





# PLANNING DEPARTMENT

Rev. 06-03-15

## 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

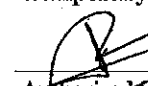
T.J. Arredondo, CFM  
Director of Planning

Application No: 4-14870

### HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

WE THE UNDERSIGNED CERTIFY AS FOLLOWS:

Upon the application of:

Approved by Environmental Health:	Temporary Service 	Final Service
Name: <u>Guzman Construction</u>	Authorized Signature	Authorized Signature
Inspection/Permit No:	<u>TEMP</u>	
Date Approved:	<u>9/30/15</u>	<u>/ /</u>

Address: ~~802 E Cypressway 83 Suite 101~~  
Edinburg, TX 78542

Water Supplier: City of Edinburg

20409 Buckfawn Dr.

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

Phone: 956-451-0933

Account/ESI No.: N/A  
 Temporary Pole  Permanent Service

regarding the land described as:

Los Venados PH 5 10#534.

on \_\_\_\_\_, 20\_\_\_\_, the Hidalgo County Commissioners Court, at a meeting duly called and noticed in accordance with the Texas Open Meetings Act, made the following determinations regarding plat and utility status of the land herein described pursuant to Texas Local Government Code Section 232,028(b):

Fill in "yes" or "no" in each blank

- yes A plat has been prepared; (Date approved 4/8/05);
- yes A plat has been reviewed and approved by the Commissioners Court; (verified by [Signature]);
- yes water service facilities have been constructed or installed to service the subdivision under Local Government Code Section 232.023 and are fully operable; (verified by [Signature]);
- no an organized sewage collection and treatment system is to be used, and under sewer service facilities have been constructed or installed to service the subdivision under Section 232.023 and are fully operable; (verified by [Signature]);
- yes individual septic systems are to be used, and lots in the subdivision can be adequately and legally served by septic systems under Section 232.023; (verified by [Signature]);
- yes electrical and gas facilities, if available, have been constructed or installed to service the subdivision under Section 232.023. (verified by [Signature]);

Planning Department Authorized Signature

Hidalgo County Judge

Date

ATTEST:

Hidalgo County Clerk

Date



# PLANNING DEPARTMENT

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956-205-7049

T.J. Arredondo, CFM  
Director of Planning

Precinct 1 2 3 4

Application No: 4-14870

### REQUEST FOR HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

In my status and for the land indicated below, which is located outside of any municipality, I request that the Hidalgo County Commissioners Court make the determinations regarding plat and utility status described in Texas Local Government Code § 232.028(b) and issue a certificate of such determinations:

#### PARTY MAKING REQUEST:

Name: Guzman Construction  
20409 Buckhorn Dr.  
Address: ~~802 E Exp 83 Suite G~~  
Away 7 78577 Edinburg, TX 78542  
Phone: 956 452-0933

IDENTIFICATION OF LAND (e.g., lot and block number of recorded subdivision, designation on plat, address, description in deed, etc.):

Los Venados PH-5 lot # 534

#### STATUS OF PERSON OR ENTITY MAKING REQUEST:

- Subdivider
- Owner of lot in subdivision
- Resident of lot in a subdivision
- Entity that provides utility service

[Signature]  
Requesting Party (Signature)

09/30/15  
Date

#### ATTACHED COPY OF VERIFICATION OF OWNERSHIP OR RESIDENCY OF LOT:

- Deed
- Executory Contract
- Lease
- Rent Receipt
- Affidavit
- Other (describe) Permit copy

.....  
This part to be filled out by receiving county official:

Location of land verified and completed request accepted by Hidalgo County for processing on:

10/7/15  
Date

[Signature]  
County Official

# Chapter 232 Texas LGC Application

APPLICATION NO:  
4-14870  
Sep. 29, 2015

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

L6446-05-000-0534-00

[ 1 ] OWNER: GUZMAN CONSTRUCTION, LLC\*

2003 S. DANA DRIVE  
PHARR, TX 78577

Telephone No.

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
LOS VENADOS PH. 5 LOT-534

LOCATION: 0 281 & 186

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: INSTA

[ 3 ] WATER SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: OTHE

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

[ 10 ] EST. COST OF CONST.: \$110,000

[ 5 ] SIZE OF STRUCTURE: 2,766 Sq. Ft.

[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

[ 6 ] USE OF BUILDING: RESD. ZONE-C

### Special Conditions: No construction allowed over any easements.

MUST COMPLY WITH ALL COUNTY SETBACKS & REGULATIONS  
FRONT:100' BACK:15' SIDES:20'  
MINIMUM ELEV. 18" ABOVE CENTER LINE OF STREET

### FOR COUNTY USE ONLY APPLICATION FEES

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

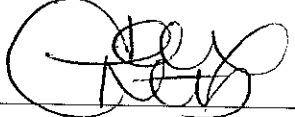
Light [X] Water [X]


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

Community No.: 0225B

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.

  
Prepared by \_\_\_\_\_ Date 9/29/15

  
Approved by \_\_\_\_\_ Date 9/22/15

  
Signature of Owner or Applicant \_\_\_\_\_ Date 09/29/15

### [ 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**

# WARRANTY DEED

Date: August 31, 2015

Grantor(s): Joel Davila, joined herein by my wife, Rocio Davila

Grantor's Mailing Address:

14700 Davis Rd.  
Edcouch, Texas 78538  
Hidalgo County

This is to certified that  
this is a true and correct  
copy of the original hereof

*S/A.C. Garcia / Blanca Oro*  
A C GARCIA

Grantee(s): Guzman Construction, L.L.C., a Texas Limited Liability Company

Grantee's Mailing Address:

2003 S. Dana Drive  
Pharr, Texas 78577  
Hidalgo County

Consideration:

For the consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvement, if any):

All of Lot 534, LOS VENADOS SUBDIVISION PHASE V, Hidalgo County, Texas, according to the amended map recorded in Volume 47, Pages 130-140, Map Records in the Office of the County Clerk of Hidalgo County, Texas, reference to which is here made for all purposes.

Reservations from and Exception to Conveyance and Warranty:

Restrictive covenants of record dated July 11, 2003, filed July 11, 2003, under Document Number 1220191; dated July 15, 2003, Filed August 6, 2003 under Document Number 1229132; dated October 1, 2003, filed October 10, 2003 under Document Number 1253996; dated April 22, 2004, filed April 23, 2004 under Document Number 1326322; dated June 22, 2004, filed June 22, 2004, under Document Number 1349572; dated November 17, 2004, filed November 17, 2004 under Document Number 1405101 and dated April 26, 2005, filed April 28, 2005 under Document Number 1464510, all in the Official Records and Volume 47, Page 130-140, Map Records of Hidalgo County, Texas, but omitting any covenant or restriction


based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

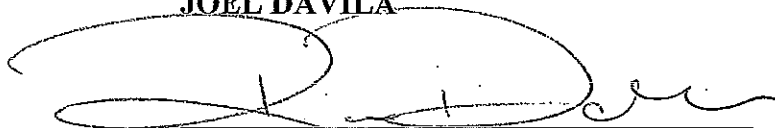
- A. Annual maintenance charge and/or current assessments as set forth in instrument dated July 11, 2003, filed July 11, 2003, under Document 1220191; dated October 1, 2003, filed October 10, 2003 under Document Number 1253996; dated April 22, 2004, filed April 23, 2004 under Document Number 1326322 and dated April 26, 2005, filed April 28, 2005 under Document Number 1464510, Official Records, Hidalgo County, Texas.
- B. Minimum floor elevations, setback lines, easements and restrictions as shown on the amended Map of Los Venados Subdivision Phase V, recorded in Volume 47, Pages 130-140, Map Records of Hidalgo County, Texas.
- C. Right of way easement in favor of The State of Texas as shown by instrument recorded in Volume 783, Page 183, Deed Records of Hidalgo County, Texas.
- D. Easement in favor of Southwestern Bell telephone Co. as shown by instrument recorded in Volume 400, Page 632; Volume 785, Page 568 and 569; and Volume 1072, Page 349, Deed Records of Hidalgo County, Texas.
- E. Right of way easement in favor of Tennessee Gas Transmission Co. as shown by instrument recorded in Volume 612, Page 534 and Volume 619, Page 164, Deed Records of Hidalgo County, Texas.
- F. Right of way easement in favor of Humble Oil and Refining Company as shown by instrument recorded in Volume 1019, Page 38, 39 and 40, Deed Records of Hidalgo County, Texas.
- G. Gas Line as shown on survey plat dated October 30, 2002, prepared by Melden & Hunt, Inc., under Job No. 02010.12 as disclosed by instrument dated November 12, 2002, filed November 21, 2002 under Document Number 1142561, Official Records of Hidalgo County, Texas.
- H. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated September 26, 1933, recorded in Volume 1, Page 122 and Volume 180, Page 268, both in the Oil and Gas Records of Hidalgo County, Texas.  
Reference to which instrument is here made for particulars.
- I. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated November 17, 2005, filed February 8, 2006 under Document Number 2006-1576041; dated February 1, 2006, filed March 9, 2006 under Document Number 2006-1587827; filed April 13, 2006 under Document Number 2006-1602909; filed April 21, 2006 under Document Number 2006-1605424, 2006-1605425, 2006 1605426; filed April 24, 2006 under Document Number 2006-1605952; filed May 3, 2006 under Document Number 2006-1611001; filed July 21,

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 the 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. Grantee 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. Grantee takes 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.

  
\_\_\_\_\_  
JOEL DAVILA

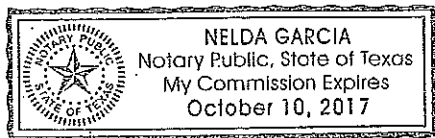
  
\_\_\_\_\_  
ROCIO DAVILA


\*\*\*\*\*

(Acknowledgment)

STATE OF TEXAS  
COUNTY OF HIDALGO

This instrument was acknowledged before me on the 2nd day of September,  
2015, by Joel Davila and wife, Rocio Davila.



  
\_\_\_\_\_  
Notary Public, State of Texas

\*\*\*\*\*

Prepared In The Law Office of:  
A. C. Garcia, Attorney  
125 E. Caffery Ave.  
P. O. Box 630  
Pharr, Texas 78577



# PLANNING DEPARTMENT

## County of Hidalgo

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Mission, TX 78572  
956-205-7045  
956-205-7049

T.J. Arredondo, CFM  
Director of Planning

Precinct 1 2 3 4

Application No: 4-14854

### HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

WE THE UNDERSIGNED CERTIFY AS FOLLOWS:

Upon the application of:

Name: Jesus Montalvo

Address: 2814 E Ramseyer  
Edinburg TX 78542

Phone: (956) 900-66-50

Approved by Environmental Health:	Temporary Service	Final Service
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
Inspection/Permit No:	Authorized Signature	Authorized Signature
Date Approved:	<u>1 1</u>	<u>9 12 3 1 1 5</u>

Water Supplier: N. Galamo

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

Account/ESI No.: N/A 299359-001  
 Temporary Pole  Permanent Service

regarding the land described as: Barbara Village lot #19

on \_\_\_\_\_, 20\_\_\_\_, the Hidalgo County Commissioners Court, at a meeting duly called and noticed in accordance with the Texas Open Meetings Act, made the following determinations regarding plat and utility status of the land herein described pursuant to Texas Local Government Code Section 232,028(b):

Fill in "yes" or "no" in each blank

- yes A plat has been prepared;
- yes A plat has been reviewed and approved by the Commissioners Court;
- yes water service facilities have been constructed or installed to service the subdivision under Local Government Code Section 232.023 and are fully operable;
- NO an organized sewage collection and treatment system is to be used, and under sewer service facilities have been constructed or installed to service the subdivision under Section 232.023 and are fully operable;
- yes individual septic systems are to be used, and lots in the subdivision can be adequately and legally served by septic systems under Section 232.023;
- yes electrical and gas facilities, if available, have been constructed or installed to service the subdivision under Section 232.023.

Rodolfo Rio  
Rodolfo Rio  
(Date approved 3-22-05);

Rodolfo Rio  
Rodolfo Rio);  
(verified by

Chando Remy);  
(verified by

Chando Remy);  
(verified by Rodolfo Rio);  
Rodolfo Rio);

Planning Department Authorized Signature

Hidalgo County Judge

Date

ATTEST:

Hidalgo County Clerk

Date



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T.J. Arredondo, CFM  
Director of Planning

Precinct 1 2 3 4

Application No:

4-14854

### REQUEST FOR HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

In my status and for the land indicated below, which is located outside of any municipality, I request that the Hidalgo County Commissioners Court make the determinations regarding plat and utility status described in Texas Local Government Code § 232.028(b) and issue a certificate of such determinations:

#### PARTY MAKING REQUEST:

Name: Jesus Montalvo

Address: 2814 E Ramseyer  
Edinburg TX 7854

Phone: (956) 900-6650

IDENTIFICATION OF LAND (e.g., lot and block number of recorded subdivision, designation on plat, address, description in deed, etc.):

Sub-Workshop Village Lots # 19

#### STATUS OF PERSON OR ENTITY MAKING REQUEST:

- Subdivider
- Owner of lot in subdivision
- Resident of lot in a subdivision
- Entity that provides utility service

Jesus Montalvo  
Requesting Party (Signature)

9/23/15  
Date

#### ATTACHED COPY OF VERIFICATION OF OWNERSHIP OR RESIDENCY OF LOT:

- Deed
- Executory Contract
- Lease
- Rent Receipt
- Affidavit
- Other (describe) copy of permit

.....  
This part to be filled out by receiving county official:

Location of land verified and completed request accepted by Hidalgo County for processing on:

9/23/15  
Date

[Signature]  
County Official

Chapter 232 Texas LGC Application

APPLICATION NO:

4-14854

Sep. 22, 2015

COUNTY OF HIDALGO  
PLANNING DEPARTMENT

1304 S. 25th Ave EDINBURG TX 78539  
TEL 318-2840 FAX 318-2844

B1595-00-000-0019-00

[ 1 ] OWNER: MONTALVO, JESUS

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
BARBARA VILLAGE LOT-19

2814 E RAMSEYER  
EDINBURG, TX 78542

Telephone No. 900-6650

LOCATION: 0 PINKSTON & TERRY

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: EXIST

[ 3 ] WATER SYSTEM: N AL

[ 9 ] CONSTRUCTION TYPE: WOOD

[ 4 ] PURPOSE OF APPLICATION: MOVED BUILDING  
44- MOBILE HOMES

[ 10 ] EST. COST OF CONST.: \$3,500

[ 5 ] SIZE OF STRUCTURE: 1,140 Sq. Ft.

[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

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

Special Conditions: No construction allowed over any easements.

MUST COMPLY WITH ALL COUNTY SETBACKS & REGULATIONS

FRONT:25' BACK:40' SIDES:6'

MINIMUM ELEV. 18" ABOVE THE STREET

FOR COUNTY USE ONLY  
APPLICATION FEES

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

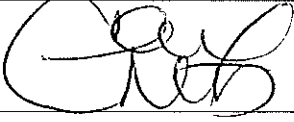
Light [X] Water [X]

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

Community No.: 0325 D

Certification of Elevation  
Required: YES  NO  BFE

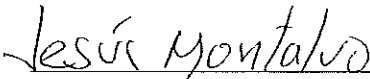
- A. Setbacks front, side & rear shall be in any deed restrictions.
- B. No more than one single family residence per lot.
- C. Applicant shall comply with all of the plat and/or deed restrictions and requirements affecting the lot.
- D. Permit fee shall be doubled for construction commencing or structures 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.

  
Prepared by

9/22/15  
Date

  
Approved by

9/22/15  
Date

  
Signature of Owner or Applicant

9/22/15  
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.

12.00  
1468986  
**SPECIAL WARRANTY DEED WITH VENDOR'S LIEN**

**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.**

Date: April 13, 2005

Grantor: Texas State Bank as Custodian of the Richard Ruppert IRA & Carroll W. Ruppert IRA  
Grantor's Mailing Address:  
P.O. Box 959  
Edinburg, Texas 78540-0959

Grantee: JESUS C. MONTALVO

Grantee's Phone Number: (956) 287-9381  
Grantee's Mailing Address (including county):  
2724 E. RAMSEYER  
Edinburg, Texas 78541  
Hidalgo County, Texas

Consideration: Ten Dollars and other valuable consideration paid by Grantee to Grantor, the receipt of which is hereby acknowledged, and the further consideration of a note of even date that is in the principal amount of Fifteen Thousand Five Hundred Dollars and No Cents (\$15,500.00), and is executed by Grantee, payable to the order of Grantor (the "Purchase Note"). The Purchase Note is secured by a vendor's lien retained in this deed and by a deed of trust of even date to Carroll A. Whiteford, Trustee.

Property (including any improvements):

Lot(s) 19, Barbara Village Subdivision, as shown by the map or plat thereof recorded in Volume 47, Pages 106-107, Map Records, Hidalgo County, Texas

Reservations from and Exceptions to Conveyance and Warranty:

1. Visible and apparent easements on or across the subject property;
2. Rights of parties in possession;
3. Easements, rights-of-way, and prescriptive rights, whether of record or not;
4. All recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property;
5. Rights of adjoining owners in any walls and fences situated on a common boundary;
6. Any discrepancies, conflicts, or shortages an area or boundary lines;
7. Any encroachments or overlapping of improvements;
8. All rights, obligations, and other matters emanating from and existing by reason of the creation, establishment, maintenance, and operation of any Water Improvement District, Irrigation District, or other applicable governmental district, agency, or authority;

- Taxes for the current year and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership;
10. The prior reservation or conveyance of all oil, gas, and other minerals previously reserved or conveyed by any parties having the right to do so;
  11. All Easements, restrictions, set back lines, drainage swale requirements, and other matters shown on the plat of Barbara Village Subdivision, as shown on the plat thereof, recorded in Volume 47, Pages 106-107, Map records of Hidalgo County, Texas; and
  12. Subdivision Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas affecting the subject property.

**SAVE AND EXCEPT**, and there is hereby reserved unto Grantor, Grantor's successors and assigns, all oil, gas, and other minerals in, on, or under, or that may be produced from the Property, together with the right of ingress and egress at all times for the purpose of mining, drilling, exploring, operating, and developing said Property for oil, gas, and/or other minerals and removing the same therefrom.

**SAVE AND EXCEPT**, and there is hereby reserved unto Grantor, Grantor's successors and assigns, (to the fullest extent permitted by law) all water rights and rights to water (whether riparian, appropriative or otherwise) presently appended or annexed to said property.

If the Property is subject to an existing Lease for oil and gas, or oil, gas and other minerals, Grantor is entitled to receive the royalties and other benefits that are associated with the Property and payable under the Lease.

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 and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or 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, except as to the reservations from and exceptions to warranty, when the claim is by, through, or under Grantor, but not otherwise.

By the acceptance of this Deed, Grantee is taking the Property "as is", "where is" and "with all faults", and without any representations or warranties whatsoever, express or implied, written or oral, it being the intention of Grantor and Grantee to expressly negate and exclude all representations and warranties, including, but not limited to (i) the physical condition of the property or any element thereof, including, without limitation, warranties related to suitability for habitation, merchantability or fitness for a particular purpose; (ii) the nature or quality of construction, structural design and engineering of any improvements; (iii) the quality of the labor and materials included in any improvements; (iv) the soil conditions; drainage or other conditions existing at the property with respect to any particular purpose, developmental potential or otherwise; (v) all warranties created by any affirmation of fact or promise or by any description of the property; and (vi) all other warranties and representations whatsoever, except the warranty of title expressly set forth herein.

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

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

Texas State Bank as Custodian of the Richard W. Ruppert IRA & Carroll W. Ruppert IRA

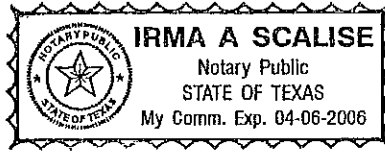
BY: [Signature]  
Lee Baucum, V.P. T.O.

(Acknowledgment)

State of Texas  
County of Hidalgo

This instrument was acknowledged before me on the 2nd day of ~~April~~ <sup>May</sup>, 2005, by Lee Baucum, V.P. T.O. of Texas State Bank in its capacity as Custodian of the Richard W. Ruppert IRA & Carroll W. Ruppert IRA.

[Signature]  
Notary Public, State of Texas



AFTER RECORDING RETURN TO:

Software by ReMerge-It, LLC  
(956) 630-9401  
Sales@ReMerge-It.com

Texas State Bank as Custodian of the  
Richard Ruppert IRA & Carroll W.  
Ruppert IRA  
P.O. Box 959  
Edinburg, Texas 78540-0959

Filed for Record in:  
Hidalgo County  
by J. D. Salinas, III  
County Clerk  
On: May 09, 2005 at 10:13A  
As a Recording  
Document Number: 1468986  
Total Fees: 18.00  
Receipt Number - 573706  
By Imelda Leal, Deputy