

STATE OF TEXAS
COUNTY OF HIDALGO

DONATION DEED

Date: October 4, 2016

Grantor: ML Rhodes, Ltd., a Texas limited partnership

Grantor's Mailing Address: 200 South 10th Street, Suite 1400
McAllen, Texas 78501

Grantee: Hidalgo County, Texas

Grantee's Mailing Address: 100 East Cano Street
Edinburg, Texas 78539

Consideration: Grantor's desire to donate the Property to the Grantee for public use.

Property (including any improvements): The real property located in Hidalgo County, Texas and described by metes and bounds on Exhibit "A" attached hereto.

Reservations from Conveyance and exceptions to Conveyance and Warranty:

1. All mineral reservations of record.
2. All Oil, Gas and Mineral Leases of record, if any.
3. Any rules, regulations, rights of way and easements in favor of the water district which property is located.
4. All easements and restrictions of record and all visible easements.
5. The following restrictive covenant:

- a. **The Property shall be used solely as a public park for the use and enjoyment of the general public until September 30, 2036, on which date this restriction shall automatically terminate.**

Grantor, for the Consideration and subject of the Reservations from Conveyance and the 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 way belonging, to have and to 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, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, by, through, or under Grantor but not otherwise.

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

ML RHODES, LTD., a Texas Limited Partnership

By: HIDALGO COUNTY TEXAS CORPORATION
Its: General Partner

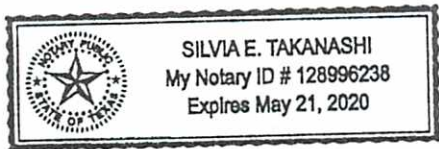
BY: 
Mike Rhodes, President

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

On this day personally appeared Mike Rhodes, 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 the purposes and consideration therein expressed, and in his capacity as President of Hidalgo County Texas Corporation, General Partner of ML Rhodes, Ltd., a Texas limited partnership, and on behalf of said partnership.

Given under my hand and seal of office this 3rd day of October, 2016.




Notary Public, State of Texas

ACCEPTED BY:

HIDALGO COUNTY, TEXAS

BY: _____
NAME: _____
ITS: _____

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

On this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, and in his/her capacity as _____ of Hidalgo County, Texas.

Given under my hand and seal of office this _____ day of _____, 2016.

Notary Public, State of Texas

EXHIBIT "A"

EXHIBIT "A"

October 4, 2016

METES AND BOUNDS DESCRIPTION 6.008 ACRES BEING ALL OF TRACT "A" AURORA VALLEY PHASE 4 SUBDIVISION HIDALGO COUNTY, TEXAS

A tract of land containing 6.008 acres situated in Hidalgo County, Texas, being all of Tract "A", Aurora Valley Phase 4 Subdivision, according to the plat thereof recorded in Instrument Number 2658607, Hidalgo County Map Records, said 6.008 acres also being more particularly described as follows:

BEGINNING at a No. 4 rebar set on the Northeast corner of said Tract "A", for the Northeast corner of this herein described tract;

1. THENCE, S 00° 33' 22" E along the East line of said Tract "A", a distance of 186.04 feet to a No. 4 rebar set on the Northernmost Southeast corner of said Tract "A", for the Northernmost Southeast corner of this tract;
2. THENCE, S 44° 26' 38" W along a line of said Tract "A", a distance of 35.36 feet to a No. 4 rebar set [Northing: 16619815.679, Easting: 1131007.571] on the Southernmost Southeast corner of said Tract "A", for the Southernmost Southeast corner of this tract;
3. THENCE, S 89° 26' 38" W along a South line of said Tract "A", a distance of 897.01 feet to a No. 4 rebar set [Northing: 16619806.972, Easting: 1130110.606] on an outside corner of said Tract "A", for an outside corner of this tract;
4. THENCE, in a Southwesterly direction along a curve to the left, with a central angle of 102°38'08", a radius of 40.00 feet, an arc length of 71.65 feet, a tangent of 49.96 feet, and a chord that bears S 89° 26' 38" W a distance of 62.45 feet to a No. 4 rebar set on an outside corner of said Tract "A", for an outside corner of this tract;
5. THENCE, S 89° 26' 38" W along a South line of said Tract "A", a distance of 464.26 feet to a No. 4 rebar set on the Southwest corner of said Tract "A", for the Southwest corner of this tract;
6. THENCE, N 00° 33' 22" W along a West line of said Tract "A", a distance of 67.53 feet to a No. 4 rebar set on an inside corner of said Tract "A", for an inside corner of this tract;
7. THENCE, N 55° 27' 04" W along a West line of said Tract "A", a distance of 143.41 feet to a No. 4 rebar set on the Northwest corner of said Tract "A", for the Northwest corner of this tract;
8. THENCE, N 89° 26' 38" E along a North line of said Tract "A", a distance of 104.75 feet to a No. 4 rebar set on an inside corner of said Tract "A", for an inside corner of this tract;
9. THENCE, N 00° 33' 22" W along a line of said Tract "A", a distance of 5.54 feet to a No. 4 rebar set on an outside corner of said Tract "A", for an outside corner of this tract;
10. THENCE, N 89° 26' 38" E along a North line of said Tract "A", a distance of 214.74 feet to a No. 4 rebar set on an inside corner of said Tract "A", for an inside corner of this tract"

11. THENCE, N 00° 33' 22" W along a line of said Tract "A", a distance of 10.50 feet to a No. 4 rebar set on an outside corner of said Tract "A", for an outside corner of this tract;
12. THENCE, N 89° 26' 38" E along a North line of said Tract "A", a distance of 766.22 feet to a No. 4 rebar set on an inside corner of said Tract "A", for an inside corner of this tract;
13. THENCE, N 65° 27' 10" E along a North line of said Tract "A", a distance of 110.68 feet to a No. 4 rebar set on an outside corner of said Tract "A", for an outside corner of this tract;
14. THENCE, N 89° 26' 38" E along a North line of said Tract "A", a distance of 379.20 feet to the POINT OF BEGINNING, and containing 6.008 acres of land, more or less.



I, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY AFFIRM THAT THIS METES AND BOUNDS DESCRIPTION REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON 04/18/2014 UNDER MY DIRECTION AND SUPERVISION.


ROBERTO N. TAMEZ, R.P.L.S. #6238


DATE:

EXHIBIT "A"

October 4, 2016

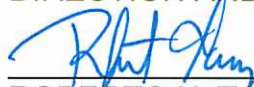
METES AND BOUNDS DESCRIPTION 5.935 ACRES BEING ALL OF TRACT "B" AURORA VALLEY PHASE 4 SUBDIVISION HIDALGO COUNTY, TEXAS

A tract of land containing 5.935 acres situated in Hidalgo County, Texas, being all of Tract "B", Aurora Valley Phase 4 Subdivision, according to the plat thereof recorded in Instrument Number 2658607, Hidalgo County Map Records, said 5.935 acres also being more particularly described as follows:

BEGINNING at a No. 4 rebar set [Northing: 16620027.438, Easting: 1131080.519] on the Northwest corner of said Tract "B", for the Northwest corner of this herein described tract;

1. THENCE, N 89° 26' 38" E along the North lien of said Tract "B", a distance of 1,249.84 feet to a No. 4 rebar set [Northing: 16620039.569, Easting: 1132330.300] on the Northeast corner of said Tract "B", for the Northeast corner of this tract;
2. THENCE, S 08° 39' 27" W along the East lien of said Tract "B", a distance of 239.13 feet to a No. 4 rebar set on the Southeast corner of said Tract "B", for the Southeast corner of this tract;
3. THENCE, S 89° 26' 38" E along a South line of said Tract "B", a distance of 5.00 feet to a No. 4 rebar set on an outside corner of said Tract "B", for an outside corner of this tract;
4. THENCE, in a Northwesterly direction along a curve to the left, with a central angle of 150°00'00", a radius of 50.00 feet, an arc length of 130.90 feet, a tangent of 186.60 feet, and a chord that bears N 75° 33' 22" W a distance of 96.59 feet to a No. 4 rebar set on an outside corner of said Tract "B", for an outside corner of this tract;
5. THENCE, S 89° 26' 38" W along a South line of said Tract "B", a distance of 1,088.25 feet to a No. 4 rebar set on the Southernmost Southwest corner of said Tract "B", for the Southernmost Southwest corner of this tract;
6. THENCE, N 45° 33' 22" W along a line of said Tract "B", a distance of 35.36 feet to a No. 4 rebar set on the Northernmost Southwest corner of said Tract "B", for the Northernmost Southwest corner of this tract;
7. THENCE, N 00° 33' 22" W along the West line of said Tract "B", a distance of 186.04 feet to the POINT OF BEGINNING, and containing 5.935 acres of land, more or less.

I, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY AFFIRM THAT THIS METES AND BOUNDS DESCRIPTION REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON 04/18/214 UNDER MY DIRECTION AND SUPERVISION.



ROBERTO N. TAMEZ, R.P.L.S. #6238

10/04/16

DATE:

