

COUNTY of HIDALGO
Precinct No. 2



Hector "Tito" Palacios
County Commissioner

MEMO

TO: Commissioner's Court

FROM: Lupe Rodriguez *Lupe*
Right Of Way Agent

DATE: June 26, 2012

RE: Tower Road Corner Clip Project (Parcel 2)
Herlinda Aguilar Wilkinson
2425 Ashdale Dr. # 72
Austin, Texas 78757

Attached, please find an appraisal on the above mentioned parcel for the Tower Road Corner Clip project. Included is the letter of offer, the Appraisal Report and a Counter Offer letter provided by the property owner.

Please approve for closing.

Appraised Value: \$ 160.00

Counter offer: \$ 1,000.00

Difference: \$ 840.00

Approved: *[Signature]*

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



HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

Jose N. Peña
Director

May 25, 2011

William V. & Herlinda A. Wilkinson
1109 W. Cooper
Edinburg, Texas 78539

RE: Tower Road Improvements Project (Parcel 2)
A 0.010 acre tract of land of which .0003 acre lies within the existing, lies within an exclusive 15.00 foot North Alamo Water Supply Corporation water line easement leaving a proposed bet taking of 0.010 acres , all out of Lot 3 Wilkinson Subdivision , Hidalgo County, Texas, as per Warranty Deed with Vendor's Lien, dated October 31, 1985
(.010 Acres Net taking.)

Dear ,

The Commissioners' Court of Hidalgo County has authorized me to make an offer of \$ 160.00 for the property to be acquired under the above captioned parcel for right of way purposes in connection with the Tower Road Project.

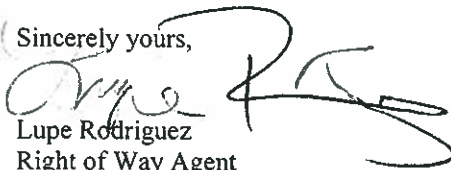
BREAKDOWN

Land 0.010 acres	@ \$ 16,000 per acre	\$ 160.00
TOTAL OFFER		\$ 160.00

We would appreciate if you took the time to review the package of information sent. If this offer is not accepted or feel that you may need additional time to consider the offer, please contact our office, otherwise, within ten working days from the date receipt of this letter, condemnation proceedings will be instituted for the acquisition of right of way. Thereafter, the County Court at Law will appoint three disinterested freeholders to serve as Special Commissioners, a date will be set for the hearing and you will be notified of the time and place set for the hearing at which the Special Commissioners will hear the evidence presented and arrive at an award at which will be filed with the court. The Commissioners' Court may then deposit the amount of the award, at which time the County of Hidalgo may take possession of the property involved. If either you or the Commissioners' Court is dissatisfied with the amount of the award, objections may be filed within the time prescribed by law, and the case subsequently tried before the County Court at Law as in other civil cases.

Should you have any questions or comments, please feel free to contact me at (956) 283-8134 Ext. 2407.

Sincerely yours,


Lupe Rodriguez
Right of Way Agent
Hidalgo County ROW Dept.

Cc: Commissioner Hector "Tito" Palacios, Jose N. Pena, Director of Right of Way

TO: Mr. Guadalupe "Lupe" Rodriguez

2401 n. Moorefield Road

Mission, TX 78572

Date: 5/16/12 HAW

FROM: Mrs. Herlinda A. Wilkinson

2425 Ashdale Dr. #72

Austin, TX 78757

RE: Reimbursement for Right of Way for Wilkinson Lot 3, North East Corner of Tower & Minnesota Roads

Mr. Rodriguez, enclosed is my copy of the Right of Way that I signed and sent to you on April 26, 2011. I never did hear from you, so I have once again made you a copy of what I sent and am resending this paperwork to you.

I have been to the property at least once a month this year and I cannot tell you how concerned I am about the amount of land that has been "shaved off the west and south sides of the property, not to mention that fact that the Right of Way Department is once again piling up huge mounds of dirt on LOT 3. The last time this happened to Wilkinson LOTS 1 and 2, I had to ask my brother to kindly bring his backhoe to remove the dirt. I did this on more than one occasion because the North Alamo Water Department was threatening to cut my water off each time that dirt was dumped on top of the water meter on LOT 1. They could not find it to read it. During prior excavations, drainage pipes were installed in front of LOT 2 and these excavations were left open for long periods of time, not to mention the piles or mounds of dirt that were never leveled back to blend in with the yard. Once again, my brother had to do this for us. We were all upset because it seems that the Right of Way department does not pay attention to the details.

Mr. Rodriguez, the Right of Way Department has also made an egress into LOT 3, where it appears that mounds of caliche are being stored and worker vehicles and equipment have been parking.

In light of all of these things that have occurred to Wilkinson LOT 3, I am asking for at least \$1000 for the piece that has been taken, for the Right of Way.

Sincerely,


Mrs. Herlinda A. Wilkinson

(956) 551-1423

REAL ESTATE APPRAISAL REPORT
TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: Located on the NEC of Tower Road and Minnesota Road, Hidalgo County Texas. **District:** NA
Property Owner: William V. & Herlinda A. Wilkinson **ROW CSJ:** NA
Address of Property Owner: 2425 Ashdale Drive #72, Austin, Texas 78757 **Parcel:** 2
Occupant's Name: Vacant **Federal Project No:** N/A
Whole: **Partial:** **Acquisition** **Highway:** Tower Road **County:** Hidalgo

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 \$160.00 as of March 11, 2011, based upon my independent appraisal and the exercise of my professional judgment; on March 11, 2011, (date)(s), I personally inspected in the field the property herein appraised; I afforded Ellen Sara & Samuel Children's Family Partnership LP, 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 March 11, 2011, I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of the, Hidalgo County Precinct No.2, or officials of the Federal Highway Administration until authorized by County 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.

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

May 18, 2011
 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