



HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

Jose N. Peña
Director

MEMORANDUM

To: Hidalgo County Commissioners Court

From: Joe Ochoa
Right of Way Agent

Date: August 20, 2013

Subject: Trenton Drainage Project
Parcel # 15-Leopoldo Alvarez

Appraised Value	\$2,835.00
Settlement Demand	\$5,600.00
Difference	\$2,765.00

*****See attached supporting documents**

Hidalgo County Commissioners Executive Session of 8/20/2013.

 Approved

Not Approved

August 15, 2013

Mr. Joe Ochoa
Precinct 4 Right of Way Agent
Hidalgo County Right of Way Department
Edinburg, Texas 78539

RE: ROW GLO: 10-5066-000-5043
DRS010068
LEOPOLDO ALVAREZ


Dear Sirs:

In regards to your offer of \$2,835.00 for the right of way on my property, I hereby decline, and I Leopoldo Alvarez makes a counteroffer of \$5,600.00 for the right of way.

Please contact me at the following address:

LEOPOLDO ALVAREZ
2607 Iris Drive
San Juan, Texas 78589

Sincerely,


LEOPOLDO ALVAREZ

Certificate of Appraisal

This appraisal report conforms to the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation. The subject property was analyzed utilizing the Cost Approach to value which is a Sales Comparison Approach to the subject as vacant and includes the estimated depreciated market value of real estate improvements and site improvements located within the part to be acquired. This is further explained within each section of the appraisal report.

Client & Intended User

The client for this report is identified as Hidalgo County Right-of-Way under the direction of Precinct No. 4 Honorable Hidalgo County Commissioner Joseph Palacios and the Texas Department of Transportation, Southern Region. The part to be acquired is for the use as a portion of a drainage improvement project. The intended use of the report is to assist Benito Rodriguez, Right-of-Way Agent of Hidalgo County, for future negotiations of acquiring a portion of said property as fee simple in the name of the State of Texas. This report is not intended for any other use, unless specified by the client. The clients have identified that the report shall be a summary appraisal report, which is to conform to the ROW-A-6 Form Rev. 11/2011. The intended user of the report is defined as Hidalgo County Right-of-Way Department, and may include governmental entities which may be participating in the project. Joe Pena shall be the project manager for this project under the direction of Honorable Hector Joseph Palacios, County Commissioner of Precinct No. 4. Mr. Pena has a local office located at 1051 Doolittle Road Edinburg, Texas and can be contacted at (956) 383-3112.

Scope of the Assignment

By work order number 628724 dated January 11, 2010 on behalf of the Hidalgo County Precinct No. 4, Joe Pena, requested for Leonel Garza Jr. & Associates LLC to prepare an appraisal report of the part to be acquired as described by survey and metes and bounds created by Quintanilla, Headley and Associates, Inc Engineering located at 124 East Stubbs Street, Edinburg, Texas dated September 11, 2009 and revised on November 4, 2011. The scope of the assignment is to appraise the area as fee simple in its present "as is condition" subject to governmental regulation, and in terms of a cash transaction. In addition, the scope is requiring the appraiser to make the extraordinary condition that the subject property is free from contamination of which could affect the overall market value of the subject property as a whole and the part to be acquired. The property owner shall be sent a letter of intent to inspect the subject property and offer any additional inspections on-site and in the presence of the owner(s) and or owner(s) representative (as requested in writing). In the event access is not granted to enter the subject area, the appraiser is to proceed off-site along existing road right-of-way as indicated by survey. The scope of the assignment requires that comparable market sales within the area be identified and analyzed for comparability and for their reliability in determining the estimated market value of the subject property. The sales have been collected, confirmed and analyzed with respect to comparability to the subject property. These comparable sales were gathered through various sources which included the Greater McAllen Multiple Listing Service, local Realtors & Brokers, Real Estate Appraisers, and conversations with various owners along the project. Listings along El Rancho Road, South Tower Road and South Alamo Road and the surrounding market area were also reviewed in order to determine the current market asking prices for property along the project. The appraisal report shall indicate the current market value of the subject property as per date of on-site and or off-site inspection without project influence as indicated by scope. The inspection is limited by the permissibility of the subject owner as per date of report. In the event an on-site inspection was not permitted, the appraiser continued the inspection off-site along existing road right of way. The property owner shall always reserve the right for a re-inspection of the subject parcel at a later date if requested in writing.

