

PLANNING DEPT. PCTS 2 & 4 WATER SERVICE AVAILABILTY		
	APPLICANT	APPLICATION NO.
1.	Manuel A. & Monica E. Avitia	4-14289
2.	Gary Dean Powell	4-14180
	COMM. COURT: April 14, 2015	



# PLANNING DEPARTMENT

Rev. 02-19-10

## County of Hidalgo

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

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

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

T.J. Arredondo  
Director of Planning

X-25

Precinct 1 2 3/4

Application No:

4-14180

3-03-15

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

Upon the application of:

Name: Gary Powell

Address: 800 Sherryl Ave  
Pharr, TX 78577

Phone: (956) 257-0565

Approved by Environmental Health:	Temporary Service	Final Service
N/A	Authorized Signature	Approved Only
Inspection/Permit No: N/A		Authorized Signature
Date Approved: N/A	1 1	EXIST/SUST 4/2/15

Water Supplier: N/A

Utility Provider: / [ ] M.V.E.C. [ ] AEP

Account/ESI No. N/A  
[ ] Temporary Pole [ ] Permanent Service

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

Ramseyer Garden #1  
Lot 21

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

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

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

-OR-

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

Planning Department Authorized Signature

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

\_\_\_\_\_  
Date

ATTEST:

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

\_\_\_\_\_  
Date



# PLANNING DEPARTMENT

Rev. 02-19-10

## County of Hidalgo

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

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

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

Precinct 1 2 3 4

T.J. Arredondo  
Director of Planning

Application No: 4-14180

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

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

THE STATE OF TEXAS     §  
COUNTY OF HIDALGO    §

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

Gary Dean Powell

Known to me [or proved to me in the oath of \_\_\_\_\_ or through  
TXOL # 18354873 (description of federal or state government ID card with photograph and signature)],  
who swore on oath that the following two statements are true:

1. "I am requesting utility service to the following described land:

3154 Rio Red Circle, <sup>South</sup> Edinburg, TX 78542

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

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

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

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

~~-OR-~~

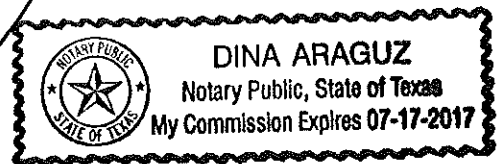
~~3B. "The land was on August 31, 1999, located in the extraterritorial jurisdiction of a municipality as determined by Local Govt. Code Chapter 42; and the land was not sold or conveyed to me by the Subdivider or the subdivider's agent after September 1, 1999."~~

[Signature]

(Signature)

SUBSCRIBED AND SWORN TO before me on April 2<sup>nd</sup>, 2015, to certify which, witnesses my hand and seal of office.

NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



# Chapter 232 Texas LGC Application

APPLICATION NO:  
4-14180  
Mar. 3, 2015

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

R0800-01-000-0021-10

[ 1 ] OWNER: POWELL, GARY DEAN

1151/2 S. CAGE BLVD. #3  
PHARR, TX. 78577

Telephone No. 257-0565

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
RAMSEYER GARDENS 1 E199'-W522'  
125'-N150' LOT 21 A/K/A TR 9 0  
7AC NET

LOCATION: 0

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: INSTA

[ 3 ] WATER SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: BLOC

[ 4 ] PURPOSE OF APPLICATION: NEW RESIDENCE  
25- RESIDENTIAL NEW SINGLE DWELLING

[ 10 ] EST. COST OF CONST.: \$0

[ 5 ] SIZE OF STRUCTURE: 3,168 Sq. Ft.

[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

[ 6 ] USE OF BUILDING: RES.ZONE-X

**Special Conditions: No construction allowed over any easements.**  
MUST COMPLY W/ALL REGULATIONS & SETBACKS  
FRONT 25' EAST SIDE 6' REAR 15' WEST SIDE 100'  
18" ABOVE NATURAL GROUND.

## FOR COUNTY USE ONLY APPLICATION FEES

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

Light [X] Water [X]

Flood Zone: NO  
Panel No. /Suffix: 03050 Pct: 4

Community No.: 480331

Certification of Elevation  
Required:  YES  NO  BFE

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

[Signature] 3/03/15  
Prepared by Date

[Signature] 3/03/15  
Approved by Date

[Signature] 3/3/15  
Signature of Owner or Applicant Date

### [ NOTICE ]

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

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

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER: CHAPTER 11.008 TEXAS PROPERTY CODE.

