

**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.**



**SPECIAL WARRANTY DEED**

**Date:** January \_\_\_\_\_, 2013

**Grantor:** NORTH ALAMO WATER SUPPLY CORPORATION, a Texas non-profit water supply corporation

**Grantor's Mailing Address: [include county]:** 420 S. Doolittle Road, Edinburg, Hidalgo County, Texas 78542

**Grantee:** COUNTY OF HIDALGO, TEXAS

**Grantee's Mailing Address: [include county]** 302 West University Drive, Edinburg, Hidalgo County, Texas 78539

**Drainage Project:** "Drainage Project" as used herein shall mean the construction of a drainage system, and appurtenances thereto, by the County of Hidalgo along Minnesota Road from Raul Longoria to Cesar Chavez, in Hidalgo County, Texas.

**Consideration:** EIGHT THOUSAND EIGHT HUNDRED SIXTY-SIX AND NO/100THS DOLLARS (\$8,866.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

**AS A MATERIAL PART OF THE CONSIDERATION FOR THIS DEED, GRANTOR AND GRANTEE AGREE THAT GRANTEE IS TAKING THE PROPERTY "AS IS" WITH ANY AND ALL LATENT AND PATENT DEFECTS AND THAT THERE IS NO WARRANTY BY GRANTOR THAT THE PROPERTY HAS A PARTICULAR FINANCIAL VALUE OR IS FIT FOR A PARTICULAR PURPOSE. GRANTEE ACKNOWLEDGES AND STIPULATES THAT GRANTEE IS NOT RELYING ON ANY REPRESENTATION, STATEMENT, OR OTHER ASSERTION WITH RESPECT TO THE PROPERTY CONDITION BUT IS RELYING ON GRANTEE'S EXAMINATION OF THE PROPERTY. GRANTEE TAKES THE PROPERTY WITH THE EXPRESS UNDERSTANDING AND STIPULATION THAT THERE ARE NO EXPRESS OR IMPLIED WARRANTIES EXCEPT FOR LIMITED WARRANTIES OF TITLE SET FORTH IN THIS DEED.**

**Property (including any improvements):**

Being a 0.371 acre of land out of 8.59 acres out of Lot 4, 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 8.59 acres is vested to North Alamo Water Supply Corporation by virtue of Final Judgment dated September 18, 2002 in Cause No. CON 1114-C (B); *North Alamo*

County, Texas and recorded at Document No. 2309973, Official Records of Hidalgo County, Texas. Said 0.371 of an acre of land being more particularly described by metes and bounds in Exhibit "A" attached hereto and by this reference incorporated herein and made an integral part hereof.

**Reservations from Conveyance:**

Grantor retains all rights to oil, gas, other minerals, water and appurtenant water rights to the extent they have not been previously excepted from conveyance or reserved and to the extent such have been previously reserved or excepted from conveyance, they are hereby excepted from this conveyance and Grantor also retains the easement rights in the Parcel necessary to inspect and maintain that portion of Grantor's levee/berm supporting its reservoir as such exists and may exist in the future on its adjacent property as shown in Exhibit "B" hereto.

Grantor also retains all soil removed from such Parcel and not used for constructing the Drainage Project in Lot 4, Block 47, and such soil shall be placed at a reasonable location designated by Grantor on Grantor's adjacent lands by Grantee at Grantee's sole expense.

**Exceptions to Warranty:**

1. Subject to any portion of the land within the limits or boundaries of any private canal roadway and/or highway and the rights of the public thereto.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.

**Exceptions to Conveyance and Warranty:**

1. Subject to any portion of the land within the limits or boundaries of any public canal roadway and/or highway and the rights of the public thereto.
2. Restrictive covenants of record;
3. All oil, gas, and other minerals reserved in Deeds recorded in Volume 842, page 551, and Volume 1393, Page 232, both in the Deed Records of Hidalgo County, Texas;
4. Oil and Gas Lease dated January 27, 1982, from Charles R. Queen and wife, Albertine A. Queen, to May Petroleum recorded in Volume 411, Page 447, Oil and Gas Records of Hidalgo County, Texas;
5. Non-Drilling Stipulation contained in Deed dated January 15, 1974, recorded in Volume 1393, Page 232, Deed Records, Hidalgo County, Texas;
6. Easements, rights, rules, and regulations in favor of Hidalgo County Water Improvement District No. 2;
7. All visible easements and easements and reservations as may appear upon the recorded map

and dedication of said subdivision; and

- 8. Subdivision regulations of the County of Hidalgo and/or Ordinance or government regulations of the City holding extraterritorial jurisdiction of said property.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

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

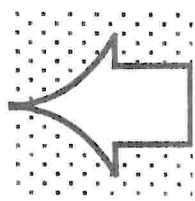
**GRANTOR:**

**NORTH ALAMO WATER SUPPLY CORPORATION**

By: Steven Kreyek

Name: Steven Kreyek

Its: \_\_\_\_\_



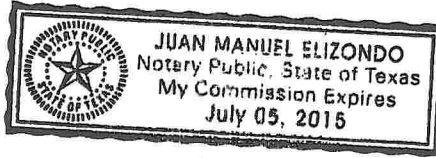
**GRANTEE:**

**COUNTY OF HIDALGO, TEXAS**

By: \_\_\_\_\_  
Ramon Garcia, County, Judge

Attest:

\_\_\_\_\_  
Arturo Guajardo, Jr., County Clerk



STATE OF TEXAS §

COUNTY OF HIDALGO §

This instrument was acknowledged before me on the 22 day of JANUARY, 2013, by Steven Krenel, President of NORTH ALAMO WATER SUPPLY CORPORATION, a Texas non-profit water supply corporation.

*Juan Manuel Elizondo*

Notary Public, State of Texas

Notary's name (printed): Juan Elizondo

Notary's commission expires: 7-5-2015

STATE OF TEXAS §

COUNTY OF HIDALGO §

This instrument was acknowledged before me on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by Ramon Garcia, County Judge, for the COUNTY OF HIDALGO, TEXAS.

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

Notary's name (printed): \_\_\_\_\_

Notary's commission expires: \_\_\_\_\_

AFTER RECORDING RETURN TO:

County of Hidalgo, Texas  
302 West University Drive  
Edinburg, Texas 78539

PREPARED IN THE LAW OFFICES OF:

Dyer & Associates Law Firm  
1352 W. Pecan Blvd.  
McAllen, Texas 78501

Ditch: Minnesota Drainage Ditch

Sheet 1 of :

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 -15

Being a 0.371 of an acre of land out of 8.59-acres out of Lot 4, 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 0.371 of an acre of land being more particularly described by metes and bounds as follows;

Commencing at the Southwest corner of Lot 4, Block 47, Alamo Land and Sugar Company Subdivision; Thence, South 81 degrees 25 minutes 00 seconds East, with the South line of Lot 4, Block 47, a distance of 350.00 feet to the Southwest corner of this tract of land and the POINT OF BEGINNING;

THENCE, North 08 degrees 35 minutes 00 seconds East, a distance of 53.80 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, a distance of 156.07 feet to a No. 4 set (with a plastic cap stamped RGEC) for an exterior corner of said tract of land ;

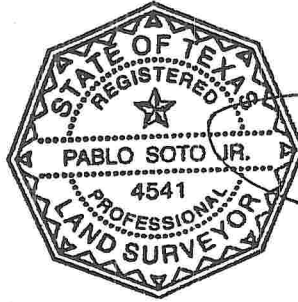
THENCE, South 76 degrees 55 minutes 46 seconds East, continuing with the Proposed North Right of Way line of said Minnesota Drainage Ditch, a distance of 164.43 feet to a No. 4 rebar set (with a plastic cap stamped RGEC) for the Northeast corner of this tract of land;

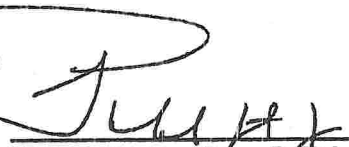
THENCE, South 08 degrees 35 minutes 00 seconds West, a distance of 40.94 feet to the Southeast corner of this tract of land;

THENCE, North 81 degrees 25 minutes 00 seconds West, with the South line of said Lot 4, Block 47, a distance of 320.00 feet to the POINT OF BEGINNING and containing 0.371-acres of which 0.143 of an acre of land lies within the existing Drainage Ditch and leaving a Net Taking of 0.614 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.



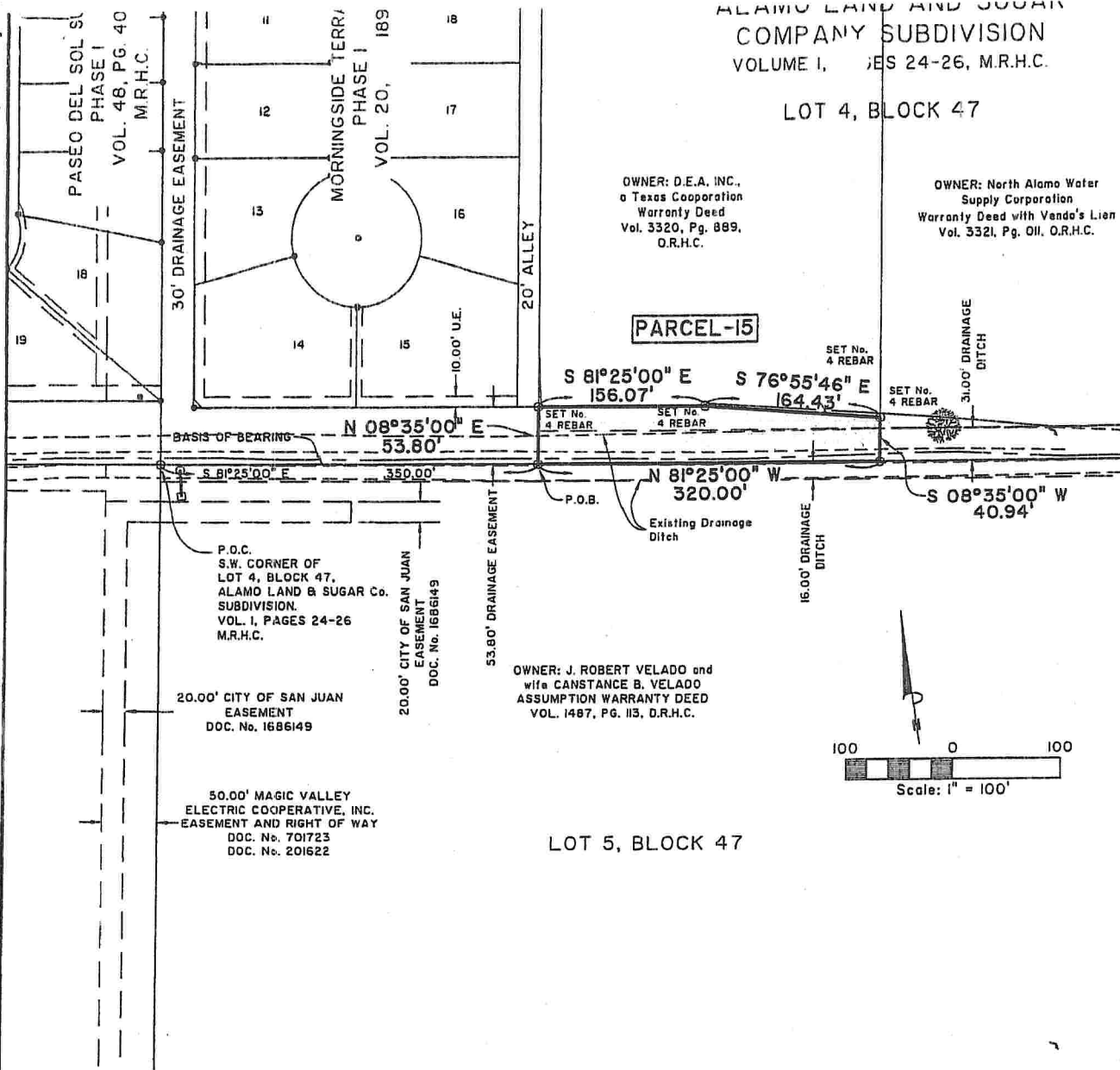
  
Pablo Soto, Jr. - R.P.L.S. No. 4541  
Date: 9/28/11

LOT 4, BLOCK 47

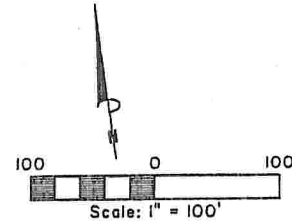
OWNER: D.E.A. INC.,  
a Texas Corporation  
Warranty Deed  
Vol. 3320, Pg. 889,  
O.R.H.C.

OWNER: North Alamo Water  
Supply Corporation  
Warranty Deed with Vando's Lien  
Vol. 3321, Pg. 011, O.R.H.C.

PARCEL -15



OWNER: J. ROBERT VELADO and  
wife CANSTANCE B. VELADO  
ASSUMPTION WARRANTY DEED  
VOL. 1487, PG. 113, D.R.H.C.



LOT 5, BLOCK 47

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

(EXHIBIT-A)  
PARCEL -15  
SURVEY PLAT  
OF A 0.371 OF AN ACRE OF LAND  
OUT OF 8.59-ACRES OUT OF  
LOT 4, 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.

OWNER: D.E.A., INCORPORATED, A TEXAS  
CORPORATION BY VIRTUE OF A WARRANTY DEED,  
DATED SEPTEMBER 3, 1992, RECORDED IN VOLUME  
3320, PAGE 889 AND DOCUMENT No. 280035,  
OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.

DESCRIPTION: 8.59-ACRES OUT OF LOT 4, BLOCK 47,  
ALAMO 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: 8.59-AC.  
TO BE ACQUIRED: 0.371-AC.  
EXISTING DRAINAGE DITCH: 0.143-AC  
PROPOSED NET TAKING: 0.614-AC  
REMAINDER: 8.219-AC

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



DOCUMENT No:

GF. No.: 125046

**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

*Pablo Soto Jr.*  
PABLO SOTO, JR. - R.P.L.S. No. 4541  
Date: 9/28/11

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