

## MEMORANDUM

**To:** Hidalgo County Commissioners Court  
**From:** Jesse Ozuna  
Right of Way Agent  
**Date:** February 11, 2014  
**Subject:** Parcel 2 – Alberta Drain Project  
*Arturo & Phyllis Rodriguez*

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<b>Our Initial Offer:</b>	<b>\$13,591.00</b>
<b>Accepted Offer:</b>	<b>\$13,591.00</b>
<b>Difference:</b>	<b>\$0.00</b>

**\*\*\*See attached supporting documents\*\*\***

**Discussed in Hidalgo County Commissioner's Court Executive Session on February 11, 2014; will proceed as directed.**

February 11, 2014

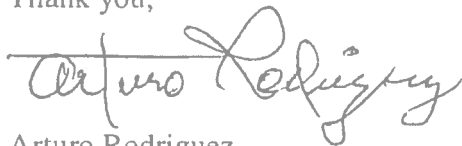
RE: Alberta Drain Project, Parcel 2 Acceptance Letter

Mr. Jesse Ozuna  
1051 N. Doolittle Rd.  
Edinburg, TX 78542

Mr. Ozuna,

My wife and I accept the offer made to us by you for our property (parcel 2) in the amount of \$13,591.00. Feel free to give me a call if you have any questions for us.

Thank you,

A handwritten signature in cursive script that reads "Arturo Rodriguez". The signature is written in black ink and is positioned above the printed name and phone number.

Arturo Rodriguez  
956-702-7227



**REAL ESTATE APPRAISAL REPORT**  
**TEXAS DEPARTMENT OF TRANSPORTATION**

Address of Property: Alberta Road, ± 0.47 Miles East of Tower Road, Hidalgo County, Texas. District: N/A  
Property Owner: Arturo Rodriguez, et ux ROW CSJ: NA  
Address of Property Owner: 7654 East Alberta Road, Edinburg, Texas 78542 Parcel: 2  
Occupant's Name: Arturo Rodriguez Federal Project No: NA  
Whole:  Partial:  Acquisition Highway: Alberta Drain Project County: Hidalgo

**Purpose of the Appraisal**

The purpose of this appraisal is to estimate the market value of the fee simple title to the real property to be acquired, encumbered by any easements not to be extinguished, less oil, gas and sulfur. If this acquisition is of less than the whole property, then any special benefits and/or damages to the remainder property must be included in accordance with the laws of Texas.

**Market Value**

Market value is defined as follows: "Market Value is the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."

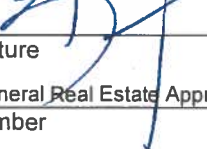
**Certificate of Appraiser**

I hereby certify that, it is my opinion the total compensation for the acquisition of the herein described property is \$13,591 as of August 14, 2013, based upon my independent appraisal and the exercise of my professional judgment; on August 14, 2013, (date)(s), I personally inspected in the field the property herein appraised; I afforded Arturo Rodriguez, et ux, the property owner or the representative (s) of the property owner, the opportunity to accompany me at the time of the inspection. The comparables relied upon in making said appraisal were as represented by the photographs contained in the appraisal report and were inspected on October 7, 2013, I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of Hidalgo County Urban County Program, or officials of the Federal Highway Administration until authorized by Hidalgo County Urban County Officials to do so, by due process of law or until I am released from this obligation by having publicly testified to such findings; and, my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result or the occurrence of a subsequent event.

The appraiser has considered access damages in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB18 of the Texas 82<sup>nd</sup> Regular Legislative Session and finds as follows:

- 1. Is there a denial of direct access of the parcel? No (yes or no)
- 2. If so, is the denial of direct access material? N/A (yes, no, or not applicable)
- 3. The lack of any access denial or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of \$0.00.

I certify to the best of my knowledge and belief that the statements of fact contained in this report are true and correct; the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions; I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved; and, my analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the appropriate State laws, regulations, and policies and procedures applicable to the appraisal of right of way for such purposes, and that to the best of my knowledge no portion of the value assigned to such property consists of items which are non-compensable under the established law of said State, and any decrease or increase in the fair market value of subject real property prior to the date of valuation caused by the public improvement other than that due to the physical deterioration within the reasonable control of the owner has been disregarded in estimating the compensation for the property.

Leonel Garza III   
Appraiser Signature  
State Certified General Real Estate Appraiser – TX 1328375 – General  
Certification Number  
November 25, 2013  
Date

To the best of my knowledge, the value does not include any items which are not compensable under the State law.  
\_\_\_\_\_  
District Reviewing Appraiser Date



### **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 if 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 Urban County Program, under the direction of Tony Barco, Deputy Director. The intended use of the report is to assist Urban County, for future negotiations of acquiring a portion of said property as fee simple in the name of the "Hidalgo County, 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 the Hidalgo County Urban County Program and may include governmental entities which may be participating in the project such as Hidalgo County Precinct No. 4. The Urban County Program has a local office at 3304 W. Alberta Road, Edinburg, Texas 78539 and can be contacted at (956) 787-8127 or Fax (956) 787-5291.

### **Scope of the Assignment**

By "Notice to Proceed" dated August 5, 2013 by Urban County Program Director, Diana R. Serna for the Alberta Drain Project, requested for Leonel Garza Jr. & Associates LLC to prepare an appraisal report of the part to be acquired or various tracts along this project. The project extends an existing channel approximately 0.89 miles east of Tower Road, between Alberta Road and Owassa Road to: West to a point approximately 0.25 miles west of Tower Road. This area was described by survey and metes & bounds created by Dos Land Surveying, LLC, located at 1002 E. Expressway 83, Weslaco, Texas. Leonel Garza III, is the owner of Leonel Garza Jr. & Associates, LLC located at 1419 Dove Avenue, Suite 1, McAllen, Texas. 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 and surrounding areas. 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.

### **Company Description**

The office of Leonel Garza Jr. & Associates has been in operation for over 30 years of which Leonel Garza III, became owner of the family operation in 1998 which specializes in right-of-way acquisition field. Various right-of-way projects have been performed in the following County's: Cameron County, Hidalgo County, Starr County, Zapata County, Webb County, Nueces County and Brooks County.

### **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. This is done in order to determine the value of the proposed right-of-way to be acquired, in the name of the "Hidalgo County, Texas". 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).

### **Personal Property**

The area to be acquired may contain personal property items which are not compensable and or may be handled through a relocation program, however, one has not been disclosed to this appraiser at this time. These items deemed compensable shall be included within the body of the report and itemized on page 6.0. 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 and easement valuation (if applicable) of the subject property. Fee Simple Estate is defined by the Dictionary of Real Estate Appraisal, Fifth Edition, copyright 2010, page 78, 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." In addition to the valuation of fee simple, the scope of the assignment is to evaluate the subject as an "Easement". According to the Dictionary of Real Estate Appraisal "An easement is the conveyance of certain property rights, but not ownership, to a parcel of real estate." By definition, the ownership of real estate is endowed with a bundle of rights. If there are any questions or concerns as to this definition of fee simple estate or easement, please feel free to contact Leonel Garza III at (956) 687-7295 or [leonel3@garza-associates.com](mailto: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 August 16, 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](mailto: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 per client. The part to be acquired incorporates a portion of land located along the southern property boundary of which the remainder of the subject is not affected. 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 whole area of 5.00 acre tract of land as indicated by survey. The area for the subject as a whole is indicated as per survey created by DLS Surveying LLC, dated February 21, 2013. This land area is compared directly to the selected market land sales in the area in order to determine the overall unit value of the tract. Since the part to be acquired is not an economic unit of which is typical in the market, a pro-rata part of the whole is determined. This pro-rata part of the whole means that the subject area to be acquired shall be valued at the rate the subject as a whole is currently valued based on a Sales Comparison Approach of the property as a whole.

**Part To Be Acquired**

The proposed acquisition is comprised of fee land in which the gross land area to be acquired is 0.625 acres and or approximately 27,234 square feet with a dimension of 165.06' lineal feet by 165.00' lineal feet along the southern property boundary. 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 residential development. This highest and best use is further explained on page 3.1 of this report.

<b>To Be Acquired</b>	<b>0.625 Acres</b>
	<b>27,234 Square Feet</b>

**Legal Description: Part To Be Acquired**

A 0.625 acre (27,234 square feet) tract of land, out of Lot 12, Block 53, Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, as per Map Recorded in Volume 1, Pages 24-26, of the Map Records of Hidalgo County (H.C.M.R.), Texas, and being a part or that certain 5.0 acre tract, conveyed to Arturo Rodriguez, et ux as Recorded in Document No. 615190 of the Official Records of Hidalgo County (H.C.O.R.), Texas.

**Remainder Before & 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. Based on the limited area to be acquired, the remainder before and after shall have a similar highest and best use and therefore, no diminution (damage) to the remainder is indicated.

**Property Tax Data**

The property tax assessment was reviewed online and can be accessed via [www.hidalgoad.org](http://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 Arturo Rodriguez, et ux. This was found under the tax account A1800-00-053-0012-03.

<b>OWNER OF RECORD</b>	ARTURO RODRIGUEZ, ET UX
<b>PROPERTY TAX IDENTIFICATION NO.</b>	113240
<b>IMPROVEMENT VALUE</b>	\$ 216,667
<b>LAND VALUE</b>	\$ 60,000
<b>ASSESSED VALUE</b>	\$ 276,667
<b>EXEMPTIONS</b>	HS, OV65

### **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. A survey of the remainder of the subject property was not provided or necessary due to the acquisition being a partial taking. The extraordinary assumption is that neither adverse easements nor encroachments are located within the subject property which would affect the value of the whole, part to be acquired and the remainder before and after the acquisition. In addition, 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 is located in a region, which contains, potable water, electricity, cable, and phone service, which is typical of the market area. 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.

### **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 items 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



## 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 HIGHLIGHTED YELLOW AREA AND RED DASHED LINE. COMPLETE SURVEY OF SUBJECT AS A WHOLE WAS NOT PROVIDED BY DLS SURVEYING LLC. AND IS ESTIMATED BASED ON INFORMATION GATHERED DURING THE INSPECTION OF THE SUBJECT PROPERTY OR THRU THE HIDALGO COUNTY APPRAISAL DISTRICT.

FIELD NOTES OF PART TO BE ACQUIRED (Page 1 of 3)



Das Land Surveying, LLC

February 21, 2013

Parcel 2

Page 1 of 4

County: Hidalgo, Texas  
Alberta Drain Phase I

Property Description  
Parcel 2

BEING A 0.625 ACRE (27,234 S.F.) TRACT OF LAND, OUT OF LOT 12, BLOCK 53, ALAMO LAND AND SUGAR COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 1, PAGES 24-26, OF THE MAP RECORDS OF HIDALGO COUNTY (H.C.M.R.), TEXAS, AND BEING A PART OF THAT CERTAIN 5.0 ACRE TRACT, CONVEYED TO ARTURO RODRIGUEZ, ET UX AS RECORDED IN DOCUMENT NO. 615190 OF THE OFFICIAL RECORDS OF HIDALGO COUNTY (H.C.O.R.), TEXAS, SAID 0.625 ACRE TRACT MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING at a p.k. nail set on the centerline of Alberta Road (60.0' right of way width), being the north line of said Lot 12, being the common corner of said subject 5.0 acre tract and that certain 5.00 acre tract conveyed to Kurt Morgan and Jennifer Morgan, recorded in Document No. 2392582 (H.C.O.R.), Texas;

THENCE, South 08°34'04" West, along the common line of said subject 5.0 acre tract, and said 5.00 acre "Morgan tract", at a distance of 30.00 feet pass the south right of way line of said Alberta Road, and continuing for total a distance of 1154.87 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "DLS BNDRY MKR" (hereinafter referred to as "with cap") set, for the northwest corner and for the POINT OF BEGINNING of the herein described parcel and having grid coordinate of X=1,117,444.38, Y=16,612,953.23;

THENCE, South 81°26'03" East, severing said subject 5.0 acre tract, a distance of 165.06 feet to a 5/8 inch iron rod with cap set on the common line of that certain 32.671 acre tract (remainder), conveyed to Abel Salazar, recorded in Volume 3279, Page 403 (H.C.O.R.), Texas and said subject 5.0 acre tract, for the northeast corner of the herein described parcel;

THENCE, South 08°34'04" West, along said common line, a distance of 165.00 feet to a 5/8 inch iron rod with cap set at the common corner of said Lots 12, 13 Block No. 53 and Lots 9, 16 Block No 54, also common corner to Owassa Acres Subdivision, recorded in Volume 36, Page 62 (H.C.M.R), Texas, for the southeast corner of the herein described parcel;

FIELD NOTES OF PART TO BE ACQUIRED (Page 2 of 3)



*Dos Land Surveying, LLC*

February 21, 2013

Parcel 2

Page 2 of 4

THENCE, North 81°26'03" West, along the common line of said subject 5.0 acre tract and that certain 10.0 acre tract, conveyed to Robert J. Velado, as per property id no. 113243, Hidalgo County Appraisal District, a distance of 165.06 feet to a 1/2 inch iron rod found at the common corner of said subject 5.0 acre tract, and aforementioned 5.00 acre "Morgan tract", for the southwest corner of the herein described parcel;

THENCE, North 08°34'04" East, along the common line of said subject 5.0 acre tract and said 5.00 acre "Morgan tract", a distance of 165.00 feet to the POINT OF BEGINNING, of the herein described parcel, containing 0.625 acres (27,234 S.F.), more or less.

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

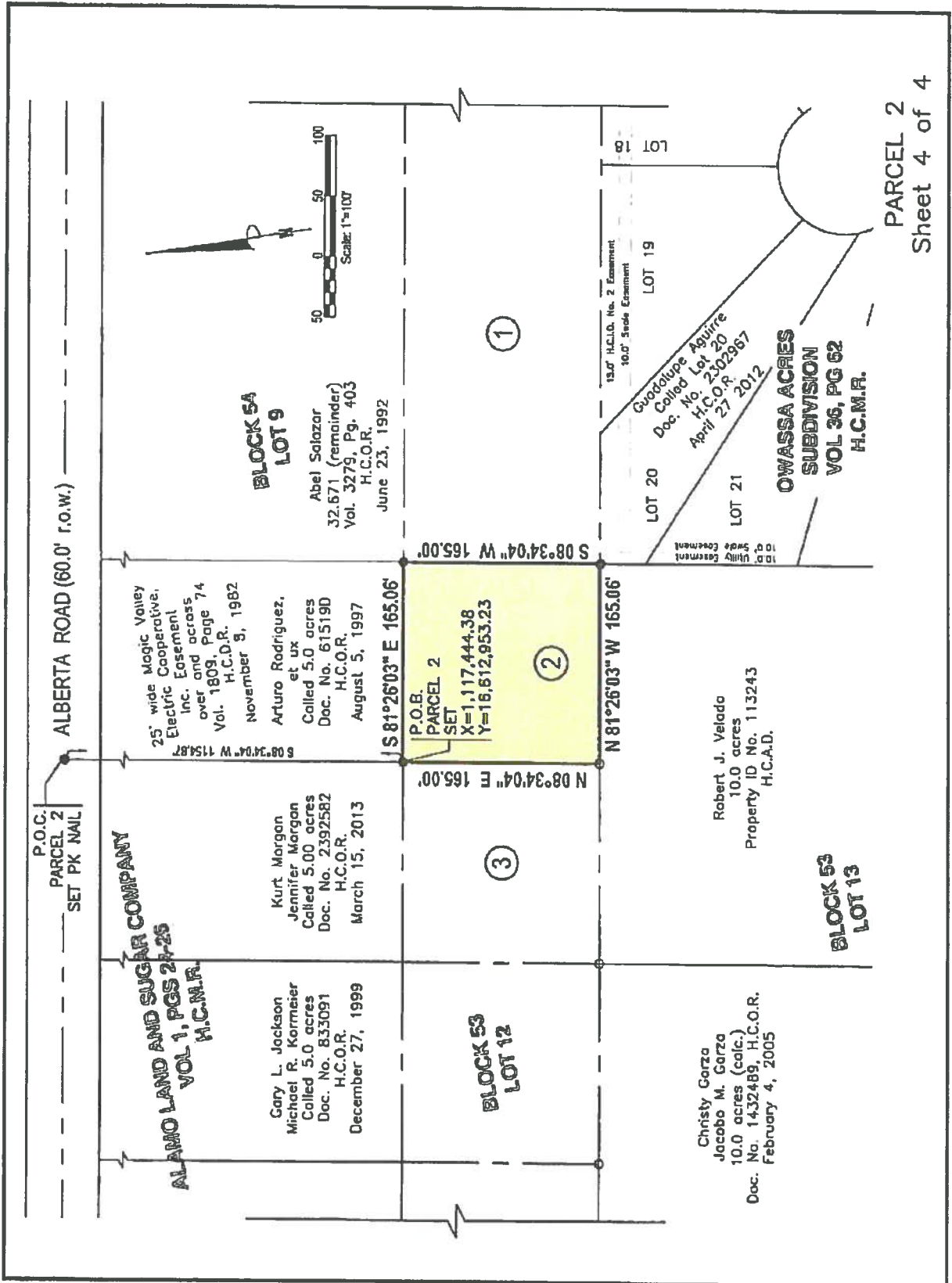
A survey plat of even date was prepared and is made a part of this metes and bounds description.

For the subject tract is recorded in Document No. 615190 of the Official Records of Hidalgo County, Texas.

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



SURVEY OF PART TO BE ACQUIRED (Page 3 of 3)



PARCEL 2  
Sheet 4 of 4

YELLOW HIGHLIGHT = PART TO BE ACQUIRED

**PHOTOGRAPHS OF SUBJECT PROPERTY**

Parcel No.: 2

Local Address: Alberta Road, ± 0.47 Miles East of Tower Road, Hidalgo County, Texas.

Date Taken: 8/14/2013

Taken By: Leonel Garza III

Point which taken: Photo 1: Alberta Road  
Photo 2: Alberta Road

Looking: Photo 1: Southern View  
Photo 2: Eastern View



**Photo 1**

View of the subject property along Alberta Road. Access was performed off-site from neighboring properties.



**Photo 2**

View of the proposed acquisition area along the southern boundary of the subject property.

Point which taken: Photo 3: Alberta Road  
Photo 4: Alberta Road

Looking: Photo 3: Western View  
Photo 4: Eastern View



**Photo 3**  
Street View



**Photo 4**  
Street View

**DESCRIPTION OF PROPERTY:**

The subject is a single family residential home site of which is located along the southern line of Alberta Road, approximately 0.47 miles east of Tower Road in Hidalgo County, Texas. The site consist of approximately 5.00 acres and has approximately 165.06' lineal feet of frontage along Alberta Road. The home is approximately 2,910 square feet according to data collected from the Hidalgo County Appraisal District and contains other supporting site improvements of which include, storage unit, residential out building and fencing. The property appears to be in average condition as per date of inspection as an interior inspection of the residence was not required due to the distance from the proposed acquisition to the existing improvements (Approx. 780 lineal feet from the structure).

The scope of this assignment is to determine the market value of the part to be acquired as indicated by survey provided by DOS Land Surveying, LLC, dated February 21, 2013. The area to be acquired shall consist of the 165.06' lineal feet on the southern boundary of the subject property and a depth of approximately 165.00' lineal feet on either side for a total area of 0.625 acres (27,234 square feet). Included within the part to be acquired appears to be only ranch style fencing. The subject is currently owned in "fee simple" and therefore shall be valued at 100% of the market value determined by the Sales Comparison Approach "as vacant". This is performed in order to determine the unit market value (price per acre) of the part to be acquired to be purchased in the name of "Hidalgo County".

**AREA OR NEIGHBORHOOD ANALYSIS:**

The subject neighborhood along Alberta Road and Owassa Road is of single family residential developments and agricultural use properties. The subject properties market area can be defined by Canton Road to the north, Earling Road to the south, Val Verde Road to the east and Cesar Chavez Road to the west. This appraiser has inspected the market area, and has found that the market contains stable growth. It is recognized that the Lower Rio Grande Valley has experiences a downturn in the overall market and marketability of vacant land for development over the past (4) four years. However, the market does appear to be rebounding throughout Hidalgo County.

## **SITE ANALYSIS**

### **Five Year Sales History:**

During the course of the appraisal, research was performed through the Hidalgo County Appraisal District to verify the current ownership of the subject property along with title information provided by the client. The property was transferred from Glen Yeager & Mary Yeager to Arturo Rodriguez, et ux on June 27, 1997 and recorded under Warranty Deed Document No. 615190 for an undisclosed consideration. A copy of the appraisal card and deed of the subject property is located in the Addenda of this report.

### **Legal Description:**

The East 5.0 acres of Lot 12, Block 53, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 1, Page 24, Map Records, Hidalgo County, Texas.

### **Legal Description: (Part to be Acquired)**

A 0.625 acre (27,234 square feet) tract of land, out of Lot 12, Block 53, Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, as per Map Recorded in Volume 1, Pages 24-26, of the Map Records of Hidalgo County (H.C.M.R.), Texas, and being a part or that certain 5.0 acre tract, conveyed to Arturo Rodriguez, et ux as Recorded in Document No. 615190 of the Official Records of Hidalgo County (H.C.O.R.), Texas.

### **Improvements:**

During the off-site inspection of the subject property, no building improvements were indicated within the part to be acquired. However, a site improvement shall be affected include a hog style fence. In the event that structural or site improvements are located within the proposed acquisition, those improvements would be itemized on page 5.0 of this report. Site improvements are valued based on their depreciated cost value at the time of appraisal. In the event structural or site improvements must be re-established within the remainder, a cost to cure shall apply and be added to the compensation of the part to be acquired. In addition, any utilities located within the acquisition area shall be relocated as an item of construction and shall not be included within the compensation of the subject property.

### **Highest & Best Use Analysis:**

The subject's highest and best use "as if vacant" and "as improved" is indicated for residential development. This type of use is concurrent with the recent trends located along Alberta Road and Owassa Road and with other thoroughfares in the region. This highest and best use is based on the determined economic unit of the subject property as whole. This highest and best use which is being acquired in the name of the "Hidalgo County". When a property is evaluated, the highest and best use must always be considered. In the current case, the highest and best use of the whole is determined to be for single family residential development use based on several factors. Factors taken into consideration are defined by The Dictionary of Real Estate Appraisal, Fourth Edition, copyright 2002, page 135, by the Appraisal Institute as being: "The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and there results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity." The scope of the assignment is to evaluate the subject property as a whole, part to be acquired, and the remainder before and after the acquisition, while excluding project influence and is reported under the conditions set forth by Standards Rule 1-4(f) under the Jurisdictional Exception provision as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). The highest and best use is analyzed for each of these scenarios as each parcel shall be evaluated before and after the proposed acquisition of which the subject is concluded to be for single family residential development.

**VALUATION OF PART TO BE ACQUIRED**

**LAND VALUATION**

**Representative Comparable Sales**

	<b>Subject</b>	<b>Comp. No. 1</b>	<b>Comp. No. 2</b>	<b>Comp. No. 3</b>
Grantor	Glen and Mary Yeager	David J. Foster Jr.	Eduardo & Berta Vela	Alamo Heights, LTD
Grantee	Arturo Rodriguez, et ux	Alberta Heights, LP	Martin Contreras	Laura Lilia Lubin
Date	June 27, 1997	September 5, 2012	January 7, 2011	September 7, 2010
Sales Price	\$ -	\$ 239,000	\$ 155,000	\$ 300,000
Unit Price	\$ - / Acre	\$ 12,162 / Acre	\$ 16,316 / Acre	\$ 14,225 / Acre
Relative Location	Average	Inferior 10%	Similar 0%	Inferior 10%
Conditions of Sale	Cash To Seller	Similar 0%	Similar 0%	Similar 0%
Market Conditions	Average	Similar 0%	Similar 0%	Similar 0%
Physical Characteristics	Typical of Market	Similar 0%	Similar 0%	Similar 0%
Financing	Conventional	Similar 0%	Similar 0%	Similar 0%
Available Utilities	Water/Elec/Phone	Similar 0%	Similar 0%	Similar 0%
Frontage	Alberta Road	Alberta Road 0%	Alberta Road 0%	Owassa Road, West of Cesar Chavez Road 0%
Size of Tract (Acre)	5.00 Ac	19.65 Ac 10%	9.50 Ac 0%	21.09 Ac 10%
Net Adjustments		20%	0%	20%
Indicated Unit Value		\$ 14,594 / Acre	\$ 16,316 / Acre	\$ 17,070 / Acre
<b>Estimated Unit Value of Fee Simple Area</b>				<b>\$ 17,000 / Acre</b>
<b>Estimated Value by Sales Comparison Approach</b> <i>(Includes Part To Be Acquired Only)- Fee Land</i>		<b>(0.625 Acre x \$17,000 / Acre)</b>		<b>\$ 10,625</b>

### COMPARABLE DATA SUPPLEMENT

District: N/A                                      Parcel No.: 2                                      Highway: Alberta Drain Ditch Project  
 County: Hidalgo                                      ROW CSJ: NA

Land Sale                                       Improved Sale                                       Rental Data



Grantor/Lessor: David J. Foster, Jr.                                      Grantee/Lessee: Alberta Heights, LP  
 Date: September 5, 2012                                      Recording Information: Document No. 2342873                                      Key Map:  
 Address: Alberta Road, 0.38 Miles East of Cesar Chavez, Hidalgo County, Texas.                                      Zip Code: 78542  
 Legal Description: A 19.97 acre tract of land out of the West 20.00 acres of Lot 11, Block 51, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas as per map Recorded in Volume 1, Page 24, Map Records of Hidalgo County, Texas.  
 Confirmed Price: \$ 239,000                                      Verified with: MLS# A136748s  
 Terms and Conditions of Sale: Cash To Seller  
 Rental Data: N/A  
 Land Size: 19.65 Acres                                      Unit Price: \$ 12,162 per acre  
 Type Street: Asphalt Paved – Alberta Road                                      Utilities: Water / Electric / Phone  
 Improvement(s) Description: None  
 Improvement(s) Size: N/A (GBA): N/A (NRA): N/A                                      Unit Price as Improved \$: N/A  
 Condition and Functional Design: N/A  
 Current Use: Agricultural Row Crop                                      Highest & Best Use: Single Family Residential Development  
 Date of Inspection: October 7, 2013                                      Zoning: N/A                                      Flood Plain:

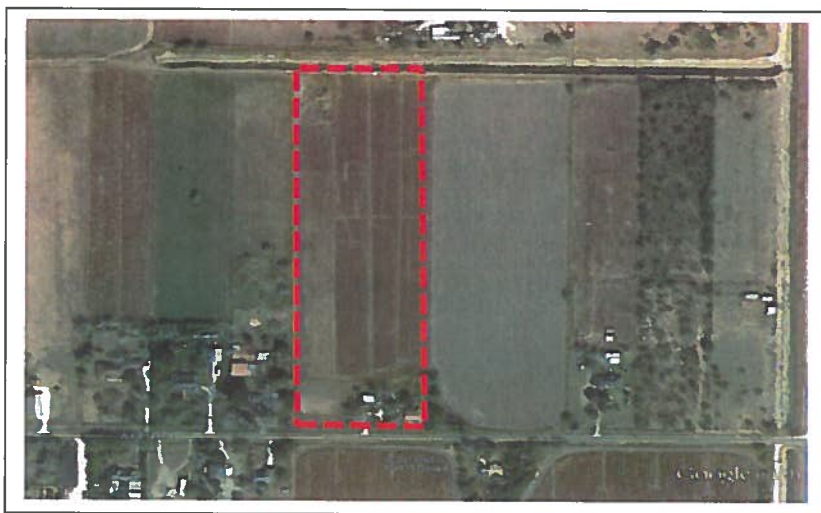
Attach additional information as necessary.

Appraiser: Leonel Garza III                                      November 24, 2013  
 (Typed, not signed)                                      Date

### COMPARABLE DATA SUPPLEMENT

District: N/A                                      Parcel No.: 2                                      Highway: Alberta Drain Ditch Project  
 County: Hidalgo                                      ROW CSJ: NA

Land Sale                                       Improved Sale                                       Rental Data



Grantor/Lessor: Eduardo & Berta Vela	Grantee/Lessee: Martin Contreras
Date: January 7, 2011	Recording Information: Document No. 2168428      Key Map:
Address: Located at 8209 West Alberta Road, Edinburg, Texas	Zip Code: 78539
Legal Description: The East 330'-W660' of Lot 7, Block 54, Alamo Land & Sugar Company, Hidalgo County, Texas. Save and Except 1.00 Acre	
Confirmed Price: \$155,000	Verified with: MLS# A130295s
Terms and Conditions of Sale: Cash To Seller	
Rental Data: N/A	
Land Size: Acres 9.50 / 413,820 Square Foot	Unit Price as Vacant: \$16,316 per acre
Type Street: Asphalt Paved – Alberta Road	Utilities: Water / Electric / Phone
Improvement(s) Description: N/A	
Improvement(s) Size: N/A (GBA): N/A (NRA): N/A	Unit Price as Improved \$: N/A
Condition and Functional Design: N/A	
Current Use: Vacant –Agricultural Row Cropping	Highest & Best Use: Single Family Residential Development
Date of Inspection: October 7, 2013	Zoning: N/A                                      Flood Plain:

Attach additional information as necessary.

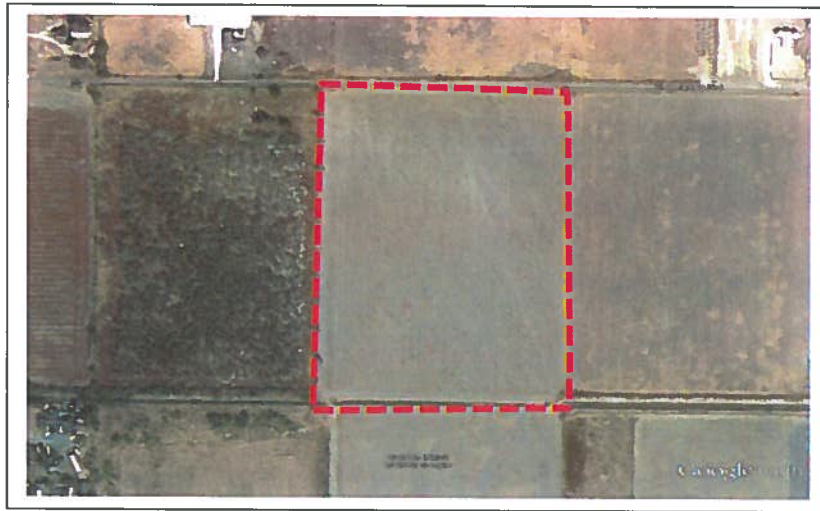
Appraiser: Leonel Garza III                                      November 24, 2013  
 (Typed, not signed)                                      Date



### COMPARABLE DATA SUPPLEMENT

District: N/A Parcel No.: 2 Highway: Alberta Drain Ditch Project  
 County: Hidalgo ROW CSJ: NA

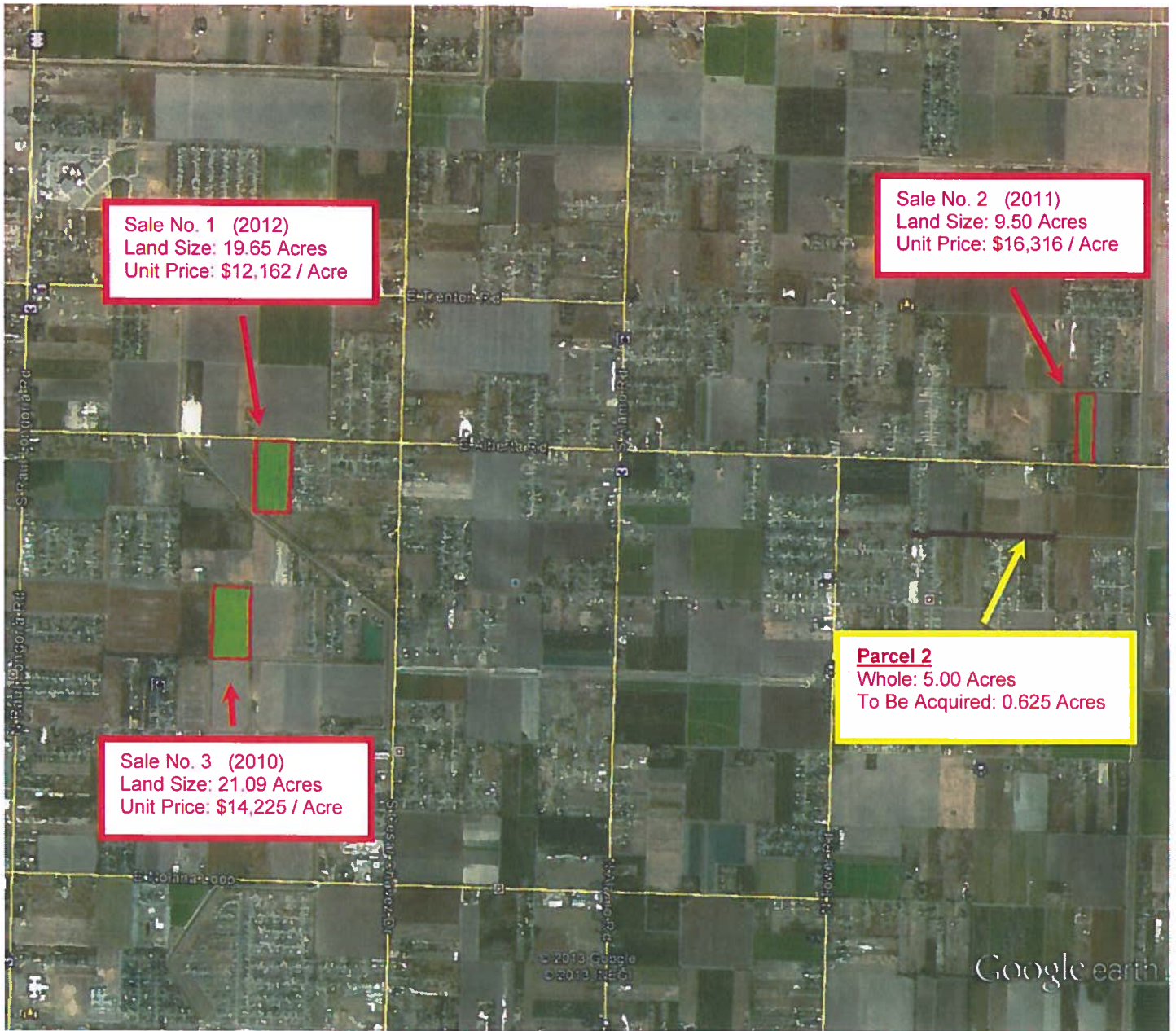
Land Sale  Improved Sale  Rental Data



Grantor/Lessor: Alamo Heights, LTD. Grantee/Lessee: Laura Lilian Lubin  
 Date: September 7, 2010 Recording Information: Document No. 2141729 Key Map:  
 Address: Located along the southern side of Owassa Road, west of Cesar Chavez Road, Zip Code: 78589  
 San Juan, Texas  
 Legal Description: The east one-half 1/2 of Lot 2, Block 47, Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 1, Page 24 and 26, Map Records, Hidalgo County, Texas.  
 Confirmed Price \$: 300,000 Verified with: MLS# A136423 & A136421  
 Terms and Conditions of Sale: Cash To Seller  
 Rental Data: N/A  
 Land Size: Acres 21.09 (Gross) / 918,680 Square Foot Unit Price as Vacant: \$14,225 per acre  
 Type Street: Asphalt Paved – Owassa Road Utilities: Water / Electric / Phone  
 Improvement(s) Description: N/A  
 Improvement(s) Size: N/A (GBA): N/A (NRA): N/A Unit Price as Improved \$: N/A  
 Condition and Functional Design: N/A  
 Current Use: Vacant –Agricultural Row Cropping Highest & Best Use: Single Family Residential Development  
 Date of Inspection: October 7, 2013 Zoning: N/A Flood Plain:  
 Attach additional information as necessary.

Appraiser: Leonel Garza III November 24, 2013  
 (Typed, not signed) Date

# COMPARABLE SALES MAP



**Explanation of Adjustments with Reconciliation:**

During the analysis of the acquisition area, the value for the subject property as a whole or economic unit was determined. This determination of market value is utilized for the valuation of the proposed acquisition which is a pro-rata part of the whole. The local market and extended market was searched for comparable sales of which were most similar to the subject property. Each of the sales utilized are located within the market area and are the most comparable located in the market place of which all information pertinent to the transaction could be verified. Several sales were located within this parameter of which had occurred within the past three years. Three sales were selected which were the most comparable to the subject property and required the least number of adjustments. The following three comparable sales were reviewed for location, available utilities, financing, site utility, topography and other factors of which the real estate market shall recognized for the purchase of said tracts.

During the analysis of the acquisition area, the value for the subject property as a whole or economic unit was determined. This determination of market value is utilized for the valuation of the proposed acquisition which is a pro-rata part of the whole. The local market and extended market was searched for comparable sales of which were most similar to the subject property. Each of the sales utilized are located within the market area and are the most comparable located in the market place of which all information pertinent to the transaction could be verified. Several sales were located within this parameter of which had occurred within the past three years. Three sales were selected which were the most comparable to the subject property and required the least number of adjustments. Three comparable sales were reviewed for location, available utilities, financing, site utility, topography and other factors of which the real estate market shall recognized for the purchase of said tracts.

After reviewing the comparable sales selected, an unadjusted unit range of market value of \$12,162 per acre to \$16,316 per acre was indicated. After adjustments were made in paired sales analysis of the comparable to the subject property, an adjusted range of market value of \$14,594 per acre to \$17,070 per acre was determined. Based on the existing developments and surrounding land use within the immediate market area and the current trends found along Owassa Road and Alberta Road, a unit value near the upper end of the adjusted range was selected; \$17,000 per acre.



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## ADDENDUM

1. Certification of Appraisal
2. Assumption & Limiting Conditions
3. Qualification of Appraiser
4. Letter of Inspection Sent To Owner of Record Via Certified Mail
5. Certified Letter Tracking Information
6. Hidalgo County Appraisal District Card
7. Warranty Deed

## Certification of Appraisal

### I, Leonel Garza III, certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- The employment and compensation of this appraiser in completing this appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- I have made a personal on-site and or off-site visit of the property that is the subject of this report based on the permissibility granted at the time of inspection.
- No one other than those mentioned within this certification provided significant real property appraisal assistance to the person(s) signing this certification.
- The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute;
- I certify that the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives. I also acknowledge that Leonel Garza III is an associate member of the Appraisal Institute and is not an MAI Designated Appraiser, however is currently seeking designation.
- The employment and compensation of this appraiser in completing this appraisal assignment was not based on a requested minimum valuation, a specific valuation. This report was not prepared under the standards required by financial institutions for purposes of applying for a loan
- The office of Leonel Garza Jr. & Associates LLC has not appraised the subject property within the last five (5) years from the date of this report.
- This appraisal has been completed with the extraordinary assumption, that any and all access denial issues are clearly stated within the scope of this assignment and have been included within the surveys and field notes provided by client. The Texas Department of Transportation can control access in the future by way of permit at the time of redevelopment or re-subdivision of the subject property and or by way of the Access Management Policy enacted by the State of Texas. This assignment was engaged in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB 18 of the Texas 82<sup>nd</sup> Regular Legislative Session as follows:

"(d) In estimating injury or benefit under Subsection C, the special commissioners shall consider an injury or benefit that is peculiar to the property owner and that relates to the property owner's ownership, use, or enjoyment of the particular parcel of real property including a material impairment of direct access on or off the remaining property that affects the market value of the remaining property, but they may not consider an injury or benefit that the property owners experiences in common with the general community, *including circuitry of travel and diversion of traffic*. In this subsection, 'direct access' to the remainder after the state's means ingress and egress on or off a public road, street, or highway at a location where the remaining property adjoins that road, street or highway"

  
\_\_\_\_\_  
**Leonel Garza III**  
**General Certified Real Estate Appraiser**  
**License No. TX 1328375 – General**

## ASSUMPTIONS AND LIMITING CONDITIONS

### This report has been prepared with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.
5. All engineering and surveying is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there are no hidden or un-apparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
7. It is assumed that the property is in full compliance with all applicable federal, state, and local environmental regulations and laws unless the lack of compliance is stated, described, and considered in the appraisal report.
8. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
9. It is assumed that the use of the land and improvements is confined within the boundaries or property line of the property described and that there is no encroachment or trespass unless noted in the report.
11. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by this appraiser. The appraiser does not have any knowledge of the existence of such material on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

### General Limiting Conditions:

1. Any allocation of the total value of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication.
3. The appraiser, by reason of this appraisal, is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all or any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.
5. If the property rights appraised are the "Leased Fee Estate", then the Final Indicated Market Value Estimate is based on the continued performance under the lease terms.
6. The original and one copy of this report have been signed in blue ink. Any other copy, which is not signed in blue may have been altered, and this appraiser is not responsible for its contents or value indicated.

### Assumptions and Interpretations Made by Appraiser of the Marketing Period

1. Indicated Marketing Time: Begins with the date of value estimate and the exposure time indicated.
2. Exposure to the Open Market: Listing the property on the market for sale with a Realtor, member of Multiple Listing Service, or a licensed Real Estate Broker, that will properly expose the property to the Market. This appraiser does not consider a sign placed by a bank on the property as proper marketing. If the property is presently listed for sale on the market, this appraiser must be notified prior to the completion of the appraisal.
3. Exposure Time: 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.

## QUALIFICATIONS OF APPRAISER – LEONEL GARZA III

The office of Leonel Garza Jr. & Associates LLC is owned and operated by Leonel Garza III. A company founded by Leonel Garza Jr. who was a commercial real estate appraiser for more than 25 years. Leonel Garza III continued the family business since 1998, concentrating on general commercial properties and right-of-way acquisition projects for more than 13 years. The office of Leonel Garza Jr. & Associates LLC contains three (3) General Certified Appraisers in total and several supporting staff members all located at 1419 Dove Avenue, Suite #1, McAllen, Texas. The following is a synopsis of the qualifications of Leonel Garza III and the public service organizations involved in with the County of Hidalgo and the City of McAllen.

### Education

Graduate, 1995, Texas A&M University, College Station, Texas (Bachelor of Science in Biomedical Science)  
Graduate, 1991 McAllen Memorial High School, McAllen, Texas

### Licenses

#### **State Certified General Real Estate Appraiser**

Number TX - 1328375-General  
Licensed Since December 31, 1998  
Expires: December 31, 2014 (Active)

#### **State Certified Property Tax Consultant**

Number TX – 00003181  
Licensed Since May 20, 2002  
Expires: June 16, 2014 (Active)

<b>Texas Appraiser Licensing and Certification Board</b> P.O. Box 12188 Austin, Texas 78711-2188 <b>Certified General Real Estate Appraiser</b>			
Number:	<b>TX 1328375 G</b>	Expires:	<b>12/31/2014</b>
Issued:	<b>01/03/2013</b>		
Appraiser:	<b>LEONEL GARZA III</b>		
<small>Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Texas Occupations Code, Chapter 1103, is authorized to use this title, Certified General Real Estate Appraiser.</small>			
			 <b>Douglas E. Oldmixon</b> Commissioner

### Public Service Organizations

#### **Associate Member of the Appraisal Institute**

Currently taking courses toward the designation of MAI through the Appraisal Institute.

#### **National Association of Master Appraisers**

Designated as a Master Senior Appraiser in 2006 by the National Association of Master Appraisers. This designation is obtained thru educational requirements and experience.

#### **Associate Member of the International Right of Way Association (IRWA) (Member # 7899430)**

#### **Vice Chairman & Board Member of the City of McAllen Planning and Zoning Board**

This board is charged with submitting reports, plans, and recommendations to the City Commission for the orderly growth, development, and welfare of the City. They review and make recommendations on zoning change requests, conditional use permits for longer than one year, and variances to Subdivision Ordinance requirements for development.

#### **Former Chairman of the City of McAllen Zoning Board of Adjustments and Appeals**

This city board has the duty to hear and decide appeals where it is alleged there is error in any requirement, or determination made administratively in the enforcement of the Zoning Ordinance. The Board hears appeals that grant variances to setback requirements and special exceptions to reconstruction of nonconforming buildings.

**Chairman of the Hidalgo County Subdivision Advisory Board**

This county board on subdivision reviews primary goal is to ensure that proper standards, set by Texas Water Development Board and the Texas Subdivision Model Rules and or opinions from the Texas State Attorney Generals Office, are conducted in the development of proposed subdivision within the County of Hidalgo and or Extraterritorial Jurisdiction of municipalities throughout the County of Hidalgo. The boards secondary function is to review applications for variances against the Flood Plain Administrators decisions of the base flood elevations throughout the County of Hidalgo.

**Chairman of the Hidalgo County Building Line of Adjustments**

This county board reviews applications of variances to general set-back regulations set forth by the County of Hidalgo. This review includes the review of existing and or proposed encroachments into set-backs, easements, road right-of-way set-back, subdivision plat requirements and or requirements set forth by adjoining municipalities of which the subject is within the extraterritorial jurisdiction.

**Board Member of the City of McAllen Traffic Board**

Makes recommendations to the City Commission in order to reduce and eliminate traffic congestion and flow throughout the City . (Elected Vice Chairman 01/26/10 to 02/30/12)

**Former Executive Board Member of the Lower Rio Grande Valley Boy Scouts Council**

The goal of the council is to maintain membership and the continued progress of the boy scouts within the Lower Rio Grande Valley. The council shall maintain progress reports of financial status of the council and plan for events world wide which local children may participate as a representative of the council. These events include the World Jamboree and the National Jamboree.

**Former Vice Chairman of the City of McAllen Ambulance Advisory Committee**

Evaluates and reports to the City Commission on the operation of the emergency ambulance service rendered by company or companies rendering such service.

**Former Member of the City of McAllen Building Board of Adjustments and Appeals**

The BBOA reviews the decision of City Staff for the demolition of properties deemed unsafe through the City for a variety of reasons. The board review all facts and concerns and make the decision to secure or proceed with demolition based upon the safety of the neighboring property owners and occupants. The greatest concern for the commission is the safety of the surrounding neighborhood occupants.

**Former Member of the Pharr Municipal Park Charter Committee**

Appointed in 1998-1999, our goal was to establish a 103 acre master planned recreational park to the City of Pharr during our membership with the City of Pharr Leadership Class X.

**Member of The McAllen Palm City Lions Club**

Direct the fund raising for the annual Thanksgiving Drive on behalf of Lion Leonel Garza Jr. who founded the drive more than 20 years ago. In 2005 & 2006, the club raised funds to feed 60 family's throughout the City of McAllen.

**Other Work Experience**

- Employee of Leonel Garza Jr. & Associates since 1990
- State Certified General Real Estate Appraiser since December 31, 1998
- Owner of G-3 Acquisitions which primary focus is custom commercial and multifamily residential construction and management.
  
- Commercial and residential property manager throughout the City of McAllen & Pharr, Texas.
- Licensed Property Tax Consultant Since 2000.
- Appraiser Trainee from 1995 thru 1998 under the sponsorship of Leonel Garza Jr. who was a State Certified General Real Estate Appraiser & Board Member of the Texas State Appraisal Review Board from October 23, 1995 Through September 15, 1998. Appointed by Governor George W. Bush for two (2) terms.

**State of Texas**  
**Historically Underutilized Business**  
**Certification and Compliance Program**



The Texas Comptroller of Public Accounts (CPA),  
hereby certifies that

**LEONEL GARZA, JR. & ASSOCIATES, LLC**

has successfully met the established requirements of the  
State of Texas Historically Underutilized Business (HUB) Program  
to be recognized as a HUB.

This certificate, printed 14-AUG-2010, supersedes any registration and certificate previously issued by the HUB Program. If there are any changes regarding the information (i.e., business structure, ownership, day-to-day management, operational control, addresses, phone and fax numbers or authorized signatures) provided in the submission of the business' application for registration/certification as a HUB, you must immediately (within 30 days of such changes) notify the HUB Program in writing. The CPA reserves the right to conduct a compliance review at any time to confirm HUB eligibility. HUB certification may be suspended or revoked upon findings of ineligibility.

*Paul A. Gibson*

Certificate/VID Number: 1742948770900  
File/Vendor Number: 14984  
Approval Date: 09-AUG-2010  
Expiration Date: 09-AUG-2014

Paul A. Gibson  
Statewide HUB Program Manager  
Texas Comptroller of Public Accounts  
Texas Procurement and Support Services Division

Note: In order for State agencies and institutions of higher education (universities) to be credited for utilizing this business as a HUB, they must award payment under the Certificate/VID Number identified above. Agencies and universities are encouraged to validate HUB certification prior to issuing a notice of award by accessing the Internet (<http://www.window.state.tx.us/procurement/cmb/hubonly.html>) or by contacting the HUB Program at (888) 863-5881 or (512) 463-5872.

**CERTIFIED LETTER OF INSPECTION SENT TO PROPERTY OWNER OF RECORD**

**Leonel Garza Jr. & Associates LLC**  
*Real Estate Appraisal Services*

1419 Dove, Suite 1 - McAllen, Texas 78504  
(956) 687-7295 (24 hour answering service) Fax (956) 687-9238  
Email: leonel3@garza-associates.com

August 16, 2013

**Project: Alberta Drainage Project**

**Parcel 2**  
**Arturo Rodriguez, et ux**  
**7654 East Alberta Road**  
**Edinburg, Texas 78542**

**To Whom It May Concern:**

Leonel Garza Jr. & Associates LLC has been contracted by Hidalgo County Urban County Program to appraise various properties for the expansion of an existing drainage ditch located south of Alberta Road east of Tower Road. The proposed acquisition shall begin at the point of the existing drain ditch and extend westerly to Tower Road. (See area highlighted in Red)



Attached is a survey of the property to be acquired. This office is requesting verbal or written permission to inspect the subject property at the earliest date possible in order to locate the part to be acquired and photograph the area. We would like to extend the opportunity to meet with our office, on-site, in order to further explain the project and the purpose of the appraisal report.

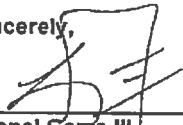
The Hidalgo County Urban County Program along with the County of Hidalgo Precinct No. 4 Right of Way Agents shall be negotiating the purchase of this portion of your property. As per the Hidalgo County Appraisal District ([www.hidalgoad.org](http://www.hidalgoad.org)) it is indicated that the subject property is in the name of Arturo Rodriguez, et ux. If you or your representative wish to meet with our office to discuss the purpose of the appraisal and join us for an on-site inspection of your land, contact our office at (956) 687-7295 or [leonel3@garza-associates.com](mailto:leonel3@garza-associates.com). I will be researching the market area for any and all real estate sales, and would appreciate any leads or information in which you may have. If this letter does not pertain to

*Leonel Garza Jr. & Associates LLC*

you and or you have sold said property, please notify our office as soon as possible so that the proper owner can be notified of the project.

***With this letter I request permission to perform an on-site inspection and photograph your property. If access is restricted by a perimeter fence or gate, the inspection shall remain off-site along existing road right of way or existing drainage easements in the area. If you have any objections to our inspection of your property please call the office of Leonel Garza Jr. and Associates LLC at (956) 687-7295 as soon as possible. Thank you.***

Sincerely,

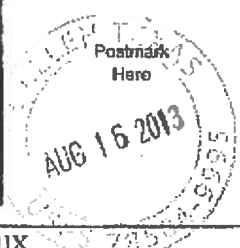


Leonel Garza III  
State Certified General  
Real Estate Appraiser  
TX1328375-General

Cc: Hidalgo County Precinct No. 4  
Jesse Ozuna, Right of Way Agent  
Office (956) 383-3112  
1102 North Doolittle Road  
Edinburg, Texas 78539

Leonel Garza Jr. & Associates LLC

**CERTIFIED LETTER TRACKING INFORMATION**

<b>U.S. Postal Service™</b> <b>CERTIFIED MAIL™ RECEIPT</b> <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Postage \$ _____ Certified Fee _____ Return Receipt Fee (Endorsement Required) _____ Restricted Delivery Fee (Endorsement Required) _____ Total Postage & Fees <b>\$ 6.51</b>	 Postmark Here
Sent To <b>Arturo Rodriguez, et ux</b>	
Street, Apt. No. or PO Box No. <b>654 East Alberta Road</b>	
City, State, ZIP+4 <b>Edinburg, Texas 78542</b>	
PS Form 3811, August 2004 <span style="float: right;">See Reverse for Instructions</span>	

7011 0470 0003 0645 4965

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p style="margin-left: 20px;">Arturo Rodriguez et ux 7654 East Alberta Road Edinburg, Texas 78542</p> <p style="margin-left: 20px;">Parcel No 2 Alberta Drain Project</p> <p>2. Article Number (Transfer from service label)</p>	<p>A. Signature</p> <p><input checked="" type="checkbox"/> Arturo Rodriguez <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>B. Received by (Printed Name) <b>ARTURO RODRIGUEZ</b> Date of Delivery <b>8/17</b></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
7011 0470 0003 0645 4965	
PS Form 3811, February 2004 <span style="margin-left: 100px;">Domestic Return Receipt</span> <span style="float: right;">102595-02-M-1540</span>	



POR	PORCH (COVERED)	BRKFA	2001	170.0
CAN	CANOPY	BRKFA	2005	2678.0
POR	PORCH (COVERED)	BRKFA	1983	224.0

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	AC	ACREAGE	5.0000	217800.00	0.00	0.00	\$60,000	\$0

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed	
2013	\$216,667	\$60,000		0	276,667	\$0	\$276,667
2012	\$219,886	\$60,000		0	279,886	\$14,604	\$265,082
2011	\$180,984	\$60,000		0	240,984	\$0	\$240,984
2010	\$199,305	\$35,000		0	234,305	\$0	\$234,305
2009	\$200,658	\$35,000		0	235,658	\$0	\$235,658
2008	\$202,010	\$35,000		0	237,010	\$0	\$237,010
2007	\$200,429	\$38,000		0	238,429	\$9,306	\$230,033
2006	\$171,121	\$38,000		0	209,121	\$0	\$209,121
2005	\$144,583	\$38,000		0	182,583	\$0	\$182,583
2004	\$143,419	\$38,000		0	181,419	\$2,986	\$178,433
2003	\$141,012	\$21,200		0	162,212	\$0	\$162,212

**Deed History - (Last 3 Deed Transactions)**

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	8/5/1997 12:00:00 AM	CONV	CONVERSION	YEAGER GLEN	RODRIGUEZ ARTU			815190
2	5/18/1995 12:00:00 AM	CONV	CONVERSION	Unknown	YEAGER GLEN	2134	846	

WARRANTY DEED (Page 1 of 5)

309085-KWK  
WARRANTY DEED WITH VENDOR'S LIEN

615190

Date: June 27, 1997

Grantor: GLEN YEAGER and wife, MARY YEAGER

Grantor's Mailing Address (including county): 501 E. Hwy 83  
Alamo, TX 78516  
Hidalgo County, Texas

Grantee: ARTURO RODRIGUEZ and wife, PHYLLIS A. RODRIGUEZ

Grantee's Mailing Address (including county): Rt. 11, Box 75-H  
Edinburg, Texas 78539  
Hidalgo County, Texas

Consideration: Ten Dollars and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by grantee of Grantee's one certain promissory note of even date herewith, in the principal sum of EIGHTY NINE THOUSAND SIX HUNDRED AND NO/100THS DOLLARS (\$89,600.00) payable to the order of INTERNATIONAL BANK OF COMMERCE and bearing interest as therein provided; containing the usual clauses providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to ELIAS LONGORIA, Trustee, and for the further consideration of the execution and delivery by Grantees of their one other promissory note of even date herewith in the principal sum of \$11,200.00, payable to the order of Grantors, as therein provided and bearing interest at the rates therein specified and providing for acceleration of maturity in event of default in the payment thereof and further providing for that should default be made in the payment of the \$89,600.00 note hereinabove described or in any of the covenants of the Deed of Trust securing the same, the indebtedness evidenced by said \$11,200.00 note, at the option of the holder thereof, shall at once become due and payable, said note providing for attorney's fees and being secured by a second and inferior Vendor's Lien and Superior Title herein and hereby expressly retained and reserved upon the property herein described and conveyed, and said note being additionally secured by a second and inferior deed of trust thereon of even date herewith to H & S SERVICES, INC., Trustee.

Property (including any improvements):

The East 5.0 acres of Lot Twelve (12), Block Fifty-three (53), Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 1, Page 24, Map Records, Hidalgo County, Texas. SEE EXHIBIT "A" ATTACHED HERETO ARE METES AND BOUNDS DESCRIPTION OF PROPERTY HEREIN DESCRIBED.

Warranty Deed with Vendor's Lien  
Page 1

**WARRANTY DEED (Page 2 of 5)**

**Reservations from and Exceptions to Conveyance and Warranty:**

**Easement for RIGHT OF WAY granted to HIDALGO COUNTY, as set forth in instrument recorded in Volume 1413, Page 311, Deed Records, Hidalgo County, Texas.**

**Easement for RIGHT OF WAY granted to MAGIC VALLEY ELECTRIC COOPERATIVE, INC., as set forth in instrument recorded in Volume 1809, Page 74, Deed Records, Hidalgo County, Texas.**

**Easement for RIGHT OF WAY granted to NORTH ALAMO WATER SUPPLY CORPORATION, as set forth in instrument recorded in Volume 1827, Page 27, Deed Records, Hidalgo County, Texas.**

**Subject to any portion of the property described herein within the limits or boundaries of any public or private roadway and/or highway and the rights of the public thereto.**

**Road along North line as per subdivision map recorded in Volume 1, Page 24, Map Records, Hidalgo County, Texas.**

**Taxes for the year 1997 and subsequent years.**

**Grantor, for valuable consideration, the receipt of which is hereby acknowledged, and subject to the reservations from, and exceptions to conveyance and warranty contained in this instrument, 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 to hold the Property to Grantee, Grantee's heirs, executors, administrators, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors 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 forever, except as to the reservations from, and exceptions to conveyance and warranty herein contained.**

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

**INTERNATIONAL BANK OF COMMERCE, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the Note described, the vendor's lien and the superior title to the Property are retained for the benefit of INTERNATIONAL BANK OF COMMERCE, and are transferred to INTERNATIONAL BANK OF COMMERCE, without recourse on Grantor.**

WARRANTY DEED (Page 3 of 5)

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

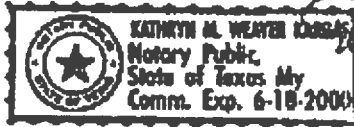
Glen Yeager  
GLEN YEAGER

Mary Yeager  
MARY YEAGER

(Acknowledgment)

State of Texas  
County of Hidalgo

This instrument was acknowledged before me on the 30th of July  
1997, by GLEN YEAGER.

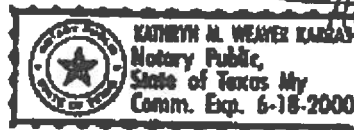


Kathryn M. Weaver Karris  
Notary Public, State of Texas

(Acknowledgment)

State of Texas  
County of Hidalgo

This instrument was acknowledged before me on the 30th of July  
1997, by MARY YEAGER.



Kathryn M. Weaver Karris  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

ARTURO RODRIGUEZ  
Rt. 11, Box 75-H  
Edinburg, Texas 78539

PREPARED BY:

Suzanne R. Scott  
Attorney At Law  
208 West Cano  
Edinburg, Texas 78539

File/GF Number: 309085  
KWK:Ncl

WARRANTY DEED (Page 4 of 5)

**ART SALINAS  
ENGINEERING & SURVEYING**

1524 DOVE AVENUE

McALLEN, TX 78504 PH: (210) 618-6566

FAX: (210) 618-5540

ARTURO A. SALINAS, P.E., R.P.L.S.

**METES AND BOUNDS DESCRIPTION**

The East 5.0 acres of Lot Twelve (12), Block Fifty-Three (53), Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 1, Page 24, Map Records, Hidalgo County, Texas; said 5.0 acres is more particularly described by meets and bounds as follows:

BEGINNING at a found cotton picker spindle at the Northeast corner of said Lot 12 for the Northeast corner hereof; said corner lies on the centerline of Alberta Road.

THENCE, South 8 degrees 45 minutes West, passing a 1/2 inch iron rod found at 30.0 feet on the South R.O.W. line of Alberta Road, a total distance of 1320.0 feet to a set 1/2 inch iron rod at the Southeast corner of said Lot 12 for the Southeast corner hereof;

THENCE, North 81 degrees 15 minutes West, along the South line of Lot 12, a distance of 165.0 feet to a found 1/2 inch iron rod for the Southwest corner hereof;

THENCE, North 8 degrees 45 minutes East, passing a found 1/2 inch iron rod found at 1290.0 feet on the South R.O.W. line of Alberta Road, a total distance of 1320.0 feet to a found cotton picker spindle on the North line of said Lot 12 for the Northwest corner hereof;

THENCE, South 81 degrees 15 minutes East, along the North line of Lot 12 and the centerline of Alberta Road, a distance of 165.0 feet to the POINT OF BEGINNING, containing 5.0 acres of land, more or less.

**BEARING BASIS: "NORTH ALAMO LAND AND SUGAR COMPANY SUBDIVISION"**

JOB # 97-7701

DATE: 06-26-97



Arturo A. Salinas, R.P.L.S. # 4802



REG. PROF. ENGINEER

REG. PROF. LAND SURVEYOR

WARRANTY DEED (Page 5 of 5)

Filed for Record in:  
Hidalgo County, Texas  
by Jose Eloy Pulido  
County Clerk

On: Aug 05, 1997 at 04:26P

As a  
Recording

Document Number: 615190  
Total Fees : 15.00

Receipt Number - 103562

By,  
Bea Cruz



*Dos Land Surveying, LLC*

February 21, 2013

Parcel 2

Page 1 of 4

County: Hidalgo, Texas  
Alberta Drain Phase I

Property Description  
Parcel 2

**BEING A 0.625 ACRE (27,234 S.F.) TRACT OF LAND, OUT OF LOT 12, BLOCK 53, ALAMO LAND AND SUGAR COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 1, PAGES 24-26, OF THE MAP RECORDS OF HIDALGO COUNTY (H.C.M.R.), TEXAS, AND BEING A PART OF THAT CERTAIN 5.0 ACRE TRACT, CONVEYED TO ARTURO RODRIGUEZ, ET UX AS RECORDED IN DOCUMENT NO. 615190 OF THE OFFICIAL RECORDS OF HIDALGO COUNTY (H.C.O.R.), TEXAS, SAID 0.625 ACRE TRACT MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;**

**COMMENCING** at a p.k. nail set on the centerline of Alberta Road (60.0' right of way width), being the north line of said Lot 12, being the common corner of said subject 5.0 acre tract and that certain 5.00 acre tract conveyed to Kurt Morgan and Jennifer Morgan, recorded in Document No. 2392582 (H.C.O.R.), Texas;

**THENCE**, South 08°34'04" West, along the common line of said subject 5.0 acre tract, and said 5.00 acre "Morgan tract", at a distance of 30.00 feet pass the south right of way line of said Alberta Road, and continuing for total a distance of 1154.87 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "DLS BNDRY MKR" (hereinafter referred to as "with cap") set, for the northwest corner and for the **POINT OF BEGINNING** of the herein described parcel and having grid coordinate of X=1,117,444.38, Y=16,612,953.23;

**THENCE**, South 81°26'03" East, severing said subject 5.0 acre tract, a distance of 165.06 feet to a 5/8 inch iron rod with cap set on the common line of that certain 32.671 acre tract (remainder), conveyed to Abel Salazar, recorded in Volume 3279, Page 403 (H.C.O.R.), Texas and said subject 5.0 acre tract, for the northeast corner of the herein described parcel;

**THENCE**, South 08°34'04" West, along said common line, a distance of 165.00 feet to a 5/8 inch iron rod with cap set at the common corner of said Lots 12, 13 Block No. 53 and Lots 9, 16 Block No 54, also common corner to Owassa Acres Subdivision, recorded in Volume 36, Page 62 (H.C.M.R.), Texas, for the southeast corner of the herein described parcel;



Dos Land Surveying, LLC

February 21, 2013

Parcel 2

Page 2 of 4

THENCE, North 81°26'03" West, along the common line of said subject 5.0 acre tract and that certain 10.0 acre tract, conveyed to Robert J. Velado, as per property id no. 113243, Hidalgo County Appraisal District, a distance of 165.06 feet to a 1/2 inch iron rod found at the common corner of said subject 5.0 acre tract, and aforementioned 5.00 acre "Morgan tract", for the southwest corner of the herein described parcel;

THENCE, North 08°34'04" East, along the common line of said subject 5.0 acre tract and said 5.00 acre "Morgan tract", a distance of 165.00 feet to the **POINT OF BEGINNING**, of the herein described parcel, containing 0.625 acres (27,234 S.F.), more or less.

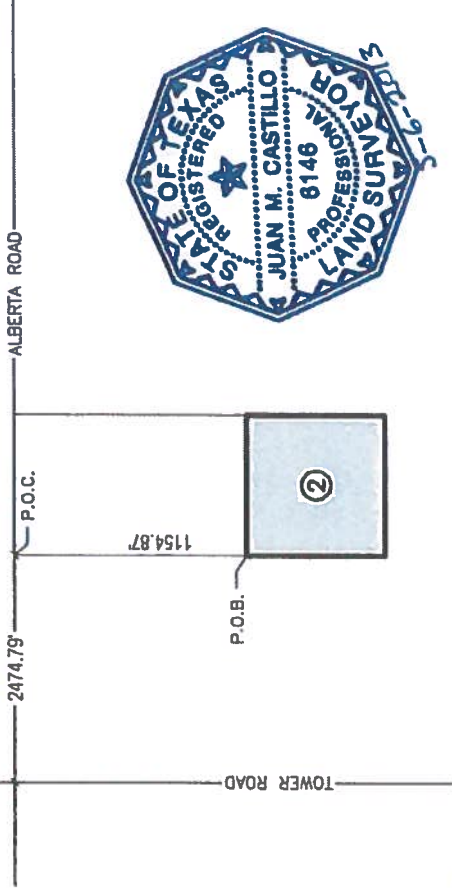
Bearings are Grid North, based on the Texas State Plane Coordinate System, South Zone (4205), NAD 83.

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 Document No. 615190 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. ● Indicates a 5/8" iron rod set with yellow cap stamped "DLS BNDY MRKR".
3. ○ Indicates a 1/2" iron rod found (unless otherwise noted).
4. H.C.M.R. Indicates Hidalgo County Map Records
5. H.C.O.R. Indicates Hidalgo County Official Records.
6. H.C.D.R. indicates Hidalgo County Deed Records.
7. H.C.A.D. Indicates Hidalgo county Appraisal District
8. A metes and bounds description of even date was prepared, and is made a part of this survey plat.
9. This plat was prepared with the benefit of a title commitment. G.F. No. 132352, effective date April 18, 2013, Valley Land Title Company.

PARENT TRACT INSET  
PARCEL NO. 2  
N.T.S.

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 March 6, 2013, under my supervision.

*Juan M. Castillo*

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

EXISTING	TAKING	REMAINING
5.0 AC.	0.625 AC.	4.375 AC.
	27,234 S.F.	



1002 E. Expressway 83 Ph (956)969-4183  
Westlaco, TX 78596 Fax (956)447-8194

**RIGHT OF WAY SKETCH**

SHOWING PROPERTY OF  
ARTURO RODRIGUEZ, ET UX  
ALBERTA DRAIN DRAINAGE IMPROVEMENTS  
PHASE 1

MARCH, 2013

**PARCEL 2**  
Sheet 3 of 4

P.O.C.  
PARCEL 2  
SET PK NAIL

ALBERTA ROAD (60.0' r.o.w.)

ALAMO LAND AND SUGAR COMPANY

**ALAMO LAND AND SUGAR COMPANY**  
VOL 1, PGS 24-26  
H.C.M.R.

Gary L. Jackson  
Michael R. Kormeier  
Called 5.0 acres  
Doc. No. 833091  
H.C.O.R.  
December 27, 1999

Kurt Morgan  
Jennifer Morgan  
Called 5.00 acres  
Doc. No. 2392582  
H.C.O.R.  
March 15, 2013

25' wide Magic Valley  
Cooperative,  
Electric Easement  
Inc. Easement  
over and across  
Vol. 1809, Page 74  
H.C.D.R. 1982  
November 8, 1982

S 08°34'04" W 1154.87'

**BLOCK 54**  
**LOT 9**

Abel Salazar  
32.671 (remainder)  
Vol. 3279, Pg. 403  
H.C.O.R.  
June 23, 1992

S 81°26'03" E 165.06'

P.O.B.  
PARCEL 2  
SET  
X=1,117,444.38  
Y=16,612,953.23

S 08°34'04" W 165.00'

N 08°34'04" E 165.00'

**BLOCK 53**  
**LOT 12**

Christy Garza  
Jacobo M. Garza  
10.0 acres (calc.)  
Doc. No. 1432489, H.C.O.R.  
February 4, 2005

Robert J. Velado  
10.0 acres  
Property ID No. 113243  
H.C.A.D.

**BLOCK 53**  
**LOT 13**

①

②

③

15.0' H.C.I.D. No. 2 Easement  
10.0' Swale Easement

LOT 19

LOT 20

LOT 21

LOT 18

Guadalupe Aguirre  
Called Lot 20  
Doc. No. 2302967  
H.C.O.R.  
April 27 2012

**OWASSA ACRES**  
**SUBDIVISION**  
VOL 36, PG 62  
H.C.M.R.

