  
and that the only improvements on the ground  
are as shown and that there are no visible  
encroachments, visible overlapping, apparent  
conflicts, or visible easements, except as shown  
hereon. This Survey substantially conforms to the  
Minimum Standards of Practice as approved by  
the Texas Board of Professional Land Surveyors.



*Pablo Soto, Jr.*  
PABLO SOTO, JR. - R.P.L.S. No. 4541  
Date: 9/26/11

GF No.: I25039

**R. Gutierrez**  
Engineering  
Corporation

**Professional Engineers & Land Surveyors**

130 E. PARK AVENUE • PHARR, TEXAS 78577  
(TEL) 956 782-2557 • (FAX) 956 782-2558  
ENGINEERING FIRM No. 486 • SURVEYING FIRM No.: 101650-00

JOB No.: ENG09.001	DATE: SEPT. 26, 2011
DRAWN BY: RG	PAGE: 2 OF 2



### **Scope of Appraisal**

This appraisal report conforms to the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation. The subject property was analyzed utilizing the Cost Approach to value which is a Sales Comparison Approach to the subject as vacant and includes the estimated depreciated market value of real estate improvements and site improvements located within the part to be acquired. This is further explained within each section of the appraisal report.

### **Client & Intended User**

The client for this report is identified as Hidalgo County Right-of-Way under the direction of Precinct No. 2 Honorable Hidalgo County Commissioner Hector "Tito" Palacios and the Texas Department of Transportation, Southern Region. The part to be acquired is for the expansion of an existing drain ditch centrally located between Owassa Road and Minnesota Road. The intended use of the report is to assist Jaime Salinas, Right-of-Way Agent of Hidalgo County, for future negotiations of acquiring a portion of said property as fee simple in the name of the County of Hidalgo, Texas. This report is not intended for any other use, unless specified by the client. The clients have identified that the report shall be a summary appraisal report, which is to conform to the ROW-A-6 Form Rev. 11/2011. The intended user of the report is defined as Hidalgo County Right-of-Way Department, and may include governmental entities which may be participating in the project. Jaime Salinas shall be the project manager for this project under the direction of Honorable Hector "Tito" Palacios, County Commissioner of Precinct No. 2. Mr. Salinas has a local office located at 301 E. State Street, Pharr, Texas and can be contacted at (956) 283-8134.

### **Scope of the Assignment**

By work order number 667977 dated December 20, 2011 on behalf of the Hidalgo County Right-of-Way Department and Hidalgo County Precinct No. 2, requested for Leonel Garza Jr. & Associates LLC to prepare an appraisal report of the part to be acquired as described by survey and metes and bounds created by R. Gutierrez Engineering Corporation located at 317 East Park Avenue, Pharr, Texas. The scope of the assignment is to appraise the area as fee simple in its present "as is condition" subject to governmental regulation, and in terms of a cash transaction. In addition, the scope is requiring the appraiser to make the extraordinary condition that the subject property is free from contamination of which could affect the overall market value of the subject property as a whole and the part to be acquired. The property owner shall be sent a letter of intent to inspect the subject property and offer any additional inspections on-site and in the presence of the owner(s) and or owner(s) representative (as requested in writing). In the event access is not granted to enter the subject area, the appraiser is to proceed off-site along existing road right-of-way as indicated by survey. The scope of the assignment requires that comparable market sales within the area be identified and analyzed for comparability and for their reliability in determining the estimated market value of the subject property. The sales have been collected, confirmed and analyzed with respect to comparability to the subject property. These comparable sales were gathered through various sources which included the Greater McAllen Multiple Listing Service, local Realtors & Brokers, Real Estate Appraisers, and conversations with various owners along the project. Listings along Minnesota Road, Owassa Road, and the surrounding market area were also reviewed in order to determine the current market asking prices for property along the project. The appraisal report shall indicate the current market value of the subject property as per date of on-site and or off-site inspection without project influence as indicated by scope. The inspection is limited by the permissibility of the subject owner as per date of report. In the event an on-site inspection was not permitted, the appraiser continued the inspection off-site along existing road right of way. The property owner shall always reserve the right for a re-inspection of the subject parcel at a later date if requested in writing.

### **Purpose of the Appraisal Report**

This appraisal is prepared for the purpose of estimating the current market value of the fee simple estate of the subject property in order to determine the value of the proposed right-of-way to be acquired in the name of the County of Hidalgo. This appraisal does not include any enhancement in value resulting from items of intangible personal property such as marketing and management skill, an assembled work force, working capital, trade names, franchises, patents, trademarks, contracts, leases (mineral and or ground lease), or operating agreements and project influence (if any exist). The area to be acquired may contain personal property items which are not compensable and or may be handled through negotiations. These items deemed compensable shall be included within the body of the report and itemized for clarity by the appraiser. Any improvements not located within the part to be acquired and outside of the permissibility of inspection as defined by the subject owner, shall be given a stated value based on the assessment established by the corresponding Appraisal District and or by off-site estimation by appraiser, as they are not affected by the acquisition.

### **Property Rights Appraised**

As per scope of the assignment the property rights being appraised in this report consist of the fee simple estate of the subject property. Fee Simple Estate is defined by the Dictionary of Real Estate Appraisal, Fourth Edition, copyright 2002, page 113, by the Appraisal Institute as being: "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat." The subject property is encumbered with an active Hidalgo County Irrigation District No.2 Drainage easement. As per scope of the assignment a value estimate for the easement is also to be determined. According to the Dictionary of Real Estate Appraisal "An easement is the conveyance of certain property rights, but not ownership, to a parcel of real estate." By definition, the ownership of real estate is endowed with a bundle of rights.

### **Accessibility**

As per scope of the assignment, the subject property shall be inspected in order to verify any and all improvements affected by the part to be acquired. In the event the remainder after the acquisition is affected by the proposed acquisition, the remainder shall be inspected in order to determine damages (diminution) to market value if any exist. The property owner of record shall be sent a letter of intent to inspect and offer the opportunity for an on-site inspection in the presence of the appraiser, Leonel Garza III. The owner of record, as per the Hidalgo County Appraisal District was sent a letter of intent to inspect the subject property on the week of January 3, 2011. A copy of the certified letter is located within the addenda of this report. The property owner shall always reserve the right to contact the office of Leonel Garza Jr. & Associates LLC (956) 687-7295 or leonel3@garza-associates.com, after the date of inspection for an additional on-site inspection in their presence with appraiser, Leonel Garza III.

### **Analysis of Subject As A Whole**

A survey of the property owners entire tract was not performed as the part to be acquired incorporates a portion of land located along the northern property line north of the northern frontage of Minnesota Road. As per scope of the assignment, the subject property shall be analyzed based on the combined information of several sources including, the survey provided, on-site and or off-site inspection, personal interviews, and information gathered from the local appraisal district. The property was analyzed based on the whole property less any existing road right-of-way. Based on the inspection of the subject property and the evaluation of the subject as a whole, the remainder shall not be affected by the part to be acquired and therefore shall not be included within the valuation of this report.

### **Economic Unit Analysis**

During the analysis of the subject property it was determined that the overall land area of 20.00 acres shall be utilized as the economic unit of the subject property for the analysis of the part to be acquired. This land area is indicative of the market trends within the immediate area and shall be utilized for the direct sales comparison approach to value in order to determine the current market value of the whole. Once the unit rate for the subject is established, a pro-rata part of the whole is applied the determination of the part to be acquired. The comparable sales used for the analysis of the subject property as whole and as the partial acquisition were indicated to have an economic unit range of 10.00 acres to 21.09 acres.

**Part To Be Acquired**

The proposed acquisition is comprised of fee land in which the net land area to be acquired is 1.136 acres (49,484 square feet), of which 0.326 acre is located within a private drainage ditch located along the northern property line of the subject property. The part to be acquired is encumbered by a 0.026 acre H.C.I.D #2 irrigation Easement, leaving a net 1.11 acre (48,352 square feet) of land owned in fee simple. The proposed acquisition has approximately 660.00' lineal feet of frontage along the northern property line of the subject property. The proposed acquisition, which is the subject of this report, shall be evaluated as a whole as determined by the approaches to market value selected. The subject shall be valued based on the highest and best use for single family residential development. This use is based on the local market trends along Minnesota Road and Owassa Road. This highest and best use is further explained on page 3.1 of this report.

<b>To Be Acquired</b>	<b>1.136 Acres</b>
	<b>49,484 Square Feet</b>

**Legal Description: Part To Be Acquired**

Being a 1.136 of an acre of land out of the East half (1/2) of Lot 7, Block 47, Alamo Land Sugar Company Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas.

**Remainder Before and After Acquisition**

The remainder, before and after the acquisition, is defined as the partial acquisition subtracted from the whole property which is described as the subject property. It is determined at the time of appraisal whether or not damages to the remainder are caused by the proposed part to be acquired. The highest and best use of the subject property before and after the proposed partial acquisition is analyzed to determine whether or not the use of the subject property will be altered as a result of the proposed part to be acquired.

**Property Tax Data**

According to the information provided by the Hidalgo County Appraisal District located at located at 4405 S. Professional Dr., Edinburg, Texas and accessed via internet [www.hidalgoad.org](http://www.hidalgoad.org). The subject property was indicated to be under the ownership of Propilusion Investments LLC. This was found under the tax account A1800-00-047-0007-00.

<b>OWNER OF RECORD</b>	PROPILUSION INVESTMENTS LLC
PROPERTY TAX IDENTIFICATION NO.	112803
IMPROVEMENT VALUE	\$0
LAND VALUE	\$146,000
ASSESSED VALUE	\$8,020
EXEMPTIONS	AG