

# COUNTY *of* HIDALGO

**JOSEPH PALACIOS**

1051 N. DOOLITTLE RD.  
EDINBURG, TEXAS 78542  
OFFICE: (956) 383-3112  
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COUNTY COMMISSIONER, PCT. No. 4

January 9, 2014

Idalia I. Ruiz  
1999 Temple Ave.  
Unit J  
Signal Hill, CA 90755

County: Hidalgo  
GLO Project No.: 12-589-000-6887/DRS220068  
From: Tower Road

Parcel: 8  
Drainage Project: Alberta Drain  
To: Val Verde Road

CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. **7011 2000 0001 9719 1412**

To Whom It May Concern:

In acquiring property for the drainage system of Hidalgo County's Urban County Program (the "County"), the Hidalgo County Right of Way Department (the "Department") follows a definite procedure for appraising the land needed and for handling personal negotiations with each owner. As has been or will be explained by the County's negotiator, a portion of your property located in the project area, as described in the enclosed property description, is to be acquired for the construction or improvement of the above-referenced drainage project.

We believe at this stage of the purchase process it is mutually beneficial to confirm that, based on an appraisal and appraisal review, the County is authorized to offer you **\$14,642.00** for your property which includes **\$7,115.00** for the property to be purchased and **\$6,975.00** for damages to your remaining property. This amount is the total amount of just compensation for all interests in the portion of your property to be acquired, as determined in accordance with State law, less oil, gas and sulphur, subject to clear title being conveyed to the County. In accordance with State law, it is the policy of the Department to negotiate with the fee owner(s) of the real property with the understanding that you will, in turn, negotiate with any lessee or other party who may own any interest in the land or improvements, with the exception of public utility easements, which will be handled separately by the Department.

This offer to purchase includes the contributory values of the improvement(s) listed below, which are considered to be part of the real property. Since the improvement(s) must be removed, it is the policy of the Department to permit owners who convey voluntarily to the Department to thereafter retain the improvement(s), if they wish to do

so. The retention values shown below are the estimated amounts the improvement(s) would bring if sold on public bids. If you wish to retain title to any of the following improvement(s) and remove it (them) from the right of way, the amount of the above offer must be reduced by the appropriate retention amount(s). This option to retain the improvement(s) does NOT apply should it become necessary for the Department to acquire the real property by eminent domain.

### BREAKDOWN

Land:

0.153 Acres @ \$46,500.00 Per Acre (As Fee Simple)	\$7,115.00
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Improvement(s):

Chain Link Fence (260 LF x \$8.50/LF @ 25% Depreciation)	\$866.00
1 Tree, Large x \$600/each (unknown variety)	\$600.00
5 Palm, Queen x \$37/each	\$185.00
6 Trees, Oak x \$300/each	\$1,800.00
11 Agave x \$24/each	\$264.00
3 Mexican Nopales x \$150/each	\$450.00
7 Mexican Nopales x \$15/each	\$105.00
5 Tecoma Stans x \$120/each	\$600.00
5 Trees x \$50 (unknown variety)	\$250.00
1 Cacti x \$15/each	\$15.00
4 Palm, Washingtonia x \$150/each	\$600.00
1 Bush x \$60/each	\$60.00
Miscellaneous – Plants, Bushes, and/or Trees	\$200.00
1 Shed, Metal x \$750 (@75% Depreciation)	<u>\$188.00</u>
<b>Total Improvements</b>	<b>\$6,975.00</b>

Total Estimated Value:	\$14,090.00
Cost To Cure Damages:	\$ 552.00
<b>Total Offer:</b>	<b><u>\$14,642.00</u></b>

If you wish to accept the offer based upon this appraisal, please contact me as soon as possible, at (956) 383-3112, so that the process of issuing your payment may be started. If you are not willing to accept this offer, you may submit a written request for administrative settlement/counteroffer, setting forth a counteroffer amount and the basis for such amount, provided such settlement request is received in writing within 30 days from the date of this letter. *Please note that your opportunity to submit an administrative settlement shall be forfeited if such a settlement request is no received by the Department within the 30 day time deadline.*

In the event the condition of the property changes for any reason, the Department shall have the right to withdraw or modify this offer.

After the date of payment of the purchased price, or the date of deposit in court of funds to satisfy the award of compensation as determined through eminent domain proceedings to acquire real property, you will be reimbursed for any fair and reasonable incidental expenses necessarily incurred in transferring title to the property for use by the County. Expenses eligible for reimbursement may include (1) recording fees, transfer taxes and similar expenses incidental to conveying the real property to the Department and (2) penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the real property. Voluntary unnecessary expenses or expenses incurred. You may file a written request for review if you believe the Department failed to properly determine the eligibility for, or the amount of, incidental expenses to be reimbursed. There is no standard for on which to request a review of claim; however, the claim must be filed with this office within six (6) months after you are notified of the Department's determination on any claim for reimbursement.

You may be entitled to additional payments and services under the County's Relocation Assistance Program. It is emphasized, however, that any benefits to which you may be entitled under this program will be handled entirely separate from and in addition to this transaction. You will receive a brochure entitled "Relocation Assistance" which will inform you of eligibility requirements, payments and services which are available.

You have the right to discuss with others any offer or agreement regarding the Department's acquisition of the subject property, or you may (but are not required to) keep the offer or agreement confidential from others, subject to the provisions of Chapter 552, Government Code (the Public Records Act) as it may apply to the Department.

Attached is a copy of the County's brochure entitled "*Right of Way Purchase*" which we trust will give you a better understanding of the procedures followed by the Department in purchasing property. We respectfully request the opportunity to meet with you or to otherwise discuss and answer any questions you may have regarding the details of the type of facility to be built, or concerning the Department's offer or proposed purchase transaction. Also, please do not hesitate to contact me at the telephone number provided below regarding any question you may have.

Please see the enclosed copy of the Texas Landowner Bill of Rights

Sincerely,



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Jesse Ozuna  
Precinct 4 Right of Way Agent  
(956) 383-3112

**ENCLOSURES:**

Appraisal Report(s)  
Appraisal Review Report(s)  
Landowner Bill of Rights  
Brochure ("Right of Way Purchase")  
Relocation Assistance