





# 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: 1-9232

### 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: J. Graciela Gtz

Address: 493 Est. 1.16

12805 Las Cumbres

Edcouch, Tx 78538

Phone: 956 5886116

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

Water Supplier: NAWSC

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

Account/ESI No.: N/A

[  ] Temporary Pole [  ] Permanent Service

regarding the land described as:

493 Estates lot # 16

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 01/7/07);

(verified by Gilbert Pecina);

(verified by [Signature]);

(verified by [Signature]);

(verified by [Signature]);

[Signature]  
Planning Department Authorized Signature

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date



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

Application No: 1-9232

### 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: Juana Graciela Gutierrez

Address: 493 Est - Lot. 16

10805 Las Cumbres Edinburg, Tx 78538

Phone: 956 588 6176

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

493 Estates Lot #16

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

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

J. Graciela Gutierrez  
Requesting Party (Signature)

2-8-12  
Date

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

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

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

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

2/7/12  
Date

[Signature]  
County Official

# Chapter 232 Texas LGC Application

APPLICATION NO:  
1-9232  
Aug. 2, 2012

COUNTY OF HIDALGO  
PLANNING DEPARTMENT  
1902 JOE STEPHENS WESLACO TX 78596  
TEL 968-4724 FAX 447-8612

F6021-00-000-0016-00

[ 1 ] OWNER: GUTIERREZ, JUANA G.

12805 LAS CUMBRES DR.  
EDCOUCH, TX. 78538

Telephone No. 926-9628

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
493 ESTATES  
LOT #16

LOCATION: 0 493 & 2812

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: EXIST

[ 3 ] WATER SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: BLOC

[ 4 ] PURPOSE OF APPLICATION: RESD. ADDITION  
30-RESIDENTIAL/ADD. & RENOVATION

[ 10 ] EST. COST OF CONST.: \$35,000

[ 5 ] SIZE OF STRUCTURE: 2,236 Sq. Ft.

[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

[ 6 ] USE OF BUILDING: REST. ZONE X-30

**Special Conditions: No construction allowed over any easements.**  
MUST CUMPLY WITH ALL COUNTY SETBACKS & REGULATIONS  
SETBACKS FRONT:25' REAR:35' SIDES:6'  
MIN. ELEV. ABOVE TOP OF CURB 18"

### FOR COUNTY USE ONLY APPLICATION FEES

Prepared by [Signature]

8/2/12  
Date

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

Light [X] Water [X]

Approved by [Signature]

8/1/12  
Date

Flood Zone: NO  
Panel No. /Suffix: 03500 Pct: 1

Community No.: 480334

Certification of Elevation  
Required: \_\_\_ YES \_\_\_  NO \_\_\_ BFE

Signature of Owner or Applicant [Signature]

2-8-12  
Date

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

### [ NOTICE ]

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.

## WARRANTY DEED WITH VENDOR'S LIEN

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.

Date: July 27, 2012

Grantor: 493 Estates Partnership.

**Grantor's Mailing Address (including county):**

5711 North 10th Street  
McAllen, Texas 78504  
Hidalgo County, Texas

Grantee: Juana Graciela Gutierrez

**Grantee's Mailing Address (including county):**

5106 Haven Lane  
Edinburg, TX 78542  
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 a note of even date that is in the principal amount of Twenty Three Thousand Dollars and 00/100ths (\$23,000.00) executed by Grantee, payable to the order of William A. Schwarz. The note is secured by a vendor's lien retained in favor of William A. Schwarz. in this deed and by a deed of trust of even date from Grantee to Robert L. Schwarz, Trustee.

Property (including any improvements):

Lot # 16, 493 Estates, Hidalgo County, Texas as per the map or plat thereof on file and of record in Volume 52, Page 53, Map Records, Hidalgo County, Texas

Reservations from and Exceptions to Conveyance and Warranty:

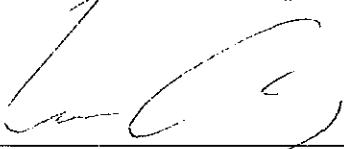
1. Mineral reservations and conveyances of record.
2. Easements of record.
3. Subdivision restrictions of record as instrument number 1738420, Official Records, Hidalgo County, Texas.

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.

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 shall become absolute.

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

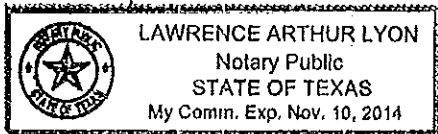
493 Estates Partnership

  
\_\_\_\_\_  
WILLIAM A. SCHWARZ, General Partner

(Acknowledgment)

State of Texas           §  
                                  §  
County of Hidalgo     §

This instrument was acknowledged before me on the 27<sup>th</sup> day of July 2012, by WILLIAM A. SCHWARZ.



  
\_\_\_\_\_  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:  
493 Estates  
5711 N. 10<sup>th</sup> Street  
McAllen, Texas 78504



# County of Hidalgo

1304 S. 25th Ave. • Edinburg, TX 78539  
Phone: (956) 383-0111 • Fax: (956) 383-7351

## On-Site Sewerage Inspection Report

Owner: Kenneth Wilkins Permit #: 4139571  
Address: 493 Est. 1st 1/2 Phone #: \_\_\_\_\_  
Location: 493, 2812 No. Bedrooms: 3 Bed  
Tank Type: 7-500 Concrete

Inside diameter: 4.5'  
Inside length of sides: 4.5'  
Liquids depth or distance from tank bottom to outlet bottom: 4.3'  
Airspace (approximately): 1"  
Approximate gallon cap.: 11000

Drain Field: Trench  Bed: \_\_\_\_\_ Evapotranspiration: \_\_\_\_\_  
Distance from private well: 1/8  
Distance from foundation: To tank: \_\_\_\_\_ To drainfield: \_\_\_\_\_  
Distance from property line: To tank 40' To drainfield: 30'  
Depth of Trench: 2 1/2' Width of trench: 3'  
Backfill material: Ib: \_\_\_\_\_ II:  III: \_\_\_\_\_

Dimensions: 195' X 5' = 975' Sq. Ft.

Gravel: Natural:  Crushed: \_\_\_\_\_ Washed: \_\_\_\_\_  
Amount: 216 yards, or Tons (per installation)

Pipe: Type: 5.31.22 Brand (if known): \_\_\_\_\_ Number of feet: \_\_\_\_\_

### General conditions and Workmanship:

- Solid Lines from house schedule 40 and have cleanout .....  YES .....  NO
- T's installed in tank at least 25% of liquid level .....  YES .....  NO
- Trench or bed bottom essentially level .....  YES .....  NO
- Gravel generally consistent 12" depth throughout field .....  YES .....  NO
- Perforated pipe generally level throughout field .....  YES .....  NO
- Porous media uniform (.72-2.0 inches) .....  YES .....  NO
- Inlet and outlet flow clearly marked .....  YES .....  NO
- Port holes 12" in diameter .....  YES .....  NO
- Are end caps provided if drainfield not looped .....  YES .....  NO
- Septic tank sturdy/water-tight .....  YES .....  NO
- Geo-textile fabric used for the permeable soil barrier .....  YES .....  NO
- Manufacturer's name address & tank capacity clearly visible .....  YES .....  NO

Installer: F. Trevino License No.: 4729

Remarks: \_\_\_\_\_

Inspector: [Signature] Date: 8/11/06

D.R. Lic. # 20546



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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: 1-9235

### 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: Omar Ochoa

Address: 711 Palos Altos st  
Weslaco TX 78596

Phone: 956-376-6423

Approved by Environmental Health:	Temporary Service Authorized Signature	Final Service Authorized Signature
Inspection/Permit No:		
Date Approved:	<u>/ /</u>	<u>/ /</u>

Water Supplier: NAWSC

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

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

regarding the land described as:

Palos Rojos lot #54

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 7/21/05);

(verified by Gilbert Pecina);

(verified by [Signature]);

(verified by [Signature]);

(verified by [Signature]);

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

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

\_\_\_\_\_  
Date

ATTEST:

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

\_\_\_\_\_  
Date



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Mission, TX 78572  
956-205-7045  
956-205-7049

Precinct 1234

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

Application No: 1-9235

### 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: Omar Ochoa

Address: 711 Palos Altos St  
Weslaco TX 78596

Phone: 956-376-6423

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

Palos Rojas lot #54

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

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

Omar Ochoa  
Requesting Party (Signature)

8-3-12  
Date

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

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

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

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

8/8/12  
Date

[Signature]  
County Official

Chapter 232 Texas LGC Application

APPLICATION NO:

1-9235

Aug. 2, 2012

COUNTY OF HIDALGO
PLANNING DEPARTMENT
1902 JOE STEPHENS WESLACO TX 78596
TEL 968-4724 FAX 447-8612

P3108-00-000-0054-00

[ 1 ] OWNER: OMAR OCHOA
25085 S GEORGIA
WESLACO TX 78596

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION
PALOS ROJOS LOT 54
X-44

Telephone No. 376-6423

LOCATION: 0 FM 88 & MILE 13 N.

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: EXIST

[ 3 ] WATER SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: META

[ 4 ] PURPOSE OF APPLICATION: MOBILE HOMES
44-MOBILE HOMES

[ 10 ] EST. COST OF CONST.: \$11,000

[ 5 ] SIZE OF STRUCTURE: 1,216 Sq. Ft.

[ 11 ] SPECIAL FLOOD HAZARD AREA: YES
NO

[ 6 ] USE OF BUILDING: MOBILE HOME ZONE X

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

FOR COUNTY USE ONLY
APPLICATION FEES

Prepared by [Signature] Date 8-2-12

OTHER TOTAL AMOUNT \$30.00

Approved by [Signature] Date 7-31-12

Light [X] Water [X]

Flood Zone: NO Panel No./Suffix: 0450C Pct: 1

Community No.: 480334

Certification of Elevation Required: YES NO BFE

Signature of Owner or Applicant [Signature] Date 8-2-12

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

[ NOTICE ]

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.

## SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

**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.**

Date: November 10, 2006

Grantor: Palo Rojo, Inc., a Texas Corporation  
 Grantor's Mailing Address:  
 2009 North Conway  
 Mission, Texas 78572

Grantee: Omar Ochoa

Grantee's Mailing Address (including county):  
 2508 S Georgia  
 Weslaco, Texas 78596  
 Hidalgo 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 Eighteen Thousand Five Hundred Dollars and No Cents (\$18,500.00), 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 Robert Geissler, Trustee.

Property (including any improvements):

Lot(s) 54, Palos Rojos Subdivision, as shown by the map or plat thereof recorded in Volume 48, Pages 90-92, Map Records of Hidalgo County, Texas

Reservations from and Exceptions to Conveyance and Warranty:

1. A lien securing a promissory note (the "Prior Note"), dated September 30, 2004, 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 1398655. 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. Visible and apparent easements on or across the subject property;
3. Rights of parties in possession;
4. Easements, rights-of-way, and prescriptive rights, whether of record or not;
5. All recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property;
6. Rights of adjoining owners in any walls and fences situated on a common boundary;
7. Any discrepancies, conflicts, or shortages an area or boundary lines;
8. Any encroachments or overlapping of improvements;
9. 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;
10. Taxes for the current year and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership;
11. 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;

12. All Easements, restrictions, set back lines, drainage swale requirements, and other matters shown on the plat of Palos Rojos Subdivision, as shown on the plat thereof, recorded in Volume 48, Pages 90-92, of the Map records of Hidalgo County, Texas; and
13. 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 therefrom.

**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.

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.

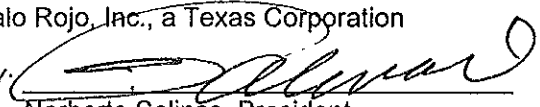
Grantor, for the consideration and subject to the reservations from, and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, 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.

Palo Rojo, Inc., a Texas Corporation

BY:   
Norberto Salinas, President

(Acknowledgment)

State of Texas  
County of Hidalgo

This instrument was acknowledged before me on the 10 day of November, 2006, by Norberto Salinas, President of Palo Rojo, Inc., a , a Texas Corporation on behalf of said , a Texas Corporation.

  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Omar Ochoa  
2508 S Georgia  
Weslaco, Texas 78596  
Hidalgo County, Texas

Software by ReMerge-It, LLC  
(956) 630-9401  
Sales@ReMerge-It.com

