

PLANNING DEPT. PCTS 2 & 4 WATER SERVICE AVAILABILTY		
	APPLICANT	APPLICATION NO.
1.	David Luevano	4-12558
	COMM. COURT: October 15, 2013	



# PLANNING DEPARTMENT

Rev. 02-19-10

## County of Hidalgo

Main Office  
1304 South 25<sup>th</sup> Street  
Edinburg, Texas 78542  
956-318-2840  
956-318-2844

Precinct No.1 Substation  
1902 Joe Stephens Ave.  
Weslaco, TX 78596  
956-968-4734  
956-973-7850

Precinct No.3 Substation  
2401 N. Moorefield Rd.  
Mission, TX 78572  
956-205-7045  
956-205-7049

Precinct 1 2 3 4

Raul E. Sesin, P.E., CFM  
Planning Administrator

Application No: 4-12558

Jul. 01, 2013

### HIDALGO COUNTY CERTIFICATE OF WATER SERVICE AVAILABILITY UNDER TEXAS LOCAL GOVT. CODE SECTION 232.029(c)(2)

Upon the application of:

Name: David Luevano  
Address: 4309 Mile 8 1/2 Rd  
Edinburg, TX 78541  
Phone: 956-383-6033

Approved by Environmental Health:	Temporary Service	Final Service
_____	_____	_____
Inspection/Permit No: _____	Authorized Signature	Authorized Signature
Date Approved: _____	_____ / _____ / _____	_____ / _____ / _____

Water Supplier: Sharyland Water Supply Corp  
Utility Provider:  M.V.E.C.     AEP  
Account/ESI No.: 277479-001  
 Temporary Pole     Permanent Service

who is the person requesting utility service to subdivided land ("land") described as follows:

The North 2.46 acres of the W. 1/2 of lot 20 and the N. 1/4 of lot 20 Texas - Mexican Railway Co. Survey lot # 19 & 20 Section # 229

[Insert the lot and block number in recorded subdivision, address, or description in deed, etc]

and who has submitted to the court an affidavit as required by Local Govt. Code Sec. 232.029 (f), on \_\_\_\_\_, 20\_\_\_\_, the Hidalgo County Commissioners Court approved the issuance of this certificate stating as follows (strike through the statement that does not apply)

The land was not subdivided after September 1, 1995, and water service is available within 750 feet of the land.

-OR-

~~The land was not subdivided after September 1, 1995, and water service is available more than 750 feet from the subdivided land and the extension of water service to the land may be feasible, subject to a final determination by the water service provider.~~

Raul E. Sesin  
Planning Department Authorized Signature

\_\_\_\_\_  
Hidalgo County Judge

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Hidalgo County Clerk

\_\_\_\_\_  
Date



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Raul E. Sesin, P.E., CFM  
Planning Administrator

Precinct 1 2 3 4

Application No:

4-12558

### AFFIDAVIT TO APPLY TO THE COUNTY OF HIDALGO FOR CERTIFICATE OF WATER SERVICE AVAILABILITY UNDER TEXAS LOCAL GOVT. CODE SECTION 232.029(c)(2)

[Note: To be eligible, the land must not have been subdivided after September 1, 1995.]

THE STATE OF TEXAS §  
COUNTY OF HIDALGO §

BEFORE ME, the undersigned authority, on this day personally appeared

David Luevano

Known to me [or proved to me in the oath of David Luevano or through FD (description of federal or state government ID card with photograph and signature)], who swore on oath that the following two statements are true:

1. "I am requesting utility service to the following described land:  
The N. 2 1/2 blocks of the W. 1/2 of lot 20 and the N. 1/2 of lot 20 and the N. 1/2 of lot 20 and the N. 1/2 of lot 20. Section # 229  
Texas-Mexican Railway Co. Survey lot # 19 & 20."

[Insert the lot and block number in recorded subdivision, address, or description in deed, etc]

2. "The land described above has been sold or conveyed to me."

AND [strike through the statement below that does not apply]

3A. ~~"The land was not sold or conveyed to me by the Subdivider or the subdivider's agent after September 1, 1995."~~

-OR-

3B. "The land was on August 31, 1999, located in the extraterritorial jurisdiction of a municipality as determined by Local Govt. Code Chapter 42; and the land was not sold or conveyed to me by the Subdivider or the subdivider's agent after September 1, 1999."

David Luevano (Signature)

SUBSCRIBED AND SWORN TO before me on October 8, 2013, to certify which, witnesses my hand and seal of office.



Sofia Sandra Cardenas  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

4

Chapter 232 Texas LGC Application

APPLICATION NO:  
4-12558  
Jul. 1, 2013

COUNTY OF HIDALGO  
PLANNING DEPARTMENT  
1304 S. 25th Ave EDINBURG TX 78539  
TEL 318-2840 FAX 318-2844

T2100-00-229-0019-03

[ 1 ] OWNER: LUEVANO, LYDIA  
LUEVANO, DAVID  
4309 8 1/2 ML RD  
EDINBURG, TX. 78541  
Telephone No. 342-0439

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
TEX-MEX SURVEY S1AC-N3.94AC-W3  
8AC-LT 19 & E3.96-LT 20 BLK 22  
1.00AC NET

LOCATION: 0 WARE RD. & ML 8 1/2

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: INSTA

[ 3 ] WATER SYSTEM: SHAR

[ 9 ] CONSTRUCTION TYPE: BLOC

[ 4 ] PURPOSE OF APPLICATION: MISCELLANEOUS  
31- BARN, REC. BLDNG, POOL HOUSE, SHED

[ 10 ] EST. COST OF CONST.: \$35,000

[ 5 ] SIZE OF STRUCTURE: 4,000 Sq. Ft.

[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

[ 6 ] USE OF BUILDING: GARAGE.ZONE.X

Special Conditions: No construction allowed over any easements.  
MUST COMPLY W/ALL REGULATIONS AS PER COUNTY  
STATE CITY FEMA & SETBACKS. FRONT 40' SIDE 6'  
REAR 15'. 18" ABOVE NATURAL GROUND

FOR COUNTY USE ONLY  
APPLICATION FEES

Prepared by *Mani J...* Date 07/01/13

OTHER \_\_\_\_\_  
TOTAL AMOUNT . . . . . \$30.00

Light [ ] Water [ ]

Approved by *Estrelin Ceballos* Date 07/01/13

Flood Zone: NO Panel No. /Suffix: 0295 D Pct: 4

Community No.: 480334

Certification of Elevation  
Required:  YES  NO  BFE

Signature of Owner or Applicant *[Signature]* Date 7-1-13

- A. Setbacks front, side & rear shall be in any deed restrictions.
- B. No more than one single family residence per lot.
- C. Applicant shall comply with all of the plat and/or deed restrictions and requirements affecting the lot.
- D. Permit fee shall be doubled for construction commencing or structures moved in prior to obtaining a permit.
- E. Applicant/owner states that no structures exist on this tract of land. If found in violation, permit may be revoked.

[ NOTICE ]

SEPARATE PERMITS ARE REQUIRED FOR SEPTIC TANKS. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS. OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF ONE YEAR AT ANYTIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND REGULATIONS GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

State Bar of Texas Form

1051140

STATE OF TEXAS  
COUNTY OF HIDALGO

WARRANTY DEED WITH VENDOR'S LIEN

DATE: January 28, 2002

GRANTOR: Kenneth Buss and wife, June Buss

GRANTOR'S MAILING ADDRESS (including county): Box 3277, Edinburg, Hidalgo County,  
Texas 78540

GRANTEE: Edward Estrada and wife, Veronica Estrada

GRANTEE'S MAILING ADDRESS (including county): P. O. Box 1797, Edinburg, Hidalgo  
County, Texas 78540

CONSIDERATION: Ten and No/100ths (\$10.00) Dollars and the execution and delivery by Grantee of a certain promissory note of even date herewith in the principal amount of EIGHTY-FIVE THOUSAND AND NO/100THS DOLLARS (\$85,000.00), payable to the order of FIRST NATIONAL BANK as therein provided, the payment of the note is additionally secured by a Deed of Trust, Security Agreement and Financing Statement of even date herewith to Michael V. McCarthy, Trustee. The vendor's lien herein retained shall serve as additional security for the payment of the above described note.

PROPERTY:

The North 2.46 acres of the West ½ of Lot 20 and the North 4.93 acres of Lot 21, Section 229, TEXAS-MEXICAN RAILWAY COMPANY'S SUBDIVISION, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 12, Page 22, Map Records of Hidalgo County, Texas, reference to which is here made for all purposes.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

