

PLANNING DEPT. PCTS 2 & 4 CERTIFICATE OF PLAT & UTILITY STATUS		
	APPLICANT	APPLICATION NO.
1.	Hector Franco dba Camino Real Builders	4-14849
	COMM. COURT: November 17, 2015	



# 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: 4-14849

### 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: Melchor Franco

Address: 4116 Nighshade  
McAllen TX

Phone: 956-239-16-18

Approved by Environmental Health:	Temporary Service Authorized Signature	Final Service <u>Chardo P...</u> Authorized Signature
Inspection/Permit No:		<u>Sewer</u>
Date Approved:	<u>1 1</u>	<u>11 16 15</u>

Water Supplier: SND by land water supply

Utility Provider:  M.V.E.C.     AEP

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

regarding the land described as: La Puerta Lot # 33

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;
- yes 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;
- no 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.

(Date approved 8/10/15);  
 (verified by [Signature]);  
 (verified by Chardo P...);  
 (verified by Chardo P...);  
 (verified by [Signature]);

\_\_\_\_\_  
Planning Department Authorized Signature

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

\_\_\_\_\_  
Date

ATTEST:

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

\_\_\_\_\_  
Date



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### 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: Carino Deal Builders

Address: 4116 N. High Stada  
Mealler Tx 78504

Phone: 956 239-16-18

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

lot 33 La Pasa sub

#### 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)

10/06/15  
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:

11/12/15  
Date

[Signature]  
County Official

Chapter 232 Texas LGC Application

APPLICATION NO:  
4-14849  
Sep. 21, 2015

13705  
N 133 st

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

L1770-01-000-0033-00

[ 1 ] OWNER: CAMINO REAL BUILDERS  
  
4116 NIGHTSHADE AVE  
MCALLEN, TX 78504  
Telephone No. 992-9505

[ 7 ] LEGAL DESC./NAME OF SUBDIVISION  
LA PUERTA LOT#33

LOCATION: 0 17ML & ROOTH

[ 2 ] CONTRACTOR: SELF

[ 8 ] SEWAGE: PUBLI

[ 3 ] WATER SYSTEM: WELL

[ 9 ] CONSTRUCTION TYPE: WOOD

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

[ 10 ] EST. COST OF CONST.: \$180,000

[ 5 ] SIZE OF STRUCTURE: 2,893 Sq. Ft.

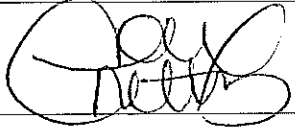
[ 11 ] SPECIAL FLOOD HAZARD AREA:  YES  
 NO

[ 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:15' SIDES:6'  
MINIMUM ELEV. 18" ABOVE THE STREET

FOR COUNTY USE ONLY  
APPLICATION FEES



Prepared by

9/21/15  
Date

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

Light [X] Water [X]

R. RIOS  
Approved by

9/17/15  
Date

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

Community No.: 0325 D

Certification of Elevation  
Required: YES  NO  BFE



Signature of Owner of Applicant

09/21/15  
Date

- 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: VITO  
139767

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE 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.

*State Bar of Texas Form*

## SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

**DATE:** September 5, 2013

**GRANTOR:** LONE STAR NATIONAL BANK

**GRANTOR'S MAILING ADDRESS** (including county): 520 E. Nolana, McAllen, Hidalgo County, Texas 78504

**GRANTEE:** ALAMO DAYS TRADE INC. DBA CAMINO REAL BUILDERS

**GRANTEE'S MAILING ADDRESS** (including county): 4116 Nightshade Ave., McAllen, Hidalgo County, Texas 78504

**CONSIDERATION:** Ten and No/100 (\$10.00) Dollars and the execution and delivery by Grantee of a certain promissory note of even date herewith in the principal amount of \$162,000.00 which have been advanced toward the purchase of the property herein described, payable to the order of LONE STAR NATIONAL BANK as therein provided, the payment of the note is additionally secured by a Deed of Trust, Security Agreement and Financing Statement of even date herewith to David Deanda, Jr., Trustee. The vendor's lien herein retained shall serve as additional security for the payment of the above described note.

