



HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

MEMORANDUM

To: Hidalgo County Commissioners Court

From: Joe Ochoa
Right of Way Agent

Date: October 2, 2013 *JO*

Subject: Mile 22 ½ Road Extension-Jose Juan (J.J.) Avila

=====

Appraised Value **\$39,426.00**

Accepted Appraised Value Price

*****See attached supporting documents**

**Discussed in Hidalgo County Commissioner's Court Executive Session
on 10/02/2013, will proceed as directed**

JOSE JUAN (J.J.) AVILA

1600 Wisteria Ave.
McAllen, Texas 78504

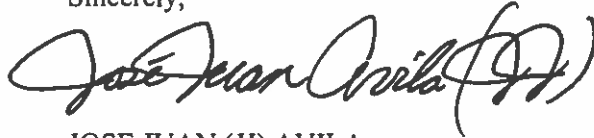
September 23, 2013

Mr. Jose Ochoa
ROW Agent
Hidalgo County

Dear Mr. Ochoa,

Please consider this letter as my acceptance of the offer of \$39,426.00 made by letter dated July 24, 2013 for a proposed extension of Mile 22 ½ Road and being a 2.719 acre (118,449 S.F.) tract of land out of Tract 156, San Salvador Del Tule Grant, Hidalgo County, Texas as more particularly described in the Real Estate Appraisal Report prepared by Leonel Garza, III, dated April 26, 2013. The 2.719 acre tract being a strip 80 feet wide and 1480.26 feet long on the North side and 1480.97 feet long on the South side of the proposed 22 ½ Mile Line Extension.

Sincerely,

A handwritten signature in black ink that reads "Jose Juan Avila (JJ)". The signature is written in a cursive style with a large, stylized "J" at the beginning and "JJ" at the end.

JOSE JUAN (JJ) AVILA



Dos Land Surveying, LLC

February 21, 2013

Parcel 1

Page 1 of 7

County: Hidalgo, Texas
Mile 22 ½ Extension

Property Description
Parcel 1

BEING A 2.719 ACRE (118,449 S.F.) TRACT OF LAND, OUT OF TRACT 156, SAN SALVADOR DEL TULE GRANT, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 10, PAGES 58-60 OF THE MAP RECORDS OF HIDALGO COUNTY, (M.R.H.C.) TEXAS, AND BEING A PART OF THAT CERTAIN CALLED 341.15 ACRE TRACT, CALCULATED (64.732 ACRES) CONVEYED TO JOSE JUAN (J.J.) AVILA, RECORDED IN VOLUME 3043, PAGE 613 OF THE OFFICIAL RECORDS OF HIDALGO COUNTY (O.R.H.C.), TEXAS, SAID 2.719 ACRE TRACT MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING at a 1/2 inch iron rod with a cap stamped "RPLS 4856" found for the northeast corner of that certain 21.46 acre tract conveyed to G&D Financial Services in Document No. 2282957 of the Official Records of Hidalgo County, Texas;

THENCE, North 09°05'27" East, along the common boundary line of said 341.15 acre tract and the Santa Cruz Ranches No. 2 Subdivision, recorded in Volume 46, Page 133, (M.R.H.C.), Texas, a distance of 124.11 feet to a 1/2 inch iron found at the northwest corner of Lot 85, of said Santa Cruz Ranches No. 2 Subdivision, for the southeast corner and **POINT OF BEGINNING** of the herein described parcel and having grid coordinate of X=1,120,609.65, Y=16,666,491.50;

THENCE, North 80°57'50" West, along the proposed south right of way line of Mile 22 1/2 North Road, a distance of 1480.97 feet to a 5/8 inch iron rod with cap stamped "DLS Boundary Marker" set on the east right of way of Carmen Avila Road (R.O.W. varies), for the southwest corner of the herein described parcel;

THENCE, North 09°35'44" East, along the east right of way line of said Carmen Avila Road, a distance of 80.00 feet to a set 5/8 inch iron rod with cap stamped "DLS Boundary Marker" for the northwest corner of the herein described parcel;

February 21, 2013
Parcel 1
Page 2 of 7

THENCE, South 80°57'50" East, along the proposed north right of way line of said Mile 22 1/2 North Road, a distance of 1480.26 feet to a 1/2 inch iron rod found at the southwest corner of Lot 84, of said Santa Cruz Ranches No.2 Subdivision, for the northeast corner of the herein described parcel;

THENCE, South 09°05'27" West, along the west line of said Santa Cruz Ranches No. 2 Subdivision, a distance of 80.00 feet to the **POINT OF BEGINNING**, of the herein described parcel, containing 2.719 acres (118,499 S.F.), more or less.

Bearings are Grid North, based on the Texas State Plane Coordinate System, South Zone (4205), NAD 83.

A survey plat of even date was prepared and is made a part of this metes and bounds description.

For the subject tract is recorded in Volume 3043, Page 613 of the Official Records of Hidalgo County, Texas.

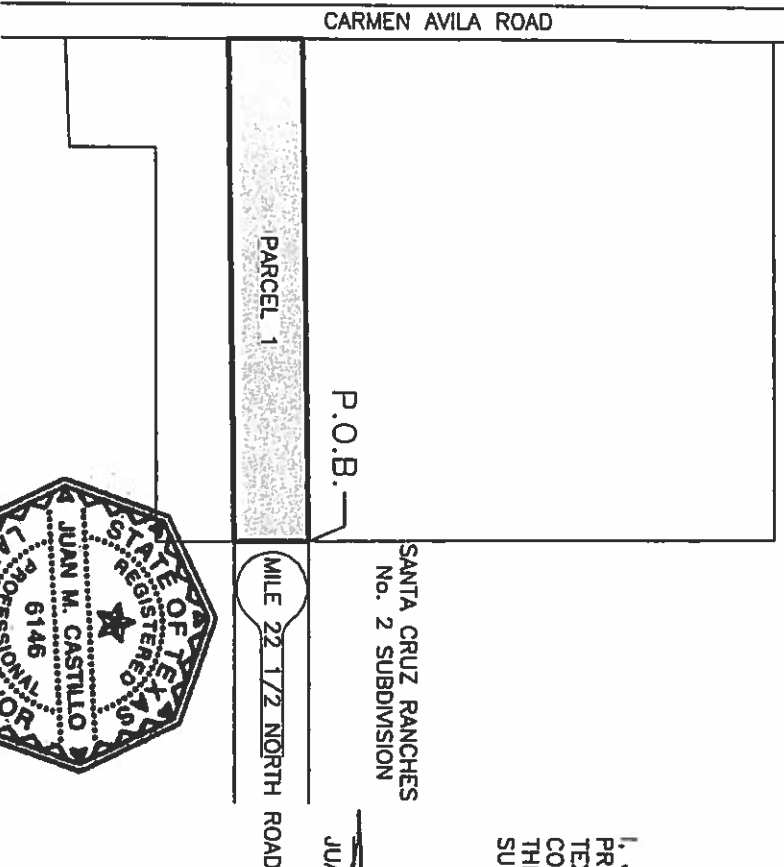


Juan M. Castillo
Juan M. Castillo, R.P.L.S. No. 6146

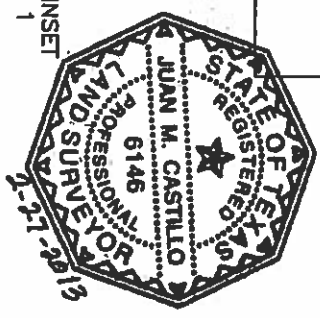


GENERAL NOTES:

1. All bearings and coordinates are based on the State Plane Coordinate system, South Zone (4205), North American Datum, 1983 (2011 Adjustment). All distances and coordinates shown are grid and can be converted to surface by multiplying by the average combined scale factor of 1.000040.
2. Original survey plats are signed and sealed in blue ink. All other copies are null and void.
3. ● Indicates a 5/8" iron rod set with yellow cap stamped "DLS BNDY MRKR".
4. ○ Indicates a 1/2" iron rod found (unless otherwise noted).
5. A meters and bounds description of even date was prepared, and is made a part of this survey plat.
6. The deed of record for subject tract is recorded in Volume 3043, Page 613, O.R.
7. This plat was prepared with the benefit of a title report, G.F. No. 132851, effective date February 4, 2013, said Valley Land Title Co.



PARENT TRACT INSET
PARCEL NO. 1
N.T.S.



SANTA CRUZ RANCHES
No. 2 SUBDIVISION

MILE 22 1/2 NORTH ROAD

I, JUAN M. CASTILLO, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THE FOREGOING PLAT CORRECTLY REPRESENTS THE FACTS FOUND ON THE GROUND ON FEB 8, 2013, UNDER MY SUPERVISION.

Juan M. Castillo
JUAN M. CASTILLO, R.P.L.S. # 6146

EXISTING	TAKING	REMAINING
64.732 AC.	2.719 AC.	56.106 AC. RT
(Calculated)	118,449 S.F.	5,907 AC. LT.

PARCEL 1
Sheet 3 of 7

DLRS
Dols Land Surveying

1002 E. Expressway 83 Ph (956)989-4183
Westaco, TX 78596 Fax (956)447-8194

RIGHT OF WAY SKETCH
SHOWING PROPERTY OF
JOSE JUAN (J.J.) AVILA
PROJECT MILE 22 1/2 EXTENSION
FEBRUARY, 2013

SAN SALVADOR DEL TULE GRANT
VOL 10, PGS 58-60

TRACT 156 H.C.M.R.
 Jose Juan (J.J.) Avila
 Called 341.15 acres

64.732 acres (Calculated)
 Vol. 3043, Pg. 613, H.C.O.R.
 March 6, 1991

S 80°57'50" E 1480.26'

PROPOSED R.O.W. LINE



N 80°57'50" W 1480.97'

PROPOSED R.O.W. LINE

P.O.B.
 PARCEL 1
 FOUND 1/2" IRON ROD
 X= 1,120,609.65
 Y= 16,666,491.50

Jose Juan (J.J.) Avila
 Called 341.15 acres
 64.732 acres (Calculated)
 Vol. 3043, Pg. 613, H.C.O.R.
 March 6, 1991

P.O.C.
 PARCEL 1
 FOUND 1/2" IRON ROD w/
 "RPLS 4856"
 STAMPED CAP

G & D Financial Services, L.P.
 Called 21.46 acres
 Doc. No. 2282957, H.C.O.R.
 February 21, 2012

SANTA CRUZ RANCHES No. 2
VOL 46, PG 133

H.C.M.R.
 Luke Herrera
 Called Lot 84
 Doc. No. 1457469, H.C.O.R.
 April 11, 2005

15' ELECTRICAL & UTILITY EASEMENT

Existing r.o.w.

Edge of Pavement

MILE 22 1/2 NORTH ROAD (800' R.O.W.)

Existing r.o.w.

15' EXCLUSIVE EASEMENT TO N.A.W.S.C.
 15' ELECTRICAL & UTILITY EASEMENT

Eduardo Blanco Zaragozo
 Called Lot 85
 Doc. No. 2067590, H.C.O.R.
 January 19, 2010

N 09°05'27" E 124.11'

S 09°05'27" W 80.00'

20' DRAINAGE SWALE EASEMENT

20' DRAINAGE SWALE EASEMENT



Matchline A-A

SAN SALVADOR DEL TULE GRANT
 VOL 10, PGS 58-60
 H.C.M.R.

TRACT 156

Jose Juan (J.J.) Avila
 Called 341.15 acres
 64.732 acres (Calculated)
 Vol. 3043, Pg. 613, H.C.O.R.
 March 6, 1991
 S 80°57'50" E 1480.26'

Matchline B-B

PROPOSED R.O.W. LINE

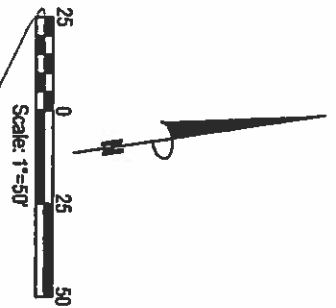
N 80°57'50" W 1480.97'

PROPOSED R.O.W. LINE

w/ Melden & Hunt Cap

Jose Juan (J.J.) Avila
 Called 341.15 acres
 64.732 acres (Calculated)
 Vol. 3043, Pg. 613, H.C.O.R.
 March 6, 1991

G & D Financial Services, L.P.
 Called 21.46 acres
 Doc. No. 2282957, H.C.O.R.
 February 21, 2012



Matchline A-A

PARCEL 1
 Sheet 5 of 7

SAN SALVADOR DEL TULE GRANT
 VOL 10, PGS 58-60
 H.C.M.R.

TRACT 156

Jose Juan (J.J.) Avila
 Called 341.15 acres
 64.732 acres (Calculated)
 Vol. 3043, Pg. 613, H.C.O.R.
 March 6, 1991
 S 80° 57' 50" E 1480.26'

Jose Juan (J.J.) Avila
 Called 341.15 acres
 64.732 acres (Calculated)
 Vol. 3043, Pg. 613, H.C.O.R.
 March 6, 1991

Matchline C-C

Matchline B-B

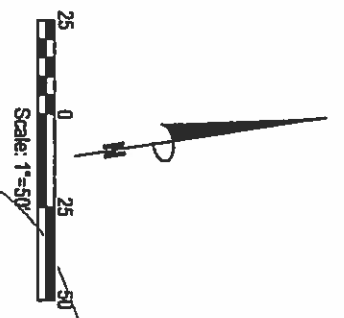
PROPOSED R.O.W. LINE

PROPOSED R.O.W. LINE

N 80° 57' 50" W 1480.97'

w/ Melden & Hunt Cop

G & D Financial Services, L.P.
 Called 21.46 acres
 Doc. No. 2282957, H.C.O.R.
 February 21, 2012



1

88

87

86

85

84

83

PARCEL 1
 Sheet 6 of 7

CARMEN V. AVILA
ELEMENTARY SCHOOL
SUBDIVISION
VOL 49, PG 38
H.C.M.R.

E.C.I.S.D. MIDDLE
SCHOOL
No. 6 SUBDIVISION
Doc. No. 2036682
H.C.M.R.

15' NORTH ALAMO WATER SUPPLY CORP.

15' UTILITY & ELECTRICAL EASEMENT

15' NORTH ALAMO WATER SUPPLY CORP.

Edge of Pavement

Chainlink Fence

89

Chainlink Fence

68

CARMEN AVILA (r.o.w. width varies)

88

Existing r.o.w.

Edge of Pavement
Underground 10" PVC

Sanitary Sewer Manhole
Top of Rim Elev=90.07'
FI=77.39'

N 09°35'44" E 80.00'

90

PROPOSED R.O.W. LINE

TRACT 156

SAN SALVADOR DEL TULE GRANT
VOL 10, PGS 58-60
H.C.M.R.

Jose Juan (J.J.) Avila
Called 341.15 acres
64.732 acres (Calculated)
Vol. 3043, Pg. 613, H.C.O.R.
March 6, 1991

Jose Juan (J.J.) Avila
Called 341.15 acres
64.732 acres (Calculated)
Vol. 3043, Pg. 613, H.C.O.R.
March 6, 1991

S 80°57'50" E 1480.26'

N-80°57'50" W 1480.97'

1

90

PROPOSED R.O.W. LINE

Underground
24" Steel Pipe
Approx. Depth=65"

Underground
24" Steel Pipe
Approx. Depth=48"

GAS

GAS

89



PARCEL 1
Sheet 7 of 7

Matchline C-C

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 the Hidalgo County Precinct No. 4 Honorable Hidalgo County Commissioner Joseph Palacios. The part to be acquired is for the expansion of the existing road right-of-way of Mile 22 1/2 North Road. The intended use of the report is to assist Jose Ochoa, ROW Agent of the Hidalgo County Precinct No. 4, for future negotiations of acquiring a portion of said property as fee simple in the name of the County of Hidalgo. 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 the Hidalgo County Precinct No. 4, and may include governmental entities which may be participating in the project. Jose Ochoa shall be the project manager for this project under the direction of Honorable Joseph Palacios, County Commissioner of Precinct No. 4. Mr. Ochoa has a local office located at 1051 North Doolittle Road Edinburg, Texas and can be contacted at (956) 383-3112 ext 4016.

Scope of the Assignment

By contracted dated April 9, 2013 on behalf of the Hidalgo County Precinct No 4, requested for Leonel Garza Jr. & Associates LLC to prepare an appraisal report of the part to be acquired

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 in and around 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 whole 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 the Texas Department of Transportation Relocation Program. 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 To Subject Property

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. The owner of record, as per the Hidalgo County Appraisal District was sent a letter of intent to inspect the subject property on the week of March 13, 2013. A copy of the certified letter is located within the addenda of this report. In the event no written or verbal permission was granted to the office of Leonel Garza Jr. & Associates LLC prior to date of inspection, the inspection proceeded off-site along existing road right-of-way as per scope. 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 eastern frontage of Carmen Avila Road and the western end of Mile 22 ½ North Road. The subject property as a whole appears to be a vacant agricultural tract of land consisting of 64.732 acres. 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

The subject property shall be analyzed based on a 2.719 acre tract of land as indicated by the provided field notes and survey, the area for the part to be acquired is indicated as per survey provided by Dos Land Surveying dated February 2013. The comparable sales used for the analysis of the subject property as whole acquisition indicated a range of economic units of 2.92 acres to 31.6 acres. These indicated economic unit values are used for the valuation of the proposed acquisition as the part to be acquired does constitute an economic unit as a 2.719 acre tract of land with a dimension of 80.0' x +/-1,481.0'. Therefore, the part to be acquired was valued as a whole tract of land, with no damages indicated to the remainder land area. The remainder of the subject property will be bisected into two (2) separate tracts, with a 5.907 acre tract of land to the south of the proposed acquisition and a 56.106 acre tract of land to the north of the proposed acquisition.

Part To Be Acquired

The proposed acquisition is comprised of fee land in which the net land area to be acquired is 2.719 acres or 118,449 square feet. The proposed acquisition will bisect the subject property as a whole. The proposed acquisition has a dimension 80.0' x +/-1,481.0, and includes 80.0' lineal feet along the eastern line of Carmen Avila Road and the western line of the end of Mile 22 ½ North Road. 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 as residential development use tract of land, which is based on the local market trends along Carmen Avila Road and Mile 22 ½ North Road. This highest and best use is further explained on page 3.1 of this report.

To Be Acquired	2.719 Acres
	118,449 Square Feet

Legal Description: Part To Be Acquired

Being a 2.719 acre (118, 449 square feet) tract of land, out of Tract 156, San Salvador Del Tule Grant, Hidalgo County, Texas, as per map recorded in Volume 10, Pages 58-60 of the Map Records of Hidalgo County, (M.R.H.C.) Texas, and being a part of that certain called 341.15 acre tract, calculated (64.732 acres) Conveyed to Jose Juan (J.J.) Avila, recorded in Volume 3043, Page 613 of the Official records of Hidalgo County, (O.R.H.C.) 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

The property tax assessment was reviewed online and can be accessed via www.hidalgoad.org. According to the information provided by the Hidalgo County Appraisal District located at located at 4405 S. Professional Dr., Edinburg, Texas. The subject property was indicated to be under the ownership of Rio Grande Bible Institute. This was found under the tax account 330818.

OWNER OF RECORD	JOSE JUAN AVILA
PROPERTY TAX IDENTIFICATION NO.	158353
IMPROVEMENT VALUE	\$0
LAND VALUE	\$456,096
AGRICULTURAL VALUE	\$42,046
ASSESSED VALUE	\$42,046
EXEMPTIONS	AG

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, potable water, electricity, cable, and phone service, which is typical of the market area. As per "Lucy" (956) 383-1618 a representative with the North Alamo Water Supply, NAWWS supplies water along Carmen Avila Road and Mile 22 ½ Road North. "Lucy" further indicated no sewer lines are located in the area. According to the City of Edinburg Future Land Use Map the subject property is located within the ETJ of Edinburg but has a future land use as agricultural residential use with rural water and septic. The client, as per previous agreement with the public utility provider, informed the appraiser that all private utilities will be relocated, if affected by the part to be acquired and all necessary reconnections will be the responsibility of the utility provider. As such said relocation and reconnection cost shall not be included in the valuation of the part to be acquired.

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