1. Visible and apparent easements on or across the land herein described.
2. Easements for roadways as shown on the map of the subdivision herein referred to.
3. Statutory rights in favor of Hidalgo County Irrigation District No. 1, pursuant to applicable sections of the Texas Water Code.
4. Easements in favor of Hidalgo County Irrigation District No. 1.
5. Statutory rights in favor of United Irrigation District, pursuant to applicable sections of the Texas Water Code.
6. Easements in favor of United Irrigation District.
7. Reservation of all oil, gas and other minerals, EXCEPT ½ royalty interest, as described in instrument dated March 1, 1946, executed by Mary O'Brien Shary to Rio Development Co., recorded in Volume 581, Page 262, Deed Records of Hidalgo County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
8. Reservation of all oil, gas and other minerals, EXCEPT ½ of 1/8th non-participating royalty interest, as described in instrument dated January 25, 1957, executed by The Estate of Assaph Gutowsky, Deceased to Tip O' Tex Realty Co., recorded in Volume 884, Page 207, Deed Records of Hidalgo County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
9. Reservation of all oil, gas and other minerals as described in instrument dated May 8, 1973, executed by J. T. Cross to Rio Grande Ranchos, Inc., recorded in Volume 1364, Page 473, Deed Records of Hidalgo County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.

10. Terms, conditions and stipulations contained in Oil, Gas and Mineral Lease dated April 9, 1981, between Four S. Minerals, Ltd. to Midway Oil Corporation, recorded in Volume 400, Page 961, Oil and Gas Records of Hidalgo County, Texas.
11. Taxes for 2002 and subsequent years and subsequent assessments for prior years due to change in land usage or ownership.

Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors and assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, successors and heirs to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

The vendor's lien against and superior title to the property are retained until said note described is fully paid according to its terms, at which time this deed shall become absolute.

FIRST NATIONAL BANK has advanced and paid to Grantor in cash that portion of the purchase price of the property that is evidenced by the first lien note. In consideration of that payment, Grantor hereby retains a first and superior vendor's lien against and superior title to the property and transfers such lien to FIRST NATIONAL BANK without recourse.

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

Kenneth Buss  
Kenneth Buss

June Buss  
June Buss

ACKNOWLEDGMENT

STATE OF TEXAS           §  
  §  
COUNTY OF HIDALGO   §

This instrument was acknowledged before me on the 29<sup>th</sup> day of January, 2002, by Kenneth Buss and wife, June Buss.

Felicitas Cabrera  
Notary Public, State of Texas



AFTER RECORDING RETURN TO:  
Kittleman, Thomas, Ramirez, & Gonzales, PLLC  
P.O. Box 1416  
McAllen, Texas 78502  
R:\Felicitas Cabrera\60\Estrada Edw and WDW - VL.ppt

Filed for Record in:  
Hidalgo County  
by  
J. D. Salinas, II  
County Clerk  
On: Feb 12, 2002 at 01:35P  
As a Recording  
Document Number: 1051540  
Total Fees: 16.00  
Receipt Number - 400156  
By:  
Tanya De Lina, Deputy

The State of Texas,

} Know All Men by These Presents:

County of HIDALGO

That JUAN CRUZ

of the County of Hidalgo

State of Texas

for and in consideration

of the sum of TEN AND NO/100THS (\$10.00)

DOLLARS

to me paid, and secured to be paid, by MARIA DE LOS ANGELES MORALES, 2628 Austin St. McAllen, Texas 78501 as follows:

One (1) installment vendor's lien note in the original amount of \$5,800.00 dated October 28, 1982, due and payable in 48 monthly installments of \$158.51 each, including interest at the rate of 14% per annum from date until maturity; with the first installment to become due and payable on or before the 28th day of November 1982, and a like installment to become due and payable on or before the 28th day of each succeeding month thereafter until the entire principal balance has been paid.

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said MARIA DE LOS ANGELES MORALES

of the County of Hidalgo State of Texas all that certain lot, tract or parcel of land situated in the County of Hidalgo, State of Texas, more fully described as follows, to-wit:

The South One (1) acre of the North 3.94 acres of the West 3.98 acres of Lot 19 and the East 3.96 acres of Lot 20, Section 229, Texas-Mexican Railway Company Survey, Hidalgo County, Texas

SAVE AND EXCEPT any and all oil, gas and other minerals that may be found in, on and under said land and premises.

SUBJECT to easements of record and all visible easements.

SUBJECT to property restrictions attached hereto.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said

MARIA DE LOS ANGELES MORALES, her heirs and assigns forever and I do hereby bind myself and my heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said

MARIA DE LOS ANGELES MORALES, her heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the Vendor's Lien is retained against the above described property, premises and improvements, until the above described note, and all interest thereon are fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

WITNESS my hand at Mission, Texas

this 28th day of October

19 82

Witness at request of Grantor:

Juan Cruz
JUAN CRUZ

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared  
known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to  
me that he executed the same for the purposes and consideration therein expressed.

Juan Cruz

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this the 28th day of October, A. D. 1982

BETTY RASOR  
Notary Public in and for  
Hidalgo County, Texas  
My Commission Expires 10/2/85

*Betty Rasor*

Notary Public in and for Hidalgo County, Texas

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared  
known to me to be the person whose name 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 the day of A. D. 19

(L. S.)

Notary Public in and for County, Texas

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared  
known to me to be the person whose name 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 the day of A. D. 19

(L. S.)

Notary Public in and for County, Texas

THE STATE OF TEXAS,  
COUNTY OF

I HEREBY CERTIFY that the foregoing instrument of writing with its certificate of authentication, was filed for  
record in my office on the day of A. D. 19 at o'clock M.,  
and was duly recorded by me on the day of A. D. 19  
in Vol. page of the Records of said County.

WITNESS MY HAND and the Seal of the County Court of said County, at my office in  
the day and year last above written.

(L. S.)

County Clerk County, Texas

By Deputy.

157-4433

Warranty Deed  
(WITH VENDORS LIEN)

FROM

Juan Cruz  
1220 E. Evans Pharr, Texas  
78577

TO

Maria De Los Angeles Morales  
2628 Austin St. McAllen, Texas  
78501

FILED FOR RECORD  
OCT 29 1982  
HIDALGO COUNTY CLERK  
OFFICE  
1003 FSB  
211  
This at By Deputy  
A. D. 19  
County Clerk  
Deputy

RECORDED

In County Records

In Book on Page

County Clerk

Deputy

Recording Fee \$ CK# 2782 K

This instrument should be filed immediately with  
the County Clerk for Record.

*W. Travis City Lake*



JAMES E. DARLING, Mayor  
 HILDA SALINAS, Mayor Pro-Tem and Commissioner District 3  
 AIDA RAMIREZ, Mayor Pro-Tem and Commissioner District 4  
 SCOTT C. CRANE, Commissioner District 1  
 TREY PEBLEY, Commissioner District 2  
 JOHN J. INGRAM, Commissioner District 5  
 VERONICA VELA WHITACRE, Commissioner District 6  
 MIKE R. PEREZ, City Manager

**CERTIFICATE OF COMPLIANCE**

DATE: October 4, 2013  
 NAME OF PROPERTY OWNER: David and Lydia Luevano  
 LEGAL DESCRIPTION OF PROPERTY: South 145.20 feet, North 574.10 feet, West 150 feet Lot 19 & South 145.20 feet, North 574.10 feet, East 150 feet, Lot 20, Section 229, Tex-Mex Survey, 1.0 acre  
 LOCATION OF PROPERTY: 4317 8 1/2 Mile Road

The property described above or in the attached legal description is in compliance with the City of McAllen's Subdivision Regulations. Utility services may be extended to the property by the public utilities holding a certificate of convenience and necessity in such area. This certificate applies to the issuance of permits for the construction of a residential and non-residential building. Compliance with the City of McAllen's Subdivision Regulations is based on: (place mark on appropriate line)

- X  (a) The property was split prior to it being in the City's extraterritorial jurisdiction or corporate limits; (Subdivision Variance 9/23/2013)
- (b) Where the last recorded conveyance of such lot or tract by metes and bounds was prior to October 15, 1973;
- (c) Where a building was in existence on said lot prior to October 15, 1973;
- (d) Where such subdivision, whether by recorded plat or by actual occupancy and use, was in existence prior to October 15, 1973;
- (e) Where such division of land is used for agricultural purposes in parcels or tracts of 5 acres or more and not involving any new street, alley, or easement of access.
- (f) A lot of record.

PROPERTY IS SUBJECT TO STATE AND COUNTY REGULATIONS THAT MAY INCLUDE BUILDING PERMITS, FLOOD PLAIN MANAGEMENT, MINIMUM LOT SIZE FOR SEPTIC TANK PERMITS, ALLOWABLE NUMBER OF UNITS PER LOT OR TRACT, POTABLE WATER SUPPLY, ETC.

COMMENTS: However any future division of the property for any purpose will be subject to compliance with the City's review and Subdivision Ordinance requirements. Subject to County Planning Department Certificate of approval. No more than 1 single family residence per lot or tract.

J.R. Rankin  
 Julianne R. Rankin, FAICP  
 Director of Planning

**RECEIVED**  
 BY: Maria Lela  
 @ 5:02  
 OCT 07 2013  
 HIDALGO COUNTY  
 PLANNING DEPT.