**PROPERTY:** All of Lots 32, 33, 34, 35, 36, 37, 38, 39, and 40, LA PUERTA SUBDIVISION PHASE I, Hidalgo County, Texas, according to the map recorded in Volume 51, Pages 62-67, 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 EXCEPTIONS TO CONVEYANCE AND WARRANTY:

**EXHIBIT "A" ATTACHED HERETO AND MADE A PART FOR HEREOF FOR ALL PURPOSES**

Grantor, for the consideration and subject to the reservations from the 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 hereby 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 conveyance and warranty.

The property is sold as is, and with all faults. Grantor makes no representation or warranties whatsoever, either express or implied or statutory, relating to the property or any portion thereof, or its condition, including without limitations, any representation or warranty described in Exhibit "B" attached hereto and made a part hereof for all purposes.

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.

LONE STAR NATIONAL BANK has advanced and paid to Grantor in cash that portion of the purchase price of the property that is evidenced by the first lien note. In consideration of that payment, Grantor hereby retains a first and superior vendor's lien against and superior title to the property and transfers such lien to LONE STAR NATIONAL BANK without recourse.

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

LONE STAR NATIONAL BANK

BY: [Signature]  
NAME: B. David Deanda Jr.  
ITS: President

**CORPORATE ACKNOWLEDGMENT**

THE STATE OF TEXAS §  
COUNTY OF HIDALGO §

This instrument was acknowledged before me on this the 12<sup>th</sup> day of September, 2013  
by B. David Deanda Jr., President of LONE STAR  
NATIONAL BANK, a national banking association, on behalf of said association.



[Signature]  
Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**  
Mr. Michael Pavon  
Ajamo Days Trade Inc.  
4116 Nightshade Ave.  
McAllen, Texas 78501

**PREPARED IN THE OFFICE OF:**  
The Law Office of Michael J. Daley, PLLC  
1801 S. 2nd Street, Suite 370  
McAllen, Texas 78503  
113-5990

## EXHIBIT "A"

Annual maintenance charge and/or current assessments as set forth in instrument dated August 25, 2006, filed August 25, 2006 under Document Number 2006-1656038, Official Records, Hidalgo County, Texas.

Statutory easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 1.

Minimum floor elevations, setback lines, easements and restrictions as shown on the map of La Puerta Subdivision Phase I, recorded in Volume 51, Pages 62 thru 67, Map Records of Hidalgo County, Texas.

Easement and right of way in favor of Magic Valley Electric Cooperative, Inc., a Texas Corporation as shown by instrument dated July 15, 1982, recorded in Volume 1792, Page 240, Deed Records of Hidalgo County, Texas. Said easement was conveyed unto South Texas Electric Cooperative, Inc., by instrument dated July 10, 2009, filed July 14, 2009 under Document Number 2009-2016222, Official Records of Hidalgo County, Texas.

Easement and right of way in favor of Magic Valley Electric Cooperative, Inc., a Texas Corporation as shown by instrument dated July 15, 1982, recorded in Volume 1792, Page 240, Deed Records of Hidalgo County, Texas.

Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, by and between Sadie Pearl Glenn, widow of J.T. Glenn, deceased, as Lessor, and J.M. Huber Corp., as Lessee, dated March 22, 1976, recorded in Volume 358, Page 198, Oil and Gas Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars.

Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, by and between Hugh Kirkpatrick, individually and as Independent Executor of the Estate of Irene Moncrief Kirkpatrick, deceased, as Lessor, and Norman E. Graham, as Lessee, dated March 15, 1977, recorded in Volume 366, Page 283, Oil and Gas Records of Hidalgo County, Texas. Extension as shown by instrument filed September 21, 1977, recorded under Document Number 28623, Oil and Gas Records of Hidalgo County, Texas.

Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, by and between Sadie Pearl Glenn, widow of J.T. Glenn, as Lessor, and J.M. Huber Corporation, as Lessee, dated March 31, 1998, recorded in Volume 403, Page 591, Oil and Gas Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars.

Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, by and between James Thomas Glenn, Jr. and wife, Shirley Ann Glenn, as Lessor, and J.M. Huber Corporation, as Lessee, dated March 31, 1981, recorded in Volume 404, Page 342, Oil and Gas Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars.

