

# A.C. CUELLAR JR.

COMMISSIONER PRECINCT 1

Date: 12/15/14

HIDALGO COUNTY, TEXAS  
902 JONAS DRIVE, STE 101  
WESCO, TEXAS 76787

PHONE 969.6741  
FAX 969.1117

County: Hidalgo  
Federal Project No.: N/A  
Highway: Delta Area  
Connector/East Lateral

ROW GLO: 12-406-000-6453/DRS 210068  
Parcel: Tract A  
From: 0.12 Miles East of Mile 4 West on Monte Cristo  
Road, Edcouch, Texas

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. 7012-3460-0002-2049-6969

Texas Regional Bank, as Custodian for G. William Ruppert, Rollover Roth IRA  
C/O Irma Murray  
1801 S. McColl Road  
McAllen, Texas 78503

Dear Madam,

In acquiring property for the Drainage system of the County of Hidalgo (the "County") in conjunction with Disaster Recovery Entitlement Grant 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, Roy Gonzales or Danny Guzman, a portion of your property, 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, the Hidalgo County Commissioners' Court has authorized me to make an offer to you in the amount of \$68,330.00 for your property, which includes \$37,080.00 for the property to be purchased and \$31,250.00 diminution of market value. 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 County 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 County.

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 County to permit owners who convey voluntarily to the County 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 County to acquire the real property by eminent domain.

<u>LAND</u>	<u>Total Amount</u>
4.12 Acre @ \$9,000.00 per acre	\$ 37,080.00
Diminution of market Value	\$ 31,250.00

If you wish to accept the offer based upon this appraisal, please contact Roy Gonzales or Danny Guzman as soon as possible, at (956) 968-8733, 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 not received by the Department within the 30 day time deadline.

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

After the date of payment of the purchase 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 of Hidalgo. Expenses eligible for reimbursement may include (1) recording fees, transfer taxes and similar expenses incidental to conveying the real property to the County 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 in clearing questionable title will not be eligible for reimbursement. Eligible incidental expenses will be reimbursed upon submission of a claim supported by receipted bills or other evidence of actual expenses incurred. You may file a written request for review if you believe that the County failed to properly determine the eligibility for, or the amount of, incidental expenses to be reimbursed. There is no standard form on which to request a review of a claim; however, the claim must be filed with this office within six months after you are notified of the County'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 County'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.

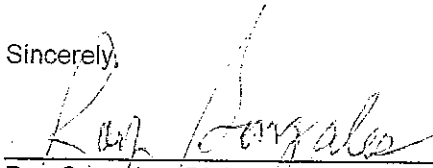
Attached is a copy of the Texas Department of Transportation brochure entitled "Right of Way Purchase" which we trust will give you a better understanding of the procedures

followed by the County 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 County's offer or proposed purchase transaction. Also, please do not hesitate to contact Roy Gonzales at the telephone number provided above regarding any question you may have.

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

Finally, we enclose copies of all appraisal reports relating to your property being acquired which were prepared in the ten (10) years preceding the date of this offer and produced or acquired by the Department, including the appraisal on which this offer is based.

Sincerely,

  
\_\_\_\_\_  
Roy Gonzales, Right of Way Agent

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

December 17, 2014

To: Hidalgo County Precinct No. 1  
Attn: Roy Gonzales, Right-of-Way Agent  
1902 Joe Stephens Avenue  
Weslaco, Texas 78599

From: Texas Regional Bank Custodian for G. William Ruppert RO Roth IRA  
1801 South McColl Road  
McAllen, Texas 78503

RE: Acceptance of Offer  
Bar #3 – Tract A / Delta Area Connector Project

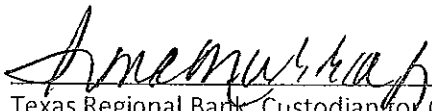
Dear Sir:

Let this letter serve as our acceptance to the offer made on the G. William Ruppert property. The amount accepted is \$68,330.00 for a Right-of-Way Easement on the subject 4.12 Acres. This acceptance is predicated on this transaction being afforded favored nation status.

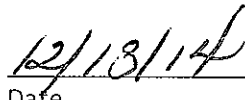
Please process this acquisition as soon as possible.

Thank you,

Respectfully Submitted,



Texas Regional Bank, Custodian for G. William Ruppert RO Roth IRA



Date



A.C. CUELLAR JR.  
COMMISSIONER PRECINCT 1

January 06, 2015

To: Valley Land Title Company  
Attn: Sonia Villarreal  
217 W. Cano Street  
Edinburg, Texas 78539

From: Danny Guzman, ROW Agent *DG*  
Hidalgo County Precinct No. 1  
1902 Joe Stephens Ave.  
Weslaco, Texas 78599

Re: **Closing Request – Tract-A (GF #132802)**  
Delta Area Connector / East Lateral Project

Dear Ms. Villarreal,

We would like to request a closing for the above-mentioned tract. Attached, please find a copy of the Appraisal report.

Below is the information you requested for closing.

Seller's Name: Texas Regional Bank, Custodian for G. William Ruppert

Social Security # \_\_\_\_\_

Phone Number: (956) 624-8226 – G. William Ruppert

Sales Price: \$68,330.00

Should you have any questions, please feel free to contact Roy Gonzales or myself @ (956) 968-8733.

HIDALGO COUNTY Prec. 1  
1902 JOE STEPHENS STE 101  
WESLACO, TEXAS 78599

PHONE 956-968-8733  
FAX 956-968-1117

# HIDALGO COUNTY PRECINCT NO. 1 RIGHT OF WAY DEPARTMENT

## LETTER OF TRANSMITTAL

TO: Valley Land Title Company DATE: 01/06/15  
ATTN: Sonia Villarreal

FROM: Danny Guzman, Right of Way Agent

RE: Delta Area Connector / East Lateral Project – Bar #3-Tract A

### REASON FOR TRANSMITTAL CHECKED BELOW:

- AS REQUESTED                       FOR APPROVAL                       COPY OF LETTER  
 RETURNED FOR CORRECTIONS    APPROVED AS NOTED    REVIEW AND COMMENT  
 APPROVED AS SUBMITTED         PICKED-UP                         OTHER

\*\*\*\*\*

**REMARKS:** Attached, please find "CLOSING REQUEST" letter and Appraisal report for Tract-A, GF #132802 in reference to the Delta Area Connector / East Lateral project. Please proceed to prepare "CLOSING DOCUMENTS" for the above mentioned tract. If additional information is needed, please do not hesitate to contact Roy Gonzales or myself at (956) 968-8733.

### VIA HAND DELIVERED

Received By: *Sonia Villarreal* Date: 4/7/15

1902 Joe Stephens Avenue      Weslaco, Texas 78596  
PH.(956) 968-8733