## WARRANTY DEED

STATE OF TEXAS  
COUNTY OF HIDALGO

DATE: FEBRUARY 12, 20~~14~~<sup>15</sup> 

GRANTOR: JOSE DE JESUS AND YANIRA GARZA  
HUSBAND AND WIFE  
PO BOX 1573  
PHARR, TX. 78577

GRANTEES: GARY DEAN POWELL  
800 SHERYL AVE  
PHARR, TEXAS 78577

### CONSIDERATION:

TEN AND 00/100 Dollars (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION TO THE UNDERSIGNED PAID BY THE GRANTEE HEREIN NAMED, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED.

### PROPERTY (including any improvement, if any) :

THE EAST 199.00 FEET OF THE WEST 522.00 FEET OF THE SOUTH 125.00 FEET OF THE NORTH ½ OF LOT TWENTY-ONE (21), RAMSEYER GARDENS SUBDIVISION, HIDALGO COUNTY, TEXAS AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 9, PAGE 16, MAP RECORDS, HIDALGO COUNTY, TEXAS.

**RESERVATIONS FROM EXCEPTIONS TO CONVEYANCE AND WARRANTY:**

RESTRICTIVE COVENANTS RECORDED IN VOLUME 1865, PAGE 144, VOLUME 1909, PAGE 383, AND VOLUME 2149, PAGE 194, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

ALL THE OIL, GAS AND OTHER MINERALS, IN, UNDER OR THAT MAY BE PRODUCED FROM THE LAND ARE EXCEPTED HEREFROM IN INSTRUMENT(S) DATED APRIL 13, 1962, RECORDED IN VOLUME 1034, PAGE 302, DEED RECORDS, DATED AUGUST 8, 1983, RECORDED IN VOLUME 1865, PAGE 144, OFFICIAL RECORDS, AND DATED AUGUST 8, 1983, RECORDED IN VOLUME 2149, PAGE 194, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND SUBSEQUENT TRANSFER THEREOF.

OIL, GAS AND MINERAL LEASE (S) DATED JULY 31, 1979, RECORDED IN VOLUME 384, PAGE 351, VOLUME 384, PAGE 355, VOLUME 384, PAGE 837, VOLUME 384, PAGE 843, VOLUME 384, PAGE 851, AND VOLUME 384, PAGE 864, OIL AND GAS RECORDS, DATED AUGUST 21, 1979, RECORDED IN VOLUME 385, PAGE 741, VOLUME 385, PAGE 745, AND VOLUME 385, PAGE 882, OIL AND GAS RECORDS DATED SEPTEMBER 10, 1979, RECORDED IN VOLUME 386, PAGE 238, VOLUME 385, PAGE 890, OIL AND GAS RECORDS, DATED OCTOBER 23, 1979, RECORDED IN VOLUME 387, PAGE 234, OIL AND GAS RECORDS AND DATED NOVEMBER 7, 1983 RECORDED IN VOLUME 1924, PAGE 494, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND SUBSEQUENT TRANSFERS THEREOF.

OIL, GAS AND MINERAL LEASE(S) DATED FEBRUARY 19, 1983, RECORDED IN VOLUME 427, PAGE 411, AND VOLUME 427, PAGE 424, OIL AND GAS RECORDS, DATED FEBRUARY 18, 1983, RECORDED IN VOLUME 427, PAGE 827, OIL AND GAS RECORDS, DATED FEBRUARY 25, 1983, RECORDED IN VOLUME 428, PAGE 460, OIL AND GAS RECORDS, DATED FEBRUARY 26, 1983, RECORDED IN VOLUME 427, PAGE 63, AND VOLUME 427, PAGE 63, AND VOLUME 427, PAGE 825, OIL AND GAS RECORDS, HIDALGO COUNTY, TEXAS AND SUBSEQUENT TRANSFERS THEREOF

OIL, GAS AND MINERAL LEASE (S) DATED MAY 18, 2005, RECORDED UNDER CLERK'S FILE NO. 1501846, OFFICIAL RECORDS, DATED MAY 19, 2005, RECORDED UNDER CLERK'S FILE NOS. 1501847, 1501848, 1510676 AND 1510679, OFFICIAL RECORDS, DATED MAY 24, 2005, RECORDED UNDER CLERK'S FILE NO. 1501849, OFFICIAL RECORDS, DATED MAY 25, 2005, RECORDED UNDER CLERK'S FILE NOS 1501852, 1501855 AND 1501856, OFFICIAL RECORDS, DATED MAY 31, 2005, RECORDED UNDER CLERK'S FILE NO. 1501850, OFFICIAL RECORDS,