Purpose of the Appraisal Report

This appraisal is prepared for the purpose of estimating the current market value of the fee simple estate of the subject property in order to determine the value of the proposed right-of-way to be acquired in the name of the County of Hidalgo. This appraisal does not include any enhancement in value resulting from items of intangible personal property such as marketing and management skill, an assembled work force, working capital, trade names, franchises, patents, trademarks, contracts, leases (mineral and or ground lease), or operating agreements and project influence (if any exist). The area to be acquired may contain personal property items which are not compensable and or may be handled through negotiations. These items deemed compensable shall be included within the body of the report and itemized for clarity by the appraiser. Any improvements not located within the part to be acquired and outside of the permissibility of inspection as defined by the subject owner, shall be given a stated value based on the assessment established by the corresponding Appraisal District and or by off-site estimation by appraiser, as they are not affected by the acquisition.

Property Rights Appraised

The property rights being appraised in this report consist of the fee simple estate of the subject property. Fee Simple Estate is defined by the Dictionary of Real Estate Appraisal, Fourth Edition, copyright 2002, page 113, by the Appraisal Institute as being: "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat." As per scope of the assignment, this is the manor of which the subject property shall be appraised for purposes of this report. If there are any questions or concerns as to this definition of fee simple estate, please feel free to contact Leonel Garza III at (956) 687-7295 or leonel3@garza-associates.com for further explanation.

Accessibility

As per scope of the assignment, the subject property shall be inspected in order to verify any and all improvements affected by the part to be acquired. In the event the remainder after the acquisition is affected by the proposed acquisition, the remainder shall be inspected in order to determine damages (diminution) to market value if any exist. The property owner of record shall be sent a letter of intent to inspect and offer the opportunity for an on-site inspection in the presence of the appraiser, Leonel Garza III. A copy of the certified letter is located within the addenda of this report. The property owner shall always reserve the right to contact the office of Leonel Garza Jr. & Associates LLC (956) 687-7295 or leonel3@garza-associates.com, after the date of inspection for an additional on-site inspection in their presence with appraiser, Leonel Garza III.

Analysis of Subject As A Whole

A survey of the property owners entire tract was not performed as the part to be acquired incorporates a portion of land located along the southern property boundary of the subject property and does not affect the remainder of the tract in the remainder after state. As per scope of the assignment, the subject property shall be analyzed based on the combined information of several sources including, the survey provided, on-site and or off-site inspection, personal interviews, and information gathered from the local appraisal district. The property was analyzed based on the whole property less any existing road right-of-way. Based on the inspection of the subject property and the evaluation of the subject as a whole, the remainder shall not be affected by the part to be acquired and therefore shall not be included within the valuation of this report.

Economic Unit Analysis

During the analysis of the subject property it was determined that the overall land area of 4.92 shall be utilized as the economic unit of the subject property for the analysis of the part to be acquired. This land area is indicative of the market trends within the immediate area and shall be utilized for the direct sales comparison approach to value in order to determine the current market value of the whole. Once the unit rate for the subject is established, a pro-rata part of the whole is applied the determination of the part to be acquired. The comparable sales used for the analysis of the subject property as whole and as the partial acquisition were indicated to have an economic unit range of 5.00 acres to 70.54 acres.

Part To Be Acquired

The proposed acquisition is comprised of fee land in which the land area to be acquired is 0.21 acres (9,148 square feet). The part to be acquired is encumbered by a 0.07 acre existing H.C.I.D. No. 2, leaving a net 0.14 acre (6,098 square feet) of land. The proposed acquisition has approximately 170.73' lineal feet of frontage along the northern side of a drainage canal easement located along the southern boundary of the subject property. The proposed acquisition, which is the subject of this report, shall be evaluated as a whole as determined by the approaches to market value selected. The subject shall be valued based on the highest and best use for commercial use. This use is based on the local market trends along Alberta and Trenton Road. This highest and best use is further explained on page 3.1 of this report.

To Be Acquired (Net)	0.114 Acres
	6,098 Square Feet

Legal Description: Part To Be Acquired

A 0.21 of an acre tract of land out of Lot 2, Block 54, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, According to the Map or Plat thereof recorded in Volume 1, Pages 24-26, Map Records, Hidalgo County, Texas, and according to General Warranty Deed Recorded under County Clerk's Document Number 1887992, Official Records, Hidalgo County, Texas.

Remainder Before and After Acquisition

The remainder, before and after the acquisition, is defined as the partial acquisition subtracted from the whole property which is described as the subject property. It is determined at the time of appraisal whether or not damages to the remainder are caused by the proposed part to be acquired. The highest and best use of the subject property before and after the proposed partial acquisition is analyzed to determine whether or not the use of the subject property will be altered as a result of the proposed part to be acquired.

Property Tax Data

According to the information provided by the Hidalgo County Appraisal District located at located at 4405 S. Professional Dr., Edinburg, Texas and accessed via internet www.hidalgoad.org. The subject property was indicated to be under the ownership of Roberto G. Cavazos & Olga Cavazos. This was found under the tax account 555756.

OWNER OF RECORD	LEOPOLDO ALVAREZ
PROPERTY TAX IDENTIFICATION NO.	555756
IMPROVEMENT VALUE	\$91,779
LAND VALUE	\$79,743
ASSESSED VALUE	\$171,522
EXEMPTIONS	NONE INDICATED

General Site Assessment Statement

This appraiser has made an off-site inspection of the subject property, and no obvious adverse environmental concerns or potentially hazardous materials were observed. This appraiser is not qualified to make a detailed environmental study and highly recommends that an inspection be made by a qualified environmental engineer if any environmental concerns exist. Leonel Garza Jr. & Associates LLC has performed this appraisal report under the hypothetical condition and extraordinary assumption that the subject property has not experienced any adverse environmental concerns which may influence its marketability and or value. The extraordinary assumption is that neither adverse easements nor encroachments are located within the subject property which would affect the value of the whole. The subject property was observed to be generally level and typical of the surrounding market area. No severe low lying areas were observed, however, this appraiser is not an engineer and cannot certify to the topography or drainage of the subject property.

Utility Services Available

The subject property is located in a region, which contains, water, water wells, electricity, and phone service, which is typical of the market area.

Identification of Personal Property

As per scope of the assignment, no personal property located within the proposed right-of-way and the remainder before and after the acquisition shall be included for compensation, unless it was determined by the appraiser that these item shall be affected or damaged by the proposed acquisition. In the event the selected items are determined to be compensable, then they shall be included within the cost approach section of this report. A value which shall be either the cost to cure and or the cost of replacement shall be delineated for each item for clarity.

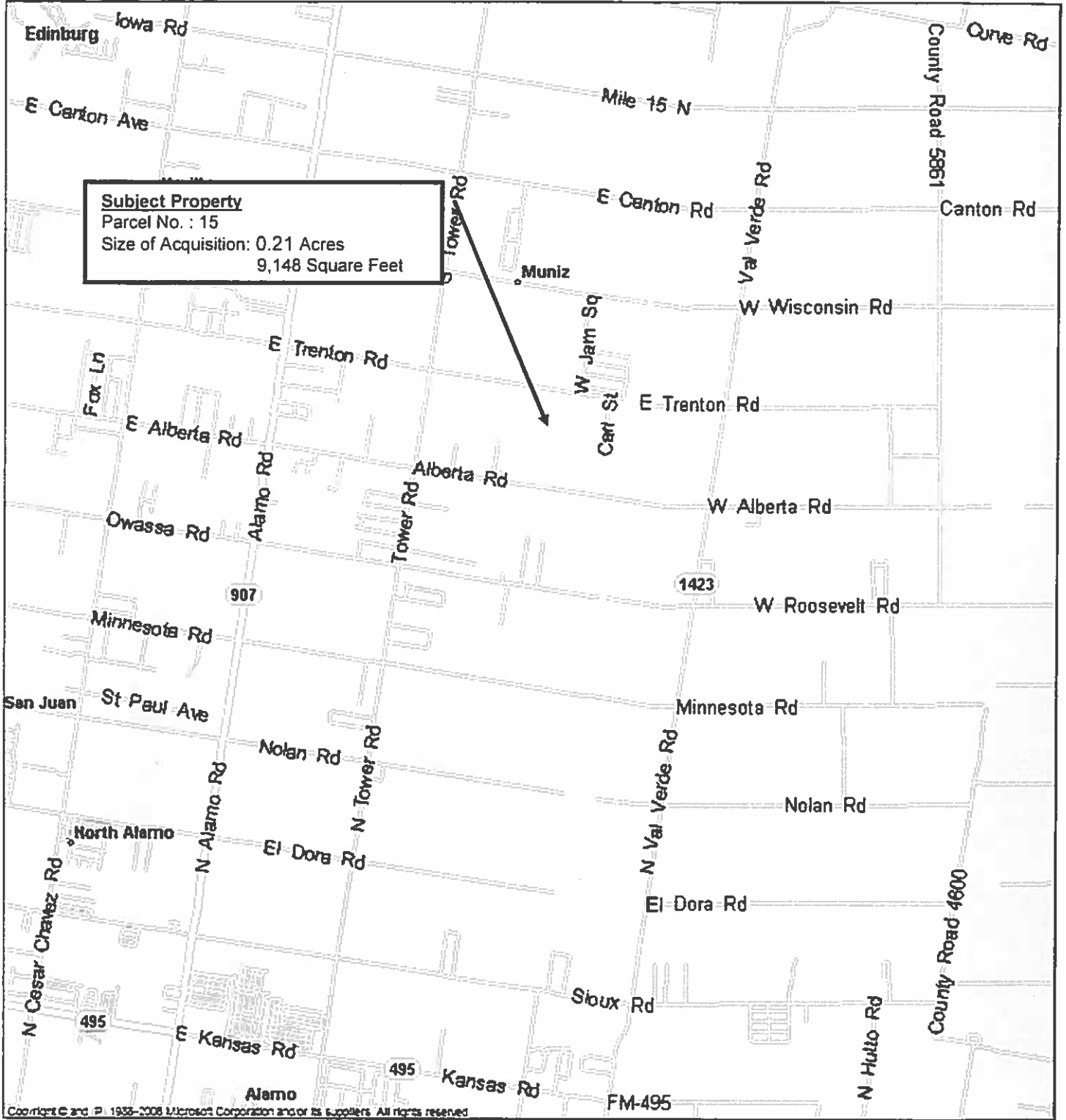
Current Listing Status

Based on the off-site inspection of the subject property no visible "For Sale" signs were located on-site indicated the subject property listed for sale. Additional research was conducted with local Realtor's® Multiple Listing Services and the subject property was not listed.

Exposure Time

Exposure time is defined as the "length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal." Based on research performed within the market area, an indicated twelve (12) months exposure time is indicated for the subject property. This was estimated based on current and past listings located within the market area which were reviewed during our sales search for comparables similar to the subject property.

LOCATION MAP OF SUBJECT PROPERTY



Microsoft® MapPoint 2006 (13.00.15.2800)

AERIAL PHOTOGRAPH OF SUBJECT PROPERTY

Google Earth



AERIAL PHOTOGRAPH OF PART TO BE ACQUIRED

Google Earth (Closer View of Subject Property)



NOTE: THE PART TO BE ACQUIRED IS ESTIMATED AND DEPICTED BY THE YELLOW DASHED LINE. COMPLETE SURVEY OF SUBJECT AS A WHOLE WAS NOT PROVIDED BY R. GUTIERREZ ENGINEERING CORPORATION AND IS ESTIMATED BASED ON INFORMATION GATHERED DURING THE INSPECTION OF THE SUBJECT PROPERTY OR THE HIDALGO COUNTY APPRAISAL DISTRICT.

FIELD NOTES OF PART TO BE ACQUIRED (Page 1 of 2)

METES AND BOUNDS

HIDALGO COUNTY PRECINCT No.4
SAN CARLOS DRAINAGE IMPROVEMENTS
TRENTON DRAIN
PARCEL: No.15 FEE SIMPLE

A 0.21 OF AN ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 54, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGES 24-26, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO GIFT DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2193533, 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 POINT FOR THE SOUTHWEST CORNER OF LOT 2 AND THE SOUTHWEST CORNER OF THIS TRACT.

THENCE; N 08°31'51"E, ALONG THE WEST LINE OF LOT 2, A DISTANCE OF 54.00 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°28'09"E, A DISTANCE OF 170.73 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE WEST LINE OF THE ARMANDO CASTRO TRACT (A 5.176 ACRE TRACT OUT OF LOT 2, BLOCK 54, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1749143, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS) FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE; S 08°31'51"W, ALONG THE WEST LINE OF THE ARMANDO CASTRO TRACT, A DISTANCE OF 54.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 2 FOR THE SOUTHWEST CORNER OF SAID TRACT AND THE SOUTHEAST CORNER OF THIS TRACT.

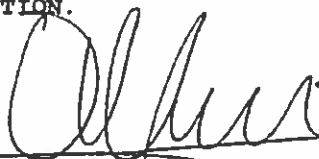
THENCE; N 81°28'09"W, ALONG THE SOUTH LINE OF LOT 2, A DISTANCE OF 170.73 FEET (DEED RECORD: 174.20 FEET) TO THE POINT OF BEGINNING AND CONTAINING 0.21 OF AN ACRE OF LAND MORE OR LESS.

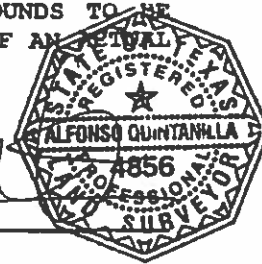
BEARINGS ARE IN ACCORDANCE WITH ALAMO ESTATES UNIT No.2, RECORDED IN VOLUME 30, PAGE 153, MAP RECORDS, HIDALGO COUNTY, TEXAS.

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.

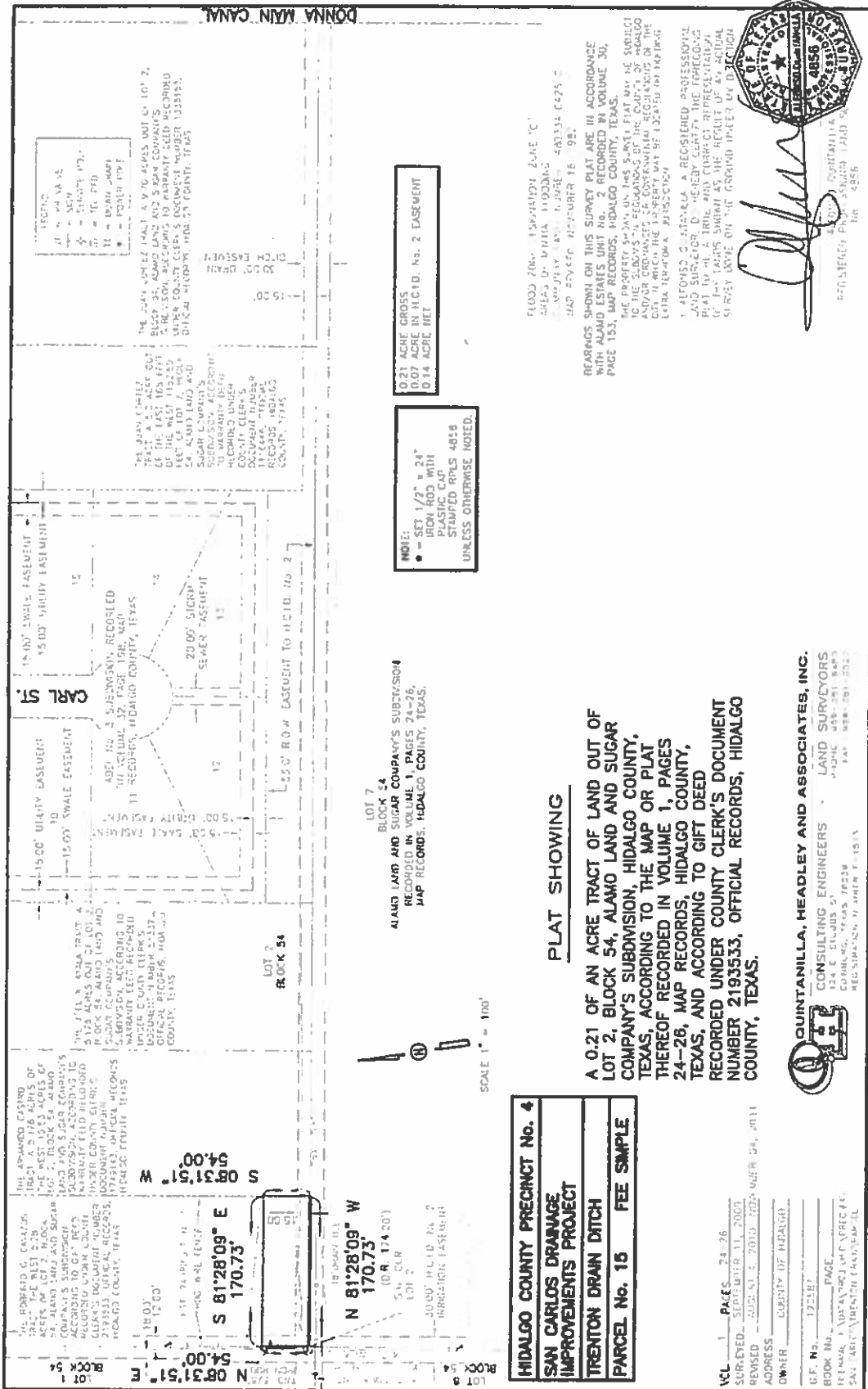
I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THE ABOVE METES AND BOUNDS TO BE TRUE AND CORRECT, AND TO BE THE REPRESENTATION AND RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION.

DATE PREPARED: November 4, 2011


ALFONSO QUINTANILLA
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4856



SURVEY OF PART TO BE ACQUIRED (Page 2 of 2)



Green Highlighted Area = Existing ROW / Yellow Highlighted Area = Proposed Right of Way

HIDALGO COUNTY PRECINCT No. 4
SAN CARLOS DRAINAGE
IMPROVEMENTS PROJECT
TRENTON DRAIN DITCH
PARCEL No. 15 FEE SIMPLE

VCL 1 PAGES 24-26
 SURVEYED SEPTEMBER 11, 2000
 REVISED AUGUST 2, 2010 (2010-08-02)
 ADDRESS COUNTY OF HIDALGO
 OWNER
 G.F. No. 125187
 BOOK No. PAGE
 RECORD NUMBER OF PLAT
 SURVEYOR'S LICENSE NUMBER

PLAT SHOWING

A 0.21 OF AN ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 54, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGES 24-26, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO GIFT DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 2193533, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION
 RECORDED IN VOLUME 1, PAGES 24-26,
 MAP RECORDS, HIDALGO COUNTY, TEXAS.

NOTE:
 • SET 1/2" x 24" IRON ROD WITH PLASTIC CAP STAMPED RPLS 4058 UNLESS OTHERWISE NOTED.

0.21 ACRE GROSS
 0.07 ACRE IN H.C. ID. No. 2 EASEMENT
 0.14 ACRE NET

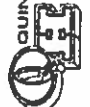
FLOOD ZONE: UNDESIGNED ZONE "C"
 AREA OF VULNERABILITY FLOODING
 SURVEYED AND DATED: 4-23-13 04:25
 MAP REVISION NUMBER: 16 191

BEARINGS SHOWN ON THIS SURVEY PLAT ARE IN ACCORDANCE WITH ALAMO ESTATES UNIT No. 2 RECORDED IN VOLUME 30, PAGE 153, MAP RECORDS, HIDALGO COUNTY, TEXAS.

THE PROPERTY SHOWN ON THIS SURVEY PLAT MAY BE SUBJECT TO THE SUBDIVISION RECORDS OF THE COUNTY OF HIDALGO FOR RECORDS OF THE COUNTY CLERK'S OFFICE. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF THE COUNTY CLERK'S OFFICE THAT AFFECT THIS SURVEY.

I, ALFONSO G. QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT I AM A TRUE AND CORRECT REPRESENTATIVE OF THE SURVEYOR AS SHOWN AS THE RESULT OF AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

Alfonso G. Quintanilla
 ALFONSO G. QUINTANILLA
 REGISTERED PROFESSIONAL LAND SURVEYOR
 4765 REYES PARK, SUITE 1140
 HOUSTON, TEXAS 77056
 TEL: 281-481-2121
 FAX: 281-481-2122



QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
 CONSULTING ENGINEERS
 124 E. STANBIS ST.
 HOUSTON, TEXAS 77029
 TEL: 281-481-2121
 FAX: 281-481-2122