

# **Memo**

**From: GSK**

**To: Joe Peña, Hidalgo County Right-of-Way Director**

**Date: September 27, 2012**

**Re: Recommendation for Acquisition by Eminent Domain - Item for Commissioners' Court Agenda**

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We have received a request from Joe M. Flores, Commissioner for Hidalgo County Precinct Number 3, to initiate condemnation proceedings in connection with the following:

Property Owners: Joseph Eromosele  
Project: FM681/FM2221  
Parcel: 9 (legal descriptions attached)  
TXDOT CSJ No.: 0862-01-046

Please let me know when we have approval from Hidalgo County Commissioners' Court to proceed as requested.

**EXHIBIT "A"**

**County: Hidalgo**  
**Highway: FM 681 & FM 2221**  
**RCSJ: 0862-01-046**

Parcel 9  
Property Description

A tract of land containing 0.775 acre (33,775 square feet), situated in Hidalgo County, Texas and also being a part or portion of **LOT 79, BLOCK 1, LA HOMA RANCH CITRUS GROVES UNIT 2**, recorded in Volume 8, Page 9, H.C.M.R., and said 0.775 acre (33,775 square feet) also being a part or portion of a 12.740 Acre tract of land deeded to Joseph Eromosele, recorded in Document No. 1584538, H.C.D.R., by James T. & Leah B. Killelea on March 01, 2006, and said 0.775 acre (33,775 square feet) also being more particularly described as follows;

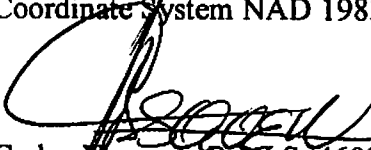
**COMMENCING** on the northwest corner of Lot 79 and 12.74 Acre Tract;

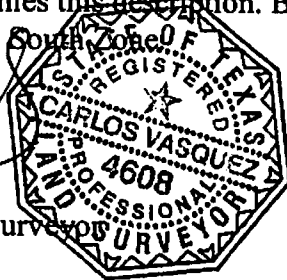
**THENCE** S 08° 52' 11" W (S 08° 50' W), along the West line of said Lot 79, a distance of 1099.50 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, on the proposed north right-of-way line of FM 2221, for the western most northwest corner of this tract and the **POINT OF BEGINNING**; having surface coordinates of X=1034066.25 and Y=16642913.98. All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment), English units. All distances and coordinates are surface and may be converted to grid by multiplying by a combined scale factor of 0.999960;

1. **THENCE** S 81° 04' 54" E, continuing along the proposed North right-of-way line of said FM 2221, a distance of 378.10 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, for an inside corner of this tract;
2. **THENCE** N 54° 08' 35" E, along the proposed right-of-way line, a distance of 28.40 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, on the proposed west right-of-way of FM 2894, for an inside corner of this tract;

3. **THENCE N 08° 53' 32" E**, continuing along the proposed West right-of-way line of said FM 2894, a distance of 216.91 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, for angle corner of this tract;
4. **THENCE N 14° 38' 28" E**, continuing along the proposed West right-of-way line of said FM 2894, a distance of 150.80 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, on the west line of said FM 2894, for the northeast corner of this tract
5. **THENCE S 08° 55' 57" W (S 08° 50' W)**, continuing along the West right-of-way line of said FM 2894, a distance of 456.96 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, on the intersection of the North right-of-way line of FM 2221 and West right-of-way line of said FM 2894, for the southeast corner of this tract;
6. **THENCE N 81° 04' 54" W (S 81° 10' W)**, along the North right-of-way line of said FM 2221, a distance of 413.03 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, on the west line of said Lot 79, for the southwest corner of this tract;
7. **THENCE N 08° 52' 11" E**, along the West line of said Lot 79, a distance of 70.00 feet to the POINT OF BEGINNING, containing 0.775 acre (33,775 square feet), more or less.

A survey exhibit map accompanies this description. Bearings are based on the State Plane Coordinate System NAD 1983, South Zone 0 F

  
Carlos Vasquez, R.P.L.S. 4608  
Registered Professional Land Surveyor  
State of Texas No. 4605  
Date: July 13, 2009



P.O.C. PARCEL 9

10.0' AEP TEXAS CENTRAL CO.  
R.O.W. EASEMENT  
DOCUMENT No. 2139336, H.C.D.R.

LA HOMA RANCH CITRUS  
GROVES UNIT 2  
(VOL. 8, PG 9, H.C.M.R.)

LOT 79, BLK 1  
JOSEPH EROMOSELE  
(DOC. \*1584538, H.C.D.R.)

LUCIO D ANDA  
& IVON PERALEZ  
(DOC. \*1402344, H.C.D.R.)

P.O.B. PARCEL 9  
X=1034066.26  
Y=16642913.98  
STA 468+65.19  
OS 75.00 LT

Sta 472+63.45  
OS 95.00 LT  
N 54°08'35" E  
28.40'

Sta 472+43.29  
OS 75.00 LT

15.00' SHWSC EASEMENT  
VOL. 1670, PG. 951, H.C.D.R.

PROP. C ALIGNMENT

EXISTING RIGHT-OF-WAY (N 81°10' W)

S 81°04'54" E

468-00 469-00 470-00 471-00 472-00 473-00  
N 81°04'54" W 471-00 413.03' 472-00  
40.00' R.O.W. EASEMENT VOL. 760, PG. 174, H.C.D.R.

FM 2221 80' ROW

EXISTING RIGHT-OF-WAY  
PROPOSED RIGHT-OF-WAY  
FM 2894 RD 50' ROW

Sta 472+78.39  
OS 461.96 LT

15.00' SHWSC EASEMENT  
VOL. 1670, PG. 967, H.C.D.R.

N 14°38'28" E  
150.80'

50.0'

Sta 472+63.35  
OS 311.91 LT

PROPOSED RIGHT-OF-WAY  
216.91'

(S 08°50' W)

N 08°53'32" E

PROPOSED RIGHT-OF-WAY  
456.96'

(S 08°55'57" W)

S 08°55'57" W

St

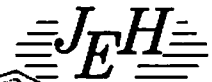
SCALE: 1" = 100.00'

**LEGEND:**

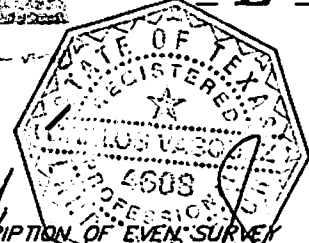
SIGN	⊙	RIGHT-OF-WAY POST	□
MANHOLE (TELEPHONE)	⊕	CHAINLINK FENCE	-X-
TRAFFIC SIGNAL LIGHT POLE	●	WOOD FENCE	-//-
TELEPHONE PEDESTAL	⊞	FOUND 1/2" IRON ROD	•
LIGHT POLE	⊙	FOUND IRON PIPE	○
WATER METER	⊕	SET # 5 36" IRON ROD WITH PLASTIC CAP	IRS
FIRE HYDRANT	⊕	STAMPED "CVQ LS"	IRF
GUY	x	FOUND 1/2" IRON ROD	IRF
POWER POLE	⊙	OVERHEAD POWER	-OH-



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JAVIER HINOJOSA ENGINEERING  
CONSULTING ENGINEERS  
416 E. DOVE AVENUE McALLEN, TEXAS 78504  
PHONE (956) 668-1588



A LEGAL DESCRIPTION OF EVEN SURVEY  
DATE HEREWITH ACCOMPANIES THIS PLAT  
CARLOS VASQUEZ, R.P.L.S. 4608

- NOTE:
- ALL BEARING AND DISTANCE ARE BASED ON THE STATE PLANE COORDINATE SYSTEM NAD 1983, SOUTH ZONE
  - ALL CORNERS WILL BE MARKED WITH A #5 IRON ROD, 24" LONG WITH A PLASTIC CAP STAMPED "CVQ LS" SET, UNLESS OTHERWISE NOTED.

RIGHT OF WAY SKETCH  
SHOWING PROPERTY OF  
JOSEPH EROMOSELE

REVISED SEPTEMBER 19, 2012  
REVISED JANUARY 2, 2011  
REVISED DECEMBER 3, 2010  
REVISED OCTOBER 22, 2010  
REVISED AUGUST 26, 2010  
REVISED MAY 14, 2010

DIST. NAME	PLAY OF SURVEY	COUNTY
PHARR	FM 681 AND FM 2221	HIDALGO
ACCOUNT NO.	RCSJ No. 0862-01-046	DATE OF SURVEY: 07/13/09
EXISTING 12.74 Ac.	TAKING 0.775 Ac. (33,775 Sq Ft)	REMAINING LEFT 11.965 Ac.
SHEET: 3 OF 3		

# **Memo**

**From: GSK**

**To: Joe Peña, Hidalgo County Right-of-Way Director**

**Date: October 3, 2012**

**Re: Recommendation for Acquisition by Eminent Domain - Item for Commissioners' Court Agenda**

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We have received a request from Joe M. Flores, Commissioner for Hidalgo County Precinct Number 3, to initiate condemnation proceedings in connection with the following:

Property Owners      James T. Killelea, Sr. Revocable Living Trust  
Project:                      FM681/FM2221  
Parcel:                        15 (legal descriptions attached)  
TXDOT CSJ No.:          0862-01-046

Please let me know when we have approval from Hidalgo County Commissioners' Court to proceed as requested.

**EXHIBIT "A"**

**County: Hidalgo**  
**Highway: FM 681 & FM 2221**  
**RCSJ: 0862-01-046**

**Parcel 15**  
**Property Description**

A tract of land containing 0.431 acre (18,782 square feet), situated in Hidalgo County, Texas and also being a part or portion of **LOT 81, BLOCK 2, LA HOMA RANCH CITRUS GROVES UNIT 2**, recorded in Volume 8, Page 9, H.C.M.R., and said 0.431 acre (18,782 square feet) also being a part or portion of a 10.000 Acre tract of land dedeed to Donald J. Kallilea, recorded in Volume 1058, Page 139, H.C.D.R., by James T. & Leah Killelea on March 27, 1963, and said 0.431 acre (18,782 square feet) also being more particularly described as follows;

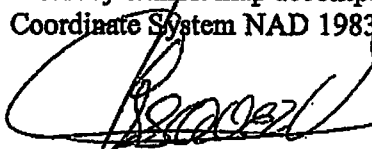
**COMMENCING** on the northeast corner of said 10.0 Acre Tract;

**THENCE S 08° 53' 06" W (S 08° 50' W)**, along the East line of said 10.0 Acre Tract, a distance of 569.91 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, on the proposed North right-of-way line of FM 2221, for the northeast corner of this tract and the **POINT OF BEGINNING**; having surface coordinates of X=1035477.28 and Y=16642668.73. All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment), English units. All distances and coordinates are surface and may be converted to grid by multiplying by a combined scale factor of 0.999960;

1. **THENCE S 08° 53' 06" W (S 08° 50' W)**, continuing along the East line of said 10.0 Acre Tract, a distance of 46.77 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, on the North right-of-way line of said FM 2221, being the southeast corner of said 10.0 Acre Tract, for the southeast corner of this tract;
2. **THENCE N 81° 04' 54" W (N 81° 10' W)**, along the North right-of-way line of said FM 2221, a distance of 329.32 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, on the southwest corner of said 10.0 Acre Tract, for the southwest corner of this tract;

3. **THENCE** N 08° 52' 11" E (N 08° 50' E), along the West line of said 10.0 Acre Tract, a distance of 65.05 feet to a #5 iron rod, 24" long with a plastic cap stamped "CVQ LS" set, on a curve of the proposed North right-of-way line of said FM 2221, for the northwest corner of this tract;
  
4. **THENCE** along the proposed North right-of-way line of said FM 2221 and said curve to the right with a radius of 8075.00 feet, an interior angle of 02° 20' 27", an arc length of 329.91 feet, a tangent of 164.98 feet and a chord that bears S 77° 54' 16" E, a distance of 329.88 feet to the **POINT OF BEGINNING**, containing 0.431 acre (18,782 square feet), more or less.

A survey exhibit map accompanies this description. Bearings are based on the State Plane Coordinate System NAD 1983, South Zone.

  
Carlos Vasquez, R.P.L.S. 4608  
Registered Professional Land Surveyor  
State of Texas No. 4605  
Date: July 13, 2009



LOT 80, BLK 2

VIRGINIA HERNANDEZ  
VOL. 2116, PG. 426  
H.C.D.R.

(N 08°50' E)  
08°52'11" E  
65.05

**PROPOSED ALIGNMENT CURVE**

PI STA: - 479+98.55  
DELTA: - 4° 33' 34.79" (RT)  
TAN: - 318.49  
L: - 638.65  
R: - 8,000.00  
PC STA: - 476+81.06  
PT STA: - 483+17.71

DONALD J. KALLILEA  
VOL. 1058, PG. 139  
H.C.D.R.

R=8075.00'  
D=02°20'27"  
L=329.91'  
TAN=164.98'  
CH=329.88'  
S77°54'16"E

JAMES T. KALLILEA  
DOCUMENT NO. 921958,  
H.C.D.R.

P.O.B. PARCEL 15  
X=1035473.37  
Y=18842669.68  
STA 482+88.07  
OS 75.00 LT

P.O.C. PARCEL 15

THE SECULAR FRANCISCAN ORDER  
VOL. 3356, PG. 436, H.C.D.R.

S 08°53'06" W 569.91'

(S 08°50' W)  
S 08°53'06" W  
46.77'

SCALE: 1" = 80.00'

**NOTE:**

1. ALL BEARING AND DISTANCE ARE BASED ON THE STATE PLANE COORDINATE SYSTEM NAD 1983, SOUTH ZONE
2. ALL CORNERS WILL BE MARKED WITH A #5 IRON ROD, 24" LONG WITH A PLASTIC CAP STAMPED "CVG LS" SET, UNLESS OTHERWISE NOTED.

(15)

PROPOSED RIGHT-OF-WAY

EXISTING RIGHT-OF-WAY

PROP. C. ALIGNMENT

IRS (N 81°10' W)

N 81°04'54" W

329.92'

480.00'

481.00'

482.00'

40.00' R.O.W. EASEMENT VOL. 5760, PG. 370, H.C.D.R.

FM 2221 80' ROW

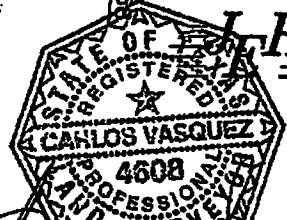
EXISTING RIGHT-OF-WAY

**LEGEND:**

SIGN	RIGHT-OF-WAY POST	□
MANHOLE (TELEPHONE)	CHAINLINK FENCE	-X-
TRAFFIC SIGNAL LIGHT POLE	WOOD FENCE	-//-
TELEPHONE PEDESTAL	FOUND 1/2" IRON ROD	•
LIGHT POLE	FOUND IRON PIPE	○
WATER METER	SET # 5 3/8" IRON ROD WITH PLASTIC CAP	IRS
FIRE HYDRANT	STAMPED "CVG LS"	IRF
GUY	FOUND 1/2" IRON ROD	OH
POWER POLE	OVERHEAD POWER	

**RIGHT OF WAY SKETCH**  
SHOWING PROPERTY OF

DONALD J. KALLILEA



A LEGAL DESCRIPTION OF EVERY SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT

CARLOS VASQUEZ, R.P.L.S. 4608



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REVISED OCTOBER 22, 2010  
REVISED AUGUST 26, 2010  
REVISED MAY 14, 2010

DIST. NAME	PLAY OF SURVEY	COUNTY
PHARR	FM 681 AND FM 2221	HIDALGO
ACCOUNT NO.	RCSI No. 0862-01-046	DATE OF SURVEY: 07/13/09
EXISTING 10.0 AC.	TAKING 0.431 AC. (16,762 Sq FT)	REMAINING LEFT 9,569 AC.
		SHEET: 3 OF 3