DATED JUNE 2, 2005, RECORDED UNDER CLERK'S FILE NO. 1501851, OFFICIAL RECORDS, DATED JUNE 7, 2005, RECORDED UNDER CLERK'S FILE NOS. 1501853, 1510677 AND 1523281, OFFICIAL RECORDS, DATED JUNE 14, 2005, RECORDED UNDER CLERK'S FILE NO. 1501854, OFFICIAL RECORDS DATED AUGUST 3, 2005, RECORDED UNDER CLERK'S FILE NO. 1523282, OFFICIAL RECORDS, DATED OCTOBER 11, 2005, RECORDED UNDER CLERK'S FILE NO. 1568213, OFFICIAL RECORDS DATED NOVEMBER 10, 2005, RECORDED UNDER CLERK'S FILE NOS. 1561002, 1561003, 1561004, 1561005, 1561007, 1587752 AND 1587754, OFFICIAL RECORDS, DATED DECEMBER 6, 2005, RECORDED UNDER CLERK'S FILE NOS. 1568309, 1568310 AND 1568377, OFFICIAL RECORDS DATED DECEMBER 13, 2005 RECORDED UNDER CLERK'S FILE NOS. 1573793, 1573794, 1573795, 1573796, AND 1587753, OFFICIAL RECORDS, DATED DECEMBER 15, 2005, RECORDED UNDER CLERK'S FILE NO. 1573792, OFFICIAL RECORDS, DATED DECEMBER 21, 2005, RECORDED UNDER CLERK'S FILE NO. 1568313, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND SUBSEQUENT TRANSFERS THEREOF.

MEMORANDUM OF OIL AND GAS LEASE DATED DECEMBER 28, 2005, RECORDED UNDER CLERK'S FILE NO. 1573798, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND SUBSEQUENT TRANSFERS THEREOF.

OIL, GAS AND MINERAL LEASE(S) DATED JANUARY 10, 2006, RECORDED UNDER CLERK'S FILE NO. 1604808, OFFICIAL RECORDS, DATED JANUARY 17, 2006, RECORDED UNDER CLERK'S FILE NO. 1587755, OFFICIAL RECORDS, DATED JANUARY 17, 2006, RECORDED UNDER CLERK'S FILE NO. 1593547, OFFICIAL RECORDS, DATED JANUARY 25, 2006, RECORDED UNDER CLERK'S FILE NO. 1604811, OFFICIAL RECORDS, DATED FEBRUARY 14, 2006, RECORDED UNDER CLERK'S FILE NOS. 1593548 AND 1604813, OFFICIAL RECORDS, DATED MARCH 6, 2006 RECORDED UNDER CLERK'S FILE NO. 1604810, OFFICIAL RECORDS, DATED MARCH 10, 2006 RECORDED UNDER CLERK'S FILE NO. 1604812, OFFICIAL RECORDS, DATED MARCH 20, 2006, RECORDED UNDER CLERK'S FILE NO. 1604814, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND SUBSEQUENT TRANSFERS THEREOF.

OIL, GAS AND MINERAL LEASE(S) DATED SEPTEMBER 13, 2005, RECORDED UNDER CLERK'S FILE NO. 1553186, OFFICIAL RECORDS, AND AMENDED IN INSTRUMENT DATED SEPTEMBER 13, 2005, UNDER CLERK'S FILE NO. 1799551; OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, AND SUBSEQUENT TRANSFERS THEREOF.

RIGHT OF WAY AGREEMENT DATED JULY 6, 1950, RECORDED IN VOLUME 696, PAGE 519, DEED RECORDS, HIDALGO COUNTY, TEXAS.

RIGHT OF WAY EASEMENT DATED AUGUST 27, 1979, RECORDED IN VOLUME 1638, PAGE 145, DEED RECORDS, HIDALGO COUNTY, TEXAS,

EASEMENT AND RIGHT OF WAY DATED JANUARY 18, 1980, RECORDED IN VOLUME 1666, PAGE 533, DEED RECORDS, HIDALGO COUNTY, TEXAS.

EASEMENT DATED JULY 13, 1983, RECORDED IN VOLUME 1851, M PAGE 901, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

SUBJECT TO ANY PORTION OF THE LAND WITHIN THE LIMITS OR BOUNDARIES OF ANY PUBLIC OR PRIVATE ROADWAY AND/OR HIGHWAY AND THE RIGHTS OF THE PUBLIC THERETO.

SUBJECT TO ANY PORTION OF THE LAND DESCRIBED HEREIN LYING WITHIN CANAL RIGHT OF WAY.

EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF SANTA CRUZ IRRIGATION DISTRICT NO. 15.

EASEMENTS AND RESERVATIONS AS MAY APPEAR UPON THE RECORDED MAP AND DEDICATION OF SAID SUBDIVISION.

ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.

TAXES FOR THE YEAR 2014 AND SUBSEQUENT YEARS.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successor, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrator, and successors to warranty and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successor, and assign against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as the reservations from and exceptions to conveyance and warranty.

As a material part of the consideration for this deed, Grantors and Grantee agree that Grantee is taking the property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantors that the property has a particular financial value or is fit for a particular purpose. Grantees acknowledge and

stipulate that Grantee is not relying on any representation, statement, or other assertion with respect to the property condition but is relying on Grantee's examination of the property. Grantees take the property with the express understanding and stipulation that there is no express or implied warranties except for limited warranties of title set forth in this deed.

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

EXECUTED ON THIS THE 12<sup>TH</sup> DAY OF FEBRUARY 2015.

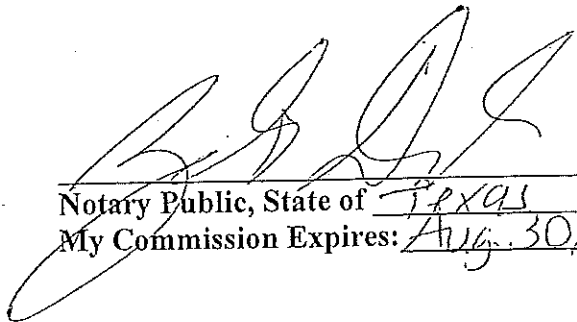
IN WITNESS THEREOF, the said GRANTOR has herewith set this hand and seal, the day and year first above written.

GRANTOR:   
JOSE GARZA

(Acknowledgement)

STATE OF Texas  
COUNTY OF Hidalgo

This instrument was acknowledged before me on the 12 day of February, 2015 by JOSE GARZA.

  
Notary Public, State of Texas  
My Commission Expires: Aug. 30, 2018



IN WITNESS THEREOF, the said GRANTOR has herewith set this hand and seal, the day and year first above written.

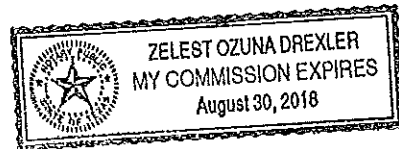
GRANTOR: *Yanira Garza*  
YANIRA GARZA

(Acknowledgement)

STATE OF Texas  
COUNTY OF Hidalgo

This instrument was acknowledged before me on the 12 day of February, 2015 by YANIRA GARZA.

*Zelest Ozuna Drexler*  
Notary Public, State of Texas  
My Commission Expires: Aug 30, 2018



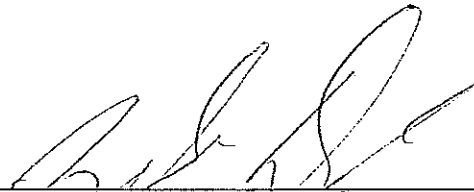
IN WITNESS THEREOF, the said GRANTEE has herewith set this hand and seal, the day and year first above written.

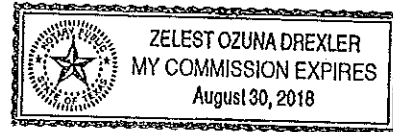
GRANTEE: *Gary Dean Powell*  
GARY DEAN POWELL

(Acknowledgement)

STATE OF Texas  
COUNTY OF Hidalgo

This instrument was acknowledged before me on the 12 day of February, 2015 by GARY DEAN POWELL.

  
\_\_\_\_\_  
Notary Public, State of Texas  
My Commission Expires: AUG. 30, 2018



NO TITLE EXAMINATION WAS REQUIRED IN CONNECTION WITH THE PREPARATION OF THE DOCUMENTATION CONCERNING THE PURCHASE OF THE ABOVE DESCRIBED PROPERTY, NOR WAS ANY MADE, THE PREPARER EXPRESSES NO OPINION AS TO TITLE OR TAX TO THIS PROPERTY.

# THE CITY OF EDINBURG

## PLANNING & ZONING DEPARTMENT CERTIFICATE OF COMPLIANCE

No: 2015-03-03

Date: March 3, 2015

NAME OF PROPERTY OWNER: Gary Dean Powell, the applicant

LEGAL DESCRIPTION OF PROPERTY: The east 199.00 feet of the west 522.00 feet of the south 125.00 feet of the north ½ of Lot 21, Ramseyer Gardens Subdivision

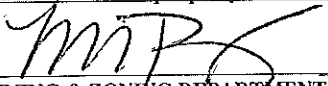
LOCATION OF PROPERTY: 3154 Rio Red Circle, Edinburg Texas 78542

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

- (a) The property was subdivided prior to it being in the City's extraterritorial jurisdiction;
- (b) The property was subdivided as a result of a family partition;
- (c) Where the last recorded conveyance of such lot or tract prior to March 9, 1987 was by metes and bounds;
- (d) Where a building was in existence on said lot prior to March 9, 1987; or where such subdivision, whether by recorded plat or by actual occupancy and use was in existence prior to March 9, 1987.
- (e) The property was subdivided after March 9, 1987 and the property owner has complied with the City's Subdivision Ordinance.
- (f) Where such division of land is used for agricultural purposes in parcels or tracts of 5 acres or more and not involving any new street, alley, or easement of access.

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

COMMENTS: This property is located outside the City of Edinburg. The City is authorizes the connection of water services through Sharyland Water Supply Company. The owner is aware that only one (1) single family dwelling is allowed on the lot in question. Any further division of the property for any purpose will be subject to compliance with the City's review Requirements. This property fronts onto Rio Red Circle.

  
PLANNING & ZONING DEPARTMENT STAFF

3-3-15  
Date



Easement #68-A  
CP-245-274

KLEBERG - N. EDINBURG LINE - W.O. 889.  
A/C 350.1

9926  
EASEMENT AND RIGHT OF WAY VOL. 1666 PAGE 533

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

County of HIDALGO

That CITRUS CITY LAKE DEVELOPMENT CORPORATION

\_\_\_\_\_ "Grantor", whether one or more, for and  
in consideration of Ten Dollars (\$10.00) and other good and valuable consideration,

~~XXXXXXXXXXXXXXXXXXXX~~ to Grantor in-hand paid by Central Power and Light Company, a Texas corporation, "Grantee", the receipt and sufficiency of which is hereby acknowledged and confessed, has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto Grantee, its successors and assigns, an easement and right of way for electric transmission lines, consisting of poles or towers made of wood, metal, or other materials, wires, circuits, static wires, communications circuits, crossarms, insulators, guys, and all necessary or desirable appurtenances,

over, across, and upon the following described lands located in HIDALGO County, Texas, to wit:

See Exhibit "A" attached hereto

Together with the right of ingress and egress over, across, and upon said land and Grantor's adjacent land for the purpose of constructing, operating, reconstructing on poles or metal towers, enlarging, inspecting, patrolling, repairing, maintaining, and removing said lines, circuits, poles, metal towers, wires, and appurtenances; the right to relocate along the same general direction of said lines; and the right to remove from said lands all trees and parts thereof, or other obstructions, which endanger or may interfere with the safety or efficiency of said lines or appurtenances.

Grantor and Grantor's successors, assigns, agents, licensees, heirs and legal representatives, shall not have the right to cause or permit any obstruction except fences to be placed or constructed within said easement area without the express written consent of Grantee.

In addition to the consideration hereinabove provided, Grantee shall pay Grantor for all damage to Grantor's growing crops, furrows and fences done in connection with constructing, inspecting, maintaining, repairing, reconstructing, and removing said lines on said land.

TO HAVE AND TO HOLD the above described easement and rights unto the Grantee, its successors and assigns, until all of said lines shall be abandoned and removed. Grantor binds himself, his heirs, assigns, and legal representatives to warrant and forever defend all and singular the above described easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 18th day of January, 1980.  
CITRUS CITY LAKE DEVELOPMENT CORPORATION

By Curtis C. Davis  
Curtis C. Davis, President

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

INDIVIDUAL ACKNOWLEDGEMENT

THE STATE OF TEXAS

County of \_\_\_\_\_

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

known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that (s)he/they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Notary Public in and for \_\_\_\_\_ County, Texas

HUSBAND AND WIFE ACKNOWLEDGEMENT

THE STATE OF TEXAS

County of \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_ husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Notary Public in and for \_\_\_\_\_ County, Texas

ACKNOWLEDGEMENT FOR CORPORATIONS, PARTNERSHIPS, ASSOCIATIONS, ETC.

THE STATE OF TEXAS

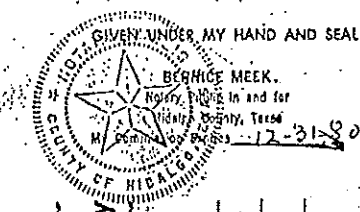
County of Hidalgo

BEFORE ME, the undersigned authority, on this day personally appeared Curtis C. Davis

President of Citrus City Lake Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for and as the act and deed of Citrus City Lake Development Corporation and as President thereof, and for the purposes and consideration therein stated. (Title)

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 19th day of January, 1980

Bernice Meeks  
Notary Public in and for Hidalgo County, Texas



Easement and Right of Way

From \_\_\_\_\_  
To \_\_\_\_\_  
CENTRAL POWER AND LIGHT COMPANY

THE STATE OF TEXAS  
County of \_\_\_\_\_

I, \_\_\_\_\_ County Clerk in and for said County, hereby certify that the within Conveyance was filed in my office for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M, and duly recorded by me on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ in Book \_\_\_\_\_ Records of Deeds of said County, at page \_\_\_\_\_ Given under my hand and seal of office the day and date last above written.  
County Clerk \_\_\_\_\_ County, Texas  
Deputy \_\_\_\_\_

EXHIBIT "A"

BEING the North one-half ( $N\frac{1}{2}$ ) of Lot 21, and all of Lots 22 and 23 of Ramseyer Gardens of a part of the Retama Tract of Tract 161 of the San Salvador del Tule Grant, Hidalgo County, Texas; all as shown on map or plat thereof recorded in Volume 9, at page 16 of the Map Records of Hidalgo County, Texas; and being a portion of the lands described in deed conveyed to Citrus City Lake Development Corporation by the Texas Citrus Development Corporation, under file #18350, dated March 8, 1977, recorded in Volume 1534, at Page 330 of the Deed Records of Hidalgo County, Texas.

The right of way is 150 feet in width, being 75 feet on each side of the following described reference line, to wit:

ENTERING at a point in the North boundary line of the above described property, same being the North boundary line of Lot 23 and the South boundary line of Lot 24 of the Ramseyer Gardens Subdivision; and whose Texas grid coordinates are  $X = 2,102,564.93$  and  $Y = 252,322.92$ ; said point bears South  $80^{\circ} 45' 40''$  East a distance of 347.2 feet from the Northwest corner of the above described property, same being the Northwest corner of Lot 23 and the Southwest corner of Lot 24 of the Ramseyer Gardens Subdivision.

THENCE South  $08^{\circ} 37' 35''$  West a distance of 743.3 feet to a point in the South boundary line of the above described property;  $X = 2,102,453.44$  and  $Y = 251,588.00$ ; said point bears South  $80^{\circ} 38' 57''$  East a distance of 358.3 feet from the Southwest corner of the above described property, located in the West boundary line of Lot 21 of the Ramseyer Gardens Subdivision.

NOTE: All bearings and coordinates referred to herein are based on the Texas Plane Coordinate System, South Zone.

9926

FILED FOR RECORD THIS DATE  
At 8:15 o'clock PM

MAR 27 1980

by *[Signature]*  
SABERS SALLDANA  
Clerk of Superior Court  
County of Santa Clara  
District

*Draft*  
*Central Power & Light*  
*P.O. Box 2121*  
*Corporate Center, 2178403*



# PLANNING DEPARTMENT

Rev. 02-19-10

## County of Hidalgo

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

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

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

Precinct 1 2 3 ④

T.J. Arredondo  
Director of Planning

Application No: 4-14289  
3-30-15

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

Upon the application of:

Name: Monica Avitia

Address: 6323<sup>rd</sup> Sunrise Circle  
Edinburg TX  
78542

Phone: 956-270 2802

Approved by Environmental Health:	Temporary Service	Final Service
<u>[Signature]</u> Authorized Signature	<u>[Signature]</u> Authorized Signature	<u>[Signature]</u> Authorized Signature
Inspection/Permit No: <u>[Signature]</u>		
Date Approved: _____	<u>1 / 1</u>	<u>1 / 1</u>

Water Supplier: North Alamo water

Utility Provider:  M.V.E.C.  AEP

Account/ESI No.: 293177-002

Temporary Pole  Permanent Service

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

Tex-Mex survey • Lot 7 sec 267

Texas Mexican Railway Survey

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

and who has submitted to the court an affidavit as required by Local Govt. Code Sec. 232.029 (f), on Edinburg TX 1/30/2015, the Hidalgo County Commissioners Court approved the issuance of this certificate stating as follows (strike through the statement that does not apply)

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

-OR-

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

[Signature]  
Planning Department Authorized Signature

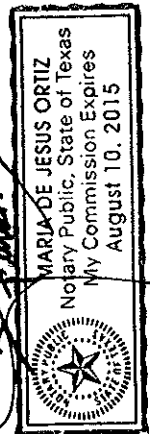
\_\_\_\_\_  
Hidalgo County Judge

\_\_\_\_\_  
Date

ATTEST:

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

\_\_\_\_\_  
Date





PLANNING DEPARTMENT
County of Hidalgo

Rev. 02-19-10

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

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

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

Precinct 1 2 3 4

T.J. Arredondo
Director of Planning

Application No: 4-14289

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

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

THE STATE OF TEXAS §
COUNTY OF HIDALGO §

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

MONICA AVITIA

Known to me [or proved to me in the oath of Monica Avitia or through
12988556 (description of federal or state government ID card with photograph and signature)],
who swore on oath that the following two statements are true:

1. "I am requesting utility service to the following described land:

Tex-Mex survey Lot 7 Sec 267 & "

Texas Mexican Railway
Survey

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

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

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

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

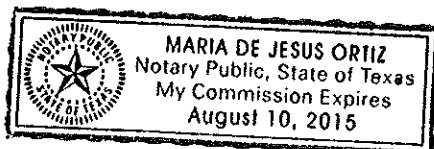
-OR-

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

Monica Avitia (Signature)

SUBSCRIBED AND SWORN TO before me on March 31, 2015, to certify which, witnesses my hand and seal of office.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



# Chapter 232 Texas LGC Application

APPLICATION NO:  
4-14289  
Mar. 30, 2015

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

T2100-00-267-0007-00

[ 1 ] OWNER: AVITIA MIGUEL A.

6323 EAST SUNRISE CIRCLE  
EDINBURG, TEXAS 78542

Telephone No. 270-2802

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
TEX-MEX SURVEY E77.52'-W594.27  
N561.96' LOT 7 SEC 267 1.0AC G  
0.95AC NET

LOCATION: 0 TOWER & RICHARDSON

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: PUBLI

[ 3 ] WATER SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: BLOC

[ 4 ] PURPOSE OF APPLICATION: NEW RESIDENCE  
01- RESIDENTIAL NEW SINGLE DWELLING

[10] EST. COST OF CONST.: \$50,000

[ 5 ] SIZE OF STRUCTURE: 2,436 Sq. Ft.

[11] SPECIAL FLOOD HAZARD AREA:      YES  
     NO

[ 6 ] USE OF BUILDING: RES ZONE-01

**Special Conditions: No construction allowed over any easements.**  
MUST COMPLY WITH ALL COUNTY SETBACKS & REGULATIONS  
FRONT:60' REAR:15' SIDES:6'

### FOR COUNTY USE ONLY APPLICATION FEES

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

Julio Ruiz \_\_\_\_\_  
Prepared by Date 3/30/15

Light [X] Water [X]

Erwin Ceballos \_\_\_\_\_  
Approved by Date 3/9/15

Flood Zone: NO 480334 Pct: 4  
Panel No. /Suffix: \_\_\_\_\_

Community No.: 0325 D

Certification of Elevation  
Required:      YES      NO      BFE

X Monica Austin \_\_\_\_\_  
Signature of Owner or Applicant Date 3-30-15

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

### [ NOTICE ]

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

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

CHARGE TO: VLTC  
GF#138637

XO/ct  
14-116

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

**WARRANTY DEED**

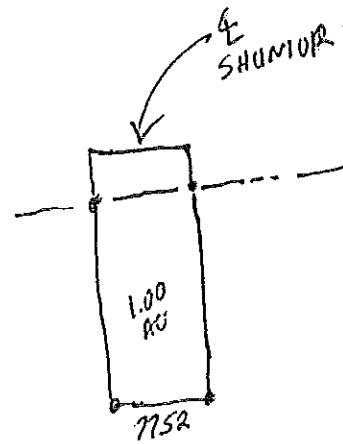
Date: July 9, 2014

Grantor: SARA L. SALINAS, a widow

Grantor's Mailing Address: 2602 Encino Court  
Edinburg, Texas 78539  
Hidalgo County

Grantees: MIGUEL A. AVITIA and wife, MONICA E. AVITIA

Grantees' Mailing Address: 6323 East Sunrise Circle  
Edinburg, Texas 78542  
Hidalgo County



Consideration: Ten Dollars (\$10.00) and other good and valuable consideration.

**Property (including any improvements):**

A 1.00 acre tract of land out of Lot 7, Section 267, TEXAS-MEXICAN RAILWAY COMPANY SURVEY OF LANDS in Hidalgo County, Texas, according to the map recorded in Volume 1, Page 20, of the Plat Records of Hidalgo County, Texas, said 1.00 acre tract being out of that certain property conveyed to Erasmo and Elvira Salinas by Deed recorded in Volume 1125, Page 377, Deed Records of Hidalgo County, Texas, said 1.00 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a point for the Northwest corner of the herein described tract, said point of beginning also being the Northwest corner of the aforementioned Erasmo and Elvira Salinas property;

THENCE along the North line of this tract and the North line of Lot 7, Section 267, Texas-Mexican Railway Company Survey, South 80 degrees 58 minutes East, 77.52 feet to a point for the Northeast corner;

THENCE along the East line of this tract, South 9 degrees 01 minutes West, at 30.00 feet passing 1/2 inch iron rod set on the South R.O.W. line of Schunior Street (F.M. 2128), a total distance of 561.94 feet to a 1/2 inch iron rod set for the Southeast corner, said rod being on the South line of the Erasmo and Elvira Salinas property;

THENCE along the South line of the said Erasmo and Elvira Salinas property, North 80 degrees 58 minutes 48 seconds West, 77.52 feet to a 1/2 inch iron pipe found for the Southwest corner of this tract and the said Salinas property;

THENCE along the West line of the Erasmo and Elvira Salinas property, North 9 degrees 01 minutes East, at 3.92 feet passing a 1/2 inch iron rod found and at 531.96 feet passing a 1/2 inch iron rod set as a reference point 1.00 feet North of the South R.O.W. line of the Schunior Street (F.M. 2128), a total distance of 561.96 feet to the original point of beginning.

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

- a. Statutory easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 1.
- b. Roads, easements and reservations as shown on the map and dedication of Texas-Mexican Railway Company Survey, recorded in Volume 1, Page 20, Map Records of Hidalgo County, Texas.

- c. Right of way easement in favor of North Alamo Water Supply Corporation as shown by instrument dated April 21, 1978, recorded in Volume 1602, Page 755, Deed Records of Hidalgo County, Texas.
- d. Right of way easement in favor of North Alamo Water Supply Corporation as shown by instrument dated March 11, 1986, recorded in Volume 2264, Page 242, Official Records of Hidalgo County, Texas.
- e. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated September 5, 1952, recorded in Volume 133, Page 36, Oil and Gas Records of Hidalgo County, Texas.
- f. Mineral and/or royalty reservation contained in deed dated April 27, 1946, recorded in Volume 67, Page 203, Oil and Gas Records; dated August 21, 1959, recorded in Volume 956, Page 116 and dated August 19, 1965, recorded in Volume 1125, Page 377, Deed Records of Hidalgo County, Texas.
- g. Subject to the subdivision regulations of the County of Hidalgo and/or Ordinances or governmental regulation of the City in which the property may be located or holding extra-territorial jurisdiction of said property.
- h. Visible and apparent easements on or across the property herein described.

Grantor, for the consideration and subject to the reservations from conveyance and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee all of Grantor's interest in the property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the reservations from conveyance and exceptions to conveyance and warranty.

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



SARA L. SALINAS, a widow

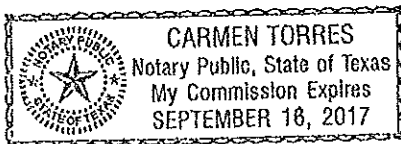
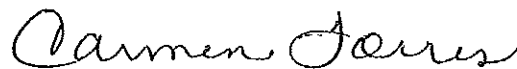
{Certificate of Acknowledgment}

STATE OF TEXAS \*

COUNTY OF HIDALGO \*

Before me, a notary public in and for the state of Texas, on this day personally appeared SARA L. SALINAS, a widow, who proved to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 9th day of July, 2014.

Notary Public, State of Texas

PREPARED IN THE LAW OFFICE OF:  
 PRESTIA & ORNELAS  
 P. O. Box 876  
 Edinburg, Texas 78540-0876  
 (956) 383-6251

# THE CITY OF EDINBURG

## PLANNING & ZONING DEPARTMENT CERTIFICATE OF COMPLIANCE

No: 2014-05-02

Date: May 2, 2014

NAME OF PROPERTY OWNER: Erasmus Salinas, Sr and Wife Elvira P. Salinas

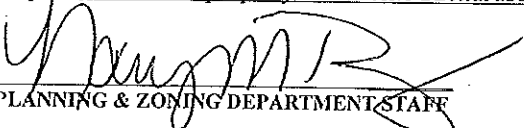
LEGAL DESCRIPTION OF PROPERTY: 1.00 acre gross -.05 ac road total 0.95 ac net Texas Mexican Railway Company Section 267

LOCATION OF PROPERTY: 1,690 feet west of Tower Road on the South side of Richardson Road  
The property described herein or in the attached legal description is in compliance with the City's Subdivision Regulations. Permits may be issued for the construction of residential and non-residential building(s). Utility services may be extended to the property to the by the public utilities holding a certificate of convenience and necessity in such area. Compliance with the City of Edinburg's Subdivision Regulations is based on: (mark appropriate line)

- (a) The property was subdivided prior to it being in the City's extraterritorial jurisdiction;
- (b) The property was subdivided as a result of a family partition;
- (c) Where the last recorded conveyance of such lot or tract prior to March 9, 1987 was by metes and bounds;
- (d) Where a building was in existence on said lot prior to March 9, 1987; or where such subdivision, whether by recorded plat or by actual occupancy and use was in existence prior to March 9, 1987.
- (e) The property was subdivided after March 9, 1987 and the property owner has complied with the City's Subdivision Ordinance.
- (f) Where such division of land is used for agricultural purposes in parcels or tracts of 5 acres or more and not involving any new street, alley, or easement of access.

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

COMMENTS: This property is located outside the City of Edinburg. The City is authorizes the connection of water services through North Alamo Water Supply. The owner is aware that only one (1) single family dwelling is allowed on the lot in question. Any further division of the property for any purpose will be subject to compliance with the City's and County's review Requirements. This property fronts onto Richardson Road AKA Schunior Road (FM 2128).

  
PLANNING & ZONING DEPARTMENT STAFF

5-2-14  
Date



415 West University Drive • P. O. Box 1079 • Edinburg, Tx. 78540  
Phone (956) 388-8202 • Fax (956) 292-2080