Water Service Agreement in favor of Sharyland Water Supply Corporation as shown by instrument dated March 21, 2006, filed March 24, 2006 under Document Number 2006-1594175, Official Records of Hidalgo County, Texas.

Terms, stipulations and conditions contained in instrument executed by Hidalgo County Irrigation District No One, dated August 4, 2008, filed August 12, 2008 under Document Number 2008-1918208, Official Records of Hidalgo County, Texas.

Mineral and/or royalty reservation contained in deed dated July 3, 1984, recorded in Volume 2006, Page 448, Official Records of Hidalgo County, Texas.

Mineral and/or royalty reservation contained in deed dated November 22, 1996, filed November 25, 1996, under Document Number 564395, Official Records of Hidalgo County, Texas.

Taxes for the year 2013 and subsequent years which Grantee herein assumes and agrees to pay.

Visible and apparent easements on or across the property herein described.

Any portion of the property described herein within the limits or boundaries of any public or private roadway and/or highway.

Restrictive covenants dated August 25, 2006, filed August 25, 2006, under Document Number 2006-1656038 and amendment dated May 11, 2010, filed June 8, 2010, under Document Number 2010-2109516, Official Records and Volume 51, Pages 62-67, Map Records of Hidalgo County, Texas.

## EXHIBIT "B"

"AS A MATERIAL PART OF THE CONSIDERATION FOR THIS DEED, GRANTOR AND GRANTEE AGREE THAT GRANTEE IS TAKING THE PROPERTY "AS IS", "WHERE IS" AND "WITH ALL FAULTS", WITH ANY AND ALL LATENT AND PATENT DEFECTS AND THAT THERE IS NO WARRANTY BY GRANTOR THAT THE PROPERTY HAS A PARTICULAR FINANCIAL VALUE OR IS FIT FOR A PARTICULAR PURPOSE. GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTOR HAS NOT MADE, AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTEES OF ANY KIND OR CHARACTER WHATSOEVER WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS, OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (F) THE PHYSICAL CONDITION OR ANY OTHER ASPECT OF THE PROPERTY INCLUDING THE STRUCTURAL INTEGRITY OR THE QUALITY OR CHARACTER OF MATERIALS USE IN THE CONSTRUCTION OF ANY IMPROVEMENTS (E.G. DRYWALL, ASBESTOS, LEAD PAINT, UREA FORMALDEHYDE FOAM INSULATION), AVAILABILITY AND QUANTITY OR QUALITY OF WATER, STABILITY OF THE SOIL SUSCEPTIBILITY TO LANDSLIDE OR FLOODING, SUFFICIENCY OR DRAINAGE, WATER LEAKS WATER DAMAGE, MOLD OR ANY OTHER MATTER WITH RESPECT TO THE PROPERTY OR ANY IMPROVEMENTS. GRANTEE ALSO ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING SOLID WASTE, AS DEFINED BY THE TEXAS SOLID WASTE DISPOSAL ACT AND THE REGULATIONS ADOPTED THEREUNDER OR THE U. S. ENVIRONMENTAL PROTECTION AGENCY REGULATIONS, OR THE DISPOSAL OR EXISTENCE, IN OR ON THE PROPERTY, OF ANY HAZARDOUS SUBSTANCE, AS DEFINED BY THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT OF 1980, AS AMENDED, AND REGULATIONS PROMULGATED THEREUNDER. GRANTEE FURTHER ACKNOWLEDGES AND AGREES HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, THAT GRANTEE IS RELYING SOLELY ON GRANTEE'S OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED WITH RESPECT TO THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT GRANTOR HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT THE SALE OF THE PROPERTY, AS PROVIDED FOR HEREIN, IS MADE ON AN "AS IS, WHERE IS", "WITH ALL FAULTS" CONDITION AND BASIS. GRANTEE'S ACKNOWLEDGMENT AND ACCEPTANCE OF THE TERMS HEREOF SHALL BE EVIDENCED BY GRANTEE'S RECORDING OF THIS SPECIAL WARRANTY DEED IN THE OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS.