

HIGHWAY RIGHT OF WAY EASEMENT

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HIDALGO §

That We, Leonardo Varela Resendez and wife Maria Del Carmen Davila Mora, hereinafter referred to as Grantors, whether executed by one or more individuals, of the County of Hidalgo, State of Texas, for and in consideration of the sum of Ten dollars and other good and valuable consideration, to them in hand paid by the County of Hidalgo for and in consideration of a macadamized or hard surfaced road being constructed as soon hereafter as is convenient and practical by Hidalgo County, Texas, or any political subdivision of said county, so as to utilize the hereinafter described highway or public road right of way easement, have this date sold and do by these presents give, grant, bargain, sell and convey unto the County of Hidalgo, Texas, the free and uninterrupted use, liberty and privilege of passing in, along, upon and across the following described by metes and bounds as follows, to-wit:

See Exhibit "A" which is attached hereto and incorporated herein by reference.

It is understood and agreed that grantors hereby reserve unto themselves, all oil, gas or other minerals that may be produced or recovered from said land upon which the highway or public road easement is given or conveyed herein, as is described above, but grantors, their heirs, successors or assigns, expressly waive the right to drill, mine, or explore for oil, gas and other minerals by operations upon the surface of lands as are herein described for the production and/or recovery of oil, gas or there minerals therefrom.

This highway or public road easement is given and conveyed for the purpose of constructing and maintaining a macadamized or hard surfaced road or highway in, along, upon and across said premises, with the right and privilege at all times of the grantee, its agents, workmen and representative, or the State of Texas,

To have and to hold unto the said County of Hidalgo, Texas, the highway or public road easement as is hereby described for highway or public road purposes, this highway right of way easement to become permanent and irrevocable upon the construction of a hard surfaced or macadamized road utilizing the aforesdescribed highway or public road easement by grantee herein, or any political subdivision, of the County of Hidalgo, Texas.

WITNESS our hands this the 15<sup>th</sup> day of August 2012.

  
Leonardo Varela Resendez

  
Maria Del Carmen Davila Mora

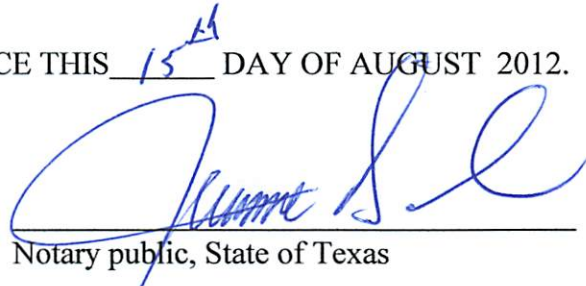
STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, the undersigned authority, on this day personally appeared Leonardo Varela Resendez known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15<sup>th</sup> DAY OF AUGUST 2012.



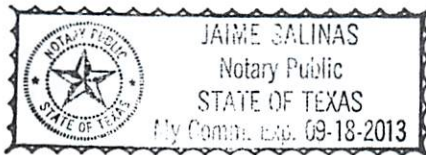
  
Notary public, State of Texas

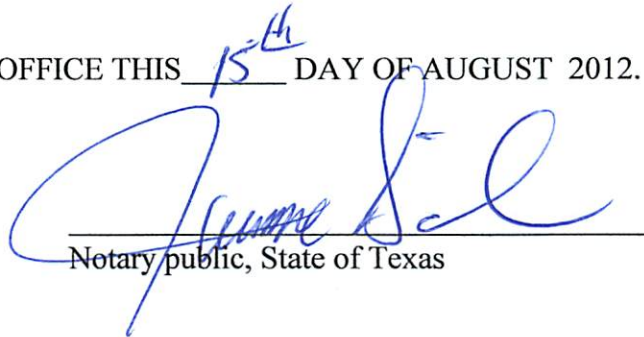
STATE OF TEXAS

COUNTY OF HIDALGO

BEFORE ME, the undersigned authority, on this day personally appeared Maria Del Carmen Davila Mora known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15<sup>th</sup> DAY OF AUGUST 2012.



  
Notary public, State of Texas

METES AND BOUNDS  
(PROPOSED 20.00 FEET ADDITIONAL R.O.W.)

A 0.316 OF AN ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 11, A.J. McCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21, PAGE 598, DEED RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1642498, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A "X" MARK ON CONCRETE CUT ON THE NORTH RIGHT OF WAY LINE OF THOMAS ROAD AND THE EAST LINE OF THE PICCIRILLO, LTD. TRACT (A 9.82 ACRE TRACT OUT OF LOT 2, BLOCK 11, A.J. McCOLL SUBDIVISION, ACCORDING TO SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2145614, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS), FOR THE SOUTHWEST CORNER OF THIS TRACT, SAID SPINDLE BEARS S 81°09' E, 694.30 FEET AND N 08°51' E, 20.00 FEET FROM THE SOUTHWEST CORNER OF LOT 2.

THENCE; N 08°51' E, ALONG THE EAST LINE OF THE PICCIRILLO, LTD. TRACT, A TOTAL DISTANCE OF 20.00 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET FOR THE NORTHWEST CORNER OF THIS TRACT.

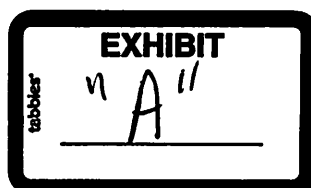
THENCE; S 81°09' E, PARALLEL TO THE NORTH RIGHT OF WAY LINE OF THOMAS ROAD AND THE SOUTH LINE OF LOT 2, A DISTANCE OF 698.80 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED RPLS 4856 FOUND ON THE WEST RIGHT OF WAY LINE OF JACKSON ROAD (F.M. 2061) (EASEMENT TO STATE OF TEXAS RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1887480, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE; S 53°51' W, ALONG THE WEST RIGHT OF WAY LINE OF JACKSON ROAD (F.M. 2061), A DISTANCE OF 28.28 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE NORTH RIGHT OF WAY LINE OF THOMAS ROAD FOR SOUTHEAST CORNER OF THIS TRACT.

THENCE; N 81°09' W, ALONG THE NORTH RIGHT OF WAY LINE OF THOMAS ROAD AND PARALLEL TO THE SOUTH LINE OF LOT 2, A DISTANCE OF 678.80 FEET THE POINT OF BEGINNING AND CONTAINING 0.316 OF AN ACRE OF LAND MORE OR LESS.

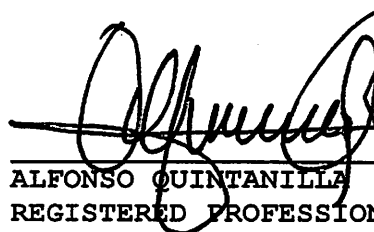
BEARINGS ARE IN ACCORDANCE WITH VALLE DE LA PRIMAVERA SUBDIVISION, RECORDED IN VOLUME 33, PAGE 132, MAP RECORDS, HIDALGO COUNTY, TEXAS.


THE PROPERTY DESCRIBED IN THIS METES AND BOUNDS MAY BE SUBJECT TO THE SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION.



I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THE ABOVE METES AND BOUNDS TO BE TRUE AND CORRECT, AND TO BE THE REPRESENTATION AND RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION.

DATE PREPARED: August 1, 2012

  
ALFONSO QUINTANILLA  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4856





## Jaime Salinas

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**From:** Steve Crain [scrain@atlashall.com]  
**Sent:** Tuesday, August 14, 2012 1:30 PM  
**To:** 'Jaime Salinas'  
**Subject:** RE: Highway Right of Way Easement

I did not check the legal description. Additionally Commissioners Court will have to accept the deed.

-----Original Message-----

**From:** Jaime Salinas [mailto:jaime.salinas@co.hidalgo.tx.us]  
**Sent:** Tuesday, August 14, 2012 9:31 AM  
**To:** scrain@atlashall.com  
**Subject:** FW: Highway Right of Way Easement

Mr. Crain,

Can you please review this document? This property is located in the McAllen ETJ. Mr. Resendez went to the City of McAllen to apply for a permit and they sent him to us first to give us the 20 foot additional R.O.W on Thomas Rd. before they give him a letter of compliance to proceed with the permit.

Jaime Salinas